

MAYOR & COUNCIL
September 8, 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 Council Members Smith and Boyan, Town Manager Bynum-King, Police Chief Barkley and Clerk of Council Vondell Spencer. Absent. Vice Mayor Mary Lee Pase. Guests: Sherry Cummins.

Mayor Houlihan performed the Pledge of Allegiance.

Mayor Houlihan conducted a roll call to confirm there was a quorum. A quorum was established.

Mayors Comments

Mayor Houlihan mentioned Vice Mayor Mary Lee Pase's daughter passed away on August 29, 2020. He asked everyone to keep Vice Mayor Pase and her family in their thoughts and prayers.

Approval of Minutes

Mayor Houlihan called for a motion to approve August 3, 2020 meeting minutes as presented. A motion made/seconded (Boyan/Smith) carried with a roll call vote count: 3 Ayes and 1 Absent (Pase).

Unfinished Business

Town Manager Bynum-King said the caboose is still a work in progress mainly because all of the donated pine for the siding is unusable. She described the siding as having sizable knots therefore the panels were not straight. Also, she has been working with Ms. Peggy Whitley with the Historical Society and the contractor Mr. David White with TLC remodeling. Mr. White is securing quotes for Cedar and it should last over twenty or more years. He currently purchased enough cedar siding for the cupola and he is trying to secure the rest of the wood to do the body of the caboose.

New Business

Board of Election Supervisors Oath of Office

Mayor Houlihan said we have three members to serve as Board of Elections Supervisors: Barbara Bynum, Roger Martinson, and Brenda Zonko. He said the Oath of Office will be conducted this week in person with the Board of Election Supervisors at Town Hall. Mayor Houlihan described taking all precautions for COVID-19 utilizing face masks, social distancing as well as every other precaution necessary. He requested Town Manager Bynum-King schedule the Board of Election Supervisors this week.

Student Advisory Report - No Report until October.

Mayor Houlihan mentioned today was the first day of school and he is still planning to reach out to Ms. Richie to inform her the Town of Delmar would like to have two student advisors one for Delaware and one for Maryland.

Police Chief's Report – No Written Report Submitted

Chief Barkley-reported school is back in session as of August 31, 2020 and Officer Jeffrey Novak is back on duty at the school. He mentioned that crossing guard Ms. Rose found other employment, so he needs to find a replacement. Mayor Houlihan said we should fill the position of crossing guard ASAP. Chief Barkley further reported Officer David Brown was out with a foot injury but will return to work August 9, 2020. He further reported his department is assisting Code Enforcement with several forced accounts and the department is tied up providing information and numbers for the new Police Reform Bill for MD and DE. Chief Barkley also reported the officer in the academy is doing well. He described the academy is split into virtual and in-class learning for social distancing with their efforts in the academy.

Code Enforcement Officers Report

Mayor Houlihan informed everyone that the report is in the mail packets. Mayor Houlihan said CEO Liz Peek is performing her job the best she can despite COVID-19. Town Mayor Bynum-King said we had a massive cleanup on the Alberti Property on York and Pennsylvania Ave. The property owner was displeased with our efforts to clean up the property. She said we had to call in our police department to come and provide support to our personnel as we were having the property cleaned. Town Manager Bynum-King further said Mr. Alberti sent her a letter that stated the chemicals associated with the type of business he conducted out of that building required special guidelines for disposal. She said Mr. Alberti wanted the Town of Delmar to hold him not responsible for any future issues of contamination to the soil/ground and potentially Town water. She said she was assured that the methods that were used by the contractor were very careful. There were some items that Mr. Alberti moved from the property after Public Works left the first day. Upon the Town's arrival on the second day to Mr. Alberti's property, they discovered a mess of the property which he said Public Works was at fault. Mr. Alberti, his son and a third person stayed behind after the first day to take some of the items that couldn't be taken by the Town until the second day and as they were moving items the truck they were using with large tires got in the soft ground, causing a lot of deep ruts on the property. Mr. Alberti blamed the Town for the ruts, however Mr. Chad Passwater was using a Skidder Bobcat that had tracks, he was able to maneuver across the ground without getting stuck. She reported that Mr. Passwater used the skidder to pull the stuck vehicle out of the mud. Town Manager Bynum-King further said she wanted to make the Mayor and Council aware of this issue. She was made aware by Code Enforcement, that Mr. Alberti is identifying other violations throughout Town and inquiring the statuses of the properties. She said she is sure this will be a long process with Mr. Alberti. Mayor Houlihan said Mr. Alberti was given a year's notice and a month before notice before the clean-up. Mayor Houlihan further said we are doing our job and the property definitely needed to be cleaned up.

