

**MINUTES OF THE MILLVILLE
TOWN COUNCIL MEETING
January 10, 2017 @ 7:00 p.m.**

In attendance were Mayor Bob Gordon; Deputy Mayor Steve Maneri; Treasurer Susan Brewer; Secretary Valerie Faden; Council Member Steve Small; Town Solicitor Seth Thompson; AECOM representative Kyle Gulbranson; Town Manager Debbie Botchie; Town Code & Building Administrator Eric Evans; Town Financial Administrator Lisa Wynn; and Town Executive Assistant Matt Amerling.

1. CALL MEETING TO ORDER

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

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. ADOPTION OF TOWN COUNCIL MINUTES AND NOTES

A. Adoption of Town Council Minutes – December 13, 2016

Treasurer Susan Brewer stated she has not seen the Executive Session minutes. Secretary Valerie Faden stated there would be no vote on those minutes at this meeting. Ms. Brewer stated her one correction is under the motion to approve the Executive Session matters at the December 14, 2016, meeting, Ms. Brewer abstained from the vote, so the vote should be approved 4-0-1 abstention. Ms. Faden motioned to approve the minutes from the December 13, 2016, Town Council meeting, with the correction as amended. Deputy Mayor Steve Maneri seconded the motion. Motion carried 5-0.

4. FINANCIAL REPORT – Treasurer Susan Brewer

A. December 2016

Treasurer Susan Brewer read the Financial Report for the month ending 12/31/16.

December 31, 2016:

General Revenue:	\$ 30,052.	Restricted Revenue:	\$ 145,723.
General Expenses:	46,119.	Restricted Expenses:	190,846.

Mr. Maneri motioned to approve the Treasurer's Report for the month ending December 31, 2016. Ms. Faden seconded the motion. Motion carried 5-0.

5. ADMINISTRATIVE MATTERS

A. Administrative Report for December 2016 – Town Manager

There were no comments.

MOTION TO ENTER PUBLIC HEARING

Ms. Brewer motioned to enter public hearing at 7:06 p.m. Mayor Bob Gordon seconded the motion. Motion carried 5-0.

6. **NEW BUSINESS**

A. Public Hearing Notice – Secretary

B. Written Comments – Town Manager

There were no written comments.

- C. Discuss final site plan submitted by Millville Town Center, LLC, for Section 2 of Sea Star Village, located in Millville by the Sea (MBTS). *Synopsis:* The applicant is proposing nine (9) cottage lots and nine (9) perimeter lots for a total of eighteen (18) lots in this section. The preliminary site plan was reviewed and approved 4-0 at the Town Planning & Zoning (P&Z) Committee meeting on March 1, 2016. At its March 9, 2016, Town Council meeting, Council voted 3-0 (with 2 abstentions) to approve the preliminary site plan for Sea Star Village. At its November 8, 2016, Town Council meeting, Council voted 3-0-1 recusal to approve Section 1 of Sea Star Village.

Mr. Ken Christenbury, of Axiom Engineering, stated Sea Star Village was cut into sections because of sewer connections, so section one (1) connects to the sewer from Lakeside Village and included a stormwater management pond which serves the entire project. Mr. Christenbury stated section two (2) connects to a sewer manhole at a road intersection northwest of Section 2 and the balance of the project will have to be sewer from a connection which has yet to be determined with a County engineer, but likely to run parallel to a power easement at the north edge of this portion of the project. Mr. Christenbury stated Axiom has been through reviews with the Sussex Conservation District, the Town's engineer and planner, the County Engineering department, and all agencies which have requested revisions, those revisions have been made and approved. Mr. Christenbury further stated, addressing two conditions brought up during the review of Section 1, the first condition was about how to address construction traffic and whether it should come off Beaver Dam Road or should the existing construction road continue to be used. Mr. Christenbury stated the construction road which currently exists ties into the very end of Sand Dollar Village II, and will continue through Sea Star Village, to the unpaved portion of Lakeside. Mr. Christenbury stated, for Section 1, that construction road appears to still be adequate for those first nineteen (19) lots in Sea Star Village; and, with Section 2 and its eighteen (18) lots, there have been allowances made to run the construction traffic west, along the north edge of – and just outside of – the power easement, then crossing into what will be Section 3 of Sea Star Village where there is a road planned to come straight across the power easement. Mr. Christenbury stated the details of that road and its construction will be a part of the Section 3 plans; but in the Section 2 plans, there is an erosion sediment control plan, and Axiom also shows a silt fence and other measures approved by the Sussex Conservation District so the placement of this unpaved road can be incorporated into the Section 2 plans and the traffic can be diverted around. Mr. Christenbury further stated Axiom and Millville Town Center are reluctant to push the

