

**MINUTES OF THE MILLVILLE  
TOWN COUNCIL WORKSHOP  
January 22, 2019 @ 7:00 PM**

In attendance were Mayor Bob Gordon, Deputy Mayor Steve Maneri, Treasurer Susan Brewer, Secretary Peter Michel, Council Member Ronald Belinko, Town Manager Debbie Botchie, and Town Clerk Matt Amerling.

**1. CALL TO ORDER**

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

**2. PLEDGE OF ALLEGIANCE TO THE FLAG**

Mayor Gordon led the pledge of allegiance.

**3. ROLL CALL**

All Council members were present.

**4. NEW BUSINESS**

- A.** Deputy Mayor Steve Maneri will discuss with the Town Council an issue with “conditioned crawl spaces” where the electric air handler and heating units are housed in homes. Mr. Maneri will request a vote from the Town Council to further investigate the placement of smoke detectors in the crawl space.

Deputy Mayor Steve Maneri stated on the morning of December 20, 2018, one (1) Millville by the Sea (MBTS) resident experienced a small electrical fire in his crawl space. Mr. Maneri stated the resident shut off the power going to his heating, ventilation, and air conditioning (HVAC) unit and went to check on what happened. Mr. Maneri stated the resident found a small disconnect box – which the Council has a picture of in their packets – on fire. Mr. Maneri stated at no time did any smoke detectors go off in the resident’s house because the little fire was underneath the house, in the resident’s crawl space. Mr. Maneri stated, according to the Delaware State Code of the Delaware State Fire Prevention Commission, under chapter 3.0, chapter 3.1.2, for “family dwellings,” there is a portion which states every location in a house needs a smoke detectors except unfinished attics and unfinished crawl spaces. Mr. Maneri stated all of MBTS crawl spaces are finished, being considered “conditioned crawl spaces,” and it’s where the heating system is now kept. Mr. Maneri stated crawl spaces were once not used for storage space but now they are as those spaces are heated for the winter time and are vented to cool for the summer time. Mr. Maneri stated he looked into a couple of different fire alarm systems, and while most installation varies, most alarms are at least three (3) feet from the heating or cooling ducts, and five (5) feet from the fire-burning appliances. Mr. Maneri stated most alarms now come with a sealed three-volt lithium battery pack as backup, which lasts the lifetime of the alarm, which is ten (10) years. Mr. Maneri stated some have a tamper-resistant feature on them so if anyone is working on your heating system, they can’t take the system apart. Mr. Maneri stated he’s asking the Council how they feel on this and should Mr. Maneri go further down other avenues to check into this issue, as well as checking with the Fire Marshal. Mr. Maneri stated he thinks the last code on this stated single family homes were to have sprinklers if the

property owner has gas, which Bishop's Landing has, but MBTS has electric and there are no alarms whatsoever. Mr. Maneri stated if Council agrees to move forward with investigating this issue tonight, Mr. Maneri would Secretary Peter Michel to take the reins on investigating it.

