

**MINUTES OF THE MILLVILLE
TOWN COUNCIL MEETING
August 13, 2013 @ 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, Town Manager Debbie Botchie, and Town Clerk Matt Amerling.

1. CALL TO ORDER:

Mayor Gerry Hocker called the meeting to order at 7:00 p.m.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Hocker led the pledge of allegiance.

3. ADOPTION OF TOWN COUNCIL MINUTES

Deputy Mayor Jon Subity motioned to adopt the Council minutes from July 9, 2013. Council Member Harry Kent seconded his motion. Motion carried 5-0.

4. ACCEPTANCE OF TREASURER'S REPORT

Council Member Joan Bennett presented the Financial Report for month ending 7/31/13.

July 31, 2013:

General Revenue:	\$ 206,905.	General Expenses:	\$ 29,984.
Restricted Revenue:	32,234.	Restricted Expenses:	1,901.

Council Member Kent motioned to approve the Treasurer's Report for the month ending July 31, 2013. Deputy Mayor Jon Subity seconded his motion. Motion carried 5-0.

5. ADMINISTRATIVE REPORT

Town Manager Debbie Botchie stated the Town is doing well budget-wise, and the Town is 81.31% revenue received and three months into the fiscal year, with the expenses balanced at 15.20%. Ms. Botchie further stated the Town is receiving more building permit applications from the developments and that is a plus. Ms. Botchie stated regarding the bid for fire & security alarm systems, the Town was to receive the bids by Friday, August 9, 2013, but no bids were received, with only one bid packet being picked up, so the Town has to broaden its advertising by not staying as local.

Ms. Botchie stated regarding the drainage issue at the foot of the steps outside the front door, anytime it rains, there is flooding. Ms. Botchie stated there is \$3000 budgeted in the Town's building maintenance which will not be used this year, and Council Member Kent – being facilities liaison – got a proposal from a contractor to rectify the situation.

Mr. Kent stated he met with the contractor and discussed the flooding issue as well as the Town sign being pulled out due to the DelDOT road widening project, affecting the flagpole and its lighting. Mr. Kent stated the lighting for the flagpole will have to be replaced so the contractor gave him an additional estimate of \$350 to replace the conduit work. Mr. Kent further stated the

drainage is coming in such a way that it is pushing water back in from the street and away from the building, causing the flooding of the front walkway and grass areas and saturating the ground. Mr. Kent stated in addition to that the Town does not have any drainage facility in the area, causing the flooding. Mr. Kent stated Town Code & Building Administrator Eric Evans spoke with DelDOT and one of Council Member Kent's concerns – in addition to what Council is contending with – is it is very likely there will be additional water infiltration from the road because the elevation of Route 26 will be raised somewhat by DelDOT during their road-widening project. Mr. Kent stated one of the ways to eliminate the additional water infiltration is to have some re-grading work done to the front ramp area of Town Hall as well as install a containment unit in which water will flow down into a pipe which will carry the water out to the back of Town Hall and into an existing drain system.

Council Member Bennett asked regarding the water being piped from the front drainage collection to the back of Town Hall, will the pipes go around the building. Mr. Kent stated there is a drain system between the addition which will tie into the existing drain system. Ms. Bennett asked if there is any consideration into having the downspouts placed out to another location as well. Mr. Kent stated there was no talk of that but the area re-grading would lead most of the water to a drain in a grassy area. Ms. Bennett asked regarding the flagpole and the conduit, with the ground that will be lost during the road-widening project, is that area where the conduit be wired. Mr. Kent stated the conduit will go out to the flagpole from the building. Ms. Bennett asked about when the Town places a new sign for Town Hall out front, how the sign would be wired. Mr. Kent stated there would be separate wiring for the sign.

Deputy Mayor Subity asked about how the containment inlet might work. Mr. Kent stated to pull the existing stuff out of the inlet, there will be a drain system inside the inlet so no debris could clog up the piping. Deputy Mayor Subity asked if Town staff would have access to the inlet if it needed repair. Mr. Kent stated the containment device does have a lid on it if it needs cleaning and there is only lattice covering the way to get to the drain. Mayor Hocker asked if the price includes labor. Mr. Kent stated yes. Council Member Gordon asked if anyone had spoken with DelDOT regarding what is going on with installing drainage during the road expansion. Ms. Botchie stated she is working on that now by getting notes together to talk to DelDOT's Tom Banez regarding the drainage and where DelDOT expects it to run off. Ms. Botchie further stated she found out the property in front of the Millville United Methodist Church is going to be raised 18 inches higher than the current elevation. Ms. Bennett stated what she is concerned about going forward is if there was a proposal from DelDOT to swail it to the ditch behind Town Hall, and because Town Hall sits so closely to the back of the ditch, that in a "über storm" that could be a prescription for disaster. Ms. Bennett stated if the swail were one of the recommendations from DelDOT, she would not support it. Ms. Bennett asked if the Town had a written proposal for the \$3000 expenditure for the re-grading and drainage. Ms. Botchie stated yes.

