

TOWN OF HARTLY
P.O. Box 181
HARTLY, DE 19953

MEETING MINUTES

Tuesday, February 9th, 2016
7:00 P.M.

Location: Hartly Volunteer Fire Co., 2898 Arthursville Road, Hartly, DE 19953

I. **Call to Order & Roll Call**

Meeting was called to order by Christine Oldham at 7:04 PM.

Council Present:

Christine Oldham	Victoria Norris
Suzanne Morris	Mark Maguire

Council Absent:

Ray Morris was out of town.

Public Attendees:

Shannon Reed	Lisa Fitzgerald
Damian Grabowski	Cathy Samardza
Dean Grabowski	David Gingerich
Jeff Brown	Rimbi Brown
Sally Wojcieszyn	Rebecca Kohout
Samantha Hemphill	Cynthia Swyka

II. **Invocation & Pledge of Allegiance**

Suzanne Morris provided Invocation.

Christine Oldham led in Pledge of Allegiance

III. **Approval of Previous Minutes/Approval of Tonight's Agenda**

Mark Maguire motioned, Victoria Norris 2nd, approval of previous Meeting Minutes. Motion carried:

Council Member	Yes - Agree	No – Disagree	Absent	Withhold Vote
Mark Maguire	X			
Victoria Norris	X			
Suzanne Morris	X			
Ray Morris			X	
Christine Oldham	X			

Suzanne Morris motioned, Mark Maguire 2nd, approval of tonight's agenda. Motion carried:

Council Member	Yes - Agree	No – Disagree	Absent	Withhold Vote
Mark Maguire	X			
Victoria Norris	X			
Suzanne Morris	X			
Ray Morris			X	
Christine Oldham	X			

IV. WELCOME GUESTS: Delaware & Maryland Rural Development, Shannon Reed and Lisa Fitzgerald

- a. Presentation on Delaware Rural Development
- b. Open Discussion/Q&A

Christine introduced Shannon Reed and Lisa Fitzgerald (USDA World Development – Invests in World Development) and turned meeting over to them. Shannon & Lisa explained and distributed information regarding programs for Housing, Community, Business-Community and Multi-Family loan guarantees. Shannon & Lisa’s office is located in Dover. Documentation and Business cards were handed out to attendees.

Second Guest: Christine welcomed Damian Grabowski. He is working toward a citizenship badge in Boy Scouts, and is here to observe a Council meeting.

V. Reports

- a. **Treasury** – Victoria provided Treasury Report. Beginning balance \$12,203.94, Deposits \$82,226.92. Total Withdrawals \$968.91. Ending Balance \$93,461.95. Also, a Finance Committee was held since last Council meeting. Tammy Evans and Victoria Norris attended the meeting. Tammy helped create a spreadsheet to better manage the budget. Victoria questioned deposits to MSA account. Christine explained that was money received from the state in reference to the past due and annual Municipal Street Aid and that Suzanne picked up the checks from the Treasury Office due to old address issue and also deposited them into the MSA checking account. There were discussion surrounding the MSA in prior meetings.
- b. **Building Permits** – Mark-received and approved two (2) building permits since the last council meeting. One was for Fire Company renovation, of which the fee was waived. The other approved permit was for a sign to be put up. There is one pending building permit that will be discussed under new business.
- c. **Correspondence** –Suzanne reported that two emails were received in reference to receipt of Transfer tax – both emails questioned 1% Property Transfer Tax being paid to Hartly. Suzanne will respond that the 1% does come to the town and provided the correct address. Another email correspondence was received from Cathy Samarzda, it confirmed that the MPO office could support the Town with copies and some office supplies. Another email correspondence was received regarding a kick-off meeting invite about the installation of sidewalks. Mark confirmed that he and Ray will be attending the meeting.

