

**MINUTES OF THE TOWN OF SELBYVILLE
TOWN COUNCIL MEETING OCTOBER 3, 2022**

Mayor Murray 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 Councilmembers Frank Smith, Carol Cary, Richard Duncan, 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 September 12, 2022, 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 Duncan and carried by all.

C. Presentation of the September 30, 2022, bills by Mayor Murray. After review by the Council, Councilman Smith made a motion to pay all bills as presented. Motion seconded by Councilman Duncan and carried by all.

3. Mayor's Report & Comments:

Mayor Murray reported that a new business opened on Route 113: Delmarva Design Center. Councilman Smith attended their opening and stated that they have different sections for designing kitchens and bathrooms with various cabinets, flooring, and appliances to choose from. Mayor Murray thanked Councilman Smith for attending the opening. Mayor Murray stated that all seems to be functioning well, however, the railroad tracks have not been fixed yet. Stacey stated that she has not received a response in regard to when they will be fixed. Mayor Murray stated that construction of Bank of Ocean City has started which will be a good addition to the town.

4. Visitors in Attendance:

Jay Griffith from Mountaire reported they have done twenty-nine odor checks since the last town meeting and identified an instance of odor on September 13, 2022, and September 20, 2022. Councilman Tingle stated that he smelt an odor near the plant at 9:30 A.M. and on Ellis Alley at 10:30 A.M. on October 3, 2022. Councilman Duncan stated that he had also smelt an odor around 2:00 P.M. near Dollar General. Jay stated that they stop at various locations to check for odor around 10:00 A.M. and 3:00 P.M. and will continue to monitor odor. Jay also mentioned that they have a potential solution for the mask problem at the E. Church Street pump station. They have spoken with a contractor about pricing for a chopper pump and need to do more design work before they meet with the town about it.

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5. Reports

A. Police Report – Chief Wilson

Chief Wilson reported there were 317 calls for service, 204 tickets issued, and five criminal arrests for the month of September. He also reported that officers will be participating in the second annual Trunk or Treat to be held at the Selbyville Fire Company on Saturday, October 22, 2022, from 10 a.m. until 1 p.m. Chief Wilson reported the officer that was out on medical leave had returned, and the emergency equipment for the 2022 Chevy Tahoe was ordered.

B. Code Enforcement – S. Long

See report for the month of September.

C. Water – R. Duncan

See report for the month of September. Councilman Duncan reported for the month of September the water plant produced 12.2 million gallons of water. We also purchased over 5 million gallons of water for the month from Artesian to help keep the water pressure on the eastern side of town. We continue to meet all State and Federal testing requirements. He announced that hydrant flushing will be the week of November 7, 2022, a twice-annual process that helps to keep the water clean, fresh, and safe. Councilman Duncan requested that homeowners keep the water meter pits clear for readings and repairs.

Councilman Duncan reported that the water tower project and the backwash recovery project were both approved at the September WIAC meeting. The paperwork to establish the cost and loans for the projects should be coming to the town in the upcoming weeks, so it can then get out to bid. He stated that the town will need to meet with the Selbyville Fire Company to discuss lot clearing on Hudson Road. He also mentioned that Jason Loar, Town Engineer, is working on a planning grant.

D. Public Works – R. Duncan

See report for the month of September. Councilman Duncan stated the public works department reported that there was no flooding or damage from the recent storms.

E. Recreation – R. Duncan

Councilman Duncan reported that the second coat of asphalt has been applied to the pickleball courts, and they are waiting on the final coat. The outside of the facilities need to be painted. He expressed his gratitude to Zach at Mountaire and Contractors for a Cause for all their contributions to this project. Councilman Duncan also reported that Stacey has applied for a grant and had a meeting regarding playground equipment.

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F. Sewer Report – F. Smith

See report for the month of September. Councilman Smith reported that plant had an average daily flow of 973,000 gallons with a peak flow of 1,188,000 gallons. The plant performed within all permit parameters for the month.

Jason Loar reported that we are waiting on pumps, generator, and electrical for the two pump stations for the S/E Sewer Expansion Project.

G. Planning & Zoning – R. Duncan

See Minutes of the September 28, 2022 meeting.

Councilman Duncan stated that the only item on the agenda was the consideration of conceptual plans for the property located on DuPont Blvd and Cypress Road, TMP #533-16.00-25.00 & 32.00, presented by DCB Properties, owned by Long Family of Sussex County, LLC. Daniel Bunting of DCB Properties presented the commission with a sketch plan of the proposed development. The two properties total 49 acres and are zoned General Commercial. He is currently under contract for this property, however, before moving forward he is inquiring if the town would support combining the 2 lots into 1 and change the zoning to R4 with a Residential Planned Community Overlay. With an RPC overlay, commercial uses are permitted but limited to one acre of lot area per 100 residential units. By doing it this way, the commercial uses would be limited to those that are similar to the Historic Business & Neighborhood Business Districts, in lieu of the General Commercial District. The conceptual plan consists of 107 single family lots which 54 lots are 60 X 120 and 55 lots are 75 X 120 and 2 half acre pad sites for commercial use that fronts on the highway. The intent is to build a higher-class model and try to maintain lower HOA fees to make it more attractive to the buyer. The RPC also requires connectivity so the commercial use and residential use will have a connecting road. The commercial will be accessed by a right in, right out on Route 113 and the residential will be accessed by an entrance and exit on Cypress Road. The RPC allows for 30% of the lots to be townhomes, however, the current intention is to build all single family homes. There will be sidewalks on one side of the street and an amenity area to include a pavilion and tot-lot. If the Planning & Zoning and Mayor & Council support this conceptual project, the Future Land Use Map in the Comprehensive Plan will need to be amended in order to move forward. It was agreed that this would be good for the town with the commercial on the highway. It is the recommendation of the Planning & Zoning Committee that the Mayor & Council approve this request. Councilman Duncan suggested DCB Properties use caution when designing the buffer between the commercial and residential areas. Councilman Smith asked Jason Loar about the existing pump station. Jason stated a new pump station and upgraded forcemain would be needed. A motion was made by Councilman Duncan to start the Comprehensive Plan amendment. The motion was seconded by Councilwoman Cary and carried by all.

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H. Industrial Park Report – C. Tingle

No report for the month of September.

I. Annexation Report – C. Tingle

No report for the month of September.

J. Administration Report – S. Long


Stacey reported that the Library is having a ground-breaking ceremony on October 4, 2022, at 4:00 p.m. and everyone is invited. We also have a new business coming to town located at 5 W. Church Street: Mini Market Mary. It is a retail butcher, meat and produce market.

In conclusion, Stacey reported that we received a proposal from 120Water for the new lead and copper compliance rule which is very detailed. Councilman Duncan also reported the EPA adopted a new regulation on getting the lead out of the water system. He stated we have until 2024 to complete an inventory identifying all the water lines in the town which is a lengthy process with a lot of mapping and sampling. We would be subcontracting with 120Water to do the data collection to report to the EPA. The services from 120Water has a one time implementation fee of \$1,500.00 and would then cost \$9,273.50 per year for the next 36 months. Councilman Cary made a motion to move forward with the proposal from 120Water as presented. The motion was seconded by Councilman Tingle and carried by all.

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

Mayor Murray adjourned the meeting and thanked everyone for attending.

Respectfully submitted,



Loryn Hanley
Administrative Assistant

EXECUTIVE SESSION