

**MINUTES OF THE TOWN OF SELBYVILLE
TOWN COUNCIL MEETING JULY 13, 2026**

Mayor Duncan welcomed everyone and called the meeting to order at 6 o'clock p.m. Councilmembers 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 June 8, 2026, 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 Steffen and carried by all.
- C. Presentation of June 31, 2026, bills by Mayor Duncan. Councilman Snader inquired about a payment of \$2,351.00 to York Hoist and requested clarification regarding the expenditure. Town Administrator Stacey Long explained that the payment was for the inspection of the Town's crane mounted on the wastewater truck. Councilman Steffen made a motion to pay all bills as presented. Motion seconded by Councilman Snader and carried by all.

2. Public Hearing –

**A. AN ORDINANCE AMENDING THE TOWN CODE OF THE
TOWN OF SELBYVILLE, CHAPTER 200, ZONING ("ZONING
CODE"), § 200-124. DETERMINATION OF STATUS, BY
CHANGING THE PROCESS FOR DETERMINING THE
EXISTENCE OF A NONCONFORMING USE.**

Town Administrator Long explained that the term "nonconforming use" is primarily used by the Board of Adjustment and is commonly understood as being "grandfathered in." She stated that the current process is more extensive than necessary and could be completed more efficiently if administrative staff were authorized to process the applications.

Rick Semola of Atlantic Lakes requested an example of a nonconforming use. Town Administrator Long explained that in 2017, Mayor and Council amended the zoning ordinance to remove automobile dealerships as a permitted use in certain zoning districts. Existing dealerships were allowed to remain as legal nonconforming uses. She explained that if such a business ceases operations for a period of one year or more, the nonconforming status is lost, and any future use as an automobile dealership would require a conditional use approval. The code currently reads that a legal nonconforming use is determined by the Board of Adjustment, which requires

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publication of a public hearing notice, and a payment of \$1,000 for the application fee.

Artie Teeter of Schooner Landing asked whether the nonconforming use status would transfer if the property were sold. Town Administrator Long explained that the nonconforming status remains with the property, provided the use is not discontinued for one year or longer, regardless of a change in ownership.

Colleen Kellner, a Town resident, asked whether the properties being discussed were already zoned commercial and questioned why they would not be considered conforming uses. Town Administrator Long explained that each zoning district contains a specific list of permitted uses, and although a property may be commercially zoned, not every commercial use is permitted within that district. Ms. Kellner further asked whether, if a Dollar General were to close and a Dollar Tree were to occupy the building, that would be permitted. Town Administrator Long explained that both businesses are classified as retail establishments, which are permitted uses within the zoning district. She then asked why the same principle would not apply to the Holly Kia example. Town Administrator Long explained that automobile dealerships are not a permitted use in that zoning district, which is why they are treated as legal nonconforming uses.

There being no further questions or comments, Councilman Hudson made a motion to close the public hearing. The motion was seconded by Councilman Steffen and carried by all.

Councilman Steffen made a motion to amend the Town Code to revise the process for determining and approving nonconforming uses. The motion was seconded by Councilman Hudson and carried by all.

3. Mayor's Report & Comments:

A. Appoint of vacant council seat – Mayor Duncan

Mr. Lindenberg introduced himself to Mayor and Council and provided a brief overview of his background and qualifications. He shared that he and his wife, Cynthia, have been residents of the Town of Selbyville for the past five years and that he currently serves as President of the Lighthouse Crossing Homeowners Association. Mr. Lindenberg also stated that he previously resided in Connecticut, where he served as a Deputy Fire Chief and as a member of his municipality's Planning and Zoning Commission. He further noted that he has a professional background in environmental services and engineering.

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4. Reports

A. Police Report – B. Wilson

Chief Wilson reported that the Police Department recently hired Delaware-certified Police Officer Nicholas Snead and introduced him to Mayor and Council. Chief Wilson also reported that Old Timers Day was a successful event. He stated that the Police Department conducted physical agility and written examinations for prospective officers on July 11; however, turnout was lower than anticipated. For the month of June, the Police Department responded to 348 calls for service, issued 116 traffic citations, and made 7 criminal arrests.

B. Building and Code Enforcement – A. Merollini

See report for the month of June. Town Administrator Long reported they issued 49 building permits, conducted 136 building inspections, closed 7 open building permits, investigated 25 code violations, had 115 postings, and performed 1 rental inspections. They came in contact with one contractor working in town limits without their Outside Contractors Business License. They did not receive any inquiries on Citizen Reporter.

