

MAYOR & COMMISSIONERS

February 10, 2020

Mayor Wells called the scheduled meeting of the Mayor & Commissioners of Delmar, Maryland to order at 7:00 P.M. on Monday, February 10, 2020. In attendance were Mayor Wells, Deputy Mayor Unsell, Commissioners Scholl, Tucker and Lenox, Town Manager Bynum-King, Police Chief Barkley, Clerk of Council Fisher and Town Attorney Benson. Guests: John McClellan, Doug Marshall, Wade Alexander, Dana Cocheran and Mike Houlihan.

Call to Order

The Maryland Mayor and Commissioners performed the Pledge of Allegiance.

Public Hearing

John McClellan- Zoning change for 8999 Ocean Highway from Light Industrial to Highway/Regional Commercial.

Ordinance 745- Rezoning 8999 Ocean Highway from Light Industrial to Highway Regional/Commercial

Mr. McClellan introduced himself as representing the Ferrier Family for the rezoning of 8999 Ocean Highway.

To review a few points, Mr. McClellan stated that the Ferrer family constructed the G&M Sales Complex in 1979. The original use of the property was to sell poultry equipment and supplies and to provide services to the poultry industry across Delmarva.

No one from Town Hall or anybody on his team have been able to find absolute confirmation that the original zoning was Community Business. No one has been able to confirm when the property was converted to Light Industrial. There is also a question that it could be a mapping error.

Mr. McClellan stated that it is quite obvious that the RT. 13 corridor between Connelly Mill Road and the Delaware State Line has changed. The complex itself has seen major changes. The uses include wholesale distribution, automotive services and for storage uses. He also said that the growth along the corridor has dramatically changed. He said that Exxon was built in 1996. The Truck Store, which was a 7-11 was built in 1998, Alban in 1999, Affordable Business Systems in 2001, Subaru, originally Saturn, in 2000, The Drs' office in 2005 as well as the Holiday Inn, built in 2005.

He finished by saying that he feels the best long term zoning for this location is Highway Regional/Commercial.

Commissioner Scholl made a motion to open the hearing to public comments. Commissioner Tucker seconded the motion which passed with 5 ayes and 0 absent.

Developer Doug Marshall stated that he thinks that Highway Regional/Commercial is the perfect zoning for the location.

Hearing no more public comments, Commissioner Scholl made a motion to close the public comment portion of

the hearing. The motion was seconded by Deputy Mayor Unsell.

Mayor Wells read Ordinance 745 in its' entirety which gives the Maryland Mayor and Commissioners the authority to rezone the property known as 8999 Ocean Highway, Delmar, MD. from Light Industrial to Highway Regional/Commercial.

Commissioner Tucker made a motion to approve Ordinance 745 which allows the Mayor and Commissioners to rezone 8999 Ocean Highway from Light Industrial to Highway Regional/Commercial. Commissioner Lenox seconded the motion which passed with 5 ayes and 0 absent.

Mayors Comments

Mayor Wells said that she did not have any at this time.

Approval of Minutes

Deputy Mayor Unsell made a motion to approve the January, 2020 minutes as circulated. Commissioner Tucker seconded the motion which passed with 5 ayes and 0 absent.

Unfinished Business

Town Manager Bynum-King said in reference to the chickens and roosters that were on Chestnut Street, they have been removed from the property as of February 3rd.

Student Advisory Report

The student advisor reported that they held the Princess Tea Party which went very well. Report cards came out last week. This coming Monday, school will be closed for President's Day. She informed everyone that Prom is April 24th. It won't be long before the SAT's and PSAT's will be ready to take. She believes this is the first year that 9th graders will be taking them.

Police Chief's Report

Chief Barkley informed everyone that the investigation is continuing on the shooting that took place on the 9th. Delaware State Police is working with the Delmar Police Dept.

The investigation is also continuing on the armed robbery that occurred at the Stop N Shop. It's going very well.

The Delmar Police assisted the CAC with an investigation on E. Chestnut Street. The victims were 7 and 13 year old children. They have an older relative helping the children to use cannabis. The 7 year old has been smoking it for about a year.

Officer McCahill has been on light duty from an injury he incurred in an altercation at the school. He has now been released from light duty. Chief also reported that the new vehicles are in and now they need to be marked and outfitted.

