

Posted: May 3, 2017 @ 2:40 PM



Georgetown

Town Council Meeting Agenda

Meeting Date: Wednesday, May 10, 2017

Location: Town Hall, 39 The Circle, Georgetown, DE

Time: 7:00 PM Regular Meeting

Page

7:00 PM - REGULAR MEETING

1. PLEDGE OF ALLEGIANCE

2. INVOCATION

3. ADOPTION OF AGENDA

4. APPROVAL OF APRIL 26, 2017 TOWN COUNCIL MINUTES

5. NATIONAL COMMUNITY ACTION MONTH PROCLAMATION

3 [National Community Action Month Proclamation](#)

6. 2ND READING AND ADOPTION OF ORDINANCES

4 - 6 Ordinance #2017-2 Burning, Outdoor
[Ordinance 2017-02 Burning Outdoor](#)

7 - 9 Ordinance #2017-3 Personnel, Use of Town Supplies and Equipment
[Ordinance 2017-03 Personnel Use of Town Supplies and Equipment \(Final\)](#)

7. DEPARTMENTAL REPORTS

- 10 - 14 A. Gene Dvornick – Town Manager
[Town Manager Report - 2017-05-10](#)
[Delaware General Assembly Legislative Report \(149 GA - 1st Session\) \(2017-05-10\)](#)
- 15 - 18 B. Bill Bradley - Director of Public Works
[Bill Bradley Dept. Head Report](#)

8. PUBLIC COMMENT

9. ADJOURNMENT



Proclamation for National Community Action Month

Whereas, First state Community Action Agency eliminates the root causes of poverty while making less severe the effects of poverty on low income people and communities; and

Whereas, First State Community Action pride themselves on: trained staff with an outstanding capacity to help people become self-sufficient, a commitment to diversity, sponsor programs that promote self-reliance, inventive approaches to complicated problems that baffle others, and follow a belief that people need to get back to the basics of honesty, responsibility, hard work, and concern for the welfare of others not just the self; and

Whereas, First State Community Action is governed by a multi-talented Board of Directors that represent the banking industry, the teaching profession, real estate, government, and housing arrangement. First State's many programs are implemented by a trained staff that go the "extra mile" for the people served; and

Now Therefore, I, William E. West, by virtue of the authority vested in me as Mayor of the Town of Georgetown do hereby proclaim May 2017 as:

National Community Action Month

And urge all citizens to join in supporting First State Community Action Agency and the programs and services provided by the staff.



In Witness Whereof, I have hereunto set my hand and caused the seal of this Town to be affixed this 10th day of May, 2017.

William E. West, Mayor



ORDINANCE 2017- 02

**AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF GEORGETOWN,
CHAPTER 70 THEREOF, ENTITLED BURNING, OUTDOOR**

THE TOWN COUNCIL OF THE TOWN OF GEORGETOWN IN COUNCIL MET AND
HEREBY ORDAINS:

Section 1. Chapter 70, Burning, Outdoor of the Code of the Town of Georgetown is hereby amended as follows:

§ 70-1. Definitions.

Fire Pit – A pit dug into the ground or made from stones, masonry, etc, that rests on the ground, for keeping a fire used for recreation or cooking.

Public Way – A street, sidewalk, alley or bike trail.

Recreational Fire – A small outdoor fire whose purpose is for pleasure, viewing, religious, ceremonial, cooking, warmth or similar purposes using only seasoned dry firewood or commercially available charcoal briquettes.

Rubbish – Items such as paper, plastic, rubber, food products, metal, glass and combustible liquids.

Structure – A building, garage, house or shed attached to the ground that consists of a roof and may have walls.

Yard Waste – Vegetative matter resulting from landscaping and yard maintenance operations and includes materials such a tree and shrub trimmings, vegetables, flowers, leaves, grass clippings, trees and tree stumps.

