

MAYOR & COUNCIL
September 7, 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: Vice Mayor Mary Lee Pase, Council Members Smith, Jones and Kemp. Town Manager Bynum-King, Police Chief Barkley and Clerk of Council Vondell Spencer. Guest: Carrie Williams, Robin Bond, Dan Feaster, Penny Glasgow, Pam Price, Anita Heacock-Feaster, Tina Lambert-Marzec, Doug Marshall, Tom Bauer and William Boyan.

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 read for the record a prepared written statement. He concluded that his written statement is to be attached to the minutes as part of the formal records.

Approval of Minutes

Mayor Houlihan called for a motion to approve August 2, 2021 meeting minutes with changes to the Lieutenant's name as amended. A motion was made/seconded (Pase/Smith) and carried with a roll call vote count: 5 Ayes.

Unfinished Business –

Mayor Houlihan stated last month there was an inquiry regarding whether or not the Town of Delmar, Delaware would recognize the Delmar Police Department as a bargaining unit. He added for the record, the Town of Delmar, Delaware will take the position we always had. He continued in saying that Delmar, Delaware will continue to voluntarily work with Delmar, Maryland under the existing joint agreement. Both Towns will work together for the good of the Towns we serve. The Delmar Police Department already has a bargaining unit in Maryland and has been in negotiations for over a year and for the most part the majority of the contract has been negotiated in pretty much every area with the exception of salaries. He concluded with as mentioned in Mayor's Comments the Town of Delmar, Delaware is working with Delmar, Maryland to financially support their efforts to bring the pay scale matter to a resolve.

New Business –

Mayor Houlihan read Resolution # 2021-09-07 – Outdoor Recreation, Parks and trails (ORPT).

Town Mgr. Bynum-King made reference that the Planning and Zoning Commission has provided a letter of support which is part of the application process required by the funding source.

Mayor Houlihan called for a motion to approve Resolution #2021-09-07. The motion was made/seconded (Kemp/Pase) and carried with a roll call vote of 5 Ayes.

Town Mgr. Bynum-King stated Town Engineer's, Davis, Bowen and Friedel submitted to the Town Council a letter of recommendation to accept a two-year warranty and bond reduction associated with Yorkshire Estate Subdivision. The letter confirms that the infrastructure, landscape and street lighting associated with subdivision has been constructed according to the approved plans. A final walk thru inspection confirmed that the remaining punch list items were completed as of, August 11, 2021. The letter of recommendation recommends that the Town recognize two-year warranty effective as of, August 11th, and the developers bond be reduced from \$200,000 to \$105,000. She added that the street lighting cost for usage will be the Town's responsibility, however the HOA is responsible for all maintenance, repairs and replacement of the decorative street light posts and lamps are the responsibility of the Home Owners Association.

Mayor Houlihan called for a motion to accept Davis, Bowen and Friedel, Town Engineer's recommendation to accept the infrastructure and streets for the Yorkshire Estate Subdivision with the two-year warranty dated effective, August 11, 2021, and also the reduction in the bond from \$200, 000 to \$105, 000. The motion was made/seconded (Kemp/Smith) and carried with a roll call vote of 5 Ayes.

Committee Reports:

Police Chief's Report:

Chief Barkley-reported 1.) Staffing is the same as it was last month. However, Recruit Coco does have provisional authority on the Delaware side. Recruit Coco will have full authority once he finishes his alert training which is School Shooting Training and Fire School. He is also finished with majority of his field training. 3.) Chief noted he will be getting in contact with the vendor in the morning for the body cameras. He also thanked the Mayor and Council for agreeing to cover the expense for the cameras. 4.) Chief noted that next week he will be away in training. During his time out of the office, Lieutenant Alexander Wade will be in the lead with his consult as necessary. 5.) The Violent Crime Grant that his department applied for was approved today. 6.) The Police Department is in need of crossing guards.

Code Enforcement Officer Report - In mail packet.

Parks and Recreation-No Report.

Public Works –

Council Member Smith reported we are beginning to accept applications because Director of Public Works, Jerome Reid, will be retiring, October 5, 2021, after 26 years of service.