Parks and Recreation Report

Mayor Wells indicated that they were in the mail packets.

Code Enforcement Officers Report

Mayor Wells indicated that they were in the mail packets.

Utility Commission Report

Deputy Mayor Unsell said that a developer for a new subdivision inquired about the possibility of connecting to the Town utilities as part of the Old Stage Road Sewer/Water Main Project. The Wastewater clarifier is on schedule to be installed this month. He stated that 25 tons of sand was delivered to the WWTP last week for the sand filter.

Public Works Report

Mayor Wells indicated that the report was included within the mail packets.

Planning & Zoning Report

Commissioner School reported on the following;

Doug Marshall- Combining of Lot 65 and Lot 66 in Heron Ponds and the placement of the garage on Lot 66 A
Mr. Marshall stated that they were asking to be able to combine Lots 65 and 66 to create Lot 66A. There is a utility easement that runs through the Lot.

Commissioner Lenox made a motion to accept the favorable recommendation from the Planning and Zoning Commission for the combining of Lot 65 and Lot 66 in Heron Ponds, Delmar, MD to create Lot 66A and the placement of the garage on Lot 66A, per the attached drawings. Deputy Mayor Unsell seconded the motion which passed with 5 ayes and 0 absent.

Russell Smart- Addition of sunroom at 503 E. Pine Street, Delmar, MD

Commissioner Scholl stated that the Planning and Zoning Commission made a motion contingent that Mr. Russell provide a signed site plan that showed all the setbacks, which he has provided this evening.

Commissioner Tucker made a motion to accept the favorable recommendation from the Planning and Zoning Commission for the addition of a sunroom at 503 E. Pine Street, Delmar, MD per the attached drawings.

Town Manager Report

The Town Manager wanted to make everyone aware that our Public Works employee's father passed away on Sunday. Services will be held on Wednesday at the Short Funeral Home in Laurel at 11:00 a.m. with visitation the hour before.

She stated that she has received confirmation from Laura Hurley from the County that the 1st work session is scheduled for March 3rd at 6:00 p.m. It will be part of their regular scheduled meeting. The first part of the meeting is dedicated to their Public Hearings, the work session will follow.

The Second Street Sidewalk Project will be underway the first part of spring, towards the end of March. Our Community Development Coordinator requested one more final extension to allow adequate time for project completion and all the other required project submittals for funding. The extension has been granted by the funding source until December 31, 2020.

The Maryland Municipal League Summer Conference is scheduled from June 28th thru July 1st. Hotel reservations at the discounted price are now open through May 22nd. The Conference registration forms will be available in the March and April MML magazine.

She concluded her report by informing everyone that the Delmar Heritage Day Quarter Auction is April 3rd. Doors open at 5:00 p.m. and the auction starts at 6:30 p.m. We are accepting items for donations and always will be interested in volunteers working that evening.

Public Comments

Mayor Wells gave an opening statement to the audience starting with the Town greatly appreciates our law enforcement officers. This whole situation, regarding the Resolution to amend the Charter, is not about what they do or don't do for us. This is not how worthy they are, it isn't about us not wanting them to have money. This is about an agreement that we have with Delmar, Delaware that lets us work together and it lets us fund different things on our different sides. The Waste Water Plant is on the Maryland side, but the Delaware side helps with it. Our water is on the Delaware side and Maryland helps with it. This is about collective bargaining with binding arbitration and the Unification Agreement that we have in place with Delmar, Delaware. She mentioned that everyone, Maryland property taxpayers, were sent a notice via regular US postal mail about our Maryland Commissioner's position on this matter. She expressed it is unfortunate that it had to come to this but that's just the way it is. Mayor Wells said the Maryland residents are at risk of funding 100% of whatever it is that the Police Department wants. She said the Police Department took an Oath to protect the residents and she took an Oath to protect the residents and their tax dollars. She expressed that there are many people who can't afford any more taxes and if they are required to go to arbitration, the Maryland residents will have to bear all granted requests of the officers by themselves. So the Charter amendment issue isn't about what they want to have or not have, it's about protecting the Maryland residents. With that being said, Mayor Wells asked if anyone has any questions about the notice that was sent out to the Maryland registered voters. She said that she felt sure some of the audience was present to make comments and she requested that anyone speaking to refrain from repeating a comment that has already been said.

