

**TOWN OF GEORGETOWN
TOWN COUNCIL MEETING MINUTES**

Meeting Date: Wednesday, January 25, 2012
Location: Town Hall, 39 The Circle, Georgetown, DE
Time: 7:00 P.M. Regular Meeting

PRESENT:

Brian Pettyjohn, Mayor
Steve M Hartstein, Ward One
Sue H Barlow, Ward Two
Bob Ricker, Ward Three
Annie Besche, Ward Four

STAFF PRESENT:

Eugene S Dvornick Jr, Town Manager
Angela Townsend, Town Clerk

7:00 P.M. REGULAR MEETING

1. PLEDGE OF ALLEGIANCE

Mayor Pettyjohn led the Pledge of Allegiance.

2. INVOCATION

Vice-Mayor Ricker led the invocation.

3. ADOPTION OF AGENDA

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

4. APPROVAL OF JANUARY 11, 2012 TOWN COUNCIL MINUTES

Motion by Councilman Barlow, seconded by Councilman Hartstein, to approve the minutes as presented. **APPROVED (unanimous). Abstained: Pettyjohn**

5. DEMOLITION PERMIT FOR #99-08 FOR 115 EAST PINE STREET

Included in Council's packets are: an email detailing the discussions that have taken place and action steps that are necessary, a letter from County Administrator, Todd Lawson; asking to utilize demolition permit #99-08, a copy of the building permit for demolition which is still valid at this time, a copy of the demo plan showing the location of current structures and utilities, and a copy of the proposal for demolition from John Macklin & Sons for 111 & 115 East Pine Street.

Mayor Pettyjohn: Has the applicant met all the statutory requirements that were in place at the time of the original application?

Town Manager: That is correct.

Mayor Pettyjohn: Has there been any progress on getting any groups together to help save the structure or any parts of it?

Town Manager: Not that I'm aware of.

Councilman Barlow: Has the County submitted any site plans for these two lots?

Town Manager: I believe they have submitted a site plan with the demo permit for 111 East Pine St. At the time 115 was submitted that was not a requirement.

Motion by Councilman Ricker, seconded by Councilman Barlow, to allow the demolition permit #99-08 to move forward. **MOTION INTERRUPTED**

Battle Robinson wished to make a comment.

Tim Willard, Town Solicitor, explained that this item was not advertised as a public hearing with public comment, the Mayor and Council could is they chose to open the floor for comment.

Mayor Pettyjohn entertained a motion to open the floor for public comment.

Battle Robinson was upset with the Town for not scheduling a proposed meeting with Councilman Vincent, Town Manager, the Mayor, herself. There was also discussion in forming a group with other interested citizens. Sylvia Short Calhoun and her husband have offered to hire a house mover to come and look at the house with the possibility of moving it.

Councilman Ricker: We have had other construction people look at the house, and all with the same opinion that the house cannot be moved.

Mayor Pettyjohn: Mr Godwin, will the County agree to allow the demolition to be put on hold for another 7 days to allow Mrs Robinson time to give their person the opportunity to get quotes or information on moving the structure.

Hal Godwin: I can't speak for the Council but I do have pictures. Pictures were taken to show the condition of the interior, as you can see the interior shows rotting wood and decay that was present back in 2007. I have documentation from a house mover and from someone that determined whether or not it could be restored, saved or moved and that was in 2008, we have done this study. The last communication from Mrs Robinson was in July 2009 putting her on notice we were not spending anymore of our energy on this property. That was the last we heard from Mrs Robinson or Mrs Short.

Mayor Pettyjohn read a letter from Todd Lawson, County Administrator, asking to utilize the demolition permit. "What is Council's opinion on granting the 7 days to Mrs Robinson?"

Councilman Ricker: No, we have given them every opportunity to do something, it's been 3 years, from the purchase of the property by the County, we've known their plan from the beginning was to demolish the structure. It's not fair to the County.

Mayor Pettyjohn: Demolition permit would be released February 1st, we've given them 3 years what's seven more days.

Councilman Barlow: I agree with the seven days.

Mayor Pettyjohn: Councilman Ricker would you like to rescind your motion?

Councilman Ricker: No, I would not, let's vote.

Mayor Pettyjohn: There is a motion on the floor, all those in favor of granting the demolition permit say aye, oppose.

Town Clerk, Angela Townsend took roll call.