Parks and Recreation Report – No Report

Public Works Report – No Written Report Submitted

Mayor Houlihan questioned Town Manager Bynum-King about the two new hires and the tropical storm clean-up. She replied things have leveled out for Public Works after providing all the community assistance during the storm. She said Public Works is still running behind on the weedwacking on the curb gutter areas and some areas are worse than others but our new employees are doing exceptionally well. Town Manager Bynum-King said the

new hires are helping each other and learning quickly. She added in addition, to cleaning the curbs and gutter areas, Public Works has had to make a few water leak repairs.

Utility Commission Report

Council Member Smith said the meeting scheduled 9/8/2020 was not held due to technical difficulties. The next meeting will be held on 10/5/2020.

Planning & Zoning

Sherry Cummins-Toadaly Primitives-New Sign and Flag at 603 A Bi-State Blvd., Delmar, DE-

Ms. Cummins said the front sign on the window facing East is a 36 in x 48 in clear vinyl window cling. The sign will be see through except the business name and description. Also, 3ft x 5 ft nylon flag will be taken inside at the end of every workday. Mayor Houlihan asked for Ms. Cummins to elaborate on what type of business this will be. Ms. Cummins replied antiques, primitives and home décor.

Council Member Boyan reported that the Planning and Zoning Commission gave a favorable recommendation to the Mayor and Council for the Toadaly Primitives new sign and flag proposal at 603 A Bi-State Blvd Delmar, DE 19940, per the attached drawings.

Mayor Houlihan called for a motion to accept the Planning Commission's favorable recommendation. The motion was made/seconded (Smith/Boyan) and carried by roll call vote with 3 Ayes and 1 Absent.

Town Manager's Report

Town Manager Bynum-King said she sent notifications to Mayor Houlihan, Vice Mayor Mary Lee Pase, Council Members and Chief Barkley regarding a phone call and follow-up email received from Chief Executive Officer of Out Loud, LLC. Jalyn Powell. Ms. Powell will be hosting a peaceful demonstration in Delmar, DE to continue the efforts to shed light and promote the need for change in areas of racial equality and social justice issues. She further said Ms. Powell has had two peaceful demonstrations in Milford, DE and Georgetown, DE. Additionally, to her knowledge and Chief Barkley could substantiate that both reported demonstrations were peaceful and without incident. She said the demonstration will occur September 20, 2020 between 4:00 p.m. and 6:00 p.m. The Demonstration starting point will be at State Street Park walking on the sidewalks. Therefore, no street closures are necessary. Town Manager Bynum-King further said participants will walk from State Street to Bi-State Blvd. to Lincoln Avenue to Eighth Street, down Grove Street back to the park to disband.

She further mentioned she received a letter from Ms. Peggy Moore on behalf of St. Stephen's United Methodist Church. The church is planning a prayer walk on Saturday September 26, 2020 at noon and the walk will be in conjunction with the prayer march that will occur in Washington, DC on that same day as well as during the same time period. She said participants will be walking on the sidewalks. Therefore, street closures are unnecessary. Additionally, participants are going to have two groups walking in the same direction but on both sides of town with water stations at the park and Renovate Church on the Maryland side at the corner of Eighth Street and on Grove Street. Ms. Moore said she wanted to inform Mayor and Councilmembers of the walk and everybody is welcome to come and walk and pray for this country. Ms. Moore further said individuals interested in joining the walk should meet at St. Stephens's parking lot at noon on Saturday, September. 26, 2020.

