

MAYOR & COUNCIL

November 4, 2019

Vice Mayor Pase called the regular scheduled meeting of the Mayor and Council of Delmar, Delaware to order at 7:00 P.M. In attendance were Council Members Smith, Boyan and Holmes, Mayor Houlihan arriving late, Town Manager Bynum-King, Police Chief Barkley and Clerk of Council Fisher. Guests: Mark Welsh, Dylan Brown and Chris Brown.

The Mayor and Council performed the Pledge of Allegiance.

Mayor's Comments

Vice Mayor Pase informed everyone that Mayor Houlihan is currently administering the Oath of Office to the newly elected Fire Department Officers. He will be in attendance shortly.

Approval of Minutes

Council Member Smith made a motion to approve the October, 2019 minutes as circulated. Council Member Boyan seconded the motion which passed with 4 ayes and 1 absent.

New Business

Mark Welsh- TGM Group –Annual Audit Review

Mr. Welsh stated that they have completed the audit for the Utility Commission, the Delaware Council and the Maryland Commission. He will be reviewing the Utility Commission and Delaware Council audit this evening.

Utility Commission- Mr. Welsh stated that in the Independent Auditors Report, the Utility Commission was given an Unqualified Opinion. This is the highest standard given.

Net Profit- \$250,111

Equity is almost \$16 Million (\$15,970,472)

Cash is \$4.3Million

The Balance Sheet indicates that the Utility Commission has over \$1 Million in depreciation and shows a \$1.3 Million cash increase.

Mr. Welsh stated that he thinks of the Utility Commission as a business which is being run very well.

Delaware- Mr. Welsh stated that in the Independent Auditors Report, Delmar, Delaware was given an Unqualified Opinion which is the highest standard given.

Mr. Welsh said that Delmar, Delaware paid off \$23,000 in long term debt and paid off one capital lease.

Net Position- almost \$4 Million-(\$3,947,152)

Cash Investments are almost \$1.5 Million

The comparison given is for 4 years and shows the Net Capital Assets as being close to \$2.5 Million. The Town has been in a positive motion over the past 4 years.

Mr. Welsh stated that he knew this was a lot to take in and absorb and if anyone had any questions, they could contact the Town Manager or his office.

Mayor Houlihan asked about the Town's contract with the TGM Group. Mr. Welsh said that this coming Tuesday, will be the end of their 3 year contract with the Town.

Old Business-

Mayor Houlihan stated that Sussex County awarded the Town the \$125,000 as a grant for the project on Stage Road for the Regional Business Commercial District. They want their money back, which the Town will do. The Town still has the money from the Utility Commission and the State of Delaware. The Town already has an accepted contract with a contractor. Mayor Houlihan said that Mr. Welsh informed them that Delmar, Delaware has money in their reserve. The Town has written documentation that Perdue is donating the land to the Town at a value of \$280,000. Mayor Houlihan suggested that the Mayor and Council take a loan out of their reserve of \$125,000 to keep the Stage Road project going. When the Town decides to sell the property with the completed infrastructure, it would be worth more than what the donation value is and they can repay the loan back and the project will be completed.

Council Member Holmes questioned the authenticity of the donation from Perdue. Town Manager Bynum-King provided to him a letter from Perdue's Legal Counsel. Council Member Holmes said that he was informed by Sussex County that the County did not want to penalize the Town, but they wanted us to find an anchor for that location. He questioned the guarantee that the Town would get back that \$125,000. Mayor Houlihan said that once the infrastructure is in place, and we sell the property we would at least be able to pay back our investment in the project. The project already has a contract on it, and invoices have been created. The Town has spoken with one contractor who is willing to work the bid down to match our funding. We have an opportunity to add more value to the land and the land going north.

Town Manager Bynum-King stated that the County asked that we put laterals in to serve all the homes in the County in case one day they would want to connect. That cost associated with installation of the laterals drove the price of the project up. We reduced all of the associated costs to where we need to be financially.

Mayor Houlihan asked for a motion to allocate \$125,000 from the Fund Balance Reserve to fund the infrastructure project on Stage Road for the Regional Business Commercial District. Council Member Smith made that motion which was seconded by Council Member Boyan. The motion passed with 5 ayes and 0 absent.

Committee Reports:

Student Advisory

There was no one present to give a report. Mayor Houlihan stated that this evening is the National Honor Society induction. Our advisor is a member of the National Honor Society.

Police Chief's Report

Chief Barkley stated that they are using the new form in reporting their statistics. Officer Richard Cockey graduated in June and has completed his first segment of field training. He is able to work on the Maryland side independently. He needs to complete all of the Delaware training and is working in tandem with other officers for the Delaware side. He should be certified by February, 2020.

Chief stated that they hired Rosemary Sacer in October as the replacement Crossing Guard. He has already gotten feedback from the school that they are pleased with her and her interactions with the students.

Officer Brown has started his K-9 training with Roxy and the training should be completed by the end of the month.

Chief Barkley said that he will have extra officers on foot patrol in the business districts since it is the time of year that things start to happen.

Vice Mayor Pase said that some members of the community informed her that they saw officers patrolling on Halloween. Chief Barkley said that everyone seemed to behave themselves that evening.

Chief Barkley spoke about the paving project on Rt. 13 and how it has not been unusual to have 3-4 accidents a night. Most of it is due to drivers not paying attention.

Parks and Rec. report

Town Manager Bynum-King reported that there was not a quorum for the last Parks and Rec. meeting.

Code Enforcement Officer Report

Mayor Houlihan reviewed the report that was included within the mail packets.

