

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

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**MEETING MINUTES**  
Thursday, December 8, 2022

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

Meeting was called to order by Mark Maguire at 7:01 PM.

Council Present:

Mark Maguire	Robert Graves
Suanne Morris	Megan Raughley
Raymond Morris	

Guests Present:

Joel Sines	John Filicicchia
Dana Webb	

**II. Invocation & Pledge of Allegiance**

Suzanne provided Invocation; Megan led in the Pledge of Allegiance.

**III. Approval of Previous Meeting Minutes and Tonight's Agenda**

Suzanne motioned to approve previous minutes and tonight's agenda be accepted, Ray 2<sup>nd</sup> to approve August 2022 Meeting Minutes and December 2022 agenda.

Motion carried:

Council Member	Yes - Agree	No – Disagree	Absent	Withhold Vote
Mark Maguire	X			
Suzanne Morris	X			
Robert Graves	X			
Megan Raughley	X			
Raymond Morris	X			

**IV. Reports**

**a. Treasury**

**i. Citizens Bank Account**

Ending balance as of today \$37,057.08. Savings Account: Reported balance as of the end of the 3rd Quarter of \$60,011.27. Revised per notation from 2/9/2023 meeting. (MSR)

## **ii. Restitution from Richie Casson**

Checks have been received monthly for October, November and December 2022.

## **iii. Delaware State Police Accounting Record**

Suzanne reported 1 check has been received for \$29.00 from a ticket issued in town.

## **iv. Property Tax and Street Light Tax**

Suzanne reported taxes paid to date total \$15,977.40 which includes 2022 base tax, past due taxes & penalties as well as 2022 Street Light Tax. The outstanding balance due totals \$7,860.00.

Megan motioned, Rob 2nd, to accept the Treasury Reports. Motion carried:

Council Member	Yes - Agree	No – Disagree	Absent	Withhold Vote
Mark Maguire	X			
Suzanne Morris	X			
Robert Graves	X			
Megan Raughley	X			
Raymond Morris	X			

## **b. Building Permits**

Rob reported \$1400.00 in permits since last meeting; Suzanne has all payments and he has not heard from Kohout on continuation of their plans or any update regarding the commercial property on the corner.

## **c. Correspondence**

Megan reported nothing required action.

# **V. Unfinished Business**

## **a. Sidewalks (TAP)**

Mark reported he met with DelDOT; the project should be complete; a sign was moved as requested and they were to do a final walk through to double check. There are drainage issues on Arthursville Road that the Town will evaluate and handle. Mark asking for a copy of the previous agreement between DelDOT and Town re: drain responsibility being on the Town; pending receipt. Ray advised he will reach out to his contacts as well for assistance. Suzanne confirmed that none of the Municipal Street Aid funds include a stipend for street mileage.

## **b. Street Light Update**

Mark reported the Firehouse to the Hartly Market has already been updated to LED. 2023s request for LED updates will be the Firehouse to the school.

## **c. Town Police update**

Mark reported a vehicle has been acquired; it needs to be outfitted, current wrap removed and then re-wrapped. We will need to complete, agree upon and finalize both a wrap for the vehicle and patch

for the officer's uniform. Mark and Rob advised the posting for the position is on our website, on our Facebook and in the Post Office. Mark is also working with the Chief in Smyrna on an MOU; Suzanne is working through and reviewing SOPs.

**d. 2020 Comprehensive Plan Committee Update**

Suzanne reported there is no update at this time.

**e. Land and Zoning Use Plan Update**

Changes are required to be completed for the final reading; Rob and Mark to work on updates to be completed for the February meeting.

**f. Promotional/Marketing Purchase Update**

Suzanne advised the chip clip/magnet is on backorder but pens, pencils, and bags (insulated and non) have been received. The \$750 grant for marketing materials previously granted to the Town from Kent County were used to purchase event flags that will be shared with and stored at Hartly Volunteer Fire Company; these have also been received. Suzanne will update the necessary representatives to advise the funds have been used. A suggestion from guest, Dana Webb, for future orders is travel coffee mugs.

**g. Microsoft 365 Business Update**

Suzanne reported no update at this time.

**h. American Rescue Plan Act 2021 Update**

Suzanne reported the LUCAS device has been ordered and she has been working with Stryker and EMS Director Maguire to coordinate the purchase and billing. The Town will present the device (or a photo of its likeness) to the Hartly Volunteer Fire Department at the annual Appreciation Dinner scheduled for 1/14/2022.

