DRAFT: 10-14-2026
APPROVED:

TOWN OF MILLVILLE – TOWN COUNCIL MEETING MINUTES
Regular Meeting at 7:00 P.M.
October 13, 2026

Council Present*:** Mayor Ronald Belinko, Deputy Mayor Sharon Brienza, Secretary Deborah Sosnoski, Treasurer Joseph Parent, Council Member/Co-Treasurer Robert Wisgirda. **Town/*Trade Employees Present: Town Manager Eileen Scerra, Town Solicitor Seth Thompson, GMB Engineer Andrew Lyons, Code and Building Eric Evans, Finance Administrator William Mumford, and Town Clerk Trish Marcules. ***Absent***: None

1. CALL MEETING TO ORDER/PLEDGE OF ALLEGIANCE/ROLL CALL

Mayor Belinko called the meeting to order at 7:00 p.m. with the **Pledge of Allegiance**. Mayor Belinko announced all council present.

2. APPROVAL OF TOWN COUNCIL MEETING MINUTES

A. **September 8, 2026**
B. **September 16, 2026, Executive Session**
C. **September 22, 2026**

Ms. Brienza made a motion to accept, September 8, 16, and 22 Meeting Minutes. Ms. Sosnoski second the motion. Motion carried unanimously 5-0.

3. PUBLIC COMMENT – (A.K.A. Citizens Privilege) – *May be subject to 3-minute limit.*

No Zoom Comments (6 registered, 5 were online (1 testing zoom) names on file)

Barbara Ryer – 30405 Blue Heron Drive, Millville DE 19967 (RESIDENT) – Thanked Council and Town of Millville employees for all they do for the town. She realizes tough decisions need to be made and are not necessarily what the public wants, but the Council and Town follow the rules and get good advice from the Town Solicitor, Seth. She hopes residents walk away more educated and happy with the way the town handles things.

Bill Petros – 3 Indian Hill Lane, Ocean View DE 19970 (NON-RESIDENT) – Liked to know process of how smoke shop from across street from Lord Baltimore Elementary School was permitted. Mr. Petros stated the shop is open 24 hours a day with operating hours of 7am-2am. Mr. Petros mentioned an elder resident lives behind the smoke shop and fears for her life because the shop has been burglarized at least three times.

Mr. Thompson said that when looking at town code, retail sales don't distinguish for the most part and the town is only allowed to regulate certain things within its zoning ordinance. Mr. Thompson stated the town code doesn't regulate tobacco retail any differently or vape retail.

Dennis Porter – 31050 Bird Haven Street St, Ocean View DE 19970 (NON-RESIDENT) – Mr. Porter stated he was shocked the smoke shop across the street from Lord Baltimore Elementary School is not just selling tobacco products, but THC A, which is marijuana.

Georgia Murtaugh – 31625 Whiteclay Dr, Millville DE 19967 (RESIDENT) – Ms. Murtaugh stated she would like to see an ordinance making a change about vape shops in town. She wasn't aware marijuana or any of the products were allowed in the town.

Mayor Belinko stated the town does have ordinances for marijuana.

Rosemary Mcnamara – 23416 Buttonbush Way, Millville DE 19967 (RESIDENT) – Ms. Mcnamara questioned how close the shop was to the elementary school and was it within the Delaware drug-free zone which is 1000-foot zone around schools and parks.

Mr. Thompson stated the town would have to see what substances they're selling because there are different laws based on what they're doing. Mr. Thompson stated e-cigarette laws and marijuana are defined differently. He said these are important points brought up and will be investigated.

4. TOWN REPORTS

A. **Town Manager – Eileen Scerra** – Reviewed and entered
B. **Code & Building Department – Eric Evans** – Reviewed and entered
C. **Finance – William Mumford** – Reviewed and entered

Mr. Parent questioned line items to let the public hear reasoning for high numbers. Line items 40255, 49125, and 55001 were discussed with answers provided by Eric Evans and William Mumford. Mr. Parent didn't want residents to be alarmed by seeing high percentages with no explanation.

D. **Parks & Recreation** – Reviewed and entered
E. **MVFC** - Entered
F. **Roxana VFC** - Entered
G. **DSP** - Entered
H. **Plan and Zoning Approved Meeting Minutes – 8-13-2026 and 9-10-2026** - Entered

5. NEW BUSINESS

Public Hearing Notice – Secretary: Notice of the following public hearing was posted on the Town's website and printed in the Coastal Point on September 25, 2026.

