

## **Re-Organizational Meeting**

**May 8, 2023**

**7:00 p.m.**

The Council Meeting of Mayor and Council was held on the above date and time with Council members Carrow, Flatter, DeBenedictis and Paisley present. Mayor Smith was presiding. Recording Secretary Sue Muncey, Chief Carl Hutson, Town Manager Robert Cote, Scott Chambers, Marvin Pedigo, Alex Dias, Jeff Lightcap, Cindy Lane, Jonathan Burnett, Ray Hales, Wendy Hales, Kris Kennedy, Pat Kennedy, Calvin Hawley, and Barbara Paisley 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. Hutson led the Pledge of Allegiance.
- 3. Determination of a Quorum** - Mrs. Muncey read each Council member's name to determine their presence.
- 4. Presentation – 1<sup>st</sup> Quarter 2023 Employee of the Quarter –**

Mr. Cote stated this employee communicated critical need to transition solar customer meter readings from manual to electronic; quarterbacked over 4-month transformation process with ITRON, Public Works Department, and MCSJ software through Edmunds; escalated process to VP of Operations to ensure smooth transition; efforts slashed meter reading/manual data entry time by over 50% monthly across two (2) departments while simultaneously enabling the customer's access to real-time usage / future usage credits from the Town. Led the Administration Department during FY'2023 beginning execution; oversaw 155 electric disconnect warning calls resulting in only 74 disconnections; oversaw the generation of 997 late utility payment notices; issued five (5) Certificate of Occupancies; coordinated 41 permit applications; and processed 30 utility deposits. The employee's keen eye for detail led to the daily, weekly, and monthly accounting activity for 100% of the Town's more than \$3.6 million in financial transactions year to date. Received termination notification of town employee's retirement savings plan by previous vendor; coordinated procurement of new plan and vendor; successfully presented to Town Council for approval; transitioned all employee accounts seamlessly in 1<sup>st</sup> quarter 2023; ensured 100% conversion with zero errors – safeguarded over \$351K in asset transfers in just one (1) month. Mr. Cote stated he is proud to present the First Quarter 2023 Employee of the Quarter to Susan Muncey.

- 5. Approval of Minutes –**

*Mr. Paisley made a motion to accept the Council Meeting minutes of 04/10/23 as presented in their written form. Mr. Flatter seconded the motion. Motion carried unanimously.*

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

*Mr. Carrow made a motion to accept the April Income and Expense Reports in its written form. Mr. Paisley seconded the motion. Motion carried unanimously.*

**7. Communications –** Mr. Paisley read the letter from the Boys & Girls Clubs of Delaware dated 05/02/23.

**8. Report of the Chief of Police –** Mr. Hutson stated there were 391 calls for service, 235 traffic arrests, and 32 parking tickets. Chief Hutson, Lt. Scott, Lt. Rau, Sgt. Bishop, and Cpl. Hibbert assisted with the lock down drill at First State Military Academy on 04/05/23. Cpl. Fox and Cpl. Perna attended a taser instructor certification course in Ocean View on 04/13/23. Cpl. Hume attended the Smyrna/Clayton Boys and Girls Club meeting on 04/24/23. All officers qualified with their weapons at the range in Townsend on 04/25/23. Lt. Scott, Sgt. Bishop, Cpl. Bishop, and Cpl. Hibbert helped with traffic control during the race in Dover on 04/28 – 04/30/23. Mr. Hutson stated the EV Grant was approved for two (2) electric vehicles (value of \$160,000) and two (2) charging stations. The charging stations have been ordered and should take about three (3) weeks. Mr. Hutson stated he is trying to locate vehicles. They might have found one in Preston and York, PA. Mr. Smith asked if the charging stations were universal. Mr. Hutson stated they are through Ford so he is not sure if they are universal. One will be located at Public Works for the Code Enforcement Officer and one will be located at the school for the School Resource Officer. Mr. Smith asked if the attendance at the Boys and Girls Club meeting was normal. Mr. Hutson stated he was requested by Debbie Wicks to attend. It was very informative. Mr. Flatter asked about a timeline frame for the EV's. Mr. Hutson stated 2023-2024. The Energize Delaware contact was made aware. Mr. Smith stated it is a pass through for grants. Each vehicle will have an Energize Delaware sticker on it. It will be good to see if this is feasible for the future. Mr. Paisley thanked the Chief for doing this. Ms. DeBenedictis stated DNREC gets chargers at a low cost. Mr. Hutson stated the program ended in April.

**9. Report of the Town Manager –** Mr. Cote stated he respectfully submits his report in its written form. Mr. Paisley stated the Public Works team went above and beyond resolving an electric issue. He asked the Town Manager to pass on his thanks.

**10. Report of the Town Solicitor –** Mr. Chambers stated the General Assembly is sending an email with a red-lined version of the changed charter. He has not received this email yet to review what they changed.

