

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

MEETING MINUTES
Thursday, April 13, 2023

I. Call to Order and Roll Call

Meeting was called to order by Mark Maguire at 7:00 PM.

Council Present:

Mark Maguire	Robert Graves
Suanne Morris	Megan Raughley

Guests Present:

Peggy Bacon	Michelle Rawley
Wendy Nye	Catherine Maguire

Please forgive any misspellings for signed or illegible names

II. Invocation & Pledge of Allegiance

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

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

Rob motioned to approve previous minutes and tonight's agenda be accepted, Suzanne 2nd to approve February 2023 Meeting Minutes and April 2023 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

Checking Account: Ending balance as of March 31 was \$12,191.96. Expenses since the last meeting include: Delmarva Power, Verizon Phone, postage, supplies, Traffix Logic and 4Imprint for upcoming events. Savings Account: Reported balance as of today of \$60,014.26.

ii. Restitution from Richie Casson

Checks have been received monthly and he is up to date. Exact figures not on hand at this time

iii. Delaware State Police Accounting Record

Suzanne reported no update.

iv. Property Tax and Street Light Tax

Suzanne reported there are still properties that are outstanding.

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 no new permits.

c. Correspondence

Megan reported the letter to Delaware Mosquito Control was emailed to Anne Newlin on 3/8/2023 to approve treatment.

V. Unfinished Business

a. Street Light Update

Mark reported he sent an email to Delmarva Power; there is a new contact he has to reach out to and is awaiting response. We have submitted all the paperwork that is required at this time.

b. Town Police update

Mark reported a few resumes have been received; we are awaiting response for insurance quotes from a company in Smyrna. Mark will shop around if timely responses are not received from the provider(s) he has already made contact with for insurance. The vehicle maintenance has been completed; the vehicle will need shocks but it is road ready and safe to drive. He reached out to a resident that expressed interest in assisting regarding the vinyl work to be done. We still need to complete the SOPs and SOGs. He also advised the Town was gifted a stationary, dashstyle radar (approx to purchase new is \$5,000); the officer, once hired, will still need to be outfitted and a computer & printer will need to be purchased for the vehicle.

c. 2020 Comprehensive Plan Committee Update

Suzanne reported there is no update at this time.

d. Land and Zoning Use Plan Update

Suzanne reported our lawyer provided a rewrite to be reviewed by the Commissioners; the current and recently received documents will need to be compared for a final rough draft to be read.

e. Promotional/Marketing Purchase Update

Suzanne reported items have been purchased including the insulated mugs to be used during upcoming events; Summer 2023 and Holiday 2023 if applicable. We still have reusable bags, pencils and a few other items from the last event as well.

f. Microsoft 365 Business Update

Suzanne reported no update at this time.

g. Vacant Building/Defaulted/Abandoned Properties Update

Rob reported there has been no response from the Davis property; Suzanne will check into fees and send a final letter to attempt contact. Without response, we will need to contact the lawyer for assistance per Mark request.

h. DeIDOT 3-Way Stop Update

Mark reported Senator Dave Lawson and Representative Jeff Spiegelman have assisted in communications with DeIDOT to ensure the lights coming into town will stay in place; the lights on the sign going out of town can/will be removed sometime within this month.

i. 2023 Summer Event

Mark reached out to HVFC to confirm dates; previously listed as Friday evening and Mark wants to confirm this was our intent. September 16th (Sat) is not available if that was our intent. Megan will review the previous months' minutes to ensure we decided on a Friday evening to allow for cooler weather and do a movie night as well. Megan will contact All Blown Up about their movie screen and bouncy houses. Megan will reach out to the Ladies Aux, Ruritan Club and HVFC about assistance.

Recording reviewed: confirmed we said Friday evening Sept 15th with rain date Sept 22 for event

j. Becker Morgan Group/PennTex Ventures Update

Mark reported for the attendees that Dollar General would like to build in town; the representatives were present at the last meeting. The Commission voted not to support the project and since the previous meeting was served with a lawsuit through the Superior Court by the property owner. Mark and Suzanne met with the Town's attorney to review. The attorney felt it was a misunderstanding that the Town was being served so quickly. His recommendation was to provide insight on requirements for the plot plan approval with the understanding that the building would still be erected for the business to be brought in town unless the Town has the financial ability to defend itself in court. At this time, the attorney does not feel we have a legal stance to stop the project since our Comprehensive Plan states that it is already a zoned commercial property that we encourage a

family oriented commercial business to build and develop. The project, in all legal aspects in his opinion, meets the requirements of our Comprehensive Plan currently in place. The Town requested updates to the site plan: 8' fence to separate commercial and residential properties, vegetation must be placed in between the commercial and residential properties lining the lot and that the back lot that is currently zoned for Kent County to be annexed as per our Comprehensive Plan. Mark advised no permits have been pulled at this time, the updated plot plan including the requirements provided by the Town has not yet been received; he confirmed after speaking with our attorney, he asked again of the developers if any other business under their umbrella would be suited for this area and was advised not at this time. Mark advised that DNREC controls the Brownfield processes for soil sampling and all concerns for accesses are handled by DNREC.

k. 2023 Elections Update

Suzanne reported that all incumbent Commissioners ran unopposed and no election will be held on April 29th. A notice will be posted in the post office and on our website.

l. 2023 Holiday Event

Megan advised no plans have been made at this time other than the date, 2nd Saturday of December. More details to come for both events at the next meeting.

m. Other unfinished business as may be necessary for discussion and/or action

None to discuss

VI. New Business

a. ARPA Fund Updates

Suzanne reported she tried to file the necessary reports but was having trouble; Mark suggested that she reach out to the lawyer that we paid to have access to when the funds were received.

b. Scott Property

Suzanne reported that she discussed with the lawyer our options due to past due taxes and ground maintenance fees; the lawyer could assist us with munition sale or purchase if they are willing to sell. Megan will make contact with the representative of the family that previously reached out to see what our options are. Both properties, the in town and the county plot, would need to be included for purchase for the Town to be interested.

c. Grass Maintenance Attention to Lot in Town

Suzanne reported that the lot at the intersection of Main Street and Slaughter Station needs attention. Megan will send a letter to the owner. Rob will give the vendor we have contracted a heads up in the event we do not receive a response.

d. Yearly Grass Maintenance Updates

Rob reported that he spoke with the vendor that handles the mowing for the Town and he will do that bi-weekly until otherwise updated.

e. Existing Permit for Main Street Property

Rob reported that a previously approved permit to grandfather the replacement of an existing building on property lines has caused additional requirements from the county. To that effect, the building will be moved to meet the existing setbacks for the Town and County to no negative effect of the Town.

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

None

VII. Public Comment / Council Member Comment

Attendee, Wendy Nye, asked about Kohout property plans. Rob advised that they still plan to move forward but are delayed due to material building costs. He is awaiting updates from Meghan.

Attendee, Michelle Rawley, introduced herself to the Commission and attendees. She is a realtor that is new to the area and would like to be involved in upcoming events. Megan to reach out to her once plans are in the works for the 2023 events.

President Maguire would like it noted that he appreciates the community for their efforts in the continuing improvement of the Town. He wants to ensure all residents are aware that the Town is responsible for the maintenance and care of the drains within the municipality and would like to reiterate the importance of blowing grass and yard clippings of the sidewalks and out of the street to avoid issues arising. He also noted he would like to see the school brought into town limits to allow the officer, when implemented, to assist with ensuring the safety of the school.

VIII. Adjournment

Rob motioned Suzanne 2nd to adjourn at 7:50 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	