Fire Department Report

No one present to give a report and no report was included within the mail packets. Mayor Houlihan reported that they are having their meeting right now. Joey Morris, Jr. is the new fire chief and Andrew Rementer is the new President. Mayor Houlihan stated that he did attend the Sportsman's Give-a-way this past weekend. He was informed that they sold all 5,000 tickets.

Utility Commission

Vice Mayor Pase reported that the east tertiary clarifier arm drive at the Waste Water Treatment Plant needs to be replaced and the flocculation drive needs to be repaired. The low bid for that is \$79,250. She also reported that as of tomorrow, there will be a new Superintendent of the Waste Water Treatment Plant who is a 5A licensed operator and has a lot of wastewater treatment experience.

Public Works

Council Member Smith review the report that was included within the mail packets.

Planning & Zoning

Council Member Boyan reported on the following:

Matt Whalen- Construction of 10' by 15' sunroom at 11665 Buckingham Drive, Yorkshire Estates, Delmar, DE

Upon reviewing the documents provided and hearing no comments from the Council, Council Member Smith made a motion to accept Planning and Zoning's favorable recommendation to the Mayor and Council for the construction of a 10' by 15' sunroom at 11665 Buckingham Drive, Yorkshire Estates, Delmar, DE per the attached documentation. The motion was seconded by Council Member Boyan and passed with 4 ayes and Council Member Holmes abstaining.

Chris Brown- Ryan Homes- New home build on Lot 153, located at 11731 Buckingham Drive, Yorkshire Estates, Delmar, DE

After reviewing the documents provided and hearing no comments from the Council, Vice Mayor Pase made a motion to approve the favorable recommendation from the Planning and Zoning Commission for the new home

build by Ryan Homes on Lot 153, located at 11731 Buckingham Drive, Yorkshire Estates, Delmar, DE per the attached documentation. Council Member Smith seconded the motion which passed with 4 ayes and Council Member Holmes abstaining.

Chris Brown- Ryan Homes- New home build on Lot 186, located at 11700 Buckingham Drive, Yorkshire Estates, Delmar, DE

After reviewing the documents provided and hearing no comments from the Council, Vice Mayor Pase made a motion to approve the favorable recommendation from the Planning and Zoning Commission for the new home build by Ryan Homes on Lot 186, located at 11700 Buckingham Drive, Yorkshire Estates, Delmar, DE per the attached documentation. Council Member Boyan seconded the motion which passed with 4 ayes and Council Member Holmes abstaining.

Memorandum for revision of house builds on Lots 142 and 143 in Yorkshire Estates, Delmar, DE

Upon reviewing the Memorandum (which will be attached to these minutes) written by CDC Hardin, and hearing no comments, Council Member Smith made a motion to accept the favorable recommendation from the Planning and Zoning Commission to approve the Memorandum written by CDC Hardin in reference to the revision of house builds on Lots 142 and 143 in Yorkshire Estates, Delmar, DE, per the documentation. Council Member Boyan seconded the motion which passed with 4 ayes and Council Member Holmes abstaining.

Town Manager's Report

Town Manager Bynum-King said that she has not received any follow-up from former Mayor Niblett on the response from the V.F.W. on partnering with the Town purchasing and displaying Veteran's banners.

She did say that she has spoken with the Town's engineers in reference to the comments made by Council Member Boyan last month on the street and sidewalk issues on Grove Street. The Engineer said that they no longer have the video for Phase I of that project, they typically dispose of the videos after the warranty period expires. The Town Manager informed the Council that she confirmed with Public Works that the concrete project to address the crumbling sidewalks to eliminate trip hazards in various locations throughout Town has not started yet. She also added that the Town engineer, Aaron Goller, advised her that the spidering and cracking of the streets is consistent with the asphalt wear that is approximately 15-20 years old. The Public Works Director and engineer personnel will perform a walking assessment of street conditions on Grove Street from 8th Street to 6th Street.

The Town Manager informed the Council that the Pennsylvania Avenue paving project between Grove Street and York Street has been approved for funding by Representative Dukes and Senator Richardson. The contractors are on site and performing pre-paving improvements that include rebuilding 2 catch basins. The storm drain under the roadway will also be replaced prior to the street being paved.

She reminded the Council that the Town's offices and services will be closed Monday, November 11th for Veteran's Day. The Citizen of the Year banquet is being held the same night as the Maryland Commission meeting. She and neither of the Maryland Officials will be able to attend.

The dinner invitations for the Town's Staff and Volunteer dinner have been sent out by the Clerk of Council. Please RSVP soon and if you are bringing small children, please provide their names and ages.

The Town Manager stated that the Town got through the audit very well, as indicated this evening by Mr. Welsh.

Council Comments

Council Member Boyan indicated that he has seen a powered wheelchair in the evenings that does not have any headlights. He questioned if that was allowed. Chief Barkley stated that motorized chairs are not required to have any lights.

Council Member Holmes has asked the Director of Economic Development for Sussex County to attend the December meeting. He will give a presentation for funding to entice businesses to the Rt. 13 corridor.

Council Member Smith said that St Stephen's Church is now selling lights for the Love Light Tree. He will be picking up the tree this weekend which is located just over the Pennsylvania line. The price is still \$5.00 per light.

Vice Mayor Pase said that she thought the audit report went well.

Mayor Houlihan said that the Town of Delmar, Delaware should be proud of themselves for their fiscal responsibility.

The Christmas Parade is set for December 7th. He has completed the application for the Town to be in the parade. He needs to know who would be participating in the parade for the announcers.

He also stated that the Delmar Girls Field Hockey team is in the play-offs. He informed everyone that this Friday evening is the last home game for Delmar football.

Adjournment

Vice Mayor Pase made a motion for adjournment which was seconded by Council Member Boyan. The motion passed with 5 ayes and 0 absent.

Submitted by:



Cindy Fisher

Clerk of Council