

**MINUTES OF THE MILLVILLE  
TOWN COUNCIL REGULAR & TELECONFERENCE WORKSHOP  
September 22, 2020 (7:00 p.m.)**

In attendance were Mayor Steve Maneri, Deputy Mayor Ronald Belinko, Treasurer Sharon Brienza, Secretary Barbara Ryer, Council Member Peter Michel, Town Solicitor Seth Thompson, and Town Clerk Matt Amerling. Town Manager Debbie Botchie was absent.

**1. CALL TO ORDER**

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

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL**

All Council members were present, and Town Manager Debbie Botchie was absent.

**4. NEW BUSINESS**

**A.** Discussion and possible vote to consider a joint workshop meeting with the Town of Ocean View. *Synopsis:* The Mayor, Council, and Town Manager of Millville received a letter from the Mayor of Ocean View, John Reddington, which listed topics for consideration and discussion between the two (2) towns, specifically a calendar of events coordination; consideration of a joint homecoming parade or other event; pedestrian/bike safety along Atlantic Avenue/Rt. 26; sidewalks; transit improvements; Millville Volunteer Fire Company (MVFC) support; and public safety investment.

Town Solicitor Seth Thompson stated from the legal side, most of these things are handled more on the administrative level. Deputy Mayor Ronald Belinko stated to have Ocean View reach out and work together on some joint efforts is remarkable but on the first paragraph of the letter from Mayor Reddington where it states “some informal discussions have taken place,” Mr. Belinko wants to know where all these topics were made up because this is a list of items the Town of Ocean View has interest in and how many informal discussions took place, and were there notes taken during these discussions? Mr. Belinko stated he wants to know how it got to this level where Council got the letter from the Ocean View mayor outlining these items. Mr. Belinko stated he agrees with Mr. Thompson that most of these items can be handled on the administrative level and the town managers can easily work with coordinating items such as the calendar of events and having a homecoming parade or other event. Mr. Belinko stated regarding pedestrian/bike safety, if a person reads the letter, most of the sidewalks the Town of Ocean View has listed are stretching around Ocean View’s park area (John West Park) and it doesn’t come down as far to Millville. Mr. Belinko stated in Millville’s Comprehensive Plan, the Town talks about the same thing so there may be a need when the Town needs to discuss going up to Ocean View’s boundaries and getting a joint effort together to talk to DelDOT. Mr. Belinko stated also in the Millville’s Comprehensive Plan, the Town discussed transit improvements and it could be a joint effort with Ocean View to talk about the cost to have a transit system up Route 26. Mr. Belinko stated regarding the MVFC support, the Town has an

excellent working relationship with the MVFC, and having the ambulance subscription set up through the Town's annual property taxes. Mr. Belinko stated regarding the public safety investment, Mr. Belinko thinks Council addressed that issue when it voted on the police study (at the June 23, 2020 Workshop) stating Council didn't think the Town needed a police study or a police force at this time due to the crime statistics. Mr. Belinko stated if Ocean View wants to continue with the public safety of coming into Millville to answer calls, Mr. Belinko thinks the Town should obtain more data such as how many times these types of events took place to warrant any kind of reimbursement when the Town has an excellent working relationship with the Delaware State Police (DSP). Mr. Belinko stated regarding all of these items, Millville and Ocean View are two (2) different types of towns with different priorities. Mr. Belinko stated Millville's park is one of its major priorities right now, and once the park is established the Comprehensive Plan states the Town would need a recreation department; so the Town has to take a look at its own needs. Mr. Belinko stated Millville is still growing and Ocean View may be getting a little "land-locked" regarding transfer monies coming in, so we have two different communities with two different needs. Mr. Belinko stated Ocean View has a comprehensive plan and Millville has its plan, and working together on some of these items where the towns have a joint interest – such as transportation and sidewalks – is not a problem.

