

**MINUTES OF THE TOWN OF SELBYVILLE
TOWN COUNCIL MEETING JUNE 3, 2024**

Mayor Duncan welcomed everyone and called the meeting to order at 6 o'clock p.m. Councilmembers Dr. Carol Cary, Monroe Hudson, 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 May 6, 2024, 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 Councilman Snader and carried by all.

C. Presentation of the May 31, 2024, bills by Mayor Duncan. Councilman Steffen inquired about a payment made to Rolland Marvel. Mayor Duncan explained it was for bush hogging at the Wastewater Plant. Councilman Steffen inquired about a payment made to Maryland & Delaware Railroad. Town Administrator Long explained that it is an annual payment for the utility line easement under the railroad tracks. Councilman Hudson made a motion to pay all bills as presented. Motion seconded by Councilwoman Dr. Cary and carried by all.

2. Mayor's Report & Comments:

Mayor Duncan introduced a group of students representing the National Elementary Honor Society at Phillip C. Showell Elementary School. They conducted a presentation about their latest service projects, including a trip to the Tomb of the Unknown Soldier in Washington, D.C. They also reported their findings from water testing during their one-year partnership with the Center for the Inland Bays and thanked the Town for their participation in the "One Town, One Book" initiative. The Mayor and Council thanked the students for their presentation.

At this time, Mayor Duncan appointed Bill Gorsuch, General Manager of Delmarva Design Center, as a member of the Economic Development Committee.

3. Reports

A. Police Report – M. Hudson

Chief Wilson reported there were 289 calls for service, 55 tickets issued, and 3 criminal arrests for the month of May. He presented three quotes. The first quote was for the purchase of 15 handguns for \$8,475.00 with the trade-in of their existing handguns. The second quote was for the purchase of holsters for \$1,650.00, and the third quote was for the purchase of ammunition

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for \$13,322.50. Chief Wilson stated that the total for all three quotes was \$23,447.50 which was budgeted for. Councilman Hudson made a motion to accept all three quotes for the purchase of 15 handguns with trade-in of their existing handguns, holsters, and ammunition for a total cost of \$23,447.50 as presented. Motion seconded by Councilman Snader and carried by all.

B. Building and Code Enforcement – A. Merollini

See report for the month of May. Inspector Merollini reported that 38 building permits were issued in May. He conducted 160 building inspections and found six contractors working in town limits without their Outside Contractor Business License.

C. Hazard Inspection Committee – C. Snader

No report for the month of May. Councilman Snader stated that the two properties previously addressed by the Hazard Inspection Committee are under construction and have made progress.

D. Water – G. Steffen

See report for the month of May. Councilman Steffen reported that the water plant produced 10,467,312 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. Councilman Steffen announced that the pump Artesian upsized at the interconnect on Route 54 is now online. The Water Department continues to read meters, repair meters as necessary, and mark water lines for Miss Utility locate requests.

Town Engineer Loar reported that he is awaiting a report to finalize the foundation design of the 1 million gallon water storage tank on Hudson Road. Additionally, they are working on a few other permits for the site and will need to discuss stormwater management options with the adjacent property owner.

E. Public Works – G. Steffen

Councilman Steffen reported that the Public Works Department has been cutting grass, spraying weeds, and cleaning catch basins.

F. Recreation – G. Steffen

Councilman Steffen reported that construction of Phase 3 at the Town Park will begin this week. They will be removing old concrete, installing new conduit, excavating the parking lot, painting the parking lot, and installing new concrete with sidewalks to improve connectivity.

G. Sewer Report – C. Snader

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See report for the month of May. Councilman Snader reported the plant had an average daily flow of 1,020,300 gallons and a peak flow of 1,190,000 gallons. The plant performed within all required permit parameters for the month. Councilman Snader reported that they are requesting bids for maintenance projects at the Wastewater Plant.

See Minutes of the May 29, 2024, meeting.

Town Engineer Loar stated they discussed future projects and future developments. He stated that he will be putting together a memo to the Mayor and Council regarding a path forward, including but not limited to, limiting the amount of individual grinder pumps in town, investigating funding options for expanding utilities in the areas that the Comp Plan shows residential growth, further discussion with the developer for Coastal Villages and Kingfisher regarding changes to the regional pump station, as well as completion of the overall Wastewater Facilities Plan.

