

JANUARY 3, 2017

# **January 2017 Recorded Record of Motions, Introductions & Agreements Galena Mayor and Council Meeting**

The Meeting was called to order by Mayor Samuel F. Sessa, II, 7:00 p.m. on Tuesday, January 3, 2017.

Those in attendance were Mayor Sam Sessa, Council Members' Bud Felty, John Carroll, and Council Member Duhamell. Also in attendance: Town Attorney Tom Yeager, Town Manager, Sharon Weygand, Clerk/Treasurer, Barbara Shaw; and Sheriff Price, Kent County Sheriff's Department. Asbent was Council Member Harry Pisapia.

## **Motions:**

Approval of the December 5, 2016 Recorded Record of Motions, Introductions & Agreements: **Council Member Carroll motioned to accept the December 5, 2016 Recorded Record of Motions, Introductions & Agreements, Council Member Duhamell second motion, all present were in favor.**

Closed Regular Meeting/Open Public Meeting: Ordinance No. 2016-01, Text Amendments-Article V. District Regulations: **Council Member Carroll motioned to close the regular meeting and open public meeting at 7:45pm, Council Member Duhamell second motion, all present were in favor.**

Close Public Hearing/ Open Regular Meeting: **Council Member Duhamell motioned to close Public Meeting and reopen Regular Meeting, Council Member Carroll second motion, all present were in favor.**

Approve or Reject Ordinance No. 2016-01, Text Amendment-Article V. District Regulations: **Council Member Duhamell motioned to accept Ordinance No. 2016-01, Text amendment-Article V. District Regulations with the amendment under Section 3. C1 Commercial District, Item 3.3 Permitted Accessory Uses, outdoor storage, adding “unless a written request for an extension is reviewed and approved by Planning & Zoning”, Council Member Felty second motion, all present were in favor.**

November Treasurer’s Report: **Council Member Duhamell motioned to accept the November’s Treasurer’s Report as read; Council Member Carroll second motion, all present were in favor.**

Generator for Tower #4: **Council Member Felty motioned to put it out to bid, Council Member Carroll second motion, all present were in favor.**

Approval of the January 3, 2017, Audio Minutes: **Council Member Carroll motioned to accept minutes as recorded; Council Member Felty second motion, all present were in favor.**

Adjournment: **Council Member Carroll motioned to adjourn the meeting; Council Member Felty second motion, all present were in favor.** Meeting was adjourned at 9:28 p.m.

**Agreements/Comments:**

Approval of December 5, 2016 Closed Session Minutes to be approved next month

Sheriff Price advised that \$169.44 of overtime funds were used in December leaving a balance of \$5,861.29. 2 calls for service, .5 hr. foot patrol, 3.5 hr. vehicle patrol, 4 traffic warnings and 7 citations.

Timothy J. Lloyd, Post 36 Adjutant presented two (2) POW/MIA Flags to the Mayor for our Town flag pole and Galena Cemetery.

SHA, Truck Traffic: Jeff Wentz Assistant District Engineer: Plans were shown on the construction project to widening and to provide parking in front of firehouse antiques and the drainage construction. This will give 75ft with 3 to 4 parking spots. Project was advertised November 7th; Notice to proceed is February 20, 2017 and completion date June 14, 2017. Speeding limits were within the 85% of the target. The 15% over the speed limit is what they want to target. Speeding increased outside of town not coming into Town. Truck traffic has increased to 8-12% and normal is 5-7%. There is a virtual weigh station going south outside of town. SHA is looking into adding a virtual weigh station north bound. The State Police use their computers and wait outside of town for illegal trucks. Town Manager, Sharon Weygand asked if there could be a limit on the tonnage weight going thru town. There is a limit on 53 foot trailers and doublewides where they can only use truck routes. Exception is if the load is not on a truck route. There is a residential restriction on trucks but SHA has to look and see if there is an adequate detour route. Also if there is damage to the road the SHA can place an undo damage to the road way but this can only be for 6 months. Mr. Wentz was asked if the SHA could put up a speed signs for the town. SHA only has one electronic speed sign. Town can install their own permanent signs but have to apply for a permit with SHA since the signs would be on state property.

Bill Graham, resident of 145 N Main St. spoke on his concerns of the truck traffic and there is visible damage to the roadway.

Jan Graham resident of 145 N Main St. spoke on her concerns of soot on the doors and windows, could there be an air quality test done. Mr. Wentz said there can be an air quality test done. Mrs. Graham would like to know what options the town has. Fortunate there have been no truck accidents. Mr. Wentz suggested to provide SHA with better tools to modify the State Laws. Mrs. Graham reported Legislature is on board.

### **Public Hearing Ordinance No. 2016-01, Text Amendment-Article V. District**

**Regulations:** Mayor read into the record Ordinance No. 2016-01, an Ordinance of the Code of the

Town of Galena to amend the Galena Zoning Ordinance to provide for additional permitted uses in the commercial district and accessory uses in the single family residential district. Text amendment for Article V. District Regulations, Section 1. R1 Single Family Residential District, Item 1.3 Home occupation and vehicles off-street parking. District Regulations, Section 3. C1 Commercial District, Item 3.2 Permitted Uses, displaying merchandise on property, Automobile Repair Shop, Boat Repair and Maintenance Shop and Item 3.3 Permitted Accessory Uses, outdoor storage. Town Manager read the amendments to Ordinance No. 2016-01.