construction road south to Beaver Dam Road for two (2) reasons: the first being the south edge and left edge of Sand Dollar Village are very deep, and it's called a tax ditch, but it's actually a natural waterway and it's all federally-protected wetlands so Axiom will trigger an environmental permit to try and cross in the area and going south, the building located next to the property which is zoned to Millville Town Center LLC is a child-care facility. Mr. Christenbury stated having to take out an environmental permit and building so close to a daycare facility don't seem like appropriate measures when we have the opportunity to reroute from the existing road. Mr. Christenbury stated, as far as enforcement of construction traffic goes, Mr. Christenbury cannot address that as an engineer but he thinks the request which was made was that some consideration for traffic calming be encouraged so that construction traffic doesn't want to come through the residential portion and would prefer taking its own access road. Mr. Christenbury stated on sheet two (2) of his handout, there is a showing of one (1) speed bump already in place on Huntington Street, and Axiom and Millville Town Center LLC are suggesting three (3) more be placed along that road, as well as several be added southeast, but ultimately the decision of the number of speed bumps is up to the residents.

Mr. Kyle Gulbranson, of AECOM, stated all of the concerns Mr. Gulbranson had have been addressed, all of the agency approvals are in, the construction entrance scenario that has been indicated is adequate, and the only question is whether the traffic calming plan is something Council and the residents of MBTS would be agreeable to. Town Manager Debbie Botchie asked if the public works agreement and stormwater management agreement is being worked on and will Millville Town Center LLC bring them to the Town next week. Mr. Christenbury stated yes. Ms. Botchie stated the Town has not seen the homeowners' association (HOA) documents for Sea Star Village, and asked for a copy. Mr. Irfan Ali, representing LDC Advisors, stated yes, but he thought they may have already been sent out. Ms. Botchie stated no. Mr. Ali stated he will find out who takes care of them and get them to Ms. Botchie. Town Solicitor Seth Thompson stated the Town is not looking to get involved in terms of with what kind of neighborhood restrictions people want to have because that's really up to them, but the Town's focus is if there is any reference to the Town in taking over roads when the Town doesn't have any public works department and those kinds of things. Mr. Ali stated he understands and he was not aware the Town was waiting for a copy of the HOA document, and Mr. Ali will look into it. Mr. Gulbranson stated, prior to recordation of the plan, there is a public works agreement with the Town which has to be executed, a landscape agreement which has to be executed, and the Town attorney does review and approve the HOA documents. Mr. Thompson stated there will probably be an HOA declaration which deals with more than one construction phase, so the public works agreements are done with individual phases, but as far as the review of the declaration of the restrictive covenants, that covers more than one construction phase. Mr. Ali asked how the master association plays into the individual HOAs. Ms. Botchie stated the Town has never received the master as well. Mr. Thompson stated the Town needs to make sure that no one thinks the roads will be dedicated or taken care of by the Town.

