

MAYOR & COUNCIL
December 6, 2021
MEETING HELD IN-PERSON AND VIA TELECONFERENCE

Mayor Houlihan called the regular scheduled meeting of the Mayor and Council of Delmar, Delaware to order at 7:00 P.M. This meeting is available to the public, in person with limited seating and via teleconference. In attendance were Council Members Smith, Jones and Kemp. Town Manager Bynum-King, Police Chief Barkley and Clerk of Council Vondell Spencer. Guests: Mayor Benjamin Jordan, Mark Welsh, Mike Jones, Tom Bauer, Dan Feaster, Anita Heacock-Feaster, and Casandra Barkley.

Mayor Houlihan called the meeting to order and performed a roll call to confirm there was a quorum. A quorum was established.

Mayor Houlihan, announced the first order of business for this evening was a Public Hearing for the Sussex County Community Development, Community Development Block Grant Housing Rehabilitation funding.

Mr. Mike Jones, Rehabilitation Public Coordinator for Sussex County Community Development, presented the Delaware CDBG Rehabilitation Grant. Mr. Jones thanked the Mayor and Council for allowing him to have the meeting, because of this meeting we can apply for Delmar. He explained how his office applies and administers the Community Block Grant Program. He further explained this year they will be applying for close to 2 million dollars for funding this year. They apply on a competitive basis and explained that as well. A requirement of the CDBG Program is to hold a Public Hearing which gives an opportunity to explain what the program requires and update, most importantly gives the citizens and local leaders a chance to have an input on the upcoming application.

Mr. Jones explained the program applies to low to moderate income residents here in the Town and they have to be 80% or lower in the area median which is set up through HUD (Housing and Urban Development) for the 2021 year to be able to apply. To apply the income has to be \$42,100 a year for a one-person household or a family of four could make up to \$60, 000 a year or below which is one of the requirements. Historically, the majority of the funding is used for owner occupied housing. Some of the rules for this program 1.) The program does not help someone in a rental unit and the applicant can only own one home in Sussex County, 2.) The house has to be insured or insurable. 2.) 3.) The County taxes have to be paid, also the Town taxes and utilities have to be paid to date in order for them to get a building permit to do work in this Town. 5.) There has to be a time limit so the property owner does not sell the house after the work is done so a lien is put on the property. If the property owner does sell the house, then the property owner has to give back the remainder of the money left and the money goes back to the Town. If the amount is under \$15, 000 it's a five-year lien, whatever the amount is it's divvied up for five years or 60 months. If it's over \$15, 000 then it's a ten-year lien, it can go up to \$40, 000. In the last three years Delmar has received \$80, 000 from the program. Currently Delmar has six people on their waiting list. He said he left applications with Town Mgr. Bynum-King, the front office, his website www.sussexcounty.gov and his phone number (302)855-7777. Mayor Houlihan and Council Member Jones commented they thought it is a great program. Town Mgr. Bynum-King added this CDBG Program has been very successful in Delmar

for many years and has assisted many families that are economically disadvantaged. Also, the State of Maryland also has the same program which is administered in house.

Mayor Houlihan asked if there were any comments from the public. Ms. Heacock-Feaster asked how this program is advertised. Town Manager Bynum-King mentioned that the Town post the information in our quarterly newsletter and on the Town's website. There were no further public comments ended.

Mayor Houlihan read Resolution No. 2021-12-06 and the Addendum to this Resolution.

Mayor Houlihan called for a motion to approve Resolution No. 2021-12-06. A motion was made/seconded (Smith/Jones) and carried by roll call vote of 5 Ayes.

Mayor Houlihan called for a motion to approve the Amendment to Resolution No. 2021-12-06. A motion was made/seconded (Pase/Kemp) and carried by roll call vote of 5 Ayes.

Mayor's Comments

Mayor Houlihan announced since the last Mayor and Council meeting there was a Delmar, Maryland Election and we welcome three new members, Mayor Benjamin Jorden, Commissioner Cory Shaffer and Commissioner Jacob Boothe. We welcome them to our Town family and look forward to working together for the greater good of Delmar. He also thanked Mayor Karen Wells for her service to the Town. Sometimes these positions are not thankful but she did serve Delmar, Maryland, her heart was for the residents of the Town, she was our colleague, we wish her the best of luck going into private life and it was an honor to serve with her. He also recognized Commissioner Donald Scholl and Commissioner Torlando Tucker and thanked them for their service to the Town as well.

