

**MINUTES OF THE TOWN OF SELBYVILLE
TOWN COUNCIL MEETING OCTOBER 5, 2020**

Mayor Murray opened the Public Hearing at 7 o'clock p.m. Also in attendance were Councilmen Richard Duncan, Jay Murray, Frank Smith and Clarence Tingle.

The Public Hearing was properly posted.

A RESOLUTION ANNEXING TERRITORY OWNED BY RONALD H. HAMBLIN AND JOSEPHINE B. HAMBLIN, LOCATED ON U.S. ROUTE 54, (A/K/A LIGHTHOUSE ROAD), SUSSEX COUNTY TAX MAP AND PARCEL NO. 5-33 18.00 35.01, CONTAINING 3.88 ACRES, MORE OR LESS;

AND

AN ORDINANCE AMENDING THE ZONING MAP AND ZONING ORDINANCE OF THE TOWN OF SELBYVILLE TO INCLUDE SAID TERRITORY INTO THE R-4 RESIDENTIAL DISTRICT.

Mayor Murray reviewed the location of the property and stated that the request was investigated by the Annexation Committee. It was their recommendation that the property be annexed into the Town of Selbyville. The Office of State Planning has approved the annexation. The property is within the town's annexation area in the current 2007 Comp Plan and also in the annexation area of the 2020 Comp Plan. Mayor Murray asked for public comment, either for or against, but there were none. Additionally, Town Manager Stacey Long stated that there were no written comments. Hearing no objection, Councilman Richard Duncan made a motion to close the Public Hearing. Motion seconded by Councilman Tingle and carried by all.

Mayor Murray called the Regular Meeting of the Mayor and Council of the Town of Selbyville to order. Mayor Murray led in the Pledge of Allegiance.

Councilman Tingle made a motion to annex the Hamblin property into town as presented and to amend the Zoning Map and Zoning Ordinance to include said property into the R-4 Residential District. Motion seconded by Councilman Smith and carried by all.

1. Opening of the Regular Meeting -

A. Presentation of the Minutes of the September 14, 2020 meeting by Mayor Murray. Councilman Smith made a motion to dispense with the reading of the Minutes and to approve them as presented. Motion seconded by Councilman Tingle and carried by all.

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B. Presentation of the September 30, 2020 bills by Mayor Murray. Councilman Smith made a motion to pay all bills as presented. Motion seconded by Councilman Tingle and carried by all.

2. Mayor's Report –

Mayor Murray announced that Town Manager Stacey Long was listening in from her upstairs office . He acknowledged that COVID restrictions are still in place and that he hopes everyone stays healthy. The town continues to operate without interruption.

Mayor Murray introduced the following Resolution -

**RESOLUTION AUTHORIZING SUBMISSION OF AN OUTDOOR
RECREATION, PARKS AND TRAILS (ORPT) 2020 GRANT APPLICATION,
IDENTIFYING A PROJECT MANAGER, THEREFOR, IDENTIFYING
FINANCIAL INVESTMENTS THEREFOR, AND CONFIRMING A
COMMITMENT TO MAINTAIN THE TOWN OF SELBYVILLE COMMUNITY
PARK THAT IS THE SUBJECT OF THE GRANT APPLICATION.**

Councilman Duncan stated that the Resolution is in reference to the proposed pickle ball court on Park Street. He stated that the Resolution is a new requirement of the state when applying for this type of grant. It confirms that the Mayor and Council are in favor of the Town Administrator applying for this grant on behalf of the town for a pickle ball court and fencing. The total project cost is \$56,000 with \$28,000 in grant funds from the Delaware Land and Water Conservation Trust Fund and \$28,000 in matching town funds. Councilman Tingle made a motion to authorize Town Manager Stacey Long to apply for the grant. Motion seconded by Councilman Smith and carried by all.

3. Visitors in Attendance –

Mayor Murray reported that Leslie Michalik from PKS & Co. was unable to attend at the last minute.

Ms. Debby Hiob addressed the Council on behalf of the Selbyville Community Club. In recognition of the 100th anniversary of the 19th Amendment, the club wants to encourage voting. She respectfully requested permission to stencil VOTE in chalk on the roadway at stop signs leaving the larger developments and to place VOTE signs along Lighthouse Road, Main Street and Bethany Road. Ms. Hiob stated that the stencil and the signs would not appear until the Monday before Tuesday's election. The stencil will wash off in the rain and the signs would be removed promptly after the election. Chief Collins had no objection. The Council

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granted the Community Club permission to stencil and to place signs but cautioned that Routes 54 and 17 are both state maintained roads and that they need to keep out of the right-of-way.

Ms. Jessica Snader asked about the location of the proposed pickle ball court and asked if there would be a charge to use the facility. Councilman Duncan stated that there would be no charge but residents should go by Town Hall to sign up to use the courts once installed. Ms. Snader also asked about sidewalks on Polly Branch near the proposed Creek Haven development. The sidewalks in question would be along Polly Branch in the DeIDOT right-of-way. Councilman Murray advised her to voice any concerns with DeIDOT. Councilman Smith, who also owns property on Polly Branch, stated that he is not in favor of sidewalks. His property line goes right up to the roadway and he does not want to be responsible for any injuries that could possibly occur on sidewalks placed on his property. Ms. Snader lives on E. Dukes Street and was also concerned about people trespassing through her property as a short cut. The Council assured her there would be sufficient buffers behind the Creek Haven development.

