

**TOWN OF GEORGETOWN
TOWN COUNCIL MEETING MINUTES**

Meeting Date: Wednesday, October 27, 2010
Location: Town Hall, 39 The Circle, Georgetown, DE
Time: 7:00 P.M. Regular Meeting

PRESENT:

Brian Pettyjohn, Mayor
Charlie Koskey, Ward One
Sue H Barlow, Ward Two
Annie Besche-Martin, Ward Four

STAFF PRESENT:

Eugene S Dvornick Jr, Town Manager
Capt. Ralph Holm, Police Dept
Angela Townsend, Town Clerk
Jim Fuqua, Town Solicitor

ABSENT: Bob Ricker, Ward Three

7:00 P.M. REGULAR MEETING

1. PLEDGE OF ALLEGIANCE

Mayor Pettyjohn led the Pledge of Allegiance.

2. INVOCATION

Mayor Pettyjohn led the Invocation.

3. ADOPTION OF AGENDA

Motion by Councilman Barlow, seconded by Councilman Koskey, to adopt the agenda as presented. **APPROVED (unanimous).**

4. APPROVAL OF SEPTEMBER 22, 2010 TOWN COUNCIL MINUTES

Motion by Councilman Koskey, seconded by Councilman Barlow, to approve the minutes as presented. **APPROVED (unanimous).**

5. CHESAPEAKE UTILITIES – SAFETY PRESENTATION

Chesapeake Utilities was asked to address safety concerns previously discussed and brought to Chesapeake's attention at the July 28, 2010 Town Council meeting by Councilman Ricker.

Darrell Wilson: Director, Business Growth & Development, gave the Council an overview of the status on various projects (Perdue, J G Townsend, Harrison Senior Living, and DTCC) within the Town.

Eric Pearson: Engineering Manager presented Council with an overview of the transmission pipeline extending over the Eastern Shore. The natural gas infrastructure within the Harrington/Milford/Milton/Georgetown/Millsboro is relatively new. The pipeline is perhaps the safest mode of transportation for natural gas. Anytime a third party digs on an adjacent location (transmission lines) we assign one of our personnel to monitor the situation whenever a pipeline is exposed. Notices are sent out to residents in close proximity to the pipeline as to procedures they should follow in the case of smelling gas for example. The yellow markers identify the approximate location of the pipeline facility. Regulations dictates burying the lines at 36", ours are buried from 42" to 48".

Ric Chatham: Director of Safety, my main job is keeping the public safe with our pipeline. I send letters to public officials and Fire Departments letting them know I'm available, for questions and with training. Different material (plastic, metal, steel, and cast iron) of pipes are used depending on the areas being serviced. Training is very important; we have over 100 trained and certified inspectors that work with natural gas lines. The company has received 8 safety awards from the AGA.

Councilman Koskey: What is the life expectancy of the transmission lines?

Ric Chatham: I don't know if there is a life expectancy of the lines. Lines have been in service since the 1950's and are still in operation.

Mayor Pettyjohn: What are the procedures of a major emergency?

Ric Chatham: On the main line there is no cut-off, but we do monitor the main line for flow variances, we have to physically cut it off, on the distribution lines there is an automatic cut-off.

Mayor Pettyjohn: What is the average response time to an emergency?

Ric Chatham: In Georgetown we would have personnel there anywhere from 30 minutes to an hour once it's reported.

**6. CONDITIONAL USE APPLICATION – XERGY, INC –
CASE #2010-16**

An application by Bamdad Bahar with Xergy Inc., for a conditional use (1) to engineer, design, research and develop "Kuel Cell" technology (2) small (light) manufacturing cells to repackage consumer products, "Kuel Cell" electronic assemblies and storage of equipment (3) to receive and ship out raw materials & products for the above purposes. Located at 310 North Race Street, identified as Sussex County Tax District 135 Map 14.20 Parcel 110.00 zoned Urban Business (UB1).

No comments have been received since the Public Hearing.

Mayor Pettyjohn has received several positive comments on this project.

Richard L Williams, CFO, Investor Relations & Marketing with Xergy Inc. presented Council with an overview of the "Kuel Cell" technology.

Motion by Councilman Koskey, seconded by Councilman Besche-Martin, to approve Conditional Use Application – Case #2010-16 with conditions as stated in Exhibit A changing Item #9 from one year to 6 months for review after approval. **APPROVED (unanimous).**

"Exhibit A–Xergy Inc, Case #2010-16 is incorporated as part of the minutes."

**7. INTRODUCTION OF SUPPLEMENTAL ASSESSMENTS
A. ASSESSMENT APPEALS HEARING**

Mayor Pettyjohn opened the floor for anyone who wanted to appeal his or her Supplemental Assessments.

No one came forward.

Appeals Hearing was closed.