Town Code & Building Administrator Eric Evans stated the traffic calming plan has been presented, but Mr. Evans would caution Council because the Town doesn't require speed bumps, nor does the Town review speed bumps, so if Council was to indicate where to locate the speed bumps, Council would be liable for the speed bumps. Mr. Evans stated his suggestion would be to have the MBTS residents agree to the location of the speed bumps because the residents are the people who will have to pay for the speed bumps, maintain them, and put up with them.

D. Residents/Property Owner Comments & Questions

Ms. Maureen Walker, of Ogelthorpe Lane, asked if all of the residential traffic will be going onto and through Huntington Road. Mr. Christenbury stated yes, but some traffic could also be going on Pembroke Lane, which goes out to Substation Road.

Mr. Paul DuCott, of Huntington Street, asked, regarding the construction road, where Huntington Street meets Summerset Boulevard, is there going to be a barrier at the end of Huntington so construction vehicles cannot get through. Mr. Evans stated the barriers are up and they are temporary (sawhorses) so emergency vehicles can get through if needed.

Ms. Sally Griffin, of Huntington Street, asked if Council will decide on the exact locations of the speed bumps tonight. Mr. Thompson stated that decision would not be tonight because it is not affiliated with Section 2.

MOTION TO CLOSE PUBLIC HEARING

Council Member Steve Small motioned to close the public hearing at 7:27 p.m. Ms. Brewer seconded the motion. Motion carried 5-0.

7. NEW BUSINESS

- A.** Discuss and possible vote on a final site plan for Section 2 of Sea Star Village, located in Millville by the Sea.

Mayor Gordon requests individual vote.

Mr. Small motioned to approve the final site plan for Section 2 of Sea Star Village, located in Millville by the Sea. Mr. Maneri seconded the motion. Mr. Maneri voted yes. Ms. Faden voted yes. Ms. Brewer voted yes. Mr. Small voted yes. Mayor Gordon voted yes. Motion carried 5-0.

- B.** Discuss and possible vote on increasing Delaware State Police (DSP) patrolling coverage for the Town – Secretary Valerie Faden. *Synopsis:* At the December 13, 2016, Town Council meeting, Secretary Faden stated she would like to review and consider increasing DSP coverage of the Town due to the increase in both residents and crime in the area.

Ms. Faden stated in tonight's administrative report there is information Ms. Botchie pulled off the DSP crimemapping website, a site where anyone can go the website and search crimes within a specified vicinity of their address. Ms. Faden stated when she looked at this website and noticed crime in this area was increasing as time went by – from single digits in the summer to double digits in the fall and winter. Ms. Faden stated, because of this, Ms. Faden has asked the DSP to give the Town more specific details because the way the mapping is on the website doesn't specifically have the Town limits so some pieces of other municipalities or County may be included in your home search. Ms. Faden stated she noticed within the Town budget there is money already allocated in this fiscal year to increase the amount of DSP patrols, so she would propose to increase the DSP coverage hours for the Town. Ms. Botchie stated right now, the Town gets twelve (12) hours per week of DSP coverage and she completely supports Ms. Faden's move to increase coverage; plus, since the Town gets twelve-thousand-five-hundred dollars (\$12,500.00) from Sussex County Council, the Town has a current surplus of twenty-nine-thousand-eight-hundred-eight dollars (\$29,808.00), which can accommodate the sixteen (16) or twenty (20) hours to which the Town would like to increase. Mayor Gordon stated he also agrees with the increase.

Mr. Small asked if Council can increase the coverage to twenty (20) hours per week and leave it to the discretion of the Mayor and Town Manager of having it so if necessary, the twenty (20) hours isn't always spent every week. Mr. Thompson stated, from a legal standpoint, Council can authorize the Mayor or Town Manager to spend up to twenty (20) hours per week. Ms. Faden stated she likes the idea and doing it until the end of the fiscal year, at which time Council will have to revisit the issue and find out from more from the DSP and the Town Manager whether the increase has helped with cutting down the crime. Mr. Small stated there is an increase in crime in the area, most of it is petty and small, but the Town doesn't want its own police department. Mr. Small stated he thinks Council should increase the coverage and wholeheartedly endorses this move.