Mayor Belinko opens the Public Hearing – *Mayor Belinko opened meeting at 7:22 PM*

Any Written or Oral Comments Submitted – Town Manager – *No items received*

SYNOPSIS: The application was submitted by Christopher Companies for property known as Coastal Farm (aka Flyaway Farms) received by the town on May 26, 2026, to annex into town limits. Town Council forwarded to the annexation committee June 9, 2026. The annexation

committee met on June 16th and voted unanimously to move to next phase. Annexation committee met on July 21st and voted to move to Town Council. Town Council approved the report on August 11, 2026, voting 5-0 with roll call to move to Planning and Zoning. Planning and Zoning voted 5-0 on September 8, 2026, to approve RPC zoning and move to Town Council. Town Council voted 5-0 with roll call on September 22, 2026, to accept RPC zoning for the annexation and to move to public hearing.

Mr. Thompson shared all the rules for the public hearing. Mayor Belinko reminded everyone that they would be timed to 3 minutes.

- **Presenter**

Mr. David Hutt, attorney with Morris James, and in attendance for Christopher Companies was Carmen Marinelli. Mr. Hutt covered the entire annexation history timeline to present day. Mr. Hutt included discussion on state planning review, proposed RPC zoning, six tax parcels totaling 94.7 acres and a conceptual 320-unit development. Mr. Hutt explained the location near Millville by the Sea, the entire process, state strategies mapping, potential municipal revenues, and town control over future development. Mr. Hutt mentioned a traffic study was done.

Mr. Wisgirda asked if a copy of the traffic study could be handed out. Mr. Hutt handed out copies for all Council, solicitor, clerk, and engineer.

Mr. Parent wanted to clarify that there is only one way in and one way out of the development. Mr. Hutt stated there was only one connection to Burton Farm Road. Mr. Hutt stated the conceptual plan does show a potential connection to the West Village. Mr. Parent confirmed that was not a requirement and Mr. Hutt confirmed it is not a requirement. Mr. Parent questioned not seeing the 320 units before, and Mr. Hutt stated conceptual plan did have 320 units on it. Mr. Parent questioned how the property will be affected by SB 23. Mr. Thompson stated it would be during subdivision and site planning process that SB23 will have some effect. Mr. Thompson quoted:

" You know the annexation question is separate; it's not subject to S23. But if the property is annexed, which then necessitates changing the zoning map, this property, like any the buy right residential property, is going to we're going to have a public meeting, assuming the ordinance passes. So the planning elements are still going to be subject to a public hearing. So kind of the RPC level would still be subject to our normal processes, but once the RPC standards have been approved, in terms of applying those standards to a given phase, if you will, to a given subdivision, then it's going to be a public meeting and not a public hearing. So people are going to comment in writing, or at least they're going to be given that opportunity, versus having kind of a public hearing, the way we are now, where people can come and make their comment in person. And that's that one's not a thought, but it is important to kind of understand, you know, certain SB 23 is going to have, you know, pretty dramatic effects on our regular processes. But when it comes to annexation or changing your zoning map, it doesn't apply to those or commercial projects."

Mayor Belinko stated it's going to have a great impact on the buy rights residential development and certain things speeding up the process that state law and governor just signed this summer. Mayor Belinko explained this is why the item is on the agenda tonight.

- **Engineer Comments, Andrew Lyons (GMB)**

Mr. Lyons mentioned everything was said, but he did want to bring up more about the zoning. Mr. Lyons stated P&Z reviewed and recommended RPC. Mr. Lyons explained RPC stands for Residential Plan Community district. The RPC requires a mixed use of dwelling types versus R1.

Mr. Lyons stated 40% of the total dwelling units must be single-family detached dwellings and it also requires a minimum of at least three of the following permitted housing types.

- Traditional Single-family dwellings
- Village homes, single-family attached dwellings including townhouses and two-family dwellings
- Multi-family dwellings including multiplex and apartments

Mr. Lyons stated that 20% of the space must be open space, and at least a quarter of that (or 25% of the open space) must be active open space. Mr. Lyons also stated the below....

