

MAYOR & COUNCIL
August 2, 2021
Delmar Town Hall & 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 Vice Mayor Mary Lee Pase, Council Members Smith, Jones, Kemp, Lieutenant Wade, Town Manager Bynum-King, and Clerk of Council Vondell Spencer. Guests: Jacqueline Jankowski-Ford, Roberta Aldrich, Robert Aldrich, Robin Bond, Penny Glasgow, Dan Feaster, Anita Heacock-Feaster, Tom Bauer, Linda Morris, Rev. Matthew Phillips, Ben Jorden, Tina Lambert-Marzec and Pam Price.

Mayor's Comments

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

Mayor Houlihan acknowledged last month, Senator Tom Carper, Chairman of the Senate Committee on Environment, and Public Works, invited the National Rural Water Association to give testimony at a hearing on Wednesday, July 21, 2021 in Washington, DC, at the Dirksen Senate Office Building. The testimony was concerning cybersecurity vulnerabilities facing small water treatment facilities and infrastructure. The President of the National Water Association, Mr. Mike Keegan asked Mr. Rick Duncan, Director of the Delaware Water Association, if he would recommend a municipality with a small system to give testimony at the hearing. Mr. Duncan recommended Delmar because our water treatment facility is identified as a small system. Ms. Sophia Oberton, Public Works Special Projects Coordinator, Certified Water License holder in both Delaware and Maryland gave a scripted testimony that day accompanied by Town Mgr. Bynum-King.

Approval of Minutes – None.

Unfinished Business – None.

New Business – None.

Committee Reports:

Student Advisory- No Report until October.

Police Chief's Report

Lieutenant Alexander reported: 1.) There are no changes in staffing and the police department is still actively seeking applicants. 2.) Chief Barkley is still reviewing quotes for the body cameras.

Code Enforcement Officer Report – Report in Packet. Town Mgr. Bynum-King added she had a

meeting with the Code Enforcement Officer and the Community Development Coordinator today and we are going to start going back in the quadrants of town staying in certain sections to take a different approach in getting these sections cleaned up.

Parks and Recreation-No Report.

Public Works – Report in Packet.

Utility Commission Report

Vice Mayor Pase reported: 1.) The WWTP is functioning at 100%. 2.) Both clarifiers are at 100% occupation. 3.) Raw pump four is down but we had a spare in place so we are still operational. 4.) Water leaks were reported on Pine Street, Spruce Street and West Grove Street. The repairs were made in house.

Planning & Zoning

1. **Rev. Matthew Phillips – New Electric Sign/Digital Message Board – 13 West Street, Delmar, DE** – Mayor Houlihan said that a lot of renovations have been done to the church and it looks really good. Thank you for being a part of our community. Rev. Phillips said thank you.

Council Member Kemp stated the Planning & Zoning Commission gave a favorable recommendation for – Rev. Matthew Phillips – New Electric Sign/Digital Message Board – 13 West Street, Delmar, DE, per the attached drawings.

Mayor Houlihan called for a motion to accept the Planning Commission’s favorable recommendation. The motion was made/seconded (Smith/Jones) and carried by roll call vote with 5 Ayes.

Town Manager’s Report

Town Mgr. Bynum-King reported the Town is entering into audit season. The full audit will take place in September a week after Labor Day. She requested that everyone please be patient with Town personnel when making requests, they have their regular duties to perform as well as the extra task of providing requested information from the auditors.

Town Mgr. Bynum-King stated she wanted to make everyone aware the residential garbage collection in various locations throughout town is not complying with our existing policies. We will be working with the outside service provider to address the individuals directly that are violating the garbage collection policies.

Council Comments:

Council Members Kemp, Jones, and Smith had no comments.

Vice Mayor Pase – commented to always look out for your neighbors with because of the hot temperatures, someone may need your help.

Public Comments: -

1. Robin Bond asked many questions. She asked could she be given the status or progress of with the Police Department and the Town as far as communication, resolution and making progress in moving forward. She also asked hypothetically what is the logic behind giving some of the Police Officers some compensation with a lump sum payment for the past two years but still holding them back in their steps from 2018 and not changing their pay. Also, is the Town recognizing the police officers as a unit for collective bargaining or will they have to refile and go through the whole process again.
2. Anita Heacock-Feaster asked is there going to be a check cut to Susan and Matthew Heacock on Keith Heacock's behalf. Mayor Houlihan answered the check went to Susan as the surviving spouse.
3. Tom Bauer asked many questions. He asked is there an open-door policy between the officers and the Council or do they have to go through the Chief? Are they allowed to talk directly to the Council? Mayor Houlihan asked Lieutenant Alexander explained their Chain of Command process. Lt. Alexander did explain that for official matters they must discuss with the Chief and then Chief goes to the Town Manager or the Elected Officials. Mr. Bauer also asked if Mayor Houlihan talked with the Chief to get updates weekly. Also, is the paperwork being done for the body cameras. Can this body pass a vote for the police officers to have collective bargaining so they don't have to wait for SB 181. Town Manager Bynum-King advised Mayor Houlihan, he and the Council should consult with legal counsel prior to making any decisions. She suggested that this matter be placed on hold until there is an opportunity to speak with the Town's Attorney. If the Mayor wished the matter could be placed on the September meeting agenda under Unfinished Business. Mayor Houlihan agreed to not proceed with this discussion until after consultation with the Attorney.
4. Pam Price asked what the process for approving new developments and growth. It's her understanding that the Town is already at the maximum capacity because of sewer and water issues. She wanted to know when something is passed or approved is everyone included in a meeting. She wanted to know if all the Council communicated on what's going on in the Town or just a few. She said that didn't know what the process was for development approvals. Mayor Houlihan explained that all of the Council is aware of what is happening. He informed Ms. Price that a proposed project comes to the Council for the initial concept, and if approved then they move to the Planning Commission for review and compliance with the Town Planning Regs, once meeting all of the Town requirement, the Planning Commission gives a recommendation to the respective DE or MD elected body and the body upon its review either accepts or denies the recommendation.
5. Penny Glasgow made reference to the study that was done when Chief Saylor was in office. She added that the Town spent money on the study and the Council ignores all the results, which equals no support for the Police Department. She referenced the long hours the

officers put in; they cannot function when sleep deprived. A police officer needs to be on the top of their game in order to perform their job effectively. There is no way the police officers can be on the top of their game with the hours they are working. Until the Town leaders support and respect our police officers nothing is going to change. She asked how would the Council feel if their family members had to work under these conditions. Please let's put an end to this animosity and let's get back to peaceful existence.

6. Tina Lambert-Marzec commented she saw some hope for the first time in 100 days. She thanked the Council for giving the police officers compensation for not giving the raises that were due 2017 and 2018 and for making that right. She expressed it is a step in the right direction and encouraged everyone to keep the momentum going, get the pay where it needs to be, offer some hiring bonuses so some new officers can get on the street to keep everybody safe. She said she had a lot to say the last few months and she wanted to make sure that she took the time to say thank you and she want to just encourage the Council to keep doing the right thing.

Adjournment

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

Submitted by:

Clerk of Council
Vondell Spencer