B. ADOPTION OF SUPPLEMENTAL ASSESSMENTS

Moved by Councilman Besche-Martin, seconded by Councilman Barlow, to adopt the Supplemental Assessments. **APPROVED (unanimous).**

8. RESOLUTION #2010-10 AUTHORIZING TO BORROW \$5,500,000

The Town has been working with the Town Engineer in preparing various projects for submission to granting agencies to help with the funding of major infrastructure projects, this includes:

Item	Area	Source	Need	Amount	Priority
1	Wastewater	USDA	Inflow & Infiltration	\$1,280,000.00	1
	Wastewater	USDA	Refinance Existing Debt	\$425,000.00	
2	Water	ODW – SRF	Water Service Replacement	\$2,094,800.00	3
3	Water	ODW - SRF	SCI Well Replacement	\$1,519,700.00	2
TOTAL NEEDS				\$5,319,500.00	

The resolution describes the capital improvements proposed in addition to giving the Town Manager authorization to publish details as to the Public Hearing.

Following the public hearing, a second Resolution shall then be passed by the Town Council ordering a Special Election to be held not less than thirty (30) days nor more than sixty (60) days after the said public hearing to borrow the said money, the said Special Election to be for the purpose of voting for or against the proposed loan. The passing of the second Resolution calling a Special Election shall be considered the determination of the Town Council to proceed with the matter in issue.

Motion by Councilman Barlow, seconded by Councilman Koskey, to adopt Resolution #2010-10 Authorizing to Borrow Up To \$5,500,000. **APPROVED (unanimous)**.

“Resolution 2010-10 is incorporated as part of the minutes.”

9. RESOLUTION #2010-11 GEORGETOWN ECONOMIC DEVELOPMENT & INCENTIVE PROGRAM

A resolution giving potential businesses incentives to encourage their businesses to Town to serve the residents and to grow the town commercially, socially, and culturally.

Motion by Councilman Koskey, seconded by Councilman Barlow, to adopt Resolution #2010-11 Georgetown Economic Development & Incentive Program. **APPROVED (unanimous)**.

“Resolution 2010-11 is incorporated as part of the minutes.”

Councilman Koskey & Barlow thanked the Mayor for his initiative in creating and developing this concept/idea.

10. DEPARTMENTAL REPORTS
A. GENE DVORNICK – TOWN MANAGER
Infrastructure Projects and Capital Needs

The Town has been working with the Town Engineer in preparing various projects for submission to granting agencies to help with the funding of major infrastructure projects, this includes:

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TOTAL NEEDS				\$5,319,500.00	

Following up on earlier action this evening, informational sessions on the proposed borrowing have been set up for the following dates and times:

- Tuesday, November 23 – 6:30 PM
- Saturday, December 4 – 10:00 AM
- Thursday, December 9 – 6:30 PM

All sessions will be here at Town Hall.

Stevenson Lane Check Valve

The Town has received two proposals for the replacement of the check valve at the Stevenson Lane Plant. The bids are as follows:

- Zober Contracting: \$5,353.00
- Aztech Contracting: \$6,239.99

Both companies have done extensive work for the town, and it is the recommendation of the Wastewater Superintendent to award the job to Zober Contracting.

Motion by Councilman Besche-Martin, seconded by Councilman Barlow, to approve the awarding of the check valve replacement job to Zober Contracting at an amount not to exceed \$5,353.00. **APPROVED (unanimous).**

Mid-Year Budget Review Workshop

The Town staff has been working on a workshop to present a mid-year review of the budget. Ideally, we'd like to do this during the week of November 15th.

Topics to be reviewed:

- Six (6) month (actual vs. budget)
- Current Debt
- Sewer and Water Rates
- Other Items, as necessary

Mayor & Council agreed to meet on Monday, November 15, 2010 at 6:00pm at Town Hall.

Budget versus Actual (Sep 10) – Four Months (42% of the Year)

<u>Revenue</u>	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>	<u>%</u>
General Fund	\$2,550,960	\$1,881,134	\$669,826	74%
Water Fund	\$1,247,000	\$338,739	\$908,261	27%
Sewer Fund	\$1,635,000	\$735,598	\$899,402	45%
Total	\$5,432,960	\$2,955,472	\$2,477,488	54%

Expenditures

General Fund	\$3,233,843	\$1,331,100	\$1,902,743	41%
Water Fund	\$784,587	\$297,114	\$487,473	38%
Sewer Fund	\$1,414,530	\$686,243	\$728,287	49%
Total	\$5,432,960	\$2,314,458	\$3,118,502	43%

The monthly report has been distributed for your review.

Other Key items (versus the same time period last year):

- Real Estate Transfer Tax Revenue, **Down 75.43%**
 - YTD FY 2008 \$313,478
 - YTD FY 2009 \$ 55,303
 - YTD FY 2010 \$ 72,523
 - YTD FY 2011 \$ 17,818
- Building Permit Revenue, **Up 0.43%**

South Bedford Street Pump Station Upgrade

A progress meeting for the South Bedford Street Pump Station Upgrade was held on Thursday, October 14, 2010. Most of the materials required have been ordered and necessary fabrication is underway. Due to a lead time issue with electronic controls the contract completion date was extended by 65 days. New completion date is December 17, 2010. They did discover an Inflow and Infiltration issue within the wet well – estimated repair is \$2,700.

