

MAYOR & COUNCIL

August 5, 2019

Mayor Houlihan called the regular scheduled meeting of the Mayor and Council of Delmar, Delaware to order at 7:00 P.M. In attendance were Vice Mayor Pase, Council Members Smith, Boyan and Holmes, Town Manager Bynum-King, Police Chief Barkley and Clerk of Council Fisher. Guests: Michael Kwiecien, Richard Haxton, Chris Brown and Noah Hale.

The Council performed the Pledge of Allegiance.

Mayor's Comments

Mayor Houlihan thanked Vice Mayor Pase for running the meeting last month in his absence. He also asked anyone who would be addressing the Council to please sign in at the podium.

Oath of Office

Mayor Houlihan administered the Oath of Office to Stephanie Aydelotte for becoming the newest DE resident member on the Parks and Recreation Council.

Approval of Minutes

Vice Mayor Pase made a motion to approve the July, 2019 minutes as circulated. Council Member Smith seconded the motion which passed with 4 ayes and Mayor Houlihan abstaining due to his absence in July.

Unfinished Business

Town Manager Bynum-King said that she is still working with Delmar's Historical Society with the repairs for the caboose. They are still working on the quotes they have been given. They may be able to work with the contractor that had the lowest bid.

Committee Reports:

Student Advisory Report

Noah Hale graduated from Delmar High School this past spring but he stated that he still keeps up with the underclassmen. He stated that some teachers are changing positions and others are leaving. Mayor Houlihan suggested that he speak and work with Ilah Preston in reference to getting volunteers for his replacement as the student advisor for the Town.

Mayor Houlihan said that he was very proud of Noah in what he has accomplished. Noah Hale said that he leaves for college on August 21st. The Town wishes him the best of luck.

Police Chief's Report

Police Chief Barkley reported that last week, in the 100 plus degree heat, a mentally handicapped child went missing. With the use of one of the drones at the Delmar Police Department, that child was located alive. Chief stated that the Department does have employees that are federally certified to use the drones.

A few weeks ago, there was a reported suicide in Town. The Department is about 98% sure of who the deceased is but they are awaiting confirmation from the medical examiners' office.

Chief reported that their Blue Light Night will take place this Friday, August 9th. If the weather becomes an issue, then they probably will not hold the event. They are also preparing for Heritage Day, Back-to-School and the golf tournament.

Chief Barkley stated that the Council may be noticing more enforcement on Rt. 13 at Stage Road and Old Stage Road. The number of accidents are increasing and they are trying to do something to reduce the amount of accidents. He also informed the Council that he anticipates losing an Officer within the next month to Rehoboth Beach.

Vice Mayor Pase asked about the speed camera on Grove Street. Chief responded that there is not a pole to put it on. He did say that they are looking into different ways to enforce the speed limit on the newly paved Grove Street.

Council Member Holmes said that the accidents taking place on Rt. 13 are going to take more than just action from the Town. He stated that the Town would need assistance from both the Maryland and Delaware Departments of Transportation. He suggested that the closing off of some of the crossings onto side streets might help. Council Member Boyan spoke of the Food Lion Plaza, when traveling south on Rt. 13, there are 3 right turns that goes into the plaza and then a right hand turn to go onto Rt. 54.

Vice Mayor Pase asked how many accidents would have to happen on that section of Foskey Lane before anything can be done. Chief responded that he did not know what that number would be. He said that there are a lot of factors for all the accidents and he knows that Delmar is the only Town on Rt. 13 that maintains the 55 MPH speed limit throughout the Town limits until you get to Stage Road. All other Towns have speed limits of either 45 MPH or even 35MPH within their corporate limits.

Town Manager Bynum-King said that Maryland Mayor Wells has asked for information in regards to the number of accidents on Rt. 13. She wants to have a meeting with the Maryland Department of Transportation.

Parks and Recreation report

Mayor Houlihan reviewed the report that was in the mail packets. Noah Hale spoke of the disappointment in the donated property to the Town for a dog park was not large enough. He also said that the Community Garden is doing very well. Noah Hale also welcomed the new member to the Parks and Recreation Council.

Code Enforcement Officer Report

Mayor Houlihan reviewed the report that was included in the mail packet.

Fire Department Report

There was no one present at the meeting to offer a report to the Council.

Utility Commission

Vice Mayor Pase spoke of the Grove Street Water Main Project. She stated that Grove Street looks nice and all the 4 inch mains have been replaced with 10 inch mains or capped off. She reported that last month there were 86 water disconnections for non-payment and as of today there are still 7 disconnected.

Town Manager Bynum-King reported that there was a septic fail at the Travelers Inn. The County denied them a septic permit and suggested to them to contact the Town. The Utility Commission had agreed to allow them to connect to our services through our Urban Services Agreement. Then the MDE Inspector said that because the Town had exceeded our permit in flows last year, that we did not have the capacity to connect our services to the Travelers Inn.

The Town Manager said that she received an email from MDE stating that they had received notification that there was an overflow of raw waste behind the Travelers Inn and recommended that the Town connect the Inn as soon as possible and then retroactively amend the County Water and Sewer Plan to reflect a change in the service area category. At the recommendation from MDE representatives, we have allowed the Inn to connect and will be working with Town Engineers to amend the Water and Sewer Plan to reflect the Inn being serviced by the Town.

Council Member Boyan expressed concern that the Water Main Project was complete when he is noticing things that are not completed. Town Manager Bynum-King said that the water main replacement of the 4 inch mains to the 10 inch mains part of the project is complete. The engineer, the contractor and our Public Works Director will be doing a walk-through on Wednesday and will create a punch-list of unfinished items or items not completed according to the Town's standards. She informed Council Member Boyan that he could email her any of his concerns.

