

**MINUTES OF THE MILLVILLE
TOWN COUNCIL MEETING
December 8, 2015 @ 7:00 PM**

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

Mayor Hocker stated the Council would not be discussing or voting on section "E" under item number eight (8) regarding Resolution 16-02 tonight due to the absence of two Council members. Mr. Hocker further stated there is a quorum of three (3), and, in the absence of Council Member Harry Kent, the Council asks everyone to keep Mr. Kent in their thoughts and prayers as he is ill at this time.

3. ADOPTION OF TOWN COUNCIL MINUTES

A. Adoption of Town Council Minutes – November 10, 2015

B. Adoption of Town Council Workshop Minutes – November 24, 2015

C. Adoption of Town Council Executive Session Minutes – November 24, 2015

Council Member Susan Brewer motioned to approve the Council minutes for November 10, 2015, the Council workshop minutes for November 24, 2015, and the Council executive session minutes for November 24, 2015. Deputy Mayor Bob Gordon seconded the motion. Motion carried 3-0.

4. FINANCIAL REPORT – Town Manager

A. November 2015

Town Manager Debbie Botchie read the Financial Report for the month ending 11/30/15.

November 30, 2015:

General Revenue: \$ 108,001. General Expenses: \$ 32,032.

Restricted Revenue: 11,754. Restricted Expenses: 6,754.

Deputy Mayor Bob Gordon motioned to approve the Treasurer's Report for the month ending November 30, 2015. Council Member Susan Brewer seconded the motion. Motion carried 3-0.

5. ADMINISTRATIVE MATTERS

A. Administrative Report for November 2015 – Town Manager

Ms. Botchie stated Town Executive Assistant Matt Amerling completed the Town newsletter and it was mailed out today as well as the next two days. Ms. Botchie stated the Town had its third

annual Holiday Market on Saturday, December 5, 2015, and she would like to thank all of the Town's volunteers who helped the staff prior to the event and the day of the event. Ms. Botchie stated all of the vendors who were in attendance were very pleased with their sales and the Town raised approximately \$70.00 for the Get Well Gabby Foundation, a local charity for kids with cancer. Ms. Botchie stated on Tuesday, December 22, 2015, at the Council workshop meeting, Council will have the opportunity to vote on the contractor for the bids received for the new municipal building.

MOTION TO ENTER PUBLIC HEARING

Mr. Gordon motioned to enter into public hearing at 7:07 p.m. Ms. Brewer seconded the motion. Motion carried 3-0.

6. Public Hearing

A. Public Hearing Notice – Mayor Gerry Hocker

B. Written Comments – Town Manager

There were no written comments.

C. Review and discuss final draft of Ordinance 16-03.

Synopsis: Ordinance 16-03 will remove Special Exceptions requirements from the Town of Millville Code at Chapter 155 at: Article XI Board of Adjustment § 155-58. Special Exceptions.

Ms. Botchie stated this ordinance basically removes the “Special Exceptions” from the section of the Board of Adjustment (BOA) ordinance. Ms. Botchie further stated a few months ago, when the Town was reviewing and passing the zoning amendments (Ordinance 16-01), Council and the administration failed to take out the “Special Exceptions” language in the BOA ordinance. Ms. Botchie stated the Town had taken out all of the special exceptions in all of the districts, and this will just clean up the BOA ordinance, which all of Council reviewed last month at the workshop meeting (October 27, 2015).

D. Property Owner Comments & Questions

There were no comments.

7. Public Hearing

A. Public Hearing Notice – Mayor Gerry Hocker

B. Written Comments – Town Manager

There were no written comments.

C. Review and discuss final draft of Ordinance 16-04

Synopsis: Ordinance 16-04 will amend the Town Code relating to the Town Planning & Zoning (P&Z) Commission, including its composition, duties, and procedure.

Ms. Botchie stated this ordinance does what Council agreed upon at last month's workshop meeting (October 27, 2015), which is disbanding the Planning and Zoning (P&Z) Commission and forming a P&Z Committee, consisting of the Town Manager, Town Code & Building Administrator, one (1) Town Council Member, and Town Engineer and planner/AECom representative. Ms. Botchie stated this ordinance was written and it amends the P&Z Commission to say "Committee," as well as the procedures and duties of said committee.

D. Property Owner Comments & Questions

There were no comments.

MOTION TO EXIT PUBLIC HEARING

Mr. Gordon motioned to exit the public hearing at 7:13 p.m. Ms. Brewer seconded the motion. Motion carried 3-0.

8. New Business

A. To consider for possible vote the final draft of Ordinance 16-03.

1.) Mayor Hocker request individual vote.

Mr. Gordon motioned to adopt Ordinance 16-03. Ms. Brewer seconded the motion.

Mr. Gordon voted yes. Ms. Brewer voted yes. Mr. Hocker voted yes. Motion carried 3-0.