Lt. Wade Alexander was the first speaker. He identified himself as being a Delmar Police Officer for close to 30 years. He stated that by rule he was not allowed to speak to each of the elected officials in private about the issues and matters of the Town, so that is why he is present this evening to address those matters publically. He stated that initially he was going to attend this meeting and just talk about the resolution that was passed last month because he had some questions about it, however because of a recent Facebook posts on Mayor Well's page, he felt the need to address quite a few of those statements.

Lt. Wade Alexander started off by giving a little history of collective bargaining. He said that back in 2007, the Delmar Police Department and the Fraternal Order of Police presented to the Mayor and Commissioners, not this group, but a separate group of people, a referendum petition proposing an amendment to the Delmar, MD Charter that would allow the Police Department to have collective bargaining rights. The petition was signed by more than 20% of the registered voters of Delmar and presented it to Maryland. On October 29th of that year, the Mayor and Commissioners rejected the proposal that was given to them and did not submit that proposal to the voters. And as a result the officers had to take that matter to the Circuit Court at which time the Circuit Court judge ruled in the Police Department's and Fraternal Order of Police's favor and ordered the Town Mayor and Commissioners to place that referendum for the charter amendment on the ballot. Late that year, a record number of voters showed up to support the Police Department and said "yes" to allow the Officers to have collective bargaining rights.

Following Lt. Alexander's summation, he stated that he had a few questions for the Commission. He asked the following questions: 1) Whose idea was it initially to amend this charter with this proposition resolution being passed last month. 2) Why the Commission did it now after 12 years. It's been a law for 12 years, why now? 3) Did any of the elected officials consult with any of your constituents to see how they felt prior to making a decision

about passing this resolution? He stated that the charter was amended by an overwhelming vote from the voters of this Town. 4) Don't the elected officials think that it is appropriate before it is amended again to let the voters decide, the ones that initially decided to give us the right in the first place?

Mayor Wells started with the first question. She said she didn't know if any one person had the initial idea to amend the Charter. She mentioned obviously Lt. Alexander knew that the Officers started steps with the Police Union for collective bargaining in Maryland only because it had not been accepted in Delaware so we felt compelled to amend the Charter to protect the interest of the Maryland residents.

Commissioner Scholl stated that amending the Charter was included in a set of options presented to us by our legal counsel once we were faced with the possibility of having to negotiate without Delmar, Delaware. He further said the case with Delaware is still tied up with paperwork, so Maryland needed to know their options.

Lt. Alexander asked why now? Why at this time after it has been law for 12 years?

Mayor Wells said that they had the same questions. She asked Lt. Alexander why did it take them so long to take action to bargain?

Lt. Alexander stated that they have been in the process for 20 years trying to get the Delaware side to recognize Delmar as a public employer in Delaware. He said they are still waiting a decision from the Delaware side as to whether or not the Town can be recognized as a public employer. It has been almost 2 years since that hearing in Delaware and as a result the department is not moving. He said they can't get anywhere, they can't hire people, they can't do anything, they are stagnant. The Officers decided that it would be best to be done and wait on the decision. He stated that they have collective bargaining in Maryland and they decided to move forward with it. Lt. Alexander said they were proposing to be represented by the teamsters and that's when the petition was presented to the Council. He added, of course, some things happened after that, the Town Officials fought that and the officers had to take it to court and subsequently won that decision and now we're going to arbitration.

Mayor Wells stated that she is confused. She said to Lt. Alexander, that he knows Delaware is not moving forward with this? Lt. Alexander responded "yes". She further inquired as to why are you opposed to the amendment that says that unless or until Delaware does, because Maryland can't handle it alone. Our budget can't do it. Lt. Alexander responded that "yes you can". Mayor Wells asked how that could be when you know that the Unification Agreement states that we pay 60% and Delaware pays 40%. How does that work?

Lt. Alexander asked if the Commission consulted with their constituents as to what the voters' opinion is? Mayor Wells said that she did ask her constituents, the ones that she talked to, because she didn't go door to door, and they felt that they cannot afford more taxes. Mayor Wells stated again she knew the fact of the matter is that Maryland will pay all of it and there is no sharing. Whatever is asked for, would be paid fully by the residents of Maryland. The people she talked to aren't going for that. And again, they have all said that we do need a Police Department, we need this, we need that, but... The fact is that Maryland will pay 100% of whatever it is the Officers want. Lt. Alexander responded that what Mayor Wells was saying wasn't true.

