

MAYOR & COMMISSIONERS

June 8, 2009

Mayor Niblett called the regular scheduled meeting of the Mayor & Commissioners of Delmar, Maryland to order at 7:00 P.M. In attendance were Mayor Niblett, Deputy Mayor Hitchens, Commissioners Anderton, Hodgins, and Williams, Town Manager Bynum-King, and Clerk of Council Fisher. Guests: Kenny Soni, George Patel, Upinder Singh, Robert Benson, Howard Dickerson, and John McGuire.

Mayors Comments

Mayor Niblett stated that he was sorry that he missed the Day In The Park; he heard it was a little wet but well attended.

Approval of Minutes

Commissioner Williams made a motion to approve the May, 2009 minutes as circulated. Commissioner Hodgins seconded the motion which passed with 5 ayes and 0 absent.

Committee Reports

Planning & Zoning-

Commissioner Anderton stated that there was nothing new to report since the Joint Council meeting.

Utility Commission-

Commissioner Hodgins reported that there was nothing new to report since the Joint Council meeting.

Parks & Recreation-

Commissioner Williams reported that they did not have a meeting due to the ball games. She did report that the fence is up and the asphalt is down for the skate park and basketball courts. She said that a ribbon cutting ceremony is planned for both parks.

Public Works-

Deputy Mayor Hitchens reported that there is nothing new to report since the Joint Council meeting.

Centennial Committee-

Mayor Niblett reported that the next Centennial meeting will be held at Town Hall on Thursday, June 18, 2009 in the small conference room. He also stated that they are now soliciting ads for the souvenir booklet and if anyone is interested they can contact one of the Commissioners.

Police commission-

Mayor Niblett reported that there has not been a meeting but will be one in July.

Unfinished Business

Town Manager Bynum-King reported that the Delmarva Inn did go to foreclosure on Friday, May 29, 2009. She stated that the new owners were here this evening. Mr. Kenny Soni introduced himself and his partners as the new owners of the Delmarva Inn. He is the owner of the Economy Inn in Salisbury as well as having another business called

“Performance Unlimited”, Mr. George Patel, who owns the Super 8 Hotel in Salisbury, and Mr. Upinder Singh as a dentist in Salisbury. Mr. Soni stated that they would like to create a situation with the property that would be a win-win for both the Town and themselves. He stated that they are in this for the long haul, to make something that they can be proud of, and not just in it for the quick money.

Mr. Soni reported that their plan is to turn it into a franchise, get a loan from a bank and then to renovate the Inn. He have already worked with a few banks and has received a Letter of Intent from one of them. They have been speaking with several franchises; Quality Inn, Motel 6, and American Inn and Suites, and the economy at the time will help determine which franchise they go with.

Mr. Soni said that they will spend approximately \$300,000.00 on Phase I, the renovation of the Inn, depending on the inspection list from the Delmar Code Enforcement Officer and franchise requirements. Everything in every room will be changed, along with the exterior, and landscaping. Phase II would be the serious work on the building itself.

Mr. Soni promised the Elected Officials accessibility to them. They will provide all contact information for each of them and promised that if they are not available at the moment of a phone call, they would be within 4-24 hours. The Elected Officials will not have the problem with not being able to reach them as they had with the previous owners. He also stated that there would not be any ambulance or police visiting the Inn except to solicit for fund drives. He also stated that all taxes and utilities would be paid on time. He said that they will always be available for any visits that the Elected Officials or Code Enforcement wishes to make at the establishment with proper notification.

Mr. Soni asked the Town for some assistance in accessing the building. They asked that the Town remove the seal, provide a copy of the last inspection that the Code Enforcement Officer made, along with copies of the blueprints of the building if they are available. He asked that the Town not set them up for failure.

Mayor Niblett introduced the Elected Officials to Mr. Soni and his partners.

Commissioner Hodgins asked if they had worked with any local banks. Mr. Soni said that they had attempted, but were forced to go out-of-state to receive funding; due to the economy local banks were not willing to lend them what they needed. She also wanted stated that the establishment is zoned to be operated as a motel in the traditional fashion. She restated that this established was to be licensed as a motel not extended stay units. She was assured by Mr. Soni that with the franchises the cost of the rooms will not subsidized therefore to expensive for someone to live in the units. He said it will be a motel in every sense of the word and not extended stay.

