

**MINUTES OF THE TOWN OF SELBYVILLE
TOWN COUNCIL MEETING AUGUST 2, 2021**

Mayor Murray welcomed everyone and called the Regular Meeting of the Mayor and Council for the Town of Selbyville to order at 7 o'clock p.m. Also in attendance were Councilmen Jay Murray, Richard Duncan, Frank Smith and Clarence Tingle.

The meeting was properly posted.

1. Opening of Meeting –

A. Mayor Murray led in the Pledge of Allegiance.

B. Presentation of the Minutes of the July 12, 2021 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.

C. Presentation of the June 30, 2021 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 welcomed a new business to town, Joe's Bent Spoon located in the Mason Dixon Shopping Center. He stated that it's a nice addition to town.

3. Visitors in Attendance –

No one took the opportunity to comment at this time.

4. Reports –

A. Police – J. Murray

Councilman Murray stated that there were 227 calls for service, 173 tickets issued, and 10 arrests of various kinds during the month of July. Fine money for the month of June has not yet been received. Chief Collins reported that just as one officer returned from a work related injury, another officer went out with a work related knee injury. There is no anticipated return-to-work date at this time. Chief Collins also reported that the 2014 Tahoe involved in an accident with a deer last month has been declared a total loss by the insurance company. He stated that the insurance company has agreed to pay out \$15,000 for the vehicle and has also agreed to pay to

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reinstall the equipment into another vehicle. With the help of Daniel Bent, Chief Collins stated that he's found a 2013 Ford Explorer fully equipped, apart from a radio and cage, available for sale from the State Fleet. It has 80,000 miles and was used by an investigator in the Delaware Capitol Police Department. They're still negotiating the price but Chief Collins believes it will be between \$8,000 and 10,000. Councilman Murray stated that they do not need a motion to purchase the vehicle since the insurance money would cover the cost. Chief Collins said the car would be wrapped, not painted. The Council also granted Chief Collins permission to use the annual \$30,000 Sussex County Revenue Sharing Grant to purchase a new vehicle, something they've done for several years now. Chief Collins stated that they're in the process of getting rid of two vehicles. One will be crushed and sent to the junk yard and the other will go out to bid. He acknowledged that he has no idea how long it will take to get this newest car, adding that the last car they purchased is not in service because they're still waiting on chips for the lightbars.

B. Code – S. Long

See report for the month of July.

C. Water – R. Duncan

See report for the month of July. "14,000,000 gallons of water! That's a lot of water!" Councilman Duncan stated that amount of water puts a lot of stress on the water plant and he commended the operators who are running it. He acknowledged that it's only going to get worse. Stacey reported that we're currently buying between 4 and 5 million gallons of water a month from Artesian to maintain water pressure on the Route 54 corridor. Councilman Duncan stated that there was a slight glitch in the system when Artesian brought their Dagsboro plant on-line, but it has since been resolved. Stacey added that the town sent a notice to the property managers of Lighthouse Crossing, Lighthouse Lakes, Atlantic Lakes and Saltwater Landing so the residents would be aware of the issue. Councilman Duncan and town engineer Jason Loar both stated that they haven't heard anything more from Artesian about a possible interconnect on Route 113 North. Councilman Duncan reported that the town continues to meet all state and federal testing requirements and that additional testing for TTHM's is forthcoming. Jason stated that the town has submitted an official application to the state for a 1 million gallon water tower to be located on Hudson Road. Since it will be a loan, there will have to be a Referendum to approve the borrowing. Jason anticipates at least another year for approvals, funding and construction of the tower. He stated that the town also received a \$600,000 grant from the state for a Backwash Recovery Program.

D. Public Works – R. Duncan

See report for the month of July. Councilman Duncan reported that LH Excavating has been in town rehabbing several storm drains.

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E. Recreation – R. Duncan

Councilman Duncan reported that they're moving forward with plans for a pickleball court. He and Stacey met with a vendor who sells coating. The gentleman believes there is room enough for at least 4 courts and he offered to put them in touch with other references for fencing, lighting, etc. Zac Evans, Public Relations for Mountaire, reported that he's gotten a verbal commitment from several of the contractors from "Contractors with a Cause" to do the structural rehab of the existing buildings. Mountaire would provide the funds to offset any costs. He added that the painting will be done by other volunteers. He does, however, think it's best to wait until the courts have been installed before they do any cosmetic work to the buildings. Daniel Bunting also agreed to put the town in touch with the vendor who did the lettering on the pickleball courts in Lighthouse Lakes. Stacey anticipates site work starting in September and installation of the courts in the spring of 2022. Councilman Duncan added that he's also heard interest in the addition of a batting cage and a small playground so that it becomes a facility for all ages. He stated that he's spoken to Joe Booth, who is the Supervisor for Buildings and Grounds for the Indian River School District, about the possibility of the school donating the adjoining property that reaches to Cemetery Road. This would allow the town to possibly add pavilions and a walking path, making it a true Parks and Recreation area. Chief Collins is drafting a letter to the Indian River School Board on the town's behalf. The Mayor and Council agreed that a park of that nature would be a welcome addition to the town.

F. Sewer – F. Smith

See report for the month of July. Councilman Smith reported that the plant performed within all required permit levels for the month. Councilman Smith presented a \$52,000 quote from Municipal Maintenance to rebuild Clarifier #2. He also suggested sandblasting and cleaning the inside of the clarifier at this time as well, as was done with Clarifier #1. He stated that he does not have a cost for that work yet. Councilman Smith also reported that Doyle's pump station had to be shut down due to clogged pipes from grease, stringy material and disposable wipes. He noted that there are three restaurants in that vicinity. He referenced a letter Wastewater Manager Bettina Stern drafted that he would like to have sent to all residents. The letter educates residents on what should and should not be flushed into the sewer. Stacey added that restaurants have to provide annual documentation to Code Enforcement that proves their grease traps are being pumped. In conclusion, Councilman Smith stated that he's anticipating hefty maintenance bills.

