

Town of Henlopen Acres

104 Tidewaters
Henlopen Acres, DE 19971

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MINUTES: The Commissioners of the Town of Henlopen Acres held their Quarterly Meeting at **10:00am on Friday, October 10, 2014**, at Town Hall, 104 Tidewaters, Henlopen Acres, Delaware.

PRESENT:

Winnie Kee	Mayor
David Lyons Sr.	Commissioner
John Staffier	Commissioner
Joni Reich	Commissioner
Thomas Roth	Town Manager
Glenn Mandalas, Esq.	Town Solicitor
Eileen and Martin Clark	59 Tidewaters
Sheila Bravo	Rehoboth Art League
Sherry Rutherford	Rehoboth Art League
Diana Beebe	Rehoboth Art League
Sue Rinker	99 Tidewaters
Marcia and Henry DeWitt	55 Fields End
Christine Moore	14 Tidewaters
Betsy Wilgis	32 Tidewaters
Gail McDermott	7 Pine Reach

ABSENT:

Andrew Brittingham	Commissioner
Frank Jamison	Commissioner
Beatrix Richards	Commissioner

[The Minutes are Not Verbatim]

1. Call to Order, Pledge of Allegiance

The Meeting was called to order by Mayor Winnie Kee at 10:06 am immediately after the Public Hearing.

7. Unfinished Business

a. Amendment to §130-20, Zoning, Building Setbacks

Mr. Roth reviewed with the Commissioners recommendations made by Richard Kollar, the Town Zoning Officer, which are included as part of the minutes. Mr. Kollar's overall opinion was that a change to the current Code is recommended. After discussion, the Commissioners decided to table this Amendment until the next meeting.

2. Approval of Minutes

a. Quarterly Meeting – July 18, 2014

A **motion** to approve the minutes was made by Commissioner Joni Reich and seconded by Commissioner John Staffier. Motion passed, minutes approved.

b. Special Meeting – September 8, 2014

A **motion** to approve the minutes was made by Ms. Reich and seconded by Mr. Staffier. Motion passed, minutes approved.

3. Treasurer's report

Commissioner Joni Reich gave the Treasurer's report, stating the financials are on target for the year and the Transfer Tax has already exceeded the \$45,000 budgeted. Ms. Reich also met with the accounting firm auditing the Town's 2013-2014 financials and the formal report has been forwarded to the Audit Committee for review.

4. Maintenance report

Mr. Roth reviewed the maintenance report that was included in the meeting packet. Two sewer repairs were made by the County on Tidewaters and new storm drains were installed on Tidewaters at Fields End with assistance from Sussex County Conservation District. We also received a grant for \$5000 toward the cost of this work. An inlet grate was repaired at 95 Tidewaters. Wellhead covers were installed on all wells at the recommendation of the Office of Drinking Water. Guard posts need to be installed in front of the fuel tank behind Town Hall.

5. Security report

Mr. Roth reviewed the security report that was included in the meeting packet. There were no major incidents to report. Security radios are being upgraded with a grant from the County. Commissioner David Lyons questioned whether the snow fence would again be placed on Rolling Road as a measure of security this year and Mr. Roth stated it would.

6. Town Manager's report

Mr. Roth reviewed his report that was included in the meeting packet. The Town is setting up online bill payments as suggested by the auditors. New lighting has been installed on Deakyne Way. The Town is working with the University of Delaware to obtain additional soil testing and receive recommendations on how to remediate the salt from the soil at the Marina. Mr. Roth will update the Commissioners once the soil analysis and recommendations are received. A ladder was installed at the kayak launch at the request of several residents.

Mayor Kee expanded on the Marina by discussing the possibility of making a town park to include benches, plantings and walking paths, etc. This idea is in the discussion stages only and the ultimate goal is to make improvements to the Marina's appearance.