PROJECT STATUS SUMMARY					
<u>Item</u>	<u>Date</u>	<u>TIME</u>		<u>DOLLARS</u>	
		<u>Elapsed</u>	<u>% of Cntrct</u>	<u>Incurred</u>	<u>% of Loan</u>
Notice to Proceed	Apr 16, 10	n/a	n/a		
	Oct 14, 10	181 days	101%	\$129,749	41.0%
Completion	Oct 13, 10	180 days			

Miscellaneous

- The updated, October 15, 2010, Delinquent Property Tax Accounts have been posted
- 2010 Water Leaks:
 - Number 32: 301 Cedar Street – Installed New Service Line
 - Number 33: South Railroad Avenue (Croll Pit) – Replaced saddle & stop
 - Number 34: 321 North Bedford Street – Replaced service line
- Sussex County Association of Towns – Dinner Meeting, Wednesday, November 3 (Millsboro)
- Town Offices will be closed the following dates:
 - Tuesday, November 2 – Election Day

- Thursday, November 4 – Return Day (Afternoon)
- Thursday, November 25 – Thanksgiving Day
- Friday, November 26 – Day after Thanksgiving
- Employee Service Anniversaries:

<u>Name</u>	<u>Department</u>	<u>Service</u>
Rogers, Mark	Police	9
Holm, Ralph	Police	11

King Farm Industrial Park Sewer Agreement

As part of our agreement with Sussex County for providing sanitary sewer, they are permitted to request additional capacity from time to time. For several months there has been discussion concerning development of the King Farm Industrial Park.

As work at the park has commenced, Sussex County is requesting an additional 13,725 GPD in capacity from the Town (this will bring their total allocated capacity to 43,725 GPD).

Motion by Councilman Koskey, seconded by Councilman Barlow to authorize the Mayor to sign the agreement for the King Farm Industrial Park Sewer Agreement. **APPROVED (unanimous).**

Equipment Purchase - Action Requested

The Town's large snow plow (old dump truck, salt spreader and plow – see attached photos) will not make it through another winter. Since the early spring, we have been looking into finding a replacement – old DelDOT plows, new equipment manufacturers, etc. to no avail. The Public Works Department has located a used dump truck (capable of filling this need and being compatible with our plow blade) along with a mini-excavator which would assist with water/sewer repair. The total cost for both is \$19,000 (Dump truck \$9,000; Mini-excavator \$10,000). Both are being offered well below the cost of brand new equipment and the equivalent "Blue Book" value. Bill Bradley has inspected both and recommends purchase.

Motion by Councilman Barlow, seconded by Councilman Koskey to authorize the purchase of a dump truck and excavator in the amount of \$19,000. **APPROVED (unanimous).**

B. CAPTAIN RALPH HOLM – POLICE DEPARTMENT

Council was presented with statistics from June 23, 2010 to October 26, 2010. The checkpoint had 823 vehicles pass through: 2 DUI, 5 drug related arrests, 3 towed vehicles, seat belt arrests, 3 fugitives apprehended.

Councilman Koskey: Based on these statistics has crime gone down or leveled out?

Captain Holm: We are on an even keel with crime, no more, no less.

Council was also updated on the Return Day functions as to security issues, secret service, and access to the circle. There is discussion of having an access point on to the Circle where people on an approved list will be checked and granted access to the Circle.

11. **2ND READING OF ORDINANCES**

A. ORDINANCE #2010-7 CLEAN HANDS ORDINANCE AMENDMENT
“Clean Hands” ordinance was to remove the burden placed on taxpayers for cost incurred as the result of specific projects/actions. The language in **§89-2 Town obligations which must be current**, has recently been challenged, the Town obligations definition needs to be specifically defined.

Motion by Councilman Barlow, seconded by Councilman Besche-Martin, to adopt Ordinance 2010-7 Clean Hands Ordinance Amendment. **APPROVED (unanimous)**.

“Ordinance 2010-7 is incorporated as part of the minutes.”

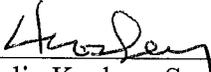
12. **PUBLIC COMMENT**

Thank note was received from Jim Fuqua & Tim Willard from Fuqua, Yori & Willard thanking the Town for the work in setting Mr Paynter’s carriage/horse stepping stone above ground and for installing the hitching post.

13. **ADJOURNMENT**

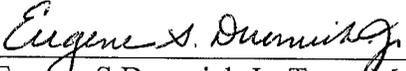
Motion by Councilman Barlow, seconded by Councilman Koskey, to adjourn at 8:06p.m. **APPROVED (unanimous)**.

APPROVED:



Charlie Koskey, Secretary

ATTEST:



Eugene S Dvornick Jr, Town Manager