

**MINUTES OF THE TOWN OF SELBYVILLE  
TOWN COUNCIL MEETING JANUARY 8, 2024**

Mayor Duncan welcomed everyone and called the meeting to order at 6 o'clock p.m. Councilmembers Monroe Hudson, Dr. Carol Cary, Chris Snader, and Gary Steffen were in attendance.

The meeting was properly posted.

1. Opening of Meeting –
  - A. Mayor Duncan led in the Pledge of Allegiance.
  - B. Presentation of the Minutes of the November 6, 2023 meeting by Mayor Duncan. Councilman Snader made a motion to dispense with the reading of the Minutes and to approve them as presented. Motion seconded by Councilman Steffen and carried by all.
  - C. Presentation of the Minutes of the December 4, 2023 meeting by Mayor Duncan. Councilman Steffen made a motion to dispense with the reading of the Minutes and to approve them as presented. Motion seconded by Councilwoman Dr. Cary and carried by all.
  - D. Presentation of the December 31, 2023 bills by Mayor Duncan. Councilman Snader made a motion to pay all bills as presented. Motion seconded by Councilman Hudson and carried by all.
2. Mayor's Report & Comments:
  - A. **ORDINANCE TO AMEND THE CODE OF THE TOWN OF SELBYVILLE, CHAPTER 195, WATER, ARTICLE IV, PROCEDURES FOR WATER SERVICE PIPE CONNECTIONS, §§ 195-42, 195-45 AND 195-46, ALL REGARDING THE TOWN'S ADOPTION OF AN UPDATED CROSS-CONNECTION CONTROL PROGRAM.**

Mayor Duncan read the Ordinance into the Minutes by title only. The Town Administrator explained that this is to amend the code to update the existing Cross-Connection Control Plan with the new State of Delaware requirements. Councilman Steffen made a motion to adopt this Ordinance as presented. Motion seconded by Councilwoman Dr. Cary and carried by all.

- B. **RESOLUTION ADOPTING AN UPDATED CROSS-CONNECTION CONTROL PLAN PURSUANT TO THE CODE OF THE TOWN OF SELBYVILLE, CHAPTER 195, WATER, ARTICLE IV, PROCEDURES FOR WATER SERVICE PIPE CONNECTIONS, § 195-46, CROSS CONNECTION CONTROL PLAN ADOPTED.**

**MINUTES OF THE TOWN OF SELBYVILLE  
TOWN COUNCIL MEETING JANUARY 8, 2024**

Mayor Duncan read the Resolution into the Minutes by title only. Councilman Steffen made a motion to adopt this Resolution as presented. Motion seconded by Councilwoman Dr. Cary and carried by all.

3. Reports

A. Police Report – M. Hudson

Chief Wilson reported there were 242 calls for service, 31 tickets issued, 2 DUIs, and 12 criminal arrests for the month of December. He added that the Selbyville Police Department has been awarded \$9,805 in grant funds. \$4,822 will be used towards in-car radios to communicate with the 9-1-1 center, and the remaining funds will be utilized for targeted overtime. Chief Wilson concluded his report by stating that one officer has returned to duty after being out due to an injury, however, two additional officers are now out due to injuries, so they are still operating on short staff. At this time, Councilman Steffen took a moment to recognize the Selbyville Police Department in honor of Law Enforcement Appreciation Day.

B. Code Enforcement – A. Merollini

See report for the month of December. Mayor Duncan introduced the new Code Enforcement Official/Building Inspector, Tony Merollini. Inspector Merollini reported that 25 building permits were issued in December, and the new Selbyville Public Library has made progress. Additionally, they are in the process of creating “Licensed Contractor” tags as well as a portal on the town website for citizens to submit non-emergency requests in our community such as streetlight outages, overgrown grass, etc. Inspector Merollini concluded his report by stating they are also researching “community development” software options for permitting. Mayor Duncan recognized Inspector Merollini for his work since beginning his employment with the Town in November.

C. Hazard Inspection Committee – C. Snader

No report for the month of December. Councilman Snader stated they are still moving through the condemnation process for 3 Lighthouse Road.