He further announced some accomplishments for the Town. Pop Warner Football won the State Championship. Delmar High School made it to the quarter finals, most importantly they beat Laurel in the last game of the regular season. The Delmar Field Hockey Lady Wildcats won another State Championship and that's six in a row. That's a statement and great accomplishments for the school. Athletic programs, hopefully in the next year we can get them here and recognize the Lady Wildcats officially in a Council meeting.

He noted in the last meeting he mentioned former Council Member Lonnie Figgs passed away and not long after that former Council Member Alan Littleton passed away as well. He served this Council well. He was very active in the Fire Department and a strong family man. He said he appreciated Mr. Littleton's service to the Town. He further noted last week former Council Member Tony Triglia passed away. He said Mr. Triglia was his mentor and he is the person who got him where he is today at this table. Mr. Triglia asked him to fill a position in the Planning and Zoning Commission as a volunteer resident and he accepted that and then he moved up into the Council position. He further said he was close to Mr. Triglia; he went to his church and he will be greatly missed. They are having services for him this week, Thursday night at Holy Redeemer Church, 6:00 p.m. -8:00 p.m. for the viewing and a Christian Mass burial at St. Francis de Sales Catholic Church in Salisbury, MD, Friday at 1:00 p.m. He sent his thoughts and prayers with all the families. He said he is aware that we have had other people here that have passed away as well and there are some people that are really sick

and having a hard time. He expressed he just wanted to keep them in our thoughts and prayers.

Approval of Minutes

Mayor Houlihan called for a motion to approve November 1, 2021 meeting minutes as prepared. A motion seconded (Kemp/Smith) and carried with a roll call vote count of 5 Ayes.

Mayor Houlihan introduced Mr. Mark Welsh as the Town's Auditor and he will conduct the FY21 Audit Presentation.

Mr. Welsh presented the Annual Audit Presentation for FY21 for Delmar, Delaware and Utilities. He highlighted the Independent Auditors Report and Management Discussion, written from the perspective of management. Mr. Welsh mentioned Delmar, Delaware had a good year. Financial Highlights: 1.) From year to year the cash went up \$712, 000.00. 2.) Capital assets net \$384, 000.00 3.) Long-term debt capital assets went down \$39,000.00. 4.) Net assets of almost \$3,000,000.00. 5.) Equity (Net Position) ended around \$5,200,000.00 for the year. 6.) The Town earned net income of almost \$1,100,000.00 however, \$500,000.00 is the Perdue property that was donated to the Town. 7.) Debt has decreased. 8.) Net income & government fund has increased \$684,000.00 exactly what the change was in the year to year in the financial position. Mr. Welsh said everything he mentioned was in the MD&A.

Mr. Welsh further presented the Annual Audit Presentation for FY21 Utility Commission/Enterprise Fund. He mentioned all the mentioned information is found in the MD&A. Financial Highlights: 1.) FY21 ended in 4,500,000.00 cash about \$398,000.00. 2.) Capital Assets was actually down but that was a little deceiving because there was over \$1,000,000.00 of depreciation but capital assets were acquired in the amount of \$357,000.00. 3.) Long-term debt \$3,400,000.00 to a little over \$2,500,000.00 however there was some bond forgiveness, Grove Street, that was \$662,000.00; that's why that went down so much. 4.) Equity position is \$16,000,000.00; \$11,000,000.00 of that is pretty much a Net Investments in capital assets. The unrestricted portion of that equity is about \$4,800,000.00 which almost equals your cash. The Utility Commission is being managed very well. Mr. Welsh commented it's great to see the Town doing so well. Mayor Houlihan said even going through COVID we are doing well and we have come a long way. Mr. Welsh agreed.

Unfinished Business

None.

New Business

None.

Committee Reports:

Student Advisory-

Angel Ibarra-Martinez introduced himself to the Council and guests. He reported: 1.) Last Saturday the High School did participate in the Delmar Christmas Parade. As Mayor Houlihan said earlier the Lady Wildcats did win their 6th State Championship and because of that the school hosted a little mini parade throughout the school. The band played in front and field hockey ladies following. 2.) There is a chorus concert this Thursday, December 9th with the high school band next Thursday, December 16th. 3.) There is also an Honors Society Election for members. Council Member Kemp added there is a wrestling tournament this weekend.

