

**Town of Felton
Town Council Meeting
November 8, 2010
7:00pm**

Vice-Mayor Clendaniel called the Town Council of Felton Meeting to order at 7:00pm on Monday, November 8, 2010. Present at the meeting were:

Council Members: Mayor Kelley, Joe Yapsuga Jr., Kevin Fletcher, Joanne Clendaniel and Anthony Carroll.

Staff: Town Manager, Rebecca Greene; Chief of Police, Levi D. Brown; Town Clerk, Sarah Ferguson;

Public: Resident – Gene Carlisle; Jamie Sechler – Davis, Bowen & Friedel; Jeff Meany – Papaleo, Rosen & Chelf, PA

Citizen Concerns:

Vice-Mayor Clendaniel asked if there were any citizens concerns and there were none.

Royal Farms Sign Location:

Rebecca reminded Council that a variance had been given by Council for the size of the Royal Farms signage since the Town had required the larger signs. She continued stating that because of the size of the signs a larger base is required and they would need to be located in the setback required by the Felton Planning & Zoning Code so a variance for the location of the signs is also needed.

Mr. Sechler showed Council the location of the signs on the construction plan and noted that they were discussing signs #7 and #15. He stated that these signs would need to be placed five (5) feet from the property line instead of the fifteen (15) foot setback required by Felton Planning & Zoning Code. He also added that even at five (5) feet from the property line these signs will still be further from the right-of-way than the signage of the gas station that was previously at this location.

Motion: Councilman Yapsuga made a motion to grant the variance of ten (10) feet allowing the signs #7 & #15 to be placed five (5) feet from the property line. Councilman Carroll seconded the motion. The motion passed unanimously.

2009 Audit Report:

Mr. Meany introduced himself and stated that Mr. Papeleo was unable to be at this meeting and added that if the Town Council has any questions he would be glad to setup an additional workshop with Mr. Papeleo.

Mr. Meany started his report by stating that the Town had an Unqualified Report for 2009, which means that he and Mr. Papeleo did not have any concerns with the audit. He continued saying that this year's audit is similar to last year's in that the Town is still in good shape.

He pointed out that in the liability line an extra \$20,000 had been paid toward the water loan and Rebecca added that we had collected additional Debt Service fees which had to go toward the water debt.

Mr. Meany made a suggestion that the Town pay the Town Hall loan off since we are paying 7.5% interest on the loan and only making .25% interest on the savings accounts. He added that the loan will be coming due at the end of the year with \$37,000 remaining to be paid. Mr. Meany stated that the Town would save approximately \$2,600 in interest by paying off the loan. Councilman Fletcher stated that it would be smart to pay off the loan and Councilman Yapsuga asked that it be added to the agenda for next month.

Councilman Yapsuga asked how Felton compares to other municipalities and Mr. Meaney replied that compared to other towns Felton is doing very well since many other towns are currently running in the negative.

Rebecca told Council that Mr. Papeleo and Mr. Meany came in and got everything done quickly and on time.

Motion: Councilman Fletcher made a motion to accept the 2010 Audit Report. Councilman Yapsuga seconded the motion. The motion passed unanimously.

Police Report:

Chief Brown reviewed the Police Report for October 2010 (see attached). He stated that the tickets for October 2010 were:

Officer	2009	Regular 2010	SEU 2010	Total 2010
9451	234	77	68	145
9452	148	154	17	171
9453	153	100	0	100
9454	72	27	0	27
9455	118	100	0	100
Total	725	458	85	543

Chief Brown stated that he spoke to Officer Swan and is not sure when he will be back.

Chief stated that the Police Department will be applying for a SLEAF grant for \$7,000 which will be used for updates to the security system at Town Hall. They will be adding digital audio to the Police interview room and Town Clerk's office and adding digital video/audio to the Council chambers.

Councilman Fletcher mentioned that there had been a death in New Castle County due to a Police Officer using a Tazer. He said that the man was tazed three times and because he had heart problems he had a heart attack. Councilman Fletcher asked if there is guidance for Officers on when and how many times it is appropriate to use a Tazer. Chief Brown replied that there is not and added that he had never seen anyone take more than one Tazer shot.