D. Water – G. Steffen

See report for the month of December. Councilman Steffen reported that the water plant produced 2,448,699 gallons of water. We continue to purchase water from Artesian to supplement the water pressure on the eastern side of town. We continue to meet all State and Federal testing requirements. He added that the Water Department continues to read meters, work on meters, and mark water lines for utility locates. The Water Department has also been painting the inside of the water plant.

**MINUTES OF THE TOWN OF SELBYVILLE  
TOWN COUNCIL MEETING JANUARY 8, 2024**

**E. Public Works – G. Steffen**

Councilman Steffen reported that the Public Works Department continues to clean out storm drains. They have also been checking the snowplows and making sure they are ready for any potential winter weather that may arise. Councilman Steffen concluded his report by stating they have been conducting the interior work at Town Hall as well.

**F. Recreation – G. Steffen**

Councilman Steffen reported the pavilion is complete and encouraged residents to visit the Town Park. Mayor Duncan added that there was a crack in the pickleball court, and the repair will be covered by the warranty once the weather conditions allow.

**G. Sewer Report – C. Snader**

See report for the month of December. Councilman Snader reported the plant had an average daily flow of 1,122,600 gallons and a peak flow of 1,237,000 gallons. The plant performed within all required permit parameters for the month. Councilman Snader added that Excelsior completed the blower maintenance, and the Town Engineer is reviewing Oxidation Ditch #2 blower maintenance reports with contractors.

Councilman Snader stated that Whayland Construction is continuing to work on painting the roof area and beam repairs at the Headworks Building. Electrical work will need to be done once the repairs are completed. Diamond Electric, Inc. submitted a quote in the amount of \$43,142.00 for the electrical repairs and replacements in the Headworks Building. Councilman Snader made a motion to accept the quote from Diamond Electric, Inc. in the amount of \$43,142.00 for electrical repairs and replacements in the Headworks Building, as presented. Motion seconded by Councilman Steffen and carried by all.

**H. Planning & Zoning – C. Snader**

See Minutes of the December 13, 2023 meeting.

Councilman Snader reported the first item on the agenda was consideration of a proposed ice machine and a commercial sign for Mason-Dixon Car Wash located at 38235 DuPont Blvd. Councilman Snader invited Ron Gray to present his request to the Mayor and Council. Mr. Gray explained that he plans to make improvements to the existing five bays and automatic wash bay. In conjunction with these improvements, he would like to place an automatic ice machine on the premises and erect a taller sign. He mentioned that since the Bank of Ocean City was built, it has obstructed the view of the car wash, and he would like to place a higher sign so that DuPont Highway traffic can see that there is a car wash there. The sign would be illuminated, however only from the inside. There are no flashing or digital effects. It is the recommendation of the Planning and Zoning Committee that the Mayor and Council approve this request. Councilman

**MINUTES OF THE TOWN OF SELBYVILLE  
TOWN COUNCIL MEETING JANUARY 8, 2024**

Snader made a motion to allow the sign and ice machine to be installed at the Mason-Dixon Car Wash. Motion seconded by Councilman Hudson and carried by all.

I. Industrial Park Report – S. Long

See Minutes of the November 29, 2023, Industrial Park Committee meeting and December 4, 2023, Town Council meeting.

Town Administrator Long explained that at the December Town Council meeting the Mayor and Council accepted the request for the addition of two additional warehouses at 9 Mason Drive with the condition that the Board of Adjustment approve their variance request. Since the last Town Council meeting, Mr. Hrebik has met with the Fire Marshal and will need to make changes to the size of the building and the distance between the two buildings. The Building Inspector and the Town Administrator will be meeting with Mr. Hrebik to discuss the proposed changes. They are scheduled to be a part of the Board of Adjustment Hearing on January 17, 2024, however depending on the severity of the changes, they may need to go before the Planning & Zoning Commission and Mayor and Council again before having a Board of Adjustment hearing at a later date.

J. Annexation Report – C. Cary

See Minutes of the December 12, 2023 meeting.