Mr. Roth continued his report by mentioning that two life ring boxes will be added at the Marina. The Town also celebrated two years without a Workers Comp. incident and Mr. Roth purchased t-shirts for all the employees in recognition of this milestone. A salt

spreader has been purchased for use this winter and a laser level has been purchased for our Zoning Officer. The Town website is now mobile device compatible. Energy efficient light bulbs have been installed in the Maintenance building. Town hall will be getting painted in November. Mr. Roth also has a Request for Proposal out to three engineering firms for Phase V paving.

7. Unfinished Business (cont'd)

b. Amendment to §71 Floodplain management

A **motion** was made to approve the amendment by Ms. Reich and seconded by Commissioner John Staffier. Motion passed.

8. NEW BUSINESS

a. Review of Comprehensive Plan Draft

Mr. Staffier updated the Commissioners on the progress of meetings between the Town and Rehoboth Art League (RAL). As an outgrowth of the Planning Commission meetings, a series of meetings took place between RAL, the Planning Commission, the Commissioners and Henlopen Acre neighbors. The meetings have been beneficial for all parties to gain a better understanding of the issues. The goal of the meetings in part, was to delineate an understanding by all parties of what activities and operations can and cannot be performed by the RAL and to foster more trust between the parties. A discussion ensued about whether to submit the Comp. Plan to the State for pre-Plus review. A **motion** was made to defer any action until next meeting by Commissioner Lyons and seconded by Mr. Staffier. Motion passed.

b. Appointments to Board of Adjustment

A **motion** was made to approve the appointment of Tim Hidell-96 Tidewaters and Barbara Shortley-59 Pine Reach to the Board of Adjustments by Mr. Lyons and seconded by Mr. Staffier. Motion passed. (Hidell to complete the unexpired term of Debra Fischer whose term expires 8/31/15 and Shortley, three years to replace Joni Reich whose term expired 8/31/14).

c. Appointments to Environmental Approval Committee

A **motion** was made to approve the re-appointment of Lynda Moses-39 Pine Reach, to the Environmental Approval Committee by Mr. Lyons and seconded by Mr. Staffier. Motion passed.

d. Trash Services

The Board discussed the issue of town-wide trash pick-up as suggested in the Comp. Plan. The concern of reducing pollution, noise and traffic prompted the recommendation to use one company for trash service. A Request for Proposal has been drafted and is awaiting Board approval. A discussion ensued among the Commissioners addressing both the pros of possibly cheaper rates and reduced traffic and noise and the cons of limiting resident options of choosing their own provider and type of service and greater impact on Town hall to administer billing and handle complaints. The Commissioners requested more information on what other towns are doing. No action taken.

9. Any other business that may come before the Commissioners

Martin Clark-59 Tidewaters

Mr. Clark addressed the issue of a 120 day deadline the Town received by the State at the June 27 public hearing and is the Town concerned about the consequences of not meeting the deadline and of not having the Comp. Plan certified because of the issue with the RAL. Mr. Clark also asked if the temporary agreement discussed earlier would appease the State. Several Commissioners responded to Mr. Clark. There was no deadline set by the State and Mr. Roth has been in contact with Connie Holland on several occasions to notify her of the Town's continuing progress on the Plan. The Town is making every effort to complete the Plan in a timely matter and send it to the State for approval. Mr. Lyons reminded Mr. Clark that ultimately the Town has the final decision of what is included in the Comp. Plan and there is no Town concern about repercussions if the Plan is not certified by the State.

Marcia DeWitt-55 Fields End

Ms. DeWitt requested the Town give a specific timeframe when the Comp. Plan will be completed since it's past the State deadline. Mayor Kee reminded Ms. DeWitt of all the hard work done on the Comp. Plan to this point and that she is encouraged that a resolution is forthcoming in the near future. She reiterated that Mr. Roth has been keeping the State up to date on the progress and there is no need to give a specific date.

10. Town Solicitor's report

Mr. Mandalas, Town solicitor had nothing to report.

11. Adjournment

Mr. Lyons made a **motion** to adjourn the meeting and it was seconded by Ms. Reich. The meeting was adjourned at 11:00am.

Approved January 9, 2015