VI. Unfinished Business

- a. **Delmarva Electric** – Christine has been talking to Samantha (Senator Lawson & Representative Spiegleman’s assistant) Samantha is in correspondence with Delmarva. There are developments being made but nothing to share at this point. They are working to

compromise on the past due amount owed to Delmarva. Heather Contant, who is now a Ombudsman with the Public Service Commission (PSC), is also involved with the negotiations. Samantha is looking at # of street lights within town limits and insuring the town is only paying for the # that the town is responsible for. She is also looking into the history of the installation of streetlights. Christine had asked this question to MaryAnn (Delmarva) before and had not received a response. Christine asked about a tax that Delmarva used to pay to the town. Samantha would like to see the documents regarding that old tax paper/information. Samantha was informed that MaryAnn had been out of work due to a personal injury and that was part of the holdup in getting responses from them. Delmarva does want to work something out with us; as the council does too. Suzanne question why lights were not shut off. Sam had heard we received some shut off notices and she would like to see copies of them. If we received shut off notices and they were never shut off then there may be some negotiation surrounding that issue. At the very least, Senator Lawson, Representative Spiegleman & Samantha will work towards having change to this practice of sending shut off notices but Delmarva not following through with it. Samantha did indicate the feeling they were getting is they would not turn it off due to public safety issues. Christine had questioned to Maryann in the past and the response from Maryann was that due to the weather it wasn't shut off. Question: if the town was non-existent who would pay the bill and what would happen to the streetlights?. There was farther discussion about State maintained roads, how other towns are responsible for streetlights, and about MSA funds being calculated based on how much road is located within a town. Samantha is hopeful they will come out with a payment plan that we can work with. Delmarva indicated that once payment plan is agreed that late fees would be stopped. Christine's Sept-Oct conversation with MaryAnn indicated that there would be no more fees however they are currently still being added onto the bill. Senator Lawson, Representative Spiegleman, Samantha, & Heather want to discuss a little more with Delmarva before presenting a final proposal to Town Council.

- b. **Comprehensive Plan** - Suzanne reported that Amy & Bob Wisenfluh & Suzanne attended on Dec 16th the Comp plan review board meeting. Shortly after that meeting, Bob, Amy, Deanna, & Suzanne met and made some updates to it. Per Suzanne, we just received the meeting notes in the mail and now it can be review for farther changes. Once updates are made the plan will be turned back into the State. Also, Dave Edgell helped with updated maps and provided those maps for our review and inclusion to the Comp Plan. Once approved by the State Planning and Governor the town council can adopt the plan as final. It is hoped that In the next meeting or two we should be able to adopt the plan. Question posed: Do we have to do another Public Comment Period? Suzanne will check on the need for another Public comment review.
- c. **Municipal Street Aide** – Suzanne – Past and current MSA research and issuance of checks are now completed. Submitted all documentation in Nov/Dec and on Jan 12 & Jan 14 received check for past years \$2,611.31 and for 2016 Fiscal Year, \$537.74. All funds were deposited in MSA checking account at Wells Fargo. Once the Delmarva agreement is completed these funds will be distributed to Delmarva as partial payment of electric. MSA is available each year that the State of Delaware approves it as a budget item. It is anticipated

that will occur for FY2017. Expect about the same amount of \$537.74, to be issued in July 2016 as part of the State's FY2017 Budget.