Roll Call:	Councilman Hartstein:	No
	Councilman Barlow:	Yes
	Councilman Ricker:	Yes
	Councilman Besche:	Yes
	Mayor Pettyjohn:	No

Yes: 3 No: 2 MOTION PASSED

6. **ANNEXATION COMMITTEE REPORT – CASE #2011-18 – COX 107
GEORGETOWN LLC**

An annexation application by Patrick W Ryan, French & Ryan, Inc on behalf of Robert Henry, Ambient Care, for the annexation of .86 acres, located on the North side of Rt 113 DuPont Highway. The site is comprised of one parcel designated as tax map 1-35-14.00-65.00. The site is located in Sussex County but borders on the municipal line of the Town of Georgetown along its southern boundaries. The application proposes that the site be annexed into the Town of Georgetown and the site zoned as UB-1 (Urban Business District). A copy of the Annexation Committee Report was included.

Motion by Councilman Ricker, seconded by Councilman Hartstein, to recommend annexation to Town Council for Case #2011-18 Cox 107 Georgetown LLC.

APPROVED (unanimous).

7. **ADOPTION OF RESOLUTION 2012-1 DWSRF KING STREET WATER
TREATMENT FACILITY**

A resolution to pursue borrowing of funds for improvements to the King Street Water Treatment Facility. This will be for \$2.9 million, at 0% interest with 100% principal forgiveness administered through the Department of Public Health.

This will get the Town into compliance with the new drinking water standards for Tetrachloroethylene (PCE), Trichloroethylene (TCE), and Vinyl Chloride (VC).

Councilman Ricker: Is this to keep the Town's drinking water at safe levels or is this to meet the new standards.

Town Manager: This is to meet the new regulations, and for the upgrade to be compliance with the new drinking water standards.

Councilman Ricker: For the record and for the public, I want this stated that "The standards are changing and a portion of this is to meet the new standards as well.

Erik Retzlaff, Town Engineer: A portion of the money will be used for related control of all the facilities, SCADA, improvements to the instrumentation at Del-Tech, some system integration, in the end you've increased your treatment capacity at King Street to meet the new standards and to bring the facility up to current technology. The amount of the loan may change due to the system integration but not considerably, but the conditions of the loan will not change.

Motion by Councilman Ricker, seconded by Councilman Barlow, to adopt Resolution #2012-1 Delaware Water State Revolving Fund – King Street Water Treatment Facility

APPROVED (unanimous).

8. **CONDITIONAL USE APPLICATION - CASE # 2011-02 SUSSEX
COMMUNITY CRISIS HOUSING**

An application by Sussex Community Crisis Housing Service and MHDC for a conditional use to allow an expansion by constructing two new buildings. The property is identified as Sussex County Tax District 135 Map 14.20 Parcel 266.00 and is currently zoned Urban Residential (UR1).

Mayor Pettyjohn opened the floor for public comment.

Jim Sabo, 218 South Race Street: I would like to encourage you to vote no, on this. We are saturated with these houses, and I would also like to know the number of these houses we have in Town, the number of police calls, and how many people that live in these houses are actually from this Town. Where we live on the street, we have four houses. At the end of our street is a sexual offender's house, where my children whom are 8 & 12 cannot walk by themselves for fear of these offenders coming out and saying pretty disgusting things to them, which happened last summer. Across the street is an alcohol and drug rehab center, Corinthian House, which has a revolving door there. You are constantly dealing with profanity coming from there, while they sit there and smoke and do nothing the entire day. A house next door houses paranoid schizophrenics. Experiences there was one of the residents stopped one of my wife's clients demanding money, one resident recently was trying to court my wife. I told him in a nice manner it had to stop. But I think we have enough. You should see the fact that enough is enough. These people obviously need help, and I encourage them to get help, to free themselves from drugs, I think they need to seek a solution in this Town and not stick them somewhere in a corner of a house and tell them ok that's where you'll stay, at whose cost, our cost? This is not the Town I grew up in. Mr Ricker, I think you'll agree. This Town was like Mayberry. I don't know at what point this Town came to a fork in the road, and decided which way to take, but they took the wrong way. I don't want to live here, but I can't afford to move either. When I talk to people about where I live and say Georgetown, it's embarrassing. To think this is the Town I grew up in, as a child, and decided to put my roots here and raise my children, and have it come to what it is now, you all know what it's come to be, I don't have to tell you, you need to look at this and say that's it, it's simple. That's all I have to say.

