

**MAYOR and COUNCIL
TOWN OF MILLSBORO
322 Wilson Highway
Millsboro, Delaware 19966 - 1216**

OFFICE HOURS
MONDAY — FRIDAY
8:00 a.m. to 4:30 p.m.



**Phone: (302) 934-8171
Fax: (302) 934-7682**

TOWN OFFICE
PARKS/RECREATION
STREETS
WATER/SEWER

POLICE DEPT. 934-8174

Minutes
Millsboro Town Council
Regular Council Meeting
Millsboro Fire Hall
109 E. State Street
Millsboro, Delaware
August 6, 2012

7:00 P.M. meeting called to order in the Council Chambers at 322 Wilson Highway, Millsboro, Mayor Robert Bryan presiding. Present were Vice-Mayor John Thoroughgood, Secretary Greg Hastings, Council Persons, Irene Keenan, Tim Hodges, Town Manager Faye Lingo, Town Solicitor Mary Schrider-Fox, Development Coordinator Linda Johnson, Finance Director Bill Sauer and Town Clerk Tammy Phillips. Treasurer Michelle Truitt, Council Persons Jim Petruzella, and Assistant Town Manager Matt Schifano were absent. Guest- see attached list.

Pledge of Allegiance

Public Comments - James Clark, 22956 Surry Lane, Plantation Lakes, commented on the Attorney General F.O.I.A referred to Executive Session with Legal and Personnel.

SECRETARY'S REPORT - Secretary Hastings presented the minutes from the July 2, 2012 council meeting for Council's approval. Thoroughgood moved Keenan seconded to approve the minutes from the July 2, 2012 council meeting as written. Motion approved with Treasurer Truitt and Petruzella absent.

TREASURER'S REPORT - Town Manager Lingo presented the bills and bank balances to Council for approval. Keenan moved Hastings seconded to pay the bills from the designated accounts as presented. Motion approved with Treasurer Truitt and Petruzella absent.

MILLSBORO FIRE COMPANY - President O'Neal stated 10 (ten) members of the fire company successfully participated in Water Rescue I and II classes over the past three weeks. The classes taught by members of the Delaware State Fire School, focused on methods, problems and solutions regarding water rescue operations, as well as safe boat operations and search and rescue response. Both classes totaled 24 credit hours of classroom and on-water training. This type of training is critical for our members considering the amount of open water within our response district and due to the increasing number of water and/or boating related emergencies we respond to annually.

On July 20, members of The Millsboro Fire Company attended the funeral for David Chew, Jr., member of the Bloxom Volunteer Fire Company who was killed while responding to an accident on July 16.

The annual DVFA Conference and Convention is scheduled for September 10-15 at the Dover Sheraton. A number of training sessions and seminars are scheduled throughout the week, pertaining to both administrative and fire line officers, many of which are offered free of charge. There are also credit hours available to participating EMT's in order for them to meet annual continuing education requirements.

Our new ladder truck is finally in service and was utilized on its first structure fire on August 1st at the Indian Meadows house fire. The ladder pipe was placed into operation to knock down the bulk of the fire after the roof collapsed, forcing the interior crew out of the structure.

A reminder that Public Safety Day is this Thursday, August 9, from 2 - 6 p.m. The fire company will have apparatus and representatives on hand on Main Street next to the Dairy Queen.

GREATER MILLSBORO CHAMBER OF COMMERCE - Amy Simmons, Chamber Coordinator, Thursday starts our Big Thursday event. President Auction will be held Thursday August 9 @ 6:00 p.m. Friday August, 10 @ 6:00 p.m. to 8:00 p.m. Concert Elvis and the Mystery Train Band. Saturday August 11, Opening Ceremony at 10 a.m. Mario Rocco will be providing musical entertainment from 10 a.m.-3 p.m., 2 p.m.-Chicken Wing Eating Contest sponsored by Wings To Go Long Neck, 3 p.m. Cat Country Delmarva Teen/Adult Competition, 4 p.m. Duck Race- Craft and food vendors open all day long. Games for the kids, clowns, jugglers, and face painting. Moon Bounce, train rides and pony rides also all day. 6 p.m. - The Funsters in Concert at Cupola Park-sponsored by Thoro-Good's Concrete. Membership breakfast will be August 16 @ Pizza King. Committee meeting will be held August 19. Chamber golf-outing will be held September 25. Ground breaking for PRMC will be October 9, @ 10 a.m. all council members are invited.

