

**MINUTES OF THE MILLVILLE
TOWN COUNCIL MEETING
November 13, 2012 @ 7:00PM**

In attendance were Mayor Gerry Hocker, Deputy Mayor Jon Subity, Council Members' Robert Gordon, Joan Bennett and Harry Kent. Town Solicitor Seth Thompson and Town Manager Debbie Botchie.

1. CALL TO ORDER:

Mayor Hocker called the meeting to order with the Pledge of Allegiance at 7:00 pm.

2. ANNOUNCEMENTS:

No announcements

3. ADOPTION OF MINUTES:

Council Member Joan Bennett motioned to accept the Council minutes of October 9, 2012 & the Workshop Notes of October 23, 2012. Deputy Mayor Jon Subity seconded her motion. Motion carried unanimously 5-0.

4. TREASURER'S REPORT:

Council Member Joan Bennett presented the Financial Report for month ending 10/31/12.

October 31, 2012:

General Revenue: \$ 97,846.	General Expenses: \$ 28,923.
Restricted Revenue: 44,211.	Restricted Expenses: 1,245.

Deputy Mayor Subity motioned to accept the Treasurers Report.
Council Member Kent seconded his motion.
Motion carried unanimously 5-0.

5. ADMINISTRATIVE REPORT:

Ms. Botchie asked Council if they had any questions regarding the report. Council Member Bennett questioned what outside agencies still haven't given approval to Millville-By-The-Sea. Ms. Botchie replied that she had not been updated as there were numerous approvals pending. Ms. Botchie noted Beazer Homes was scheduled for the December P&Z Meeting requesting a conditional use for a Temporary Real Estate Sales Center. Ms. Botchie reported that the Dollar General is scheduled to open at the end of November.

6. NEW BUSINESS:

A. Discussion for possible vote on the FY13 Budget Revisions - Treasurer Joan Bennett & Town Manager. *Synopsis:* The Treasurer and Town Manager did a six-month review of the budget and found some expense line items need to be adjusted.
Ms. Bennett explained to Council that there were approximately 9 line items to be revised from the previously approved FY13 Budget. Ms. Bennett stated that the Town Manager had brought to her attention several maintenance items around the Town Hall that needed to be completed; professional and legal fees needed to be increased due to ongoing projects. Ms. Bennett stated that most of the line items only have about a 10 percent increase and with our generous revenues coming in, she felt comfortable with this proposal.

Deputy Mayor Subity asked the Town Manager to explain the new line item regarding the half percent paid to Fulton Bank. Ms. Botchie explained that the banks are now charging municipalities for processing the transfer tax deposits. The normal rate is 1 percent of the amount of transferred tax received and she negotiated with Fulton Bank to lower the rate should we put monies in their bank, and Fulton agreed.

Council Member Gordon motioned to accept the FY13 Budget Revisions as presented and was seconded by Council Member Kent. The motion was carried 5-0.

- B. Discussion for possible vote on the revisions to the Personnel Policy Manual. Synopsis: Town Manager requested the staff be given a one-half holiday for Return Day which occurs every other year due to its status as a Sussex County tradition and the previous elimination of Good Friday as a paid holiday for the staff.

Deputy Mayor Subity motioned to accept the revisions to the Personnel Policy Manual and was seconded by Council Member Kent. The motion was carried 5-0.

- C. Discussion for possible vote on Resolution 13-03. Synopsis: If approved, Resolution 13-03 will allow the Town Manager to sign on behalf of the Town agreements between developers and the Town of Millville, including public works agreements, landscape agreements, and stormwater maintenance agreements. These agreements are first reviewed by the Town Engineer and Town Solicitor.

Town Solicitor Seth Thompson explained that Resolution 13-03 would keep the prior Resolution that designated signatory authority regarding the development and subdivision process. Mr. Thompson stated that the Resolution 13-03 would authorize the Town Manager to sign on behalf of Town Council. The Town Manager would forward the public works, landscape and stormwater maintenance agreements to the Town Engineer and Town Solicitor, who would both review the agreements, approve them, and forward them back to the Town Manager, who - rather than Town Mayor - would be able to approve the agreements. Mr. Thompson stated that policy would not fall under this Resolution, but only agreements with which developers are contractually bound. Mr. Thompson stated the reason for Resolution 13-03 is in instances of time sensitivity, and it is a decision for the Town Council if someone other than the Town Mayor signs these agreements.