Public Works

Council Member Smith reviewed the report that was included in the mail packets.

Planning & Zoning

Council Member Boyan reported on the following:

Richard Haxton- Re-cover the awning and a new sign for the building for United Rentals at 38204 Old Stage Road, Delmar, DE

Mr. Haxton stated that there would be new fabric put on the frame and the new sign will be aluminum and it will not be illuminated.

After reviewing the documentation provided, Council Member Smith made a motion to accept the favorable recommendation from the Planning and Zoning Commission for the re-covering of the awning and a new building sign for United Rentals, located at 38204 Old Stage Road, Delmar, DE, per the attached drawings with the stipulation that the graphics on the door only have the business hours. Council Member Holmes seconded the motion which passed with 5 ayes and 0 absent.

Jan Powers- Sunroom Addition 12' by 16' to 11611 Buckingham Drive, Yorkshire Estates, Delmar, DE

After reviewing the documentation and hearing no comments, Vice Mayor Pase made a motion to accept the favorable recommendation from the Planning and Zoning Commission for the addition of a 12' by 16' sunroom to 11611 Buckingham Drive, Yorkshire Estates, Delmar, DE, per the attached drawings. Council Member Smith seconded the motion which passed with 5 ayes and 0 absent.

Chris Brown- Ryan Homes- New Home Build- Lot 142, home-style "2203", 2-story, elevation A, located at 38477 Charles Court, Yorkshire Estates, Delmar, DE

After reviewing the documentation provided and hearing no comments, Council Member Smith made a motion to accept the favorable recommendation from the Planning and Zoning Commission for the new home build on Lot

142, home-style “2203”, 2-story, elevation A, located at 38477 Charles Court, Yorkshire Estates, Delmar, DE, per the attached drawings. Council Member Boyan seconded the motion which passed with 4 ayes and Council Member Holmes abstaining.

Chris Brown- Ryan Homes- New Home Build- Lot 144, home-style “1918”, 2-story, elevation A, located at 38474 Charles Court, Yorkshire Estates, Delmar, DE

After reviewing the documentation provided and hearing no comments, Vice Mayor Pase made a motion to accept the favorable recommendation from the Planning and Zoning Commission for the new home build on Lot 144, home-style “1918”, 2-story, elevation A, located at 38474 Charles Court, Yorkshire Estates, Delmar, DE, per the attached drawings. Council Member Smith seconded the motion which passed with 4 ayes and Council Member Holmes abstaining.

Chris Brown- Ryan Homes- New Home Build- Lot 154, home-style “1918”, 2-story, elevation A, located at 11735 Buckingham Drive, Yorkshire Estates, Delmar, DE

After reviewing the documentation provided and hearing no comments, Vice Mayor Pase made a motion to accept the favorable recommendation from the Planning and Zoning Commission for the new home build on Lot 154, home-style “1918”, 2-story, elevation A, located at 11735 Buckingham Drive, Yorkshire Estates, Delmar, DE, per the attached drawings. Council Member Smith seconded the motion which passed with 4 ayes and Council Member Holmes abstaining.

Chris Brown- Ryan Homes- New Home Build- Lot 157, home-style “1280”, 2-story, elevation B, located at 38404 Elizabeth Lane, Yorkshire Estates, Delmar, DE

After reviewing the documentation provided and hearing no comments, Council Member Smith made a motion to accept the favorable recommendation from the Planning and Zoning Commission for the new home build on Lot 157, home-style “1280”, 2-story, elevation B, located at 38404 Elizabeth Lane, Yorkshire Estates, Delmar, DE, per the attached drawings. Vice Mayor Pase seconded the motion which passed with 4 ayes and Council Member Holmes abstaining.

Chris Brown- Ryan Homes- New Home Build- Lot 177, home-style “2203”, 2-story, elevation A, located at 11648 Buckingham Drive, Yorkshire Estates, Delmar, DE

After reviewing the documentation provided and hearing no comments, Vice Mayor Pase made a motion to accept the favorable recommendation from the Planning and Zoning Commission for the new home build on Lot 177, home-style “2203”, 2-story, elevation A, located at 11648 Buckingham Drive, Yorkshire Estates, Delmar, DE, per the attached drawings. Council Member Smith seconded the motion which passed with 4 ayes and Council Member Holmes abstaining.

Town Manager’s Report

Town Manager Bynum-King reported that the Administrative Staff have been busy preparing and sending off 989 Delmar, Delaware tax bills using a new folding machine.

The U.S.S.A. Tournament which was in part hosted in Delmar for 3 weeks went off without incident. The County is looking forward to hosting more games. They have purchased land by the Mason Dixon Park to be utilized as more parking. Public Works emptied the trash containers and cleaned and stocked the restrooms.

The newly paved parking lot here at Town Hall has addressed the flooding issues we have had especially at the drive-thru.

Town Manager Bynum-King reminded everyone that Heritage Day is fast approaching. There have been a few changes but it will be very similar to what we did the year before last. She is hoping we have good weather to be able to have a great event.

Council Comments

Council Member Holmes asked everyone, especially in this heat, to check on their elderly neighbors.

Council Member Boyan hopes that everyone learns to live with one another.

Vice Mayor Pase stated that she had just noticed the bar across the non-parking area at State Street Park. Town Manager Bynum-King said that it was put there to prevent cars from parking on the land and tearing it up.

Mayor Houlihan stated that there is a new employee at Public Works and he is doing a great job in the Parks.

Adjournment

Upon hearing no public comments, Vice Mayor Pase made a motion for adjournment which was seconded by Council Member Holmes. The motion passed with 5 ayes and 0 absent.

Submitted by:

Cindy Fisher
Clerk of Council