Bill Graham, 145 N. Main Street, expressed his concern on big moving vans. He did a research on small box trucks and gave a hand out of a sample. Wants the Council to reconsider this part of the ordinance. Jan Graham, 145 N. Main Street, stated she feels timing on this public hearing is not in the best interest of Town, with the holidays just pasting, it is unfair to the community. Pride needs to come back to our town, who will do the enforcement, will there be a fine. Feels we need to postpone the vote and the commercial vehicles will decrease our property values. Ruthie stretch, 103 Ashwood Lane, concurs with Mrs. Graham about the property values. Jodi Mathison, out of town limit's resident, agrees with Mrs. Graham as well about lowering our property values. Town Manager stated at Planning and Zoning Public Hearing, Mr. Graham had suggested to change the length of the commercial vehicles from 21 ft. to 23 ft. The Mayor also commented that Planning & Zoning currently has no restrictions. With this ordinance we would have restrictions that would prohibit large commercial vehicles. Steve Oatley, Oatley Top Shop at 112 N Main Street, stated his concern that no vehicle or boats may not be stored for longer than 90 days. Sometimes a repair can take up to 8 months to finish. Town Manager suggested the ordinance could state if the project goes over 90 days then a written request could be sent to Planning & Zoning asking for an extension.

Introduce Charter Amendment Resolution No. 2017-01, Charter Article VI Registration, Nominations and Elections: to amend its charter with respect to Municipal Elections so that Questions may be placed on the Official Town Ballot. Public Hearing will be held on Monday, February 6th during our Regular meeting.

**WWTP Project Funding Update:** Progress Meeting 9 held on December 19th, Bearing Construction Pay Request #9-\$564,872.96, USDA Two General Obligation Installment Bonds, \$1,074,000 & \$694,000 Dry Closing-12/20/16 & Closing 12/22/16, rec'd 12/22/16, USDA Approval-1st Grant Request \$201,823.65 on 12/19/16, Rec'd 12/22/16, Peoples Bank Payoff of \$1,764,185.67- Email Approval for withdrawal on 12/22/16, KC 30% Grant of \$84,781.78 Submitted 12/19/16

Pending, MDE Grant Request-ENR \$177,035.43 Submitted 10/17/16 Rec'd \$177,035.00 12/10/16, MDE Grant Request-BNR \$211,928.15 Submitted 11/17/16 Rec'd \$211,929.00 12/19/16 & ENR \$227,675.40 Submitted 11/17/16 Rec'd 227,675.00 12/20/16, MDE Grant Request-BNR \$136,077.90 & ENR \$146,189.12 Submitted 12/19/16 Pending

**Water/Sewer Report:** Town Manager reported there were no water violations for the month of December. Total average water daily flow was 42,658 gallons. Wastewater Treatment Facility had two violation, ammonia and ammonia pounds loading for the month of December. Total daily wastewater flow was 42,000 gallons. MES staff received quotes for blower, it has been repaired and will be installed within a week. MES staff met with MDE inspector, still pending report.

Rehab Well #4: Warren Walters, Town Maintenance, reported that A.C. Schultes of Delaware, Inc. completed the 2016 Maintenance Inspection. Based on the test results, they recommend pulling and inspecting the submersible system and mechanically redeveloping the well. Well is the original one. This would need to out to bid.

Corrosion Control's Town Inspections-Updates: Tower #3 inspection report was received and there were no issues, painting of tower will need to be done in 2019.

Sassy River Market Sewer Service Relocation & Parking Lot Restoration: Town Manager reported that she received the RFP from Peter Bourne, PE. Planning this project for the spring.

Laura Lane Grinder Pump Agreement: The Town Attorney stated that last month's changes were made to the agreement. One more change was requested to clarify that if property is sold, this agreement does not apply to the new owners. At that point it was agreed by Council that a draft agreement will be sent to all the Laura Lane residents with a cover letter stating that this will be on February's agenda for approval by Council. Once the proposed Utility Agreement is approved by the Town, an original in executable form will be sent to the property owner. It will be requesting that all signed agreements be returned to the Town within 45 days of receipt, that for any properties in which the owner does not sign and enter into the Utility Agreement, the Town shall assume no responsibility whatsoever for the owner's grinder pump and related facilities located on the owner's property. Council agreed for Mayor to approve cover letter before sending to the residents.

**Administrator's Report:** Town Manager reported that a street sign on Boxwood Lane has being removed twice. This was discussed with the Sheriff. Will be sending letters out to adjoining residents advising them of the two new street signs and that they were put out for safety issues and that someone is tampering with them if caught town will prosecute. MES completed a Security Vulnerability Self-Assessment and Emergency Response Plan for the WWTP that is required by USDA. As of the last WWTP Project meeting we are into 260 calendar days of the 450 calendar contract time has expired (57.8%). Contractor's gross invoices total \$3,924,207.24 or 58% of the contract amount. Next progress meeting is January 23rd at 10:30 a.m. The town is still pending reimbursement from Comcast of \$5,387.36 for Miss Utility Markings from 6/19/14-10/26/16. Census Boundary and Annexation Survey (BAS) Annual Response Form was updated and emailed on December 28, 2018. AECOM will be here on January 11th at 7:00 p.m. for a workshop to discussed water and sewer rates. Still working on the Revision of Article III of Town Code-Adding Town Responsibility for maintenance of sewer connections and Owner's responsibility for maintenance of sewer connection.

Respectfully submitted,

Barbara A. Shaw

Clerk-Treasurer