Councilwoman Dr. Cary stated the first item on the agenda is to investigate the possibility of annexing certain territory, contiguous to the present limits of the Town of Selbyville, owned by Roy Creek Holdings, LLC, identified as Sussex County Tax Map and Parcel No. 533-18.00-35.02, containing 2.5705 acres, more or less; and to amend the zoning map of the Town of Selbyville to include said territory in either the GC General Commercial District or the R-4 Residential District. They are requesting annexation into the town and utilize the property as a boat storage yard. It is the recommendation of the Annexation Committee that the Mayor and Council accept this annexation into the Town of Selbyville subject to final approval by the State of Delaware Office of Planning Coordination for Sussex County Tax Map and Parcel No. 5-33-18.00-35.02, containing 2.5705 acres, more or less. The Annexation Committee also recommends the property be zoned R-4 in keeping consistent with the zoning in that area and for a conditional use to be approved to allow for the intended use of boat storage.

Councilwoman Dr. Cary stated the second and third items on the agenda are to resume and renew the application for the possible annexation of certain territory, contiguous to the present limits of the Town of Selbyville, owned by Selbyville Partners, LLC, identified as Sussex County Tax Map and Parcel No. 533-18.00-18.00, containing 47.734 acres, more or less; and to resume the investigation of the possibility of annexing said territory into the R-4 Residential District, with a Residential Planned Community (RPC) overlay; and to resume and renew the application for the possible annexation of certain territory, contiguous to the present limits of the

**MINUTES OF THE TOWN OF SELBYVILLE  
TOWN COUNCIL MEETING JANUARY 8, 2024**

Town of Selbyville, owned by Bunting Holdings, LLC, identified as Sussex County Tax Map and Parcel No. 533-18.00-11.00, containing 36.592 acres, more or less; and to resume the investigation of the possibility of annexing a 26.905 acre, more or less, portion of said territory into the R-4 Residential District, with a Residential Planned Community (RPC) overlay, and the possibility of annexing a 9.687 acre, more or less, portion of said property into the GC General Commercial District. The committee met on August 29, 2023, to investigate these two properties for annexation. It was noted at the time of the meeting that TMP #533-18.00-11.00 was requesting mixed residential and commercial zoning. Since this was not in line with Map #8 of the Comp Plan, the committee recommended to the Mayor and Council to change the future land use of this parcel to allow for mixed zoning. The Comp Plan was then amended to allow for this use. Now that those amendments are completed, the Annexation Committee is resuming their investigation for annexation of both parcels. It is the recommendation of the Annexation Committee that the Mayor and Council accept these annexations into the Town of Selbyville subject to final approval by the State of Delaware Office of Planning Coordination for Sussex County Tax Map and Parcel No. 5-33-18.00-18.00, containing 47.734 acres, more or less, with the R-4 Residential Zoning with a Residential Planned Community overlay; and Sussex County Tax Map and Parcel No. 533-18.00-11.00, containing 36.592 acres, more or less, with a 26.905 acre, more or less, portion of said territory into the R-4 Residential District, with a Residential Planned Community (RPC) overlay, and a 9.687 acre, more or less, portion of said property into the GC General Commercial District.

- 1. RESOLUTION PROPOSING TO ANNEX CERTAIN TERRITORY, CONTIGUOUS TO THE PRESENT LIMITS OF THE TOWN OF SELBYVILLE, OWNED BY ROY CREEK HOLDINGS, LLC, IDENTIFIED AS SUSSEX COUNTY TAX MAP AND PARCEL NO. 533-18.00-35.02, CONTAINING 2.5705 ACRES, MORE OR LESS, (“SUBJECT PROPERTY”);**

**AND**

**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 4TH DAY OF MARCH 2024, AT 6:00 O’CLOCK IN EVENING, PREVAILING TIME, AT THE TOWN OFFICE, 1 W. CHURCH STREET, SELBYVILLE, DELAWARE.**

Councilwoman Dr. Cary read the Resolution into the Minutes by title only. Councilwoman Dr. Cary made a motion to adopt this Resolution as presented. Motion seconded by Councilman Hudson and carried by all.

