

MAYOR & COUNCIL

June 1, 2020

Via Teleconference

Mayor Houlihan called the regular scheduled meeting of the Mayor and Council of Delmar, Delaware to order at 7:00 P.M. Due to COVID-19, the meeting is being held via teleconference. In attendance were Vice Mayor Pase, Council Members Smith and Boyan, Town Manager Bynum-King, Police Chief Barkley and Clerk of Council Fisher. Guests Guyan Allen.

Mayor's Comments

Mayor Houlihan did a roll call vote to determine if there was a quorum this evening. Having received ayes from all Council Members a quorum was established. He also called roll for key personnel, Chief Barkley, Town Manager Bynum-King and Clerk of Council Cindy Fisher were all present.

Approval of Minutes

Vice Mayor Pase made a motion to approve the May 4th minutes as circulated. Council Member Smith seconded the motion. Mayor Houlihan did a roll count vote and the motion passed with 4 ayes and 0 absent.

Mayor Houlihan informed everyone that he will not be available for the July meeting due to a scheduled family vacation. He asked Vice Mayor Pase to run the July meeting. He said that it is important for everyone to attend the July meeting, since the three of them will make up the quorum needed to have the meeting.

Old Business

The Town Manager reported that she has been contacted by former Delmar, DE Attorney Jim Wachler in reference to the transfer of the Perdue Property. The Town is still waiting to speak with the former engineer to determine if an environmental study of the property has been done. The Town Manager believes that Judy Schwartz completed a study but she is not sure. Mayor Houlihan said that he has spoken with Tommy Elliott who is farming the land. He said that Mr. Elliott informed him that he did have an arrangement with Perdue to continue farming the land. Mayor Houlihan informed Mr. Elliott that the title to the property has not been legally transferred to the Town. Mr. Elliott didn't want to lose control of the land. Mayor Houlihan said that he would rather see the land farmed instead of weeds.

Committee Reports:

Student Advisory-

Mayor Houlihan said that our Student Advisor, Danielle is a graduating Senior. He spoke of the parade planned for this Saturday at 4:00 p.m. for the Seniors who will be in cars traveling down State Street from Pennsylvania Avenue and into the School. The line-up along Pennsylvania Avenue will begin at 3:00 p.m. The High School has received all of the permitting necessary. Last week he received an email from the School, they are holding a Graduation Ceremony this Friday at 7:00 p.m. at the football stadium. There will be 2 tickets per family and they will be practicing safe distancing. There will also be 2 jumbo screens in the parking lot for everyone else to watch. They will be setting up a stage and will be passing out diplomas.

Police Chief's Report

Chief Barkley said that they will be working with the School on both events. For the Friday night event, the school is requesting 4 Officers to work. He is currently working out the logistics on that and they will be fully involved with the parade on Saturday. He has been on a conference call with Sussex County Police Chiefs regarding the protests. Many agencies are too small to handle how they will assist each other. In Dover, a call went out to this end of the State for assistance. We want to make a coordinated effort. Any response we have around the County and State, we should be able to assist in kind.

Chief Barkley said that they are still good on PPE's. He informed the Council that a few weeks ago, Patrolman Cockey tried to stop a vehicle for a stop sign violation. The occupants in the vehicle refused to stop but there was no chase. Patrolman Cockey did follow the car and it ended up getting stopped in the County by County Officers. A stolen weapon was found along with stolen ammunition.

Chief Barkley informed everyone that he will be out of the office from June 11th through June 15th in celebration of his 60th birthday.

Town Manager Bynum-King said that there has been confusion in regards to COVID-19 restrictions and the safest way in honoring and recognizing the graduating Seniors. The High School has planned a parade, unfortunately the Town was not part of that process causing some confusion if Public Works was needed to close off the streets. At first, the Public Works would be involved to close down the side streets. This is a parade that they wouldn't normally have to do, so some had to make schedule changes to be available. Then information came in that the Fire Department would be covering the side streets and the Public Works staff would not be needed. She then informed the Public Works staff that they didn't need to be involved in the parade. The following morning, she received an email again, that stated that the Fire Department would not be covering the side streets, Public Works was needed. She had to contact Public Works once again, to tell them again, that yes, they would have to monitor and close off the side streets. This body would have to approve the street closings and none was given for the closing of Pennsylvania Avenue. She said that in order for everyone to be on the same page it is important that all plans that involve the public streets or right-of-ways should receive the appropriate approvals. It was the consensus of the Delaware Council to authorize the closing of Pennsylvania Avenue for the parade scheduled on June 6, 2020 for the graduation parade.

