

**MINUTES OF THE MILLVILLE
TOWN COUNCIL MEETING
March 9, 2016 @ 7:00 PM**

In attendance were Deputy Mayor Bob Gordon, Council Members Susan Brewer and Steve Maneri; Town Manager Debbie Botchie, Town Solicitor Seth Thompson, and AECOM Representative Kyle Gulbranson. Town Executive Assistant Matt Amerling was absent.

1. CALL TO ORDER:

Deputy Mayor Bob Gordon called the meeting to order at 7:00 p.m.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. ROLL CALL

4. NEW BUSINESS

A. Applicant selection for Vacant Council Seat

Synopsis: Council held a forum for three (3) residents who applied for the vacant Council seat at the Town Workshop meeting on February 23, 2016.

Deputy Mayor Bob Gordon stated his thanks to Linda Kent, Tony Gough, and Steve Small for their interest to serve on the Town Council and for taking the time to meet with the Council at last month's Council Workshop meeting forum. Mr. Gordon stated it has been a tough decision for him to consider just one of the three to fill the Council vacant seat as each individual would bring a great deal of experience and knowledge to the Town. Mr. Gordon stated he has thoroughly reviewed each question asked of each applicant, as well as their answers, and it is Mr. Gordon's judgement that Mr. Steve Small is the most suitable applicant to fill the vacant seat of the Town Council due to his experience and his background in government. Mr. Gordon stated he is confident Mr. Small's perspective will be a real asset to the Town Council.

Council Member Susan Brewer stated she is also very appreciative to all three candidates who submitted their interest in the Council seat, and the time and effort the three put forth is commendable. Ms. Brewer stated all three had some good contribution to the seat, as well as some notable accomplishments which would be a good fit for the Town. Ms. Brewer stated unfortunately, only one person could be chosen and after a lot of careful consideration, Ms. Brewer thinks Mr. Steve Small is the best candidate for the vacant seat. Ms. Brewer stated Mr. Small's experience and his comprehension of the citizens' voice will be a great value to the Town, as well as his excitement over serving on the Council as voiced during the February 23, 2016, Council workshop meeting forum.

Council Member Steve Maneri stated his thanks to Linda Kent, Tony Gough, and Steve Small for attending last month's forum as well as their interest in serving the Town of Millville. Mr. Maneri stated the Town is a growing town and it takes residents such as these to address and help put the growth of Millville's needs. Mr. Maneri stated after hearing the responses, Mr.

Maneri chooses Mr. Steve Small for the appointment to Town Council. Mr. Maneri stated with Mr. Small's background, he will be a positive asset to Town Council.

Mr. Gordon motioned to appoint Mr. Steve Small to the Millville Town Council. Mr. Maneri seconded the motion. Motion carried 3-0.

5. SWEARING-IN OF COUNCIL MEMBERS – Town Solicitor

- A. Steve Maneri
- B. Valerie Faden
- C. Council-appointed applicant (Steve Small)

6. TOWN COUNCIL APPOINTMENTS - Selection of Mayor, Deputy Mayor, Treasurer & Secretary

Ms. Brewer motioned to nominate Mr. Robert Gordon for Mayor. Mr. Maneri seconded the motion. Motion carried 5-0.

Mayor Gordon motioned to nominate Mr. Steve Maneri for Deputy Mayor. Ms. Brewer seconded the motion. Motion carried 5-0.

Council Member Valerie Faden motioned to nominate Ms. Susan Brewer for Treasurer. Council Member Steve Small seconded the motion. Motion carried 5-0.

Mr. Gordon motioned to nominate Ms. Valerie Faden for Secretary. Mr. Small seconded the motion. Motion carried 5-0.

Mr. Small stated his thanks to Mayor Gordon, Deputy Mayor Maneri, and Ms. Brewer for the trust they have placed in him.

7. ADOPTION OF TOWN COUNCIL MINUTES

- A. Adoption of Town Council Minutes – February 9, 2016
- B. Adoption of Town Council Workshop Minutes – February 23, 2016

Mr. Maneri motioned to approve the Council minutes for February 9, 2016, and the Council workshop minutes for February 23, 2016. Ms. Faden seconded the motion. Motion carried 5-0.

8. FINANCIAL REPORT – Treasurer Susan Brewer

- A. February 2016

Ms. Brewer read the Financial Report for the month ending 2/29/16.

February 29, 2016:

General Revenue:	\$ 48,743.	General Expenses:	\$ 32,060.
Restricted Revenue:	5,714.	Restricted Expenses:	9,231.