- d. **CTF Agreement for Hartly Volunteer Fire Company "Front Pad Project"** – Suzanne reported she received an email from Ray that stated the firehouse is pleased with the work and work is completed. Ray emailed a copy of the bill, it was for \$81,800.00. Samantha commented that the work was completed in November and the funds were withdrawn from Sen & Rep's CTF account back in Nov/Dec timeframe. However in talking to Jerry at DeIDOT she found that the State's process is what took so long for the town to receive the monies. Apparently the funds move from CTF account to DeIDOT to OMB to Treasury then back to DeIDOT for disbursement. The check was mailed from the state on 1-28-2016. The town received it on 2-5-2016. No one was at fault, it is just a lengthy process. Per Victoria the check for \$81,800.00 was deposited on Monday and will be given to Dave Gingerich tonight at the conclusion of this meeting.
- e. **Fund Raising Committee (Future Events & Holiday Event Results)** - Mark reported he had sent out an email but has not received much feedback. There have been other issues and concerns that came up and he expects to see things moving forward in near future.
- f. **Family Dollar Progress** – Mark reported that Family Dollar (FD) has met with DeIDOT and indicated they have concern with site plans on drainage. FD agreed to the changes. Also they are waiting on Comp Plan to be completed. FD has requested a commercial building permit but currently the land is identified as residential. Council will need a letter to move forward with a change from residential to commercial before a permit can be issued. Christine reported that she received an email from Chris Riggle (FD representative). They want to put a crosswalk in the triangle area and asked about moving the Town of Hartly sign back by 5 feet. Christine responded that the town would need to discuss because it is more than just moving the sign mainly due to electric that runs to the sign. There is a need to discuss alternatives. Christine provided email documents to Mark for follow-up. Council prefers an alternative, we would like to keep the triangle as is.
- g. **Richie Casson – need to guarantee restitution funds** – Suzanne was following-up on an email that she thought had been received from Lawson or Heather where they had talked to the judge regarding the Casson case; however unable to locate it at this time. There was a hearing on Sept 25, 2015 but the town was never notified about it and the hearing allowed Casson to continue to pay only \$50 per month. The councils concern & discussion was about a method to guarantee getting the funds prior to his death. Samantha asked: Do you know how long he has been paying and how did the court come up with that amount? Answer: We do not. We had questioned about a life insurance policy but there was comment that they don't like to do that. Samantha is not familiar with the subject but will ask Lawson if he recalls what the conversation with Judge was. Sam doesn't think that a life insurance policy is feasible but would suggest an increase in the monthly restitution amount. Possibly ask for another court hearing. Simply based on mathematics' it is not likely the town will see full restitution. Samantha will check with Senator Lawson regarding the matter.
- h. **Sidewalks (TAP)** – Mark reported that DeIDOT has assigned an engineer firm to this initiative. There is a meeting scheduled to talk about priorities and define the process and what the town expectations are for the sidewalk; like ADA compliant. The meeting is

scheduled for the end of Feb. We should have an idea of the details after that meeting takes place.

- i. **Town Council Liability Insurance (proposals/quotes)** – Christine has not yet received quote from Pratt Insurance. Insurance company needs additional information regarding Casson and past budgets. Also have another Insurance Company that will give a quote and meeting will be scheduled to discuss with them.
- j. **David Kuznicki – Documentary on Hartly and other Small Towns of America** – Suzanne reached out to David and found that documentary will be turned into their editor on April 30th. Goal is completion by Aug 1st to turn into PBS for consideration of airtime. David indicated that any time after Aug 1st we could do a premier showing/event. David would like to come out again before April 30th. Documentary cover the time period from last year until the election in April 2016. Also David asked for historical pictures. It was suggested to put something out on Facebook asking for pictures. Send pictures to townofhartly@gmail.com.
- k. **Other unfinished business as may be necessary for discussion and/or action**

Question on how often we post on Facebook – Christine responded not very often but try to put posts out on occasion. Sam has background in public marketing. Sam had suggestion to continue to post on a consistent basis and when we post something she will have Dave & Jeff like it and repost to their Facebook pages. It was also suggested announcing our meetings on Facebook. Sam offered instructions on posting documents to Facebook. Sam offered to help with use of Facebook.

Suzanne reported on the Holiday Celebration the town held; Deanna Jackson had provided a list of helpers, donators, and participants. Suzanne requested addresses of individuals to mail thank you notes out to all.

Question: There was a question posed regarding the two efforts of DeDOT Sidewalks and Family Dollar having sidewalks in their plans. Mark indicated that DeDOT is aware of both projects.

VII. New Business

- a. **2016 Town of Hartly Elections – two (2) council terms ending in April 2016. In need of 3 s for Volunteers for Election Committee. The following are dates of importance:**
 - February 19th, 2016 – Public Notice of Solicitations for Council
 - March 25th, 2016 (5:00 PM) – Deadline for Candidates Filings
 - March 29th, 2016 – Public Notice of candidates, voting place, date, and time. (or Election Cancellation Notice when appropriate)
 - April 30th, 2016 – Date of Election

Suzanne asked for volunteers to Election Board – Jeff Brown and Cathy Samardza volunteered to be on the Election board. Need to be available on April 30th if a vote is needed.

