

## **MINUTES OF THE TOWN OF SELBYVILLE TOWN COUNCIL MEETING DECEMBER 1, 2025**

Mayor Duncan welcomed everyone and called the meeting to order at 6 o'clock p.m. Councilmembers Monroe Hudson, Gary Steffen, and William Kirsch were in attendance. Councilman Chris Snader was absent.

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 3, 2025, 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 Councilman Kirsch and carried by all.
- C. Presentation of the November 31, 2025, bills by Mayor Duncan. Councilman Steffen made a motion to pay all bills as presented. Motion seconded by Councilman Hudson and carried by all.

2. Mayor's Report & Comments:

- A. Consideration of partnering with Solar on Earth for Community Solar for Selbyville.

Jane Morris-Seagraves presented information regarding a regulated Delaware community solar program that could result in cost savings for the Town. The program allows Delmarva Power customers to subscribe to off-site solar farms, requires no installation on municipal property, and carries no upfront cost. Participation may result in savings of up to 10% on Delmarva Power bills and is available exclusively to Delmarva Power customers.

Ms. Morris-Seagraves stated that Solar on Earth has been operating for approximately 10 years and currently works with municipalities including Millsboro, Magnolia, Townsend, Hurlock, and Annapolis, Maryland, as well as in approximately 12 other states. The project developer is Pivot Energy.

The proposed agreement is a one-year term that automatically renews annually for up to 25 years and may be canceled at no cost with 90 days' notice. Ms. Morris-Seagraves estimated that the Town could realize savings ranging from approximately \$496,067 to \$700,158 over a 20-year period.

Mayor Duncan stated that the proposal requires further discussion and additional research before any decision is made by the Town.

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B. Mayor Duncan welcomed Councilman William H. Kirsch, Jr. to the Economic Development Committee.

### **3. Reports**

#### **A. Police Report – B. Wilson**

Chief Wilson reported that during the month of November there were 275 calls for service, 94 citations issued, and five criminal arrests. He stated that the current recruit is in week seven of field training and is progressing well. Chief Wilson also reported that three candidates are in the final stages of the hiring process, with new hires anticipated by January.

He noted that the department is preparing for the Selbyville Christmas Parade and is nearing completion of the accreditation process. Chief Wilson further reported that the side entrance to the police department has been completed and that signage for the entrance is forthcoming.

#### **B. Building and Code Enforcement – A. Merollini**

See report for the month of November. Inspector Merollini reported they issued 32 building permits, conducted 105 building inspections, closed 39 open building permits, investigated 7 code violations, had 31 postings, and performed 43 rental inspections. They did not come in contact with any contractors working in town limits without their Outside Contractors Business License. There was one inquiry submitted through the Citizen Reporter concerning the traffic signal at the intersection of Cemetery Road and DuPont Boulevard. It was noted that this intersection falls under the jurisdiction of the Delaware Department of Transportation (DelDOT), and the Town does not have authority to make changes. The matter will be referred to DelDOT for review.

#### **C. Hazard Inspection Committee – C. Snader**

Town Administrator Long reported that the committee did not meet in November.

#### **D. Water – G. Steffen**

See report for the month of November. Councilman Steffen reported that the water plant produced 5,289,498 gallons of water. He noted it was approximately 1,200,000 gallon decrease compared to this time last year. The Water Department continues to mark water lines for Miss Utility locate requests, and reading water meters.

#### **E. Public Works – G. Steffen**

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Councilman Steffen reported that the Public Works Department has completed putting up the Christmas lights, checking snow plows and salt spreaders, and continuing to clean out the catch basins.

### **F. Recreation – G. Steffen**

Councilman Steffen reported that the bathrooms have been winterized, 2 Porta Potties have been delivered, and 4 park benches have been installed around the walking path.

