

Council Re-Organizational Meeting

May 14, 2018

7:00 p.m.

The council re-organizational meeting of Mayor and Council was held on the above date and time with Council members Carrow, Smith, Dias and DeBenedictis present with Mayor Letterman presiding. Recording Secretary Sue Muncey, Town Foreman Jeff Hurlock, Sergeant Harvey Scott, Town Solicitor Scott Chambers, Justice Vaughn, Tom Ford, and Lloyd C. Moses were also in attendance.

1. **Call to Order** - Mr. Letterman called the meeting to order at 7:00 p.m.
2. **Pledge to the Flag** – Ms. DeBenedictis led the Pledge of Allegiance.
3. **Approval of Minutes** –

Mr. Carrow made a motion to accept the Council Meeting minutes from 04/09/18 in written form. Mr. Dias seconded the motion. Motion carried unanimously.

4. **Approval of Income and Expense Report** –

Mr. Dias made a motion to approve the Income and Expense Report. Mr. Smith seconded the motion. Motion carried unanimously.

5. **Communications** – Ms. DeBenedictis read a letter dated 4/16/18 from Comcast and a letter dated 4/20/18 from Boys & Girls Clubs of Delaware.
6. **Report of the Chief of Police** – Mr. Scott stated the officer that was out on medical leave is returning to duty on Thursday. One Tahoe has been outfitted. It just needs to have the computer equipment installed. The second Tahoe will be at Div. Comm. for the next few weeks.
7. **Report of the Town Foreman** – Mr. Hurlock stated he will give a full ice storm report at next month's meeting.
8. **Report of the Town Solicitor** – Mr. Chambers had no report.
9. **Report from Inspections/Enforcement** – Mr. Hurlock had no report.
10. **Reports from Members of Council**
 - a. **Report from Electric Committee** – Ms. DeBenedictis stated power was out for approximately 1 hour and 40 minutes on Saturday. Took a lightning strike by Southern States. Mr. Hurlock stated there is no fuse protection in that area. No damage to the substation. DP&L had to come in and reset. They re-energized it. Mr. Hurlock stated fuses cannot be put too close. The area from Clayton Elementary and back and the old fertilizer

plant has no protection. Mr. Letterman asked if this has been affected in recent memory. Mr. Hurlock stated no. Ms. DeBenedictis stated the town is spoiled. We rarely loose power.

- b. Report from Street Committee** – Mr. Smith had no report. Mr. Hurlock stated Gander Drive is scheduled within the week. Mr. Letterman stated we will have a project on Reed Street. Mr. Hurlock stated we are receiving money from legislation for N. Need Street. We are getting a cost estimate.
- c. Report from Water & Sewer Committee** – Mr. Dias had no report.
- d. Report from Equipment Committee** – Mr. Smith had no report.
- e. Report from Personnel Committee** – Mr. Carrow had no report.
- f. Report from Police Committee** – Mr. Dias had no report.
- g. Report from Budget Committee** – Mr. Smith had no report. A meeting has been scheduled for June 14 at 6:30 p.m.
- h. Report from Economic Development Committee** – Mr. Carrow stated the bench has been put out by the post office. The other locations will be at Town Hall and the intersection of Main and Bassett Street.
- i. Report from DEMEC** – Ms. DeBenedictis stated on June 7 DEMEC is putting on a Tool & Truck show from 10 – 12. Food is being provided. Efficiency Program – a press release was put out in the Sun Times. Legislature – they are trying to raise the RPS to 50%. DEMEC met with Senator McDowell. A committee will be formed to discuss. Senate Bill 189 – not reporting underground faults.
- j. Report from Board of Adjustments** – Mr. Hurlock stated a meeting is scheduled for May 30 at 7:00 p.m. to discuss a 7' side variance for an addition at 202 Clayton Avenue.
- k. Report from Planning & Zoning Committee** – Mr. Hurlock referred this to Mr. Letterman. Mr. Letterman stated the committee accepted the rough draft of the plan. A Public Hearing will be scheduled on June 11 at 6:30 p.m. If it is sufficient with no major changes, then it will be brought before Council to pass on for Plus Review with the State.
- l. Appeals Board** – Mr. Hurlock had no report.

11. Unfinished Business

- a.** No unfinished business.

