

OCTOBER 5, 2015

October 2015 M & C Minutes There are no Audio Minutes for October 5, 2015

The Meeting was called to order by Mayor Samuel F.Sessa, II at 7:00p.m. on Monday, October 5, 2015.

Those in attendance were Mayor, Sam Sessa; Council Members' Bud Felty, John Carroll, Harry Pisapia and Jackie Duhamell. Also in attendance: Town Engineer, Peter Bourne ; Attorney, Tom Yeager; Clerk/treasurer, Barbara Shaw; Town Manager, Sharon Weygand; and Chief Deputy Culp, Kent County Sheriffs Department.

Meeting was started by all standing and reciting the Pledge of Allegiance to the Flag.

Next order of business was the approval of the September 8, 2015 Minutes : Council Member Felty motioned to accept minutes as written, Council Member Carroll second motion, all present were in favor.

SHERIFF'S & MD STATE POLICE REPORT

38 speed assignments, 27 warnings, 37 citations, 2 DWI Arrest, 1 criminal complaint, 1 CDS, 10 non-criminal complaints

Chief Deputy Culp advised that \$164.40 of overtime funds were used inSeptember leaving a balance of\$6,742.36, 2 calls for service; 1hr foot patrol, 3 hrs vehicle patrol, 4 traffic warnings and 20 citations.

SUA-Letter to Reinstall Right Turn Lane South Bound MD 213 at Intersection: Mayor Sessa read the letter to SHA into the record asking them to reinstall the right turn land. Council Member Pisapia motioned to send letter to SUA to reinstall the right turn lane South Bound MD 213 at Intersection, Council Member Carroll second motion, all present were in favor.

TREASURER'S REPORT

Clerk/treasurer reported for August 2015, with 16.66% of the year gone by, the General Fund is at 13.25% of budget and the Sewer is at 17.35% and Water Funds are at 11.79% of budget.

Clerk/treasurer reported that August's Bank Balances for General Fund are \$450,032.51 and Utility Funds are \$114,050.84 with a combine total of \$564,083.35n on hand at this time. Council Member Pisapia motioned to accept the treasurer's report as written; Council Member Felty second motion, all present were in favor.

Fund Transfer: Clerk/treasurer reported our accountant advised that we do not make any fund transfers at this time until the full separation of sewer and water accounts are completed .

W/S Delinquent Report: Clerk/treasurer reported that we have \$1,998.89 of unpaid water/sewer bills. 23 Hang tags on 9/ 10/15, I Shut off 9/ 15/15. W/S Readings were completed by 9/30/15, statements will be mailed by 10/ 15/15.

Auditor: Auditors were here September 16th-18th to gather all information to complete the FY 15 Audit. Audit must be completed by October

30th. Auditor will be contacting the Mayor for his comments and will be requesting only 3 bond copies of the audit this year along with a disc copy.

Water/Sewer Report

MES Report: Sharon Weygand, Town Manager, gave the report, Water Treatment Facility there were no violations during the past month,

total water flow was 913,800 gallons, Average daily water flow was 30,460 gallons, MES staff will be flushing hydrants on Wed, Oct 7, and Tieder Electric replaced a relay on the controls at well4.

Wastewater Treatment Facility there were no violations during the past month, Total wastewater flow was 1,014,000 gallons, Average daily wastewater flow was 33,800 gallons, and MES operations forwarded all requested locates to the town.

Draft MOU-WWTP (Agreement between Town and Kent County): Council Member Carroll motioned have our town attorney forward the Draft MOU-WWTP to the county for their review, Council Member Felty second motion, all present were in favor.

Generator for Well #4: Mayor and Council agreed that the town should get estimates for a generator for Well #4 for emergencies. It was questioned if this should go out to bid. Town attorney look up selection C-719 Purchasing and contacts in the Town Code but the Mayor advised that this can be discussed at another meeting since we are just looking for estimates at this time.

ZONING & TOWN MANAGER'S REPORT

Sharon Weygand, Town Manager, gave her report which includes the Maintenance Workers report for the councils review. Meetings were on

9/16/15-Attended the COG meeting in Rock Hall & 9/24/15-Progress meeting for WWTP. Planning & Zoning Meeting was held on September

28. Next meeting is October 26 at 6 pm, and a workshop will follow. Permits:

15-21HO

15-22

15-23

9/10/15

9/23/15

9/23/15

105 Boxwood Daycare

154 N. Main St. Banner Pasta Dinner 1013 154 N. Main St. Banner Xmas Bazaar 1117

Code Enforcement

Water & Sewer Rate Study- Letters were sent to Cabe and Municipal & Financial Services Group that the proposal was awarded to AECOM. Tom working on AECOM contract.