Commissioner Anderton stated that they had a big job ahead of them and was glad to hear the word “franchise”. He said that it would be nice to have two quality hotels/motels in Delmar. He also stated that they would have to come before the Planning and Zoning Commission with the plans for the motel. Mr. Soni said that he had spoken with Town Manager Bynum-King this morning and that they had reviewed the process they would have to undertake. He said that they would be willing to do whatever they have to for the Town.

Commissioner Williams asked if there would be 24/7 management present. Mr. Soni said that yes there would be uniformed management on all three shifts. Also there would be inside and outside surveillance cameras in place. He also said that only during the renovations period there might come a time when the construction employees would be living there, but they will not be, once the hotel opens.

Town Manager Bynum-King said that she will make sure that they are directed in the right direction and to the correct Boards. She said that she will make the inspection report available to them even though she feels the franchise inspection would be more thorough than what our Code Enforcement Officer could do because of the residents living

there. The Elected Officials welcomed them all and stated that they are looking forward to working with them.

Town Manager Bynum-King reported that everyone should have received an email from Clerk of Council Fisher in reference to the WoodCreek Resident Input meeting scheduled for June 16, 2009 at 6:00 p.m. This meeting was requested by the Planning and Zoning Commission for Mr. Mark Thomason to hold a meeting with WoodCreek residents to inform them of a new townhouse style he is proposing for the development.

Town Manager Bynum-King reported that Code Enforcement Officer Bounds has sent out violation letters for properties with overgrown shrubs and low hanging limbs. He is also researching with other municipalities on how they handle these violations. Commissioner Williams asked about a specific property and if a letter had been sent there. Town Manager Bynum-King responded that she did not have the list and was not sure if that particular property was one on the list. She did say that the Town has property in that general area that has overgrown bushes and we would be taking care of them first. Commissioner Hodgins asked about the costs of mailing all the certified violation letters to the property owners. Town Manager Bynum-King stated that our Ordinance does require that the mailings be both regular delivery and certified. If the Elected Officials wanted that changed, it would have to take place in a Public Hearing for an Ordinance change.

Public Hearing- MD Ordinance 709 Police Department Labor Code

Town Attorney Benson stated that the first reading for Ordinance 709 had taken place at the Mayor and Commissioner meeting held in May of 2009. It has been published in a newspaper as required by law and is now here for a Public Hearing. He did say that there had been no changes made to it since the first reading.

Mayor Niblett opened up the Public Hearing for public comments. Upon hearing no comments, Mayor Niblett closed the meeting to public comments. Commissioner Hodgins made a motion to adopt Ordinance 709 for a Police Department Labor Code for the Town of Delmar, Maryland. Commissioner Williams seconded the motion which passed with 5 ayes and 0 absent.

Town Manager's Report

Town Manager Bynum-King reported that in the Elected Officials mailbox area there should be a copy of the draft County Water Resource Element Plan. She asked each one to look through it and if there are any comments, they should be written on the sheet provided, so she can get any comments back to the County in time for their Public Hearing.

She said that she is in receipt of the Town Continuity Operations and Emergency Plan for the Town. She will download the CD and email to all who have email access. For the others, she will provide a hard copy in the Council mailbox area. She said that the hard copies require the signatures of the Maryland Officials before distribution to the Police Department, Public Works and Administrative Offices.

Town Manager Bynum-King reminded everyone that L.E.S.M.A. will be in Ocean City this month at Seacrets. Mayor Niblett said that they probably would not be able to attend due to it being the same night as the Planning and Zoning Commission meeting as well as the Centennial Meeting.

Town Manager Bynum-King informed everyone that in the process of doing the slip-lining at Pennsylvania Avenue, the contractor found a broken sewer line. The break was the result of a contractor installing the cast for street lighting and it going through the line. She stated that it was a good thing that the Utility Commission agreed to proceed with the slip lining process during the Streetscape Project otherwise we would have not know until after the project completion causing us to cut the newly paved to fix the problem. She did report that the problem had been corrected this past Friday.