Secretary Barbara Ryer stated she agrees with everything Mr. Belinko said, and Ms. Ryer did have a meeting with Town Manager Debbie Botchie on September 1, where Ms. Ryer asked Ms. Botchie about the items in this letter. Ms. Ryer stated Ms. Botchie told her she had been talking with Ocean View's administration on just about all of these items except the public safety investment aspect. Ms. Ryer stated she knows the Town gets grant money for the MVFC and the Town has helped the MVFC out with purchasing a new vehicle, so that's taken care of. Ms. Ryer stated there are some things with this public safety; and Ms. Ryer thinks the Town needs to get all the facts, meaning dates, addresses, times, nature of the event, and get it from the DSP and the Ocean View Police Department (OVPD). Ms. Ryer stated the DSP has assured the Town Manager that there is no problem in Millville. Ms. Ryer stated the Town is in good hands and she trusts what the DSP are reporting and telling us. Ms. Ryer stated these facts should be presented and even though she knows it will be a bit of work for the DSP and OVPD, there is no way Council can make a fair decision without any data, and it seems like the issue is more with Ocean View's police and not Millville because we don't have a problem. Ms. Ryer stated she's not really sure where all of what is stated in this letter came from. Ms. Ryer stated the Ocean View mayor's letter also states "a Millville resident commenting to an Ocean View resident about (police) services received" and that is hearsay; the mayor should have put who the resident was and of what kind of services the resident was speaking about. Ms. Ryer stated Council is very open-minded and wants to hear from residents and get feedback so more information on the resident should have also been included. Ms. Ryer stated the kind of information she's requesting is paramount to have to make any kind of fair decision, and if the Town has been using the OVPD for a lot of calls – and Ms. Ryer was told it was only twenty-seven (27) calls – they should know. Ms. Ryer stated without having addresses or locations of where the stops or events were, there are many places such as on Burbage Road where residences are located in Sussex County and not Millville, even though they look like they're in Millville. Ms. Ryer stated out of these twenty-seven (27) calls, the Town needs to verify with tax records where exactly these stops or calls are located, if they were in Millville Town limits.

Ms. Ryer stated she knows there have been discussions, it's mentioned in the first paragraph of this letter, and Ms. Ryer has never seen any notes from these discussions from any Council member who went to these meetings. Ms. Ryer stated she thinks it's a good idea to have a protocol put in place so whenever a Council member is meeting outside of Town Hall or the Town, before the discussion, all of Council should be made aware of who is attending these discussions, what is the topic of discussion, and those notes should be shared with the rest of Council.

Council Member Peter Michel stated he asked Town Finance Director Lisa Wynn how much money the Town has already approved for fiscal year 2021 regarding police coverage, and it was one-hundred-ninety-thousand dollars (\$190,000.00), of which the Town has only spent fifty-four-thousand dollars (\$54,000.00). Mr. Michel stated the Town gets fifteen-thousand dollars (\$15,000.00) from Sussex County to go toward the Town paying for the DSP. Mr. Michel stated with everything he's read in the monthly DSP crime-mapping reports and patrols, the Town doesn't have much crime here. Mr. Michel stated he would also like to know how many times OVPD came into Millville, what was the call/reason, how long were they here for, and is the OVPD also asking any other nearby towns such as Frankford and Bethany Beach for money because Mr. Michel is sure the OVPD is going into those towns as well, and Mr. Michel wants to know what kind of monies Ocean View is looking at for everybody. Mr. Michel stated he thinks the DSP are doing a fine job and Mr. Michel sees them almost every single day going through developments and the money is already budgeted for FY21 and if the Town needs more patrols from the DSP, the Town can certainly request that action. Mr. Michel stated he has spoken with Ms. Botchie about all of the other topics and she is "on top of it"; and regarding the bike/pedestrian safety, prior to COVID, he met with local municipalities and they came up with the bike program reaching from Route 26 to Coastal Highway, and there are only about two (2) more streets which need the sidewalks.