Lt. Alexander said that lastly the charter was amended by the voters. He asked the Commissioners if they wanted to amend it again, that it should have been taken back to the voters. A resolution was passed that becomes law on the 22nd of this month, and there's no petition for referendum opposing, so the voters don't have any say about this resolution.

Mayor Wells stated that they do if there is a petition. Lt. Alexander responded that they don't have 20% of the registered voters and if they don't initiate a petition for referendum then this becomes law and the voters have no say. He further mentioned that if the Elected Officials passed this resolution 2020-01 without...well basically you're subverting the will of the voters because they allowed this into law by an overwhelming vote and 5 people have passed a resolution to subvert that from the will of the voters back in 2008. He expressed the Commission did not present the resolution to the voters.

Mayor Wells stated the Town's procedures were followed and that the Resolution was advertised in the local newspaper and was posted on the meeting agenda.

Commissioner Scholl stated that he was not sure what Lt. Alexander felt they were keeping from the voters. He also said he was not sure what the officers need. He asked Lt. Alexander What are we proposing to the voters? Lt. Alexander said that the Commissioners won't allow the Police Department to have collective bargaining rights only if Delmar, DE agrees. Commissioner Scholl asked Lt. Alexander to explain what the difference is when X is completely unknown. He further asked, What is it that you're proposing to Delmar? What is it that we need in collective bargaining? What is it that you guys want?

Lt. Alexander stated that was a great question. He said if they can get to the table and were allowed to sit down and talk about this in the collective bargaining process they could talk about all these things but that's not something that can be discussed now. Commissioner Scholl mentioned there is a budget process every year where proposals are made and each side of Town discusses what they can do. Lt. Alexander replied that the Police officers are not allowed to participate and talk about what they want.

Mayor Wells responded that it is their responsibility to present it to your department head, do you not? Lt. Alexander replied that police officers are not allowed to sit in there and discuss their proposals.

Mayor Wells stated to Lt. Alexander that he was allowed to submit a step in grade 4 years ago. Lt. Alexander stated that "Chief did". Mayor Wells said that you came in and talked to us about it. Lt. Alexander said that it was "at his request".

Town Manager Bynum-King asked to comment for clarification on Lt. Alexander's reply about the step in grade. She stated that there was a meeting on the Step in Grade proposed plan, which included Lt. Alexander, the financial officer along with herself. She mentioned that Chief may have been present at some of the meetings. The proposed document was provided from Lt. Alexander to Chief, the Supervisor of Finance and to the Town Manager.

Lt. Alexander continued his discussion regarding a social media post by Mayor Wells. He mentioned that Mayor Wells repeatedly said that the taxpayers will bear 100% of the costs if there is collective bargaining. He said that is simply not true. He went on to say that the Town of Delmar, MD pays 60% of our budget and the Town of Delmar, DE pays 40%. He said at the negotiation table, they would only be asking for 60% of whatever is being asked for as a whole. He gave an example by saying if we wanted 10 more hours of vacation time a year after 10 years of service, we would only be asking for 6 hours, we would only be sitting down at the negotiation table asking for 60% of what we wanted. That's how that would work.

Mayor Wells asked what is to stop you from asking for 20 days and if that 60% was granted that would be right

where you would want it. Right? She continued in saying that there is no mechanism from stopping that from happening. Lt. Alexander repeated that they would only be asking for 60% of what they wanted. Mayor Wells said that the road to Hell is paved with good intentions.

Deputy Mayor Unsell asked that in collective bargaining isn't a Lt. considered management? Lt. Alexander answered the question by saying that it is written into the labor code that Lt. are eligible to participate. It's Captains and above that are excluded.