Tony Semeraro, 4 Cranberry Court: I have spoken before, and I am not in favor of this application, I feel it did not conform to the letter and the spirit of the Comprehensive Plan. Some of the issues were the density and also the Comprehensive Plan laid out a different vision for Kimmeytown and the Town of Georgetown with the creation of single-family owner occupied homes.

I attended the Planning Commission and spoke there with the same concerns I voiced at the previous Council meeting. Unfortunately only one commissioner out of the four present felt that the Comprehensive Plan did not fit this application, the others were reluctant to vote against the application, they felt it was in the Town's best interest to approve the applicant, and it was basically a balance of the community's needs, although the question was left hanging as to whether these were members of the community or not. I do not agree that it fits the letter and the intent of the Comprehensive Plan.

There is still an overarching issue that has to be taken into consideration, and that overarching issue is saturation of this type of projects. I believe that Georgetown has more, much more than its fair share of transitional housing. I believe that the Comprehensive Plan gives the Town Council the tools in which to make a stand, and to go forward with a different vision than we have seen in the past years. In my opinion with that there, is no sense in having plans for economic development or blueprint communities or any kind of endeavor trying to bring business into Town. I said two weeks ago that business leaders and business people have made that particular comment on why they don't want to locate here.

The time is now and the line is here, if the applicant wants to comply with the Comprehensive Plan that is one thing, but if the Town Council ignores the Comprehensive Plan and its stated intent and direction, that will mean that the next

applicant with such an agency will be given approval because a precedence is being set. The Council has the necessary tools to move forward with if they will use them, otherwise they just need to stop trying to work for a better future for Georgetown. And in four years when the State says it's time to update the Comprehensive Plan we may as well change the date on this one and save ourselves \$50,000 because we won't be following that one either.

Linda Dennis, from Ward 4: I am speaking again this evening on this application since my concerns about the possible continued expansion of special needs housing in our Town remain. Actually, after attending the January 18th Planning Commission meeting where this application was heard and recommended for approval, I have become more concerned than ever about how these decisions are reached and what impact these facilities and services will have on the future of our Town.

Discussion of this application by the Planning Commission in a word was – astonishing -- and not in a good way. Per their mission, the Commission was obligated to review this application against the criteria laid out in the Comprehensive Plan and appropriate Town ordinances and not by the subjective opinions expressed by some of the members of that group. When a Commissioner expresses his criteria for approval as almost coming down to “eenie, meenie, mynee-moe” rather than from specific citations in documents that are supposed to guide the Commission's execution of its duties then something is very wrong.

One of the most revealing things that emerged from the discussions at the previous Council meeting and the Commission's meeting on this subject is that, in my opinion, the Council and the Commission are not on the same page. How can this happen? Why is the vision for the future of our Town not shared by both groups? Why does it appear that the Planning Commission sees an expansion of this program as serving our community when the folks that are served by this program and others like it are not from our community? Why does this Commission see the expansion of this program and others like it as good for our community when we have heard it stated that these are the very programs that are driving any possible economic development away from our Town and into the arms of neighboring Towns?

Why isn't the Council and Planning Commission perfectly clear on the impact of these programs on our Town and its resources? Why don't we know where these folks are coming from and how they are referred here? Why are the tax payers of this Town expected to do more than their fair share by extending our public services to people and organizations that do not contribute to the cost of these services?

Why don't Town officials know the exact number, location, names of the sponsoring agencies and types of clients in these facilities? And most importantly, why don't we have a say in if, when and where these facilities can locate in our Town? If State laws and local ordinances have to change to provide the residents of this town with a measure of accountability and peace of mind then the Council must begin to seek ways to obtain those means to safely and consistently regulate the siting of these facilities within the Town's boundaries.

Marie Morole, Executive Director of Crisis House: I want to clarify a few points we are not adding services, we are closing a very old structure and replacing it with a new modern facility that will be more conducive to our services. The same is true with our transitional housing, that structure will be taken down once our new building is put up in Phase II. Several of our families have become homeowners through the Habitat for Humanity program and are productive members of our community. There are several

individuals that are benefiting from our services, and we are trying to move people from not being self sufficient to self sufficiency. We are not adding services, we are upgrading services, and we have been in business since 1981.