B. To consider for possible vote the final draft of Ordinance 16-04.

1.) Mayor Hocker request individual vote.

Ms. Brewer recused herself from the vote as she was previously chosen to serve on the P&Z Committee. Ms. Botchie stated there is still a quorum, with one abstention, because there is two-thirds of a vote for those Council Members present. Mr. Gordon motioned to adopt Ordinance 16-04. Mr. Hocker seconded the motion. Mr. Gordon voted yes. Ms. Brewer voted to abstain. Mr. Hocker voted yes. Motion carried 2-0-1.

C. Review of preliminary site plan and possible vote on final site plan for Petco retail store in the Millville Town Center Shopping Center. (preliminary review and final approval) *Synopsis:* Due to the disbanding of the Town P&Z Committee, the Town Council will conduct preliminary review and final approval of the site plan submitted by Petco for a retail store to move in and expand at Tax Map Parcel 134-12.00-411.00. The proposed use does not change and the building is being expanded by approximately 2,282-square-feet.

Mr. Ring Lardner, of Davis, Bowen & Friedel, Inc., stated he is representing Millville Town Center Associates LLC, and he is here to request preliminary and final approval for the expansion of a shopping center store by approximately two-thousand-two-hundred-eighty-two (2,282) square feet. Mr. Lardner stated this building will be for the new tenant, Petco. Mr. Lardner further stated he has received a no-objection letter from the Sussex Conservation District since there was no disturbance of more than

five-thousand (5,000) square feet, and he also received approval from the office of the State Fire Marshal for the site plan. Mr. Lardner stated Petco is very excited to be coming to the Town.

Ms. Botchie stated, on behalf of Town Planner/AECom representative Kyle Gulbranson, she has his comment letter stating the applicant meets all of the requirements for site plan approval as well as the Town setback and height requirements in a C2 district.

Mr. Gordon asked which wall is being moved on the site plan. Mr. Lardner stated it is the wall on the opposite side – not the Giant Food store wall. Mr. Gordon asked, regarding the expansion of the back of the building, if emergency vehicles such as fire trucks and ambulances will still have adequate room to maneuver behind the store. Mr. Lardner stated the fire lane will not be affected by the expansion.

Mr. Gordon motioned to approve the preliminary and final site plan as presented. Ms. Brewer seconded the motion. Mr. Gordon voted yes. Ms. Brewer voted yes. Mr. Hocker voted yes. Motion carried 3-0.

- D.** Discuss and possible vote of the Millville Volunteer Fire Company (MVFC) request for grant funds in the sum of \$26,500 – Town Manager. *Synopsis:* On June 9, 2015, Town Council approved Resolution 16-01, which added an impact fee of \$500 per any new commercial and residential construction within the Town. These monies are put into a grant for the MVFC's fire/ambulance services. The funds are to only be used for outdated capital items used in the MVFC's daily operations or to purchase capital items which enhance operations. The funds shall not be used for salary expenses, including budgeted base salaries, overtime and bonuses.

Ms. Botchie stated on November 17, 2015, the Town received the attached MVFC request application. Ms. Botchie stated the amount, at the time, is \$26,500.00, which are the monies collected by the Town since July 1, 2015, to October 1, 2015. Ms. Botchie further stated the MVFC is fully aware this amount is only from the three months of collection, and in the following year, the MVFC will have a full year's grant monies to request. Ms. Botchie stated MVFC's request now will be to reduce the principal loan monies owed from the purchase of two (2) new ambulances and one (1) new traffic control unit currently in service and operated by the MVFC. Ms. Botchie stated these purchases do meet the request guidelines required by the Town via the resolution passed.

Mr. Gordon stated he is "kind of shocked" the MVFC is not present tonight to represent themselves because if someone was giving the Town \$26,500, Mr. Gordon would make sure someone from the Town would be on-site because he is not sure how the payment to the MVFC will work. Ms. Botchie stated she will contact Mr. Scott and Mr. Droney, and when they make payments, they will have to bring to the Town the

receipt of payment and the Town will reimburse them. Ms. Botchie stated the grant monies does not affect the Town's budget nor does it affect any audits.

Mr. Hocker motioned to approve the request for a grant in the sum of \$26,500 towards the Millville Volunteer Fire Company. Ms. Brewer seconded the motion. Mr. Gordon voted yes. Ms. Brewer voted yes. Mr. Hocker voted yes. Motion carried 3-0.

9. PROPERTY OWNERS/AUDIENCE COMMENTS AND QUESTIONS

There were no comments.

10. ANNOUNCEMENT OF NEXT MEETING – The next meeting will be the Town's workshop on December 22, 2015.

11. ADJOURNMENT

Ms. Brewer motioned to adjourn the meeting at 7:28 p.m. Mr. Gordon seconded the motion. Motion carried 3-0.

Respectfully submitted,
Matt Amerling, Executive Assistant