§ 70-2. General. ~~Permit required.~~

~~Any person, partnership or corporation who or which burns, causes to have burned or permits to have burned leaves, brush, paper, trash or other combustible matter within the corporate limits of the Town of Georgetown without obtaining a special permit therefor from the Town Council shall be deemed guilty of a misdemeanor; provided, however, that nothing contained herein shall prohibit the use of outdoor fireplaces for the preparation of food. Prior to such burning, it shall be~~

the responsibility of the applicant to contact the State Fire Board to ensure compliance with state regulations.

- A. Within the town limits of Georgetown, no person shall burn any garbage, solid waste, commercial solid waste, yard waste, household waste, junk, refuse, rubbish, construction waste, hazardous waste, buildings, or structures.
- B. The use of outdoor grills and barbecues for cooking is permitted.
- C. Recreational fires shall be allowed in approved containers or fire pits.
 1. For the purpose of this section, an approved container shall be defined as a device specifically designed for the use of burning wood or charcoal, including but not limited to portable fireplaces, fire pits or chimineas. All portable devices shall be equipped with a spark arrestor (i.e. screen or chimney). A container made of stone, metal, or ceramic construction designed for the purpose of containing a fire shall also be permitted provided the total burning area does not exceed 3 feet in diameter and 2 feet in height. Wood contained in permissible fires shall be no more than 3 feet in length.
 2. No approved container shall be located within eight (8) feet of a structure or public way. No approved fire pit shall be located within twenty five (25) feet of a structure or public way.
 3. Only clean, dry firewood or charcoal may be used for recreational fires. Construction materials or yard waste are strictly prohibited. The use of flammable or combustible liquids, other than commercially produced charcoal lighter fluid, to start the fire is strictly prohibited.
 4. All recreational fires shall be constantly attended by a responsible adult until the fire is extinguished. A means of extinguishing the fire shall be available for immediate use.
 5. All recreational fires have maximum time limit of 4 hours and shall be properly extinguished at the end of activities or time limit. Regardless of when the fire was initiated it is not allowed to extend later than 11:00 p.m. and may begin no earlier than 7:00 a.m.
 6. The fire shall be immediately extinguished any time wind conditions exist such that the wind may carry brands or embers creating a potential for fire extension.
- D. The Town Manager or their designee may prohibit any type of burning that becomes a nuisance based on complaints of irritation of eyes or breathing of others, or when the atmospheric conditions or local conditions make such fire hazardous and may

order the extinguishment of any fire which creates or adds to a hazardous or objectionable situation.

§ 70-3. Violations and penalties.

Any person violating any provision of this chapter shall pay such fines as set out in Chapter 1, Article III, General Penalty.

Section 2. This Ordinance shall become effective following its adoption by a majority vote of all members elected to the Town Council.

BE IT ENACTED by the Town Council of the Town of Georgetown, Delaware on the _____ day of _____ A.D., 2017.

William E West, Mayor

Steve M Hartstein, Secretary

1st Reading: April 26, 2017

2nd Reading: May 10, 2017

Adoption: May 10, 2017



ORDINANCE 2017- 03

**AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF GEORGETOWN,
CHAPTER 29 THEREOF, ENTITLED PERSONNEL**

THE TOWN COUNCIL OF THE TOWN OF GEORGETOWN IN COUNCIL MET AND
HEREBY ORDAINS:

Section 1. Chapter 29, Article VIII Conditions of Employment, § 230-46(B) Use of
Town supplies and equipment of the Code of the Town of Georgetown is hereby amended by
adding the following:

B. Use and operation of Town-owned motor vehicles.

- 1) Town-owned motor vehicles shall be used for official Town business only.
- 2) Town vehicles shall not be taken home overnight except as follows:
 - a. Employees may take a Town-owned vehicle home for one night when attendance to an out-of-Town meeting takes place late at night after normal working hours or early in the morning prior to normal working hours.
 - b. The employees designated by the Town Manager to be "on twenty-four-hour call" for department/division emergencies.
 - c. For more than one night when specifically authorized by the Town Manager.
- 3) Town vehicles must be available for the Town business at all times.
- 4) Town vehicles may be used for travel to lunch:
 - a. When an employee is on Town business.
 - b. When an employee is in Town in a Town vehicle in a location where driving to obtain his/her personal car would result in an extra and unnecessary expenditure of fuel.
- 5) Transporting family members in Town vehicles shall be allowed only when the family member is accompanying a Town employee to a business meeting or official function.