Town Administrator Long reported that Inspector Merollini has been in contact with several property owners regarding properties that may require repairs, maintenance, or assistance in addressing code-related concerns. He stated that he will continue working with property owners to encourage property improvements and compliance with Town standards.

Hazard Inspection Committee – C. Snader

Councilman Snader reported that the committee did not meet in June. Town Administrator Long explained there has been a complaint regarding 8 N. Main St. Mayor Duncan directed the committee to meet on July 28th at 3pm.

C. Water – G. Steffen

See report for the month of June. Councilman Steffen reported that the water plant produced 19,385,051 gallons of water. He noted it was approximately 5,114,236-gallon increase compared to this time last year. The town continues to purchase water from Artesian to supplement the water pressure on the eastern side of town, and continues to meet all State and Federal testing requirements. The Water Department continues to mark water lines for Miss Utility locate requests and reading water meters. It was reported that the State of Delaware has issued a drought watch. At this time, the drought watch is not expected to have any significant impact on the Town's water system or operations, and no concerns were noted.

D. Public Works – G. Steffen

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Councilman Steffen reported that the Public Works Department continues to spray weeds, cut grass, and clean out catch basins. The Public Works Department also assisted in setting up for the Old Timers Day event.

E. Recreation – G. Steffen

Councilman Steffen reported that the Public Works Department has continued its maintenance efforts, including the cleaning and upkeep of the public restrooms. Councilman Steffen reported that work is continuing with Phase 5 of the Town park improvement project. The park has new lighting and security cameras installed. The infield fence is scheduled to be done by August.

F. Sewer Report – C. Snader

See report for the month of May. Councilman Snader reported the plant had an average daily flow of 1,315,000 gallons and a peak flow of 1,193,000 gallons. The sewer Department completed 64 miss utility locates for the month. The plant performed within all required permit parameters for the month. It was reported that the chlorine hoist is in need of repair or replacement. Two quotes were submitted for consideration. Crane 1 submitted a quote in the amount of \$20,050.46 for a complete replacement, while York Hoist submitted a quote in the amount of \$17,869.28. The Public Works Supervisor and the Wastewater Manager both recommended accepting the quote from York Hoist, citing it as the more cost-effective option. Councilman Snader made a motion to accept the quote from York Hoist in the amount of \$17,869.28. The motion was seconded by Councilman Steffen and carried by all.

G. Planning & Zoning – C. Snader

Councilman Snader reported that the Planning & Zoning Commission did not meet in June.

H. Industrial Park Report – S. Long

Town Administrator Long reported that the Town holds a right of first refusal on the property located at 131 Dixon Street, which is currently under an Agreement of Sale for \$365,000.00. She noted that the building is currently being used for storage. Councilman Snader made a motion to decline the Town's right of first refusal and not proceed with the purchase of the property. The motion was seconded by Councilman Hudson and carried by all.

I. Annexation Report – C. Snader

No report for the month of June.

J. Economic Development Committee – S. Long

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Town Administrator Long reported that the Economic Development Committee is awaiting notification of the meeting at which the Town's Downtown Development District designation application will be considered. She stated that the Town is hopeful of receiving a decision regarding the designation by the end of the summer.

K. Security Committee – M. Hudson

Town Administrator Long reported that she received a proposal from Vector Security, the company that provides the Town's security system services, to install additional security cameras. The proposal includes a one-time installation cost of \$5,544.00 and a monthly monitoring fee of \$30.00. She noted that the Fiscal Year budget includes \$40,000.00 for security improvements, of which \$23,530.00 has been expended, leaving an available balance of approximately \$16,470.00. Councilman Hudson made a motion to approve the proposal from Vector Security. The motion was seconded by Councilman Steffen and carried by all. Councilman Hudson also reported that Town staff will be receiving training from P.M. Companies, the Town's workers' compensation insurance provider.

L. Administrative Report – S. Long

Town Administrator Long submitted a request for additional funding in the amount of \$15,000.00 to \$20,000.00 to cover anticipated costs exceeding the budget for the Town Park Phase 5 improvements funded through the grant. She also reported that she spoke with Representative Collins and Senator Hocker and successfully secured \$60,000.00 in Community Transportation Funds for paving projects throughout the Town. The funding request has been submitted and entered into the State's system for processing. Additionally, Town Administrator Long reported that the Backwash Recovery Notice of Intent application has been submitted in pursuit of additional funding for the installation of above-ground storage tanks.

