

January 2016 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 Monday, January 4, 2016.

Those in attendance were Mayor Sam Sessa, Council Members' Bud Felty, John Carroll, Harry Pisapia and Jackie Duhamell. Also in attendance: Town Attorney Tom Yeager; Town Engineer Peter Bourne, Town Manager, Sharon Weygand, Clerk/Treasurer, Barbara Shaw; Sheriff John Price, Kent County Sheriff's Department; and Ryan Rangel from McCrone, Inc.

Motions:

Approval of the December 7, 2015, Recorded Record of Motions, Introductions & Agreements: **Council Member Pisapia motioned to accept the Minutes as written, Council Member Carroll second motion, all present were in favor.**

McCrone, Inc., Ryan Rangel- WWTP Project: Mr. Rangel reported that there were Five (5) bids for the WWTP Project. The bids were Bearing Construction Co. \$6,800,000.00; Global Heavy Corporation, \$7,334,593.00; Johnston Construction, \$7,334,593.00; Wickersham Construction and Engineering, Inc., \$7,463,950.00; and W.M. Schlosser, \$8,288,000.00. McCrone's recommendation was to accept Contactor, Bearing Construction Company located in Sudlersville, Maryland. The following items are the next step in the Galena WWTP process:

1. The Town reviews this bid recommendation letter, and if they are in agreement, generates a letter Indicating their concurrence and desire to award the project to Bearing Construction. The letter from the Town should be returned to McCrone the week of January 4th to keep the project moving forward. The bids are good from 90 days from bid opening, which is March 13, 2016. It is expected the MOE and USDA reviews will take 30 days, so it's best to get the packages to MOE and USDA as soon as possible.
2. McCrone will use this bid recommendation letter and the concurrence letter generated by the Town in a Construction Bid Approval Package. The Bid Approval package will also include a project cost summary with costs and funding; a copy of Bearing's bid; a previously generated letter by the Town's attorney; the Good Faith Effort documentation generated by McCrone for the Town and one generated by Bearing Construction; and two other minor administrative items.
3. USDA and MOE will take approximately 30 days to review the packages. If all documents are in order, USDA and MOE will issue correspondence Indicating we can proceed forward with award.
4. After USDA and MOE concurrence on award, McCrone will Issue a Notice of Award to the Bearing. The Notice of Award will be signed by the Town and will request insurance certificates,

signed agreements (contracts}, bonds, and other administrative paper work from Bearing. McCrone will review the paperwork from Bearing and will pass along to the Town if they are in order. If the paperwork is not in order, McCrone will have Bearing revise the documents. This will take place approximately in February.

5. The Town will have the paperwork in #4 reviewed by their Town attorney for compliance. There is a USDA form to fill out stating the documents are in order. By the first of March the Town will have the above in hand.

6. Following attorney review, the Town will sign the agreement described in #4. The signed agreement and other paperwork will then be forwarded to USDA for concurrence.

7. After USDA concurs with the agreement package, the project can proceed to construction and a Notice to Proceed can be issued. The Notice to Proceed officially begins the contract time in the Agreement between the Town and the Contractor.

Council Member Felty motioned to accept the recommendation by McCrone to move forward with Bearing Construction Company, Council Member Carroll second motion, all present were in favor.

There was discussion on having the Mayor to be able to sign future documents, invoice, etc., so that the contractor does not have to wait until the next monthly meeting. **Council Member Pisapia motioned to accept allowing the Mayor to be able to sign documents, invoices, etc., Council Member Carroll second motion, all present were in favor.**

McCrone Change Order#2-Revised-December 16, 2015: Mr. Rangel reported there was a small math error in the first engineering change order. The total provided in Exhibit K of Change Order #1 was high by \$50. This effected the Construction cost of the contract amending it from \$219,333.88 to \$239,630.23 bring the total engineering contact to \$983,653.01. The revised Exhibit K for Change Order #2 reconciles that error. The math error did not result in any overbilling of the Town or County by McCrone's invoices. McCrone's invoices were based on the correct numbers. **Council Member Pisapia motioned to accept the Change Order#2, Council Member Felty second the motion, all present were in favor.**

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

WGES Renewal Contract-Pre-Approval for June 2016: The Washington Gas Electric Service rates were lower at a rate of .06609 per kilo watt for a 2 year contract. **Council Member Carroll motioned to accept WGES 2 year contract of .06609 per kilo watt, Council Member Duhamell second motion, with all present in favor.**

Approval of the January 4, 2016, Audio Minutes: **Council Member Pisapia motioned to accept minutes as recorded; Council Member Carroll second motion, all present were in favor.**

Adjournment: There being no further business to come before the Mayor and Council, **Council Member Felty motioned to adjourn the meeting; Council Member Carroll second motion, all present were in favor.** Meeting was adjourned at 9:31 p.m.

