

**MINUTES OF THE TOWN OF SELBYVILLE
TOWN COUNCIL MEETING NOVEMBER 4, 2024**

Mayor Duncan welcomed everyone and called the meeting to order at 6 o'clock p.m. Councilmembers Dr. Carol Cary, Monroe Hudson, Gary Steffen, and Chris Snader 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 October 7, 2024, meeting by Mayor Duncan. Councilman Hudson 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.
- C. Presentation of the October 31, 2024, bills by Mayor Duncan. Councilman Steffen inquired about a payment made to Rommel's Ace for \$33,722.14. Town Administrator Long stated that it must have been a typo which she will inquire about further tomorrow. Councilman Steffen made a motion to pay all bills as presented with the exception of Rommel's Ace. Motion seconded by Councilwoman Dr. Cary and carried by all.

2. Mayor's Report & Comments:

Mayor Duncan stated they will be voting on the approval of the Collective Bargaining Agreement for the Police Department tonight, which has been in negotiations for a couple years. Additionally, he stated he attended the Advanced Auto Parts ribbon cutting and welcomed them into town. Mayor Duncan stated they have also met regarding the annexation of a new business park outside of town.

Mayor Duncan thanked Loryn Rose and the rest of the staff that assisted with the 4th Annual Selbyville Trunk or Treat and commended them on another successful event. He reminded attendees of the upcoming Special Election to be held December 10, 2024, from 9:00 A.M. to 3:00 P.M. regarding the proposed borrowing associated with the lead service line replacement in Tingle Acres Mobile Home Park. Mayor Duncan concluded the first part of his report by reminding attendees of the upcoming grand opening celebration at the Selbyville Public Library on November 14, 2024 from 2:00 P.M. to 3:30 P.M.

- A. A RESOLUTION TO APPROVE THE TOWN OF SELBYVILLE'S PURCHASE OF REAL PROPERTY LOCATED IN SELBYVILLE, SUSSEX COUNTY, DELAWARE, IDENTIFIED AS SUSSEX COUNTY TAX MAP AND PARCEL NUMBER 533-16.11-10.00, CURRENTLY OWNED BY THE THESSALONIA BAPTIST CHURCH, INC. ("SUBJECT PROPERTY"), AND**

**MINUTES OF THE TOWN OF SELBYVILLE
TOWN COUNCIL MEETING NOVEMBER 4, 2024**

**TO AUTHORIZE THE MAYOR OF THE TOWN OF SELBYVILLE TO
EXECUTE ANY AND ALL DOCUMENTS ON BEHALF OF THE MAYOR
AND TOWN COUNCIL OF THE TOWN OF SELBYVILLE TO COMPLETE
THE PURCHASE OF AND RELATING TO THE SETTLEMENT FOR THE
SUBJECT PROPERTY.**

Mayor Duncan read the Resolution into the Minutes by title only. Town Administrator Long stated this property is located at 19 Clendaniel Avenue. Councilwoman Dr. Cary made a motion to accept the Resolution to approve the Town of Selbyville's purchase of real property located in Selbyville, Sussex County, Delaware, identified as Sussex County Tax Map and Parcel number 533-16.11-10.00, currently owned by the Thessalonias Baptist Church, Inc. ("subject property"), and to authorize the Mayor of the Town of Selbyville to execute any and all documents on behalf of the Mayor and Town Council of the Town of Selbyville to complete the purchase of and relating to the settlement for the subject property as presented. Motion seconded by Councilman Hudson and carried by all.

3. Reports

A. Police Report – M. Hudson

Chief Wilson reported there were 299 calls for service, 49 tickets issued, and 7 criminal arrests for the month of October. He stated that two officers are out on medical leave. One officer has submitted his two-week notice, and his last day will be in mid-November. Regarding the vehicles that were ordered last year, he has been advised that one has come in and they are awaiting an update on the second vehicle. He provided an update regarding a new state law, House Bill 206, regarding police accountability committees and/or boards. These boards are mandated by state law and will advise police departments on policies, training, community engagement, information sharing, education, etc. to try to bridge the gap between police departments and the community. They will meet quarterly, and they will be required to have 20 hours of training in the first year. They are discussing a joint pact with a couple other agencies. More information will be forthcoming.

1. Approval of collective bargaining agreement between the Town and FOP, Lodge #22, Selbyville Police Officers' Association

Town Administrator Long explained that she, Chief Wilson, Captain Parsons, and the Mayor and Council had met with Lodge #22 regarding this Collective Bargaining Agreement (CBA) and have created a final draft. The Mayor and Council have reviewed the final draft in executive session and may now vote. Councilman Hudson made a motion to approve the collective bargaining agreement between the Town and FOP, Lodge #22, Selbyville Police Officers' Association as presented. Motion seconded by Councilman Steffen and carried by all.

