

Council Meeting
September 13, 2021
7:00 p.m.

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

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

Mr. Carrow made a motion to accept the Council Meeting minutes of 08/09/21, the Police Committee Meeting minutes of 08/17/21, the Law & Legislature Committee Meeting minutes of 08/19/21, Special Council Meeting minutes of 09/08/21, and the ARPA Committee Meeting minutes of 09/08/21 as presented in their written form. Mr. Burnett seconded the motion. Motion carried unanimously.

4. **Approval of Income and Expense Report** – Mr. Smith stated the approval is being suspended until the next Council Meeting once the flaws in the report have been corrected.
5. **Communications** – No Communications
6. **Report of the Chief of Police** – Mr. Hutson stated they had a busy month. There were 494 calls for service, 333 traffic violations, and 47 parking violations. On 8/2/21 they had a LESO audit. It turned out well. Lt. Scott, Cpl. Bishop, Cpl. Andrews, Cpl. Hume, and PFC Hibbert provided help with traffic for the Clayton Fire Company's 5K Running Hot on 8/14/21. The Violent Crime Fund was approved for \$27,006.08. This was received 9/13/21. The OHS audit went well. Mr. Burnett asked if there was an update on Rodney Street. Mr. Hutson stated not for public information. It was turned over to the Delaware State Police.
7. **Report of the Town Foreman** – Mr. Hurlock stated everyone received the monthly activity report today via email. He asked if anyone had any questions. Mr. Smith stated he would like to see this sent out the Friday before so we have time to review. Mr. Hurlock stated we are out of yard waste cans. They were ordered in May. He is going to put 100 more cans in the budget for next year. Mr. Smith asked Sue to put that the town is out of yard waste cans on the website.
8. **Report of the Town Solicitor** – Mr. Junge 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 had no report. Mr. Hurlock stated the bid came back for the electric in Old Country Farm. The bid is \$105,000 to bury the wire. This will be put on the agenda for next month. Mr. Burnett asked if it had to go to committee. Mr. Smith stated we will address.
- b. Report from Street Committee** – Mr. Valentine had no report.
- c. Report from Water & Sewer Committee** – Mr. Burnett stated the RFP went out on 9/9/21. They are due on 10/7/21.
- d. Report from Equipment Committee** – Mr. Valentine had no report.
- e. Report from Personnel Committee** – Mr. Carrow wanted to thank Jonathan and Sean for conducting the Zoom interviews. They interviewed six (6) candidates. Mr. Carrow stated he would like to have the score sheets back from Council by this weekend. Once reviewed they will determine who will go to the next round. The last round will be before Council and a couple of people with experience.
- f. Report from Public Safety Committee** – Mr. Smith had no report.
- g. Report from Budget Committee** – Mr. Valentine stated a meeting is scheduled for 9/16/21 at 6:30 p.m. at town hall to review the 2022 budget.
- h. Report from Economic Development Committee** – Mr. Carrow stated Railroad Days is being held on Saturday, 9/25/21 from 9:00 a.m. – 2:00 p.m. There will be a car show, events for kids, etc. He wanted to thank in advance Public Works and Public Safety for their assistance. Mr. Smith asked if Movie Night was rescheduled. Mr. Carrow stated they cannot get it in for this year. It will roll into next year. The movie playing in October is Halloween Town. Mr. Smith asked Sue to put on the website.
- i. Report from Downtown Development Rebate** – Ms. DeBenedictis stated the house next to Fingertip Fantasies is up for sale. She will discuss grants with them.
- j. Report from DEMEC** – Ms. DeBenedictis stated DEMEC had their annual meeting. It was small, but nice. They announced the officers and board members. The meal was catered by Skyline Café. They will have a table at the Clayton Firehouse Open House. Mr. Smith stated they gave a tour of the Beasley Plant. It was impressive.
- k. Report from Board of Adjustments** – Mr. Hurlock had no report.
- l. Report from Planning & Zoning Committee** – Mr. Hurlock stated he has had discussions on the phone and email about Railroad Square. They are just about approved with their construction plans. Ovarions second phase is almost done. Mr. Hurlock stated we are short some transformers, but it is enough to do 40 lots. Old Country Farm is in its second phase. They are not as fast. They are fighting ground water. Grain Mill Station pulled a 6-pack

permit a couple of weeks ago. Mr. Hurlock asked the Mayor to sit in on a meeting to guarantee the bond for the streets. Mr. Hurlock stated we will own the electric in Railroad Square to make sure it is installed correctly. Mr. Carrow asked if they had any luck with the street signs in Ovation. Mr. Hurlock stated he spoke with them on Friday. They apologized. They forgot to order the signs.

m. Appeals Board – Mr. Hurlock had no report.

n. Law and Legislature Committee – Mr. Smith stated a meeting is scheduled for 9/21/21.