Ms. Faden motioned to increase the Delaware State Police (DSP) patrols up to twenty (20) hours per week until the end of the fiscal year. Mr. Maneri seconded the motion. Motion carried 5-0.

C. Discuss and possible vote on revisions to the FY16 Budget – Town Manager & Financial Administrator

Ms. Botchie stated this is a semi-annual review the Town does this time of year to look at the line items which will go over budget due to expenses which weren't foreseen. Ms. Botchie stated Town Financial Administrator Lisa Wynn has listed each one on the handout provided and they have gone through the expenses which have been paid and which still have remained to be paid through April 30. Ms. Botchie stated the Town started off with general expenses of five-hundred-nine-five-thousand-five-hundred-twelve (\$595,512.00), so the Town has its "contingency" at two-hundred-sixty-six-thousand-five-hundred-fifty-two-hundred (\$266,552.00), so the Town can balance the budget to revenue. Ms. Botchie stated she and Ms. Wynn are requesting Council approve, on the general and administrative

expenses, an increase of ten-thousand-one-hundred-fifty dollars (\$10,150.00), increasing the Town's expenses to six-hundred-five-thousand-six-hundred-sixty-two dollars (\$605,662.00) on the general expenses.

Ms. Faden stated she is not necessarily in support of increasing the item 50950, and Ms. Faden would like to put a cap on that line item. Ms. Botchie stated the Town's budget says the Town can – not shall – give the Millville Volunteer Fire Company (MVFC) six percent (6%) of the Town's levied taxes, and Council approved that measure in the Town's last budget. Ms. Botchie stated the Town gives an estimate of its levied taxes at that time but when the Town billed its taxes, they were higher by thirteen-hundred dollars (\$1300.00), and the Town is going to do a supplemental billing in December; so Council has already approved the twenty-one-thousand-three-hundred-sixty-three dollars (\$21,363.00), and this is merely an increase because of the increased property taxes. Ms. Faden asked if Council can change the number from six percent (6%) to a smaller number when reviewing the new fiscal year budget. Ms. Botchie stated there would have to be a Town Charter change and one was just done this past year. Ms. Faden stated she doesn't understand why a Charter change would require to adjust the number the Town is giving to the MVFC. Mr. Thompson stated the Charter authorizes the donation of up to six percent (6%) of the assessed property taxes received, so it doesn't require the Town, for this fiscal year, to approve the six percent (6%) but for the next fiscal year, the Town may not approve the six percent (6%) and may go a firm number lower than six percent (6%). Ms. Faden asked when the time would be to make the change. Ms. Botchie stated when the Town starts with its budget this year (FY18), Ms. Botchie will still propose the donation at six percent (6%) but Ms. Faden, as a Council person, can request another number on her own, and Council will ultimately have to make that decision. Ms. Botchie stated the Town starts its budget process this February. Ms. Faden stated she thinks this needs to be revisited, especially since the MVFC is getting funds from the Town in other ways now. Mr. Thompson stated this is a discretionary donation which is capped so far at six percent (6%). Mr. Small asked why the detail of donation required in the Town's Charter. Mr. Thompson stated prior to last year, the language was "three percent (3%) and three percent (3%)," so the Town could donate up to three percent (3%) of its property taxes for ambulance service and could donate up to three percent (3%) of its property taxes for fire prevention. Mr. Thompson stated the Charter allowed the flexibility for the Town to give a total of six percent (6%) between those two. Mr. Small asked if there were no statement at all in the Charter, could the Town still make a donation. Mr. Thompson stated because of that statement being in the Charter, being a limited power, it's clear the Town is stuck with that cap and the Town is not the only municipality with that kind of thing being in its Charter. Ms. Botchie stated she thinks it was put in the Charter because the General Assembly still considers these monies as taxpayers' monies and don't want to see just anyone come along and request a donation.