B. Building and Code Enforcement – A. Merollini

**MINUTES OF THE TOWN OF SELBYVILLE
TOWN COUNCIL MEETING NOVEMBER 4, 2024**

See report for the month of October. Inspector Merollini reported that they issued 50 building permits, conducted 201 building inspections, closed 63 open building permits, contacted one contractor working in town limits without their Outside Contractors Business License, investigated four code violations, and had 10 postings. He stated that they conducted three rental inspections as well.

At this time, Mayor Duncan informed attendees that the old Georgia House has been sold.

C. Hazard Inspection Committee – C. Snader

No report for the month of October. The Dukes Street property previously addressed by the Hazard Inspection Committee continues to make progress, and 3 Lighthouse Road is still for sale.

D. Water – G. Steffen

See report for the month of September. Councilman Steffen reported that the water plant produced 10,135,175 gallons of water which is a decrease of over 1,800,000 gallons since September 2024. We continue to purchase water from Artesian to supplement the water pressure on the eastern side of town. Everything in the plant is running as it should, and we continue to meet all State and Federal testing requirements. The Water Department continues to read and repair meters as necessary and mark water lines for Miss Utility locate requests. Due to the statewide burn ban and drought watch, DNREC is encouraging people to conserve water.

E. Public Works – G. Steffen

Councilman Steffen reported that the Public Works Department is wrapping up the grass cutting season. They have also been painting curbs and getting Christmas lights ready. They are scheduled to be hung the week of November 11, 2024, and should be turned on the evening of Thanksgiving.

F. Recreation – G. Steffen

Councilman Steffen reported that the Public Works Department will winterize the bathrooms at the Town Park this week.

G. Sewer Report – C. Snader

See report for the month of October. Councilman Snader reported the plant had an average daily flow of 1,045,000 gallons and a peak flow of 1,145,000 gallons. The plant performed within all required permit parameters for the month. Councilman Snader confirmed with the Town Engineer Loar that they are waiting on the slide gate materials. Additionally, Councilman Snader reported that a new dryer was installed at the Church Street Pump Station and they had to troubleshoot the

**MINUTES OF THE TOWN OF SELBYVILLE
TOWN COUNCIL MEETING NOVEMBER 4, 2024**

compressor for the bubbler system. A check valve was repaired at the Mill Pond Pump Station by the Wastewater Department and T.K. Construction. At the Sandy Branch Pump Station, a pump had to be replaced.

Town Engineer Loar added that the S/E Sewer Project is nearing completion. They ran into some issues with the gas service, but they are working through them.

H. Planning & Zoning – S. Long

1. Report of October 23, 2024, meeting.

See Minutes of the October 23, 2024, meeting.

Councilman Snader stated the first item on the agenda was discussions on proposed development of property located outside of town limits at the corner of Rt. 113 and McCabe Road, District 5-33, Map 9.00, Parcel 41.00. He stated they met with Travis Martin of Chesapeake Plumbing & Heating, and they are proposing to build a business park at the corner of McCabe Road and Rt. 113. It is not within town limits at this time, so they are awaiting information regarding potential annexation into town limits. Town Administrator Long added that if they cannot be annexed into town, they would still move forward and would like to connect to the town water and sewer lines.

2. Report of the October 30, 2024, meeting.

See Minutes of the October 30, 2024, meeting.

Councilman Snader stated the first item on the agenda was review of draft Mixed Use Zoning Ordinance and Map prepared by AECOM. Town Administrator Long stated the Planning & Zoning Commission has been working with AECOM to create a Mixed Use Zoning District which will allow commercial and residential within a certain area which is now proposed to be N Main Street, S Main Street, Church Street up to the railroad tracks, and S Williams Street from J. Conn Scott Furniture to W First Street. It was the recommendation of the Planning & Zoning Commission for the Mayor and Council to proceed with the draft Mixed Use Zoning Ordinance and Map prepared by AECOM. Town Administrator Long stated the next step will be for the Town Solicitor to create a resolution for the Mayor and Council to set a Public Hearing at the December Town Council Meeting.

Town Administrator Long stated the second item on the agenda was consideration of minor subdivision for Bunting's Holdings, LLC, TMP #533-18.00-11.00, located between Lighthouse Road and Johnson Road. Daniel Bunting presented a subdivision plan to the Planning & Zoning Commission for a minor subdivision. This parcel was annexed into town several months ago as one parcel with a split zoning, R-4 Residential with an RPC Overlay in the rear and commercial in the front. This is to split the parcel into two, so that one is residential and one is commercial. It

**MINUTES OF THE TOWN OF SELBYVILLE
TOWN COUNCIL MEETING NOVEMBER 4, 2024**

was the recommendation of the Planning & Zoning Commission for the Mayor and Council to approve this request. Councilman Snader made a motion to approve the consideration of minor subdivision for Bunting's Holdings, LLC, TMP #533-18.00-11.00, located between Lighthouse Road and Johnson Road as presented. Motion seconded by Councilman Steffen and carried by all.