"One thing that is also a little bit different here is that all of the regulations that we normally have on setbacks and all that is not set in the code. It is part of the RPC approval, so that process will still be setting those would be subject to the public hearing as regular, and then after that is set, it would be more of a byte subdivision at that point because we would have all of the requirements set."

- **Town Council questions and discussion**

Ms. Brienza asked for clarification on the different types of homes. Mr. Lyons gave a response.

- **Public Comment(s)**

Rosemary Mcnamara – 23416 Buttonbush Way, Millville DE 19967 (RESIDENT) – Ms.Mcnamara shared concerns about response rates for the fire and police companies to get to the location and how long with the traffic. Ms. Mcnamara quoted the following:

"This is from Julie Morris. When the council denied this particular development, they did it because they didn't think the land was the right place for medium density zoning because of the farmland around it, limited road frontage, poor connection to Millville, and an impact on Burton Farm Road. DelDOT's numbers show that right now there's 329 vehicles. It's going to go up to 2,668 vehicles trips per day, eight times more than what's there now, and that's kind of additive because you have a lot of other developments in the area being formed." (Rosemary said, "So I don't. We chose Millville, not Lewis, because of Route 24, and I paid for something like that to happen down here.")

"They also mentioned that the commission questioned whether just fixing the narrow strip of frontage could handle the bigger impact on rural two-lane road, and the property doesn't have a direct road access into Millville's town centers or streets, and they held the decision, and that's one of the reasons why they said no. Milton County Council recently voted four to three to table one of the annexations up there. The reason being was they had a consultant do an analysis, $505,000 in revenues over five years, 473 with costs, and it's only going to yield a net gain of 32,000."

Ms. Mcnamara questioned what the town's costs would incur. Ms. Mcnamara commented on concerns about medical facilities almost at capacity, along with dentists and vets to accommodate all the additional people. Ms. Mcnamara mentioned SB23 and 20% of housing in developments required to be low-income housing and she didn't hear any financials discussing

this and if it will include low-income housing. Ms. Mcnamara stated she didn't see anything addressed.

Dave Arnold – 32585 Powell Farm Road, Frankford DE (NON-RESIDENT) – Mr. Arnold stated he lives about two miles from the location of the annexation. His concerns are increased traffic and no traffic lights along with prime farmland being taken. Mr. Arnold also shared pollution, more police requests, infrastructure problems, more traffic accidents, and electricity issues. Mr. Arnold shared that we only produce 48% of our electricity in the state, and 52% is bought outside state. Mr. Arnolds other concern was water and sewer. Mr. Arnold stated he found out about this project only two days ago and felt the town should've notified all property owners within a few miles of the proposed annexation site. Mr. Arnold also shared that Burton Farm Road is barely wide enough for two vehicles to pass, so larger vehicles coming through is a concern.

Beth Ann Kahler – 33390 Burton Farm Road, Frankford DE (NON-RESIDENT) – Ms. Kahler mentioned this annexation affects her and she never received notification. Ms. Kahler stated she was advised the county denied it and she began digging. She asked what the town would do for her. Ms. Kahler mentioned about 14 people living on Burton Farm Road and a traffic study was done. Ms Kahler stated this study was not done during prime time, like on a Saturday when everyone is going to the local dump or recycling center. Ms Kahler mentioned she as well is concerned about water. Ms Kahler expressed concerns about why Millville has any interest in Frankford off Burton Farm Road. Ms. Kahler asked if the traffic study would be provided on the website.

Mr. Thompson stated that the town can share the traffic study on the website.

Ms. Kahler asked if anything will be done to road access, development density, protection, etc. Mr. Thompson stated if approved, the annexation will continue to go through its regular town process of subdivision and site plan.

Ms. Kahler expressed concerns about the wildlife, where they will go and fire safety getting emergency personnel to this area quickly.

Mayor Belinko stated that Roxana Fire Company is now a part of Millville's jurisdiction. Mayor Belinko also shared DelDOT is aware and had a stakeholder meeting here a few weeks back. Mayor Belinko explained changes won't happen overnight.

Mr. Lyons stated that water and sewer are required in every development with the exception to R1. This proposed annexation is not R1, so would be required to have public water and sewer.