Ms. Faden motioned to approve the Treasurer's Report for the month ending February 29, 2016. Mr. Maneri seconded the motion. Motion carried 5-0.

9. ADMINISTRATIVE MATTERS

A. Administrative Report for February 2016 – Town Manager

There were no comments.

10. NEW BUSINESS

A. Discuss and possible vote on a request from Miller & Smith, developer of Millville by the Sea (MBTS), to reduce bonds PB03010401438 and PB03010401439.

AECom Representative Kyle Gulbranson stated Miller & Smith had two (2) bonds at Millville by the Sea (MBTS), the first of which (PB03010401438) was for road, curb and stormwater improvements in Summerwind Village, and the original bond amount was for one-million-two-thousand-two-hundred-seventeen dollars (\$1,002,217.00) and that amount is basically a hundred-twenty-five percent (125%) of the construction costs to complete those improvements. Mr. Gulbranson stated a majority of the improvements have been completed, and Miller & Smith have requested that bond be reduced to sixty-one-thousand-six-hundred-eighty-seven dollars and fifty cents (\$61,687.50). Mr. Gulbranson stated the Town Code & Building Administrator Eric Evans inspected the site and a majority of the work had been done, though there were a few remaining items which still need to be completed. Mr. Gulbranson stated in talking with Mr. Evans and the engineers at AECom, Mr. Gulbranson, Mr. Evans and the engineers recommend the bond be reduced to one-hundred-ten-thousand dollars (\$110,000.00) in order to incorporate the few remaining items which need to be done.

Mr. Gulbranson stated the second bond (PB03010401439) was for improvements to Summerwind Boulevard and the original bond amount was for four-hundred-twenty-eight-thousand-six-hundred-seventy dollars (\$428,670.00), which was a one-hundred-twenty-five percent (125%) of the improvement costs. Mr. Gulbranson stated the request from Miller & Smith is to reduce the bond down to fifty-six-thousand-six-hundred-five dollars (\$56,605.00), which is enough money to finish the final top coat of the street. Mr. Gulbranson stated Mr. Evans has reviewed this as has AECom and both find the amount to be in order, so they are asking both bonds be reduced by said amounts.

Ms. Faden motioned to reduce bond PB03010401438 from one-million-two-thousand-two-hundred-seventeen dollars (\$1,002,217.00) to the new amount of one-hundred-ten-thousand dollars (\$110,000.00), and reduce bond PB03010401439 from four-hundred-twenty-eight-thousand-six-hundred-seventy dollars (\$428,670.00) to fifty-six-thousand-six-hundred-five dollars (\$56,605.00). Ms. Brewer seconded the motion. Mr. Small abstained. Motion carried 4-0-1 abstention.

B. Discuss and possible vote on Resolution 16-04 to approve the addition of a restriction to the deed to the Town's parcel #134-12.00-395.00.

Town Solicitor Seth Thompson stated Resolution 16-04 deals with part of the park which the Town has acquired, and in order to be eligible for grant money from the State, one of the conditions is that there is a deed restriction put upon the land, making the land only usable for outdoor recreation or conservation purposes. Mr. Thompson stated this deed language is from the Town as the grantor to the Town as grantee, with the condition stated if at any point the Town were to decide it did not want to use the land for outdoor recreation or conservation purposes, the Town must notify the Delaware Department of Natural Resources and Environmental Control (DNREC) and the Town must get the legislature's approval.

Mr. Small motioned to adopt Resolution 16-04. Ms. Faden seconded the motion. Motion carried 5-0.

- C. Discuss and possible vote on a preliminary site plan submitted by Millville Town Center, LLC, for Topsail Village, located in Millville by the Sea. The applicant is proposing one-hundred-three (103) lots in this next phase. *Synopsis:* The preliminary site plan was reviewed and recommended by the Town Planning & Zoning (P&Z) Committee at its public meeting on March 1, 2016.

Mr. Maneri recused himself. Mr. Chuck Ellison, of Miller & Smith, stated the land is an approximate 28.4-acre parcel which connects Lakeside Village to the south and Sand Dollar Village Phase Two (2) to the east, and is to the west side of Beaver Dam Creek. Mr. Ellison stated this board was the last sheet of the revised master plan, and from what he remembers about the discussion over the master plan was: (1) Miller & Smith did not want a straight connection from existing Pembroke Lane to the interior of Millville by the Sea (MBTS) because someone from outside of MBTS might use that as a vehicular shortcut; and (2) location of the pedestrian network, which will be shown in greater detail as Miller & Smith gets into the detailed plan.