- 2. RESOLUTION PROPOSING TO ANNEX CERTAIN TERRITORY, CONTIGUOUS TO THE PRESENT LIMITS OF THE TOWN OF SELBYVILLE, OWNED BY SELBYVILLE PARTNERS, LLC, IDENTIFIED AS SUSSEX COUNTY TAX MAP AND PARCEL NO. 533-18.00-18.00, CONTAINING 47.734 ACRES, MORE OR LESS, (“SUBJECT PROPERTY”);**

**MINUTES OF THE TOWN OF SELBYVILLE  
TOWN COUNCIL MEETING JANUARY 8, 2024**

**AND**

**TO AMEND THE ZONING MAP AND ZONING ORDINANCE OF THE TOWN OF SELBYVILLE TO INCLUDE SAID SUBJECT PROPERTY IN THE R-4 RESIDENTIAL DISTRICT, WITH A RESIDENTIAL PLANNED COMMUNITY (RPC) OVERLAY;**

**AND**

**ESTABLISHING THAT A PUBLIC HEARING BE HELD ON SAID ZONING AMENDMENT ON THE 4TH DAY OF MARCH 2024, AT 6:00 O'CLOCK IN EVENING, PREVAILING TIME, AT THE TOWN OFFICE, 1 W. CHURCH STREET, SELBYVILLE, DELAWARE.**

Councilwoman Dr. Cary read the Resolution into the Minutes by title only. Councilwoman Dr. Cary made a motion to adopt this Resolution as presented. Motion seconded by Councilman Hudson and carried by all.

- 3. RESOLUTION PROPOSING TO ANNEX CERTAIN TERRITORY, CONTIGUOUS TO THE PRESENT LIMITS OF THE TOWN OF SELBYVILLE, OWNED BY BUNTING HOLDINGS, LLC, IDENTIFIED AS SUSSEX COUNTY TAX MAP AND PARCEL NO. 533-18.00-11.00, CONTAINING 36.592 ACRES, MORE OR LESS, ("SUBJECT PROPERTY");**

**AND**

**TO AMEND THE ZONING MAP AND ZONING ORDINANCE OF THE TOWN OF SELBYVILLE TO INCLUDE A 26.905 ACRE, MORE OR LESS, PORTION OF SUBJECT PROPERTY IN THE R-4 RESIDENTIAL DISTRICT, WITH A RESIDENTIAL PLANNED COMMUNITY (RPC) OVERLAY, AND A 9.687 ACRE, MORE OR LESS, PORTION OF SUBJECT PROPERTY IN THE GC GENERAL COMMERCIAL DISTRICT;**

**AND**

**ESTABLISHING THAT A PUBLIC HEARING BE HELD ON SAID ZONING AMENDMENT ON THE 4TH DAY OF MARCH 2024, AT 6:00 O'CLOCK IN EVENING, PREVAILING TIME, AT THE TOWN OFFICE, 1 W. CHURCH STREET, SELBYVILLE, DELAWARE.**

Councilwoman Dr. Cary read the Resolution into the Minutes by title only. Councilwoman Dr. Cary made a motion to adopt this Resolution as presented. Motion seconded by Councilman Hudson and carried by all.

**K. Economic Development Committee – C. Cary**

Councilwoman Dr. Cary reported the Economic Development Committee did not meet in December. The next meeting will take place on Monday, January 15, 2024, at 4:00 P.M.

**L. Administrative Report – S. Long**

Town Administrator Long stated the first item on the agenda is the Second Addendum to Amendment to Operating Agreement for Land Use between the Town and Mountaire Farms. At

**MINUTES OF THE TOWN OF SELBYVILLE  
TOWN COUNCIL MEETING JANUARY 8, 2024**

the December Town Council meeting, Zach Evans and Doug Smith of Mountaire Farms presented information and a request which is included in the December 4, 2023, Town Council Meeting Minutes. The Mayor and Council and Town Solicitor have reviewed the amendment Mountaire Farms prepared. Councilwoman Dr. Cary made a motion to accept the Second Addendum to Amendment to Operating Agreement for Land Use between the Town and Mountaire Farms. Motion seconded by Councilman Snader and carried by all.

The second item on the agenda was the Bill of Sale and Deed of Dedication for Saltwater Landing. Town Administrator Long explained that the Town Engineer has reviewed the final punch list of items for Saltwater Landing, and all appears to be in order. Therefore, the Town Engineer recommended that the Mayor and Council accept the development. If accepted, there will be a warranty bond for a period of one year. Councilman Snader made a motion to accept the Bill of Sale and Deed of Dedication for Saltwater Landing. Motion seconded by Councilman Steffen and carried by all.

