

**Galena Mayor & Council Meeting
November 4, 2019 Minutes**

The Meeting was called to order by Mayor John Carroll, 7:03 p.m. on Monday, November 4, 2019.

Those in attendance were Mayor John Carroll, Council Members' Francis Bogdan and Sarah Merrell, Jack Duhamell. Also, in attendance: Town Attorney Tom Yeager; Treasurer Barbara Shaw, Zoning Coordinator Kathleen Billmire, Clerk Pamela McCoy, Auditor Karen Dojan of Weyrich, Cronin and Sorra, Kent County Sheriff, Sgt. Lodge. Not present, Council Member Bert Piasecki.

Motions:

Approval of October 7, 2019 Minutes: **Council Member Bogdan motioned to accept October 7, 2019 Minutes. Council Member Merrell second motion, all present were in favor. Motion carried.**

Approval to apply for up to \$5,000 budget Keeping Maryland Beautiful Grant for year 2020 based on the recommendations from the Park, Rec and Tree Committee: **Council Member Bogdan motioned to accept Council Member Sarah Merrell second motion; All present were in favor. Motion carried.**

Approval of MSEC-MEA Grant FY2020 to be submitted in December: **Council Member Sarah Merrell motioned to move forward and submit the Smart Energy Grant FY2020. Council Member Duhamell second motion, all present were in favor. Motion carried.**

Approval of Treasurer's Report: Revenue report September 25 % of Budget, General Fund is 12.97% of budget, Sewer Fund is 24.77% of budget, and Water Fund is 25.23% of budget. Expense Report for September 25% of budget, General Fund is 19.18%, Sewer Fund is 23.46% and Water Fund is 22% of budget. September Bank balances: General Fund \$402,542.43, Sewer Fund \$607,540.80 and Water Fund \$50,269.43 with a total balance of \$1,060,352.66. The bank registers for September from PNC and Peoples Bank are available for the Mayor to review. WWTP Project no pending fund request from USDA or Kent County. Water Meter Project no pending invoice from Ferguson Waterworks however invoice has been sent to KCI to sign off on. No funding coming in for this project from USDA or MDE. Phone conference was held with KCI to figure out budget for meter project and change orders. Another phone conference is scheduled 11/5/19 to complete budget and for additional change orders to include cost of integration of Mueller's program with Accufund import of readings. The Town will forward invoice with this change order to Ferguson to recoup some of the cost. **Council Member Duhamell motioned to accept the approval of the Treasurer's Report. Council Member Bogdan second motion; All present were in favor. Motion carried.**

Approval of November 4, 2019, Audio Minutes. **Council Member Duhamell motioned to the approval of the November 4, 2019, Audio Minutes. Council Member Bogdan second motion. All present were in favor. Motion carried.**

Adjournment: **Council Member Duhamell motioned to adjourn the meeting; Council Member Merrell second motion, all present were in favor. Motion carried.** Meeting was adjourned at 8:58 p.m.

Recommendations/Comments:

Special Galena Police Patrol: Sgt. Lodge reported for the month of October 2019, 11 calls for service with no criminal complaints, 44- speed assignments, 86 warnings and 29 citations issued. 21.5 hours of special overtime used. 12 commercial vehicle inspections which lead to 7 warnings and 3 citations. Grant for Commercial Vehicles has been initiated for the year and an increase of their presence will be noticeable. Council Member Duhamell notified Sheriff of Christmas Parade will be held Saturday, December 7, 2019 for the request of an officer on the corner. The Kent County Sheriff will be available to the Town during the time of the parade.

Park, Rec and Tree Committee: Justinian Dispenza reported **Keeping Maryland Beautiful Grant**, \$4,000 was used to make 9 rain barrels, planters and trash containers placed around town. A decrease in trash has been seen. His intention to apply for grant again continuing rain barrel project with 4th graders from Galena Elementary School and a trash clean-up project with the help of 5th graders. Also planned for next year is a shore clean-up along Sassafra with the ShoreRivers Association. Reusable canvas shopping bags will be purchased with local markets names and logos. With some funding leftover, he purchased samples of compostable products and containers to help business owners transition away from Styrofoam and plastic due to state legislation ban. Budget of grant was emailed by Justinian and will be reviewed by Mayor and Town Facility-Grant Writer, Kathleen Billmire. Small trees will be purchased with leftover grant money to be added to the planters around town dressed in biodegradable bows and solar lights to create a festive holiday look. Next meeting Monday, November 18, 2019 at 6:00pm.

