

**TOWN OF GEORGETOWN
TOWN COUNCIL MEETING MINUTES**

Meeting Date: Wednesday, May 8, 2013
Location: Town Hall, 39 The Circle, Georgetown, DE
Time: 6:30 P.M. Executive Session
7:00 P.M. Regular Meeting

PRESENT:

Mike Wyatt, Mayor
Steve M Hartstein, Ward One
Sue H Barlow, Ward Two
Bill West, Ward Three
Linda Dennis, Ward Four

STAFF PRESENT:

Eugene S Dvornick Jr, Town Manager
Angela Townsend, Town Clerk
Stephani J Ballard, Town Solicitor
Bill Bradley, Dir of Public Works

6:30 P.M.

Mayor Wyatt called the meeting to order.

Motion by Councilperson Hartstein, seconded by Councilperson Barlow, to adjourn to Executive Session. **APPROVED (unanimous).**

6:30 P.M. Executive Session

Mayor and Council met in Executive Session for discussion of site acquisitions/dispositions.

Executive Session exited at 6:38p.m.

7:00 P.M. REGULAR MEETING

1. PLEDGE OF ALLEGIANCE

Mayor Wyatt led the Pledge of Allegiance.

2. INVOCATION

Mayor Wyatt led the invocation.

3. ADOPTION OF AGENDA

Item #5 PROCLAMATION FOR DEE BESCHE was deleted.

Motion by Councilperson Hartstein, seconded by Councilperson Barlow, to adopt the agenda as amended. **APPROVED (unanimous).**

4. APPROVAL OF APRIL 24, 2013 TOWN COUNCIL MINUTES

Motion by Councilperson Barlow, seconded by Councilperson Dennis, to approve the minutes as written. **APPROVED (unanimous).**

5. PROCLAMATION FOR DEE BESCHE

Item rescheduled for May 22, 2013 Council meeting.

6. BOARD OF ADJUSTMENT APPOINTMENTS

Three positions were advertised for. Letters of interest were received from Jane Hovington and Bo Shockley. Chet Johnson submitted a letter of interest for the Planning Commission vacancies, leaving one seat open. The vacancies were advertised in the Sussex Countain, the Town's website, and posted in Town Hall.

Mayor Wyatt recommended the appointment of Jane Hovington and Bo Shockley to the Board of Adjustment.

Motion by Councilperson Barlow, seconded by Councilperson Hartstein, to approve the Mayor's recommendation. **APPROVED (unanimous).**

7. **PLANNING COMMISSION APPOINTMENTS**

Rob Robinson and Dave Pedersen are stepping down leaving 2 openings on the Planning Commission. Letters of interest were received from Chet Johnson and Gary Tonge.

Mayor Wyatt recommended the appointment of Chet Johnson and Gary Tonge to the Planning Commission.

Motion by Councilperson Hartstein, seconded by Councilperson Barlow, to approve the Mayor's recommendation. **APPROVED (unanimous).**

8. **BEACON ENGINEERING – PUMP STATION EVALUATION PROPOSAL**

Council was presented with a proposal for preliminary engineering services to determine the rehabilitation of the James Street Pump Station. The cost of the evaluation services (Task 1) is approximately \$2,200.

Motion by Councilperson Barlow, seconded by Councilperson Hartstein, to approve the proposal (Task 1) in the amount of \$2,200.00. **APPROVED (unanimous).**

9. **GREAT FUND APPLICATION REQUEST FOR FUNDING – GEORGETOWN ARTS & FLOWERS**

The GREAT Fund (Georgetown Recreation, Education & Arts Trust Funding Program) was established in 2007. Source of funding is to provide financial support to various organizations. Joy Sikora, Georgetown Arts & Flowers has contacted the Town requesting a draw. The current balance is \$87,718.80. Requested breakdown of draw \$440.00 (falls under Education & Arts)

Motion by Councilperson Barlow, seconded by Councilperson Hartstein, to approve the funding request in the amount of \$440.00. **APPROVED (unanimous).**

10. **RECOMMENDATION ON US113 & ENNIS ROAD IMPROVEMENTS**

On Tuesday the Town met with a representative from DelDOT, Peter R Haag, Jr, to discuss the proposed modification to US113 & Ennis Rd.

Drawing #1

Two options are available channelizing islands or installing a traffic signal at the intersection. DelDOT's recommendation is to install channelizing islands to prohibit eastbound and westbound left-turn and through movements while permitting northbound and southbound left-turn/U-turns.

Drawing #2 – Informational only

Shows the improvements to be made to US113 & 404/18 including the installation of a double right-turn lane with a signal. In addition to reconstructing a new sidewalk and pedestrian crossing.

Motion by Councilperson Hartstein, seconded by Councilperson Barlow, to support DelDOT's recommendation of channelizing for the intersection of US113 & Ennis Road. **APPROVED (unanimous).**

11. **BAXTER AGREEMENT – 1YR. EXTENSION WASTEWATER DISPOSAL**
After discussion, the following was acceptable to the Baxter's. All items outlined in the April 2008 Agreement remains in effect. The Town shall pay the Owner a Land Utilization Fee of \$57.92 per acre, made in two (2) payments annually, 50% in January, 50% in December of each year. Effective date of this agreement shall be January 1, 2013 with the first half of the Year 1 Land Utilization Fee being paid within thirty day of the execution of this agreement by both parties. The parties agree to begin discussions on a new contract on/or before October 2013

Motion by Councilperson Hartstein, seconded by Councilperson Barlow, to approve the Baxter 1yr Extension Wastewater Disposal Agreement. **APPROVED** (unanimous).

“Baxter Disposal Agreement is incorporated as part of the minutes.”