- 6) Town vehicles shall be legally and appropriately operated and/or parked at all times. Violations issued to the driver of the vehicle will be the responsibility of the driver not the Town.
- 7) Seat belts will be used by the driver and all passengers at all times when the vehicle is in motion. It shall be the driver's responsibility to ensure the use of seat belts by all passengers.
- 8) Town-owned motor vehicles shall be kept in a clean and presentable condition. Lack of care may result in disciplinary procedures.
- 9) Department heads may establish supplemental department vehicle policies as approved by the Town Manager. Supplemental policies shall not conflict with any part of this policy. Such policies shall be published as an update to this policy.
- 10) **The Town may, at any time, check the driving record of a Town employee who drives as part of his/her job duties to determine that he/she maintains the necessary qualifications as a Town driver. Employees agree that they will cooperate in giving the Town whatever authorization is required for this purpose.**
- 11) **Employees who hold jobs that require the driving or operation of Town vehicles or motorized equipment must notify their supervisor, department head, or the Town Manager by the end of the department's next working day when:**
 - a. **They have been arrested and charged with DWI, DUI, reckless driving, or any other serious moving violation;**
 - b. **They have had their driver's license suspended, cancelled, or revoked;**
 - c. **Their license expires without immediate renewal; or**
 - d. **An Occupational Driver's License or similar license has been issued to them.**

Reports shall be made in person or by phone conversation (not a voice mail) with the appropriate supervisor. Failure to report such information by the end of the next working day shall result in disciplinary action up to and including termination, unless there are extenuating circumstances. Supervisors shall promptly report such information to the Town Manager.

- 12) **Employees who are in jobs that require the driving or operation of Town vehicles or motorized equipment who are convicted of a DWI or DUI will be terminated, although the Town may also take disciplinary action prior to conviction. Disciplinary action for conviction of other serious moving violations will be determined on a case by case basis and may result in termination of employment. Removal or suspension of driving privileges**

and/or disciplinary action while waiting for adjudication shall be determined by Town Manager in consultation with the department head on a case-by-case basis. The Town Manager's determination as to removal or suspension of driving privileges shall be final.

Section 2. This Ordinance shall become effective following its adoption by a majority vote of all members elected to the Town Council.

BE IT ENACTED by the Town Council of the Town of Georgetown, Delaware on the ____ day of _____ A.D., 2017.

William E West, Mayor

Steve M Hartstein, Secretary

1st Reading: April 26, 2017

2nd Reading: May 10, 2017

Adoption: May 10, 2017

DRAFT

TOWN MANAGERS REPORT
May 10, 2017

Comcast Franchise Agreement

The current franchise agreement with Comcast is set to expire in June 2017. We have been working with Comcast on the renewal and it is currently under review by the Town Solicitor. This will be on the May 24 agenda.

Charter Amendment

The Town Solicitor and I are working on a proposed Amendment to the Town Charter to address voter registration and re-instate two (2) subsections erroneously removed during the Charter revision.

King Farm Sewer Agreement

The Town was asked by Sussex County requesting consideration of revisions to the current sewer agreement and the amendment to include the King Farm. Staff and I are currently reviewing the documents and will prepare the necessary revisions. Once completed and approved by the Town Solicitor, this will be placed on a Town Council agenda.

Condemned Property Update

The advertisement of the the Notice of Condemnation for 203 East North Street is currently being advertised in the local paper. Upon completion of the 15-day period, barring any responses from interested parties, the Town will raze the structure.

After receipt of the quote from John Clark General Contracting for \$11,900, as low bidder the work will be awarded to him.

Airport Agreement

As part of our agreement with the Delaware Coastal Airport, there are some trees at the western edge of the Layton-Thompson Park that are in need of removal. Over the next few months, contractors may be seen visting the site and performing the work.