G. Planning and Zoning – J. Murray

Councilman Murray deferred the report to Town Administrator Stacey Long. Stacey reported that the Mayor and Council and Planning and Zoning had a joint meeting on July 26, 2021 to continue their discussion on the creation of a Neighborhood Business Zoning District. She stated that an updated draft has been sent to Jason Loar for review and comment.

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Stacey also reported that a Town Council Workshop was held on July 22, 2021. Jason Loar was also in attendance. The purpose of the workshop was to update everyone on the existing wastewater and water infrastructure and how to fund future upgrades and also to discuss the need to finalize a Developer's Agreement. She stated that they discussed wastewater regarding disposal, treatment and collection; water regarding usage, production, treatment, storage and distribution; and that they reviewed the Developer's Agreement. Jason has revised it and it's been sent to the town's solicitor for review. The water tower project was also discussed. In conclusion, Stacey reported that Jason's next steps are to put the Southeast Sewer Improvements out to bid, finalize the revision of the Developer's Agreement, begin discussions with DNREC to re-rate the sewer plant to treat 2 million gallons a day, and to develop a Sediment and Erosion control plan to remove the trees on the Hudson Road property. Jason stated that town is currently approved for 2 million gallons a day so a new permit is not needed. The Council agreed that Construction Standards needs to go on the September Agenda.

H. Industrial Park – C. Tingle

No report for the month of July.

I. Annexation – C Tingle

Councilman Tingle reported that the committee met on July 21, 2021 to discuss the request from DCB Holdings, Inc. to annex property located on US Route 17, identified as Tax Map and Parcel 5-33-10.00.89.00, containing 30.75 acres, more or less, into the Town of Selbyville. He stated that the property is contiguous to the town limits and that the annexation is in line with town's Comprehensive Plan. Councilman Tingle reported that the applicant is requesting annexation to eventually become part of a 145 unit Planned Residential Community. Councilman Tingle stated that it is the recommendation of the Annexation Committee that the Mayor and Council approve this request.

**RESOLUTION PROPOSING TO ANNEX CERTAIN TERRITORY
CONTIGUOUS TO THE PRESENT LIMITS OF THE TOWN OF
SELBYVILLE, OWNED BY JAMES C. DOWNEY, GAIL E. DOWNEY
AND PEGGY L. BAKER, IDENTIFIED AS SUSSEX COUNTY TAX MAP
AND PARCEL NO. 5-33 10.00 89.00, CONTAINING 30.75 ACRES, MORE
OR LESS (“SUBJECT PROPERTY”);**

AND

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**TO AMEND THE ZONING MAP AND ZONING ORDINANCE OF THE
TOWN OF SELBYVILLE TO INCLUDE SAID SUBJECT PROPERTY IN
THE R-4 RESIDENTIAL DISTRICT;**

AND

**ESTABLISHING THAT A PUBLIC HEARING BE HELD ON SAID
ZONING AMENDMENT ON THE 13TH DAY OF SEPTEMBER 2021,
AT 7:00 O’CLOCK IN THE EVENING, PREVAILING TIME, AT THE
TOWN OFFICE, 1 W CHURCH STREET, SELBYVILLE, DELAWARE.**

Councilman Tingle made a motion to accept the Resolution as presented and to set a Public Hearing for Monday, September 13, 2021 at 7 o’clock in the evening at 1 W Church Street, Selbyville, DE. Motion seconded by Councilman Smith and carried by all.

J. Administration – S. Long

Stacey reported that the town received one new Business Application in July, Joe’s Bent Spoon, which recently opened in the Mason Dixon Shopping Center. She also reported that the Selbyville Public Library will be hosting an End of Summer Reading event on Sunday, August 5, 2021 where there will be a food truck, performances and give-aways. Stacey also reported that she has been contacted by DelDOT about a reduction in speed leading up to the 4-way stop sign at Hudson Road. Apparently, after receiving several requests from citizens, DelDOT has reached out to see if the town has any interest in supporting this reduction. After a brief discussion, the Mayor and Council decided they have no interest in supporting a reduction in speed at this time. In a related issue, Stacey confirmed that she has finally been in contact with the right person to have the 50 mph speed limit sign, currently in front of the entrance to Lighthouse Crossing, moved 200 feet further east. When implemented, the 35 mph speed limit leaving town will then stretch beyond the entrance to Lighthouse Crossing. Stacey then referenced the Route 113 Hazard Elimination Study, copies of which have been provided to the Mayor, Council and Chief Collins for their review. Stacey reported that the study identifies several hazardous intersections and suggested that she and Chief Collins meet with them to get their recommendations, which they’ll take back to the Mayor and Council. Councilman Murray agreed that the Hosier Street and the Gumboro Road Ext intersections are the most dangerous and that something definitely needs to be done. In conclusion, Stacey reported that the engineer for the Strawberry Center contacted her about adding six new parking spots to the area in front of Strawberry Liquor and WSFS Bank. The area is currently a striped Fire Lane so they’re going through the Fire Marshall’s Office for approval. Mayor Murray voiced concern about the traffic light at Cemetery Road and Route 113 and the safety issue for east/west traffic trying to cross over and turn onto the highway. Chief Collins stated that others have also expressed concern and that he will request the installation of green turn arrows.

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5. Executive Session –

There being no further business to discuss, Councilman Smith made a motion to adjourn the Regular Session and to go into Executive Session to discuss personnel issues. Motion seconded by Councilman Tingle and carried by all.

Respectfully submitted,

Sandra H. Givans
Assistant Secretary/Treasurer