Council Member Bennett motioned to accept Resolution 13-03 which will allow the Town Manager to sign on behalf of the Town, agreements between developers and the Town of Millville, including public works agreements, landscape agreements, and stormwater maintenance agreements after the Town Solicitor and Town Engineer have reviewed. The Resolution was seconded by Council Member Kent. The motion was carried 5-0.

7. COMMITTEE REPORTS:

A. Millville Great Pumpkin Festival:

Deputy Mayor Subity did not have any comments and asked the Town Manager for her report. The Town Manager stated that despite donations being down this year, she believes the Festival was a success. There was a one-time expense of \$500 for the installation of electrical boxes for the Millville Fire Department. A cost of \$368 was utilized to purchase a tent for the Farmer's Market and the Pumpkin Festival, and games and prizes were purchased at a very low cost. The Town Manager stated that she still had two checks coming in, and that the expenses put the Town in the negative "by almost \$1300." Council Member

Bennett stated that the \$1300 expenditure was a one-time, non-recurring expenditure. The Town Manager stated that the \$1300 could be reduced by over \$800 because of \$200 coming in as well as the \$500 and \$368. The Town Manager stated that the vendors did well and there were no complaints. Council Member Bennett stated that she submitted a nomination to Southern Delaware Tourism to have the Great Pumpkin Festival nominated for a recognition award, and news on that nomination is pending.

B. Sprinkler System Committee:

Council Member Gordon stated that he had nothing to report at this time. Mr. Gordon had a meeting scheduled with a representative from Bear Industries, which cancelled due to "other commitments." Mr. Gordon stated that Town Code & Building Administrator Eric Evans sent information to the three companies, which they need to return, however, because Mr. Evans has been off work the past week, he was still awaiting a reply.

Council Member Bennett inquired about the Farmers Market vendors' concern regarding the size of the water tank and would it take up the vendor's space at the Market. Mr. Gordon said they were going to place the tank as close to the building as possible, however, there is an underground gas tank. Mr. Gordon stated that, at this point, they are still in the discussion stage.

8. PROPERTY OWNERS/AUDIENCE COMMENTS:

Richard Shoobridge, of Tybee Street, stated that he is in total frustration with Mr. Chuck Ellison of Miller & Smith due to the fact that Mr. Ellison has not returned any of his phone calls or emails. Mr. Shoobridge stated that no construction had begun on the pond which was approved months ago. Mr. Shoobridge asked Council if there was anything they could do. Ms. Botchie responded there was nothing the Town could do to have Mr. Ellison communicate with him. As far as construction, Ms. Botchie stated the developer has three years to do substantial construction or be deemed null and void.

9. ANNOUNCEMENT OF NEXT MEETING:

Mayor Hocker announced next meeting of the Council would be a workshop November 27, 2012.

10. EXECUTIVE SESSION:

Discuss personnel matters in which the names, competency, qualifications and abilities of individual citizens will be discussed.

At 7:37 p.m., Council Member Gordon motioned to enter Executive Session, and seconded by Deputy Mayor Subity. The motion was carried 5-0.

Motion to come out of executive session and reconvene open meeting. At 8:35 p.m., motion made by Council Member Bennett to reconvene open meeting and seconded by Council Member Kent. Motion carried 5-0.

11. ADDITIONAL NEW BUSINESS:

Discussion of possible vote on Resolution 13-04. Synopsis: If approved, Resolution 13-04 will allow the Town Manager to hire the qualified individual that applied for the Town Clerk/Administrative Assistant position.

Council Member Bennett motioned that the Town approve Resolution 13-04 which would

allow the Town Manager to hire the qualified individual who applied for the Town Clerk/Administrative Assistant position with Resolution 13-04 amended, and seconded by Council Member Gordon. Motion carried 5-0.

Deputy Mayor Subity motioned to adjourn the meeting at 8:40 p.m. Council Member Kent seconded his motion. Motion carried 5-0.

Respectfully submitted,
Matt Amerling, Town Clerk