Jim Sabo: How many people does this facility currently hold? And how many more do they intend to house? Are they intending to keep the same amount in the new housing?

Marie Morole: We currently can hold approx. 18 adults and several children. The new facility will hold approx. 18 to 20 people. Now there are 5 apartments, hoping to expand to 6 apartments, they are single parent families with either 1 or 2 children.

Mayor Pettyjohn: You stated Phase 2 may happen a couple years from now. With a Conditional Use you have to really should be doing the building within a year.

Marie Morole: It will be done with funding, and we are working on a funding issue.

Barlow: Is there any funding at all for this?

Marie Morole: We do not right at this point, we have some minimal funding set aside at this time. The actual structure is being donated and built by a local builder, funding will be used to finish off the interior.

Ken Christenbury: If the Council wanted to attach conditions to the Conditional Use, one condition I would like to recommend is the existing Crisis House cease to operate as a homeless shelter and reverts to the underlying zoning that currently is with the land. Phase I is the only phase that will receive a building permit within that one year, so if you wanted to only approve that Phase I as a condition for the Conditional Use that would be an option.

Mayor Pettyjohn: Even with Phase I you will still need the underlying infrastructure, the pond, sidewalk, etc for that one phase.

Tony Semeraro: The Conditional Use application before us, is that for 1 building or for 2 buildings? One has 6 units and one has 10 units?

Councilman Ricker: One has 8 units and one has 6 units.

Public Comment Closed.

Councilman Ricker: Do they currently pay property taxes in Town?

Town Manager: They do not pay any property taxes in Town.

Councilman Ricker: What about impact fees during the construction process?

Town Manager: They are required to pay impact fees, but only when they build out the units.

Councilman Ricker: The Comprehensive Land Use Plan, states on page 41” A modest density should be encouraged that is similar to the typical development that occurred during the 1930s through 1940s. This density (such as 4 to 8 homes per acre) should make best use of available land, while avoiding overly dense development and parking problems. In conjunction with the University of Delaware spending approximately \$60,000 every 5 years, on page 76 this comes with a high priority, “Strengthen zoning regulations for uses that are most likely to cause nuisances and hazards. These include

chemical plants, asphalt plants, trash transfer facilities, quarrying, boarding houses, salvage/scrap yards, adult live entertainment uses, after hours clubs, Bring Your Own Bottle clubs, large nightclubs, and drug and alcohol treatment centers. We (The Town Council, citizens, and research folks) voted and agreed to.

On page 35, "Kimmeytown, This area needs the most attention in regards to housing rehabilitation and infill development of new homes. Individual homes with historic features should be preserved when feasible. The densities of housing need to be controlled, particularly to avoid conversions of existing one family homes into multiple units or into rooming housings. Housing recommendations are addressed in the following section of this Plan report, including financial incentives to develop owner-occupied housing, and that is specifically for the Kimmeytown area.

On page 36, "A large amount of housing that serves persons with special needs is located in Georgetown. This includes facilities serving the homeless (such as Crisis House), persons with substance abuse problems (such as Tau House and Corinthian House), transitional housing (such as Psychotherapeutic Services) and a shelter for victims of abuse. Twelve apartments of transitional housing are also proposed by the Milford Housing organization. Moreover, there are 10 housing units proposed for each to be used for four recently released prisoners. The concentration of subsidized housing, transitional housing and human service facilities within one small town creates great burdens upon Georgetown, particularly in regards to police services. Therefore, this Plan recommends that an emphasis be placed on promoting additional market rate owner-occupied housing, while seeking to avoid additional subsidized rental units".

Those are my comments and concerns with the Land Use issues.

I guess the size of the buildings that are proposed, is what I have a problem with also; I can't help but believe that the size should fall more closely to the current theme or the neighborhood. I agree strongly with Miss Morole that we don't need to increase the amount of people that are here, we do need a better situation to enable these individuals a chance to succeed and to move on.

And the folks that go into the Crisis House, your Honor have heard about it from the town's people, and I have heard from the towns people about how many of these buildings we have here in our Town, and specifically the degradation of the demographics of our Town.

