

**MINUTES of the REGULAR  
ZOOM TELECONFERENCE  
TOWN COUNCIL MEETING**  
September 8, 2020 @ 7:00PM  
OCEAN VIEW, DE 19970

1. **CALL TO ORDER**

Mayor Reddington called the meeting to order at 7:00 p.m. with the **Pledge of Allegiance**.

*Present:* Council Members Tom Maly, Frank Twardzik, Bert Reynolds, and Bruce White. Town Manager Carol Houck, Finance Director Dawn Parks, Police Chief Ken McLaughlin, Planning & Development Director Ken Cimino, Town Solicitor Dennis Schrader, and Town Clerk Donna Schwartz were present.

Mr. Schrader read the meeting Rules of Procedure to those present on ZOOM.

2. **PUBLIC HEARING**

**A. Second Reading of an Ordinance to amend the Ocean View Code, Chapter 68, Animals, by adding prohibitions against nuisances and harboring or feeding non-domesticated dogs or feral cats within the Town limits of Ocean View.**

Mr. Schrader explained the ordinance change to Council and those listening on ZOOM. Council Member Maly stated something must be done about the cat situation once it starts to affect the quality of life in a neighborhood. Council Member White motioned to amend the current ordinance by deleting section 2C, changing line 16 from \$25 to \$100, and editing two references to section C. Council Member Reynolds seconded his motion. All voted in favor. Council Member White elaborated on his motion to amend the current ordinance.

Town Solicitor Schrader agreed that the Council could amend sections of the ordinance at the public reading tonight. Council Member Reynolds agreed that the fine should be raised and there should be no verbiage on town responsibility. Mrs. Houck stated she was comfortable with the changes.

Walter Fenstermacher, Brandywine Valley SPCA, spoke about the recommendations he made at last month's meeting. He wanted to know if any had been included in the ordinance. Mayor Reddington said they discussed it and they do not want to be in the business of trap, neuter, and release. Mr. Fenstermacher recommended the town revisit the TNR and said without the ability to feed makes it impossible for TNR.

*A motion was made by Council Member Twardzik, seconded by Council Member Maly, to approve the ordinance as presented. The motion carried unanimously 5/0.*

*A motion was made by Council Member Twardzik, seconded by Council Member Reynolds, to accept Mr. White's version of the amended ordinance. The motion carried unanimously 5/0.*

3. **ADOPTION of Agenda**

*A motion was made by Council Member Maly, seconded by Council Member Twardzik, to adopt the agenda as presented. The motion carried unanimously 5/0.*

4. **APPROVAL** of the Town Council Minutes

*A motion was made by Council Member Twardzik, seconded by Council Member Reynolds, to approve the minutes of the Regular Meeting held on August 11, 2020. The motion carried unanimously 5/0.*

5. **COMMUNICATIONS & PRESENTATIONS**

Ms. Ashley Stern of PKS and Company, auditors for the town, offered a power point presentation of FY20 audit results. She said they handed the town the highest-level opinion possible and were quite pleased with the audit overall. She highlighted some points on the income statement and expenses by program. Overall, Ms. Stern stated in the management letter there were no recommendations this year, there was nothing to fix, and suggested to continue monitoring internal controls as we have been doing.

Mayor Reddington commented and thanked Ms. Stern for her presentation.

6. **REPORTS**

- A. **Financial (Dawn Parks)**  
Report received and filed.
- B. **Public Safety (Ken McLaughlin)**  
Report received and filed.
- C. **Planning, Zoning and Development (Ken Cimino)**  
Report received and filed.
- D. **Town Manager (Carol Houck)**  
Report received and filed.
- E. **Town Council**

7. **CITIZEN'S PRIVILEGE ON AGENDA ITEMS**

None

6. **NEW BUSINESS**

- A. **Introduction of Ordinance(s)**  
None
- B. **Discussion, Consideration, and Possible Voting on a resolution to approve the Mediacom Cable Franchise Agreement.**

Mrs. Houck stated additionally to what was already discussed at the public hearing, we will be able to offer closed captioning on the government channel. She also noted she corrected an error changing 30 days to 20 days for repairs and restoration. The fee of 5% is standard throughout the industry. The town will be getting a government access channel which comes with \$55,000 in grant money over a five-year period. The average yearly franchise fee the town collects from Mediacom is \$68,650.

*A motion was made by Council Member Twardzik, seconded by Council Member Maly, to approve the Cable Franchise Agreement with Mediacom as amended. The motion carried unanimously 5/0.*

**C. Discussion, Consideration and Possible Voting on the FY20 Audit report by PKS.**

Mrs. Parks gave a brief synopsis of the audit and how it was mostly done remotely due to COVID-19. She said it went very well.

*A motion was made by Council Member Twardzik, seconded by Council Member Reynolds, to accept the audit results. The motion carried unanimously 5/0.*

**D. Discussion, Consideration, and Possible Voting on a recommendation to award a contract for the OV21-0003 FY21 Patching and Paving Project.**

Mr. Cimino discussed with Council his recommendation for the FY21 Patching and Paving Project. He noted the award would go to George and Lynch for \$90,677.62.

*A motion was made by Council Member Maly, seconded by Council Member White, to approve the FY21 Patching and Paving Project. The motion carried unanimously 5/0.*

**E. Discussion, Consideration, and Possible Voting on a recommendation to award a contract for OV21-0004 FY21 Micro Surfacing Project.**

Mr. Cimino discussed with Council his recommendation for the FY21 Micro Surfacing Project. He said he recommended Asphalt Paving Systems for the award. Their bid was \$213,216.91.

*A motion was made by Council Member Reynolds, seconded by Council Member Twardzik, to accept the recommendation for the Micro Surfacing Project. The motion carried unanimously 5/0.*

**F. Discussion, Consideration, and Possible Voting on a recommendation to award a contract for OV21-0003 SR26 Bike Lane Improvement Project.**

Mr. Cimino discussed with Council his recommendation for the FY21 SR26 Bike Lane Improvement Project. The bike lane will be painted green. He recommended Straight Line Solutions LLC with a bid of \$28,299.20 for the award.

*A motion was made by Council Member Twardzik, seconded by Council Member Reynolds, to accept the recommendation of Mr. Cimino and award the contract to Straight Line Solutions LLC. The motion carried unanimously 5/0.*

**G. Discussion, Consideration, and Possible Voting on a recommendation for purchase of a Holiday tree, decorations, set-up, take down and storage for John West Park.**

Mrs. Houck discussed with Council her recommendation and request for a commercial tree and ornaments costing \$18,000 from Christmas Décor. Council Member Twardzik asked if it could be repaired if necessary. Mrs. Houck said it could be repaired and that the tree should last 15 – 20 years.

*A motion was made by Council Member Maly, seconded by Council Member Twardzik, to approve the purchase of a holiday tree. The motion carried unanimously 5/0.*

**H. Discussion, Consideration, and Possible Voting on an appointment of Donald Creel to the Planning and Zoning Commission.**

*A motion was made by Council Member Reynolds, seconded by Council Member Maly, to approve the appointment of Donald Creel. The motion carried unanimously 5/0.*

7. **CITIZEN'S PRIVILEGE**

None

8. **ADJOURNMENT**

*A motion was made by Council Member Maly, seconded by Council Member Twardzik, to adjourn the meeting at 8:35pm. The motion carried unanimously 5/0.*

Respectfully submitted,  
Donna M. Schwartz, CMC,  
Town Clerk