Treasurer Sharon Brienza stated she agrees with everything her colleagues have mentioned. Ms. Brienza stated to follow up on what Ms. Ryer mentioned regarding these other meetings – because Ms. Brienza was also taken aback by the mention of the meetings in the letter – there should be at least two (2) Council people attending these discussions/meetings. Ms. Brienza stated she agrees most of the items are administrative issues, and regarding the public safety, the DSP does a phenomenal job in Millville as they always have a strong presence. Ms. Brienza stated in order to discuss anything with Ocean View regarding the police department, the Town needs a lot of data, which Ms. Ryer and Mr. Michel already stated. Ms. Brienza stated she would also like to know how often the DSP have backed up Ocean View when the DSP "is on our dime." Ms. Brienza stated it was also a great question Mr. Michel asked regarding whether Ocean View is asking for help in costs from other towns. Ms. Brienza stated she will not consider meeting with Ocean View until Council has all of the data regarding the police department.

Mayor Maneri stated regarding the first paragraph of the letter, not one person met with another person from Ocean View, but rather it was two (2) people: himself and Mr. Michel. Mayor Maneri stated they were supposed to meet with two (2) Council members from Ocean View, but one could not make it so one showed up. Mayor Maneri stated he and Mr. Michel were given

permission by Council at that time to meet with them; however, they were not permitted to talk about police. Mayor Maneri stated he and Mr. Michel and the Ocean View council member did not talk about police. Mayor Maneri stated if anyone thinks they didn't have permission to meet, they did ask Council and Council approved the meeting. Mayor Maneri asked Mr. Michel if he remembered it. Mr. Michel stated "it's been a long time; I'm sure." Mayor Maneri stated he and Mr. Michel met up at Hocker's and they were talking about different things such as what is listed in this letter but nothing at all about a police department; even though it was brought up but Mr. Michel and he "shot it right down" and that's the way they kept it because it's the only way Council wanted them to meet with Ocean View. Mayor Maneri stated regarding the bicycles, sidewalks, and the other stuff, the Town is already involved with that in terms of paying so much for painting the lines. Mayor Maneri stated regarding transit, it will be up to the town managers to discuss that issue. Mayor Maneri stated regarding the MVFC, the Town started about four (4) years ago giving the MVFC extra grant monies because Ocean View was always giving grant monies; so the Town wanted to start giving more and the Town now gives the MVFC six percent (6%) tax. Mayor Maneri stated with the grants for the MVFC, the MVFC buys something and has to show the Town the bill, and the grant reimbursement is then given to the MVFC. Mayor Maneri stated regarding the public safety investment, OVPD Chief Ken McLaughlin has said he is working with other police departments and Mayor Maneri doesn't know what they pay nor is it up to Mayor Maneri to worry about it. Mayor Maneri stated back in 2014, Mayor Maneri is the one who said he wanted the DSP here in Millville because at that time, the Town was looking at either a police force or the DSP for coverage, and that's what started the DSP staying here. Mayor Maneri stated he "had nothing to do with this police thing though some people might be fainting," but no, he didn't. Mayor Maneri stated Sussex County gives OVPD monies to go to towns who don't have police departments, but the Town needs to look into how much money it is as he does not know. Mayor Maneri stated he agrees before there are any meetings, the Town should know how many times the OVPD are coming into Millville, as well as how many times does the DSP go over to Ocean View to assist them when the DSP is covering Millville. Mayor Maneri stated when those facts all come out, he will talk more about the public safety investment, and the rest of these items look like a matter of the Town Manager needing to get together with the Ocean View town manager to get those settled. Mayor Maneri stated regarding the meetings with Ocean View, they were supposed to be split up, and he and Mr. Michel went to the first meeting with Ocean View Council Member Frank Twardzik – and he thinks Ocean View Council Member Tom Maly was to be the other attendee, but he couldn't make it to the meeting. Mayor Maneri stated after that meeting, he came back to Council (at the February 25, 2020 meeting) and said for future meetings, different Council members would be attending other meetings at different times but then COVID hit and meetings stopped; however, it was well established two (2) different Millville Council members would meet with two (2) other Ocean View Council members.