**i. Vacant Building/Defaulted/Abandoned Properties Update**

Suzanne reported the lawyer responded and we need to review the zoning ordinance for updates to be more clear on the definitions of "vacant" or repercussion for non-action. The Town needs to notify the resident that he needs to present his argument at the next meeting with a minimum notice of 15 days prior via certified mail; Megan will draft a letter for review.

**j. DeIDOT 3-Way Stop Update**

Mark reported there is no update and the blinking lights will stay in place at this time.

**k. Verizon Cell Phone Update**

Megan reported that she was in contact with the Verizon rep that EMS Director Maguire reached out to; no recent response, Megan will reach back out to see if they are able to assist.

In the meantime, Megan and Rob will work to find and obtain a new, affordable, device that meets the network requirements that deem the current device operable.

## **I. 2023 Budget Review: 2nd Reading and Approval**

Second reading completed and a balanced budget has been presented.

Ray motioned to accept the proposed 2023 Budget as presented; Megan 2nd the motion. Motion carried:

Council Member	Yes - Agree	No – Disagree	Absent	Withhold Vote
Mark Maguire	X			
Suzanne Morris	X			
Robert Graves	X			
Megan Roughley	X			
Raymond Morris	X			

### **m. 2022 Holiday Event**

Megan reported we have access to the hall at 3p to set up, everyone will meet to assist; Hartly Elementary Chorus, directed by Ms Braddy, will perform and be the final event of the evening leading into the tree lighting planned for approximately 530p, weather permitting. Christmas on Main will begin at 5p and each event will be advising attendees of the other. Mark suggests meeting Friday to drop off as many decorations as possible to avoid having to unload multiple vehicles on Saturday. Mark advised Fire Police we would need the bend shut down 530-6p.

### **n. Elected Officials Tax Waiver Update**

Suzanne spoke to the lawyer who advised they do not recommend exempting commissioners from taxes; however, under section 4.4 of the Town Charter, commissioners can be compensated a fixed sum for each meeting or special meeting they attend. When authorized by a resolution approved by 4 or more commissioners it can be implemented. The commissioner that brought the motion will need to review and revise their motion to be presented.

### **o. Other unfinished business as may be necessary for discussion and/or action**

None to discuss

## **VI. New Business**

### **a. Proposal of Accountant**

Mark talked to the accountant for HVFC in regards to the impending officer; Jude. He feels the rates are extremely reasonable and would like Superior Bookkeeping to be considered for choice of accountant for the town.

Rob motioned to approve Superior Bookkeeping for 2023 year for pay-roll processing, taxes, 401k, all withholdings, quarterly forms, etc. Suzanne 2nd the motion. Motion carried:

Council Member	Yes - Agree	No – Disagree	Absent	Withhold Vote
Mark Maguire	X			
Suzanne Morris	X			
Robert Graves	X			
Megan Raughley	X			
Raymond Morris	X			

**b. Other New Business as may be necessary for discussion and/or action**

None

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

Resident, John Filicicchia, asked about the reported information on permits; Rob clarified the totals reported have been received since the last meeting for new construction and few other miscellaneous permits. He also asked why the sidewalk at the commercial corner in town was not updated along with the sidewalk project; Mark advised that because it is a commercial property and for sale at this time, DelDOT will not include it in their plans. He also asked about the commercial property on Main Street and their plans to build; Rob advised he has no updates at this time.

Resident, Dana Webb, asked about opportunities for opening a coffee shop/truck in town. Mark and Rob provided guidance on the process for establishing a brick and mortar versus mobile business. Mark confirmed if a mobile business was established, the only requirements the Town has in place are that all licensing and food safety permits be in place to run a food based business, that they have permission from the owner of the property they would be parked on and that traffic cannot be impeded by the patrons/parking of the business.

Resident, Joel Sines, asked about plans for the commercial property on the corner and any plans for its development.

President, Mark, commented on the decor on the homes in town and would like to see a Christmas Decor contest for the 2023 holiday season.

Treasurer, Suzanne, asked that a note be added to February meeting agenda for Summer 2023 event.

Secretary, Megan, asked about a question received from a resident regarding the traffic through town due to Google Maps not being updated after the bridge repairs have been completed; Mark and Ray advised we have no ability to control Google Maps at the Town level.

## VIII. Adjournment

Megan motioned Rob 2nd to adjourn at 7:57 PM. Motion carried.

Council Member	Yes - Agree	No – Disagree	Absent	Withhold Vote
Mark Maguire	X			
Suzanne Morris	X			
Megan Raughley	X			
Robert Graves		X		
Raymond Morris	X			