Town Manager Bynum-King said Delmar, DE will have an election this year on October 5, 2020 from 7:00 a.m.-7:00 p.m. She said this year due to the pandemic and our efforts to try to maintain safety and social distancing measures we are going to have the election at Town Hall. She mentioned Sussex County Board of Elections would only have an issue with the election location being at Town Hall, because they would not deliver the voting booths to the Maryland side of Town. The Town would not have to borrow the voting booths from Sussex County Board of Elections because we have our own portable booths that were donated to from Wicomico County. The deadline for candidacy filing is on Thursday, September 10, 2020.

Town Manager Bynum-King mentioned at the Planning and Zoning meeting last month and this evening to the Mayor & Delaware Council about an upcoming workshop on September 10, 2020 at 7:00 p.m. via ZOOM for the Delaware Comp Plan Amendment. She said the Comp Plan was supposed to be certified by October 2020, however, our process was delayed and an extension was granted by the state until April 2021 to get the plan certified. Additionally, we have consulted with a planner which has already completed the initial preliminary draft of the Comp Plan putting structure to the set-up for a new or an updated Comp Plan. Everyone is encouraged to join, participate and express your thoughts and ideas during the power-point presentation because the input would be helpful as we move forward in this journey. Mayor Houlihan inquired if this was our five-year renewal? Town Manager Bynum-King replied this is our ten-year certification the plan has to be certified every 10 years by the Governor. She explained the planner has a good grasp of balance how to develop going forward and also the pitfalls we may encounter as a result like the overall impact of the annexed 500 acres of land from several years ago. She further explained the planner pointed out during one of their discussions, if in fact, those properties were built out the overall impact it will have on the town and on the schools as well. All of the infrastructure would be significantly impacted as well. Going through this planning process makes us think about what kind of growth, how we want to grow, and what impact that growth is going to have on our Town. She further said, we don't want to send our kids to other school districts but with proper planning we can grow responsibly and keep the kids in the schools in our town.

Town Manager Bynum-King mentioned as part of the community participation a post was put on the Town Facebook page and we did get several surveys back from residents that had some very good input. If for some reason Mayor and Council members cannot attend the workshop look through the first draft its about 35 pages. If you have any ideas or thoughts please email me or join the ZOOM meeting for the future of our community.

Town Manager said the Town of Delmar received a notification from Mr. Brad Whaley the Director of Sussex County Housing and Rehabilitation Program advising that Delmar received \$80,000.00 of Community Development Block Grant Funds for Housing Rehab. She believes we have five families on the waiting list and if they are still interested and meet the income qualification and home owner qualification, they can receive funds to have their homes rehabilitated. CDBG is a great program and it has provided much assistance to ensure the good quality of life for families that have been living in substandard living conditions and are financially disadvantaged. We will be helping some home owners with either roofing, heating/air windows, electricity and plumbing updates.

Commission Comments

Council Member Smith inquired if Town Manager Bynum-King would contact Georgetown, DE about the trailer that sat on wheels used for last year's Lighting Ceremony. He said the ceremony will be the first day of Advent, November 29, 2020, at 6 p.m. He further said the cost for the trailer last year was \$500.00. Council Member Smith

also mentioned he is unsure if the tree is going to live and the tree has been sprayed twice. The tree may have mites destroying it. He made contact with a tree representative in Pennsylvania if another tree is needed and the event will still be held. Town Manager Bynum-King replied she would contact Georgetown and she would also reach out to Sussex County Council Member Rieley to sponsor this event again this year.

Public Comments - None

Adjournment

A motion to adjourn was made/seconded (Boyan/Smith) and carried by roll call vote with 3 Ayes 1 Absent.

Submitted by:

Vondell Spencer
Clerk of Council