Mr. Thompson stated looking at the "call to action" in terms of responding to the Ocean View mayor's letter, based on COVID restrictions and how the Freedom of Information Act (FOIA) works when there are two (2) different political bodies meeting, there are some "logistical hurdles" there. Mr. Thompson stated it sounds to him like the responses would be the Council looks forward for the Town Manager to coordinate a calendar of events with Ocean View, the Council is in support for exploring a homecoming parade and it would ultimately come before

Council because it would cost money and the Town would have to budget for it; but the reality is a parade is not going to happen anytime soon due to COVID. Mr. Thompson stated regarding the bike and pedestrian safety, Ocean View's letter references the fact Millville is engaged to some extent with the initiative, so the Town Manager can carry on with that topic. Mr. Thompson stated with respect to sidewalks, Mr. Thompson couldn't tell that Ocean View's connectivity initiative is having sidewalk gaps being filled in, which sometimes happens due to new construction. Mr. Thompson stated Millville has in its Charter (Section 33) the ability to inform a property owner to install sidewalks so the Town can connect any gaps, and Mr. Thompson gathers that's what Ocean View has been doing, but Mr. Thompson doesn't know if Ocean View needs Millville to do anything for Ocean View's connectivity other than where the Town borders are shared. Mayor Maneri stated they had a talk with Ocean View's (Planning, Zoning & Development Director) Ken Cimino about all the different things which had to be done but that's about all that was discussed; so they did have some input on this letter. Mr. Thompson stated from a legal perspective, if both towns wanted to have a sidewalk which ran the entire length, the towns would have to identify the properties and which ones were in which towns, and the property owners would have to be notified, telling the property owner they need to have their portion of sidewalk installed by such date. Mr. Thompson stated the MVFC item seems to be Ocean View's request for information from us so Ocean View knows how Millville supports the MVFC. Mr. Thompson stated Mayor Maneri is right the Town Charter does let Millville donate up to six percent (6%) of real property tax – whereas it used to be three percent (3%) and three percent (3%) – so it can go to what the MVFC wants. Mr. Thompson stated in terms of public safety, it sounds like Council has a number of open questions they would like answered, so the response to Ocean View would be something like, "can you please provide this information?" Mayor Maneri stated he knows years ago there was a report from Ocean View, which he and Mr. Michel reviewed, but the report was done from before Mayor Maneri was here. Mayor Maneri stated he thinks what Council is requesting tonight is everything broken down. Ms. Ryer stated yes, with exact addresses to compare against the tax records. Mr. Michel asked if someone can find out if all the towns have a mutual aid pack required to go to helping other towns out with police coverage. Mr. Thompson stated yes, he believes it's called SUSCOM and it's his understanding when a town accepts the money from the County, that town is taking on the obligation to respond outside of its jurisdiction. Mr. Michel stated, to him, it sounds like Ocean View is asking for more money from Millville to give coverage when Ocean View may already receive monies from the County. Mayor Maneri stated he thinks the fifteen-thousand dollars (\$15,000.00) Mr. Michel mentioned earlier is a grant from the County, given to Millville to pay for the DSP.

Mr. Belinko stated regarding the response, if the DSP are responding to a crime in Millville, is Ocean View coming in to assist the DSP – they probably are. Ms. Ryer stated yes, and the most important question is what kind of stop or call is it? Ms. Ryer asked if it is necessary for the OVPD to come and assist? Ms. Ryer stated the OVPD could be coming out of courtesy but she's not sure as she doesn't know police protocols for that issue. Ms. Ryer stated if the OVPD are coming for something that's not really necessary, it shouldn't count as a necessary call to be charged. Mr. Thompson stated it raises a good issue that not every call is the same so getting a rough idea for the nature of the call is a good idea. Mayor Maneri stated he knows a lot of times OVPD has come into Millville because he's seen them when he goes out on a call for an