Mayor asked Mr. Hutt if he wished to address any of the public comments. Mr. Hutt stated Mr. Lyons answered the water and sewer which will be provided by Artesian Resources. Mr. Hutt stated a comment was brought up about SB23 and he had not brought up the SB, but had mentioned HB450. Mr. Hutt stated:

"And the reason I noted House Bill 450 is just because. A property that has the land use characteristics that have been assigned to this property, that is level two on the state strategies maps, and a growth area, or an annexation area in a town, or a growth area as that's called in county in Sussex County Comprehensive Plan. House Bill 450 says the base density of that is four units to the acre, and so then ultimately, and where this does ultimately, I avoided Senate Bill 23 because I know sometimes it's viewed as a bad word, so I avoided saying it. "

Mr. Hutt also addressed those stating they did not receive notification:

“one thing I did want to address is the town has a very specific notice requirement when the initial application is filed, and so, and Mr. Thompson can correct me if I'm wrong here because I don't have that part of the charter right in front of me. I think it's 200 feet if you're within 200 feet, which the person who spoke would clearly be within 200 feet. They have a property boundary immediately adjacent to that, and the town has the applicants require to file it, but the town does have the green certified mail receipts for every person that was provided a copy. And again, it's filed at the outset, so it would have been almost it would have been earlier this year that all of those notices were sent to people within 200 feet, and again, that information was provided to the town as part of this process.”

Discussion was had regarding HB450 and what that looks like for developers in the future, traffic impact fees, the county/state making calculations, etc.

Mayor Belinko – Close Public Hearing – *Mayor Belinko closed Public Hearing at 8:21PM*

A. **Discuss, consider, and possible vote on Resolution 27-13 annexation of Coastal Farms (AKA Flyaway Farms) as RPC Zoning into the Town of Millville. Ordinance scheduled for November 17th meeting.**

Mr. Thompson explained any questions with the resolution to see him. Mr. Thompson mentioned it does include the fact that there is a 30-day wait period for its effectiveness in compliance with the Charter and other technical elements that would need to be completed after that 30-day period if the annexation is approved.

Ms. Brienza made a motion to adopt Resolution 27-13 Annexation of Coastal Farms with RPC zone into the town of Millville. Ms. Sosnoski second the motion.

Mayor Belinko requested a roll call. Mr. Thompson requested specific reasons for voting to be given.

Mr. Wisgirda – Yes
Ms. Sosnoski – Yes
“Yes, and I think the presenter has put it very fair that we've gone through the process. He's been here nine times. I think we're going to have some control, and going forward with this, I'm voting yes.”
Mr. Parent – Yes
“I'm voting yes also for the the process of annexation. All right, I do have concerns moving forward about the RPC and how their... our regulations are upheld going forward, though, with the new state bills and house bills.”
Ms. Brienza – Yes
“yes, and basically for the same reasons, he gave a phenomenal synopsis of where we've been. I've been part of this process since that first meeting in November.”
Mayor Belinko – Yes
“I'm going to vote yes, and for all the reasons that were stated here. However, having said that, all agencies have that major approved bar. Water storage, every agency, traffic-they all sent through this project, and I don't see any legal

reason why we should sit up here to deny it without having some aftereffects on it."

Motion carried unanimously 5-0.

B. **Discuss, consider, and possible vote on Ordinance 27-02 to amend the Town Zoning Map to include Tax Map Parcels 134-15.00-15.01, 15.02, 17.12, 17.16, 17.17, and 17.18 with an RPC Zoning classification.**

Mr. Thompson alerted council this is with an annexation and reminded that an area that gets annexed into town must be made part of the official town zoning amendment assigned a designation. Mr. Thompson stated Planning and Zoning recommended the RPC and this is what the ordinance is allowing to be done. Mr. Thompson stated it has the same delayed effect as the resolution on the annexation.

Ms. Brienza made a motion to accept Ordinance 27-02. Ms. Sosnoski second the motion.

Mayor Belinko requested a roll call:

Mr. Wisgirda – Yes
Ms. Sosnoski – Yes
Mr. Parent – Yes
Ms. Brienza – Yes
Mayor Belinko – Yes

Motion carried unanimously 5-0.

Public Hearing Notice – Secretary: Notice of the following public hearing was posted on the Town's website and printed in the Coastal Point on September 25, 2026.