37 & 39 The Circle

The Town received the proposal from Davis, Bowen & Friedel for Contract Administration for 37 & 39 The Circle. The Construction Administration lump sum is \$57,500 and the Part-time Resident Project Representative is estimated at a not to exceed amount of \$46,500. Both fees are included in the project budget and were included in the project funding through USDA.

***Request authorization for the Town Manager to sign the
proposal at an amount not to exceed \$104,000***

Reviewed by Town Solicitor

TOWN MANAGERS REPORT
May 10, 2017

Miscellaneous

- Upcoming Events:
 - Swearing In: Wednesday, May 24, 7:00 PM, Town Hall
 - Delaware League Lobby Day: Thursday, June 8, Legislative Hall
- Legislative Update

Reviewed by Town Solicitor



Town of Georgetown

First Session, 149th Delaware General Assembly

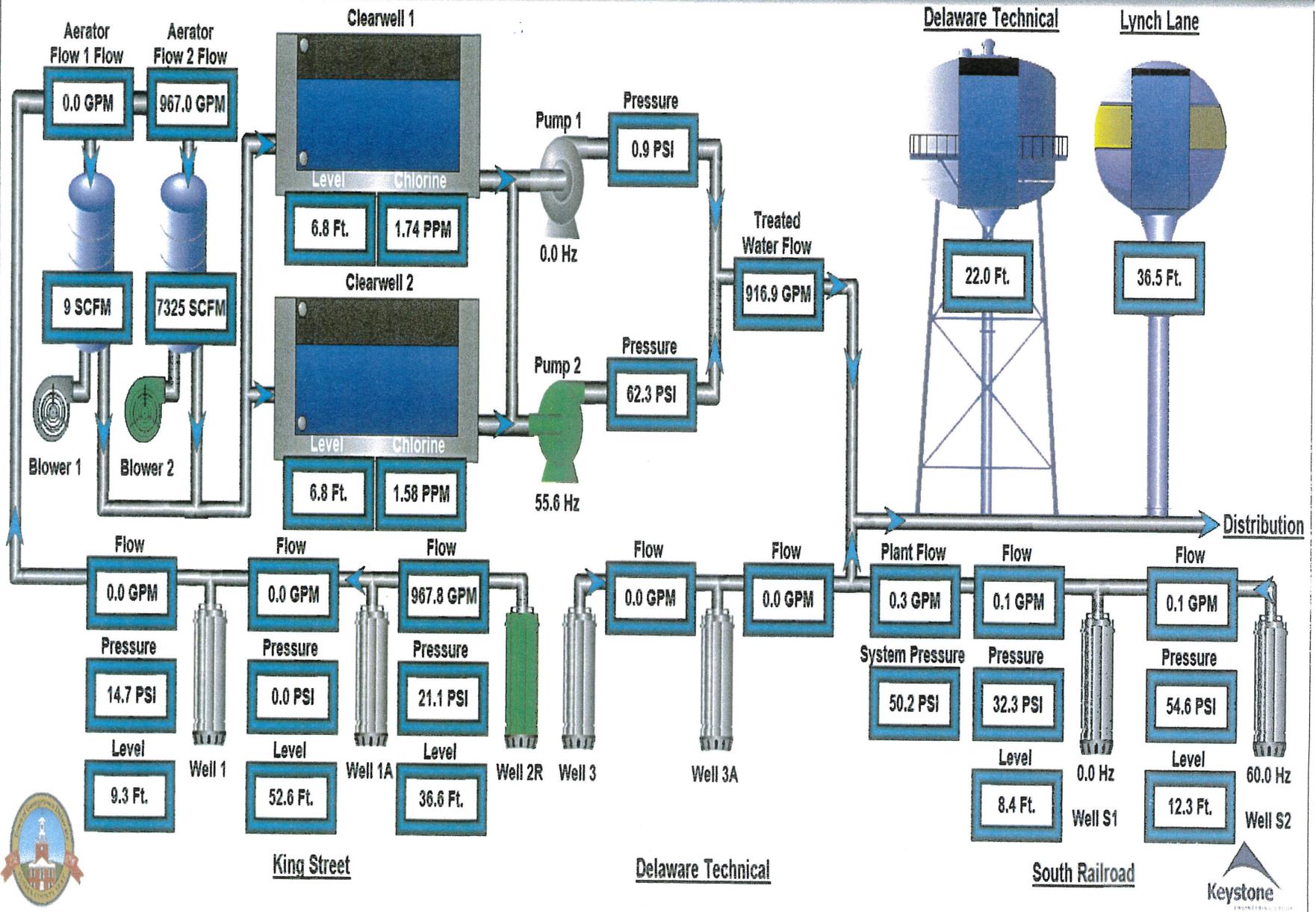
Legislative Report

Prepared By:
Eugene S. Dvornick, Jr., Town Manager
May 10, 2017

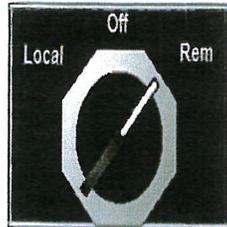
Bill	Description	Position	Status	
HB 1	Unlawful Employment Practices	Neutral	Labor Committee (04/04/17)	
HS 1 for HB 1	Amendment to Unlawful Employment Practices	Neutral	PASSED (04/27/17)	Labor (04/27/17)
HB 13	Prohibits Breed Specific Ordinances or Regulations (Defeated 03/21/17; Restored 03/23/17)	Neutral	PASSED (03/23/17)	PASSED (04/27/17)
HB 25	Budget Bill (Governor's Recommended) Anticipate Governor Carney's on March 23	Under Review	Appropriations (01/12/17)	
HB 38	Nonutility Wells and Permits (Substitute Bill being Drafted)	Support	House Administration Out of Committee (01/18/17)	
HB 47	Eliminates Notarizing of Absentee Ballots	Neutral	PASSED (03/21/17)	Elections & Government Affairs Out of Committee (04/26/17)