Karen Dojan, Auditor-Audit Review: Karen Dojan, Weyrich Cronin & Sorra Chartered, reviewed with Council the Town's Audit for year ending June 30, 2019. Audit is performed each year under generally accepting auditing standards in addition to this year under government auditing standards due to loans received from USDA for the construction of WWTP. The focus is to receive Independent Auditor's Report of The Town of Galena's financial statements. The purpose is to receive an unmodified opinion also known as a clean opinion. The focus is not to look for any misappropriated funding, however there are no such findings. Overall, year over year change statement in net position has \$66,000.00 increase and an increase in revenue of \$13,000.00. Deficit comes from sewer system. Mayor Carroll points out that true numbers will be coming out soon once all payouts have been made and all pay-ins have been received for sewer system. Karen Dojan goes into further detail with showing the council statement of activities or where the town has been. The Mayor confirmed when calculating value of physical assets, like the plant itself, a depreciation year after year for up to a 40-year period has historical cost. In conclusion for the Town of Galena is

not bringing in enough revenue to replace or prepare for repairs for the future even though it is keeping enough for maintaining status quo. Town Attorney, Tom Yeager stated his opinion that the Town of Galena is in better shape than other towns who have an insurmountable loss of revenue. The Mayor's solution is to strive to adjust this by looking into ways to make revenue and save money, putting it away for the future to allow for needed upgrades and repairs. Current project that could help with this is the rental of tower space to AP Wireless. Council Member Bogdan asks if insured. Town Attorney answered clarifying that if damage to collection system was caused by negligence on Town's part then insurance will cover. However, if damage occurs by act of God, no negligence caused by us, as we could not have known to prevent such damage, then that would cause us not to be liable. Or something occurred that we had no control over, like if a property owner caused damage then insurance will not pay out. Karen Dojar states by government auditing standards report in deficiencies or material weakness in accounting system in compliance of laws showing a 'Significant Deficiency' which means the opportunity that something could awry. Bringing this to the Town's attention to be aware with segregation of duties, and reminder to review set procedures in place. "Trust but verify" motto. In conclusion of Karen Dojar's report, the Mayor and Council walked away with valuable information on Town's focus and reevaluate goals.

Kent County Operator Agreement for the Wastewater Treatment Plant: Two (2) contracts have been received by Kent County Commissioner's which they have signed off on. Town Attorney, Tom Yeager, Mayor Carroll and Facilities Coordinator, Kathleen Billmire will sign both contracts, one for Town of Galena and the other will be sent to Kent County.

Water/Sewer/Sludge Report

The Mayor reported for the month of October no violations at Water Treatment Facility and total flow was 984,700 gallons, average water daily flow 31,765 gallons. Wastewater Treatment Facility there were no violations. Total wastewater flow 1,143,150 gallons with an average daily flow 36,879 gallons. MES added degreaser to Jarman pump station. MES met with Coyne Chemical Representative to find polymer that will help sludge drier leaving the press. Testing is still ongoing. MES staff greased sludge conveyor, blower bearings and tightened belts on lagoon blower units. 7.89 tons of sludge removed for the month of September to landfill.

Grants/Projects/Reports

Kathleen Billmire, Zoning Coordinator, reports all three (3) RFP's have been completed at the WWTP. A hose reel will be installed on the building for wash pad. Payment has been made to Grasso in the amount of \$9,170.00. We received invoice from Lindstrom at \$50,430.00.

Kathleen updates Mayor and Council on the penalty that incurred in September 2018, which was a direct result of warranty item in contract. Bearing is responsible to reimburse the town in the amount of \$1,250.00. She has reached out to Bearing with the assistance from Project Manager, Ryan Wrangle of McCrone with no response from Bearing and is asking the assistance from Town Attorney to draw up a letter to notify surety company. Tom Yeager, the Town Attorney will initiate necessary steps to contact the surety by official notice with certified letter and electronically emailed. Contract will be reviewed if legal fees are included when breached.

MDE/USA Grant WSG 08.15 Water Meter Replacement-KCI/Ferguson Waterworks/Mueller: Total of 318 meters have been replaced and currently monitored. An alert reading with reverse flow at 103 Ashwood. Resident installed a check valve and continued receiving alert of reverse flow. Meter is to be replaced. Eric Dutrow from Maryland Rural Water Association will be inspecting a meter and a pit at 112 Laura Lane, new construction.

Kent County IT: Kathleen Billmire continues to work with KCIT updating Town's website to be completed by January 2020.

Draft Memorandum of Understanding for review: The opinion of Town Attorney, Tom Yeager is that it is straight forward and fair. This can be terminated with thirty (30) day notice by either side. Cost is minimal except for license Microsoft Enterprise. It was brought to April Bitter's attention to make staff available.

Comprehensive Plan: Kathleen Billmire, having goal to complete RFP by December has met with Susan O'Neil from Upper Shore Regional Council on the process of submitting the RFP. David Dahlstrom of Md Planning has been contacted to assist.

