



MINUTES OF THE MILLVILLE TOWN COUNCIL MEETING

March 14, 2023 @ 7:00 PM

1. **Call to Order:**

Mayor Belinko called the meeting to order at 7:00 p.m. with the **Pledge of Allegiance**. ***Present:*** Mayor Ronald Belinko, Council Members Sharon Brienza, Barbara Ryer, Robert Wisgirda and Peter Michel, Town Manager Debbie Botchie, Administrative Assistant Eileen Scerra, Town Clerk Wendy Mardini, and Finance Director Lisa Wynn.

Mayor Belinko recognized Barbara Ryer who was the Treasurer for the Town of Millville. He said that Ms. Ryer did an outstanding job of keeping us all informed and keeping an eye on the Town's money. She will be greatly missed and was presented with a small gift of appreciation. Ms. Ryer wanted to thank all the council members, town staff and Town Manager Debbie Botchie for their support and assistance during her term as Treasurer.

2. **Swearing-in of Town Council Members - Town Clerk Wendy Mardini**

- A. Sharon Brienza
- B. Joseph Parent
- C. Robert Wisgirda

3. **Town Council Appointments**

A. Mayor – Council Member Sharon Brienza nominated Council Member Ronald Belinko as Mayor, Council Member Peter Michel seconded the nomination, no other nominations were made, and the nominations were closed by Seth Thompson, Esq.

Council Member Sharon Brienza made a motion to approve Ronald Belinko as Mayor, Council Member Peter Michel seconded the motion. The motion carried 5-0.

Mayor Belinko thanked council for nominating him again and Ms. Brienza commented that he has been a great ambassador for the Town of Millville.

B. Deputy Mayor – Mayor Ronald Belinko nominated Council Member Sharon Brienza as Deputy Mayor, Council Member Peter Michel seconded the nomination,

no other nominations were made and the nominations were closed by Seth Thompson, Esq.

Mayor Ronald Belinko made a motion to approve Council Member Sharon Brienza as Deputy Mayor, Council Member Peter Michel seconded the motion. The motion carried 5-0.

C. Treasurer – Council Member Sharon Brienza nominated Council Member Peter Michel as Treasurer, Mayor Ronald Belinko seconded the nomination, no other nominations were made, and the nominations were closed by Seth Thompson, Esq.

Council Member Sharon Brienza made a motion to approve Council Member Peter Michel as Treasurer, Mayor Ronald Belinko seconded the motion. The motion carried 5-0.

D. Secretary – Council Member Sharon Brienza nominated Council Member Joseph Parent as Secretary, Council Member Peter Michel seconded the nomination, no other nominations were made, and the nominations were closed by Seth Thompson, Esq.

Council Member Sharon Brienza made a motion to approve Council Member Joseph Parent as Secretary, Council Member Peter Michel seconded the motion. The motion carried 5-0.

Mayor Belinko wished all Council Members congratulations on their nominations.

- 4. Resolution 23-13 To Set Regular Town Council Meetings** - Town Manager Debbie Botchie explained that under Section Nine of the Town Charter, Regular and Special Meetings, that the council shall set the regular meetings at the organizational meeting. She said that it was everyone's consensus that we continue for the second Tuesday of the month unless it falls on a holiday. Ms. Botchie said that we have been in the practice of doing two meetings a month of late. She explained that it is per the Charter that council must approve this for their monthly meeting. Mayor Belinko asked is there is any discussion, there was none.

Council Member Sharon Brienza made a motion to accept Resolution 23-13. Council Member Robert Wisgirda seconded the motion. Motion carried 5-0.

- 5. Reappointment of Planning & Zoning Commissioners** - Mayor
A. Catherine Scheck – 3 Year Term

Council Member Sharon Brienza made a motion to reappoint Catherine Scheck to a 3-year term to the Planning & Zoning Commission. Council Member Robert Wisgirda

seconded the motion. Motion carried 5-0.

6. Official Check Signatures of Town of Millville Accounts - Mayor

- A. **Treasurer – Peter Michel**
- B. **Town Manager - Debbie Botchie**
- C. **Mayor – Ronald Belinko**

7. Approval of Town Council Meeting Minutes

- A. February 14, 2023, Town Council Meeting

Council Member Joseph Parent abstained since he was not on the Council at the time. Council Member Sharon Brienza wanted to commend Town Clerk Wendy Mardini for the preparation of the February 14, 2023 minutes. It was a long and difficult meeting to transcribe.

