

MAYOR & COMMISSIONERS

December 10, 2018

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 and Tucker, Town Manager Bynum-King, Delmar Police Chief Barkley, Town Attorney Benson. Absent: Clerk of Council Fisher. Guests: Ryan Poe

Call to Order

The Maryland Mayor and Commissioners performed the Pledge of Allegiance.

Mayors Comments

Mayor Wells said that the Christmas Parade was great. There was a great turn out for the tree lighting ceremony and she said that the snowflakes on the street poles look nice.

Approval of Minutes

Commissioner Scholl made a motion to approve the November, 2018 as circulated. Commissioner Tucker seconded the motion which passed with 4 ayes and 0 absent.

Unfinished Business

Country Hearth Inn and Suites

The Town Manager reported that there was no update on the status of the elderly lady that was residing in one of the units. The owner is to inform the Town Manager when the lady has vacated the unit. The last report was that in mid- December, the elderly lady is to be moving to Pennsylvania to be with her daughter.

New Business

Cub Scout Certificates

The certificates were issued to the Cub Scout Leader for the Scouts participation on the Walnut Street Submerged Gravel Wetlands Project on Saturday, November 10, 2018. Only one of the cub scouts, Blake Brown, actually participated in the planting, showed up for the recognition. Mayor Wells called out all of the names of the participants although they were not present, at which time it was realized that Blake Brown and Reed Brown names were unintentionally left off the original list. Mayor Wells advised we would have the certificates prepared and make sure they received them.

Proposed Comprehensive Plan Amendment

Town Manager Bynum-King addressed the Commissioners advising them that on November 15th, at the Planning and Zoning Commission regular meeting, there was an advertised Public Hearing regarding a proposed amendment to the Future Growth Element of the Maryland Comprehensive Plan. She explained that Ms. Tracey Gordy, Maryland Department of Planning, accompanied her and presented the proposed amendment to the Planning and Zoning Commission. The Planning Commission gave favorable recommendation to the Maryland Commissioners to accept the amendment to the Comprehensive Plan Growth Element as proposed. The Maryland Commissioners accepted Planning and Zoning's recommendation. Deputy Mayor Unsell made a motion to accept the favorable recommendation from Planning and Zoning. Commissioner Scholl seconded the motion which passed with 4 ayes and 0 absent.

Public Hearing- Delmar Assisted Living

Town Attorney Benson addressed the Commissioners advising them that this Public Hearing is being re-opened, because the State required that we do so since it had been several months since the first Public Hearing and there was no action taken by the Town. He explained that we are here this evening to receive any comments from the public on the proposed annexation of the Assisted Living Facility. Mayor Wells called for a motion to open the Hearing for public comments on the proposed annexation of the Assisted Living Facility. Deputy Mayor Unsell made that motion which was seconded by Commissioner Scholl and passed with 4 ayes and 0 absent.

The Town Manager advised the Commissioners that although the Public Hearing is being open to receive public comments, there are still a couple of phases that need to be completed prior to the annexation actually taking place. This evening, the Town just completed the Comprehensive Amendment phase, but there is still the outstanding matter with the approval of the Town Water/Sewer Plan amendment and the County's review and approval of the proposed zoning request. She advised that the County held up the proposed water/sewer plan amendment waiting on comments from MDE. Thanks to Tracey Gordy, she was able to assist with getting things moving forward with MDE. The Town Manager said she received a call from Ms. Janice Outten with MDE advising that she was going to contact Mr. Dallas Baker, County Public Works Director, to advise him to proceed with the water/sewer plan amendment. Ms. Outten also noted that in her approval of the proposed water/sewer amendment there is going to be conditions imposed, due to the Town's significant I&I issues, which causes the plant to exceed permit. She further said that Ms. Outten expressed concerns with the Town's capacity to take on additional users. Ms. Outten is supposed to draft a letter to be sent for the Town's review prior to the formal letter being sent to the County, therefore if there are any changes or corrections to be made, the Town can get it ironed out before things are finalized.

The Town Manager also advised that this poses a problem because until the County receives the approval from MDE, they will not proceed with the proposed annexation zoning request. She said that there are a lot of moving components, prior to the annexation being finalized.