Some of folks that are serviced by these agencies are not residents of our Town. Each of you have received some documents from the Police Department today, which I will briefly review, last year, out of 117 men that went into the Crisis House, 88 were out of town, and 13 were out of state. I applaud the Crisis House and understand their mission and vision when they started. They helped people in crisis. I am afraid the Crisis house has moved away from that mission, as I stated earlier out of that 117 men at the Crisis House, 34 came directly out of prison and went directly into the Crisis House. Some of the things these people have done, I know criminal background checks are done, and the only information that is received is if there is an outstanding warrant, a capiases, or if they are registered sex offender, nothing about trafficking cocaine, maintaining a house for the manufacturing of cocaine. Those are the issues that I believe are as important as the zoning issues and the land use issues.

In my research, I have come up with 25 of these homes in our Town, and I don't believe we have a good grasp on the issue and the problems that are facing our Town. Money wise, there are other facilities that are State funded just like the Crisis House that do not pay Town taxes.

I strongly urge you to consider this when placing your vote.

Councilman Barlow: How does this qualify for a Conditional Use, the Town Council has the authority to disapprove after a year if it's not living up to our expectations, how can we stop this Conditional Use after it's granted?

Tim Willard: A Conditional Use is for the property for a use that is not normally permitted. It's a special condition on the land, these uses are generally of a public or semipublic character and are essential and desirable for the general convenience and welfare. Although these uses are not permitted uses in the zoning district, a conditional use may be adopted where the exercise of planning judgment on location and site plan recognizes the following criteria: The presence of adjoining or nearby similar uses, a need for the use in the area proposed, minimal effect on neighboring properties, and imposition of Sufficient safeguards, such as traffic control, parking, lighting, screening, hours of operation, number of occupants, and similar conditions to protect property values and enjoyment. You have heard that Councilman explained why the conditional use would not work. The Council has the authority to grant conditions that can be very stringent, and if those conditions are not followed or violated the Council can revoke their conditional use. There is a means of revoking the application.

Councilman Barlow: I still don't think it qualifies for a Conditional Use, I agree with Bob and also with the individuals that have spoken. A brief history of the Crisis House, I have served on the Board of Directors from 1987 to 1995, in that time we rarely ever had a man at the Crisis House. The Crisis House was for people that were burned out, people that were flooded out, mostly women and children, men were restricted to 10 days, and women could stay up to 30 days, trying to help them find housing. Reason I am no longer involved, is for this very reason, there are twice as many men as women, it is a homeless shelter, not a crisis house, and it was never meant to be a homeless shelter. They have gotten so far away from the original permitted use of a crisis house, we cannot permit this anymore. It is a homeless shelter mainly for released prisoners, mostly not from our Town of County. It (the Crisis House) is in no way reflective of what it was meant to be.

Mayor Pettyjohn: A lot of comments have been made pro and against this application, a lot of those comments I have made, and have already been echoed between members of the audience and the Council members. This organization has a good purpose of trying to help people, but I am concerned about the people they are trying to help and bringing into our Town. Majority of these people are not from our Town. Out of 386 that went through the background check, 74% have a criminal history background, 75% are from Delaware but not from Georgetown, only 12 % are from Georgetown, from the Department of Corrections over 16%, that leaves only 25% that had no criminal history and are truly in crisis. It's hard for me to approve of a project that continues to bring people in our community that are committing some of these crimes, these property crimes. Everybody has the right to have a place to lay your head at night and to sleep, but to bring them next door to our neighbors is something we cannot do in good conscience. Being the County seat has its advantages in terms of its close proximity and access to County officials, State officials, and Federal officials but it also has its challenges, and this is one of them. People that require assistance seem to gravitate towards those areas and Towns that offer those services and in this case it's Georgetown and this is Georgetown's dilemma.

Social services programs and agencies tend to require and demand sufficient space in our Town. A sufficient tract of land and buildings, that trend doesn't seem to be bottoming out. There seems to be more and more requests for Government agencies, non-profits to come to Georgetown. The impact to Georgetown, its residents and businesses is not very clear. What also bothers me is the application with the background checks, there is nothing said about violent offenders. Even though it's stated you check for that, that is not part of the background check that is preformed. Those are my concerns. There is good done by this agency, and I commend you for taking on those challenges, which the majority of us in this room would not do.

Motion by Councilman Ricker, seconded by Councilman Barlow, to deny Conditional Use – Case #2011-02 – Sussex Community Crisis Housing.

