

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

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**MEETING MINUTES**

Thursday, April 13<sup>th</sup>, 2017

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

Meeting was called to order by Christine Oldham at 7:00 PM.

Council Present:

Suzanne Morris	Christine Oldham
Mark Maguire	Ray Morris
Victoria Norris	

Public Attendees:

Jean Bracken	Richard Kisner
Barbara Thompson	Carole Kisner
Cathy Samardza	David Lawson
John Filicicchia	Peter Haag, DelDOT

II. **Invocation & Pledge of Allegiance**

Christine Oldham 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
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 DelDOT Guests – Main Street Road Improvements & Assessment**

Mark provided an overview of the meeting held on March 9<sup>th</sup>. The meeting was attended by Mark, Ray, Jeff Spiegleman, John Filicicchia, Dave Lawson, Peter Haag, Det. Joseph Lane, and Jeff Brown. The core discussion at the meeting was to determine what efforts could be taken in response to the numerous accidents and speeding that takes place in Town limits. Particularly the accidents that occur at the curve on Main Street at the Slaughter Station Road intersection.

Peter Haag, DelDOT reported and suggested in order to aggressively address the speeding within town to incorporate Speed Reduction markings and electronic speed limit warning sign. Speed Reduction markings are new and have proven to be effective. The method incorporates visual road markings approaching the town limit 25mph speed in which the marks visually imply to the driver to slow. It is a method that DelDOT is suggesting we commit to. Additionally, DelDOT suggests that electronic speed limit warning signs be incorporated as well.

Mark has reserved DelDOT's Electronic Speed Limit sign for use by the Town of Hartly, it is about 12 weeks out and it will be placed in town for approx. 2 weeks. (Expect it to be in Hartly mid-summer).

Suzanne asked Senator Lawson about Delaware legalizing electronic speed signs that issue speeding tickets. Senator Lawson has indicated that topic is of national discussion regarding the legality of those speed devices and he does not see Delaware moving on this type of legislation until it is better defined nationally. Peter Haag, DelDOT, did indicate that CTF funds could be used to purchase an electronic speed sign. Senator Lawson gave some indication that CTF funds could assist in that purchase.

Under proper order of business motions will be presented regarding DelDOT's suggestions.

#### **V. Welcome Trident Insurance Guest – Town Liability Insurance**

Christine announced that Terry DiSanto was unable to make tonight's meeting.

#### **VI. Reports**

##### **a. Treasury**

Victoria Norris reported Income & Expenses for the months of Feb and March. Balance in Citizen's Bank as of end of March was \$20,747.89.

Ray motioned Mark Seconded to accept the Treasury Report. 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			

**b. Building Permits**

- Mark reported that Holly Island Homes has recently purchased property in town and are interested in annexations of all parcels placed in town limits and made as 1 parcel. Suzanne will contact State of Delaware (SoD) OSPC in regards to the need for surveys to accomplish the annex and consolidation of properties.
- Mark issued a permit to the Methodist Church to move and/or repair the buildings chimney (no charge for permit).
- Suzanne created a Municipal Development Trend excel file that needs to be provided to SoD – Office of Management and Budget each year.

**c. Correspondence**

Suzanne Reported:

- eMail from Peter Haag, DelDOT regarding signage for Rehak Lane, and the various options that were discussed earlier at this meeting. Rehak Lane is considered a private road (by DelDOT) and SoD does not maintain it or signs for it. That includes the portion of eastern portion of North street as well There is a small western section of North street (that which is with town limits) that the State does maintain.
- Rec'd correspondence regarding the Scott property (small sliver of land between the church parking lot and the Coleman building) and Scott's Trustee. Suzanne researched and found that Mary Zagato (daughter to Mr. Scott) is trustee of estate. In speaking with Ms. Zagato, she indicated that her hands are tied right now regarding her fathers properties. The many properties that Scott owned are all back taxed and there will likely be a sheriff's sale to pay for the taxes due.
- Several Street Light invoice envelopes were returned as undeliverable. (Ray will research Freddie Paolite).
- Comcast sent communication regarding billing enhancements and changes to resident bills.
- Advertisement from Elan Cities.
- Letter from Mr & Mrs Richard regarding taxes. Will be farther discussed under proper business.

- Rec'd notice from SoD Treasury that a report was past due. The letter was incorrectly addressed. Suzanne completed the form and informed SOD Treasury of correct address; form was faxed to SoD Treasury.
- Kent County MPO invite recieved, next meeting April 26<sup>th</sup>.
- Hudson, Jones, Jaywork, and Fisher, LLC – apologized for delay in responding and will not bill for the work completed. Several topic were addressed in the letter
  - Casson restitution increase (limited options)
  - Outstanding State Court uncashed checks (limited options)
  - Charter Amendments (will wait to hear from Town)
  - Waiver for Volunteers (enclosed)
- Municipal Clerks association information regarding membership, certification and courses offered.
- DNREC – water infrastructure council meeting invite
- Advertisements in regards to purchase of flags.
- Census correspondence received. Christine requested DVD to be sent and should receive shortly.
- Letter from Mrs. Price expressing concern over payment of Street Light Fee.

**VII. Unfinished Business**

**a. Town Council Liability Insurance (proposals/quotes)**

Christine provided the documents she received from Trident Insurance. Suzanne asked about details of the Insurance. Need to obtain additional information from Terri DiSanto. Celeste will be the main person to contact in reference to details. Ray motioned to table discussion and request Terri to attend June meeting, Mark 2<sup>nd</sup> 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			

**b. Restitution from Richie Casson**

Received \$150.00 in restitution. Balance remaining is \$86,523.50.