HB 58	Solar Panel Restrictions with HA 1	Neutral	DEFEATED (04/04/17)	
HB 75	FOIA Amendment: Citizen to Person; Non-resident requests; Enforcement (Tabled in Committee)	Under Review	House Administration (03/15/17)	
HB 89	Date for Primary Elections	Neutral	PASSED (04/04/17)	Elections & Government Affairs (04/04/17)
HB 110	Delaware Marijuana Control Act (Recreational Use)	Under Review	Revenue & Finance (03/30/17)	
HB 115	Municipal Special Development Districts with HA 1	Neutral	PASSED (04/25/17)	Laid On Table (05/04/17)
HB 125	Extreme Crimes Protection Act (Death Penalty)	Support	PASSED (05/09/17)	Judicial & Community Affairs (05/10/17)
HB 130	Lodging Tax (Short-term Rentals)	Under Review	Revenue & Finance (04/13/17)	
HB 144	Acquisition of Real Property	Neutral	Transportation/Land Use and Infrastructure (04/25/17)	
HB 152	DELJIS Funding	Support	Public Safety & Homeland Security (05/02/17)	
SB 10	Minimum Wage	Oppose		Labor (01/12/17)

SB 15	Bond and Capital Improvements (Governor's Recommended) Anticipate Governor Carney's on March 23	Under Review		Capital Improvement (01/12/17)
SB 16	Bond and Capital Improvements (Mini-Bond)	Support	Signed by Governor (02/02/17)	
SB 20	Constitutional Amendment to Article VIII regarding ¾ Majority Vote (Transportation Trust Fund)	Support	House Administration (04/27/17)	PASSED (04/26/17)
SB 49	Homeless Individuals' Bill Of Rights	Under Review		Judicial & Community Affairs (03/28/17)
Watch List:	New Governor's Budget Bill New Governor's Capital Improvements Bill ADA and Parking Lot Requirements Labor Organization Impacts of Changes to Affordable Care Act			