Town Manager Bynum-King informed the Commissioners that Municipal Clerk Layton is trying to finalize the contract for the fireworks display for the 150th Celebration. The issue is that the Town cannot decide on a location to have the fireworks. She informed them that the consensus of the Delaware Council was to have them at the High School with one of the positive factors being a better location for parking. Mayor Niblett asked if Town Manager Bynum-King could hold off until they have their Sesquicentennial meeting on the 18th. He said that he will have a definite final answer on the 19th. Town Manager Bynum-King said that the concern is that they will wait too long and will not be able to lock into a contract with this vendor for fireworks at the Celebration. She did say that she would have Municipal Clerk Layton to contact the Company Representative to make sure they could hold off until the 19th.

She also reported that The Day In The Park was well attended. It was very wet, but kids seemed to enjoy themselves. Mayor Niblett said that the Kiwanis and the Lions Club both sold out of food at the festivities. Commissioner Hodgins asked about a gentleman that had a collection of Delmar memorabilia and had wanted to get in touch with someone about attending the Day In The Park. She had instructed him to contact Town Hall, but he was not at the Park and asked if anyone knew anything about it. Clerk of Council Fisher reported that she had spoken with the gentleman and had given him the voice mail number for the Chamber of Commerce on several occasions. He refused to leave a message on the voice mail and had wanted the personal number for the Chairperson for the Day In The Park, Diane Buckley, which she was not authorized to do. Upon speaking later to Chairperson Buckley about the situation, she said that he had contacted her and had wanted to set up in the Park at either a discounted rate or for free. She said that due to the lateness of the request, it had passed the deadline for reserving a spot, she could not accommodate him. Commissioner Hodgins asked if the Sesqui-centennial Committee could contact this individual and allow him to set up without any charge at the 150th Celebration.

Commission Comments

Commissioner Hodgins stated that she will be on vacation and would not be able to attend the Sesqui-centennial Committee meeting. She welcomed the new owners of the Delmarva Inn and stated that she is excited to have a nice motel in Town. It is a prime location but right now is not a nice prime property. She also stated that she has sent a letter of invitation to Vice President Biden to attend the Sesqui-centennial Celebration and to participate in the Parade, maybe in the lead car.

Commissioner Anderton inquired into the stormwater management pond at Bridge wood Estates. He said that the problem is that the developer has been unreachable. He thinks that the Town should mow and maintain the property and bill the developer. Mayor Niblett said that the County has already taken care of the mowing of the property.

Deputy Mayor Hitchens welcomed the new owners of the Delmarva Inn and stated that hopefully they will be able to restore it back to a great condition.

Commissioner Williams also welcomed the new owners of the Inn. She said that the Parks and Recreation Commission are looking for new members. She also stated that they are planning on doing a ribbon cutting ceremony for the skate park and the basketball courts at the same time. She said that if anyone is interested in participating in the Sesqui-Centennial Parade, they can pick up applications at Town Hall.

Public Comments

Resident Howard Dickerson reported that the law enforcement for Delaware will have their Torch Relay for the Special Olympics beginning this Thursday, June 11, 2009. At 6:15 at the McDonald's in Delmar, will be the start of the relay. He also commented that if the Vice President does attend the Sesqui-centennial Celebration, security will be really, really tight.

Mayor Niblett reported that the VFW has offered to purchase all the banners needed to announce the Sesqui-centennial Celebration.

Commissioner Anderton discussed the weeds that are in the sidewalks. He knows that Public Works are working on them, but they seem to be getting out of control. Town Manager Bynum-King said that she has just received from Public Works Director Jerome Reid, the summer cleaning schedule. She said that Public Works needs to concentrate on specific areas so that they will be able to see their impact after everything in that area is completed. Commissioner Anderton volunteered his services since his work schedule is such that he does have days off during the week.

Resident Tom McQuire from 401 E. Chestnut Street, also spoke up and volunteered his services. He and Mayor Niblett spoke of the hybrid Willow Trees that he has planted in his yard. He said that they were ordered from Burgess.com. Mayor Niblett said that those trees would look nice at the ball field. Mr. McQuire asked about the intersection of 4th street with the one-way sign. He said that Google shows it not being that way, and it seems that cars go both ways. Mayor Niblett said that it is only one-way right at that intersection. Mr. McQuire said that it was a very dangerous intersection.

Adjournment

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

Submitted,

Cindy Fisher
Clerk of Council