Tim Willard, Town Solicitor requested that while polling the Council they should state their reason very briefly and refer to other comments if need be.

Town Clerk, Angela Townsend took roll call.

Roll Call: **Councilman Hartstein: No** Due to the background check, we don't know what exactly we're getting from these individuals.

Councilman Barlow: Against For my previously stated reasons.

Councilman Ricker: Against For the reasons I have previously stated both during the Public Hearing and this evening.

Councilman Besche: Against Asked the applicant not to give up, (the remaining comment is not audible on the tape.)

Mayor Pettyjohn: No For reasons already given.

Yes: 5 No: 0 MOTION PASSED

9. **INTRODUCTION OF ANNUAL TAX ASSESSMENTS FROM MAY 1, 2012 TO APRIL 30, 2013**

The Town Council is required by the Charter to introduce the proposed Tax Assessments for the upcoming year. This is step one in the tax assessment and appeals process.

No formal action is required on accepting assessments. The Town Council will need to schedule a date to hear the appeals of the assessments, with your approval; the assessment hearing has been scheduled for February 8, 2012.

10. **BOARD OF ADJUSTMENT APPOINTMENTS**

Eric Evans and Ann Behrens seats are up this January. Eric and Ann have each submitted letters for re-appointment. The vacancy has been advertised in the Sussex Countain and on the Town's website.

Mayor Pettyjohn recommended re-appointment of Eric Evans and Ann Behrens

Motion by Councilman Besche, seconded by Councilman Hartstein to approve the Ann Behrens re-appointment. **APPROVED (unanimous).**

Motion by Councilman Ricker, seconded by Councilman Barlow, to approve Eric Evans re-appointment. **APPROVED (unanimous).**

11. 1ST READING OF ORDINANCE

A. ORDINANCE 2012-2 REPEAL OF ALCOHOLIC BEVERAGES IN A UB-1 DISTRICT

This ordinance clarifies that the sale of alcoholic beverages is prohibited in the UB1 District, permission could be granted through the process of a Conditional Use. No action is necessary at this time. Public Hearing was held at the January 11th Council meeting. No action is necessary at this time. 2nd Reading & Adoption will be February 8th Council meeting.

12. DEPARTMENTAL REPORTS

A. GENE DVORNICK – TOWN MANAGER

ODW Binding Commitment Letter

The Town has received the Binding Commitment Letter for the South Railroad Avenue Well and Treatment Facility (SCI Well Replacement), with a total loan amount of \$1,595,590.00 through the Delaware Drinking Water State Revolving Fund (DWSRF) with a zero (0%) percent interest rate and 100% principal forgiveness.

Motion by Councilman Ricker, seconded by Councilman Barlow, to authorize the Mayor to execute the Binding Commitment Letter on behalf of the Town. **APPROVED (unanimous).**

Well 1A – King Street Water Plant

The Town Engineer, Public Works Director and I have been working with A C Schultes of Delaware and the Drinking Water State Revolving Fund (DWSRF) with respect to the pump and well issues affecting Well 1A at the King Street Water Plant. We have been provided an estimate of \$8,400.00 for redevelopment of the well (mechanical swabbing and airlifting of the entire screened area and re-tightening of the gravel pack) and \$2,400.00 for flow-testing of the redeveloped well. Total cost is \$10,800.00.

We have received confirmation this expense is eligible for reimbursement as part of the King Street Treatment Improvement Loan.

Motion by Councilman Ricker, seconded by Councilman Barlow, to authorize the Town Manager to execute the “Authorization to Proceed” with A C Schultes at an amount not to exceed \$10,800.00. **APPROVED (unanimous).**

Website Redesign RFP

The Town is currently preparing a Request for Proposals for re-design of the Town website. It is anticipated the issue date will be February 3 with proposal submissions due on/before March 2, 2012.

123 West Market Street

The Town received a deposit check in the amount of \$11,000 from the sole bidder for one of the lots created by the subdivision of 123 West Market Street. We are currently reviewing a draft Agreement of Sale as prepared by Mr. Fuqua.

4 and 8 North King Street

Demolition of the structures and final grading of the site has taken place at 4 and 8 North King Street.

Parking Workshop

In response to our proposed ordinance on modification of parking requirements the Planning Commission has appointed Commissioner Marvel as their representative to meet with Mrs. Godwin and myself to review the need, discuss solutions, and develop a solution.