12. **SWANN AGREEMENT LAND LEASE FOR FARMING**
Attached is a lease agreement specifying the terms and conditions between the Town of Georgetown and Sammy Dale Swann. Mr Swann has agreed to and signed the agreement. Highlights: One (1) yr lease, Lease may automatically renew for an additional period of one (1) year per renewal. Premises only for seeding of crop and harvesting of the same. Within thirty (30) days of execution of this lease by both parties, tenant shall have an Agricultural Analysis completed by an agricultural professional. Such analysis shall include, but not be limited to, a review of the soils on the site, the crop management plan and recommended actions for improvement. Remedial actions may be required to ensure and maintain nitrogen removal rates as reflected in the Spray Irrigation Permit. A representative of Landlord shall be present at the analysis. Tenant shall be responsibility to maintain insurance on all equipment and assume responsibility for any casualties and or losses. Proof of insurance is required. Tenant shall not keep or have on the Premises any article or thing of a dangerous, flammable, or explosive character that might substantially increase the danger of fire on the Premises, or that might be considered hazardous by a responsible insurance company, unless the prior written consent of Landlord is obtained and proof of adequate insurance protection is provided by Tenant to Landlord. Tenant shall not assign or sublease any interest in the Premises, nor effect a change in the majority ownership of the Tenant (from the ownership existing at the inception of this lease), nor assign, mortgage or pledge this Lease, without the prior written consent of Landlord, which shall not be unreasonably withheld.

Motion by Councilperson Hartstein, seconded by Councilperson Barlow, to approve the Swann Agreement for Farming. **APPROVED** (unanimous).

“Swann Agreement is incorporated as part of the minutes.”

13. **DEPARTMENTAL REPORTS**
A. GENE DVORNICK – TOWN MANAGER

Concrete Crushing Request

The Town has received a request to grant permission for on-site concrete crushing at the County Seat Apartment site (Ennis Road/Seashore Highway). The request outlines the following:

- Equipment: Bear 500 Cone Concrete Crusher (with minimum noise and dust)

- Start Date: anticipated June 4, 2013
- Duration: 4 to 5 days (weather permitting)
- Hours of Operation: 10:00 a.m. – 3:30 p.m.
- Volume: 150 tons of concrete
- Limitation: only for the concrete currently on site – No Hauling

Motion by Councilperson West, seconded by Councilperson Barlow to grant the request subject to the following: equipment is Bear 500 Cone Concrete Crusher (with minimum noise and dust), start date: anticipated June 4, 2013, duration: 4 to 5 days (weather permitting), working Days: Weekdays (Monday through Friday) only – no weekends, hours of operation: 10:00 a.m. – 3:30 p.m., volume: 150 tons of concrete, limitation: only for the concrete currently on site, Town of Georgetown Business License required for contractor/subcontractors involved with the job, and any noise complaints may result in an immediate cease and desist order. **APPROVED (unanimous).**

Legislative Items

There are a few pieces of legislation we have been actively engaged with and offering comment on:

<u>Bill</u>	<u>Description</u>	<u>Position</u>	<u>Status</u>	
HB 4	Reincorporation – New Charter	Support	Passed House	Passed Senate
HB 6	Modification to Prevailing Wage Requirements	Support	Failed in Committee	
HB 27	Tax Refund Intercept for Collection of Property Taxes	Support	Out of Committee	
HB 81	Police Officers’ and Firefighters’ Employment Relations Act	Oppose	Passed House	Labor & Industrial Relations
SB 6	Minimum Wage	Neutral	Econ Dev/Banking Insurance/Commerce	Passed Senate

Miscellaneous

The Maintenance I position closes May 10 – so far 30 applications have been received

B. BILL BRADLEY – DIRECTOR OF PUBLIC WORKS

We have had a person have an accident in the circle. The damages resulting from the accident was the fire hydrant, 3 bushes, grass, and the fountain. The fountain has to have all the brick work replaced due to matching the brick work and the interior resurfaced.

We sent out bid proposals to have North King Street resurfaced. At this time I feel this is the worst street we have in Town. These bids should be ready for Council’s approval on the agenda for May 22’s meeting.

We are replacing a broken section of curbing at the intersection of Honeysuckle Dr. At the cost of \$740.00, Shea Concrete is to install the new curbing.

The new well replacement project was started Monday, May 6, 13. A.C. Shultes has drilled the pilot holes and the testing was done to determine the new well design.

The water service line project has completed the service line replacement from the water mains to the properties. We are now waiting to receive the water meters to install the new no lead 20 year battery life meters.

The street sweeper has been out cleaning the streets and we have been cleaning catch basins.

The men have been repairing and replacing street signs throughout town making a list of ones that need replaced to get ordered and straightening others that have been bent or twisted.

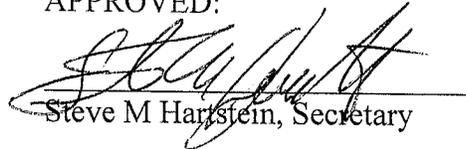
14. PUBLIC COMMENT

Sue Barlow: On Thursday, May 2, 2013, myself, Jamie Burk, Gene Dvornick, and staff from La Esperanza, walked through Kimmeytown. The walk was an eye opener for some, there is a completely different perspective when you walk compared to driving that area. One house on Kimmey Street has 7 families living in it. As usual we picked up a lot of trash. Jamie Burk, Code Enforcement Officer is doing an excellent job.

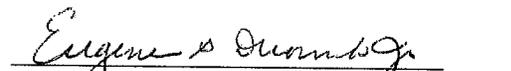
15. ADJOURNMENT

Motion by Councilperson Barlow, seconded by Councilperson Hartstein, to adjourn at 7:27p.m. **APPROVED (unanimous).**

APPROVED:


Steve M Hartstein, Secretary

ATTEST:


Eugene S Dvornick Jr, Town Manager