

**MINUTES OF THE MILLVILLE
TOWN COUNCIL MEETING
October 14, 2014 @ 7:00PM**

In attendance were Mayor Gerry Hocker, Deputy Mayor Bob Gordon, Council Members Harry Kent, and Steve Maneri; and Executive Assistant Matt Amerling. Council Member Susan Brewer and Town Manager Debbie Botchie were absent.

1. CALL TO ORDER:

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

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. ADOPTION OF TOWN COUNCIL MINUTES

A. Adoption of Town Council Minutes – September 9, 2014

B. Adoption of Town Council Workshop Minutes – September 23, 2014

Council Member Steve Maneri motioned to approve the Council minutes for September 9, 2014, and the workshop minutes for September 23, 2014. Council Member Harry Kent seconded the motion. Motion carried 4-0.

4. FINANCIAL REPORT – Treasurer

A. September 2014

Treasurer Harry Kent read the Financial Report for the month ending 9/30/14.

September 30, 2014:

General Revenue:	\$	57,055.	General Expenses:	\$	40,939.
Restricted Revenue:		941.	Restricted Expenses:		1,471.

Deputy Mayor Bob Gordon motioned to approve the Treasurer's Report for the month ending September 30, 2014. Council Member Steve Maneri seconded the motion. Motion carried 4-0.

5. ADMINISTRATIVE MATTERS

A. Administrative Report for September 2014 – Executive Assistant

Executive Assistant Matt Amerling stated the presentation on fraud prevention to be presented by M&T Bank at Town Hall on October 15, 2014, was cancelled due to no RSVPs.

6. NEW BUSINESS

A. Discuss and possible vote on a submission of a request from Beazer Homes to release the bond K08926529. *Synopsis:* The bond was for the club house amenity area, which has been completed.

Deputy Mayor Gordon motioned to release Beazer Homes' bond K08926529. Mr. Kent seconded the motion. Motion carried 4-0.

- B.** Discuss and possible vote on a submission of a request from Beazer Homes to release the bond K08626303. *Synopsis:* The work was for the stormwater facilities in phase 1A. Sussex Conservation District has signed off on the ponds as being completed by Beazer Homes.

Council Member Maneri asked if the ponds referenced in the synopsis were all four (4) ponds in Bishop's Landing. Mr. Kent stated yes.

Mr. Kent motioned to release Beazer Homes' bond K08626303. Mr. Gordon seconded the motion. Motion carried 4-0.

7. PROPERTY OWNERS/AUDIENCE COMMENTS AND QUESTIONS

Dwight Yeager, of Tudor Place, stated he is concerned over the development of Phase 2 of Millville by the Sea (MBTS) and the construction road being developed for construction vehicle access. Mr. Yeager stated the construction access on that road is not happening, and even though he gave the developer a "fair shake" as the building of Phase II development as it progressed because the construction road was built for Phase II specifically. Mr. Yeager stated when the last home took occupancy in Phase I and that phase was done, it was very easy to determine the traffic going up Huntington Street, into Phase II and the construction-use vehicles "stuck out like a sore thumb." Mr. Yeager further stated he is located on the corner of Huntington and Tudor, and he has a very strategic position to see Huntington Street as well as where the construction road comes in to the back end of Huntington. Mr. Yeager stated he took it upon himself to use his background as a New Jersey law enforcement officer and his expertise in crash analysis, crash reconstruction and traffic engineering (Northwestern University, majoring in traffic engineering), to conduct some analysis by sitting on his porch every day and monitoring the traffic, coming up with a 30-day report, which he would like to present to the Council. Mr. Yeager stated there was an average total of 18 vehicles between 7:00 a.m. and 8:00 a.m., using Huntington Street to come into the development. Mr. Yeager further stated, out of those 18, two (2) were using the back entrance – the construction road – which is supposed to carry the bulk of construction traffic. Mr. Yeager stated, according to the Town's Code 72-2, crews are not supposed to be starting construction until 8:00 a.m., but they are starting before said time, so that is a violation of Code. Mr. Yeager further stated he also analyzed the speed of these construction vehicles by measuring out a 100-foot section of road and timing "between point A and point B." Mr. Yeager stated the average speed of the construction trucks was 34 miles per hour (mph). Mr. Yeager stated last Friday, there was one construction truck that came down the road at 47 mph – which is too high for a small community road. Mr. Yeager stated MBTS residents are constantly picking up debris and cigarette butts from the trucks as they go in and out. Mr. Yeager stated he thought it would be advantageous if he confront a construction foreman before coming to Council tonight, and told the foreman the crews are supposed to be using the construction access roads, it's in the Town meeting minutes of all the preliminary site plan approvals as well as the planning board meetings. Mr. Yeager stated the foreman told him, "Well, we've kind of gotten used to it. I guess you could say we're a little bit lazy." Mr. Yeager stated when he got that answer, if he – as a police lieutenant – had a subordinate tell a citizen that excuse, he would have his subordinate in his office because that is unacceptable. Mr. Yeager stated the big "trigger" of this issue was when Mr. Yeager witnessed the vehicle going

