

MAYOR & COMMISSIONERS
November 13, 2017

Mayor Wells called the scheduled meeting of the Mayor & Commissioners of Delmar, Maryland to order at 7:00 P.M. In attendance were Mayor Wells, Deputy Mayor Unsell, Commissioners Scholl, Morgan and Tucker, Town Manager Bynum-King, Town Attorney Benson and Clerk of Council Fisher. Guests: Delmar Police Chief Barkley, Alan Perry, Mark Welsh, Jasmi Patel, Emily Williamson, Roger Waters, Salisbury City Council President Jack Heath, Officer for Intergovernmental Affairs for the Governor's Office Bunky Luffman and Maryland Delegate Carl Anderton.

Call to Order

The Maryland Mayor and Commissioners performed the Pledge of Allegiance.

Mayors Comments

Mayor Wells thanked everyone for coming out this evening.

She reminded the Maryland Commissioners that the Holiday Dinner for the volunteers and staff is on Friday, December 8th and to please R.S.V.P. with Clerk of Council Fisher.

Mayor Wells said that Intergovernmental Affairs Officer Bunky Luffman has made arrangements with the DNR Assistant Secretary to come to Delmar and see if he can give some grant assistance for our parks. She stated that she is unable to be available that day for the tour and asked if any of the Commissioners would be available. Town Manager Bynum-King said that the time frame would be from 12:45 p.m. to 1:30 p.m. Deputy Mayor Unsell said that he would be available and could be at the meeting with the DNR representative.

Mayor Wells informed everyone that the Delmar High School football team is the Henlopen Champion Conference winners. Due to being seeded 8th, the team has to travel to Wilmington on Friday night with the game starting at 7:30 p.m.

Proclamation- Declaring November as Municipal Government Works month.

Mayor Wells read the Proclamation declaring November as Municipal Government Works month and signed the Proclamation.

Approval of Minutes

Commissioner Scholl made a motion to approve the October, 2017 minutes as circulated. Commissioner Morgan seconded the motion which passed with 4 ayes and Commissioner Tucker abstaining due to his absence last month.

Unfinished Business

Mayor Wells stated that she wanted to bring up the garbage collection discussion from a previous meeting. She understands that there has been conversations between the Town and the service provider. The service provider stated that they can manually handle up to 65 gallon containers. Mayor Wells stated that she has received phone calls from some of the elderly citizens and they don't even fill up a trash bag worth of garbage on a weekly basis and we require them to put it in a can with a lid. We have that requirement so that animals don't get into the

garbage and strew it all over the yards and streets. We do allow our citizens to put their cans out after sundown the evening before the garbage collection day.

Mayor Wells posed the question is it possible that only the elderly citizens be allowed to put out their weekly trash in a bag verses a trash container? Commissioner Scholl suggested that maybe the neighbors of those elderly citizens can help them out by putting the elderly's garbage bag into their own trash cans. Town Manager Bynum-King said that there would be no way to monitor or to control that situation. The service provider is currently picking up bags of garbage that are not in cans, because we opted to change the current practice until this matter could be discussed again. She said the Town does have a garbage collection policy in place. She stated that if the policy is not going to be enforced then why have the policy? The current policy is up to 35 gallons, however it can be revised to include containers up to 65 gallons. Changes to the current policy could also allow residents to use smaller garbage cans.

Mayor Wells said that one of the reasons that many of the residents don't put lids on their cans is because the old service provider lost their lids or included them with the garbage pick-up. The resident's don't feel it is their expense to bear to buy new garbage cans because their lids were lost. Deputy Mayor Unsell said that even without the lids, the garbage still has some protection against animals.

Town Manager Bynum-King said that some time ago it did come up about not having lids on the garbage cans. The Elected Officials, at that time, did allow no lids on the cans if the cans had holes in the bottom so if it rains, the cans would not be weighed down with rain water. If the service provider picked up the garbage cans and they were full of water, then the trash would not be removed. The Town Manager said that the garbage collection became an issue after the Town switched service providers, the previous service provider just picked up anything that was out for collection and the new provider followed our policy, which opposes everything the residents had complaints about.

Mayor Wells said that maybe the Town can work on revising the garbage collection policy and she suggested that along with posting the new policy electronically and in the newsletter since not everyone reads the newsletter or goes on the internet, that letters be mailed to the citizens to their homes.

New Business

Mark Welsh- TGM, Inc.- FY 17 Audit Report; Utility Commission and Delmar, Maryland

Mr. Welsh said that he would first review the audit for Delmar, Maryland. He reported the following:

In the Independent Auditors Report section, the Town of Delmar, Maryland received an "unqualified report" which is the highest standard given to any governmental agency by auditors.