Agreements/Comments:

KCI Agreement: Engineer Peter Bourne-Stilling pending but does not see any problems.

Mayor and Council were give a Planning and Zoning recommendation to review for Text Amendments-Article V. District Regulations

Section 1. R1 Single Family District, 1.3 Accessory Uses-Add Item #11 Commercial Vehicles

Section 3. C1 Commercial District, 3.2 Permitted Uses-Add Item #11 Automobile Repair Shop & #12 Boat Repair and Maintenance Shop and 3.3 Permitted Accessory Uses-Add Item #3 Outdoor Storage

This will be put into an Ordinance and introduced at the next meeting.

HUR Report: The Annual Highway User Report was sent in December. Our 2015 grant funds of \$10,300 will need to be used within 10 years to maintain our streets.

MES Water/Sewer Update: Sharon, Town Manager, reported a miscellaneous meter for water use by Drilling Companies and pool filling, etc., will be installed to be able monitor water usage.

Sassy River Market/Drawings-Agreements-update: Engineer Peter Bourne delivered the drawings to our Town Attorney for review.

Town Manager & Zoning administrator's Report: There was no meeting for Planning & Zoning in December. Next meeting is January 25, 2016, at 6:00 p.m. and a workshop will follow. There were no permits.

WWTP Project: Bids were opened on December 14, 2015 at 2:00 p.m. McCrone's bid recommendation has been distributed. Change Order #2 Exhibit K has been revised due to a math error from \$907,461.89 to \$983,653.01. After signatures are obtained from County and Town, the engineer will send it to USDA for processing. USDA is reviewing the project budget.

MDE-Grants/Loans for FY2016/State FY2018: Drinking Water Projects (Galena Water Meter Replacement Project \$200,000) and Clean Water Project (Generator \$40,000) are due by January 29, 2016.

SHA-Right turn: Grinding and resurfacing for right turn lane has been completed. Sign "No turn on Red" has not been removed. An inquiry was made to SHA on this issue and their response was that due to safety issues regarding pedestrians, they believe the "No Turn on Red" restriction should remain. On December 22, 2015, a letter was sent to SHA regarding the pull-off for loading and unloading for 102 N. Main St. Firehouse Antique LLC, and the Streetscape Plan which shows a pull off on the plans dated December 10, 2001 was included as an attachment. SHA responded by email on December 23, 2015, they will be investigating the feasibility of widening MD 213 in front of the antique store.

Briscoe Manor: Inspection of Briscoe Manor Apt. 13 was done on 12/3/15 by MDIA Hal Davis. Faxed report was received on 12/4/15. It was forwarded to Kent County and Rachel Wolpert, Esq. Upper Eastern Shore Office Maryland Legal Aid Easton, MD 21601. No update.

Comcast Update: A phone conference was held on Wednesday, December 16th at 3:00 p.m. to review the final draft. Still pending.

Sub-Divisions-Donna Handbidge/Church Meadows (Grinder Pumps): Ms. Donna Handbidge of Wilmington DE, who is the original property developer and currently owns 104 Laura Lane, spoke about the agreement she had with the town regarding the grinder pumps. Ms. Handbidge had no documentation with her to back up this agreement that the Town would be responsible for the grinder pumps. Ms. Handbidge will try to locate her paper work and present at a later date. Mr. George Bartholomew resident of Laura Lane, spoke about who should be the responsible party. Mr. Bartholomew believes if the grinder pumps was paid for in the past then they should remain that way. Mayor Sessa suggested that Mr. Bourne, our Town engineer and Warren Walters, our Maintenance person locate exactly where the grinder pumps are located. The Mayor would like our Town Manager to send a letter to the Laura Lane residents notify them that we will be coming on the resident's property to locate the grinder pumps and if you do not want us on your property please notify the Town Office.

Council Member Felty will be setting in on the first quarter meetings of Planning & Zoning instead of Council Member Pisapia, who will be on vacation.

Water Break-Maplewood Lane: Resident Jody Mathison commented how well Warren Walters, our Maintenance person and Jay from MES, explained to the residents the water break and kept the residents updated on the problem. Town Manager Sharon Weygand explained that Maplewood was not marked and the contractor should not have starting digging in the first place. Miss Utility is on hold until Delmarva shows where the new lines are going. This is a concern due to the new sewer system going in this spring.

Barbara A. Shaw

Clerk-Treasurer