**11. Reports from Members of Council**

**a. Report from Electric Committee –** No Report

- b. Report from Street Committee** – Mr. Carrow stated there will be a meeting on 5/22 or 5/23 at 6:30 p.m. to discuss parking issues in the developments. This will be posted on the website. Mr. Smith asked if it will be at the firehouse. Mr. Carrow stated yes.
- c. Report from Sewer & Stormwater Committee** – No report. Mr. Smith asked about Phase II – an update. Mr. Cote stated the permit is sitting with DelDOT reference the flow. The RFP cannot be started until after the permits are done.
- d. Report from Equipment Committee** – No Report. Mr. Paisley stated he is waiting on Public Works' amendments to the report.
- e. Report from Personnel Committee** – No Report. Mr. Cote stated he would like to have a meeting scheduled to review proposed updates to the Employee Handbook and job descriptions. Ms. DeBenedictis asked if this will include the legalization of marijuana. Mr. Cote will review this.
- f. Report from Public Safety Committee** – No report.
- g. Report from Budget Committee** – No report.
- h. Report from Economic Development Committee** – Mr. Carrow stated on 5/26 we will be playing a kids' movie. This has been advertised. It will be a nice and relaxing evening. The movie is Disney's Turning Red.
- i. Report from Downtown Development Rebate** – Ms. DeBenedictis stated a building on East Street is being remodeled. There is a new business in the old pizza shop. Ms. DeBenedictis asked Sue to give her the tenant's name and phone number so she can make contact with them. The Clements building is being worked on.
- j. Report from DEMEC** – Ms. DeBenedictis stated there is a meeting all day on Thursday, 5/11/23.
- k. Report from Board of Adjustments** – No report.
- l. Report from Planning & Zoning Committee** – Mr. Smith stated a meeting is scheduled for 05/24/23 at 7:00 p.m.
- m. Appeals Board** – No report.
- n. Law and Legislature Committee** – Mr. Paisley stated he refers this to the Town Solicitor.

**12. Public Forum** – Mr. Lightcap stated for the yard sale on Saturday, a Clayton Fire Company rep will be available with the gator. Sgt. Bishop along with members of the fire department, ambulance, and paramedics were part of a CPR save on Christmas morning in Providence Crossing. On May 25<sup>th</sup> they will be awarded at the CPR Survivors Banquet.

**13. Unfinished Business – N/A**

**14. Swearing in of Town Council Members – Mr. Chambers swore in Nickolaus Smith, William Carrow, and Shaun Flatter as Council Members.**

**a. Election of Officers:**

*Mr. Carrow made a motion to nominate Nickolaus Smith for Mayor. Mr. Paisley seconded the motion. Motion carried unanimously.*

*Mr. Carrow made a motion to nominate Ryan Paisley as Vice Mayor. Ms. DeBenedictis seconded the motion. Motion carried unanimously.*

*Mr. Carrow made a motion to nominate Mary Ellen DeBenedictis as Secretary. Mr. Flatter seconded the motion. Motion carried unanimously.*

*Mr. Carrow made a motion to nominate Shaun Flatter as Treasurer. Mr. Paisley seconded the motion. Motion carried unanimously.*

*Mr. Paisley made a motion to nominate William Carrow as Assistant Treasurer. Ms. DeBenedictis seconded the motion. Motion carried unanimously.*

**b. Appoint Committees:**

Mr. Smith stated the committees will stay the same as last year with the following exception - Mr. Flatter will be chairman of the Budget Committee. For the Electric Committee upgrades for EV mandates need to be discussed – capacity adjustment. Ms. DeBenedictis stated that is a DEMEC thing. Mr. Cote asked if he was referring to residential homes or the public. Mr. Smith stated the capacity of the town itself – both residential homes and the public. Ms. DeBenedictis stated in California they are totally electric and there are issues. Mr. Smith stated for the Stormwater Committee they need to call a meeting for an RFP for Phase II. Mr. Smith would also like a Budget Committee called for June or July for a mid-year review.

**15. New Business**

**a. Discuss and Vote to Adopt a Resolution to Support the Duck Creek Library.**

Mr. Chambers stated the resolution does not need to be read.

*Mr. Carrow made a motion to adopt the resolution to support the Duck Creek Library. Mr. Paisley seconded the motion. Motion carried unanimously.*

**b. Discuss and Vote to Adopt a Resolution for the Clayton Fire Company.**

Mr. Smith asked that the firehouse resolution be read in full. This is for their bonding. Ms. DeBenedictis read the resolution in its entirety. Mr. Smith asked if the public had any questions. Mr. Lightcap stated the loans are being packaged up and renewed. It is reviewed every five (5) years to keep their tax-exempt status.

*Ms. DeBenedictis made a motion to adopt the resolution for the Clayton Fire Company. Mr. Flatter seconded the motion. Motion carried unanimously.*

**c. Legislative Update for Senate Bill 92 – Amendment to Delaware Employment Relations Act.**

Mr. Smith stated he spoke to the Senate Labor Committee. If you have more than 100 employees, you can unionize. They want to amend this to 25 employees. Mr. Smith asked since the police officers are already unionized, does this include them. Mr. Smith stated he spoke to represent the town and the League. This has an impact on small municipalities. He stated it looks like it will go to the Senate floor.

**d. Update on State of Delaware Low Emissions Vehicle Program.**

Mr. Smith stated DNREC was given a request from the Governor to come up with a plan. Discussed cutting and pasting California's low emission vehicle program. What is the capacity need for a large volume within the next seven (7) years? It was a lengthy meeting. It was four (4) hours long. Mr. Smith stated he will keep advocating for the small municipalities.

**16. Adjournment**

*Mr. Carrow made a motion to adjourn. Mr. Paisley seconded the motion. Motion carried unanimously. Adjourned at 7:37 p.m.*

Recording Secretary,

Sue Muncey