47 mph because if someone is familiar with Huntington Street, when one comes into the park area, there is a bike path that connects to the lake side; and Mr. Yeager witnessed a bicyclist coming off the bike path, egressing onto Huntington Street, and there is a dump truck coming down Huntington and the two nearly collided. Mr. Yeager stated as a police lieutenant he's seen a lot of death and he does not want to see anymore – that is why he retired and moved here. Mr. Yeager stated there is a tragedy waiting to happen and he doesn't want to see it or hear about it. Mr. Yeager stated he can pick up cigarette butts and the debris but he is not going to pick up a body. Mr. Yeager stated he believes the solution would be to have the developer become a little more diligent with his crews and tell them to use the construction access roads. Mayor Hocker asked Mr. Yeager if he had any more data he could leave with Council. Town Executive Assistant Matt Amerling stated he would like a copy of what information Mr. Yeager had recorded so Mr. Amerling may pass it to the Town Code & Building Administrator Eric Evans and Mr. Evans can further investigate the matter. Mayor Hocker stated Mr. Yeager gave a very well-prepared presentation and the Town will address the issue.

Mr. Paul DuCott, of Huntington Street, stated he lives right on the other side of the dumpster which Mr. Yeager previously mentioned, and Mr. DuCott has spoken with the construction managers a ridiculous amount of times, speaking about the speeds of the construction trucks. Mr. DuCott stated if the trucks – carrying full loads – are moving at speeds of 35 mph or 45 mph, and they have to abruptly stop, the trucks will not stop real quick and an accident could ensue. Mr. DuCott stated he has mentioned this to the foremen many times and they tell Mr. DuCott, "We're working on it." Mr. DuCott stated they are not working on it, it is merely lip service and the residents are getting no action on this. Mr. DuCott further stated there is inevitably going to be an accident and then what will the residents or Town do?

Ms. Sally Griffin, of Huntington Street, stated when she learned Mr. Yeager had been putting together some specific figures about this traffic issue, Ms. Griffin put together some old e-mails to the developer which she had sent, and the responses were asking Ms. Griffin if she could get the truck ID number. Ms. Griffin stated getting the ID number was difficult to record when the truck was speeding past so fast. Ms. Griffin stated this is an ongoing problem that the residents don't see being resolved and would please like some action. Mayor Hocker asked if it was just construction vehicles. Mr. DuCott stated it was construction and personal vehicles (of the workers), and it's not just a couple, but dozens of vehicles.

8. **ANNOUNCEMENT OF NEXT MEETING** – The next meeting will be the Town's workshop on October 28, 2014.

9. **ADJOURNMENT**

Mr. Kent motioned to adjourn the meeting at 7:22 p.m. Mr. Gordon seconded the motion. Motion carried 4-0.

Respectfully submitted,
Matt Amerling, Executive Assistant