I. Industrial Park Report – S. Long

No report for the month of October

J. Annexation Report – C. Cary

No report for the month of October.

K. Economic Development Committee – C. Cary

See Minutes of the October 14, 2024, meeting.

Councilwoman Dr. Cary reported the Economic Development Committee discussed meeting every other month rather than monthly to allow more time between meetings to accomplish action items. Additionally, they reviewed maps created by the Bethany-Fenwick Area Chamber of Commerce. Copies of the maps are available at Town Hall and on the Town Website.

Councilwoman Dr. Cary stated the next meeting is scheduled for December 9, 2024, at 9:00 A.M. and the committee will review what was accomplished in 2024 as well as plans for 2025. She referenced the short-term rental discussion from the previous Town Council Meeting and reiterated that the committee would prefer not to discourage short-term rentals, but would like to see regulations for them. Councilwoman Dr. Cary added that the Town Administrator is considering various signage with the Mission Statement and Tagline which can be found on the Town Website. She added that the Hometown Heroes Banner Program should begin in Spring 2025, and concluded her report by stating that they may be considering sub-committees in the near future.

L. Administrative Report – S. Long

Town Administrator Long reported there is a newly approved business coming to town: Cannonball Dispensary. They are a retail shop for hemp goods, clothing, and apparel and will be providing some consulting services as well. They will be located in Unit #1 in the Strawberry Center on Dupont Blvd.

Town Administrator Long stated they have been discussing a billing software for online account viewing that would allow residents to view and pay their utility bills online. She suggested

MINUTES OF THE TOWN OF SELBYVILLE TOWN COUNCIL MEETING NOVEMBER 4, 2024

Municipal as an option and added that several other local towns use and recommended it. She stated she plans to request a quote and some additional information before moving forward.

Town Administrator Long referenced a discussion from the October Town Council Meeting regarding collection agencies for delinquent accounts. She explained that she has reached out to other local towns and is collecting quotes and additional information from three different agencies.

Town Administrator Long reminded attendees that the 63rd Annual Selbyville Christmas Parade will be Friday, December 6, 2024. The parade will begin at 7:00 P.M. W Church Street will close at 5:00 P.M. that evening. Registration information is available on the Town Website.

1. Set public hearing date for Sussex County Community Development Block Grant for December 2, 2024

Town Administrator Long stated that the first item on the agenda is to set a public hearing date for Sussex County Community Development Block Grant for December 2, 2024. Councilwoman Dr. Cary made a motion to hold a public hearing for Sussex County Community Development Block Grant on December 2, 2024, at 6:00 P.M. at the Selbyville Town Hall. Motion seconded by Councilman Steffen and carried by all.

2. Consideration of curb and sidewalk repair on McCabe Street

Town Administrator Long invited Town Engineer Loar to report on the consideration of curb and sidewalk repair on McCabe Street. Town Engineer Loar explained that this is associated with the new Selbyville Public Library. During the construction, the library's contractor damaged an ADA ramp at the corner of Rogers Ave and Ellis Alley and Rogers Ave and McCabe Street. During the final inspection and walkthrough, it was brought to their attention that they should be replaced to current ADA standards or at minimum repaired to in-kind. To repair to current ADA standards, the library's contractor is asking the Town to pay the difference of approximately \$26,000. Town Engineer Loar recommended the town repair the ramps to the current ADA standards but believes the town may be able to do so at a lower rate. Councilwoman Dr. Cary inquired about a quote for the town to repair it. Town Engineer Loar stated that the Public Works Supervisor has requested a quote. He added that this damage does not directly impact the library. Councilwoman Dr. Cary asked if the town could get a credit from the library's contractor if the town decides to pay to fix it, or if they would swap it for an equivalent improvement. Town Engineer Loar said he would discuss it with the library's contractor. After a brief discussion, the Mayor and Council agreed to have the Public Works Supervisor obtain another quote for the work and report back.

4. Visitors in Attendance:

**MINUTES OF THE TOWN OF SELBYVILLE
TOWN COUNCIL MEETING NOVEMBER 4, 2024**

Zach Evan of Moutaire Farms announced that this year marks the 30th Anniversary of Thanksgiving for Thousands. It will take place on Saturday, November 23, 2024. They plan to pack 14,500 meal boxes and distribute just shy of 60,000 meals from their Selbyville location to approximately 210 organizations. Over 150,000 total meals will be distributed throughout the four participating Moutaire Farms locations. More information can be found at <https://mountaire.com/mountaire-cares/meals-for-thousands/>. Additionally, Mr. Evans stated Moutaire Farms is excited to continue supporting the 63rd Annual Selbyville Christmas Parade as the presenting sponsor.