### **G. Sewer Report – C. Snader**

See report for the month of November. Town Administrator Long reported the plant had an average daily flow of 1,013,800 gallons and a peak flow of 1,162,000 gallons. The plant performed within all required permit parameters for the month. She reported that the dissolved oxygen air system for Ditch #2 requires further evaluation. The proposed diffuser installation for Ditch #1 remains under review by Council. Additionally, only one 3,000-gallon tank of magnesium hydroxide is currently available for use, as the chemical mixer in the tank is not operational. The gearbox requires repair, and Hills is in the process of preparing a quote for the mixer replacement and associated removal and repair work. At the Church Street Pump Station, the exhaust fan is not operational and requires repair; K&Z has been contacted to provide a repair quote. At the Barkley Estates Pump Station, Frank Fisher was contacted in response to power failure alarms. At the Doyle's Pump Station, a pump became clogged; operators reversed the pump and restored the station to normal operation. She concluded by stating that the department completed approximately 80 Miss Utility Locates.

### **H. Planning & Zoning – C. Snader**

1. Town Administrator Long noted the Planning & Zoning Committee met on November 24, 2025, the first item on the agenda was consideration of Final Site Plan Approval for Heron Cove, located at Lighthouse Road and Lynch Road, TMP #533-17.00-156.00, owned by Bruce and Sandra Bennett for a 32 single family lot Residential Planned Community. Steven Fortunato, representing Bohler Engineering, presented the final plans. He reported that preliminary approval had already been granted and that the overall layout of the project remains unchanged. The development includes an entrance on Lynch Road. The applicants have completed multiple rounds of review with Davis, Bowen & Friedel (DBF) and have obtained all required permits, including approvals from the Fire Marshal, Drinking Water authorities, utility companies, and DelDOT. Mr. Fortunato noted that the number of recreational lots was reduced from seven to four. The landscaping plan has been revised. The applicants requested a waiver to increase street-tree spacing to one tree per lot to allow improved access for utility installation. Trees have been repositioned, and an additional landscape buffer has been added to the rear of the properties adjoining Lighthouse Road. The

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landscape buffer between these lots and the adjacent subdivision to the south will be maintained for the duration of the project. He added that the buffer will consist primarily of pine trees and pine-oak trees along Lighthouse Road. Mr. Fortunato explained that the wet stormwater ponds will discharge off-site—one into a tax ditch and another into a roadside swale that drains toward the Coastal Villages Development. The stormwater plans have undergone several reviews by SCD and DNREC and are in the final stages of approval. He stated that there will be a multi-use path along Lighthouse Road, which will continue down Lynch Road and tie in at the property boundary. A crosswalk is also planned across Lynch Road. Mr. Fortunato reported that groundbreaking is expected between February and March, with site work projected to take six to nine months. A recommendation letter of approval from Davis, Bowen & Friedel has been submitted. Councilman Kirsch inquired about the speed limit within the development. Mr. Fortunato explained that at the time the application was submitted, the proposed speed limit was 25 miles per hour; however, the final determination of the speed limit rests with the Town should it choose to revise it. Councilman Kirsch made a motion to approve the final site plans for Heron Cove. Motion seconded by Councilman Steffen and carried by all.

2. The second item on the agenda was review and consider the draft Sign Code updates prepared by AECOM. The outstanding issue from prior discussions concerned whether electronic variable-message signs should be permitted to display off-premise content. The initial draft of the ordinance prohibited such signs, and clarification was requested from the Town Solicitor regarding whether message content could be limited to in-town events and businesses only, or whether signs could also promote activities and businesses outside Town limits. The Town Solicitor provided legal guidance advising against imposing any restriction that would prohibit off-premise electronic signs from displaying messages related to businesses or events located outside the Town. Accordingly, the Solicitor recommends that the Town not restrict off-premise messages on electronic variable-message signs, including those promoting events outside Town limits. Councilman Hudson made a motion to accept the draft Sign Code to send to the Town's Solicitor for further review. Councilman Steffen seconded the motion and carried by all.

**I. Industrial Park Report – S. Long**

No report for the month of November.