H. Planning & Zoning – C. Snader

See Minutes of the May 28, 2024, meeting.

Councilman Snader reported the only item on the agenda was a conditional use request for a boat storage lot located at 32602 Lighthouse Road, owned by Roy Creek Holdings, TMP# 533-18.00-35.02. Town Administrator Stacey Long explained that this property applied for annexation earlier this year and both the Annexation Committee and Mayor & Council approved this use with the annexation, but they still needed to go through the conditional use process due to the property being zoned R4. Zak Smith, of Rt 113 Boat Sales, had informed the commissioners that they would be placing a 6-foot chain link fence on the property and planting 5-foot Leeland Cypress trees to buffer this property from the Channel Drive residents. Additionally, he stated that he plans to install lighting facing inward so as not to intrude on surrounding property owners. They will gravel the property in 3 phases. This property is only being utilized to store shrink-wrapped boats to give him additional space on his property located on Cemetery Road. Only employees will have access to this storage area. If this gets approved, then they plan to expand their showroom on the Cemetery Road site. Town Administrator Long stated that Mr. Smith has not gone through the DeIDOT approval process yet as he is awaiting the result of this conditional use request. It was the recommendation of the Planning & Zoning for the Mayor & Council to approve this request. Councilman Snader made a motion to approve the conditional use request for a boat storage lot located at 32602 Lighthouse Road, owned by Roy Creek Holdings, TMP# 533-18.00-35.02 as presented and allow Mr. Smith, of Rt 113 Boat Sales, to move forward with DeIDOT. Motion seconded by Councilman Steffen and carried by all.

I. Industrial Park Report – S. Long

Deferred report to Administration.

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J. Annexation Report – C. Cary

No report for the month of May.

K. Economic Development Committee – C. Cary

No report for the month of May. The Economic Development Committee is scheduled to meet on June 17, 2024.

L. Administrative Report – C. Cary

Councilwoman Dr. Cary deferred the request for a crosswalk on Main Street across from the library to Town Administrator Long.

M. Administrative Report – S. Long

Town Administrator Long stated a resident contacted State Representative Collins regarding a request for a crosswalk on Main Street across from the library. See the attached request Town Administrator Long read into the Minutes. State Representative Collins advised that the resident contact the Town to begin the process. Town Administrator Long stated that there is not a curb cut in the sidewalk in this area currently. The Mayor & Council supported moving forward with the request. Mayor Duncan forwarded the request to the Town Administrator and Building & Code Department to begin the process and investigate what will be required by DeIDOT.

Town Administrator Long reported that the first item on her agenda is the right of first refusal for 135 Dixon Street in the Industrial Park. She stated that David Speier, of Speier Mostaghim LLC, would like to sell it to Neptune Properties for \$500,000. The proposed use is a furniture warehouse. The lot size is 1.02 acres which contains a 5,000 sq. ft. office/warehouse. Town Administrator Long explained that since the Mayor & Council are the developers of the Industrial Park, they have the right of first refusal. Councilman Hudson made a motion to not make an offer on the sale of 135 Dixon Street and allow the sale between Speier Mostaghim LLC and Neptune Properties to move forward as presented. Motion seconded by Councilwoman Dr. Cary and carried by all.

Town Administrator Long reported that the second item on her agenda is to renew the engineering contract with Davis, Bowen, and Friedel, Inc. (DBF) which would allow them to continue to provide general on-call engineering services to the Town of Selbyville. Councilman Snader made a motion to accept the engineering contract with DBF as presented. Motion seconded by Councilman Steffen and carried by all.

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Town Administrator Long announced that Old Timer's Day will take place on Saturday, June 15, 2024, from 8:00 A.M. to 3:00 P.M. The award ceremony will begin at 2:00 P.M. and will be held under the tent in the Town Hall parking lot.

Town Administrator Long concluded her report by stating that the Mayor & Council will be holding a special meeting at 4:00 P.M. on Monday, June 10, 2024, regarding Council Districts. John Laznik from the University of Delaware will be going over the draft Council District Maps they have prepared. The meeting will take place at Town Hall and may also be attended via Zoom. The agenda and Zoom link can be found at www.selbyville.delaware.gov. Mayor Duncan added that the draft Council Districts are based on the population from the 2020 Census and will be revisited/adjusted as needed approximately every ten years once the next Decennial Census data is released.

