

**SPECIAL COUNCIL MEETING
MILTON THEATRE
110 UNION STREET
THURSDAY, FEBRUARY 21, 2008
8:00 P.M.**

- 1) Mayor Post called the Special Council Meeting at 8:05 PM.
- 2) Councilwoman Betts lead the group in a moment of silence.
- 3) The Pledge of Allegiance to the Flag was said by all.
- 4) A Roll Call Vote was called by Mayor Post

C Martin-Brown	here
C Duby	here
C Hudson	here
C Prettyman	here
C Abraham	here
C Betts	present
Mayor Post	present
- 5) Additions or Corrections to the Agenda - none
- 6) Approval of Agenda

Mayor Post: Can I have a motion to approve the agenda?
C Prettyman: So moved
C Duby: Second
Mayor Post: We have a motion and a second, all in favor, motion carried
- 7) NEW BUSINESS
 - a) Discussion and possible vote on the elimination of lot lines request received from Federal Street Office Park located at 611 and 613 Federal Street further identified by Sussex County Tax Map and Parcel # 2-35-20.11-19.00, 2-35-20.11-20.01, 2-35-20.11-20.02, 2-35-20,11-22.00.

Jane Patchell: I'm from Tunnell & Raysor law firm. I represent the contract purchaser for this property. We are here tonight to assembly multiple parcels into one parcel; one tax map and parcel number known as Federal St. office park. In addition when the contract purchaser had a title search of the property done a property to the rear had been conveyed with triangular piece shown on the plot plan that is a shaded area that sits in the middle of the office park and we are attempting to have that re-conveyed back to the office park which needs an approval from the Council. We had met with the town on various occasions beginning back in October. Actually, had a meeting with Robin Davis to determine what plot plan the town would require and how you wanted it laid out. In addition, to the assemblage; we are also going to deed the utility

easements that run through the property all the way from Federal Street to Chestnut Street which was never deeded to the town when the original plot was approved nor was the original plot ever recorded. If you all approve it, which we hope we've gone through and explained it adequately to all the parties involved, will be recorded at the Recorder of Deeds office all the property will be combined together and finally the utility easements will be conveyed to the town

C Prettyman: And this is from Chestnut over to Federal St.

Jane Patchell: The back parcel on Chestnut St. is not part of Federal St. office park. That belongs to the Reeds and is part of Reed Trucking. So it's the property along Federal Street that goes back to abut the Reed property. I made some additional smaller versions of the plots of any of you need to see them.

Mayor Post: On the Planning & Zoning site plan application the owners are Cannery Village. Then there's an agenda where it's Pintail Mgmt LLC. Now on this here it says Lands of Point Mgmt LLC, and Blake and Donna Reed.

Jane Patchell: Point Mgmt LLC is the present owner of Federal Street office park. The chain of title goes back to the previous owners. Point Mgmt is not the original developer. That was Chestnut Properties, and then Pintail Mgmt, then Point Mgmt purchased the property from Pintail.

Mayor Post: Is this the new owner?

Jane Patchell: I represent a new contract purchaser.

Mayor Post: This isn't the new owner?

Jane Patchell: No Point Mgmt is the present owner of the property that is clearing the title essentially to the property.

C Betts: Do you know when Point Mgmt purchased this property?

Jane Patchell: Point Mgmt purchased the property July of 2006.

C Duby: Can I ask what the zoning is on this property? Is it all the same zoning, all these separate little pieces?

Jane Patchell: Yes everything is zoned identically.

C Duby: Is it commercial?

Jane Patchell: Yes

Mayor Post: It says light industrial on the site plan application. So it's LI1? All you're talking about is the center line going through.

Jane Patchell: If you see the shaded area that looks like a triangular piece.

Mayor Post: It's just clearing up that gray wedge out of there to make that as part of the whole parcel.

Jane Patchell: That is correct and then removing the individual lot lines and making an assemblage of one large parcel.

John Brady: Can I explain why you have this? You have this because in 2005 you did pass a motion that was never codified as an ordinance but as a resolution that was never put in writing allowing the Town Manager to sign off on the lot lines. Because it had this triangular parcel also out of abundance of caution so as not to violate any previous decisions of this Council I had this schedule for the meeting tonight so you could deal with it once and everybody could be informed so there would not be any problems like there were previously when a Town Manager signed and it didn't correspond with the date and didn't correspond with a meeting approval so we wanted to make the record clear and this was done appropriately. I appreciate Ms. Patchell being here tonight so we could get everything done right and get it properly scheduled to notice.

C Prettyman: I'd like to make a motion to accept these lot changes for the Federal Street location 611-613 as identified by Sussex County Map and Parcel 2-35-20.11-19.00, 2-35-20.11-20.01, 2-35-20.11-20.02, and 2-35-20.11-22.000.

C Abraham: Second

Mayor Post: We have a motion and a second, any questions to the motion? Roll call vote:

C Martin-Brown	yes
C Duby	yes
C Hudson	yes
C Prettyman	yes
C Abraham	yes
C Betts	yes
Mayor Post	yes

Motion carried.

b) Acceptance of resignation of Election Board Member Karen Long.

C Betts: I make a motion to accept the resignation of Karen Long.

C Prettyman: Second

Mayor Post: We have a motion and a second, any questions to the motion? Anybody opposed? All in favor, motion carried.

c) Appointment to the Election Board.

Mayor Post: I would like to propose James E. Crellin, Jr to the Election Board.

C Prettyman: I make a motion that we accept James E. Crellin, Jr. to replace Ms Long.

C Betts: Second

Mayor Post: We have a motion and second. Any questions to the motion? All in favor, motion carried.

Mayor Post: Make a motion to adjourn

C Prettyman: So moved

Mayor Post: All in favor to adjourn, aye, opposed, motion carried.

The Special Meeting was adjourned at 8:17 PM