accident or something; and if the DSP was not working in Town, the OVPD would get there right away because a lot of times, the DSP is not directly in this area. Mayor Maneri stated usually it should work so the DSP shows up to take over and the OVPD goes back to Ocean View. Ms. Ryer stated she can speak for everyone here when she says they appreciate all police departments and everything OVPD does for Millville, and she's sure the Town reciprocates. Mr. Thompson stated it sounds like the Town is not ready for a joint workshop yet and Ocean View has to formulate a list of information Council would like to see with respect to the public safety component, and Council could respond to the other items in terms of its general support for the Town administration continuing to do the work. Mr. Thompson stated he guesses the Town could provide the information on how it supports the MVFC. Ms. Ryer asked Mayor Maneri if he would like Council to send him all their comments on these topics. Mayor Maneri stated Council can give comments to him but he's planning on sending the comments to Ms. Botchie. Ms. Brienza stated she was going to suggest Mr. Thompson draft a response. Mr. Belinko stated the comments have been recorded tonight to help draft the letter. Mr. Thompson stated he is more than happy to help.

**B. Discussion on Town personnel evaluation forms. – Deputy Mayor Ronald Belinko**

Mr. Belinko stated when Council met back in March, Ms. Ryer and Mr. Belinko were directed to take a look at the Town's evaluation system and how an increase in pay would tie in. Mr. Belinko stated they didn't "reinvent the wheel," and Mr. Belinko pointed out language in the Town personnel manual, specifically the evaluation and pay plan. Mr. Belinko stated the big change is they are going to pass on the point system. Mr. Belinko stated he always had a firm belief that the staff members should take a look at their evaluation so he circulated two (2) forms to Town staff so they knew what was coming before Council tonight. Mr. Belinko stated he and Ms. Ryer took the point system completely off and had just a rating evaluation with comments. Mr. Belinko stated the reason for an evaluation without a point system is it can give you a more honest evaluation. Mr. Belinko stated he always worked for school superintendents who when Mr. Belinko was evaluated at the time would say, "Ron, tell me something you think you can improve upon" or "what's a goal you didn't reach this year?" Mr. Belinko stated he thinks when you have a more honest evaluation, and an employee lists what they think they can improve on, it gives a goal to strive toward and the employee doesn't have to worry about that thing knocking a point down, therefore not getting the increase to which the employee was designated. Mr. Belinko stated after hearing from staff, basically they like the old evaluation form but there is just the verbal scale in there. Ms. Brienza asked about the date listed in the sample evaluation form. Mr. Belinko stated that date is the way it was listed when he was given it but it can be changed. Ms. Ryer stated she thinks it's an excellent job by Mr. Belinko and not tying a specific increase to an evaluation because Council never knows what may come up and the budget could change. Mr. Belinko stated the Town Manager makes the recommendation and at executive session, Council looks at the economic factors and what the Town can reasonably afford for an employee increase. Mr. Belinko stated another reason for no point system is every employee who receives a satisfactory rating, receives the same salary increase; rather than having to say, "Oh, Ron, you missed it by point-five (.5) because you took too many days off or something." Ms. Ryer stated she remembers last year them using the Bureau of Labor Statistics as a consideration as well as what Governor Carney gave the State employees and other things

to come up with a fair system.