Lt. Alexander redirected his conversation back to the step in grade. He said it was mentioned that the step in grade was finally implemented and that's not completely accurate. He went on to say that in 2017, he presented to the Town the step in grade. It was enacted and 6 of the 12 officers were paid where they should be, and be at the place where they should be in the step in grade. The other 6 officers, which were the 6 officers that has been here the longest, we had come to an agreement that due to the amount of the increase they were supposed to be getting in total, that we would break it down over a 3 year period. And that each of the officers would be getting 1/3 of what they should be getting and then by 2019 everybody would be where they were supposed to be in step in grade. Well, in 2018 nobody got anything. The step in grade stopped working. So another important thing as far as I'm concerned with collective bargaining, stuff like that won't happen. I don't know why the Town elected officials decided not to give us at the Police Department a raise but in 2018 every other employee got a cost of living but the police department got nothing. In 2019, everybody in the Town got another cost of living and all the police officers got was a 2 step in grade, so in essence over the past 2 years all the Town employees got a 6% raise and the police department got, what it turns out to be a 4% raise.

The Town Manager said that if we go back to the implementation of the step in grade, as you will recall, the Town passed the step in grade and the officers received increases. Everybody received increases and then there was an issue with the increases that was brought to our attention. She referenced Chief was present and he could validate what was being said and if anything was misstated, he could correct it. The Town Manager said that she and the Supervisor of Finance were told that there was some compression issues with the starting officers therefore, the increases were incorrect. As a result it made everyone's pay compressed to close together and there was a need to do some spacing between grades. At that time it was requested that all of the officers get moved up 2 steps. The reason for no increase the next year was because it was discovered after the changes were made and the increases were paid, there were no starting salary compression issues, the information used from the Step and Grade was what was provided by Lt. Alexander. She continued in saying that Lt. Alexander was the only one that did not get the additional increase.

Lt. Alexander stated that he did get an increase. The Town Manager said that he did get the initial Step and Grade increase. She said that he complained it wasn't fair that everybody else got an additional increase and he didn't. Lt. Alexander said that he did get an increase but it wasn't what we agreed to. The Town Manager said it was what he originally presented, after the other additional adjustments, he wanted more money. Lt. Alexander said that he wanted to go back to the point where we presented the step in grade. What we presented to the Town has changed. That's why there was an issue with compression. The Town Manager said that it wasn't changed. Lt. Alexander said that it was changed back to what was originally proposed. The Town Manager replied that you did the proposals and that is where the numbers came from.

Lt. Alexander said that the step in grade was a big scale and everybody who's on there where they were supposed to be when the breakdown occurred. At that point in time, someone over here at Town Hall changed it back. The Town Manager said that no one changed his proposal. She said that we sat down together and agreed with what he

proposed. Lt. Alexander said that he did not agree. The Town Manager said that yes you did. As a matter of fact, we were in that small conference room and we went over it because there were slight adjustments to be made to fit everyone in the appropriate step according to their grade, some were slightly off the grid. Lt. Alexander stated that it was off the grid and off the chart that you guys were proposing and not the one that came from us. The Town Manager said that step in Grade plan came from Lt. Alexander and we made no changes.

Lt. Alexander continued to insist that the Step in Grade plan was not as he originally proposed and that the Town made some changes, only 6 officers received increases and 6 of the officers did not get paid 1/3 over the following three years. The Town Manager responded that when it was brought to our attention that there was some compression in the entry level positions, all of the officers received an additional salary adjustment to my knowledge. WE made those adjustments. When it came to Lt. Alexander's adjustment, if paid how he suggested, his salary would have exceeded the Chief's salary and that was something the Council and Commission was not willing to do and this is something that we talked about. Lt. Alexander said that that was correct. Town Manager Bynum-King stated that its' difficult to recall all of the history of this matter because I don't have any notes or the spread sheets here. She further stated if she knew this is what was going to be discussed this evening, she would have had the information available to all to see. Lt. Alexander said that there was an adjustment made after an additional submittal was done, but it was rectified.

Lt. Alexander said that the next thing he wanted to talk about is benefits. We do have good benefits in the Town and we do appreciate that. But it was also mentioned that the Town pays 100% of health care costs for the officers and all the other Town employees. There is only one single participating officer. There is only one officer in our department that takes advantage of the Town's health care plan. If you're married and you participate in the Town's health care plan, that officer has to pay around \$4,000 out of his pocket a year. If there is an officer that has the family plan, which there are several, they would be paying upwards to \$12,000 out of his pocket a year. The health care is so costly that the Town pays people, their employees, to not even participate in the plan.