Mr. Ellison stated of the one-hundred-three (103) lots, one-hundred-two (102) of which are residential lots and the one (1) lot for a potential temporary station which will service this part of the property. Mr. Ellison stated Miller & Smith have three (3) types of product proposed: the brighter green color lots on the plan represent the existing cottages being built in Sand Dollar Village, but they have wider lots here; the green lots are sixty (60) feet wide which incorporates the requirement in the revised master plan for seven (7)-foot sideyards and allows the construction of the existing product Miller & Smith is using in Lakeside Village; and the aqua-colored lots around the perimeter are seventy (70)-foot lots which are for a large product which has no design yet but would be in the same architectural style as what Miller & Smith has already done. Mr. Ellison further stated one of the key components is the traffic circulation pattern, which is a circular network that is not just a circle but attaches to Pembroke which attaches to Lakeside. Mr. Ellison stated the landscape plan right now is a bit of a "chicken-and-the-egg situation," with the stormwater management having quantity- quality control within the ponds so Miller & Smith are looking to the "quality control" components in separate filtration devices – unlike Sand Dollar Lake and Lake

Summerwind which include two (2) components – which is an improved technique for a better quality of filtration. Mr. Ellison stated the bioretention has to be conceptually approved by the Soil Conservation District, and then the bioretention is weaved into the landscape plan.

Mr. Ellison stated another big component is the trail system, which, as required by Town Code, will have a sidewalk on both sides of all public streets, but there will also be a trail constructed along Beaver Dam Creek, around the entire perimeter of the property, and it will run down to the existing trail system which comes in from Sand Dollar Village. Mr. Ellison further stated this will double the amount of trails in the community, which will be a positive feature, and the trails on Beaver Dam will provide a unique opportunity for some settings such as benches, pergolas, etc. Mr. Ellison stated one thing not shown on the preliminary plan is the construction access road which Miller & Smith have coming off Substation Road and into Sand Dollar Village Phase II and also Lakeside. Mr. Ellison stated Miller & Smith will be using that same road for Topsail Village.

Mr. Ellison stated what Miller & Smith did with this plan is break it up into three (3) major sections because of the way the sewer lays out and the gridding lays out, so, at the final site plan review, the Town will be seeing a section one (1); section two (2), which is in the middle; and section three (3), which is about sixty (60) percent of the lots and the largest section. Mr. Ellison stated the reason for this is because Miller & Smith need to bring over some of the lots sooner, and there is also the challenge of getting the sewer pump station design through the County, which takes a lot of review. Mr. Ellison stated Miller & Smith are well under the permitted density by the original master plan approval and the revised master plan approval, and this would bring Miller & Smith up to four-hundred-eighty-four (484) lots total for the entire community.

Town Manager Debbie Botchie stated her thanks to Mr. Ellison for taking out the two (2) estate lots, and asked what the plans are for the triangular portion of space on the plan. Mr. Ellison stated the triangle will be an open space parcel and Miller & Smith may have a small sitting area fit in there. Ms. Faden asked if the buildable lines on each lot are included on sheet P-2. Mr. Ellison stated there are typical details of each lot setback and those are on sheet P-7. Mr. Gulbranson stated Miller & Smith addressed each issue brought up at the Planning & Zoning (P&Z) Committee meeting, and any engineering or planning issues have been resolved.

Mayor Gordon motioned to accept the recommendation of the P&Z Committee to approve the preliminary site plan submitted by Millville Town Center, LLC, for Topsail Village, located in Millville by the Sea, and its one-hundred-three (103) lots. Ms. Brewer seconded the motion. Mr. Small abstained. Motion passed 3-0-2 abstentions.

11. PROPERTY OWNERS/AUDIENCE COMMENTS AND QUESTIONS

Mr. Steve Maneri, of Pembroke Lane, asked if there will be any pool system in this new community. Mr. Ellison stated no. Mr. Maneri stated the pools currently in MBTS are getting

packed full of people and with this lot system of one-hundred-two (102) lots, there is no way all the people coming in with those new lots will be able to fit in just the two pools provided so far. Mr. Ellison stated Miller & Smith are bringing in a substantial amount of additional tables and chairs for the upcoming summer season. Mr. Maneri stated he does not think Miller & Smith has enough square-footage in the actual pool for the numbers of people who attend, and asked what Miller & Smith is doing to try and keep up with the numbers. Mr. Ellison stated Miller & Smith is taking hourly counts of people coming and going into the pools to gauge how many people are actually in the pool and when throughout the day. Mr. Ellison stated pools in the summer time are, unfortunately, like shop parking lots during Christmas time, in that you cannot build one big enough to accommodate everyone, but Miller & Smith are monitoring the pools, and the pool is eventually maintained and operated by the community, so that is one aspect Miller & Smith keep in mind when considering putting in another pool.