Mr. Belinko stated in looking at the Town Manager's evaluation and he thinks it will take a burden off one person evaluating the Town Manager, and the Council will be asked to participate in the evaluation by grading on the same type of scale, to which the Mayor would take that Council input and compile the final evaluation. Mr. Belinko further stated when Council had its executive session, the Town Manager would come in and have an evaluation meeting with all of Council. Mr. Belinko the last pages he attached to tonight's packet were the job descriptions of all Town staff, and the evaluation will be based on these job descriptions, which do have to be reviewed periodically as the Town grows and responsibilities increase or duties are given to new or different personnel. Mr. Belinko stated he believes this task of taking out the point system will show an honest evaluation process and give the Town staff a chance to grow in their professional development. Mr. Thompson stated a lot of time the job descriptions follow an Americans with Disabilities Act (ADA) requirement because it is used in the hiring process, which doesn't look like the Town has done it with these descriptions so it should be something the Town incorporates. Mayor Maneri asked if all of Council would give their evaluation comments to Mayor Maneri or would they all sit and discuss with the Town Manager at the executive session. Mr. Belinko stated it could go either way. Mayor Maneri asked Mr. Thompson if Council would have to amend the policy manual because it says the Mayor will evaluate the Town Manager. Mr. Thompson stated it is stated in the Town Manager's annual contract so if Council wants to change this aspect, they would do so in the contract in the upcoming year. Mayor Maneri stated it couldn't be done this year because the contract has already been done. Mr. Thompson stated if Ms. Botchie wanted to agree to an amendment, it could be done. Mr. Belinko stated it is still the Mayor's responsibility to finalize the evaluation but this amendment will help the one person when it comes to comments on various topics. Mr. Belinko stated with these evaluations, you have to consider the purpose of them, which is to maintain employment efficiency and to present growth opportunities, all for the betterment of the workforce which serves the Town and its citizens.

## **5. CITIZENS' PRIVILEGE**

Mr. Dave Moeller, of Blue Heron Drive, stated he had submitted a FOIA request for the Ocean View letter and received it. Mr. Moeller stated all of the first items in the letter are "fluff" leading to the police matter. Mr. Moeller stated, regarding the public safety investment, he agrees more information needs to be collected, but the OVPD is already compensated by the County and if Ocean View needs more money, they should ask County. Mr. Moeller stated he is afraid by allowing a sit-down right away with Ocean View, before getting any data on the matter, the Town may be giving Ocean View a glimpse of hope to ask for more monies in the future.

Mr. Karl Beers, of Whiteclay Drive, stated he is a former Baltimore City police officer and has worked as a dispatcher for the Bethany Beach Police Department (BBPD), and he knows there is an agreement under certain calls of service between police, but how those calls are handled and who handles them is at the discretion of the officers. Mr. Beers stated if an OVPD officer is driving through and wants to take a minor call, it is his choice but don't make Millville pay for

it. Mr. Beers stated if Ocean View is requesting monies, there are data, logs, and more information which should be gathered first. Mr. Beers stated there is a big difference between responding to a violent, life-threatening call and coming in to assist a DSP officer with a routine traffic stop. Mr. Beers stated he has lived here seven (7) years and he's known of only one (1) serious crime in all that time in Millville; so with these other routine stops, most times, a OVPD will most likely pull over to the site, see DSP has it in control and then leaves. Mr. Beers stated there's a lot to take into consideration so please don't let Ocean View "blow smoke up your pant leg." Mr. Beers asked if the Town park was open. Mr. Belinko stated the park is closed due to cleaning maintenance issues required under State law. Mr. Beers stated regarding the chin up bar located along the new park's walking trail, it is very high up, so much so that he would have to stand on a step ladder just to reach up to grab hold of it.

Ms. Brienza stated she appreciates the comments and she agrees the Town shouldn't give Ocean View a "glimpse of hope" the Town may be meeting with Ocean View, especially after hearing Mr. Beers' comments. Ms. Brienza stated yes, Council does have to respond to the letter but she thinks rather than saying "we'll meet with you after Council receives the statistics," Council should request the police information right up front without referencing meeting.

**6. ANNOUNCEMENT OF NEXT MEETING – TOWN COUNCIL MEETING, TUESDAY, OCTOBER 13, 2020**

**7. ADJOURNMENT**

Ms. Brienza motioned to adjourn at 7:55 p.m. Ms. Ryer seconded the motion. Motion carried 5-0.

Respectfully submitted,  
Matt Amerling, Town Clerk