Suzanne & Ray's terms for Council will be ending this year.

Suzanne spoke with Gary from Kent County Elections Department, he emailed the MOU to be signed. Suzanne reported that all documents ready for posting and all are now available on the Hartly.Delaware.gov website. Cathy offered to make the copies for delivery to town residents.

Christine to sign the MOU for Election at end of meeting.

- b. Discussion on future Town of Hartly Meetings dates for 2016 - Christine discussed the addition of Public meetings, suggestion was for monthly meetings. Suzanne agreed monthly would be good. Mark liked monthly however must be coordinated with HVFC as to the evening that the meeting room would be available. Mark motioned that from this day forward, until farther notice, we begin with monthly meetings based on availability of meeting room. Victoria 2nd motion. Motion carried

Council Member	Yes - Agree	No – Disagree	Absent	Withhold Vote
Mark Maguire	X			
Victoria Norris	X			
Suzanne Morris	X			
Ray Morris			X	
Christine Oldham	X			

- c. Discussion regarding change of Banks (currently Wells Fargo) for cost savings
 Suzanne – We currently bank with Wells Fargo. Last month during discussion of the Budget there was discussion regarding the bank fees. Suzanne checked with WSFS bank regarding their bank fees. There fee is slightly lower than Wells Fargo. Mark recommended we get 3 different banks information and then make decision based on the costs and also consider the convenience of location of the banks. Suzanne will obtain information from Citizens, T&D bank, and WSFS.

- d. Other new business as may be necessary for discussion and/or action

Mark has a pending permit for an attached garage. The permit requires a variance request; based on town’s Land Use and zoning in place as of 1981, it states a 25 foot frontage. The property at 373 Main Street had a previous variance approved for Home placement and this request is for an attached garage which would require another variance prior to permit approval.

Mark motions to allow a road frontage variance for the pending permit at 373 Main Street for an attached garage. Victoria 2nd. Motioned carried.

Council Member	Yes - Agree	No – Disagree	Absent	Withhold Vote
Mark Maguire	X			
Victoria Norris	X			
Suzanne Morris				X
Ray Morris			X	
Christine Oldham	X			

Suzanne reported on Master Municipal Certification Program – Spoke with Fran at DLLG regarding the program. This is a certification for municipal town clerks. Cost is \$475.00 for full attendance and Certification. If you just want to attend the classes, the courses are 40.00 for ½ day sessions. Suzanne

will be attending several of the courses. If any other Council members are interested they can attend, send an email to Franf@udel.edu

VIII. Public Comment / Council Member Comment

Question: What were the Holiday Event Results – Suzanne responded total funds raised was approximately \$1,800. We did not have a door count but we are comfortable that it was over 150 in attendance. Special thanks to Jeff Brown for posting in the Dover Post. Christine mentioned we are still seeking a co-chair for the 2016 Holiday Celebration. Cathy Samardza cannot co-chair but will help with identifying entertainment.

Question: What is being done with properties such as the old bank – Christine indicated we are still working on those type situations. We still have a lot to review and complete prior to fixing run down properties. We must complete the Comp Plan and put ordinances in place. We are still trying to get confirmation that the house downtown is condemned or not. It was suggested that we talk to Leslie Parson’s, retired from Kent County. Mark also mentioned about the old car Lot and it appears that the roof is collapsing. Mentioned that this is a long process and without being able to go onsite and review the situation of the building it makes the situation difficult to research. Council will continue with efforts regarding building in need of repair within town limits.

IX. Adjournment

Victoria motioned for meeting adjournment. Mark 2nd motion. Roll call vote. Motion Carried.

Council Member	Yes - Agree	No – Disagree	Absent	Withhold Vote
Mark Maguire	X			
Victoria Norris	X			
Suzanne Morris	X			
Ray Morris			X	
Christine Oldham	X			