Ms. Sally Griffin, of Huntington Street, stated it was her understanding the next phase of the approval process would need to show the connector road up to the Lifestyle Center area – that the Town Council made that a requirement – and she does not see such an application or schematic other than the general dotted lines and arrows on the master plan, so she does not see how those roads are being planned out. Ms. Griffin further stated it is her understanding the connectivity of the road system as well as the trail system, approving the plan piece by piece, one could not see the overall “vision,” and Ms. Griffin is worried that may happen again if the requirements made by previous Council are not carried through. Ms. Botchie stated the approval for the entire master plan was done so Council will not have to piecemeal anymore, but these villages come in and they are shown where they will be located on the master plan. Ms. Griffin stated the question was about the connectivity of this village to the Sand Dollar Village area, up through the Lifestyle Center area, without using Substation Road, and access to Route 17/Roxana Road. Ms. Botchie stated she does not think it was part of the approval. Mr. Gulbranson stated if you look at the master plan, there is a major connector road which transverses the center of MBTS, so on the next two (2) phases, those phases will be critical for that connection, which will be the major east-west connector between Route 17 and Substation Road; and that road will be the one to take most of the “through traffic” up to the Lifestyle area, keeping the traffic out of the southern villages in the development. Ms. Griffin asked if, for the next phase, there will be two ways in and out – either Huntington Street or Pembroke – and that is a lot of homes on two roads. Mr. Gulbranson stated hopefully that is just a temporary situation.

Mr. Walter Bartus, of Huntington Street, stated this is the first time he’s heard at the meetings about a connector road from Substation Road to Route 17, and he is very worried about that road because the southern half – which is the far more developed portion – the developer chose to put all of the amenities in a peninsula far away from residents, and there will be children traversing a major cross-street. Mr. Bartus stated he fails to see a benefit to the residents of MBTS, possibly people over in Beazer (Bishop’s Landing) and Coventry will be cutting over Route 17 and get help from this, but he doesn’t see the benefit to himself in having a major road, which is now an obstruction for young children on bicycles. Mr. Bartus stated he also thinks it is ridiculous to have the amenities located where they are, as well as not having another pool placed in the community since the community is looking at a substantial growth

of residents with each new phase coming in. Mr. Gulbranson stated maybe a “connector road” was not the correct choice of words because it will not be a major thoroughfare through the development but it will provide an alternative access route to Route 17 and Substation Road, so there will not be heavier traffic on some of the smaller residential streets. Mr. Bartus asked if MBTS will be able to put in speed bumps to dissuade cross-traffic. Mr. Gulbranson stated he thinks that is a possibility. Mr. Ellison stated Miller & Smith would have no objection to installing speed bumps, whether now or in the future.

Ms. Linda Kent, of Cypress Point Trail, stated she would like to officially resign as Town Farmers Market manager and as chairperson of the Millville Volunteers as there is nothing really for the volunteers to do other than the Town administrative office area. Ms. Kent stated there are a few things for the Town at various times throughout the year but there is no need to have monthly meetings, and Ms. Kent would like to recommend the Town not be a part of the Delaware 50+ as there is no advantage there because there is no insurance; people who come in just for tax purposes, such as Mr. Shoobridge, to help do things such as put up the Town Christmas tree, it is unnecessary to do so as the Town can take care of that themselves; and Brenda (Fegelein) has been doing a fine job taking care of putting in the hours. Ms. Kent further stated there really is no need for a chairperson, so she will return all of the items in a big box or bag tomorrow and the Town can dispose of it as they would like. Ms. Botchie stated her thanks.

12. ANNOUNCEMENT OF NEXT MEETING – The next meeting will be the Town’s workshop on March 22, 2016.

13. ADJOURNMENT

Ms. Brewer motioned to adjourn the meeting at 7:49 p.m. Ms. Faden seconded the motion. Motion carried 5-0.

Respectfully submitted,
Matt Amerling, Executive Assistant