

Council Meeting
November 14, 2022
7:00 p.m.

The Council Meeting of Mayor and Council was held on the above date and time with Council members Carrow, DeBenedictis, and Paisley present. Mayor Smith was presiding. Recording Secretary Sue Muncey, Chief Carl Hutson, Town Manager Robert Cote, Scott Chambers, Shaun Flatter, Marvin Pedigo, Harvey Scott, David Ross, Jeff Lightcap, Austin Moorhead, Shirelle Spencer, Markiya Mills, Shawn Rau, Norman Barlow, Keith Shyers, Joseph Perna, Naadia Brown, Melissa Knight and Jonathan Burnett 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. Paisley led the Pledge of Allegiance.
3. **Swearing in of Interim Council Member and Swearing in of Police Officer** – Mayor Smith swore in interim council member Shaun Flatter and police officer Joseph Perna.
4. **Approval of Minutes** –

Mr. Carrow made a motion to accept the Council Meeting minutes of 10/10/22 as presented in their written form. Ms. DeBenedictis seconded the motion. Motion carried unanimously.

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

Mr. Paisley made a motion to accept the Income & Expense Report for October 2022 in its written form. Ms. DeBenedictis seconded the motion. Motion carried unanimously.

6. **Communications** – No Communications.
7. **Report of the Chief of Police** – Mr. Hutson stated there were 350 calls for service. They are staying steady. There were 121 traffic arrests. Chief Hutson, Lt. Scott, and Lt. Rau attended the Mayor’s Prayer Breakfast on 10/5/22. Chief Hutson helped with DSP Camp Barnes Fundraiser on 10/7/22. Cpl. P. Bishop and Cpl. Andrews were present at the Movie Under the Stars on 10/8/22. Lt. Scott, Lt. Rau, Cpl. P. Bishop, and Cpl. Andrews attended the open house at Clayton Fire House for Fire Prevention on 10/10/22. Sgt. Bishop and Cpl. Bishop helped with Harrington’s Homecoming Parade on 10/14/22. Cpl. Fox and Cpl. Andrews helped with Camden’s Homecoming the same night. Sgt. Bishop, Cpl. P. Bishop, and Cpl. Andrews attended the Smyrna Fall Fest at Smyrna High School on 10/22/22. Chief Hutson stated on 11/8/22 he attended a meeting where the SALLE and EDIE grants were approved.

8. Report of the Town Manager – Mr. Cote welcomed Shaun Flatter to the team.

Administration - Mr. Cote stated Horty & Horty has finished Phase II of the accounting restructuring. Mr. Cote and Mrs. Muncey had a meeting earlier in the day with the accountants to get an out brief. A meeting has been scheduled for 11/30/22 with Horty & Horty and Maillie to review the progress so the town's 2021 audit can be started. Mr. Cote stated the project should be complete within the next two to three months. The Town Manager, Office Manager, Director of Public Works, and Public Works Administrative Assistant attended a Conflict Management Course at DEMEC.

Licensing & Inspections – The first contractor's license was issued through the iWorQ system. The road to a digital age has been charted.

Public Works – The crew rebuilt the box and wiring at the Peach Alley storm drain. A lot of trimming and debris pickup was done for fall. On 10/21/22 at Veteran's Park the landscaping was freshened up by the entire department. A wreath was put out at Veteran's Park. Mr. Cote stated he met with each department to put together a draft budget for 2023.

Ms. DeBenedictis stated Veteran's Park looks nice. Mr. Carrow asked if the Code Enforcement Officer is meeting all his needs to enforce the code. Mr. Cote stated 100% expectation is being met. There is no back log. Mr. Carrow asked if we need to add hours to meet his needs. Mr. Cote stated he is good to go.

9. Report of the Town Solicitor – Mr. Chambers had no report.

10. Reports from Members of Council

- a. **Report from Electric Committee** – Ms. DeBenedictis stated the electric went off and came right back on. Mr. Cote asked if it was a flash. Ms. DeBenedictis stated yes. Mr. Carrow stated on Saturday and Sunday the electric was out for a couple of minutes outside of town.
- b. **Report from Street Committee** – Mr. Carrow stated a meeting will be set up soon regarding parking issues.
- c. **Report from Water & Sewer Committee** – Mr. Carrow had no report. Mr. Smith stated Phase I has been completed. An RFP will go out in January for Phase II.
- d. **Report from Equipment Committee** – Mr. Paisley stated the long-term plan has been given to Public Works for review.
- e. **Report from Personnel Committee** – Mr. Carrow had no report.
- f. **Report from Public Safety Committee** – Mr. Smith had no report.
- g. **Report from Budget Committee** – Ms. DeBenedictis stated we have a meeting this evening.

- h. Report from Economic Development Committee** – Mr. Carrow stated December 4th is Christmas in Clayton. There will be trees for sale and Breakfast with Santa. From 2-4 pm will be Christmas in Clayton; 5 pm will be the parade; 6 pm will be the tree lighting. Mr. Carrow stated he has been contacted by businesses looking for retail spots.
- i. Report from Downtown Development Rebate** – Ms. DeBenedictis stated she attended a Zoom workshop which was 4-1/2 hours. They discussed climate change and electric vehicles. New guidelines are coming out.
- j. Report from DEMEC** – Ms. DeBenedictis stated the 2023 budget was approved. Mr. Smith stated DEMEC is who we buy our electric from for the town. Indian River was forced into a mandatory run. The cost has been spread out to everyone. Clayton had a 5% increase. The average was 15-20%. We are expecting another increase in January.
- k. Report from Board of Adjustments** – Mr. Smith had no report.
- l. Report from Planning & Zoning Committee** – Mr. Smith had no report.
- m. Appeals Board** – Mr. Smith had no report.
- n. Law and Legislature Committee** – Mr. Paisley stated on October 14th he sent out the draft to Council, Carl Hutson, and Rob Cote for review. Mr. Paisley said he is happy to speak to anyone if they have any questions. Mr. Smith told Mr. Paisley to sit down with Mr. Cote and himself before the next council meeting. A committee meeting can be scheduled in late January.
- o. American Rescue Plan Act Committee** – Mr. Smith had no report.