The Management Discussion and Analysis section is in a narrative format and is written by the Town management and explains what is happening in the Town. Delmar, Maryland has over \$2.9 Million in cash on hand which has been slowly increasing over the past 4 years. Delmar, Maryland only has \$241,114 in debt. The unrestricted fund balance is just over \$2.8 Million. The Net Income from the Governmental Funds is \$ 725,662. He concluded that Delmar, Maryland is financially healthy.

Mr. Welsh moved on to the Utility Commission audit. He said that the Utility Commission also received an "unqualified report" in the Independent Auditors report. The Utility Commission has over \$2.4 Million in cash and over \$15 Million in Net Assets. The long-term debt is just under \$3Million and it is trending downwards. Net Assets of the Utility Commission is over \$15Million.

Mr. Welsh said that the Utility Commission did have a net loss of \$515,032 for the year, but when you look at the depreciation and amortization of \$990,000 with no cash outlay. The Fund Balance is \$2.9 Million, which is very healthy.

Mr. Welsh said that if any of the Maryland Commissioners had any questions to please contact him in his office.

Student Advisory report-

Jasmi Patel from Delmar High School introduced Emily Williamson also from Delmar High School. Ms. Patel said that Ms. Williamson would be attending the meetings when she is not available.

Ms. Patel said that she and Ms. Williamson want to start a tutoring and mentoring program at the school. They want to help the teachers since many of them are unable to stay after school. They were thinking about doing it one day a week, probably on Thursdays. They also reported that the first marking term is over and report cards were distributed today. American Education Week is this week. The National Honor Society is assisting in the sign-in process and walking the parents to the classrooms if they are unfamiliar with the school.

Police Chief's Report

Chief Barkley reported that Halloween went well without major incidents. There were a couple of extra men on duty that evening. There was an issue with 3 vehicles being painted, all were at the same house. This was domestic related and had nothing to do with the trick-or-treaters.

They have made some arrests in the vehicle break-ins which has dropped off since the arrests. All but one of the individuals arrested were juveniles.

Chief reported that the golf tournament went well and they are working on next year's event. He said that some of the Officers may look scraggy since they are participating in No Shave November with the proceeds going to the family that the Police Department will adopt this Christmas season.

There was an armed robbery at the Dollar Tree with no injuries. The investigation is continuing. While we are getting into the holidays, everyone needs to be a little bit more diligent than usual and be more aware of their surroundings.

Mayor Wells said that late in the evenings she takes her dog out and she hears noises from skateboards on the ramps. She said it is definitely dark outside and asked if the Police Department could ride by there in the evenings. Chief said that they would.

Code Enforcement Officers Report

Mayor Wells reviewed the reports that were in the mail packets.

Fire Department Report

There was no one to give a report nor was one in the mail packets. Mayor Wells said that the Fire Department has a new Chief; Shawn Johnson. She asked the Town Manager if it could be arranged to have Chief Johnson meet with them in reference to receiving the Fire Marshall's reports after a fire in a timely manner. She said that it makes it difficult for the Code Enforcement Officer to do his job without the report.

Utility Commission Report

Deputy Mayor Unsell reported that there was a progress meeting for the back-up well on October 25th. There was another payment request made by the contractors. December 4th is when the project is scheduled to be completed.

The bid for the Pine Street Pump Station has been awarded but the Town is waiting on MDE to accept the Town's recommendation.

Deputy Mayor Unsell said that there was an issue with a water and sewer connection in Yorkshire Estates. The contractor wants to be reimbursed in the amount of \$1,300 because of the extra labor involved, which the Utility Commission did not approve. Town Manager Bynum-King explained that this was new construction in Yorkshire Estates and the service connection is usually 10 ft. from the water line. Public Works Director Reid told that to the contractor but it was located somewhere else.

The Town received a letter from the Office of Drinking Water which noted that in the recent survey no visible defects were observed.

Bob Windsor gave his notice and, after 20 years, this past Friday was his last day. Deputy Mayor Unsell said that Bob had been talking about retiring for quite some time. Mr. Luffman, from the Governor's Office said that he wanted to present a citation to Bob Windsor from the Governor's Office and Delegate Anderton said that he wanted to do the same thing. Mayor Wells suggested that the Town invite Bob Windsor to the Holiday Dinner so that the presentations can be made.

Public Works Report

Mayor Wells reviewed the report that was included within the mail packets. The Mayor had a discussion with the Town Manager about the ditch at the ball park and how it floods and spills over when it rains. Delegate Anderton said that he believes the issue is that there is a tree growing in the ditch in the County. Mayor Wells asked him to look into that for her.