Ms. Faden asked if these proposed increases tonight are the unforeseen details relative to how a budget is proposed up front and what actually gets spent; and now the Town is saying there's more money which needs to be spent on these items and the way the Town is making up for that is by reducing the "contingency fund." Ms. Botchie stated yes, the Town doesn't really have a "contingency fund" but Ms. Botchie thinks the previous Council had carry-over, which didn't make much sense to us, and the Town added in there so it could have a

balanced budget, but yes, these are expenses such as insurances for the new building, the bank charging higher service charges for transfer tax processing, an increase in the health insurance, and minor maintenance nuisances. Ms. Botchie stated there have also been monies added to this budget revision for building structure support maintenance, as well as monies of forty-eight-hundred dollars (\$4800.00) to go towards lawn maintenance for the new Town park land between now and the end of the fiscal year. Mayor Gordon stated, all in all, the budget looks good. Ms. Wynn stated these revisions are actually for FY17 and not FY16.

Ms. Brewer motioned to approve the revisions to the FY17 Budget. Mayor Gordon seconded the motion. Motion carried 5-0.

- D.** Discuss and possible vote on amendment to the original proposal from George, Miles & Buhr, LLC (GMB) for the services provided to the Town of Millville for the building addition.

Ms. Botchie stated, back in 2015, Council approved a proposal for GMB to make sure the construction of the building was being done correctly, under the original proposal estimate of eighty-eight-thousand-two-hundred dollars (\$88,200.00). Ms. Botchie stated since that time, there have been many drawings and redesigns gone over, so GMB representative Morgan Helfrich notified Ms. Botchie the Town is close to reaching the \$88,200.00 – GMB is at eighty-seven-thousand-eight-hundred-thirty-seven dollars and thirty-four cents (\$87,837.34) – and Ms. Wynn did a spreadsheet showing GMB had a balance of ten-thousand dollars (\$10,000.00); however, when Ms. Wynn and I reviewed GMB's upcoming invoice, the Town's \$10,000.00 will be gone. Ms. Botchie stated, with the Mayor in the office, Ms. Botchie asked Ms. Helfrich to send the Town a new estimated proposal on what it would cost to have GMB remain onsite during the final days of construction, and Ms. Helfrich gave the Town a proposal of an estimate of twenty-five-thousand dollars (\$25,000.00) to thirty-thousand dollars (\$30,000.00).

Town Code & Building Administrator Eric Evans stated GMB put in an estimate to complete the project according to their current contract. Mr. Evans stated there was some unforeseen items which came up and which the Town was not aware of – just like there are change orders that come in on the construction side when the soil was bad, so their inspector had to be onsite longer than what was originally estimated. Mr. Evans stated there were also design changes, the Town had to pay the electrical engineer for the design to go from a single phase to three-phase when DeIDOT changed its mind on Route 26. Mr. Evans stated those plans then had to be reviewed by the GMB engineer to make sure everything else complied with the design aspect, so these types of expenses have “ate up” the Town's money. Mr. Evans further stated GMB doesn't do change orders with the Town but this is an estimate of how much it will cost to administer and get the building built. Mr. Evans stated if there was additional work which had to be done, the Town has so many amount of hours worked by GMB and when the Town starts getting low on the hours, GMB would hold off on the inspector every once and a while, telling him to cut his hours back. Mr. Evans stated now that the building construction is getting closer toward the end and the critical phases, the Town will have to throw more hours into this project, because the Town

still has the punch-out, the parking lot, the leveler, the outside lighting, and the DelDOT entrance plan to go. Mr. Evans stated the DelDOT individual who was reviewing the plans got promoted so now GMB has to sit down with this new DelDOT individual and explain everything which was previously approved. Mr. Evans stated GMB has been monitoring and trying to cut back on its hours but the Town is at a critical point in the construction when the coverage is needed and the Town is running low on the original estimate funds.