WWTP: USOA the initial loan and grant were obligated on August 16, 2010. The town will need to request a waiver from the National Officer since the funds are only obligated for a five year period. We are in the process of preparing this waiver request. Due to the changes for the access road design, McCrone will be requesting a Change Order for additional engineering funding. Engineer Ryan Rangel will be at the November meeting to review the request with council. Revised Proposed Schedule, June 19, 2015 received MOE Construction Permit which was issued, October 15, 2015 Begin construction bidding period, October 27, 2015 10 am Pre-bid meeting at Town Hall, November 17, 2015 Close bidding period and open bids. Begin 60-90 day time frame for award concurrence with funding agencies and review/approve contract documents. Gather MOE good faith effort documentation from owner and contractor, February 17, 2016 Notice to Proceed for Construction . This could be delayed if the contractor and owner agree to extend the time the bid is valid. Documents say 90 days, but that could be changed in writing, Could be to contractor's advantage to delay a little due to winter weather, May 17, 2017 substantial completion for WWTP (15 month construction period, October 17, 2017 WWTP in compliance with discharge permit. We will be sending MOE an update on the project and will need to ask for another Consent Order extension since current compliance is 1/12/ 17.

Park Grant Application: Board of Public Works has approved our grant application Community Parks & Playground funding for the Community Park Restroom of \$58,800.

MEETING SCHEDULE

C.O.G. Meeting: will be Wednesday, October 21st, hosted by Galena, Galena Pizzeria @ Noon MML
Fall Convention· October 25th - 28th \ Perdium (Mayor)

Veteran's Day will be Wednesday, November 11th·Approx. 9:15a.m. (Council Member Carroll-Moderator)

NEW BUSINESS AND/OR GOOD OF THE TOWN

Franchise Agreement for Comcast Update: Our Attorney advised that we are pending a response from Comcast on the agreement.

AECOM W/S Rate Study Contract: Town attorney will be have a call conference with AECOM's attorney to review contract agreement. Office Closed-October 12th (Columbus Day)

Halloween Night-October 31'1 between the hours of 5:30 p.m.-8:30 p.m.

Close Regular Meeting/Open Closed Session-Legal Advice for shared Sewer Lateral Lines: At 8:00p.m. Council Member Pisapia motioned to close regular and go into closed session to receive legal advice for shared sewer lateral lines, Council Member Felty seconded the motion, all present were in favor.

Re-Open Regular Meeting at 8:39 p.m.

Statement of Close Session: Mayor Sessa stated that we met with our attorney, he interpreted the ordinance for us, and he explained the language in the ordinance and spoke about options and what the legal ramifications of those would be regarding shared lateral lines.

Sassy River Market-Shared Lateral Line: Property Owner's, Cricket Beck and Debbie King, Sassy River Market, want the issue of this lateral line that they share with Paul Thien-102 N. Main Street and Sisk Properties, LLC-100 N. Main Street resolved. They do not want the responsibility for the maintenance and repair of the line and they want the town to take ownership of it since it was put in by them as a repair that was done back in the early 2000's. After much discussion Council Member Carroll motioned that the town will reconnect Sassy River Market, 120 E. Cross Street, directly to the town facility (sewer main), install cleanouts on all properties on this shared lateral, secure all appropriate agreements and/or easements, repair damage to Sassy River Market's parking Jot, 120 E. Cross Street, the lateral line will service both Paul Thien-102 N. Main Street and Sisk Properties, LLC-100 N. Main Street and an agreement will be drawn up by our attorney that they are responsible for this lateral line and our attorney will record all easements, Council Member Felty second motion, all present were in favor.

Approval of the October 5, 2015, Audio Minutes: Council Member Carroll motioned to accept minutes as recorded; Council Member Duhamell second motion, all present were in favor.

There being no further business to come before the Mayor and Council, Council Member Pisapia motioned to adjourn the meeting at 9:25 pm, Council Member Duhamell second motion, all present were in favor.

Barbara A. Shaw

Clerk-Treasurer