Council Member Sharon Brienza made a motion to approve the meeting minutes of February 14, 2023. Council Member Peter Michel seconded the motion. Motion carried 4-0-1.

8. Financial Report – Town Manager Debbie Botchie

General Fund Revenue	\$49,485
General Fund Expenditures	\$71,333
Restricted Revenue	\$177,213
Restricted Expense	\$446,726 (Due to the purchase of four acres of land)

Mayor Belinko pointed out that the transfer tax was significantly lower this time last year due to the building drop. He also pointed out that the Delaware legislative body is looking to not charge a transfer tax to people who own a home in Delaware, sell it and buy another home in Delaware. This will cause a significant change in the transfer tax collection. The Mayor also commented on the crime report submitted by the Delaware State Police. This month there were a few traffic tickets issued; however, there were no crimes committed which he was very happy to see.

9. Administrative Matters - Town Manager Botchie

10. Citizens' Privilege – Dave Holmes, 33701 Tudor Place, Millville, DE 19967. Mr. Holmes wanted to thank Mr. Thompson and Ms. Botchie for expediting the issue regarding the HOA's paying taxes and Title 22 regarding the exemption for seniors in the same way Sussex County does. He commented that the Town is looking out for everyone.

11. New Business

A. Discussion on exempting Homeowner's Associations from paying real estate property tax on amenities within their communities.

Ms. Botchie acknowledged the request of Mr. David Holmes who pointed out that the Town was charging HOA amenities with a town tax and that the county does not and was surprised to hear that. Ms. Botchie explained that the county follows Title 9 of the Delaware Code and municipalities follow Title 22 of the Delaware Code. She then continued to summarize briefly Title 9, an exemption stating that the HOA's paying taxes on their clubhouse or pool will now be exempt. Ms. Botchie will be meeting with the community property managers to explain the procedure in the near future. The HOA's must fill out the application and submit it in order for the exemption to take effect. Mr. Thompson also briefly explained the difference in the Codes and the procedure the Town must take to implement the exemption. No vote was necessary.

B. Discuss, consider and possible vote on Ordinance 23-06. This ordinance will amend Chapter 90, entitled "Licenses."

Presenting is Debbie Botchie. Ms. Botchie explained that Chapter 90 is the Town's commercial, business, residential rental, mobile food truck, and event permits code. The Town's Code was in need of more clarity, be brought up to date and more detailed regarding language. She also went on to explain enforcement of parking on the streets of the communities and it is difficult to enforce those codes when certain communities allow parking on the streets. Council Member Robert Wisgirda pointed out specific language in the rental license application that needed to be updated for clarification. Mr. Thompson went on to suggest certain language be included in the rental license application.

Council Member Robert Wisgirda made a motion to approve Ordinance 23-06 amending Chapter 90 entitled "Licenses." Council Member Sharon Brienza seconded the motion. Motion carried 5-0.

C. Discuss, consider and possible vote on Millville Boardwalk/Captain Quarters Final Site Plan as submitted by Davis, Bowen & Friedel, LLC. On behalf of Captains Quarters. The site is located on Tax Map Parcel 134-12.00-35.00.

Mike McCarthy of Millville Boardwalk, Mr. Brooks Trimper of Captain's Quarters and Chad Warren, P.E. of Davis, Bowen & Friedel were present. Mr. Andrew Lyons advised that their plan has been reviewed, advising that they have their DelDOT letter of approval and that the entrance and exit will not change for the proposed racetrack. Mr. Warren went on to explain the proposed racetrack and parking lot along with the amount of parking spaces with handicapped accessible spaces.

Council Member Joseph Parent started by commending Captian's Quarters for using

electric karts and wanted to know how many go-karts would be running at one time and if there was an age limit for the karts. Mr. Trimper addressed the questions. They are going to have 16 karts, running 8 at a time. He also advised that there will be no age requirement and the height requirement will be between 48” and 52” depending what the state and insurance companies require. Smaller kids of 36” will be able to ride with an adult 18 years or over. No questions were asked by Council.

Council Member Sharon Brienza made a motion to approve Millville Boardwalk/Captain Quarters Final Site Plan as submitted by Davis, Bowen & Friedel, LLC on behalf of Captain’s Quarters. Council Member Robert Wisgirda seconded the motion. Motion carried 5-0.