Mr. Thompson stated he sees GMB's math in the January 7, 2016, proposal, because GMB thought the construction observation task would involve an average of twenty (20) hours per week for thirty-four (34) weeks, and it sounds like it's taking more time on a per-week average but it is going to take more than thirty-four (34) weeks. Mr. Evans stating the Town is looking at a completion date estimate of February 1, 2017, but Mr. Evans is thinking the date is not including the parking lot because the weather most likely is not going to hold up. Ms. Faden asked if the project is delayed because of weather, that shouldn't require more work for the administrator because it just means the work crews have to stop for about a week, thus halting all of the work. Mr. Evans stated he agrees; however, if the Town is at an estimated completion date of February 1, and the Town cuts off the clock at February 1, the Town will still have to pick up that clock March 1 to start the project and pay forward to completion. Ms. Faden asked if there is someone monitoring the construction contract and the GMB contract with the schedules, the time to complete those contracts, and insuring they are syncing up. Mr. Evans stated he knows when GMB inspectors are onsite but Mr. Evans couldn't tell what they've done in their office, review of plans and scope of work, except for the invoice GMB submits to the Town telling them of the information. Ms. Faden stated she doesn't have any experience with construction but there are pieces at work that need to be done and there is a schedule where you talk to the person as they do the work and you monitor it all as it goes along. Ms. Botchie stated the Town is paying GMB to oversee Harkins, and the Town gets invoices from GMB just like it does from Mr. Gulbranson or Mr. Thompson, and Ms. Botchie has good faith they did what they told her they were doing. Ms. Botchie stated the same goes for GMB and the Town does look at GMB's invoices to make sure they did what they said they did. Ms. Faden stated she understands but she thinks Council has a responsibility so when the Town is purchasing something, the Town is not just using blind faith. Mr. Evans stated he understands that when there is a substantial product in hand, but when it is a service, Mr. Evans has to assume, or have good faith, that the contractor will fulfill their obligation. Mr. Thompson stated yes, the Town can bid on a final price on a building because that's the product, but when it comes to the construction administration, they are not willing to do that because the contractor could be on the site longer due to longer construction; so they go by the hour the same way an attorney might say he has no idea what will happen with a case and will bill a client in case they go to trial. Ms. Faden stated she understands but she's a little disappointed in the lack of detail as to why the extra money is needed in the letter from GMB. Mr. Thompson stated he's sure GMB lays out in each invoice each person's hours on what they do. Mr. Evans stated yes.

Mr. Evans stated he thinks the original contract the Town approved for this whole job – the original set-aside money – the Town is still under budget, and the last time he's seen the original price on the building, the Town is under budget on that too. Mr. Evans stated staff has saved the Town money by cutting costs, not trying to shave things, but by cutting the

costs and getting the “best bang for your money.” Mr. Small asked what assurance Council has this estimate will be it. Mr. Evans stated he can’t say an assurance when the blacktop still has to go in, and more soils need to be dug up and what if they are bad. Mr. Small stated he understands the situation but he doesn’t appreciate receiving word of this just hours ago, with a notion Council must approve this immediately. Ms. Botchie stated staff had to amend the agenda, which Ms. Botchie couldn’t do until she spoke with the Town’s attorney, and Mr. Small was informed yesterday of the amendment. Mr. Thompson stated the agenda was amended but there are not going to be any guarantees as to nothing more going wrong or coming up. Mr. Small stated his point is that GMB saw this coming, why was it withheld from Council until this point, and now Council has to act immediately; and if we get another item in this manner on this type of short notice, I will vote no for that reason. Mr. Evans stated he cannot guarantee that the Town will not get this short notice as it gets close, and Mr. Evans doesn’t think GMB can guarantee it any more than any other company providing a service can guarantee their time. Mr. Small asked if GMB doesn’t see this coming. Ms. Botchie stated yes, GMB did, and GMB did notify Ms. Botchie when the Mayor was in the office the same day, so the Mayor and Ms. Botchie asked them for a proposal. Ms. Botchie stated she got the proposal and it needed to be added to the agenda because the Town cannot go two (2) weeks without any kind of supervision out there. Mr. Evans stated even if the Town was notified one (1) month ago, Mr. Evans would have asked GMB how much money does GMB need, and it would still be a best-guess estimate. Mr. Thompson stated, from GMB’s perspective, GMB doesn’t technically need a new proposal and they can continue to operate under the old proposal because it is an estimate and maybe that’s why GMB didn’t feel the need to say, “Hey, we’re running out of money.” Mr. Thompson stated the onus should be on the Town to be more observant in terms of what the Town’s totals are as opposed to relying on the company which doesn’t have much of an impetus to notify the Town because GMB is covered by the original contract.