Upon hearing no other comments, Mayor Wells called for a motion to close the public comments portion of the Hearing. The motion was made by Commissioner Tucker and seconded by Deputy Mayor Unsell. The motion passed with 4 ayes and 0 absent.

Town Attorney Benson addressed the Commissioners suggesting that until the other components are in place, it would be in the Town's best interest to table this matter. Mayor Wells expressed that this has been a long drawn out process and it looks like we still have a little ways to go. Town Attorney Benson mentioned that if this matter goes before the County Council in a work session this month, the Public Hearing wouldn't be until January and it would be in February before the Commissioners would be able to take a vote.

After some discussion, it was the consensus of the Commissioners to table this matter until the other County requirements are in place.

Student Advisory Report

No one available to give a report.

Police Chief's Report

Police Chief Barkley said that the Department made it through the parade and the tree lighting ceremony without incidents. They have been managing staff shortages due to sickness during this time. Officer Heacock has returned to full duty as of the 30th of last month. They are in the final stages of hiring a new officer to fill the vacancy. A

conditional offer has been made, if the individual can pass the physiological exam.

There was an incident with a pit bull running loose and chasing several residents. The dog did attack one of the resident's pets. Animal control was notified and they showed up and captured the dog.

Parks and Recreation Report

No report. There was no meeting held in the month of November.

Code Enforcement Officers Report

The report was included within the mail packets. Mayor Wells gave an overview.

Fire Department Report

The report was included in the mail packets and Mayor Wells gave an overview.

Utility Commission Report

Deputy Mayor Unsell stated that the Grove Street Water Main Project is going out for bid this month.

The Town Engineers are working with DNREC to resubmit the allocation permit application for the back-up well. The application will clearly state that Well 3B will serve as a back-up only to Well 3A. No additional capacity is needed to this process. The aeration clarifier has been cleaned and all operating components are functioning as designed. The aeration clarifier is back on-line and is running fine. The West aeration will be cleaned in the spring.

The Town Manager received a letter from MDE requesting 14 days to reply. The letter was received 7 days after it was dated, therefore, the reply time was reduced by seven days. The Town Manager requested an extension and was granted one until January 5, 2019.

A broken sewer main was discovered on 3rd Street. Town staff and engineers are working to get the main repaired or replaced. An outside contractor will have to do the repair because of the depth of the main.

Public Works Report

Commissioner Tucker gave an overview of the report that was included in the mail packets.

Planning & Zoning Report

No report to be given.

Town Manager Report

The Town Manager reported that she received a letter from Mr. Bret Davis wishing to donate a parcel of land he owns to the Town. The land is on S. Memorial Drive, map 011A, Grid 0007, Parcel 0386. The Commissioners are interested in securing the property. Town Attorney Benson will proceed with preparing an Ordinance to be read in January as a first reading with a scheduled Public Hearing in February.

The contract has been signed to purchase the field lights for the Mason Dixon Park softball field. The project is being funded by Community Parks and Playground; the cost share will be paid by the Delmar Little League.

The Town Manager stated that the Town Office and Services will be closed on Monday and Tuesday, December 24th and 25th and again on Tuesday, January 1st, 2019. Maryland garbage services will not be disrupted.

Commission Comments

Commissioner Scholl reported that he attended a Chamber of Commerce meeting and there was discussion about

work force development. There were presentations given by SU President Charles Wright and Dr. Donna Hanlin, the Wicomico County Public Schools Superintendent. He suggested that the Delmar School District and the Counselors to discuss ways of connecting the students to the local work force.

Deputy Mayor Unsell asked when the Commission was going to add on another Commissioner. He said that it has been 8 months since the last Commissioner left. Mayor Wells responded that she really wanted to get someone from each area of the Town to serve. She mentioned we will send out letters to a few of the developments on the east side of US 13 to see if someone may be interested.

Commissioner Tucker mentioned that there is a lot of trash along Connelly Mill Road. HE said that he believed the trash is being dumped along the roadway. He also mentioned that Connelly Mill Road is a speedway with people traveling it at high rates of speed.

Public Comments

Resident Ryan Poe said that vehicles travel fast along Chestnut Street as well.

Adjournment

Upon hearing no more public comments, Deputy Mayor Unsell made a motion for adjournment which was seconded by Commissioner Tucker.

Submitted by;

Cindy Fisher (from the notes from the Town Manager and reviewing the audio tapes.)