

Council Meeting

May 9, 2022

7:00 p.m.

The Council Meeting of Mayor and Council was held on the above date and time with Council members Valentine, Burnett, Carrow, and DeBenedictis present. Mayor Smith was presiding. Recording Secretary Sue Muncey, Lieutenant Harvey Scott, Alex Dias, Ryan Paisley, Barbara Paisley, Robert Cote, T.J. Lundy, Lonnie Seale, Celia Dougherty, Helen Wiles, Kay Hoover, Kelsey Oli, Amanda Abel, and Danny Paisley were also in attendance. Mr. Hurlock and Mr. Chambers were excused from the meeting.

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

Mr. Burnett made a motion to accept the Council Meeting minutes of 04/11/22 and the Special Council Meeting minutes of 4/13/22 as presented in their written form. Mr. Carrow seconded the motion. Motion carried unanimously.

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

Mr. Valentine made a motion to accept the Income & Expense Report for April 2022. Ms. DeBenedictis seconded the motion. Motion carried unanimously.

5. **Communications** – No Communications

6. **Report of the Chief of Police** – Mr. Scott stated there were 364 complaints handled, 167 traffic arrests, and 17 criminal arrests. Chief Hutson attended the Kent County Police Chiefs Meeting in Wyoming on 4/5/22. Lt. Scott, Sgt. Bishop, and Cpl. Bishop went to touch-a-truck at Providence Creek Academy on 4/10/22. Chief Hutson attended the Police Chiefs Council Meeting in Dover on 4/12/22. Chief Hutson attended the opening day of Smyrna/Clayton Little League on 4/23/22. Cpl. Hume attended Violent Crime Symposium 4/26 – 4/28/22. Lt. Scott, Cpl. Bishop, and PFC Fox were present at Providence Creek Academy's intruder alert drill on 4/28/22. Lt. Scott and Cpl. Bishop assisted with the dodgeball tournament at Clayton Elementary School on 4/28/22.

7. **Report of the Town Foreman** – Mr. Smith stated the report was sent out.

8. **Report of the Town Solicitor** – No report

9. **Report from Inspections/Enforcement** – Mr. Smith stated the report was sent out.

10. Reports from Members of Council

- a. Report from Electric Committee** – Ms. DeBenedictis had no report.
- b. Report from Street Committee** – Mr. Valentine had no report. Mr. Smith stated the Rodney Street repair will be covered at the next meeting.
- c. Report from Water & Sewer Committee** – Mr. Burnett had no report. He stated they are waiting on bids. Mr. Smith stated the RFP for the sewer is for the rehabilitation of the old town sewer system. A no-mandatory meeting will be held 5/18/22 at 10:00 a.m. Bids are due on 6/2/22 at 2:00 p.m.
- d. Report from Equipment Committee** – Mr. Valentine had no report.
- 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** – Mr. Valentine had no report.
- h. Report from Economic Development Committee** – Mr. Carrow stated the yard sale is on 5/14/22 and movie night is 5/20/22.
- i. Report from Downtown Development Rebate** – Ms. DeBenedictis discussed the First State Food System Grant Program. This grant can be used by an entity involved in food production, transportation, food supply chain, retail, wholesale, or the restaurant industry. Grants can range from \$2,500 - \$150,000. Anyone in the DDD district is able to apply.
- j. Report from DEMEC** – Ms. DeBenedictis stated DEMEC has a training class entitled Public Power Government. It is very interesting. She stated Council should go through a strategic plan.
- 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. Smith had no report.

11. Public Forum –

Celia Dougherty wanted to talk about taxes. She stated her husband is 100% disabled. She stated she missed the deadline to file with the town. She files with Kent County and feels she should get the discount with the town. She also stated she should not have to pay \$60 to get a permit for the shed. It is in her back yard. Mrs. Dougherty stated she is concerned about the traffic by the railroad tracks at Main and Bassett Street. There should be a traffic light. Mrs. Dougherty stated

her husband wanted to ask about the selling of the water. Mr. Smith stated he would discuss with her after the meeting.

12. Unfinished Business

a. Discuss and Vote on Amendment of Agreement of Sale with Artesian Water

Company. Mr. Smith stated the amendment adjusts the payment process. Changes are as follows: The town will now receive \$3,100,000 at closing and the arsenic loan will be paid off. The town will be paid the difference (which is \$5,000,000 minus \$3,100,000 minus the loan payoff amount of approximately \$330,744.20, for a difference of approximately \$1,569,255.80) in equal payments once a year for five (5) years with interest.

Mr. Burnett made a motion to accept the first amendment of the Agreement of Sale with Artesian Water Company in its written form. Mr. Valentine seconded the motion. Motion carried unanimously

13. Swearing in of Town Council Members.

Judge Vaughn swore in Mary Ellen DeBenedictis and Ryan Paisley.

Mr. Smith wanted to thank Mr. Burnett for being on Council and for his assistance. He stated he appreciated his time. Mr. Carrow stated he was a huge asset, and he appreciated all his input.

14. New Business

a. Discuss and Vote on new Town Auditor.

