

**MINUTES OF THE MILLVILLE
TOWN COUNCIL MEETING
June 9, 2015 @ 7:00 PM**

In attendance were Mayor Gerry Hocker, Deputy Mayor Bob Gordon, Council Members Harry Kent and Susan Brewer; and Town Solicitor Seth Thompson. Town Manager Debbie Botchie and Council Member Steve Maneri were absent.

1. CALL TO ORDER:

Mayor Gerry Hocker called the meeting to order at 7:05 p.m.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. ADOPTION OF TOWN COUNCIL MINUTES

A. Adoption of Town Council Minutes – May 20, 2015

B. Adoption of Town Council Executive Session Minutes – May 20, 2015

Council Member Susan Brewer motioned to approve the Council minutes for May 20, 2015, and the Executive Session Minutes for May 20, 2015. Deputy Mayor Bob Gordon seconded the motion. Motion carried 4-0.

4. FINANCIAL REPORT – Treasurer

A. May 2015

Treasurer Harry Kent read the Financial Report for the month ending 5/31/15.

May 31, 2015:

General Revenue: \$ 257,013. General Expenses: \$ 46,755.

Restricted Revenue: 46,741. Restricted Expenses: 8,636.

Mr. Gordon motioned to approve the Treasurer's Report for the month ending May 31, 2015. Mayor Hocker seconded the motion. Motion carried 4-0.

5. ADMINISTRATIVE MATTERS

A. Administrative Report for May 2015 – Town Manager

There were no comments.

6. NEW BUSINESS

A. Discussion and possible vote on Resolution 16-01; a resolution to amend Resolution 15-03 Fee Schedule for FY16. *Synopsis:* If approved, a \$500.00 impact fee will be charged on new residential and commercial construction beginning July 1, 2015. The impact fee will fund a Grant for the Millville Volunteer Fire Company (MVFC).

Town Solicitor Seth Thompson stated this resolution is amending the fee schedule the Council had adopted at its April 14, 2015, Town Council meeting, and it is adding in a \$500.00 impact fee for the

Fire Company/Ambulance Service plan, so any new residential or commercial building will have to pay the \$500, starting on July 1, 2015. Mr. Kent asked if the \$500 will be added to any new residential or commercial structure built after July 1, 2015. Mr. Thompson stated yes. Mr. Thompson stated the grant would work by the Fire Company turning in a written submission, and the application has to have the details of the use of the requested funds, with the funds only being used for the purposes of replacing outdated capital items that are used in the organization's daily operation or to purchase capital items which enhance operations. Mr. Thompson further stated the grant will not be used for salary expenses, including budgeted base salaries, overtime and bonuses. Mr. Kent asked if this resolution in no way affects the current three (3) percent the Town gives to the Fire Company. Mr. Thompson stated yes, the impact fee is a separate entity. Mr. Thompson stated if the Fire Company does not apply the grant money to the proper, approved uses, then the Fire Company will have to repay whatever money was not used properly and they will also be given a five (5) percent penalty. Ms. Brewer asked how the Town will know what the money was spent on. Mr. Thompson stated the Fire Company will have an independent accounting firm send a report on how the money was used and if the Fire Company wants to continue the annual process, the report must be submitted and reviewed by the Town.

Mr. Gordon motioned to approve Resolution 16-01 to amend Resolution 15-03 Fee Schedule for FY16 to approve the impact fee of \$500.00 to fund a grant for the Millville Volunteer Fire Company. Ms. Brewer seconded the motion. Mr. Gordon voted yes. Mr. Kent voted yes. Ms. Brewer voted yes. Mayor Hocker voted yes. Motion carried 4-0.

Mayor Hocker stated the Town did receive a letter from Robert J. Harris, of Gulfstream Homes, dated June 9, 2015, regarding the \$500 impact fee. The letter stated Gulfstream's request that Council not impose the impact fee. Mr. Thompson stated Council is able to make a motion for reconsideration if the letter changed any of Council's opinions and/or views. Mr. Kent asked if he was correct in his knowledge that the Town's restricted funds are such that the State mandates as to how and where the Town can spend such funds; and Mr. Kent's understanding is because the MFVC is not an entity of the Town, it's a standalone organization, so the Town is restricted by its own charter as to the percentage, dollars-wise, the Town can give, and those funds are not just readily available just because Council or the Town would like to use them. Mr. Thompson stated Mr. Kent is correct the Town charter does have limitations on the percentage that can be used out of the Town's budget; and using restricted funds, which can only be used for capital improvement or public safety, which would only be used with a Town organization, such as a Town's police department, but, again the MVFC is not an entity of the Town. Council agreed their original motion and vote still stand.

- B.** Discussion and possible vote on an "Agreement of Sale" from John Scott Evans, Jr., to purchase two (2) parcels of land, tax-map-parcel #134-12.00-395.00 & 396.01; 4.91 acres of land located at 32517 Dukes Drive, Millville. *Synopsis:* The Town Council at their meeting held on May 20, 2015, authorized Town Manager Debbie Botchie to engage in negotiations with the seller, Mr. Evans, based on the terms discussed in Executive Session and to have the Town Solicitor to draft the offer which is subject to the Council's final approval. If approved, this property will become the Town of Millville's first park/playground.

Town Solicitor Seth Thompson stated this is an offer and Mr. Evans has offered to sell the parcels to the Town for \$800,000.00. Mr. Thompson stated the Town would have to put down a \$5000.00

deposit and it will be escrowed at Mr. Thompson's office. Mr. Thompson further stated the closing of sale would be by the end of August 2015, if not before; and the buyer will pay the closing costs as well as attorney's fees, title insurance, the survey and recording fees, and the seller will pay for the deed preparation. Mr. Thompson stated special terms include the Town paying the current property tax of about \$265.00, and the Town will include the seller's parent's names in conjunction with any park on the property.

Mr. Gordon motioned to approve the "Agreement of Purchase and Sale" as presented to purchase the two parcels of land consisting of 4.91 acres of land located at 32517 Dukes Drive, Millville. Mr. Kent seconded the motion. Mr. Gordon voted yes. Mr. Kent voted yes. Ms. Brewer voted yes. Mayor Hocker voted yes. Motion carried 4-0.

7. PROPERTY OWNERS/AUDIENCE COMMENTS AND QUESTIONS

Linda Kent, of Cypress Point Trail, stated, as market manager for the Farmer's Market, she is happy Town Manager Debbie Botchie was able to acquire the use of the property next to the MVFC for the market location, and Ms. Kent will have to purchase another folding table as well as an open tent for the medical tests being held during particular market dates.

8. ADJOURNMENT

Mr. Gordon motioned to adjourn the meeting at 7:47 p.m. Mr. Kent seconded the motion. Motion carried 4-0.

Respectfully submitted,
Matt Amerling, Executive Assistant