Chief Barkley said that they weren't getting any information either. He had to assign one of his Officers for the permitting since it was not considered. The Town Manager questioned the number of vehicles and how they are coming into Pennsylvania Avenue. The Town has a limited amount of personnel available to assist. Everyone knows short-cuts around Town, but once the side streets are closed, what is going to happen? Chief Barkley said that he will have his Lt. contact her tomorrow.

Mayor Houlihan said that there was a directive from the school in an email that they are to enter onto York Street from Bi-State Blvd. He said that with COVID-19 it's been disappointing for the Seniors and the School is scrambling to get something done. But he agrees that there are certain protocols that need to be followed.

Parks and Recreation

There was not a report in the mail packets. Town Manager Bynum-King said that there won't be until Parks and Recreation gets re-established.

Code Enforcement Officer Report

The report is included in the mail packets. Mayor Houlihan did acknowledge that due to COVID-19, no rental inspections are being done.

Utility Commission

Vice Mayor Pase reported that the Stage Road Water Main project has been completed per DelDOT standards which are more stringent. An update of the incident at the Waste Water Treatment Plant, is that the Plant is running fine. There will be approximately 7 or more violations from the month of May due to the caustic spill. The Operator that was injured has been released and is back to work.

Public Works

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

Mayor Houlihan asked Town Manager Bynum-King if the Town has advertised for the vacant Public Works position. She responded “No”.

Planning & Zoning

Council Member Boyan reported that there was only one Delaware item on the Planning and Zoning agenda.

Guyan Allen- the addition of a sunroom and a front porch to 38369 Elizabeth Lane, Delmar, DE

Mr. Allen informed the Council that he received approval from the HOA for the sunroom and he did submit the certified site plan showing and labeling the setbacks that was a requirement from the Planning and Zoning Commission. The Planning and Zoning Commission had no issue with the front porch.

Upon reviewing the documentation, Council Member Smith made a motion to approve the favorable recommendation of the Planning and Zoning Commission for the addition of a sunroom and front porch for the address of 38369 Elizabeth Lane, Delmar, DE, per the attached documentation with the added fixed site plan showing the setbacks being labeled. Council Member Boyan seconded the motion. Mayor Houlihan, by role call vote, asked who was in favor of the motion. The motion passed with 4 ayes and 0 absent.

Town Manager’s Report

Town Manager Bynum-King did an overview of how the Town is coping with COVID-19. The municipal buildings are closed to the general public. Residents can get full service coming through the drive-thru at Town Hall. She stated that she did receive an email stating that as of today, all public bodies governed by the State Code may conduct “in-person” meetings in buildings but they cannot have more than 30% of the meeting room occupancy at one time. The 6-ft. radius space between each person and everyone must have face coverings. The email encouraged everyone to continue to conduct their meetings via teleconference for guest and public officials that are not comfortable attending in person meetings.

The Town Manager said that the Town does have vacancies that need to be filled. There is a need to find an Administrative Clerk for the Administrative Office, a Public Works position and as of July 1, 2020, Operator for the Waste Water Treatment Plant, Alonzo Hardy will be retiring. The Town is going to be starting advertising for those positions in “The Guide” and the Town’s Facebook page, and on the Town’s website, before we start incurring any advertising expenses from the local newspaper.

The Town Manager informed the Delaware Council that on Wednesday, June 3rd, Delmar, MD will have a Secret Ballot Election only for Delmar Police Officers from 8:30 a.m. to 2:00 p.m. for their choice of representation on

collective bargaining. The Town is going through the process for the FY'21 tax billing, preparations and mailings. The annual audit is coming up. The Delmar, DE Municipal Election will take place in October and the deadline for filing is Thursday, September 11th by 4:00 p.m.

Council Comments

Vice Mayor Pase said that her daughter will be opening up another eating establishment in Delmar, MD, at the Clubhouse in Wood Creek. They are still waiting on some permitting.

Mayor Houlihan asked everyone to stay safe and stated that we are not out of the woods yet with COVID-19.

Adjournment

Upon hearing no public comments, Council Member Smith made a motion for adjournment. Council Member Boyan seconded the motion. By a roll call vote conducted by Mayor Houlihan, the motion passed with 4 ayes and 0 absent.

Submitted by:

Cindy Fisher
Clerk of Council

