

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

---

**MEETING MINUTES**

**Monday, June 6<sup>th</sup>, 2016**

---

**I. Call to Order and Roll Call**

Meeting was called to order by Christine Oldham at 6:31 PM.

Council Present:

Christine Oldham	Victoria Norris
Suzanne Morris	Mark Maguire
Ray Morris	

Public Attendees:

Jeff Spiegelman	Carole Kisner	Richard Kisner
Mike McManamey	Linda M Eckead	Cathy Samardza
Matt Russell	David Kuznicki	John Filicicchia
Jean H Bracken	June Myers	Kyle Virdin
John Smith	Jeff Brown	Dean Virdin
Dora Virdin		

**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**

Ray Morris motioned, Mark Maguire 2nd, approval of previous Meeting Minutes. Motion carried:

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

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

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

Mark Maguire	X			
--------------	---	--	--	--

IV. **Reports** will be reviewed at Thursday June 9<sup>th</sup> 2016 Public Meeting

V. **Unfinished Business**

a. **Comprehensive Plan**

Suzanne reported on the history of the Comprehensives Plan Committee’s development of the 2016 Hartly Comprehensive Plan. The most recent committee members were David Brown, Deanna Jackson, Amy Weissenfluh, Bob Weissenfluh and Suzanne Morris. Amy, Bob, and Suzanne met with the OSPC committee in December regarding the draft of the plan. OSPC advised of needed updates and followed up in writing with those updates via correspondence received in January. The planning committee made updates and resubmitted the plan to OSPC. On May 18<sup>th</sup> 2016 correspondence from OSPC was received stating the 2016 Town of Hartly Comprehensive Plan was in an acceptable format and once adopted by town council it would be submitted to the Governor for Certification. The 2016 Comprehensive Plan for the Town of Hartly is posted and available for public view on the Town of Hartly website. Several copies of the plan were available for review at the meeting. Suzanne read, in its entirety, the Resolution No 16-01 By the President and Town Council of the Town of Hartly Approving and Adopting by Resolution the 2016 Town of Hartly Comprehensive Plan. Suzanne Morris motioned, Ray Morris 2nd, for the approval and adoption of 2016 Town of Hartly Comprehensive Plan. Motion carried. The Resolution document was signed by all Town Council Members dated this day of June 6, 2016.

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

b. **Delmarva Electric**

As a means to resolve the Town of Hartly’s delinquent Electric bill, Suzanne Morris motioned to accept an agreement proposed by Delmarva Power; in addition it is requested that Delmarva Power research one possible duplicate street light charge and adjust if appropriate; Mark Maguire seconded the motion. Motion carried:

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

Christine Oldham	X			
Mark Maguire	X			

**c. Family Dollar Updates**

Mark Maguire reported on the request for a signage variance at the proposed Family Dollar (FD) location. The specifications (copies available at the meeting) received from Hunt Reality (HR), created by Everbrite LLC, in regards to the proposed signage at the FD location does not meet the current town zoning ordinance. HR has requested a variance from the town’s zoning regulations. Mike McManamey was present, representing HR & the FD proposal. Mike explained that the due-diligence research done in 2014 did not uncover the town’s signage ordinances and therefore the site plan and real estate package presented to FD, prior to this councils existence, proposed signage as specified in the documents presented. If it was known in 2014 that there was a zoning ordinance the signage would have been addressed much earlier in the project. The reasoning for signage on two sides of the building is due to the building being positioned on two main roads. FD entered into agreement to purchase based on these specifications. Mike explained there is 50 to 50 chance that if the signage plans are not approved FD could cancel the agreement. Mike farther explained that to negotiate changes now would result in several weeks of delay and may still have an unfavorable outcome. Council expressed their concerns over the square footage of the signs and the differences compared to other FD stores in the region, as well as the precedent this may set. Council farther expressed concern for the residential neighbors adjacent to the proposed FD location and in general the rural community. Council did research with Kent County and was informed that the specifications do meet Kent County Code. Kent County mentioned the opportunity to negotiate a monument sign in place of the two 20’ pylon signage. Alternative recommendations and proposals were discussed during the meeting. Council agrees that the 1981 zoning ordinance needs to be updated and should be addressed immediately. A proposal to have a single FD sign on the building was addressed however it was rebutted that this would again be cause for FD to null and void the existing contract with HR. After lengthy discussions, Victoria Norris motioned to approve variance of current zoning regulations to accommodate the specified signage as requested and documented by Everbrite LLC signage specs/plans in regards to Family Dollar signage. Ray Morris seconded. Suzanne Morris amended the motion to include that Hunt Reality discuss Councils concerns with Family Dollar and request the two 20’ pylon signs be changed to a single monument sign located on the corner of Everett’s Corner Road and

Arthursville Road. (Note: Mike McManamey agreed to address our concerns and propose a single monument sign with FD) Victoria Norris seconded the amended motion.

Amended Motion: Amended Motion Carried

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

Motion as amended: Motion Carried

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

Hunt Reality has requested the annexation of a vacant parcel of land, approx. 20’ by 350’, Property Map Number 9-00-06300-01-1800-00001, located on Everett’s Corner Road (directly neighboring Hartly town limits) from Kent County limits into Town of Hartly limits.