Mayor Belinko opens the Public Hearing – *Mayor Belinko Opened Public Hearing 8:27 PM*
Any Written or Oral Comments Submitted – Town Manager – *None received*

SYNOPSIS: This ordinance would amend the Town's subdivision and site plan processes in light of Senate Bill No. 23.

Mayor Belinko addressed the right of residential developing is a housing project that compiles strictly with local zoning and building codes and is approved automatically without needing special permits, public hearings, or discretionary reviews by local boards or elected officials. Mayor Belinko stated this is state law.

- **Presenter- Eric Evans / Seth Thompson**

Mr. Thompson advised Council that Senate Bill 23 prohibits public hearings on residential by-right applications. The proposed ordinance provides for a public meeting, where permitted by state law, rather than an administrative review. The ordinance applies only to residential by-right site plans and subdivision plats. Applications involving commercial components or matters not considered by-right are not affected and may still be subject to public hearings. Written public comments may

be submitted. The review process must focus strictly on compliance with applicable standards, limiting the ability to negotiate conditions or modify applications. The ordinance is intended to bring the Town into compliance with state law.

- **Engineer Comments, Andrew Lyons (GMB) - None**
- **Town Council questions and discussion - None**
- **Public Comment(s)**

Rosemary Mcnamara – 23416 Buttonbush Way, Millville DE 19967 (RESIDENT) – Ms.Mcnamara recommended if people are interested in the buy right that there is a PLUS committee that has zoom meetings. Ms. Mcnamara mentioned they do a great job explaining and she thinks one will be coming soon to Clarksville. Ms. Mcnamara stated listening to just one of the meetings is educational.

Mayor Belinko – Close Public Hearing – *Mayor Belinko closed Public Hearing at 8:32 PM*

C. **Discuss, consider, and possible vote on Ordinance 27-03 to amend the Town Code regarding By-Right Residential Developments.**

Ms. Sosnoski made a motion to accept Ordinance 27-03. Mr. Parent second the motion.

Mayor Belinko requested a roll call:

Mr. Wisgirda – Yes
Ms. Sosnoski – Yes
Mr. Parent – Yes
Ms. Brienza – Yes
Mayor Belinko - Yes

D. **Discuss, consider, and possible vote on bid# 27-02 for Millville Vehicle Storage Building. – Eric Evans**

Mr. Evans shared the six bids ranging from approximately $637,000 to $989,000. HCE LLC, a local company, was identified as the low responsible bidder for the town's Vehicle Storage Building, Bid# 27-02. They also were the winning bid for the cornhole project and have been doing work in Millville by the Sea. GMB reviewed the bid to make sure everything was there including pipe size and cost analysis they had. Mr. Evans stated the site would be to the west of the existing garage. The bid and 15% contingency were discussed. Mr. Lyons stated its not significant, but to have the 15% approving administratively without having to go back to council to change orders and timing could affect the cost-changing order. Mr. Thompson stated that 15% of the lowest responsible bidder would be $95,000 if the council wanted to move forward. Ms. Brienza said a separate vote would be needed for budgeting. It was decided to have two separate votes for bid and then contingency.

Ms. Brienza made a motion to accept bid# 27-02 to HCE LLC. Mr. Wisgirda second the motion. Motion passed unanimously 5-0.

Ms. Brienza made a secondary motion to accept an additional 15% contingency for bid# 27-02. Ms. Sosnoski second the motion. Motion passed unanimously 5-0.

6. MAYOR AND TOWN COUNCIL COMMENTS

Ms. Sosnoski thanked the staff and council for coming to the mobile food bank. Ms. Sosnoski shared 90 families were served and the food was supplied by the DE Food Bank. Mayor Belinko thanked Ms. Sosnoski for organizing the event.

Mayor Belinko shared that some controversial bills are coming up. He asked residents and council to start paying attention to the bills. He will be sharing updates soon on a few of them in upcoming meetings.

7. ANNOUNCEMENT OF NEXT MEETING – Tuesday, October 13, 2026 @ 7:00 P.M.

8. ADJOURNMENT

Ms. Brienza made a motion to adjourn the meeting. Ms. Sosnoski second the motion. Motion carried unanimously 5-0.

Mayor Belinko closed the meeting at 8:41 PM.

Respectfully submitted,
Trish Marcules
Town Clerk