Mark motioned not to take further legal action in regards to restitution payments, Suzanne 2<sup>nd</sup> 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. Sidewalks (TAP)**

No new reports on sidewalks. Suzanne inquired (based on previous minutes) about a mid-2017 meeting that DelDOT mentioned they would conduct in regards to Phase 2 improvements. Mark will contact DelDOT and establish a meeting date for that effort.

**d. Street Light Impact and 2016 Property Tax**

- Suzanne reported bills were distributed the end of Jan 2017. A couple invoices were returned as undeliverable. To date we have Rec'd \$2,900.00, representing 29 properties. 24 remain to be paid. Approx 53 properties in town limits; over ½ received. Due date for payment was 3/31. Resolution does not include any late fees or interest. Mark motioned to send 2nd letter to residents to remind them of payment, Ray 2<sup>nd</sup> 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			

- Property taxes: Frank Lawrence back taxes were paid up to-date. Wesley Burriss back payment was received. Real Estate Agent has been in contact with us in regards to Coleman property too. Only a few property taxes are still unpaid. Most are only for less than \$50.00. Christine will speak with James Turner regarding that late tax.
- We received request from Mr. & Mrs. Richard in regards to their tax bill for MCL Inc. MCL property was reassessed mid-year and the town tax was calculated for the entire year on the new amount. Suzanne has recalculated the tax based on 8 months at \$7700.00 and 4 months on the \$195000. Suzanne motioned that a corrected tax bill for this property be issued (2016 property taxes would be \$140.59) and because it was our error there should be no interest charged through Aug 31, 2017. Mark seconded. 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			

**e. Delmarva Power**

New contact with Delmarva is Natalie. Initial contract with MaryAnn Murphy was 72 months of payments at \$260.00 monthly and reverse interest charges at end. Natalie was unable to get ahold of MaryAnn to determine the exact status of the situation and the contract that the town signed in June was not to be found at Delvarva. Natalie inquired to her supervisors and was told to handle the situation as needed. Natalie was able to credit back the \$640.00 additional deposit from December 2016 bill, and reverse \$5,170.30 in late fees. Total due now is \$13,504.71 vs prior to Natalie’s intervention the bill was \$18,935.07. New Payments will be 55 installments at \$232.00. \$12,658.84 is current bill. Suzanne presented a motion to pay the past due in full to Delmarva. There was no second. There was discussion about other upcoming obligations. It was acknowledged that all funds from any fundraising must be paid to Delmarva however the exact figure of funds raised was not available at the meeting. Victoria & Suzanne will calculate and document the funds obtained from Fundraisers and provide that report at the June 8<sup>th</sup> meeting.

**f. 2017 Solicitation of Candidates**

Received Mark Maguire’s candidate forms. Mark was the only candidate of the three (3) open positions. There was no need for elections. Suzanne handled the communication for cancellation of Elections with the Dover Post and Dept. of Kent County Elections. There will be 2 open Commissioner Positions on April 30th.

**g. Other unfinished business as needed :**

Suzanne thanked Ms. Bracken for all of her crafty donations to the Town that has enable us to decorate the triangle at a minimal cost.

Mark inquired as to who cuts the grass in the triangle. Apparently, Ms. Austin (from Crystal Road) has been cutting the grass in the triangle for the past several years.

Mark motioned, Ray 2<sup>nd</sup>, to send thank you note to Ms. Austin for taking care of the triangle for several years. 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			

**VIII. New Business**

**a. Oath of Candidates**

Mark Maguire was sworn in as Commissioner of Town of Hartly, term 2017 – 2019 by Town of Hartly President Christine Oldham.

**b. Commissioner Positions**

Christine Oldham resigned her position as President. Christine motioned for Mark Maguire to take the position of President of the Town of Hartly, Suzanne seconded.

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

- Ray presented documents in regards to the cost for a police presence in town limits. Other local municipalities’ law enforcement contacted by Ray and Mark were not interested in patrolling in Town of Hartly; there were concerns regarding liability. Troop 3 contracts and patrols in other towns, their process is well established. Hourly rate is 87.75 for police presence. The Town can define the dates, times, and #hours for them to patrol. Christine mentioned a SEA fund/grant available for State Police presence (will need to research farther). Need to determine if the town should be receiving a portion of the tickets issued within town limits. (Senator Lawson will look into this question).

Suzanne motioned for 8 hours a month (\$702.00 monthly) for 3 months or until the trailer arrives at which time we will reassess the situation. Ray 2<sup>nd</sup>. 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			

- Ray motioned to email DeIDOT to move forward with both suggestions that Peter Haag presented to the town regarding speed deterrents in town. Christine 2<sup>nd</sup>. 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 will check with Citizens Bank to determine what is needed change bank access since both Christine and Victoria will no longer be Town of Hartly Commissioners.
- Suzanne motioned to incorporate the ability for electronic payments to monthly utility bills (vs. use of written check) be allowed, Christine 2<sup>nd</sup>. 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			

**IX. Public Comment / Council Member Comment**

- Senator Lawson thanked Christine Oldham for her leadership and service over the last two years.

**X. Adjournment**

Ray Morris motioned, Victoria Norris 2<sup>nd</sup>, to adjourn, 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			