MILLSBORO POLICE DEPARTMENT - Chief Murphy absent.

PARK AND RECREATION REPORT - NO REPORT

STREET REPORT - Delaware Mentor would like to sponsor Northern Avenue for the Adopt A Highway program. Since Northern Avenue is town owned street DELDOT cannot be the authorizing entity. They would post signs like the ones on state roads saying they adopt the highway. They are then required to do clean up on the road on a regular basis. Thoroughgood moved Hodges seconded to approve Delaware Mentor to sponsor Northern Avenue. Motion approved unanimously with Treasurer Truitt and Petruzella absent.

WATER AND SEWER REPORT - Recommendation to award Contract G by CABA Associates. Scott Hoffman from CABA Associates, Inc opened bids on July 26, 2012 on the Contract G which is the pipeline from the wastewater treatment plant to the White Farms on Hardscrabble Rd. The rebid excluded state Davis Bacon wages which was \$ 516,849.55. Daisy Construction came in with the lowest bid \$ 3,415,411.20; George & Lynch had a discretion in their bid which created an unbalance. When they were

contacted they were not able to honor the error as this would create a loss for them. Hodges asked, what place was the George & Lynch bid? Hoffman stated they came in at third highest bid and Kuhn's Construction came in second highest. Thoroughgood, Was George & Lynch contacted about their discrepancy? Schrider - Fox stated they were contacted with error of \$ 333279.50 base on \$184.00 - \$196.00 unit prices. Thoroughgood moved Keenan seconded to approve Daisy Construction bid \$ 3,415,411.20 to do Contract G pipeline from treatment to White Farms. Motion approved unanimously with Treasurer Truitt and Petruzella absent.

Contract G - amendment to engineering agreement has been tabled.

Contract F - change order reference additional work related to the controls and SCADA system for the system. This part of the system was not included in contract F so that the cost could be made affordable. 21st Century grant was for \$150,000 the installation of irrigation and pump station was \$ 123,500 with remainder of \$ 26,500. SCADA need for transmission of pump station communicate to treatment plant to show town employees if any problems at the pump station. The project for the SCADA system is \$36,807.75 a change order can be done basically \$ 26,500 is only left for 21st Century Grant. \$ 26,500 which leaves a balance of \$ 10,307.75 to be paid by the town or alternate Contract H if town ask this work could not be used with SRF Loan. Lingo stated can \$ 26,500 go under grant Contract F and part under Contract H if contractor do change order, scope of work. SCADA is being installed by Tieder Controls. Thoroughgood motioned, Keenan second to move forwardd with the SCADA system \$ 26,500. from the grant and the balance to be worked into contract H approved unanimously with Truitt and Petruzella absent.

MAYOR'S REPORT- Somerton Chase 1-33-20.00-040.00, 041.00 and 041.01, Tim Wentling, is requesting for one year extension in regard to the Somerton Chase preliminary plan approval. Thoroughgood moved Hastings seconded to allow Somerton Chase 1-33-20.00-040.00, 041.00, and 041.01 one year (August 1, 2012) extension on preliminary plan approval. Motion approved unanimously with Treasurer Truitt and Petruzella absent.