Doug Smith of Moutaire Farms reported they had performed 112 odor checks since the last town meeting and detected eight instances of odor. They have changed out two frac tanks and hope it will reduce the instances of odor.

Charles Murray, a resident of Lighthouse Lakes, requested an update regarding the faded crosswalk at the entrance of the development. Inspector Merollini stated that he had contacted DelDOT regarding it, and they stated they would add it to their schedule to repaint it next year as well as a few others.

Chris Mercurio, a resident of Lighthouse Lakes, inquired about any foresight regarding the current drought conditions effects on the next summer season. Councilman Steffen stated all is currently fine and they will see what the winter brings. Mr. Mercurio inquired about any short-term rental regulation updates. Inspector Merollini informed him that it is still in process. Mr. Mercurio asked about the plan for the property that is about to be purchased. Councilman Hudson stated it is a future site for the Selbyville Police Department. Mr. Mercurio concluded by stating that per an online source, Selbyville is at #8 on the list of the top 20 places to live in Delaware.

Charles McMillion, a resident of Atlantic Lakes, inquired about the purchased price of 19 Clendaniel Avenue. Town Administrator Long stated that it was \$205,000 and was purchased through a Community Reinvestment Fund grant program she had applied for.

Rick Semola, a resident of Atlantic Lakes, expressed concerns related to a splintered telephone pole in front of the development. He stated there are two cones on each side and is labeled as Verizon. He added that he had called Delmarva Power and Verizon, but did not receive a solution. Mayor Duncan requested Inspector Merollini follow up on this.

Kenneth Daly, a resident of Lighthouse Crossing, referred to the Water Tower Project and inquired about an updated cost for the water tower. Mayor Duncan stated they would not know the cost until it is put out to bid, but they have spoken with the supplemental funding agency, and they said they will supplement it. He estimated it would cost around \$5,000,000-\$6,000,000. Mr. Daly asked if this would be funded by a loan. Mayor Duncan stated it would be funded through a loan. Town Engineer Loar added that the main reason for the water tower is to combat the water pressure concerns. Mr. Daly asked if project delays contributed to the increased cost. Mayor

**MINUTES OF THE TOWN OF SELBYVILLE
TOWN COUNCIL MEETING NOVEMBER 4, 2024**

Duncan stated the costs of supplies have increased which has contributed increased estimated project cost.

Mary Jo Beach, a resident of Atlantic Lakes, requested the town prohibit various short-term rentals within the housing developments and read a letter to the Mayor and Council. Within her letter, she stated that the Homeowners Association is currently silent regarding short-term rentals. Her concerns with short-term rentals include that the community would not know who is showing up or when, which she explained could disturb the peace. She stated research shows they can increase property prices and crime. She feels as though it burdens the community and expressed concerns related to noise and the possible strain it could put on community resources such as the police and fire departments. Ms. Beach concluded by expressing concerns related to the lack of vetting renters which could possibly have a criminal history. The Mayor and Council thanked her for expressing her concerns and stated they would take them into consideration.

Former Mayor Murray was in attendance. Councilman Steffen took a moment to congratulate him on the achievement of "Farm Family of the Year" as received at the Sussex County Farm Bureau annual banquet.

Kevin Lynch, a representative of the Selbyville Volunteer Fire Company, inquired about the supposed wetlands on the Hudson Road property and asked who made this claim. Town Engineer Loar stated it came from the NRCS, and they stated that it is not mapped as a wetland, however, it has characteristics of one. Additionally, Mr. Lynch, expressed concerns related to the traffic signal at Rt. 113 and Rt. 54. He stated that the traffic light is backed up at 5:00 P.M. which creates a dangerous situation. Town Administrator Long echoed the concerns and explained that she has contacted DelDOT and requested they change it to what they have done at the Rt. 113 and Rt. 26 traffic signal in Dagsboro, but they stated it was not on their plan. Town Administrator Long stated she plans to reach out to the state representatives to see if they can assist with this concern. After a brief discussion, Mr. Lynch suggested Mountaire Farms create a second entrance/exit option to possibly assist with traffic congestion as well. Doug Smith of Mountaire Farms stated they would look into additional options.

There being no further business to discuss Councilwoman Dr. Cary 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.

**MINUTES OF THE TOWN OF SELBYVILLE
TOWN COUNCIL MEETING NOVEMBER 4, 2024**

Respectfully submitted,



Loryn Rose
HR Specialist

EXECUTIVE SESSION