

MAYOR & COMMISSIONERS

September 9, 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, and Hodgins, Town Manager Bynum-King, and Clerk of Council Fisher. Absent: Commissioner Williams. Guests: Ed Ferro, Sally Ferro, Virginia Garrison, Bill Brittingham, and John Outten, Sr., Thomas McGuire, Joe Alberro, Bob Benson

Mayors Comments

Mayor Niblett reported that on September 16, 2009, public comments will be heard at the Delmar Fire Department in reference to allowing Casinos in Delmar. The time of the input meeting will be 7:00 p.m. He also reported that the 20th of September will be the start of the Town's 150th Celebration. He informed everyone that make-up and shaving buttons, along with dog tags are available for sale at Town Hall.

Mayor Niblett also reported that volunteers are needed to help at the Heritage Museum. The Museum will be open at different times during the celebration. Agendas of the events with their times and locations are located in the lobby of Town Hall along with being on the web-site. Anyone interested in participating or has anything that they want to donate to the Museum should call Town Hall and leave their information.

Oath of Office Maryland Election Supervisors

Mayor Niblett administered the Oath of Office for the Maryland Election Supervisors; Velvet Weeks, Sally Ferro, and Virginia Garrison. Mayor Niblett reminded everyone that the Primary Election is scheduled for September 22, 2009.

Resolution 2009-09-09 (MD) Adoption of the 2009 MD Comprehensive Plan Draft.

Mayor Niblett read Resolution 2009-09-09 which authorizes the Town of Delmar, Maryland to adopt the draft of the 2009 MD Comprehensive Plan. Mayor Niblett informed everyone that this update is mandated by the State of Maryland and was completed by Davis, Bowen and Freidel, and has been reviewed by the Delmar Planning and Zoning Commission. Commissioner Hodgins made a motion to accept Resolution 2009-09-09. Deputy Mayor Hitchens seconded the motion which passed with 4 ayes and 1 absent.

Ordinance 711- Public Hearing- The Town of Delmar to Borrow Money to Purchase the Bank of Delmarva

Town Attorney Benson reported that this is for a second reading of Maryland Ordinance 711, to allow the Town of Delmar to borrow up to \$500,000.00 for the purchase The Bank of Delmarva. Mayor Niblett opened the meeting for public comments.

-Resident John McGuire asked about the cash reserve that the Town had. He said that it should be used wisely. He stated that he felt if the loan amount was lowered, the interest rate, in turn, would be lowered and would not present such a burden on the tax payers. He stated that there should be some money put down by the Town on the loan. He also asked about using local laborers for any construction work to be done on the bank. He stated that the Town should try to pass a resolution to use local laborers first and then if it is necessary, hire from out of the area. He did say that it sends a strong message by not borrowing money. With the assets that the Bank building could afford us, the Town could use it if necessary to borrow funds. He asked if the building had been appraised and if Delmar, Delaware would be paying a share.

-Town Manager Bynum-King responded that the building was appraised for about \$600,00.00 and that during the budget workshop process, it was established that Maryland and Delaware would split the cost 60% for Maryland and 40% for Delaware. She did say that it is not just about buying the building. The Town would basically own 3/4's of the block, in addition to gaining a much needed generator.

-Commissioner Anderton asked if the Town is applying for grants for the purchase of the Bank. Town Manager Bynum-King responded that the Town is applying for Community Block grants to get the building ADA accessible. He also stated that since the building is in Maryland that the Delaware Council could not be the purchasers. There was some discussion that the Mayor and Council would be paying back the Mayor and Commissioners for their 40% share.

-Joe Albero asked if the Police Department would be moving into this current Town Hall building. Mayor Niblett stated that it had been informally discussed as a possibility. Mr. Albero spoke of fiscal responsibility and stated that he is aware that the Town has approximately \$2-3 million dollars in reserve. He said that it would be wise for the Maryland Commissioners to pay for the bank and not be bothered with the loan or any interest. He said that Salisbury is a prime example of fiscal irresponsibility. They have been spending millions of dollars on great things and now that times are tough, they are now facing the possibility of furloughs. He said that if the Town has the money, it should spend it and have assets and not debts.

- Resident William Brittingham stated that he is a Delmar, Delaware resident and that this is the first time he has heard anything about Delmar, Delaware has agreed to do in reference to paying back the Maryland side for the purchase of the Bank building. He also asked if anyone knew that size of the building and how much the utilities would be. He didn't think that the Town of Delmar would require all this additional space to run the Town.

-Town Manger Bynum-King stated that it was part of the budget process and Delmar, Delaware agreed to pay 40% of the expense necessary to acquire and renovate The Bank of Delmarva building. She also responded that she could not compare the utilities due to the bank having their data processing center there which would demand much more electricity than we would need, in fact the cost increase if any should be minimal. She did say that the Bank building is approximately 6,000 sq. ft while the current Town Hall building is approximately 4,000 sq. ft.

Upon hearing no more public comments, Mayor Niblett closed the Public Input portion of the hearing.

Town Attorney Benson said that Ordinance 711 will allow the Town of Delmar, Maryland to borrow up to \$500,000.00.

Commissioners Anderton and Hodgins suggested that Delmar, Maryland should put up some money as a deposit so that the interest portion of the loan would be lower. Commissioner Anderton suggested that the Town actually pay for the bank building with cash reserves and finance the initial renovations. There was much discussion between the Commissioners and they agreed with Commissioner Andertons' recommendation

Commissioner Hodgins made a motion to amend Ordinance 711 to reduce the amount that the Mayors and Commissioners would borrow from up to \$500,000.00 to \$125,000.00 to be used for the renovations. Deputy Mayor Hitchens seconded the motion which passed with 4 ayes and 1 absent.

Commissioner Anderton made a motion to approve amended Maryland Ordinance 711. Commissioner Hodgins seconded the motion which passed with 4 ayes and 1 absent.

Town Attorney Benson said that the contract is scheduled to be settled on September 10, 2009. The title work has

been completed and a survey has been ordered. He did say that although there were no title issues, there is an historical matter. It seems that there are 7 different deeds to the property that dates back to 1896. There are pieces of the deeds that are without any plats. He said that the settlement would probably happen next week instead of tomorrow.

Public Comments

Town Resident Thomas McGuire reported that he is almost done with the painting of the curbs in Town. He said that the parade route has been completed. He said that Public Works Director Reid will sign off on all the curbs to ensure that they are in compliance. He also spoke of getting some weed kill to clean up the streets. He also spoke of having a stop sign put on the corner of 4th and Chestnut Streets. He said that he has given to Town Manager Bynum-King, seven pages of signatures from residents requesting a traffic study to be done. He said that he also wants to be placed on the agenda in reference to the stop sign.

Adjournment

Commissioner Anderton made a motion to adjourn, which was seconded by Deputy Mayor Hitchens. The motion passed with 4 ayes and 1 absent.

Submitted,

Cindy Fisher
Clerk of Council