12. Swearing in of Town Council Members – Justice Vaughn swore in Mary Ellen DeBenedictis and David Letterman.

a. Election of Officers

Mayor (President) of the Council – Ms. DeBenedictis nominated David Letterman for Mayor. Mr. Smith seconded the motion. Motion carried unanimously.

Vice Mayor – Mr. Carrow nominated Alexander Dias for Vice Mayor. Ms. DeBenedictis seconded the motion. Motion carried unanimously.

Secretary – Mr. Smith nominated Mary Ellen DeBenedictis for Secretary. Mr. Dias seconded the motion. Motion carried unanimously.

Treasurer – Mr. Dias nominated Nick Smith for Treasurer. Mr. Carrow seconded the motion. Motion carried unanimously.

Assistant Treasurer – Ms. DeBenedictis nominated William Carrow for Assistant Treasurer. Mr. Dias seconded the motion. Motion carried unanimously.

b. Appointment of Committees – Mr. Letterman stated all the committees will remain the same. The name of the Police Committee will be changed to Public Safety Committee. A member of the fire company and EMS will be added to the Public Safety Committee. This has been approved by all Council members.

13. New Business –

a. Request to be put on the Town Council Agenda – Lloyd Moses. – Mr. Moses stated his box truck was towed without formal notice. Mr. Moses stated it sat there for eight (8) years. It was used for storage. Nine (9) months ago he was approached by Tom Ford. Using for storage for restaurant equipment. Mr. Moses stated Mr. Ford said if I moved the Tacoma truck I wouldn't make you move the box truck. Mr. Moses left a message for Jeff – didn't return call. A sticker was put on the tenant's door in reference to the box truck. No response from Jeff. Mr. Moses stated he wrote a letter to the Town. The ground was soft. The tires were rotted from sitting for so long. Copies were given to Jeff and Tom Ford. Mr. Moses stated he needed 60 days. He never received a reply. Mr. Moses stated he was in the area and saw the truck being towed. No one replied to me. I have a lot of equipment in the truck. Officer Scott was there. Took pictures of the equipment. Mr. Moses had to pay \$400 to get the truck released. This was not done properly to me.

Mr. Letterman stated the request stated no contact was given. Mr. Letterman read Mr. Ford's notes on 10/25/17. This is a Town Ordinance violation. You were in noncompliance. This was not addressed before because we were short staffed. On 10/31/17 Mr. Ford met you in person and discussed violation of Section 3.3 and 5.5. On 2/21/18 formal written notification was sent by U.S. mail. We gave 15 days each time. Mr. Letterman stated that he and Jeff discussed the

letter written by Mr. Moses and gave 30 days since this has been going on since October 2017. Mr. Letterman stated from what he can see, you were contacted 12 times. Mr. Letterman stated this could have been towed in October 2017. Mr. Letterman continued to say that officers have towed 20 to 30 vehicles all over town from complaints. The ordinance is in place for every citizen in town.

Mr. Moses stated this is not true. Mr. Letterman read the address the letter was sent to by U.S. mail. Mr. Moses confirmed the address. Mr. Moses stated he never received.

Mr. Letterman stated he was not going to argue with him. Fifteen days lapsed long ago. You admitted in your own letter that the truck had to be removed.

Mr. Carrow asked Mr. Ford if everything was backed up by a complaint log. Mr. Ford stated yes. It could be used in court.

Mr. Letterman stated to Mr. Moses that we went over and beyond giving him seven (7) months instead of 15 days.

Mr. Moses stated we have his official address. It was not legal to put on tenant's door. Mr. Letterman stated the building has several doors. Mr. Moses stated a sticker was put on the tenant's door. Mr. Letterman stated but you got the message. Mr. Moses stated the tenants have nothing to do with this. Mr. Smith stated it is a rental property. We assumed it could have been the tenant's equipment.

Mr. Letterman stated we addressed your issue. Mr. Moses advises you send letters registered. Mr. Letterman stated no problem. We will take the advice. Ms. DeBenedictis stated on 10/13/17 Mr. Ford met with you on the property.

14. Public Forum – No comment from the public.

15. Adjournment

Mr. Dias made a motion to adjourn the meeting. Mr. Smith seconded the motion. Motion carried unanimously. Meeting was adjourned at 7:44 p.m.

Recording Secretary,

Sue Muncey