**J. Annexation Report – C. Snader**

Town Administrator Long stated the committee met on November 25, 2025 to Investigate the possibility of annexing certain territory, contiguous to the present limits of the Town of Selbyville, owned by Faith I. Caras, Susan C. Foust and Lovella B. McCabe, identified as part of

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Sussex county tax map and parcel no. 533-17.00-124.00, containing 9.019 acres, more or less, and the possibility of annexing certain territory, contiguous to the present limits of the Town of Selbyville, owned by Gail M. Hickman, identified as part of Sussex County tax map and parcel no. 533-17.00-123.00, containing 1.256 acres, more or less: and to amend the zoning map and zoning ordinance of the Town of Selbyville to include said territories in the R-4 Residential District, with a Residential Planned Community (RPC) Overlay. Mr. Daniel Bunting, representing R54 Development as the contract purchaser, presented an overview of the properties under consideration. He stated that the combined parcels total approximately 10.25 acres, are contiguous with the Mill Pond Development, and are located across from the Sandy Branch Development. Both parcels have frontage within Town limits. Mr. Bunting explained that his intention is to annex the properties into the Town and seek R-4 RPC Overlay zoning. He anticipates entering the preliminary plan phase once the annexation process is completed, which he hopes will occur by early 2026. The properties have access to Town water and sewer. He anticipates proposing approximately 25 single-family lots. His goals include clearing and improving the property, addressing existing drainage issues, and implementing drainage improvements that would also benefit Mill Pond Development. He noted that he is currently working with the Sussex Conservation District and the Town regarding these issues. The concept includes constructing a drainage ditch along the shared property line, which would collect stormwater runoff from Mill Pond, route it to stormwater management ponds on his property, and then convey it off-site through an approved stormwater system. Mr. Bunting stated that he has not yet selected a builder but hopes to introduce a product type that differs from the typical homes currently found in the area. He estimated that home prices could potentially start around \$600,000, based on land value, but emphasized that these details have not yet been finalized. He also noted that the property is currently wooded, and while clearing will be necessary, he intends to preserve as much buffer as possible along the Mill Pond property line. The final extent of buffering will depend on the work required to construct the drainage ditch, but landscape buffers will be incorporated along the boundary. Councilman Steffen made a motion to hold a Public Hearing on January 5<sup>th</sup>, 2026, 6pm on the annexation request. The motion was seconded by Councilman Kirsch and carried by all.

### **K. Economic Development Committee – S. Long**

The Economic Development Committee met on November 10, 2025. The Committee reviewed action items from the previous meeting and discussed potential business incentives for both new and existing businesses. The Committee also reviewed the proposed “Welcome to Selbyville” packet for new residents and discussed sponsorship opportunities for the Bethany-Fenwick Chamber of Commerce Fire and Ice Festival. Town Administrator Long stated that she would update the vacant property list, which identifies available properties throughout the Town, to better assess opportunities for attracting new businesses to Selbyville. The Committee also discussed engaging residents to gather input on the types of businesses they would like to see in Town. The Chamber of Commerce will reach out to a representative from the Small Business Administration to attend a future Economic Development Committee meeting to provide

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guidance on attracting additional businesses. The Committee noted that sufficient funds are available in the budget to sponsor an ice block at the Fire and Ice Festival, featuring color and the Town seal, to be displayed at Salted Vines. Additional discussion included downtown parking concerns for businesses and the possibility of creating a promotional commercial for Selbyville. The next meeting is scheduled for Monday, February 9.

### **L. Security Committee – M. Hudson**

Town Administrator Long reported there are no updates.

### **M. Administrative Report – W. Kirsch**

Councilman Kirsch reported that interviews are currently underway for the Administrative Assistant position and that there has been a strong response from qualified applicants. He also noted that a kickoff meeting for the development of the new employee handbook is scheduled for December 16, with recurring meetings to be held each Tuesday to facilitate the process.