Ms. Faden stated she thinks she feels a little more comfortable now because the Town is relatively under budget on the project. Ms. Faden stated she shares Mr. Small’s concerns; however, Ms. Faden feels that is because Mr. Small and she are both new to Delaware, and the way they are used to seeing things happen is a little different than the way things happen here. Ms. Faden stated she still feels the burden is on the Town to monitor more closely, but the next time the contract comes around for construction, Ms. Faden thinks Council would look at it with stronger eyes and talk to people a little more about those contingency issues. Mr. Evans stated he has spoken with GMB and Mr. Evans figures the walk-through will take eight (8) to sixteen (16) hours for Mr. Evans and GMB to blue-tape the building. Mr. Small asked if that walk-through will be included with this new estimate. Mr. Evans stated he will make sure they walk through and take their time because Mr. Evans will see things GMB doesn’t see and GMB will see things Mr. Evans doesn’t see. Mr. Small stated he recognizes that and just doesn’t care for the last-minute notice of voting on something such as this, which could delay construction of the project, and Mr. Small thinks that’s not responsible management. Mr. Small stated he will vote for this tonight but if Mr. Small gets another short notice like this again, Mr. Small will vote no because he needs more time than a few hours’ notice. Mr. Maneri stated Mr. Small had more than a one (1)- or two (2)-hour notice and Council should pick up their packets and ask questions Council needs to. Mr. Maneri asked to please vote on this issue.

Mayor Gordon motioned to approve the amendment to the original proposal from George, Miles & Buhr, LLC (GMB) for the services provided to the Town of Millville for the building addition. Mr. Maneri seconded the motion.

Mr. Thompson stated the general terms and conditions of the proposal are in the event GMB were to do something to cause liability, GMB's liability is limited to the amount GMB pays under the contract, which is an important clause; in the event the Town gets into a legal dispute with GMB, the laws of the State of Maryland would apply and the choice of venue would be in Maryland because GMB is a Maryland company; if something happens with hazardous materials, the Town would agree to indemnify, defend and hold GMB harmless for any and all liabilities, claims, cost expenses related to litigation in any way due to the presence of hazardous or toxic materials.

Motion carried 5-0.

8. PROPERTY OWNERS/AUDIENCE COMMENTS AND QUESTIONS

Mr. Richard Shoobridge, of Tybee Street, asked why the residents are just now hearing of the increase of crime and why the *Coastal Point* or *Wave* newspapers aren't covering it. Mayor Gordon stated the more an area is populated, often the more crime can increase. Mayor Gordon stated drugs are also a big issue but there are a lot of different reasons for the crime increase. Ms. Brewer stated Mr. Shoobridge should ask the newspapers why they are not covering it because the Town has nothing to do with what the newspapers print.

9. ANNOUNCEMENT OF NEXT MEETING – The next meeting will be the Town Council Workshop meeting on January 24, 2017.

10. ADJOURNMENT

Ms. Faden motioned to adjourn the meeting at 8:26 p.m. Ms. Brewer seconded the motion. Motion carried 5-0.

Respectfully submitted,
Matt Amerling, Executive Assistant