4. Reports –

A. Police – J. Murray

Councilman Murray reported that during the month of September there were 302 calls for service, 341 tickets issued and 26 varying arrests. Fine money collected for the month of August totaled \$3,577.75. Chief Collins reported that he currently has two officers out awaiting the results of COVID testing after possible exposure. The annual Ocean to Bay Bike Tour will be using the Town Hall parking lot as a resting spot the weekend of October 16th and 17th. Additionally, a Drug Take Back Campaign will take place from 10A to 2P on October 24th at the Town Hall and also at the CVS on Lighthouse Road. Chief Collins also reported that the body cameras are on backorder. He confirmed that the in-car cameras will sync with the body cameras. Video storage will be expensive but hope funding will become available to offset the expense.

Code – C. Herbert

See report for the month of September.

A. Water – R. Duncan

See report for the month of October. Councilman Duncan reported that the town produced a little over 9.5 million gallons of water during the month. He stated that he usually reports that the town meets all state and federal testing requirements but tonight, unfortunately, he has to give notice that the town exceeded the standard, or maximum contaminant level, for Total Trihalomethanes (TTHM's), a Disinfection By-Product. Councilman Duncan reported

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that the standard for TTHM's is 80 parts per billion (ppb) and that the most recent four-quarter running average at our system was 83.38 ppb. He explained that when disinfectants are used in the treatment of water, disinfectants react with naturally occurring organic and inorganic matter present in water to form Disinfection By-Products. The town will begin continuous flushing of water lines in the area of South Main Street to correct the problem. Councilman Duncan stated that it is not an emergency but that residents will be notified. (See attachment) The automatic flushing device in that area will be adjusted in an effort to prevent this from happening again.

D. Public Works – R. Duncan

See report for the month of September.

E. Recreation – R. Duncan

Councilman Duncan reiterated that the town will move forward with the pickle ball application. He also mentioned that the softball fields are available for use and that a permit is required.

F. Sewer – F. Smith

See report for the month of September. Councilman Smith reported that the plant performed within all required permit parameters for the month. He also reported that on September 25, 2020 Plant Manager Bettina Stern met with DNREC for the Annual Compliance Inspection and that a report will be forthcoming. Councilman Smith mentioned upcoming expenses. He referenced a quote from Municipal Maintenance Co. for \$43,130 to rebuild the gear motor for the clarifier and a quote from AC Schultes for \$17,986 for an effluent rebuild and/or replacement. Councilman Smith stated that both the force main and this clarifier have not been touched since they were put into operation in 1989. Jason Loar, town engineer, updated the Council on the projected force main and pump station project. He reported that the pump stations have been permitted and are ready to build when the town decides to move forward with the project. The force main conceptual design has been drafted and the town is currently working to get in touch with property owners who will require easements. Councilman Smith suggested using existing ditches to stay away from DelDOT. Jason will look at the alignment with Councilman Smith. In conclusion, Councilman Smith asked the other councilmen to review the Ocean Outfall options before a final decision is made.

G. Planning and Zoning – J. Murray

No report for the month of September.

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H. Industrial Park – C. Tingle

No report for the month of September.

I. Annexation – C. Tingle

No report for the month of September.

J. Administration – C Tingle

Councilman Tingle presented a quote from Accurate Elevator to repair the elevator at Town Hall. He stated that it has been inoperable for some time. The quote to install a new controller and rehab the elevator is \$21,300, which includes a two year warranty. Councilman Tingle made a motion to accept the \$21,300 quote from Accurate Elevator to repair the elevator at Town Hall. Motion seconded by Councilman Smith and carried by all. The repairs will take 4 to 6 weeks to complete.

Councilman Tingle presented the following Resolution –

**A RESOLUTION TO APPOINT A COMMITTEE TO INVESTIGATE
VACATING A PORTION OF LONG STREET IN THE TOWN OF
SELBYVILLE IN ORDER TO ALLOW CERTAIN PROPERTY OWNERS
TO GAIN ACCESS TO THEIR RESPECTIVE PROPERTIES.**

Councilman Tingle stated that the issue was first discussed in 2005 but the process stalled and never moved forward with the second parcel. The property needs street frontage. He stated that in order to continue, the process needs to start again with the appointment of a committee to reinvestigate the issue. Mayor Murray appointed Councilman Tingle, Councilman Duncan, Councilman Smith and Ken Madara to the committee.

In conclusion, Councilman Tingle brought the Christmas Parade up for discussion. He stated that the Rotary, who has sponsored the event the past several years, needs to know if there will be a parade this year. Several surrounding towns have already canceled their parades due to COVID restrictions. The State of Delaware, currently in Phase 2, allows an outside gathering of up to 250 people with masks and social distancing. Chief Collins acknowledged that it would be difficult to enforce crowd size or restrictions and added that he was doubtful DelDOT would grant a permit. Councilman Duncan stated that as disheartening as it is, he thinks it's in the best interest of the health and safety of our residents to cancel this year's Christmas Parade. Councilman Tingle made a motion to cancel the December 2020 Christmas Parade. Motion seconded by Councilman Smith and carried by all. Mayor Murray stated that the Christmas Parade has been a town tradition for many years and expressed disappointment.

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The town's Halloween Parade was canceled at the September meeting. Stacey referred people to the town's website www.selbyville.delaware.gov for more information about trick-or-treating.

5. Executive Session –

There being no further business to discuss, Councilman Smith made a motion to adjourn the meeting to go into Executive Session to discuss legal and personnel matters. Motion seconded by Councilman Duncan and carried by all.

Respectfully submitted,

Sandra H. Givans
Assistant Secretary/Treasurer