Police Chief's Report –

Chief Barkley reported: 1.) The staffing issues may have been compounded by several illnesses last month and some of our Delmar P.D. family are still going through. At least one hospitalized, we don't have updated information at this point. 2.) We have been making sure we keep a close eye on our businesses to ensure everybody has a safe holiday season. 3.) Great Thanksgiving and Great Black Friday, both without incident. 4.) Busy weekend and wonderful parade which is the largest he's seen since he's been here. Cpl. Heacooks mother did attend the parade. She rode in Cpl. Heacooks car. 5.) We had concerns of Police Survivors Blue Light Vidual last night in Dover, DE. Although it was very chilly it was very well attended and that went well. 6.) Looking forward next Friday, Nicholas Snead will graduate from the Police Academy. Mr. Snead is very eager and ready. He's been to a lot of our events and he didn't have to be here, he wanted to be here and be a part of it. The Police Academy graduation is next Friday. Those that can attend please let him know as soon as possible because he has to RSVP. 7.) There were two recruits that we were working on and one withdrew from the process at the last moment. Not a lot of explanation on that at this point so, that left them with one and not enough time to get another recruit for the January academy. We are working on additional individuals for the follow-up to the January academy class. At least one of the young men we are working on, maybe more are certified so we will see how that goes. Council Member Smith mentioned the lighting in the park went well and he appreciated Chief's attendance. Chief agreed and said we really loved the tree.

Code Enforcement Officer Report – In mail packet.

Parks and Recreation-No Report.

Public Works – In mail packet.

Utility Commission Report –

Vice Mayor Mary Lee Pase reported: 1.) The Wood Creek and Mulligan Way sewer main replacement is still unresolved between the Developer and the Contractor. They are still working on that and hopefully it will be resolved at least maybe by the beginning of the year. 2.) Last month the WTP's chlorine booster pump was not pumping enough chlorine into the system but since the last report the pump has been repaired and is pumping slightly lower at 110 within the normal range of 100 to 120. We have some great people working down there. Mayor Houlihan agreed. 3.) The Pine Street pump station had a pump failure with the alternating pump. The alarm system was sending out high alarm notices. When the pump was full it was discovered that the impeller was jammed with debris from the system. The primary pump was checked for precautionary measures

and debris was removed. The pumps are now functioning properly. 4.) The Chloride Room walls and floor are being painted and repaired as needed. We are really having some good work done in that area. 5.) The Superintendent had to order a new cylinder scale for the chlorine pumps. The existing scale was broken and not weighing properly. The Superintendent is securing quotes from a qualified plumber to re-route the copper piping currently running along the wall in the WTP. The piping was relocated to the outside wall in the Soda Ash Room.

Planning & Zoning -

- 1. Kennedy Wilson (Continuation of October 21, 2021 Agenda Item) – New Business – Milk and Honey – 500 N. Bi-State Blvd., Delmar, DE** – Ms. Kennedy presented for a new business per the attached drawings. Council Member Jones asked Ms. Wilson was she able to figure out any answers about the outdoor seating to include a barrier. Ms. Wilson answered they are investigating that, and they have a couple options that they are looking into whether it be stone or a gated barrier. She further answered they will not be putting outdoor seating by any means until those fixtures are in place. She asked should she plan on reporting back to the Mayor and Council once this part comes into place. Council Member Jones answered yes if she doesn't mind following up with them. Ms. Wilson said yes, she can do that, no problem at all. Mayor Houlihan commented from his understanding the issue of outdoor seating would have to go back to Planning and Zoning. Ms. Wilson replied that is correct.

Commissioner Lenox called for a favorable recommendation to the Mayor and Council for – Outdoor Seating – Milk & Honey – 500 N. Bi-State Blvd., Delmar, DE, per the attached drawings. A motion was made to amend the outdoor seating to include a barrier to the sidewalk and seating area. Also, Chief Barkley has to confirm the parking.

Ms. Wilson withdrew requests for the drive-thru. CDC Hardin suggested some form of a security barrier design be provided that demonstrates how the seating area would be separated from the pedestrian walk for design approval by the Mayor and Council. Ms. Wilson agreed.

Commissioner Lenox called for a favorable recommendation to the Mayor and Council for – Kennedy Wilson (Continuation of October 21, 2021 Agenda Item) – New Business – Milk and Honey – 500 N. Bi-State Blvd., Delmar, DE. The proposed coffee shop would comply with parking requirements provided a written agreement subject to Town standards be submitted to document compliance with the necessary eleven off-site parking spaces.