Peninsula Crossing - 2-33-05.00-017.00, 019.00 and 020.00, request to amend the developer agreement and related site plan for phase 2. The intent is to carve out and be able to sell lots that were located in phase 2. This also involves an amendment to the development agreement. Thoroughgood moved Hodges seconded to approve Peninsula Crossing 2-33-05.00-017.00, 019.00, and 020.00 to amend the developer agreement and related site plan for phase 2. Motion approved unanimously with Treasurer Truitt and Petruzella absent.

Building Improvement - change orders and questions. Change orders already signed by the Mayor that need council to ratify:

A 14-05 \$ 459.00 the electrician had to run extra conduit and boxes that were not specified for the IT purposes.

A 4-04 \$ 2,075.75 Remove and replace existing door frames due to thickness of new doors

A 6-01 \$ 517.00 Replace door frames

A 14-04 \$ <1,736.00> CREDIT Removing the conduit fittings and boxes for security system (it was done with separate IT contract handled by the town).

NEW change order:

\$ 8,800.00; to add stone to the corner that was originally called for stone four feet up. There was an issue with old brick meeting new brick so a suggestion was made to get a cost for doing the full pillar in stone. Thoroughgood moved Hodges seconded to approve have full pillar done in stone, instead of four feet up. Motion approved with Treasurer Truitt and Petruzella absent.

DECISIONS: **Mortar color**-with the additional stone do you want the mortar to match the stone, new brick or old stone? Hodges stated to much peach tone needs to get rid of peach.

COLORS - FOR DRIVE THRU- recommendation of engineers

Soffit and wall panels - sandstone

Roof-Sierra tan (sierra tan should be a little darker than the sandstone)

WINDOW - New break out room off of the council chambers. Six windows were removed and stored for Phase 1 to relocate. Of the six windows removed from phase 1 - two were found to be rotten and unusable - leaving four to be relocated; however we have 5 openings scheduled for the relocated windows. Because of the two rotten windows we are one existing window short.

Options # 1: remove the two windows in what is now used as office space and board up the opening until phase 2 begins and use one of those windows for the 5th window. Options # 2: remove the relocated window from completely from the breakout room and just have the two fixed windows. If need go ahead and order new windows.

OTHER QUESTIONS: Hand drying system for the bathroom. Clock - use numbers 12; 3; 6 and 9 or no number just hands? Do both hand drying system and paper towels. Would like to have numbers on the clock.

Rain garden - Sussex Conversation Agreement for a rain garden. Sussex Conservation has a grant that would install a rain garden in the grassy area on Mitchell Street. This area was not scheduled to be disturbed by the existing contracts so I told them to send us the information that we were interested if it was not going to cost the town anything. It will of course cost the town for maintenance but not for the installation. The work would have to be done immediately because it is required to be completed September 2012. Hodges moved Keenan second to approve Sussex Conversation agreement for rain garden on Mitchell Street. Motion approved unanimously with Treasurer Truitt and Petruzella absent.

Burton's Crossing - site plan agreement. Peggy Marken from Burton's Crossing, LLC, the original site plan showed tennis courts. We have had a meeting with the home owners that are asking to change to a "tot lot". After careful consideration we have found a playground and 16 feet x 20 feet pavilion would be more beneficial and enjoyable for everyone in the community. To address their concern and for the safety of the toddlers we will install a 4' fence encompassing the facilities. Hastings moved Keenan second to approve for a playground and 16 x 20 pavilion with a 4' fence encompassing the facilities. Motion approved unanimously with Treasurer Truitt and Petruzella absent.

8:00 p.m. Thoroughgood moved Hastings seconded to recess till 8:25 p.m. to enter into executive session. Motion approved with Treasurer Truitt and Petruzella absent.

REGULAR SESSION

Reconvene @ 9:15 p.m., regular session called to order with Mayor Bryan presiding.

9:15 p.m. Keenan moved Hastings second to adjourn. Motion approved with Treasurer Truitt and Petruzella absent.

Respectfully Submitted,

A handwritten signature in dark ink, appearing to read "Greg Hastings", written in a cursive style.

Greg Hastings
Secretary