Well S1



Hand Start

Hand Stop

Level

8.5 Ft.

South Railroad S1 Well Level Low Alarm

South Railroad S1 Well Level Low Low Alarm

Flow

0.2 GPM

South Railroad S1 Flow High Alarm

South Railroad S1 Flow Low Alarm

Pressure

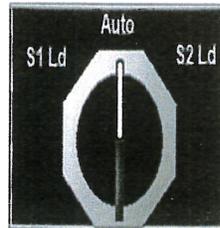
32.3 PSI

South Railroad S1 PSI High Alarm

South Railroad S1 PSI Low Alarm

Local - Off - Remote controlled at Local OIT

Well Alternation Mode



S1 Lead Pump

Plant Flow

0.3 GPM

South Railroad Plant Flow High Alarm

South Railroad Plant Flow Low Alarm

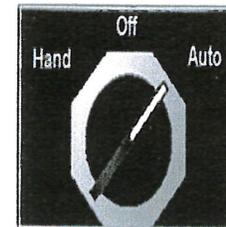
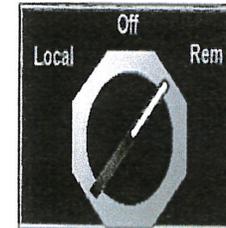
System Pressure

49.9 PSI

South Railroad System Pressure High Alarm

South Railroad System Pressure Low Alarm

Well S2



Hand Start

Hand Stop

Level

12.3 Ft.

South Railroad S2 Well Level Low Alarm

South Railroad S2 Well Level Low Low Alarm

Flow

0.1 GPM

Wells S2 Flow High Alarm

South Railroad S2 Flow Low Alarm

Pressure

53.2 PSI

South Railroad S2 PSI High Alarm

South Railroad S2 PSI Low Alarm

Out of Service

- SS in Auto
- South Railroad S1 Pump Fault
- South Railroad S1 Motor Fault
- South Railroad S1 Fail to Start
- South Railroad S1 Fail While Running
- South Railroad S1 Fail to Stop
- King Street Comm Fail South Railroad
- South Railroad S1 Circuit Breaker Alarm
- South Railroad S1 Well Level Low Low Alarm
- South Railroad Comm Fail S1
- South Railroad Shutdown Water

- SS in Auto
- South Railroad S2 Pump Fault
- South Railroad S2 Motor Fault
- South Railroad S2 Fail to Start
- South Railroad S2 Fail While Running
- South Railroad S2 Fail to Stop
- King Street Comm Fail South Railroad
- South Railroad Comm Fail S1
- South Railroad S2 Well Level Low Low Alarm
- South Railroad Shutdown Water
- South Railroad Comm Fail S2

Treatment

- Alarm Reset
- S1
- Alarm Reset
- S2
- Alarm Reset



- King Street Plant On Generator
- King Street Control Power Failure
- King Street UPS Failure
- King Street UPS Replace Battery
- King Street Smoke Alarm
- King Street Lower Level Flooded
- King Street Meter Vault Flooded
- King Street Heat Trace Panel Alarm
- King Street Control Power Failure Well 1
- King Street UPS Failure Well 1
- King Street UPS Replace Battery Well 1
- King Street Smoke Alarm Well 1
- King Street Flooded Floor Well 1
- King Street Control Power Failure Well 2R
- King Street UPS Failure Well 2R
- King Street UPS Replace Battery Well 2R
- King Street Smoke Alarm Well 2R
- King Street Flooded Floor Well 2R