Planning & Zoning Report

Commissioner Scholl reported on the following:

Alan Perry- Pond's Edge Apartments- Phase II- 18 month extension request

Mr. Perry said that he is here for an 18 month extension for the plan approvals for Phase II of Pond's Edge. He has run into a couple of challenges. One is that the property used to be in the Delmar School District, now that it is not, they had to get costs down and redesign some of the apartments so they are not 3 bedrooms. They are not expecting as many families to move in now. They are bidding the project out now. Also the hurricanes in Texas and Florida have spiked the prices of building materials which has created issues with their budget. Mr. Perry said that hopefully the pricing will be back to normal by this coming summer.

Deputy Mayor Unsell made a motion to accept the favorable recommendation from Planning and Zoning for an 18 month extension of the plan approvals for the construction of Phase II in the Pond's Edge Apartments with the expiration date of May 6, 2019. Commissioner Morgan seconded the motion which passed with 5 ayes and 0 absent.

Roger Waters- Sign/Banner Approval for 3 signs for Delmar Little League

Mr. Waters explained that the signs are recognition signs for the championships that the teams have won. The girls' sign will be hung on the back side of the Mason Dixon Concession stand facing their field. The 2 boys' signs will be on either side of the press box on their field.

Commissioner Tucker made a motion to accept the recommendation from Planning and Zoning for 3 Little League signs to be hung at Delmar Little League; the girl's sign to be hung on the back side of the concession stand and the

two boys' signs to be hung on either side of the press box. Deputy Mayor Unsell seconded the motion which passed with 5 ayes and 0 absent.

Town Manager Report

Town Manager Bynum-King said that she has been working with Josh Taylor from DB&F along with Keith Hall, County Planning Department making amendments to the Comprehensive Plan and our water and sewer plan. The revisions will be presented to the Planning Commission for their review and recommendations and then will be presented to this Commission for your review and acceptance. It will then go to the Maryland Clearing House for their 60-day review period . There it will be reviewed by 9 different agencies including the County. These revisions will need to be in place prior to the annexation of the assisted living facility.

She is also working on the Public Works Agreement with Frito Lay. It has been submitted to DB&F for their review and then will be sent to the Town Attorney for his review and comments. The Public Works Agreement is one of the contingencies that the Planning and Zoning Commission stipulated to.

Town Manager Bynum-King wanted to reference the recycling station and how the County cleaned up the area along with putting up fencing, lighting and a camera in hopes of eliminating the urge for people to use it as a dumping ground. They did a very nice job.

New concrete has been poured under the pavilion in State Street Park. The ADA ramps look very nice. The contractors did a very nice job. The restrooms in all the Parks will be winterized by the end of the week. The Offices will be closed Thursday and Friday the 23rd and 24th for Thanksgiving. The Christmas Parade is December 2nd. Typically, the Chamber sends out individual invitations to the Elected Officials to their homes. If any of the Maryland Officials wanted to be as one, please contact her and she will send everyone's name to the Chamber. The Christmas lights and banners will be in place the week after Thanksgiving. The tree lighting ceremony is Sunday, December 3rd.

Town Manager Bynum-King said that she received a letter from Comcast announcing that effective November 7th, Weather Scan and ESPN Classic will no longer be available to the residents of Delmar.

Commission Comments

Commissioner Tucker said that the Chief and his Officers did a great job at the last home football game at the high school.

Commissioner Morgan thanked everyone for coming out this evening and wished everyone a safe Thanksgiving holiday.

Commissioner Scholl thanked Police Chief Barkley for his diligence in informing everyone about the vehicle break-ins.

Deputy Mayor Unsell said that he will be missing the Holiday Dinner since he will be in Jamaica. He wanted to recognize Jack Heath sitting in the audience. He has declared himself as an Independent candidate for the Wicomico County Executive seat.

Public Comments

Mr. Jack Heath said that he is hoping that Delmar will be seeing a lot more of him. He just wanted to stop by and say hello. Mayor Wells said that Mr. Heath is the current President of L.E.S.M.A.

Maryland Delegate Anderton informed Town Manager Bynum-King that he is still waiting to hear back from State Highway about Connelly Mill Road. He said with Frito Lay coming to Delmar and located on Foskey Lane, it should help us get a signal light for the intersection at Foskey Lane and Rt. 13. He said that he spoke with developer Chris Gilkerson and he said that he would get some type of truck traffic count on the heavy side so those numbers can be used in the Towns favor.

Adjournment

Deputy Mayor Unsell made a motion for adjournment which was seconded by Commissioner Scholl. The motion passed with 5 ayes and 0 absent.

Submitted by:

Cindy Fisher
Clerk of Council