6. OLD BUSINESS

A. Discussion and possible vote on Resolution 14-02 – Council Members Kent and Gordon.
Synopsis: Resolution 14-02 authorizes the Town Manager to enter into contracts and authorize payments to purchase materials or obtain services which are ordinary and necessary to the continued daily functioning of the Town.

Town Solicitor Seth Thompson stated in keeping with the Town's concept of protecting the Town and its employees in terms of who is authorized to sign what, this resolution was drafted to put a cap on what the Town Manager can authorize as well as account for the expenditures. Mr. Thompson stated the cap is up to \$5000 and the reason for the expenditure has to be something necessary to the Town's daily functioning. Mr. Thompson stated if it is something that is either not considered to be an emergency or something not in the Town's budget, the Town Manager would have to approach Council for permission. Mr. Thompson further stated this resolution is to avoid delays on items and/or issues which need to be immediately addressed. Mr. Thompson stated the \$5000 cap is simply a number he put forth, is an aggregate sum and is not absolute, so he will take suggestions if Council has any.

Ms. Bennett stated, regarding paragraph seven, to consider adding a sentence stating, "Upon such an expenditure being entered into by the Town Manager, the Town Manager will forthwith advise the Town Council of the same." Ms. Bennett stated she knows the current Town Manager will advise Council but would like the language added just for "so everybody knows what everybody else has to do." Mr. Thompson stated that is fine but if a supply expenditure is above \$1000, it goes in the Administrative Report, which goes before Council. Mr. Thompson stated he could add language of "be it further resolved that the Town Manager shall reference in her monthly report to Council the expenses." Mr. Kent stated if the Town Manager has to spend money on a small random item, such phrasing might not be worth the effort, but if it is a large sum, it does make sense. Mr. Thompson stated he was thinking of including the sentence, "Be it further resolved that any such expense in excess of \$1000 shall be included in the Town Manager's subsequent Administrative Report to Council." Ms. Bennett stated that sentence works.

Council Member Bennett motioned to approve Resolution 14-02 with the amended language "Be it further resolved that any such expense in excess of \$1000 shall be included in the Town Manager's subsequent Administrative Report to Council." Deputy Mayor Subity seconded her motion. Council Member Bennett voted yes. Deputy Mayor Subity voted yes. Council Member Kent voted yes. Council Member Gordon voted yes. Mayor Hocker voted yes. Motion carried 5-0.

7. PROPERTY OWNERS/AUDIENCE COMMENTS:

Linda Kent, of Cypress Point Trail, stated there were two new members of the Millville Volunteers – Patrick and Regina Plocek. Ms. Kent stated both are used to helping in the community already so they will be great additions to the volunteers. Ms. Kent stated the day before the Volunteers had put on the "Matter of Balance" program for anyone who has fallen or had a fear of falling. Ms. Kent stated there were eight participants – with the average age being 69 – and volunteers Susan Brewer and Maggie King have done a great job leading the program. Ms. Kent stated in regards to the Millville Farmer's Market, the market is going well despite the fact that Hopkins Creamery ice cream is no longer taking part. Ms. Kent stated she is talking to two other possible vendors: popcorn from Rehoboth Beach, and ice cream from Eastern Shore Maryland.

Ms. Bennett stated regarding the Town's Great Pumpkin Festival last year, the Town offered the vendors from the Millville Farmer's Market spots at the Pumpkin Festival, and will the Town be doing that this year? Ms. Kent stated she is planning on extending the invitation to this year's

vendors for both the Pumpkin Festival and the Holiday Festival planned for December. Ms. Bennett thanked Ms. Kent for all of her hard work on the Farmer's Market.

8. ANNOUNCEMENT OF NEXT MEETING:

Mayor Hocker announced the meeting of the Council would be a Workshop on August 27, 2013.

9. ADJOURNMENT:

Council Member Bennett motioned to adjourn the meeting at 7:33 p.m. Council Member Gordon seconded her motion. Motion carried 5-0.

Respectfully submitted,
Matt Amerling, Town Clerk