4. Visitors in Attendance:

Michael Mercilliot, a resident of Victoria Forest, expressed concerns about water accumulating on the corner of Ronzetti Avenue due to the low road elevation. Councilman Steffen stated he spoke with the Public Works Supervisor regarding this concern. After a brief discussion, he stated that they will visit the site and go from there.

Pat Mercilliot, a resident of Victoria Forest, expressed appreciation to the Selbyville Police Department for monitoring speeds on Bethany Road and inquired about an update regarding the use of electronic speed enforcement devices. Councilman Hudson stated there is no update regarding the use of electronic speed enforcement devices at this time. He stated they will continue to monitor it.

Chris Mercurio, a resident of Lighthouse Lakes, inquired about who plants "curbside trees" and expressed concerns about the possibility of them being removed. Mayor Duncan stated that if it is in one of the developments, the Homeowner's Association (HOA) plants the trees. Mayor Duncan added that the Town does not have a specific program for planting trees along the streets in town. Councilwoman Dr. Cary stated that she is not aware of any plans to remove curbside trees at this time unless there is a specific issue with a tree, and highlighted the planters sponsored by Sullivan's Landscaping and Mountaire Farms as a part of the downtown beautification project for W Church Street.

Larry Lindenberger, a resident of Lighthouse Crossing, expressed concerns regarding ongoing work at the Lighthouse Road pump station, pipes that are possibly on his property and/or the Town's easement, ruts in his yard, and standing water. Town Engineer Loar stated the Town's portion of the Lighthouse Road pump station project was complete except for finalizing the generators. Mr. Lindenberger stated that he was told his yard would be restored, and it has not been. Town Engineer Loar explained that his concerns are related to the gravity sanitary sewer work being conducted for the Coastal Villages development and will need to be put on the punch

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list for Coastal Villages to correct before the Town accepts Phase 1. After a brief discussion, Town Administrator Long stated they will ask an inspector to go on-site to investigate the concern.

Doug Smith of Mountaire Farms stated that they performed 96 odor checks since the last town meeting and detected 4 instances of odor.

Kevin Mull of Lower Shore Immediate Care of Selbyville introduced himself and stated that they would be opening their urgent care center this month. It is located in the Mason-Dixon Shopping Center on DuPont Blvd. More information can be found at www.lowershoreofselbyville.com.

Kim Lynch of the Selbyville Elks Lodge announced they will be hosting their annual Flag Day Ceremony on Friday, June 14, 2024, at 6:00 P.M. at Salem Church and invited the Mayor & Council to attend. Additionally, Ms. Lynch owns Old Town Thrift & Gift and suggested installing a “one-way” sign on the end of Baker Street closest to Church Street to alleviate concerns brought to her attention by patrons.

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

Mayor Duncan adjourned the meeting and thanked everyone for attending.

Respectfully submitted,



Loryn Rose
Administrative Assistant

EXECUTIVE SESSION

From: Celeste M <celestem2121@gmail.com>
Sent: Wednesday, May 1, 2024 10:07 AM
To: Collins, Rich G (LegHall) <Rich.Collins@delaware.gov>
Subject: Request for a sidewalk

Representative Collins,

I respectfully request your assistance in obtaining a sidewalk near the Selbyville Library.

Children walk from the nearby Middle and Elementary Schools to attend various events at the library. There is currently no sidewalk to cross Highway 5, Main Street to go to the library located on West McCabe Street.

As a frequent library patron, I have watched groups of children run across Main Street to go to the library. With no sidewalk, drivers are not aware of the crossing.

As you may be aware, Selbyville is constructing a brand new library which will result in the opportunity to hold larger events, which will attract even more patrons.

Would it be possible for you to assist in the process to get a crosswalk? Possibly with a flashing yellow light when a button is pushed.

Thank you for your time and assistance. If there is someone else I should contact please let me know.

Celeste McTighe

[38544 Blue Hen Drive](#)

[Selbyville, DE 19975](#)