Town Manager Bynum-King stated for clarification why the employees that do not participate in the healthcare plan receive \$50.00 each week. Lt. Alexander said that we get paid not to participate. The Town Manager said that what he said was not incorrect. The employees that opted to be carried on their spouses insurance receive the \$50.00 toward it. Health insurance coverage is a benefit to all full time employees and the Town pays 100%. Because the health insurance is a benefit to all full time employees, those who opt to be carried on their spouses' insurance plans receive \$50.00 per week of the Town's individual health care premium, which is less than paying the benefit of the whole health insurance premium. Employees that carry their spouses or family on the Town's plan is responsible for 100% of the premium. She further stated that it wasn't the Town paying employees to go somewhere else because the health insurance premium is so costly.

Lt. Alexander said that he is not saying that you're paying us to have other health care. The Town Manager said that was exactly what he just said. Lt. Alexander said that is not what he said. The Town Manager said that's what you just said. Lt. Alexander said is that he said that the Town's health insurance is so expensive...The Town Manager told him that it wouldn't be for him because he is 100% covered if he participated in the Town's plan. . Lt. Alexander said that he is not on the Town's health care plan. There is only one officer that is on the Town's health plan. The Town Manager said that all the employees are covered 100% but however they have to pay for their families' coverage. She further mentioned that up and down the state, it's almost unheard of that a municipality pays 100% of the healthcare, usually it's an 80-20 split. So the mere fact that the Town is paying 100% of individual health insurance is extremely well. It's very few that pay anything for family coverage. Lt. Alexander said that our officers who have family coverage pays \$12,000 out of pocket every year for the health

care provided by the Town.

Lt. Alexander turned the conversation to tax increases. He said that there has been a lot of talk about a large tax increase if the Town agrees with collective bargaining. Back to your question, Mr. Scholl, how do we even know if there's going to be any tax increases? When we can't even get to the table to talk about this? Mayor Wells you made mention that none of the officers reside in Town. Therefore, you're implying that the officers don't care about any potential impact that collective bargaining might have on the residents of the Town. With all due respect, that's a slap in the face for the officers who put their lives on the line every day to protect the citizens of this Town. We all have a vested interest in this Town and work our hardest to ensure the safety of our residents. We all work for the safety of this Town and our goal is to continue to grow a strong and productive police force. Unfortunately that's not happening. The Town is facing a public safety crisis. If the elected officials don't take action, according to statistics from the FBI, towns with less than a population of 10,000 should have 3.8 officers per 1,000 residents. Our department is far from that number. We have 7 officers that will be retiring in the next 6 years and 10 months or sooner. And on average it takes 3 years from the date we receive the application before a new hire is fully versed and comfortable with the complexity of the job. The troubling part is that we are not able to draw quality applicants to fill these vacancies because our starting salary is so low let alone future vacancies. We're not able to keep officers because we cannot be competitive with other agencies based on years of service. Since I've been employed here, I've seen 21 officers come and go. That's a lot. That is about \$1 M or more that this Town has wasted on training, salary and equipment that could have been better served on retention not to mention the thousands or tax payers dollars that Town has spent on 2 independent studies of the police department only to not take the advice of the arbitrators. As well as the tax dollars in legal fees the Town has spent fighting the police officers at every turn. Please don't misunderstand me, I'm not blaming you. Because most of this waste of spending did not occur under your watch. We're just trying to take steps to ensure that our citizens, our school children and businesses in this Town are adequately protected and continue to be protected now and in the future. With that being said, thank you for taking the time to hear me tonight and we all look forward to working together to solve this problem.

Mayor Wells thanked Lt. Alexander.

Developer Doug Marshall stood and stated that he has worked to bring life into Delmar. Maryland has worked with them. He even bought Yorkshire Estates to give Delmar a school. His mother is calling him in the middle of the night crying because she is hearing gun shots outside her window. She lives in Yorkshire Estates. Mr. Marshall stated that the starting salary in Laurel is \$48,000 and in Delmar it is \$37,000. He said that he knows that the Town will be losing officers. Pam Price has seen a boom in real estate sales in Laurel and that's why she's moved her home there. Mr. Marshall continued by saying some of these officers have been here 14 years and are only making between \$48,000 to \$50,000. Investors see armed robberies in Delmar and drive by shootings and they get nervous. The investors control his purse strings. He stated that he's concerned about the starting salary being \$37,000.