Mr. Smith asked Council for any input. Ms. DeBenedictis stated she did not know any of the firms. Mr. Paisley stated he respected that Whisman Giordano came to the town personally. Mr. Smith stated he liked them, but the price is high. He stated he is leaning towards Maillie. Mr. Carrow stated the price was a huge gap. Mr. Smith stated the current auditor was right in line with two (2) bids. Mr. Carrow stated Maillie has experience working with Delaware municipalities. Mr. Paisley stated they are recognized in the top 200 firms.

Mr. Carrow made a motion to accept the bid of Maillie LLC for a three-year time frame. Ms. DeBenedictis seconded the motion. Motion carried unanimously.

b. Discuss the Items that were Reported to U.S. Treasury under the American Rescue Plan Act.

Mr. Smith stated the Town received \$946,952.57. For sewer infrastructure - total expenditures were \$32,875.00. For COVID-19 test kits - total expenditures were \$539.40. For First Responders – total expenditures were \$120,000. Finally for premium pay – total expenditures were \$90,000. The second trench will be coming this year around July. The amount will be \$939,376.94. This is equal to the first less .4% for legal fees. Legal fees are for questions on how to spend the money. This was submitted to the State and Federal level.

c. Presentation by MPO (Metropolitan Planning Organization)

Helen Wiles stated the MPO is federally mandated. It assists in all ways of getting from Point A to Point B. MPO acts as a liaison. It prioritizes transportation projects. Ms. Wiles stated their website address is www.doverkentmpo.org. One of their newer projects is Innovation 2045. You can find more information about this on their website. A Transportation Improvement Plan (TIP) prioritizes for the immediate four (4) years. She then discussed more on Metropolitan Transportation Plan (MTP) and Capital Transportation Program (CTP). DelDOT develops a six (6) year CTP every two (2) years. Municipalities can submit projects to the MPO for consideration. Ms. Wiles then discussed the Parklet Pilot Project. This creates a more communal, enjoyable, healthy, and vibrant public space. It takes a parking space or two and turns it into a mini park. It makes it a nice place for people instead of just a parking space. It is a place to sit. Outdoor seating could be used for a restaurant, library, or bike parking. The structures could be mobile or semi-permanent. Municipalities could be reimbursed up to \$3,000. MPO has a new app called MAPITT. This lets the public report transportation issues or share ideas on the spot. Ms. Wiles stated July 1 starts their next fiscal year. They normally work with an engineering firm. They will still work with an engineering firm for large projects, but they will start doing small studies in house. Mr. Scott asked about the truck issue and getting a sign. He and Ms. Wiles will speak after the meeting.

d. Discuss and Vote to Approve the Cost Estimate and Grant Permission to Seek Funding for Parklet for the Town of Clayton.

Mr. Carrow stated a packet was given to the Council with a cost estimate. EHI would design this. It would be a combo sitting area and a place to eat. Mr. Carrow asked if he could go forward with seeking some funding. He will speak to the MPO. Ms. Wiles stated the grant opened back up on 5/1/22. It has to be paid out by 6/30/22. The deadline is 6/10/22. It can be used for any cost. Mr. Carrow asked if it could be used for consulting. Ms. Wiles stated yes. Mr. Carrow stated the parklet would be bench seating with flowers and shrubbery. It would be portable. Public Works would be able to move. Mr. Carrow stated he is asking permission to seek funding.

Ms. DeBenedictis made a motion to allow Mr. Carrow to seek funding for a parklet. Mr. Paisley seconded the motion. Motion carried unanimously.

Mr. Valentine stated we can see how much we can get. Mr. Carrow stated we cannot get funding for it all. He stated he will come back to Council with a report. Mr. Smith stated the cost is \$17,627.50 for the design and development.

Mr. Smith stated the Town hired a Town Manager. He will start on 5/16/22. His name is Robert Cote. He will be taking the Town in new directions.

15. Adjournment

Mr. Valentine made a motion to adjourn. Mr. Carrow seconded the motion. Motion carried unanimously. Meeting adjourned at 7:50 p.m.

Mr. Smith apologized for not conducting the reconstruction of Council.

Mr. Carrow made a motion to reconvene the Council Meeting. Mr. Paisley seconded the motion. Motion carried unanimously.

Mr. Smith proceeded with the Election of Officers.

Mr. Valentine made a motion to nominate Nick Smith for Mayor. Ms. DeBenedictis seconded the motion. Motion carried unanimously.

Mr. Valentine made a motion to nominate William Carrow for Vice Mayor. Ms. DeBenedictis seconded the motion. Motion carried unanimously.

Mr. Valentine made a motion to nominate Ryan Paisley as Secretary. Mr. Carrow seconded the motion. Motion carried unanimously.

Mr. Valentine made a motion to nominate Mary Ellen DeBenedictis as Treasurer. Mr. Carrow seconded the motion. Motion carried unanimously.

Mr. Carrow made a motion to nominate Sean Valentine as Assistant Treasurer. Mr. Paisley seconded the motion. Motion carried unanimously.

Mr. Smith again apologized. He stated the Committee appointments will be announced at the next meeting.

Mr. Valentine made a motion to adjourn. Mr. Paisley seconded the motion. Motion carried unanimously. Meeting adjourned at 8:00 p.m.

Recording Secretary,

Sue Muncey