1. New Business-

A. Consideration of quote from Cloudpermit for additional software modules for Building Permits and Code Enforcement.

Town Administrator Long reported that the Town budgeted \$10,000.00 this fiscal year for the implementation of new software modules. She stated that the Town successfully transitioned its Business License and Residential Rental License programs to Cloudpermit, which has proven to be highly effective and has provided excellent customer support. She explained that the additional Cloudpermit module will digitalize the Town's building permit and code enforcement processes, allowing building permits and code violations to be managed electronically. The new module will also provide residents, contractors, and developers the ability to submit building permit applications online, improving efficiency and accessibility. The first-year cost for the additional module will be \$5,700.00, which includes one-time implementation and setup fees. There is an annual customer support fee and the contract is for 5 years. Councilman Hudson

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made a motion to approve the Cloudpermit proposal. The motion was seconded by Councilman Snader and carried by all.

B. Deed of Dedication and Bill of Sale - Schooner Landing

Town Administrator Long reported that Davis, Bowen & Friedel (DBF), the Town's engineering consultant, has completed its inspections of the Schooner Landing community infrastructure proposed for dedication to the Town. The inspections included the streets (curb to curb), water and sewer utility lines, and stormwater management infrastructure. DBF confirmed that all items on the punch list have been completed and that a warranty bond in the amount of \$620,061.88 has been provided for one year. Based on the completed inspections and receipt of the warranty bond, DBF submitted a letter recommending that the Town accept the Schooner Landing community infrastructure for dedication. Councilman Steffen made a motion to accept the Schooner Landing community infrastructure for dedication to the Town. The motion was seconded by Councilman Hudson and carried by all.

Please see the 7th paragraph in Visitors in attendance regarding this matter.

**C. Deed of Dedication and Bill of Sale – Coastal Villages Phase and upon a warranty
1, Subphase 1**

Town Administrator Long reported that Davis, Bowen & Friedel (DBF), the Town's engineering consultant, has completed its inspections of the Coastal Villages development infrastructure proposed for dedication to the Town. The inspections included the streets (curb to curb), water and sewer utility lines, and stormwater management infrastructure. DBF confirmed that all items on the punch list have been completed and that a warranty bond in the amount of \$298,682.79 has been provided for one year. Based on the completed inspections and receipt of the warranty bond, DBF submitted a letter recommending that the Town accept the Coastal Villages development infrastructure for dedication. Councilman Snader made a motion to accept the Coastal Villages development infrastructure for dedication to the Town. The motion was seconded by Councilman Hudson and carried by all.

2. Old Business – S. Long

**A. Consideration of quote from Matt's Management Family
DBA: Matt's Paving, for paving a municipal parking lot for town
owned property at the S/E corner of S. Main Street & Bethany
Road**

Town Administrator Long discussed the Town-owned property located at 26 South Main Street, situated at the southeast corner of Main Street and Bethany Road. She reported that the property has been appraised at \$142,000.00. Town Administrator Long presented a preliminary estimate

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for converting the property into a parking lot, which included the construction of 10 parking spaces at an estimated cost of \$40,600.00, along with approximately \$2,000.00 to remove the existing water services, for a total estimated project cost of \$42,600.00, pending any unforeseen issues. Councilman Hudson expressed concern that the cost was significant for the creation of only 10 parking spaces, noting that the Town already has a municipal parking lot that is currently underutilized. Councilman Steffen suggested that the Town consider offering the property for sale. Mayor Duncan stated that the property could potentially be advertised to determine whether there is any interest from prospective buyers. It was also noted that additional information is needed regarding DelDOT permitting requirements before any decisions can be made. No action was taken at this time.

