

Council Meeting

March 8, 2021

7:00 p.m.

The council meeting of Mayor and Council was held on the above date and time with Council members Smith, Carrow, DeBenedictis, and Burnett present with Mayor Dias presiding. Recording Secretary Sue Muncey, Town Foreman Jeff Hurlock, Chief Carl Hutson, Town Solicitor Gary Junge, Robert J. Lightcap, John M. Pridemore, and Jeff Henderson were also in attendance.

1. Call to Order - Mr. Dias called the meeting to order at 7:00 p.m.

2. Pledge to the Flag – Mr. Dias led the Pledge of Allegiance.

3. Approval of Minutes –

Mr. Carrow made a motion to accept the Council Meeting minutes of 02/08/21, the Electric Committee Meeting minutes of 02/10/21, the Street Committee Meeting minutes of 02/11/21, and the Budget Meeting minutes of 02/17/21 as presented in their written form. Ms. DeBenedictis seconded the motion. Motion carried unanimously.

4. Approval of Income and Expense Report –

Mr. Smith made a motion to approve the Income and Expense Reports for February 2021 as presented in their written form. Mr. Burnett seconded the motion. Motion carried unanimously.

5. Communications – No Communications

6. Report of the Chief of Police – Mr. Hutson stated there were 275 calls for service, 216 traffic arrests, and 46 parking tickets. The parking tickets were up due to the snow removal. Mr. Hutson stated they are implementing Guardian Tracking. The Town of Smyrna and Cheswold currently use the program. It can track disciplines, commendations, training, etc. The Town of Smyrna and Cheswold are assisting the town with its implementation. Mr. Dias asked about the cameras. Mr. Hutson stated they are ready to go. He stated we are currently in the que to have them installed. It was delayed due to the weather. Mr. Smith asked about the man hours for January and February. He stated it showed 100 hours. This is higher than last year. Mr. Hutson stated the two (2) SRO's are not in school full time right now. We have two (2) additional officers patrolling the streets.

7. Report of the Town Foreman – Mr. Hurlock stated they had a few minor snow and ice storms which caused his department to have overtime. Street repairs will start shortly. There was a 6" water main break on Wheatley's Pond Road at Rodney Street. The sidewalk will need to be repaired shortly. Yard waste containers were delivered. We have distributed about 100 containers to residents. The yard waste collection truck was delivered this past Thursday and is ready to go into service. The renovation is complete on the Public Works office area. They are just waiting

on some items for the conference room. We have a large screen TV for training. Mr. Hurlock stated Melissa did a nice job with the renovations. Mr. Hurlock told Mr. Hutson that Public Safety could use the conference room if they need it for training or meetings. It is a nice conference room area. Ms. DeBenedictis said it is good that the building is being used properly. The roof replacement should start soon for the bay area of the shop. Mr. Hurlock stated the Personnel Committee should start moving forward to finding a replacement for the employee who is retiring. The employee will be retiring in April or May. The person they were looking into does not want to do it. Mr. Hurlock stated he would like the Personnel Committee to set guidelines for employees to obtain a CDL license for employees who currently do not have one. Mr. Hurlock stated Personnel needs to put a policy in place.

8. Report of the Town Solicitor – Mr. Junge had no report.

9. Report from Inspections/Enforcement – Mr. Hurlock stated 22 new home permits were issued and 15 renovations permits were issues so far in 2021. Mr. Carrow asked with the amount of permits being issued, will his staff be able to cover it. Mr. Hurlock stated he has a part time position that is budgeted. Mr. Carrow asked about code enforcement. Mr. Hurlock stated he doesn't really do much with the inspections. He stated the code enforcement officer has been keeping busy. Mr. Hurlock stated we are under budget restraints as far as hiring a full time person. Ms. DeBenedictis asked if our current code enforcement officer wants more hours. Mr. Hurlock stated no.

10. Reports from Members of Council

a. Report from Electric Committee – Ms. DeBenedictis had no report. Mr. Burnett stated he is still gathering information on Tantalus. He stated he has a scheduled meeting with the Town of Smyrna. Mr. Burnett stated we will need to schedule another Electric Committee meeting.

b. Report from Street Committee – Mr. Smith had no report. Mr. Carrow asked Mr. Hurlock if they picked streets out. Mr. Hurlock stated no. He stated they usually pick out two or three. It depends on what funds they have available.

c. Report from Water & Sewer Committee – Mr. Burnett stated he is still gathering information. Mr. Hurlock, Mr. Burnett, and Artesian will have a meeting. A Water & Sewer Committee meeting will be scheduled in 30 days.

d. Report from Equipment Committee – Mr. Smith stated the trash truck has been delivered.

e. Report from Personnel Committee – Mr. Carrow stated a meeting will be scheduled to discuss the upcoming open position and a policy for obtaining a CDL license.

f. Report from Public Safety Committee – Mr. Dias had no report.

g. Report from Budget Committee – Mr. Smith had no report.

h. Report from Economic Development Committee – Mr. Carrow had no report.