D. Discuss, consider and vote, on Resolution 23-14. T.J. Schiff, Managing Member of Dukes Lane, LLC, representing the Parkside Community, has requested a bond reduction pertaining to PH 1 of the subdivision. If approved, the bond would be reduced from \$797,541.00 to \$328,200.00.

Mr. Lyons advised that Mr. Evans, Mr. Schiff, and Mr. Lyons looked at the bonded improvements on January 12, 2023 of the Parkside Community and determined that the project is 84% complete and has been for quite some time. All the utilities are in, they are waiting on sidewalks and some landscaping. Mr. Lyons recommended that the bond be reduced.

Council Member Robert Wisgirda made a motion to approve Resolution 23-14. Council Member Sharon Brienza seconded the motion. Motion carried 5-0.

E. Discuss, consider and possible vote regarding FY23 Budget Revisions - Finance Director Lisa Wynn

Ms. Wynn discussed the proposed budget revisions, referring to the worksheet she emailed all council. She pointed out the major issues as follows:

- Computer Maintenance/Copier/Software mainly for development of the new website.
- Town Park Repairs/Maintenance – there was increased grass cutting, cleaning, power washing, inspection of playground equipment, trees that were moved, grinding of stumps, asbestos litigation at the Dukes house, and other miscellaneous repairs.
- Land Purchase – purchased approximately 4 acres adjacent to Evans Park which was not included in the FY23 budget.
- Evans Park Improvements – building the pavilion, purchasing a new computer and new security system.
- Economic Development Expenses – add Christmas Décor, Easter Celebration and Earth Day Celebration.

Ms. Botchie wanted to clarify for the residents that there is a contingency plan in the Town's general fund which helps balance the budget, this money was already budgeted and she was not taking money out of the reserves. No questions were asked of council.

Council Member Sharon Brienza made a motion to approve the FY23 budget revisions. Council Member Robert Wisgirda seconded the motion. Motion carried 5-0.

F. Discuss, consider and possible vote on a grant request from the Millville Volunteer Fire Company (MVFC) in the amount of \$87,367.87, which represents the total impact fee collected by the Town in FY23. The sum of the projects is \$87,650.65 and the funds will be utilized on safety equipment for their Sear Ark Marine boat, physical fitness equipment to be installed in their new addition, and 11 sets of Fire Dex turn out gear.

Mr. Greg Hocker, President of the Millville Volunteer Fire Company, wanted to thank the Town and Council for the opportunity to utilize the grant that the Town offered to update the boat they purchased last year. They are requesting the installation of lights, UHF radio and fire gear. Also, they want to purchase gym equipment for the health of their members and career staff.

Council Member Sharon Brienza made a motion to approve the grant request from the MVFC in the amount of \$87,650.65. Mayor Ronald Belinko seconded the motion. Motion carried 5-0.

- 12. Citizens Privilege:** Mr. Carlos Melendez, 17057 Bellevue Court, Millville, DE
Mr. Melendez was concerned about any noise/music generated from the new Go-Kart track. Mr. Lyons said that this subject has been addressed by Planning & Zoning.

Mr. William Kisenwether, 32332 Peregrine Way, Millville, DE
Mr. Kisenwether wanted to know if there was anywhere, he could get a copy of the Phase II bond. Ms. Botchie advised him that he could go on line and fill out a FOIA request or come to Town Hall to do so. He also inquired if a member of the HOA could accompany Mr. Lyons and Mr. Evans on the walk-through. Mr. Lyons said that was not a typical request and Mr. Thompson further explained the bond reduction and bond release program. Mr. Kisenwether also wanted to confirm that once the topcoat is finished on the streets, the streets will be under the control of Millville. He was told that the Town will not maintain their roads.

Dave Holmes, 33701 Tudor Place, Millville, DE 19967
Mr. Holmes wanted to know if the Town would accept the form for exemption that Sussex County uses. He was advised that the Town is using that. Ms. Botchie informed him that she has created an application for Millville HOA's. He also wanted to know if the \$250,000 banking issue was resolved and Ms. Botchie recommended that he make an appointment to speak with Lisa Wynn and herself.

13. **Announcement of next meeting:** April 11, 2023

14. **Adjournment**

Council Member Sharon Brienza made a motion to adjourn the meeting. Council Member Robert Wisgirda seconded the motion. Motion carried 5-0.

Respectfully submitted,

Wendy Mardini
Town Clerk