Mayor Bob Gordon asked Mr. Maneri if he had a timeframe of what has been discussed so far, because Mayor Gordon has discussed with Town Code & Building Official Eric Evans the communities with the homeowners' associations (HOAs) who have been notified of this incident, as well as smoke alarms because Kidd Systems does not recommend a smoke alarm in a confined space, and Mr. Evans has not received anything back from First Alert. Mr. Maneri stated he has not heard back from First Alert either, but he did speak with Kidd and they said the biggest thing they would like to put in the crawl spaces is an odor detector; however, Mr. Maneri does not think Kidd knows what an encapsulated crawl space is because even the Fire Marshal says it's the "dirty zone," due to there being no flooring, just dirt, and the sides being wide open. Mr. Maneri stated in these conditioned crawl spaces, there is plastic everywhere, making the entire crawl space area very clean. Mayor Gordon asked how many types of crawl spaces does the Town have, because there are some that have vents? Mr. Maneri stated the crawl spaces without vents are the conditioned type and those are the kind being built now in most communities. Mr. Maneri stated the old, non-conditioned type of crawl spaces are when you go down, open the small door, the bottom is dirt and there is often cobwebs, bugs, etc. Mr. Maneri stated now most houses have the conditioned kind where there is plastic covering the floor, and it's a heated space. Mr. Maneri stated the crawl spaces we have to look out for are the ones with gas, because if gas leaks into a conditioned crawl space, it's going to stay down there because there are no vents for it to escape. Treasurer Susan Brewer asked Mr. Maneri what he is proposing. Mr. Maneri stated he would like Council to say OK to look into smoke detectors being required under Town Code for future homes conditioned crawl spaces. Secretary Peter Michel asked Mr. Maneri if he had spoken with Town Solicitor Seth Thompson about this issue. Mr. Maneri stated no because he thought Mr. Thompson would be attending tonight's meeting. Town Manager Debbie Botchie stated she spoke with Mr. Thompson, who said there are a couple of different ways if Council wants to move forward on this; the Town can amend its IRC code – when the Town adopted its International Residential Code (IRC) from Sussex County, the Town eliminated sprinkling houses because it costs so much money. Ms. Botchie further stated in the ordinance, the Town can say whatever the experts come up with, be it a smoke detector or heat detector – the Town still has to hear from RMF (GMB's electrical engineer). Ms. Botchie stated the two (2) companies Mr. Evans heard from – Kidd and Universal – Kidd say they do not manufacture these types of smoke detectors, and neither does Universal. Ms. Botchie stated her question is how many companies make smoke detectors or heat detectors that go in a conditioned crawl space. Ms. Botchie asked Council if they want to move forward with this and see if there are more safety issues which need to be reviewed, because Council can amend the Town Code to require these detectors in crawl spaces. Mayor Gordon stated this basically only affects people with electric heat, but Mayor Gordon is not sure what the Town can enforce for the builder and developer to include with their construction. Ms. Botchie stated the Town has enforced various fees on builders and developers so this would be no different and if it is in the IRC, the Town has to make the builder/developer do it. Mayor Gordon stated he was waiting for the Fire Marshal to have a qualified person to say what the best avenue is in terms of an alarm system in the crawl space; and Mayor Gordon

can't believe Millville is the only municipality looking into this now, and he's sure there are other builders out there with recommendations as well.

Mr. Michel stated he spoke with the Millville Volunteer Fire Company (MVFC) a couple of times, and, in 2018, the Town has zero (0) crawl space fires. Mr. Michel stated he knows they just had a fire up in the Dagsboro area, and a fire in October 2018 in Roxana; but those are the only statistic we have and Mr. Michel doesn't think there's a problem presently, but he's all for any kind of prevention. Council Member Ron Belinko stated no one can argue anything you do for safety, but Mr. Belinko thinks this investigation of this matter will – and should – go far beyond just going to the MVFC. Mr. Belinko asked if there is a requirement anywhere in the country which requires a smoke detector in a crawl space, and there is none Mr. Belinko can think of. Mr. Belinko asked if someone could hear the alarm from their crawl space, underneath the house, because Mr. Belinko has an alarm on his sump pump and he cannot hear it when it goes off. Mr. Maneri stated he can hear his alarm. Mr. Belinko stated the questions to be answered are whether this is feasible, is it required, is it recommended by smoke alarm companies as well as insurance companies? Mr. Belinko stated there is also the effect of whether insurance goes up if someone doesn't have a detector, so there is a lot of impact to research rather than just speaking with the MVFC and a couple of smoke detector companies. Mayor Gordon stated he agrees with Mr. Michel and Mr. Belinko in that the Town hasn't had any issues with this but airing in safety, it is good to investigate, and if the Town makes having a smoke detector in the space, it may give some people a "false hope." Ms. Brewer stated she is all for safety but she does agree with Mr. Belinko's comment about requirements and insurance statements which will change and affect individuals. Ms. Brewer stated if there are older houses that don't have these detectors but the new ones do, think of what the HOAs will do with that. Mr. Maneri stated he's thinking of safety. Ms. Brewer stated she is all for safety. Mr. Maneri stated the Council should start thinking about the way these houses are built so close to each other because if one house catches on fire, it'll be more than one (1) house on fire, it'll turn into three (3) houses on fire. Ms. Brewer asked Mr. Maneri if he knew the potential cost to implement this per home. Mr. Maneri stated no, but tonight's vote is just to see if Council wants to further investigate this issue. Ms. Brewer stated she is not against further investigating this issue but there is a lot to investigate. Ms. Brewer asked if the State Fire Marshal has instituted anything. Mr. Maneri stated no, the State Fire Marshal wanted to institute everybody to have a sprinkler system back around 2009 but all of the towns and County voted it down because it was going to be too expensive. Ms. Brewer asked who would inspect for these detectors if they were included in the Town's code. Ms. Botchie and Mr. Maneri stated the Town's building inspector and he has to inspect everything that's in the IRC. Mayor Gordon stated he thinks when it comes to safety, it's something Council has to do for its residents. Mayor Gordon stated whether Council enacts on the Fire Marshal or the State, etc., this is new territory when you're looking at one incident; and the other thing is Mayor Gordon thinks we should also get the HOAs involved by making them knowledgeable of the situation. Mr. Belinko stated moving forward, Mr. Belinko doesn't want just local information or insight, but rather what's going on across the country, and if there's any code(s) with this requirement, present it; otherwise, if there is a reason why this isn't required, it needs to be explained to Council. Mayor Gordon stated he doesn't want to "jump the gun" by saying the Town is doing this in the event there "may be another one" and the Town needs documentation this detector is absolutely needed, but to just say no to investigating this is