Intrusion Alarm King Street

King Street Intrusion Alarm Intrusion Armed

Intrusion Auto Rearm Time

17 Hr : 30 Min

Intrusion Alarm Delay

200 Sec

Supervisor Bypass Off

Intrusion Alarm Well 1

King Street Intrusion Well 1 Alarm Intrusion Armed

Intrusion Auto Rearm Time

15 Hr : 30 Min

Intrusion Alarm Delay

200 Sec

Supervisor Bypass Off

Intrusion Alarm Well 2R

King Street Intrusion Well 2R Alarm Intrusion Armed

Intrusion Auto Rearm Time

17 Hr : 30 Min

Intrusion Alarm Delay

200 Sec

Supervisor Bypass Off

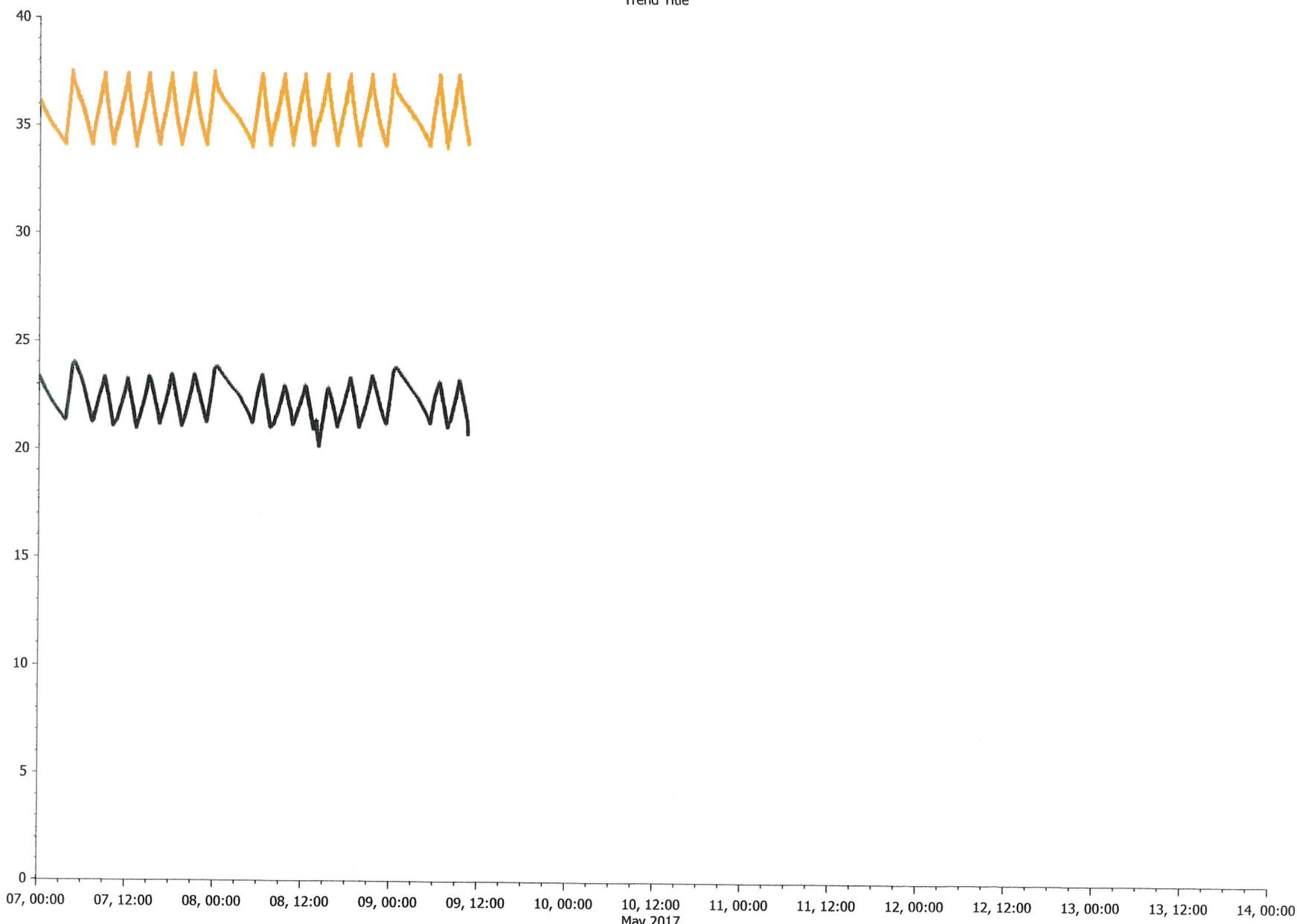
Alarm Reset

Alarm Reset W 1

Alarm Reset W 2R



Trend Title



Trace	Type	Ruler Value	Axis
<input checked="" type="checkbox"/> Del Tech	Raw Historic	-	Y Axis 1
<input checked="" type="checkbox"/> Lynch Lane (Point limit exceeded - displaying processed min/max data. Zoom in to view raw data.)	Raw Historic (*)	-	Y Axis 1