### **N. Administrative Report – S. Long**

Town Administrator Long reported continued efforts in organizing the Town's Christmas Parade. The new business license software is operational, and staff is actively processing business license renewals for the upcoming year. Councilman Kirsch encouraged the public to visit the Town of Selbyville's website and expressed satisfaction with the level of information available. Town Administrator Long informed Council that plans have been submitted for the former Holly Kia building to be repurposed as a Holly Mitsubishi dealership. She noted that the proposal will require a Board of Adjustment Hearing, to be determined as a legal, nonconforming use. The 64th Annual Selbyville Christmas Parade will be held on December 5 at 6:00 p.m. West Church Street will be closed beginning at 5:00 p.m. and is expected to reopen at approximately 8:00 p.m. The parade will begin at 7:00 p.m. and conclude with a visit from Santa Claus. There are 50 registered participants, comprising a total of 108 units. Town Hall will be closed on December 24 and 25, as well as January 1, in observance of the holidays.

### **3. New Business**

- A. Appointment of Board of Election members Virginia Pepper, Renda Wise, and Bonita Maull.** Councilman Hudson made a motion to accept the appointment of the members. The motion was seconded by Councilman Steffen and carried by all.
- B. Review and consider the quotes for paving the entrance of Victoria Forest.**

Town Administrator Long stated that when the development was originally constructed, the front portion of the intersection was never fully top-coated, which has led to inquiries regarding whether the Town could complete the work. She reported that Matt's Paving provided a quote of

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\$23,075 and WB Paving provided a quote of \$19,152. She noted that the project cannot begin until the spring of next year and that the work will need to be rebid closer to that time to obtain current pricing. Town Administrator Long requested a motion to include funding for this project in the upcoming fiscal year budget.

- C. Review and consider of incorporating a policy for donated sick leave to the personnel handbook.

Town Administrator Long explained that the policy applies in situations where an employee or an employee's immediate family member experiences an illness, injury, impairment, or physical or mental condition of an extraordinary or severe nature that has caused, or is likely to cause, the employee to take leave without pay or terminate Town employment. She noted that the policy is intended for hardship or emergency situations and is subject to strict guidelines requiring authorization by Town Council. Council agreed that this matter should be further reviewed and discussed with Lexipol as part of the ongoing update to the employee personnel handbook.

### **4. Visitors in Attendance:**

Betsy Bixler, representing the Selbyville Historical Society, was in attendance to sell 50/50 raffle tickets for the Selbyville Christmas Parade. Ms. Bixler reported that the Historical Society has relocated to the Townsend Building and is currently evaluating both interior and exterior renovation needs for the property.

Ruth Munoz of Mountaire Farms expressed her gratitude to the Town and community for their support of the Thanksgiving for Thousands event. She reported that the event was highly successful and involved more than 4,000 volunteers.

Doug Smith of Mountaire Farms reported that a total of 72 odor checks were conducted, with three external complaints received. He also thanked the Mayor and Council for their participation in the Thanksgiving for Thousands event hosted by Mountaire Farms.

Larry Lindenberger of Lighthouse Crossing raised questions regarding public safety and the Town's water supply, specifically inquiring whether there would be sufficient water pressure in the event of a large fire and whether any engineering studies have been conducted to assess long-term water capacity needs over the next 10 years. Mayor Duncan responded that the Town conducts both short-term and long-term studies to ensure adequate water supply. He also noted that the Town has a backup well that is only utilized in emergency situations due to high iron content. Mr. Lindenberger further asked why the Town continues to purchase water if municipal wells are available. Mayor Duncan explained that supplemental water purchases are necessary to maintain adequate water pressure until the new water tower is constructed. Mr. Lindenberger also inquired about responsibility for water system cost increases associated with new

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infrastructure, asking whether developers or property owners bear those costs. Mayor Duncan responded that developers are assessed impact fees when new homes are constructed.

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 and pending litigation. Motion seconded by Councilman Steffen and carried by all.

Mayor Duncan adjourned the meeting and thanked everyone for attending.

Respectfully submitted,

*Mackenzie Culley*

Mackenzie Culley  
Administrative Assistant

**EXECUTIVE SESSION**