

**Council Meeting**  
**December 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. Mayor Smith was listening via zoom. Recording Secretary Sue Muncey, Town Foreman Jeff Hurlock, Chief Carl Hutson, Town Solicitor Scott Chambers, Alex Dias, Ken Branner, Ryan Paisley, Sharon Cruz, Steve Lewandowski, Jeff Lightcap, and Jeff Meany were also in attendance.

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

*Mr. Burnett made a motion to accept the Council Meeting minutes of 11/08/21, the American Rescue Plan Act Meeting minutes of 11/17/21 & the Personnel Committee Meeting minutes of 12/02/21 as presented in their written form. Ms. DeBenedictis seconded the motion. Motion carried unanimously.*

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

*Mr. Burnett made a motion to accept the November 2021 Income and Expense Reports as presented in their written form. Mr. Valentine seconded the motion. Motion carried unanimously.*

5. **Communications** – Ms. DeBenedictis read the letter from the Smyrna-Clayton Ministerium dated 11/19/21 in its entirety.
6. **Report of the Chief of Police** – Mr. Hutson stated there were 339 calls for service. Calls are up approximately 30-33%. Activities for the month included the Mayor’s Prayer Breakfast, an intruder alert, and a formation run for First State Military Academy. SALLE and EDIE applications were approved. They also assisted with the town’s parade, Smyrna events, and a Rehoboth Beach event. Mr. Carrow thanked the police department for their assistance with Christmas in Clayton and the parade.
7. **Report of the Town Foreman** – Mr. Hurlock stated everyone received the monthly activity report via email. He asked if anyone had any questions.
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 had no report. She stated the electric outage was in Jeff’s report.
- b. Report from Street Committee** – Mr. Valentine had no report.
- c. Report from Water & Sewer Committee** – Mr. Burnett stated members of Duffield & Associates are present and will discuss the water. Mr. Burnett stated we received the sewer study back. A meeting will be scheduled in January.
- d. Report from Equipment Committee** – Mr. Valentine had no report.
- e. Report from Personnel Committee** – Mr. Carrow stated we moved forward with the final interviews and a decision will be made within the next couple of weeks.
- f. Report from Public Safety Committee** – Mr. Carrow had no report.
- g. Report from Budget Committee** – Mr. Valentine had no report.
- h. Report from Economic Development Committee** – Mr. Carrow had no report.
- i. Report from Downtown Development Rebate** – Ms. DeBenedictis had no report.
- j. Report from DEMEC** – Ms. DeBenedictis stated a new rate was voted on but the final report is not out.
- k. Report from Board of Adjustments** – Mr. Hurlock had no report.
- l. Report from Planning & Zoning Committee** – Mr. Hurlock stated he met with members of Railroad Square and they have met all the requirements.
- m. Appeals Board** – Mr. Hurlock had no report.
- n. Law and Legislature Committee** – Mr. Carrow stated a meeting will be scheduled after the New Year.

## **11. Public Forum –**

Jeff Lightcap – wanted to thank the Mayor personally for helping with the Christmas tree sale at the firehouse.

## **12. Unfinished Business** – No unfinished business.

### 13. New Business

#### **a. Papaleo, Rosen & Chelf – Discuss and Vote on the 2020 Financial Statements.**

Jeff Meany discussed the 2020 financial statements. He stated there was no significant issues with the 2020 financials. He stated pages 1-2 are the Independent Auditor's Report. Page 10 is the Statement of Net Position. The current ratio between the assets and liabilities is 7.2 which is strong. The Accounts Receivable for utilities is 227 for 2020 compared to 197 from 2019. This is due to COVID. Post-Employment Benefits is 1.9 for 2020 compared to 1.5 for 2019. Milliman suggest putting \$165,000 into the account. Page 11 is the Profit & Loss Statement. This is consistent with last year. Net Income was \$183,000. Depreciation Expense was \$379,000. The town had significant capital outlays. Pages 16-18 is business activities. Everything was consistent except for the Utility Receivables. Mr. Meany stated hopefully that will be collected. Mrs. Muncey stated all the outstanding COVID payments were collected except for the people who skipped. Mr. Meany stated the town is in great shape.

*Mr. Valentine made a motion to accept the 2020 Financial Statements in their written form. Mr. Burnett seconded the motion. Motion carried unanimously.*

#### **b. Duffield & Associates – Discuss and Vote on Bids Received for RFP – Sale of Water System.**

Mr. Carrow gave the floor to Mr. Burnett. Mr. Burnett stated we received the letter of recommendation from Duffield & Associates. Mr. Lewandowski stated advertising for the proposed sale was on September 12. The pre-proposal meeting was on September 16. Sealed proposals were opened on October 7. The two (2) proposals received were Artesian and Tidewater Utilities. A public hearing was held on October 19 with presentations being given by both Artesian and Tidewater Utilities. Resident survey opinions were sent out on November 1. Mr. Lewandowski read the recommendation letter from the engineer in its entirety. Mr. Burnett stated he wanted to thank Steve, Nick, Jeff and all involved with the work that they have done.

*Mr. Burnett made a motion to accept the recommendation from Duffield & Associates and have the Town Mayor and the Town Foreman to start negotiations with Artesian. Mr. Valentine seconded the motion. Motion carried unanimously.*

#### **c. Discuss Sewer Study.**

Mr. Burnett stated we received the sewer study back from Duffield & Associates. Mr. Hurlock stated this wasn't presented in time to put on the agenda to vote. Mr. Burnett stated a Water/Sewer Committee will be set up to discuss. Mr. Burnett asked Mr. Lewandowski to explain. Mr. Lewandowski stated this has to do with ARPA funds. The town received its first installment and the State received money. The Governor sent out a questionnaire – if you don't have enough funds, how much would you need and use or allocate with your funds. There are a lot of moving parts going on. Duffield & Associates put a response together to send back to the Governor. Ms. DeBenedictis asked if we have to hit our ARPA funds first. Mr. Lewandowski stated no decision has

been made by the State. They are waiting on the Infrastructure & Jobs Fund Act and see how it is going to roll out.

Mr. Carrow stated he wanted to recognize members of our community. He stated Rich Miller and Ginger Barkley started Operation Spreading Joy and helped members of the community financially.

Mr. Carrow asked for a motion to adjourn.

***Mr. Burnett made a motion to adjourn the meeting. Mr. Valentine seconded the motion. Motion carried unanimously. Meeting adjourned at 7:29 p.m.***

Recording Secretary,

Sue Muncey