DBA Church Meadows LLC & MSP: Town Attorney, Tom Yeager reported it has been agreed to the exchange of \$7500.00. It has been agreed to release the letter of credit. Tom will draft a letter releasing Mike Piasecki of any obligations to install sidewalks in receipt of payment. Then a draft of letter notifying the bank releasing the letter of credit.

DHCD Façade Grant: Town Hall has received 7 new energy efficient windows and 2 new doors. Total cost of project \$11,104.88. The Town will receive 100% reimbursement. Kathleen Billmire is working with one resident to receive 23 windows replaced and awaiting responses from DHCD/MHT. For FY2019 Façade Grant a remaining amount of \$34,852.27 in account. FY2020 has been applied for \$50,000.00 awaiting confirmation of award.

MSEC-MEA Smart Energy Grant FY2019- A portion of this grant will be used to change light fixtures at Town Hall, the Town's garage and the two Well Houses.

MSEC-MEA Smart Energy Grant FY2020- Kathleen Billmire will be applying in December as a known Existing Communities Application for \$50,000.00. Suggestions on how to spend this money lists new roof, solar and replacement of hvac. Suggestion to replace HVAC at Town Hall. Boulden will be contacted for quote with another contractor to receive comparison costs to replace hvac. Kathleen Billmire is required to show a 15% reduction in energy use within a five (5) year period.

Community Park Grant-Public Restroom: Awaiting final drawing from architect then drawing to be submitted to MDIA. Goal to complete by the end of the year.

Zoning update: The Planning Commission has had a successful Planning and Zoning workshop on Saturday, October 26th with another scheduled for Saturday, November 16th in preparation for document's recommendations before Mayor and Council in Jan. 2020.

MES Termination Letter: Town Attorney, Tom Yeager reports he has sent this letter out and is awaiting response.

AP Wireless: Town Attorney, Tom Yeager suggests a conference call with AP Wireless. This will allow Mayor Carroll, Facilities Coordinator, Kathleen Billmire and Town attorney and anyone else from the council who wishes to attend to go through contract to decide issues to push or let go. Then Town attorney would respond accordingly to parties. The need to protect the Town's assets with need to agree and decide compromises on some items and the need to keep structure to move forward with finalization. This includes permissions and access to the towers and temporary structures. This potential revenue will go into the water fund.

Gatewood Park update: bids were received to remove and replace bridge with blacktop. Repair to patches with blacktop by Tower 4 and Town Hall parking lot. The tow path repair will be funded with the Highway Use Fund.

SHA truck traffic meeting in Cecilton: The Mayor attended SHA meeting in Cecilton. He reported attendance included the towns of Galena, Cecilton, Chesapeake City, Warwick with Cecil County Roads and State Highway Administration. Increased traffic presentation by SHA showed Galena as the highest increase with approximately 1,000-1500 more vehicles per day. This study took place between Sept. 2018-2019 due to the bypass in Delaware. Another significant find was on Sassafras Road in Cecil County showed an increase from 100 cars per day to over 5000 cars per day on average. The Mayor addressed Route 213 speed limit sign going out of town with a 25mph sign to a 55mph sign with no 40mph sign in between and other road concerns like potholes to the new regional director. The Mayor informed Council of Edgar Price Rd will stay closed until June 2020 due to much needed repairs and denial of funding which more studies needed between Del Dot and State Highway. Funding has been allocated to add virtual weigh station between Toll Park and Georgetown, to North bound lane outside of Galena however, has been put hold due to testing equipment.

Treasurer, Barbara Shaw reported W/S/Brf/Trash status of delinquent in the amount of \$667.12. Due to finalizing configurations, statements mailed on October 25th. Late notices will go out Nov. 18th and Shut offs will be Dec. 18th. This due date was moved up due to holidays. As of today, there is one shut off. A test run last week with Mueller's Integration with Accufund revealed glitches to the export and import files. Installation of software should be completed by the end of next month.

For the Good of the Town:

Mayor Carroll announced that Planning and Zoning Coordinator, Kathleen Billmire will be attending Maryland Planning Commissioner's Association conference in Aberdeen on November 6th & 7th.

Veteran's Day Ceremony will take place at Galena Cemetery on Monday, November 11th honoring Jeff Dwyer with reception following at St. Dennis Hall.

Planning and Zoning will hold a workshop Saturday, November 16th.

The next Cog meeting on Wednesday, November 20th at noon will be hosted by the Town of Galena at The Jefas Mexican Grille all staff and Mayor and Council Members is invited and C.

Christmas Parade will be Saturday, December 7, 2019 at 6pm followed with tree lighting then light refreshments at firehouse. The following day, Sunday, December 8th the Galena Fire Company is having breakfast with Santa. The clerk shall contact Santa to attend.

The Mayor read and signed Proclamation: Municipal Government Works Month.

Jack Duhamell mentions electronic sign for advertising for non-profit and Town related events.

Respectfully submitted,

Pamela L. McCoy

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Clerk