doing the Town's residents a disservice. Mayor Gordon asked Mr. Michel if he could get on the internet and search for more information regarding detectors from other towns nationwide. Mr. Michel stated he thinks he'll need some help due to the scope. Mayor Gordon stated he is sure Mr. Maneri will help Mr. Michel.

Ms. Brewer motioned to proceed with reviewing and investigating the placement of detectors in crawl spaces. Mr. Michel seconded the motion. Mr. Maneri voted yes. Mr. Belinko voted yes. Ms. Brewer voted yes. Mr. Michel voted yes. Mayor Gordon voted yes. Motion carried 5-0.

## **5. CITIZENS' PRIVILEGE**

Mr. Wally Bartus, of Huntington Street, stated with regards to the smoke detectors in crawl spaces, his is the house where the event Mr. Maneri mentioned, happened, and thank God the disconnect box, which was installed by the builder, did completely contain the meltdown. Mr. Bartus stated the pictures provided show the actual box as the plastic inside melted, Council can see the exterior of the box is pretty much intact, but the joists and subfloor above it were scorched. Mr. Bartus stated Custom Mechanical came out and replaced it, wanting to put in a plastic one, but Mr. Bartus instructed them to come back with a better one. Mr. Bartus stated an electrician from Custom Mechanical told Mr. Bartus – with regards to how this happened – that the most probable reason was “likely over time, the connection worked loose.” Mr. Bartus stated the next day he put a ten (10)-year smoke detector up. Mr. Bartus further stated when he looked up the State Code, which Mr. Maneri referenced earlier, it was written in 1994 or 1997, during which time there weren't many – if any – encapsulated, conditioned crawl spaces. Mr. Bartus stated the Code mentioned is one (1) or two (2) family dwellings “smoke detectors shall be installed on each additional story, including basements but excluding crawl spaces and unfinished attics *if nothing is stored or kept in such areas.*” Mr. Bartus stated MBTS's builder puts the entire HVAC and a dehumidifier system in the crawl space so that is not nothing, it's something. Ms. Botchie asked which chapter Mr. Bartus was referencing. Mr. Bartus stated it is chapter four (4), section 3.01 entitled family dwellings, and section 3.12 regarding crawl spaces.

## **6. ANNOUNCEMENT OF NEXT MEETING –TOWN COMPREHENSIVE PLAN MEETING, TUESDAY, FEBRUARY 5, AT 1 P.M.; AND A TOWN COUNCIL MEETING, TUESDAY, FEBRUARY 12, 2019, AT 7 P.M.**

## **7. ADJOURNMENT**

Ms. Brewer motioned to adjourn at 7:42 p.m. Mr. Michel seconded the motion. Motion carried 5-0.

Respectfully submitted,  
Matt Amerling, Town Clerk