Dana Cocheran stated that she has been with Ponds Edge for 10 years. She has put a plan together to bring quality people to Delmar. Ponds Edge is not a burden to the Town. She marvels over the police officers that work in this Town. Her reputation of winning "Delmarva's Best" year after year is because we are a safe community and that's because we have the support of local law enforcement. There's never been a time that she has picked up the phone to call the Delmar Police that they have not responded. Even the Chief was chasing a wart hog on foot. She stated that Pond's Edge basically takes care of everything so they are not a hardship to the Town. It's time to recognize the people who do make us safe. Have an open mind and think of your children and your children's children. She feels that she has not been kept in the loop as she feels she should be. If she has to move here and change her zip

code just so she can be informed, I will, but I'll be sitting up there on that side of the desk.

Mayor Wells said that just so everyone knows, this matter has nothing to do with what the Police are worth in dollars. I will tell you that my son also wears a badge and I cannot hang a price tag on his head and I don't want to. There is no amount of money worth it to me to lose my son in the line of duty. But his city has a budget and we have a budget and Maryland cannot be taxed 10% for whatever changes are coming. We are already under advisement that we're losing more officers, we know that there will be more homes built. That's a challenge that the Council knows and we're going to have to face along with anything else we're not sure about.

Mayor Wells said that she felt a little disappointed and upset. I feel like we've come a long way with our police department. I feel like we have shown you support and appreciation and feel like it's a shame that you couldn't, without collective bargaining come and explain to us what you wanted. And I don't even know if it's collective bargaining, it's just the arbitration part of it. The arbitrator takes the tax payers rights out of their hands. But if you say you want 60% of \$30,000 or whatever it is and we don't agree then there's arbitration. An arbitrator does not know the uniqueness of this community. They don't know our budgetary challenges and they don't know how 2 separate governments try to get together and combine their salaries. Lt. Alexander raised his hand to address the Commissioner and Mayor Wells said No, no more. I'm sorry that you feel unappreciated. It's obvious that there's something that you want that you feel can only be gained through collective bargaining and that's a slap in my face. I've sat at this table and I've listened to you and we were happy to give you your step in grade. Happy ! I don't know anything about compression, decompression. I don't know. I do know that the 1st year you got the pay that you wanted, plus some so you didn't get anything the second year. I know the 3rd year you didn't get anything and we gave you, I was told, 6%. I don't know, I'll have to look at the numbers. I personally feel that we could have worked something out with collective bargaining without arbitration. The point is that the Unification Agreement calls for the 2 sides to pay. It doesn't call for just one. And I don't think there's any way to do a 60-40 split. Are you going to spend 60% more time on my side of Town? Because if you don't, you did take an Oath to serve both sides. I don't even know how to work that out. And I don't think we should have to work that out. We know we need more officers, we know that there's more houses coming. I don't know what else to say to you. It's unfortunate.

Lt. Alexander interrupted the Mayor by saying if we don't push the resolution, then we don't get any more officers.

Commissioner Scholl asked why he couldn't submit paperwork that says here's what we need and then we can translate that into budget items. Lt. Alexander responded that these are the things that need to be addressed at the table. Commissioner Scholl asked why it needs to be at the table with an attorney that will force our taxpayer....Lt. Alexander said that the collective bargaining process is a sit down with the Town Manager and a representative of the police department. Plain and simple.

Commissioner Scholl feels that we do that every year with Chief at our budget sessions which is coming up in a few weeks. Lt. Alexander stated that the budget process is a different process than collective bargaining. Commissioner Scholl stated that if there's a lot of things you guys need, present it at the budget sessions.

Lt. Alexander asked Chief Barkley if in the past 2 years, you've had no say in the cops' salary. Chief Barkley responded that the only discussion that we've had about salaries was the step in grade from us. That's the only thing I presented. Mayor Wells asked if Chief was asked to present the step in grade because your officers asked you to. Chief responded that that was correct. Mayor Wells said that one of the first budget years, you, Chief, came before us and said this is what my guys are asking for. Chief said typically what we present are our capital needs and our

budgetary needs. We have not discussed, outside of the step in grade, salary and benefits. And I have not presented, outside of the step in grade, salary and benefits. Mayor Wells asked Chief if that was something he chose not to do or was it that no one came to you. Chief said that was correct, no one came up to him.

Adjournment

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

Submitted by:

Cindy Fisher
Clerk of Council