11. Public Forum –

Ginger Barkley – asked for help with a parking issue on Route 300 at Taste of New York. She stated she spoke with Clayton Police regarding traffic/parking issues along Route 300 from the Taste of New York. It was advised it was a state road, and she needed to contact the Department of Transportation. She called the state. She was told it falls within the municipal limits of Smyrna, as such any request should be submitted to the Town of Clayton. Mr. Hutson stated people are parking on the roadways. Mrs. Barkley stated they cannot see when pulling out onto Route 300 because the cars are in the way. Mrs. Barkley stated they have tried talking to them and have posted signs as suggested and they are completely ignored. Mr. Hutson stated Lt. Scott went out about 1-1/2 weeks ago. Taste of New York was told they need to police themselves or Clayton PD would have to take action. Mr. Burnett asked if there was a parking law. Mr. Smith asked if it could be made an emergency shoulder. Mr. Hutson stated the state needs to do that. Mr. Smith stated an emergency shoulder could only be used for disabled vehicles. Mr. Carrow asked if it was worse on the weekend. Mrs. Barkley stated Thursday, Friday, Saturday, and Sunday. Mrs. Barkley wanted to thank the PD with helping with the school traffic. It has been very helpful. Mr. Hutson will follow up with this.

12. Unfinished Business – No unfinished business.

13. New Business

a. Discuss and Vote on Establishing a Community Outreach Committee (NS)

Mr. Smith stated his intent was to host a committee with all parts of the community being represented. It would be two (2) people from each community. We would be the go between. Mr. Smith is being told they cannot get ahold of council. Mr. Dias asked if they would have authority. Mr. Smith stated no. They can bring things up from their community. Mr. Dias stated then you would be a liaison. Mr. Burnett asked about intent. Mr. Smith stated it could be one (1) HOA board member and one (1) non board member. Mr. Burnett asked if it was just for HOAs. Mr. Smith stated it was for every area of town. The east and west part of town would have representation. Mr. Burnett asked how many members of council. Mr. Smith stated he will host plus one (1) other council member. Mr. Hurlock stated the committee has to be a public meeting. Mr. Junge stated he was correct. Ms. DeBenedictis asked if this will cause issues with the HOA and constituents. Mr. Smith stated it is more of an outreach. Mr. Dias stated he is

biting off a lot. Mr. Smith stated if it is not productive, it will cease to exist. Mr. Carrow stated you will need to have an agenda. It will not be a free for all. Try to set ground rules. Mr. Burnett asked how the word would get out. Mr. Smith stated we have contacts. Mr. Pridemore stated the county website has all of the HOA contacts. Why don't you flip it? Attend their meetings and bring it up. Mr. Smith stated he has attended HOA meetings and it isn't functional. Mr. Smith stated he will run this through the solicitor. Mr. Carrow asked if any other towns have anything like this. Mr. Smith stated he will put something together and send to the solicitor for review.

b. Discuss and Vote on Creating a Separate Town of Clayton Facebook Page (WC)

Mr. Carrow stated the police department has had a Facebook page for about two (2) years. The town is using the police's page. Mr. Carrow suggests the town have their own Facebook page. The question was brought up as who would be in charge of it. Mr. Carrow stated the police have a PIO. Mr. Carrow stated the office could be in charge. The only people authorized to put information on the Facebook page would be Council, Chief of Police, Town Manager, or the Town Foreman. Mr. Carrow stated we need a second page for non-emergency matters. Mr. Carrow stated people look at Facebook before they look at the website. Mr. Burnett asked if it would be set up with no dialogue back and forth. Mr. Carrow stated it will be set up with no comments. Mr. Smith stated a written policy would be put in place. Mr. Hutson stated Public Safety already has a policy. Mr. Carrow stated we can use the PD's. Mr. Burnett asked what the intent was over the weekend. Does council post? Mr. Hurlock stated he brought this up before – sending out mass emails. Mr. Pridemore stated you would need a release from each person. They need to give permission for you to send. Mr. Carrow stated Lt. Scott said he would help set up Facebook.

Mr. Burnett made a motion to accept the town Facebook proposal as presented with the accepted users and use the policy from Public Safety. Mr. Valentine seconded the motion. Motion carried unanimously.

Mr. Smith asked for a motion to adjourn.

Mr. Carrow made a motion to adjourn the meeting. Ms. DeBenedictis seconded the motion. Motion carried unanimously. Meeting adjourned at 7:47 p.m.

Recording Secretary,

Sue Muncey