Motion: Councilman Fletcher made a motion to accept the Police Report. Councilman Yapsuga seconded the motion. The motion passed unanimously.

Budget Report:

Rebecca stated that the Town is still on budget and asked if there were any questions.

Rebecca stated that Police overtime is high at 64% and with Officer Swan being out it will continue to be high because even when he comes back he will be on light duty. Chief Brown added that they also have two more shooting training sessions.

Chief Brown suggested terminating the part-time clerical position after December 31, 2010 and putting that extra money into the overtime line.

Councilman Yapsuga asked if part-time Officer Chris Guild could work any more hours and Chief Brown said that he can only work twenty hours a week as per the budget. Chief also warned Council to keep in mind that Officer Guild could be yanked overseas at any time. Rebecca added that if Officer Guild works more than 130 hours a month the Town would need to pay into the State pension.

Councilwoman Clendaniel asked what the impact would be to the officers if the part-time clerical position was eliminated and Chief Brown said that E-Ticket has changed the job considerably and that he would anticipate an extra hour for Officer Swan and a half an hour for everyone else per day.

Mayor Kelley asked what Officer Swan would be doing while he is on light duty and Chief Brown replied that he will be updating the Policy & Procedures Manual.

Motion: Mayor Kelley made a motion to accept the Budget Report. Councilman Yapsuga seconded the motion. The motion passed unanimously.

East Street Construction Bids:

Rebecca stated that thirteen construction companies had bid on the East Street Extension job, which is a lot for a job of this size. She said that the Town Engineer; Scott Adkisson suggests that the Town accept Kent Construction's bid which was the lowest and that he had checked all the requirements and they were in order.

Councilman Yapsuga asked why there was such a difference in the cost for traffic control pointing out the Kent Construction had bid \$600 where others had bid \$2,000 or more. Rebecca answered that the other companies may have thought that East Street was a State maintained road which has much stricter rules for traffic control.

Rebecca added that any left over funds will be rolled over to the Jefferson Street project.

Motion: Councilman Yapsuga made a motion to accept the Budget Report. Councilman Carroll seconded the motion. The motion passed unanimously.

Minutes:

Mayor Kelley presented the October 18, 2010 Town Council Meeting Minutes and asked if there were any corrections. There were none.

Motion: Councilman Carroll made a motion to accept the October 18, 2010 Town Council Meeting Minutes. Councilman Yapsuga seconded the motion. The motion passed unanimously.

Holidays:

Rebecca presented the 2011 Holiday List and noted that it was the same as last year.

Motion: Councilman Carroll made a motion to accept the 2011 Holidays. Councilman Yapsuga seconded the motion. The motion passed unanimously.

Employee Handbook:

Rebecca said that the snow emergencies last year cost the Town a lot in payroll and she feels that if an employee is on the schedule they should only be paid regular hours instead of the current two and a half times. Chief Brown said that he agreed except in a State of Emergency. Rebecca disagreed stating that during a State of Emergency Officers are stuck in the office and are earning two and a half times their normal rate. She clarified that she was not talking about the Public Works Department when they are plowing or if an Officer is called in for an emergency. Chief suggested that the Town find out what the State does and stated that Rebecca, Officer Swan and he will review the policy.

Chief Brown added that the Town needs to have an Employee Social Network policy. He explained that some Officers in other departments have been reprimanded for posting inappropriate things on their My Space or Facebook sites.

Felton Bank:

Rebecca stated that she and Sarah need to have the ability to get information about Town accounts and explained that Sarah called the bank last month to see if a check had cleared and the bank would not give out any information because Sarah is not a signer on the account. Rebecca asked that Council fill out a form allowing Sarah and herself to have access to information about the Town accounts and Council agreed.

Motion: Councilman Yapsuga made a motion to adjourn to Executive Session to discuss personnel issues. Councilman Carroll seconded the motion. The motion passed unanimously.

Council meeting reconvened at 8:40pm. There was no action required on the part of Council.

Motion: Councilman Yapsuga made a motion to adjourn Council Meeting. Councilman Carroll seconded the motion. The motion passed unanimously.

Sarah Ferguson, Town Clerk prepared these minutes.

Sarah Ferguson

Date