5. Visitors in Attendance:

Artie Teeter, a resident of Schooner Landing, expressed concerns regarding the proposed release of the development's bond. Mr. Teeter stated that he believes the bond should not be released because, in his opinion, numerous outstanding issues within the development remain unresolved. He advised that Lennar has been unresponsive to repeated requests from the community to address these concerns. Mr. Teeter identified several outstanding items, including a concrete walking path that he stated was shown on the approved plans as a grassed area with a walking trail, drainage swales that do not function properly, areas of standing water, deteriorated pavement despite the development being approximately two years old, chipped sidewalks, damaged driveways at several homes, and damage to fencing allegedly caused by rocks being thrown during mowing operations. He also noted unresolved issues with the community pool, stating that repairs had been promised but not completed. Mr. Teeter stated that, in his opinion, the builder should not be permitted to have the bond released while these issues remain outstanding. Mayor Duncan asked whether representatives of the Homeowners Association (HOA) had met with the developer and the engineer during the punch list inspection process. Mr. Teeter responded that the HOA was not permitted to participate in those meetings and stated that the developer has not responded to the HOA's calls or emails. Mayor Duncan recommended that the HOA meet with Town Administrator Stacey Long and provide a comprehensive list of the outstanding concerns. Town Administrator Long explained that once a development reaches approximately 75% occupancy, ownership of the common areas is transferred from the developer to the HOA. She stated that, after consulting with the Town Solicitor, the Town's authority does not extend to disputes between an HOA and a developer, and the Town cannot utilize taxpayer resources to intervene in private legal matters. She further explained that the developer has the legal authority to transfer ownership to the HOA without conducting a joint walkthrough with the HOA.

Mr. Teeter expressed concern that the HOA had no opportunity to participate in determining what items were included on the engineer's punch list and stated that he believes the process should be changed. He also commented that the development differs from the originally approved master plan. Town Administrator Long clarified that the Town's acceptance of public improvements is limited to municipal infrastructure, including streets, street lighting, water lines, sewer lines, and related public facilities. She explained that a performance bond for public

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infrastructure cannot be withheld or delayed based on deficiencies in HOA common areas that are outside the scope of the bonded public improvements. She further stated that while the Town may enforce violations through the Town Code where applicable, responsibility for correcting deficiencies ultimately rests with the current property owner. Councilman Snader recommended that two Council members and the Town's Code Enforcement Official visit the development to review the reported concerns and attempt to facilitate communication between the parties in an effort to encourage the outstanding issues to be addressed before the remaining properties are transferred to the HOA.

Albert Simpson, a resident of Bethany Road, addressed Mayor and Council to express his opposition to the proposed Bob McClanahan project involving the paving of the property. Mr. Simpson stated that he and several neighboring residents do not support the project due to various concerns. He expressed that traffic flow in the area is already problematic and believes the proposed project would further contribute to traffic issues. Mr. Simpson also stated that he does not believe the proposed business would be successful at that location. He concluded by expressing his concerns for the record.

Mike Mercilliott, a resident of Victoria Forest, thanked the Town for paving the entrance to the development. He also complimented Town Administrator Stacey Long for her dedication and the hard work she has performed since assuming the role of Town Administrator.

Dale White of Mountaire Farms reported that 78 odor checks were conducted during the reporting period. He stated that three odor-related issues were identified in the Cemetery Road area and advised that all issues have since been addressed and resolved.

Glenn Miller, a resident of Lighthouse Lakes, spoke regarding the proposed release of the Schooner Landing bond. Mr. Miller stated that he agreed with the concerns expressed by Artie Teeter and recommended that Mayor and Council reconsider their motion to release the bond. He stated that he believes the outstanding issues within the development should be corrected before the bond is released, as he feels it is the Town's remaining leverage to ensure the developer completes the necessary work. Mr. Miller also raised concerns regarding utility work being performed by Delmarva Power along Lighthouse Road. He stated that Delmarva Power is installing a new power line to serve the Kingfisher development and questioned whether the utility is required to obtain permits from the Town for the work.

Town Administrator Long explained that the work is being performed within Delmarva Power's utility easement. When asked whether activities within the easement are permitted, she responded that they are. Mr. Miller further questioned whether the installation must comply with current standards and whether any restrictions apply. Town Administrator Long stated that there is likely an agreement with DelDOT or another state agency governing the work, noting that Lighthouse Road is not a Town-owned roadway and is therefore outside the Town's jurisdiction. Mr. Miller commented that he believed the response would be different if the Town's water infrastructure were damaged during the work. Town Administrator Long explained that underground utilities are protected through the Miss Utility system and recommended that Mr.

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Miller send her an email so she could assist him in contacting the appropriate representative at Delmarva Power regarding his concerns.