Suzanne Morris motioned to accept the annexation request of said property and move forward with processing the appropriate documentation required by the Office of State Planning Coordination and Kent County to complete the annexation of said property from Kent County jurisdiction to Town of Hartly jurisdiction. Victoria Norris seconded. Motion carried

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

- d. David Kuznicki and Matt Russell– Documentary on Hartly and other Small Towns of America

David and Matt have been in the Hartly area since Saturday. They have been capturing additional filming needed to complete production of the documentary, “A Hope for Hartly”. Matt articulated that he is really excited to share this story. “This could very easily have been a tragedy ...and now you are talking about economic growth. This is a story that should be celebrated and shared with other towns.” The film will be submitted to PBS in October. Matt announced that once they get the film distributed they have decided to donate 10% of distribution proceeds back into Hartly. There was discussion as to when the film could be premiered in Hartly; a weekend in October would be the preferred timing.

Please consider helping the filmmakers achieve their production budget by donating to their GoFundMe campaign: [www.gofundme.com/hopeforhartly](http://www.gofundme.com/hopeforhartly)

**e. Other unfinished business as may be necessary for discussion /or action**

**VI. New Business**

**a. Other new business as may be necessary for discussion and/or action**

- Suzanne reported that Hartly Fire Company has invited Town Council to attend the Housing Ceremony and Open House at the Fire House on June 25<sup>th</sup> from 1PM to 3PM. And, they have asked that a council representative say a few words at the ceremony.
- Correspondence received from Tiffany Dailey from the Delaware Office of Auditors regarding Hartly being selected for testing for the Fiscal Years 2015 and 2016 Municipal Grants Agreed-Upon Procedures engagement. Christine will contact Tiffany.
- Correspondence was received from Delaware League of Local Government (DLLG) in regards to Membership dues. Dues are \$500.00. The formula used for amount of dues is based on annual population figures via the State Municipal Street Aid Fund statistics. Dues for municipalities with less than a population of 500 is \$500.00. The current town budget has funding allotted for Dues and Subscriptions. Suzanne Morris indicated she would contact DLLG to see if they could offer a discount considering the town’s financial concerns. However, if DLLG is unable to offer a discount Suzanne Morris motioned to pay the annual DLLG dues invoice of \$500.00. Victoria Norris seconded the motion. Motion Carried:

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

Christine Oldham	X			
Mark Maguire	X			

**VII. Public Comment / Council Member Comment**

- A comment in regards to the councils concerns regarding setting a precedent by approving the Family Dollar signage variance; Mr. Smith indicated he has been present at several Kent County Levy Court meetings where variances are accepted and denied on a regular basis, when the government says the variance is denied than it is denied, it is just that simple.
- Jean, from Hartly Ruritan Club, requested that recipes for a cookbook that is being put together be forward to the club. The cookbook is a fundraising initiative that will help fund the Ruritan’s community work. Please drop off recipes to Dave at the Hartly Feed & Hardware store or email your recipe to [hartlyruritan@gmail.com](mailto:hartlyruritan@gmail.com) or you can give them to Suzanne on town council. Later in the year the cookbooks will be for sale. Proceeds support the Hartly Ruritan Club.
- Hartly Ruritan is also raffling a bushel of crabs and 5lbs of shrimp. Tickets are \$5.00 for 6 or \$1.00 each. Drawing is on August 6<sup>th</sup>. Tickets were available for purchase at the meeting.
- Hartly Ruritan is a new club this year in this area. The club meets the 1<sup>st</sup> Thursday of each month at the Hartly Fire Co. Applications are available at Dave’s Hartly Feed and Hardware store. Currently the Ruritan Club has Hospital beds and chairs if anyone knows of a person in need.
- A question was posed regarding annexation of current split town/county properties. It was explained that the 2016 Town of Hartly Comprehensive Plan proposes that these split properties be annexed into town limits. The Plan is a 5 year plan and this is one of visions encompassed in the plan. Annexation of the properties may provide the ability for residents to improve their property values by making improvements in backyards where it is not currently zoned to be feasible to do. An annexation of such might affect a property owners town tax fees if the assessment value of the property is increased through the annexation.
- There was discussion about the speeding through town and how on numerous occasions the buildings at the corner of Main Street and Slaughter Station Road have been destroyed. John spoke about his intentions of working on his house that is currently located just past that corner. The home and its property has been the victum of many vehicle

accidents and would like to see something done to try to slow down the traffic coming into town. In the Comp Plan it is suggested that a feasibility study be requested on changing that intersection into a round-a-bout or define other means to slow traffic down. John mentioned that he has requested to our Representative that the electronic speed traffic signs be placed in town. This was also a discussion that council members had with our Representative and Senator. There has been additional discussion with the reconstruction of the sidewalks that if they are constructed to appear that the road is tighter than folks will slow down. Traffic speeds in Hartly is an ongoing concern of the local community and the council will continue to research and work toward a means to curtail the speeding.

- There was a request for council to look into having police better monitor for speeding in town. There are children and others walking around town and the speeding vehicles are of danger to other motorist but of utmost concern is the danger to the children and residents walking in town.
- Victoria Norris asked for volunteers to participate on the Finance Committee. There will be a meeting at her house on Wednesday evening at 6PM. You DO NOT need to live in town limits to serve on a committee. Please volunteer your time and talents to helping the Town of Hartly.

**VIII. Adjournment**

**Suzanne Morris motioned to adjourn, Mark Maguire 2<sup>nd</sup>, motion carried**

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