- i. Report from Downtown Development Rebate** – Ms. DeBenedictis stated they will be having a meeting soon.
- j. Report from DEMEC** – Ms. DeBenedictis stated DEMEC purchased 4.5 acres of property by the Smyrna Town Garage for training. Settlement will be in April. They are working on legislative issues. Ms. DeBenedictis stated they had a wind zoom conference call. There were 171 people in attendance.
- k. Report from Board of Adjustments** – Mr. Hurlock had no report.
- l. Report from Planning & Zoning Committee** – Mr. Hurlock had no report.
- m. Appeals Board** – Mr. Hurlock had no report.
- n. Law and Legislature Committee** – Mr. Dias stated a meeting needs to be scheduled.

11. Public Forum – Ms. DeBenedictis stated she handed out an ordinance for vacant buildings. The money would go into a façade fund. They would need to have a meeting with Law & Legislature.

12. Unfinished Business – No business.

13. New Business

a. Discuss Openings on Committees – Mr. Hurlock stated there is one (1) position open on Planning & Zoning and one (1) position open on Board of Adjustment. He stated they try to mix the different areas. Mr. Hurlock stated for Planning & Zoning it might be good to have someone from one of the developments. For Board of Adjustment it would be good to have someone from the old part of town. Board of Adjustment mainly deals with property in the old part of town. They would be familiar with the area.

b. Discuss and Vote on Controlled Burn Request from Fire Chief at First State Military Academy – Mr. Pridemore stated First State Military Academy is requesting an exemption from the opening burning ordinance. This will be a single family dwelling. They request exemption from Ordinance 2.3-1. The building is all brick. There is one (1) exposure area. It is on the Bravo Charlie side of the diagram that was handed out. It is a primary transformer. They would like to do the burn before May. There will be two (2) primary water sources. They need permission on the burn band. Mr. Carrow asked how this will benefit the Fire Department. Mr. Pridemore stated it will allow a resource for training – live burn training in a controlled environment. Search & Rescue training. As a financial aspect, maybe a donation. Mr. Carrow asked how far the build was from W. Duck Creek Road. Mr. Pridemore stated about 900 foot. Mr. Carrow asked about the nearby homes with the air pollution. Mr. Pridemore stated they are governed by the Philadelphia EPA. Mr. Smith stated as far as the transformer – who will go down? Mr. Hurlock stated the two (2) schools. Mr. Pridemore stated they will keep water on the transformer. They will provide a water curtain to keep the heat

down. Mr. Smith asked about the hydrant flow. Will there be a water color issue? Mr. Hurlock stated he will work with them. Mr. Pridemore stated we can bring in a supplemental water supply (tankers). Mr. Smith stated we should contact Hanover as a courtesy. Mr. Hurlock stated they will contact Hanover and Providence Creek Academy. Mr. Pridemore stated he could reach out to both. Mr. Burnett stated it needs to clarify in the motion that it is being done as a training aspect. Mr. Smith asked if it was controlled by DNREC. Mr. Pridemore stated DNREC will be the governing body. DNREC has prerequisites.

Mr. Burnett made a motion to allow the Clayton Fire Company to use the building for a controlled burning being exempt from Ordinance 2.3-1 with the understanding it is for training purposes. Mr. Smith seconded the motion. Motion carried unanimously.

- c. Discuss and Vote – Resolution Authorizing the Preparation and Submission of an Application to the Delaware Department of Health and Social Services, Division of Public Health, and the Office of Drinking Water for Participation in the Drinking Water Matching Planning Grant Program in Order to Receive Matching Grant Fund to Prepare a Regional Drinking Water Facility Plan for the Town’s Drinking Water Facilities – Ms. DeBenedictis read this document in its entirety.**

Mr. Smith made a motion to accept the resolution as presented. Mr. Carrow seconded the motion. Motion carried unanimously.

Mr. Carrow asked if this included infrastructure. Mr. Hurlock stated yes – anything. Ms. DeBenedictis asked if this was a matching grant. Mr. Hurlock stated yes. Mr. Carrow asked up to \$50,000? Will we spend up to this amount? Mr. Hurlock stated yes. Mr. Junge stated we need to put an amount in the motion. Mr. Hurlock stated \$50,000.

- d. Discuss and Vote – Resolution Authorizing the Preparation and Submission of an Application to the Delaware Department of Natural Resources and Environmental Control (DNREC) Environmental Finance for Participation in the Wastewater Matching Grant Program in Order to Receive Matching Grant Funds to Perform an Infiltration and Inflow Study for the Town’s Wastewater Collection System – Mr. Carrow asked if we had to read the entire resolution. Basically it is the same as the water one. He moves not to read it.**

Mr. Smith made a motion to accept the resolution in the amount of \$50,000. Ms. DeBenedictis seconded the motion. Motion carried unanimously.

Mr. Hurlock stated there is five (5) miles of sewer lines to clean. This is to eliminate the collapsed lines. If we don’t have enough to do all, we will pick the most important areas.

14. Adjournment

Mr. Dias asked if there was any further business. Mr. Dias asked for a motion to adjourn.

Mr. Carrow made a motion to adjourn the meeting. Mr. Smith seconded the motion. Motion carried unanimously. Meeting adjourned at 7:41 p.m.

Recording Secretary,

Sue Muncey