

**MINUTES of the REGULAR
ZOOM TELECONFERENCE
TOWN COUNCIL MEETING**

**August 11, 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 Rules of Procedure to those present on ZOOM.

2. PUBLIC HEARING

A. First 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. Mrs. Houck reminded Council on how this matter came about with a correspondence received on December 13, 2019. Council had some discussion among themselves before hearing from the public. Mr. Schrader noted that letters were received from the public people regarding the ordinance: Jennifer Dieste, Nancy Johnson, Nancy Ward, Anne Powell, Anna & John Cloonan, Lynn McCloskey, Laurie Spalhotz, Mike Lawton, Beth Fitzpatrick, Lee Greenwood, Christina Motoyoshi, and Walt Fenstermacher.

Vincent Bertone, West Avenue, spoke to Council saying he has both indoor and outdoor cats. He wanted to know if his outdoor cat was safe from the Town traps. He wanted to give the Town a picture of the cat so it would not be trapped. Mr. Schrader suggested using a collar or microchipping the cat for identification.

Cathleen Fitzpatrick, Kent Avenue, expressed concern about the several cat colonies in her neighborhood. She said the cats are destructive, and there are feces everywhere. They lay in her driveway and she is afraid she will run one over with the car. She would like the ordinance strengthened to protect her property and the neighborhood.

Tricia Supik, William Avenue, is opposed to the feeding of the cats. She said if you put food out for the cats, other animals will eat it also. She believes it is harmful for wild animals to be feed by people. She said it is not fair to the animals.

Walter Fenstermacher, Brandywine Valley SPCA, spoke about their Trap, Neuter, Vaccinate and Release program. He said this is a viable solution to the problem of cat colonies, but for it to work, they must use food to trap the cats. He said feeding is critical to the program. Mr. Fenstermacher also said they partner with towns for TNR programs. He said the traps are free to use and they offer vouchers for reduced cost neutering. The BVSPCA will assist towns with the procedure.

Council Member Reynolds asked Mr. Fenstermacher what can be done to keep cats off people's property. Mr. Fenstermacher replied there are deterrents that will work for most cats. Mr. Schrader asked Mr. Fenstermacher about educating people about the TNR. Mr. Fenstermacher replied that the BVSPCA has a community cats education program for humans. Council Member Reynolds asked how long it takes to control a colony. Mr. Fenstermacher said it depends on the success of the TNR program. Council Member Twardzik asked why people should have to put up with this quality of life. He felt the quality life for people should be more important than a cat's life. He thinks they should not be returned to the colony.

Clair Mase, Cats Around Town Society, an organization that has been around since 2008 is willing to help anyone. She said Delaware is a no kill state and cats are free to roam. She said they have neutered at least 650 cats. The left ear is tipped, and they instruct caregivers not to feed at night. This keeps them from roaming the neighborhood.

Carmine Pilla, South Bethany, said he appreciates the programs of TNR. He said education is the key to success to not harm the cats. He would like if the Council spoke to the South Bethany Council.

Nancy Johnson, Cats Around Town Society, stated she has had a feral cat for the last 14 years. She claims feral cats can be domesticated. Ms. Johnson also noted that she cares for a colony of cats and feeds them daily. Mrs. Houck asked her about the neighbors. Ms. Johnson said the colony is on private property and not a problem to others.

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 Reynolds, seconded by Council Member Twardzik, to approve the minutes of the Regular Meeting held on July 14, 2020. The motion carried unanimously 5/0.

5. **COMMUNICATIONS & PRESENTATIONS**

Town Manager Carol Houck read a thank you email from Dan Dalina, President of the Savannahs Landing HOA. She also noted a matter with trees in the right-away on Tingle Street that were cut down by a homeowner. She said he may be required to replace the trees.

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.

Mr. White inquired about the paving of Stringray Harbor. Mr. Cimino replied that it would be done in the next week or so.

D. Town Manager (Carol Houck)

Report received and filed.

Mrs. Houck noted in her report that Cops & Goblins, The Old Time Christmas Market would be canceled for this year. The tree lighting in the park could still be done. She also noted that the well in John West Park has stopped working, a new one will cost the Town \$3,600 and should be done this coming Friday or Monday.

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 an amendment to the Capital Improvement Program to allow for the replacement of Police Vehicle P8 in FY21.

Mrs. Houck explained the situation about police vehicle P8 saying the insurance company totaled the vehicle and the town needs to replace it as soon as possible. It was scheduled to be replaced in FY22. She said there is money in the FY21 budget to replace the vehicle early.

A motion was made by Council Member Maly, seconded by Council Member Twardzik, to approve the replacement of P8 early. The motion carried unanimously 5/0.

C. Discussion, Consideration and Possible Voting on the Dedication and Acceptance of the roadway in Johnson's Glade subdivision.

Mr. Cimino offered insight as to the acceptance of the roadway into the town.

A motion was made by Council Member Twardzik, seconded by Council Member Reynolds, to accept the roadway into Town. The motion carried unanimously 5/0.

D. Discussion, Consideration, and Possible Voting on Colt Lane Park storm damage for emergency tree work scheduled.

Mrs. Houck discussed with Council the reason for the emergency tree work citing Hurricane Isaias as the culprit. The cost is estimated to be \$8,500.

A motion was made by Council Member Maly, seconded by Council Member Reynolds, to approve the emergency work on Colt Lane Park. The motion carried unanimously 5/0.

E. Discussion, Consideration, and Possible Voting on creating term limits for Boards and Commissions.

Mayor Reddington lead discussion on creating term limits for Boards and Commissions. His suggestions were approved by the Council Members and it was decided that a member could be reappointed beyond their term limit if there is no one to replace them.

A motion was made by Council Member Reynolds, seconded by Council Member Maly, to approve the term limits as designated by Mayor Reddington. The motion carried unanimously 5/0.

7. **CITIZEN'S PRIVILEGE**

None

8. **ADJOURNMENT**

A motion was made by Council Member Reynolds, seconded by Council Member Maly, to adjourn the meeting at 8:40pm. The motion carried unanimously 5/0.

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