Waste Industries (IDS)

Waste Industries has expressed interest in changing the trash collection from various days per week (currently: Tuesday & Wednesday – Wards 2 & 3; Thursday – Wards 1 & 4) to one (1) day per week – town wide. This change will be communicated by Waste Industries to all customers. The specific day for collection is being determined at this time.

This change is not anticipated to impact recycling, which will continue to be every other Monday.

Structural Report – 39 The Circle

Baker, Ingram & Associates has completed the initial survey of the Town Hall – the report was presented yesterday afternoon and is in the process of being reviewed.

Budget versus Actual Monthly Report

The Budget versus Actual report has been distributed for your review. The report is now being posted on the Town website, available for review by everyone.

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

<u>Year to Date</u>	<u>Transfer Tax</u>	<u>Building Permit</u>
FY 2012	\$60,026	\$50,355
FY 2011	\$38,628	\$20,515
FY 2010	\$106,060	\$20,690
FY 2009	\$77,426	\$32,040
FY 2008	\$405,704	\$24,360
	Up 55.39%	Up 145.45%

Miscellaneous

- Water Leaks:
 - 2011
 - Number 38: 22549 Little Road – Replace meter pit
 - Number 39: West Adams Street – 4” main rupture
 - 2012
 - Number 1: 100 Block East Pine – Replaced 1” service line
- Upcoming Events:
 - Delaware League of Local Governments, Thursday, January 26 @ 6:00 pm (Dover Sheraton)
 - Sussex County Association of Towns, Wednesday, February 1 @ 6:00 pm (Baywood Greens)
 - SCAT Steering, Friday, February 3, 9:00 am (Lighthouse Landing)

13. PUBLIC COMMENT

Councilman Ricker: In light of the issue with Transitional and Halfway Housing, I would propose that we would consider a 6 or 8 month moratorium on any other approvals or anything that has to do with Transitional Housing or Halfway Housing to get an idea of what we’ve got. I would include our planning people, our Police Department, our emergency services, and let’s hear what these guys have to say.

Councilman Barlow: I agree with you Bob, and how did this thing get so far out of hand. Yesterday, I went for walk with Paula Laymon, Code Enforcement Officer and up until two weeks ago I had never heard about the Megan house. I always thought it was single family house.

Tim Willard: In a section of the State code, there is a certain amount of people with a disability that shall supersede the Town code and will qualify for a single family house. So when you consider placing a moratorium you might want to consider calling Senator Booth and Representative Briggs-King, because of that issue.

Town Manager: When this first started to become an issue two years ago, the first step was when they came in for a rental license it was indicated on the rental license itself if it was transitional housing. Additionally, that's when we acknowledged receipt of the Town ordinances, dealing with noise, detrimental objects, and noise. But what we found as the economy turned, people that transitionally had persons renting perhaps working at Perdue's, landscaping or construction and when they vacated they could find a tenant from the lovely hotel on south DuPont Boulevard and they could enter a State program where the State was good pay. We have asked the State to provide us with a list of all those addresses, to which they are sending a check on a regular basis. We did do a survey of municipalities and unfortunately we are the largest one dealing with this issue. We have talked to the State to try to get a handle on writing an ordinance. We've heard people discuss saturation ordinances, but proximity ordinances tend to be a very easy way to accomplish the same thing. I will have the Town Solicitor draft the moratorium language so we can get that in place, we would like to meet with the Police Department, emergency services, and make sure we identify the ones we know about, we have a list and can identify those on a map and see what the proximity is. What Mr Sabo has is totally unacceptable.

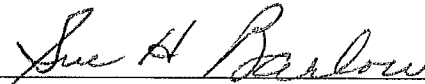
Councilman Barlow: The homeowners and tax payers of this Town should not live in fear, and this thing with Crisis House with men outnumbering women 2 to 1 all with a criminal background is appalling.

Town Manager: A Public Hearing will have to be scheduled.

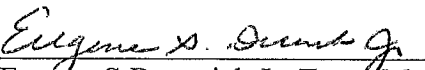
14. ADJOURNMENT

Motion by Councilman Ricker, seconded by Councilman Barlow, to adjourn at 8:24p.m. **APPROVED** (unanimous).

APPROVED:


Sue H Barlow, Secretary

ATTEST:


Eugene S Dvornick Jr, Town Manager