Councilman Steffen made a motion to rescind the previous motion accepting the Deed of Dedication and Bill of Sale for the Schooner Landing development until a meeting is held between the Homeowners Association (HOA), the Town, and the project engineer to review the outstanding concerns. The motion was seconded by Councilman Snader and carried by all.

Steve Martino, a resident of Lighthouse Lakes, asked for an update on the proposed water tower project, stating that water flow and pressure in the area have been inadequate. He also inquired whether an auxiliary pump is available. Mayor Duncan responded that an auxiliary pump is in service and operated by Artesian Water Company and noted that it may be possible to increase its output if necessary. He further stated that the Town is awaiting a determination from DelDOT regarding whether an entrance permit is required for the water tower project. Once that determination is received, construction can proceed, and the project continues to move forward. Mr. Martino also raised concerns regarding recent occurrences of brown water throughout the system and asked about the cause. Mayor Duncan stated that when reports of brown water are received, the Town notifies Artesian Water Company and flushes the hydrants as part of its response. Town Administrator Long added that the Town has received numerous complaints regarding the issue and stated that the cause appears to originate from Artesian's treatment plant.

Charles McMillion, a resident of Atlantic Lakes, asked whether a Deed of Dedication is required to be reviewed by the Planning and Zoning Commission before being considered by Mayor and Council. It was explained that the Planning and Zoning Commission serves as an advisory body and reviews site plans, while Mayor and Council are the final decision-making authority on Deeds of Dedication. It was further clarified that the Planning and Zoning Commission is not involved in the Deed of Dedication process. Mr. McMillion expressed concern that Atlantic Lakes may encounter similar issues to those raised regarding Schooner Landing. He referenced a storage area that has been constructed without the installation of the planned fence and questioned why a walkway was installed if the area was ultimately intended to be enclosed. He stated that he believed these types of items should be addressed during the punch list process. Councilman Snader recommended that the Town consider incorporating the Homeowners Association (HOA) into the punch list review process to provide the HOA with an opportunity to identify any outstanding concerns before common areas and improvements are formally turned over to the HOA.

Colleen Keller, a resident of Bethany Road, addressed Mayor and Council regarding the proposed paving lot project. Ms. Keller inquired about the recent appraisal of the Town-owned property and asked whether it was the only property that had been appraised. Town Administrator Long explained that the appraisal was obtained after a request was made to determine whether the Town would be interested in selling the property for use as a parking lot. She stated that she had been directed to obtain the appraisal and confirmed that, if the property were ever offered for sale, it would be publicly advertised. Ms. Keller asked whether the Town

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intended to preserve the property as green space or was considering selling it. Town Administrator Long explained that no decision had been made and that the concept had not progressed beyond preliminary discussions. Ms. Keller also asked whether DelDOT would approve an entrance to the property if it were sold. Town Administrator Long responded that the Town had not pursued that question because DelDOT's requirements frequently change, and staff did not want to expend additional time or resources until Mayor and Council determined whether they wished to move forward. She emphasized that the proposal was only a concept plan and had advanced no further. Town Administrator Long further explained that the original development proposal had not been approved because it included too many units and insufficient off-street parking. She stated that the proposal was later revisited, which led to the current discussions. Ms. Keller asked whether the Town was considering selling any other properties. Town Administrator Long responded that no other Town-owned properties are currently being considered for sale, noting that any such decision would ultimately be made by Mayor and Council. Ms. Keller also asked why the appraisal had been commissioned. Town Administrator Long explained that it was obtained because the Town was exploring the possibility of a shared municipal parking lot or potentially selling the property. Ms. Keller asked who paid for the appraisal, and Town Administrator Long confirmed that the Town covered the cost. Ms. Keller inquired about the Town's current budget, and Town Administrator Long stated that the Town's budget is approximately \$11 million. Ms. Keller also asked whether any future proposal to sell Town-owned property would come before Mayor and Council for consideration. Town Administrator Long responded that it would.

Philip Oneschuk, a resident of East First Street, expressed his appreciation for Mayor and Council's decision not to move forward with selling the Town-owned property or constructing a parking lot at that location. He stated that the intersection is already heavily traveled and believes the property should remain as green space.

There being no further business to discuss, Councilman Hudson 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,



Mackenzie Culley
Administrative Assistant

EXECUTIVE SESSION