Mayor Houlihan announced he would have to abstain his vote because the additional parking is next door and that is a property that he owns and does business with.

Mayor Houlihan called for a motion to approve – Kennedy Wilson (Continuation of October 21, 2021 Agenda Item) – New Business – Milk and Honey – 500 N. Bi-State Blvd., Delmar,

DE. The proposed coffee shop would comply with parking requirements provided a written agreement subject to Town standards be submitted to document compliance with the necessary eleven off-site parking spaces. The motion was made/seconded (Smith/Pase) and carried by roll call vote of 4 Ayes and 1 Abstain (Houlihan).

2. **Dr. Natalie C. Jones/Delmar OB/GYN Women’s Health Services – New Sign – Unit #2, 31010 Thornton Blvd., Delmar, DE** – Dr. Natalie C Jones was not was not present at this meeting.

Commissioner Lenox called for a favorable recommendation to the Mayor and Council for – Dr. Natalie C. Jones/Delmar OB/GYN Women’s Health Services – New Sign – Unit #2, 31010 Thornton Blvd., Delmar, DE, per the attached drawings.

Mayor Houlihan called for a motion to approve – Dr. Natalie C. Jones/Delmar OB/GYN Women’s Health Services – New Sign – Unit #2, 31010 Thornton Blvd., Delmar, DE, per the attached drawings. A motion was made/seconded (Pase/Kemp) and carried by roll call vote of 5 Ayes.

Town Manager’s Report

Town Mgr. Bynum-King reported we had some staffing challenges at the WWTP due to sickness. For ten days we had one employee running the plant. They are slowly coming back online getting through the illnesses two of the employees experienced. The WWTP itself has been running well. Our superintendent can regulate the WWTP from his phone and monitor to see what’s happening.

She further reported the Planning and Zoning meeting for this month has been changed due to the holiday schedule. The meeting is scheduled for Thursday, December 16th at 7:00 p.m. In January we will resume our regular schedule. Town Hall offices and services will be closed on Thursday, December 23rd in recognition of the Christmas Holidays we celebrate, Christmas Eve and Christmas Day. The office will reopen December 27th. The Delaware Recycle Services will not be interrupted, they will still be on December 24th. She also noted our offices will be closed on Friday, December 31st in recognition of New Year’s Day.

Council Comments –

Council Member Kemp – Tony Triglia was like family to me. He went to his family reunions and Mr. Triglia’s nephew Tito was his best friend growing up. There should be something that we could do to let the family know we are also thinking about them.

Council Member Jones – He attended the Tree Lighting Ceremony, and it was nice out and it was a great thing that Greg put together. Glad to see the community out.

Council Member Smith – He would like to thank everybody that attended the Tree Lighting Ceremony. It turned out very well. He understood we have some problems with the lights now. The icicle lights were coming down. They were put up in such a hurry because we had mismanaged

basically when they were put up originally, so they were not tied together so he thinks that's why they are coming apart now. Hope everybody has a happy Holiday Season. We'll be back again next year.

Vice Mayor Pase – Just want to wish everybody a Merry Christmas. Have a safe holiday throughout. She said she started with Tony at a tougher time and we had a good time. He worked for the service of the Town, he was a great guy, and she has talked with his family and he is really going to be missed.

Mayor Houlihan – Hope everybody has a happy holiday season as well. We are almost going into half of our fiscal year January 1st. We are moving on.

Public Comments: -

1. Tom Bauer – commented the recycle day is going to be the 24th. Town Mgr. Bynum-King answered yes. He asked is there going to be a special pick-up because of Christmas. She further answered Tuesday regular garbage day. He further commented you can imagine how much garbage that it's going to be. Town Mgr. Bynum-King said she understood it's that way every year when the holiday falls the way it falls. He further commented it's just going to be so much garbage. She further said the recycle bins on Maryland Avenue is always an option. He responded he knew that and he spread the word about that.
2. Tony Russo – asked Chief how many officers did he say he was down from sickness. Chief answered most of the ones that were sick are back except for one who was incidentally had vacation during that time anyway. He further asked so it's just one officer out sick then. Chief further answered yes.

Adjournment

A motion to adjourn was made/seconded (Jones/Kemp) and carried by roll call vote with 5 Ayes.

Submitted by:

Clerk of Council
Vondell Spencer