Town Administrator Long stated the third item on the agenda was a quote from Solutions Plus for eight Apple iPads, keyboards, and cases for meeting materials, labor, cloud storage, and a microphone and mount for the podium. Solutions Plus submitted a quote in the amount of \$9,968.65. Councilwoman Dr. Cary made a motion to accept the quote from Solutions Plus in the amount of \$9,968.65 as presented. Motion seconded by Councilman Hudson and carried by all.

Town Administrator Long concluded her report by stating that she is reviewing applications for possibly three new businesses in town: Lower Shore Immediate Care of Selbyville, Selbyville Pit & Pub, and Restaurante Celajes Tacana. Lower Shore Immediate Care of Selbyville will be located at 38229 Dupont Boulevard which is next to the Bank of Ocean City in the Mason Dixon Shopping Center. Selbyville Pit & Pub will be located in Units 14, 15, and 16 in the Mason Dixon Shopping Center where Joe's Bent Spoon was previously. Restaurante Celajes Tacana will be located at 38188 Dupont Boulevard where Tulum Restaurant was previously.

Councilman Steffen inquired about the current status of an additional Administrative Assistant position. Town Administrator Long stated that since the approval to advertise for an Administrative Assistant position in Fiscal Year 2025, she is currently creating the job description and will begin advertising for the position soon.

4. Visitors in Attendance:

Diane Schmidt of the Selbyville Community Club thanked the Town for allowing the Community Club to be the beneficiary of the Christmas Parade's 50/50 Raffle. Additionally, she stated that the Youth Art Show is coming up, and she will have more information regarding that soon. Ms. Schmidt concluded by thanking the Town for their support by being a "Coats & Sweats for Vets" collection site this past November. They collected over 2,800 pieces of clothing which were then sorted and given to homeless Veterans.

**MINUTES OF THE TOWN OF SELBYVILLE  
TOWN COUNCIL MEETING JANUARY 8, 2024**

Doug Smith of Mountaire Farms thanked the Mayor and Council for accepting the Second Addendum to Amendment to Operating Agreement for Land Use between the Town and Mountaire Farms. He reported they had done 101 odor checks since the last town meeting and detected 11 instances of odor. They have made adjustments and are exploring additional options to reduce the instances of odor.

Zach Evans from Mountaire Farms echoed Mr. Smith's gratitude. Mr. Evans stated that Mountaire Farm's Easter for Thousands Program will take place on Saturday, March 23, 2024. More information will be available at <https://mountaire.com/> by the end of the month.

Emily Gaither, Bethany-Fenwick Area Chamber of Commerce Member Relations Manager, stated they have several upcoming events. The Fire & Ice Festival will take place January 26-28, 2024. The First Responder Awards are scheduled for February 1, 2024. Additionally, there will be a job fair at the Indian River High School from 6:00-8:00 P.M on February 21, 2024. It is open to the public. Ms. Gaither concluded by announcing that registration for the Ocean to Bay Bike Tour event in April has opened. More information on all these events, and more, can be found at <https://thequietresorts.com/>.

State Representative Ron Gray announced that wind energy has been a topic of discussion lately. They will be having a ceremony for former 37<sup>th</sup> District State Representative Ruth Briggs King and upcoming 37<sup>th</sup> District State Representative Valerie Jones Giltner this week as well.

Debby Hiob, a resident of Sandy Branch, expressed gratitude for the quick attention to two streetlight outages she had called in. Additionally, she expressed concerns regarding the telephone pole placement which interferes with space on some of the sidewalks on Main Street for those who need to use electric scooters. Ms. Hiob also inquired about the possibility of crosswalks being installed on Route 17 and near the Selbyville Public Library. Mayor Duncan requested the Town Administrator and Code Enforcement investigate possible solutions to these concerns.

There being no further business to discuss Councilman Snader made a motion to adjourn the meeting. Motion seconded by Councilman Steffen and carried by all.

Mayor Duncan adjourned the meeting and thanked everyone for attending.

Respectfully submitted,



Loryn Rose  
Administrative Assistant