11. Public Forum – N/A

12. Unfinished Business – N/A

13. New Business

- a. Presentation of Town of Clayton Employee of the 3rd Quarter 2022.** Mr. Cote stated your number one resource is your people. Without people you can't do the job. You want to recognize them when they do a good job. This employee went up against another employee. The council reviewed both nominations. Through a STAR type format, the winner was chosen. This employee on their own initiative developed a handbook for the Town of Clayton Retiree Health Plan; developed a business and contractor license policy; and initialized and put together a safety plan for the Public Works crew. The 3rd quarter 2022 winner is Melissa J. Knight. The mayor read the certificate and presented it to the employee. Mr. Cote stated the Town of Clayton will have a quarterly employee plaque with the employee's name and picture (if they wish).

We will also have a plaque for the employee of the year. These will be displayed in the main entrance of Town Hall.

- b. Discuss and Vote on Addition of Town of Clayton Customer Service Charge to Monthly Statement.** Mr. Smith stated the administrative customer service charge would be \$10.00 per customer per month. This will assist in balancing the 2023 budget. It will be effective in January if approved. Mr. Paisley stated we took seriously the impact on our residents. Mr. Smith stated it is a burden on the town also. All our costs have gone up. We wanted to lessen the burden on the people but balance the budget at the same time.

Ms. DeBenedictis made a motion to charge the \$10.00 customer service charge effective 01/01/23. Mr. Paisley seconded the motion. Motion carried unanimously.

- c. Discuss and Vote on the Town of Clayton Partnering with Artesian Water Company to Resolve an Infrastructure Requirement at Eagle Group.** Mr. Smith stated he is looking to enter into a partnership with Artesian. The infrastructure for Eagle Group's water main is located on N. Reed Street and Industrial Boulevard. This is where the interconnection fee connects to Artesian. The connection fees are at the cost of Eagle Group. Mr. Smith stated he spoke with Artesian and the cost for the interconnection is \$11,601.99. Mr. Smith would like to split the cost with Artesian and pay \$5,800 to the vendor. Mr. Carrow asked if we fixed a problem a while back. Mr. Smith stated it is a design flaw. Artesian will be replacing the pits and meters. We are trying to assist them. They are one of our biggest customers in town. Mr. Carrow asked if the money would come from the General Fund or Impact Fees. Mr. Smith stated it is not infrastructure. It would come from the General Fund.

Mr. Carrow made a motion to enter into a partnership with Artesian Water Company for an infrastructure issue with Eagle Group in the amount of \$5,800. Mr. Paisley seconded the motion. Motion carried unanimously.

- d. Discuss and Vote on Delaware Water Pollution Control Revolving Loan Fund 2022 Intended Use Plan – Loan Application Solicitation. Reaffirmation Required to Authorize Loan Application Submission in Addition to the Motion Made on August 8, 2022 “to have Verdantas draw up the paperwork for \$18,000.”** Mr. Smith stated this is a reaffirmation of the motion made in August. It was worded to draw up the application only. It did not state Verdantas could submit the application on the Town's behalf.

Mr. Paisley made a motion to reaffirm the motion that was made on August 8, 2022, to have Verdantas draw up the paperwork for \$18,000, as well as authorization for Verdantas to submit the application to DNREC on behalf of the Town of Clayton. Mr. Flatter seconded the motion. Motion carried unanimously.

e. Committee Member Appointments. Mr. Smith read the committee appointments.

Electric: DeBenedictis, Carrow, Paisley, Flatter, Burnett

Street: Carrow, Paisley, Spencer, Pedigo

Stormwater/Sewer: Flatter, Carrow, Paisley, Burnett, Pedigo

Equipment: Paisley, Carrow, Flatter, Spencer

Personnel: Flatter, Carrow, DeBenedictis

Public Safety: Smith, Paisley, A. Carrow, Stinson, Flatter

Budget: DeBenedictis, Flatter, Smith, Carrow, Paisley

Economic Development Committee: Carrow, Burnett, Ide, Thomas, Young

Downtown Development: DeBenedictis, Paisley

DEMEC: DeBenedictis, Cote

Board of Adjustment: Same

Appeals: Jones, Watts, Ide

Law & Legislature: Paisley, Smith, Carrow, Flatter, DeBenedictis

American Rescue Plan Act: Move to Council. We will just put the items on the agenda.

The funds are pre-determined. This will be okayed by Council.

Mr. Smith stated all committees have the power to discuss and make recommendations to Council. The council will discuss and vote on all recommendations made by the committee. It will be put on the Council agenda to be voted upon.

14. Adjournment

Mr. Carrow made a motion to adjourn. Mr. Flatter seconded the motion. Motion carried unanimously. Meeting adjourned at 7:37 pm.

Recording Secretary,

Sue Muncey