Utility Commission Report

Vice Mayor Pase reported the sewer main damage that was in the Woodcreek Community, was prepared by TK Construction LLC. The developer has not paid the contractor for the service they

provided in fixing the repair. There is a meeting scheduled with the Town, Engineers, Developer and contactors to resolve this issue. Earlier today around 2:30 p.m. there was sewer blockage at Walnut Street and Spruce Street. The blockage was unclogged, and clean-up was resolved by CES.

Planning & Zoning -

There was no Planning & Zoning meeting August 26, 2021.

1. Matthew Burrier/Loakal Branch – Include Vacant Lot/Extend Tent Permit – 501 N. Bi-State Blvd., Delmar, DE –

Mayor Houlihan called for a motion to approve – Matthew Burrier /Loakal Branch– Include Vacant Lot and make it into a parking lot area, per the attached drawings and Extend Tent Permit for additional period of no later than January 1, 2022 because of renovations on the inside of the building– 501 N. Bi-State Blvd., Delmar DE, per the attached drawings. The motion was made/seconded (Jones/Kemp) and carried by roll call vote of 5 Ayes.

2. Keith Wagner – Replacement Sign – 38627 Benro Dr., Unit 1, Delmar, DE – Mr. Wagner mentioned that on the directory sign out front they are replacing the Walgreens sign and it will say Walgreen’s LabCorp.

Mayor Houlihan called for a motion to approve – Keith Wagner – Replacement Sign – 38627 Benro Drive, Unit 1, Delmar, DE, per the attached drawings. The motion was made/seconded (Pase/Smith) and carried by roll call vote of 5 Ayes.

3. Cory Harpool – Permanent Display of Advertising – 1 N. Bi-State Blvd., Delmar, DE – Mayor Houlihan said he is aware that Mr. Harpool has two, one initial 30 day and the second 30-day temporary permit for displaying his advertisement banner flags. He further said through the years and experience the Planning and Zoning Commission was not in favor of permanent banner flags and there was non-approval for several businesses in the Town of Delmar, Maryland and Delmar, Delaware and if we try to approve a permanent one that would set the wrong precedence. Mayor Houlihan expressed he would like Mr. Harpool to go back through Planning and Zoning Commission possibly in their September meeting and let them work through the Code of the stipulations and give him direction.

Mayor Houlihan called for a motion to approve a 30-day temporary permit for the display of the advertising banner flags for Stateline Auto Care – 1 N. Bi-State Blvd., Delmar, DE, per the attached drawings that were provided. The motion was made/seconded (Jones/Smith) and carried by roll call vote of 5 Ayes.

Town Manager's Report

Town Mgr. Bynum-King reported she received a call this morning from Jim Sullivan from DNREC informing her that the Chesapeake Bay Program is hosting a peer-to-peer workshop looking at facilities in Western Sussex County starting in Seaford and ending in Laurel touring their Waste Water Facilities and understanding the impacts waste water has on bay restoration. Mr. Sullivan will be sending out an email inviting elected officials to participate. The workshop will be held Thursday, October 7th. They will be providing lunch at Abbots and from there allotting time for the peer-to-peer discussion, then touring the Laurel facilities. They want the perspective from the elected officials for the peer-to-peer so, she will be supplying the Councils email and contact information so they can receive an invitation directly.

Council Comments –

The Council had no comments.

Public Comments:

1. Tom Bauer had comments and questions about what happens now that the Town is taking over, as far as, Yorkshire's roads, police patrols, street parking, lighting in the development and speed limits.
2. William Boyan commented he had construction done at his house for a new garage. He said he was upset by the treatment he was receiving from the Town's representatives for several months, as far as, the debris left behind from his new garage build. He does not think anyone in the Town of Delmar should be treated the way he was treated.
3. Pam Price commented in regards to Mayor Houlihan's opening comments. She stated that, "our voice" is for the support of the officers. She added that the Mayor on the Maryland side is who keeps everything stirred up by her social media posts. She concluded that the supporters are not going to keep quiet until they see results.
4. Doug Marshall commented he has had his own experience with the one person which he believes is the largest detriment to the Town of Delmar, William Hardin. Change is coming.
5. Tina Lambert-Marzec commented she was surprised and disappointed by the Mayor's statements in his comments.

Adjournment

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

Submitted by:

Clerk of Council
Vondell Spencer