

**Town of Felton
Town Council Meeting
April 11, 2011
7:00pm**

Mayor Kelley called the Town Council of Felton Meeting to order at 7:00pm on Monday, April 11, 2011. Present at the meeting were:

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

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

Public: Gene Carlisle, Patty Smith, Marilyn Jepson, Lee Blacklidge, Shirley Hescoc, Karen Kosenski, Barbara Fajnor, Michael Cushman – Resident; Bobby Outten – State Representative

Citizen Concerns:

Mayor Kelley read aloud a letter received at Town Hall requesting more Police coverage on Kerry Circle due to children playing basketball, riding bicycles and playing in the street. Mayor Kelley stated that the letter was not signed and that the Police Department will work on complaints listed.

Mr. Cushman stated that he lives at Kerry Circle and has two grandchildren. He noted that eight new children have moved into the circle since last summer and this is causing issues. He said that the kids are playing in the street but are not obstructing traffic. He added that Kerry Circle is treated differently since there are basketball nets all over town but they are not taken down because no one complains.

Mayor Kelley stated that there is no ordinance against riding a bike except that they should not be on the sidewalk. He continued stating that unfortunately when there are complaints the Police have to look into it since their utmost concern is for the children's safety. He also stated that he understands that there is a difference between high traffic streets like Main Street and a low traffic area like Kerry Circle. Mr. Cushman responded that when he was standing outside with his grandkids it was an hour and fifteen minutes before a car came through. Mayor Kelley stated that he sympathized with Mr. Cushman but it is the law and must be upheld.

Mayor Kelley asked Chief Brown if any tickets had been issued to kids on bikes or scooters and Chief responded no they only warned kids that were not wearing helmets or were on motorized scooters. Chief continued saying that there will be a big push this summer to have kids under sixteen wear helmets.

Mayor Kelley asked Mr. Cushman if he felt that he was being targeted and Mr. Cushman confirmed that he felt that way. Councilman Yapsuga suggested that maybe the kids were getting overly excited and running into other peoples yards.

Councilman Fletcher stated that he did not have a problem with the Police Department patrolling Kerry Circle but he did not want them running over there all the time and taking away

from their other duties. Councilman Carroll suggested sending a letter to all the families on Kerry Circle to tell them what is and is not allowed. Councilwoman Clendaniel suggested putting it in the Town flyer and Rebecca said that we put it in a couple times a year.

Mrs Jepson asked what the Town will be doing about yard waste now that it can't be put in the trash and Rebecca responded that the Town will not provide any service for yard waste. It must be composted or brought to an approved location. Mrs. Jepson asked if there was any way for the Town to help with this and Rebecca answered no but maybe a landscaping company would be able to help.

Mrs. Hescoc asked what is being done about the half built house on Fan Branch and Rebecca answered that it is now owned by Wells Fargo and they are selling it to a contractor with the closing in two weeks. The contractor then has six months to complete the house.

Mrs. Hescoc said that there was an abandoned car on N Erin Ave and Rebecca responded that the Town has an abandoned vehicle ordinance and she will take care of the vehicle.

Mrs. Hescoc said that there is a house with a lot of animal cages out front and many animals. Sarah stated that in Kent County you are allowed to have up to four animals but since the resident at 67 Ludlow Ln is a foster for the Kent County SPCA she has not been able to get the number of animals reduced.

Mrs. Smith asked about the pothole in front of Town Hall and Rebecca said that she would talk to Ralph about getting it repaired.

Budget Report:

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

Police Report:

Chief Brown reviewed the Police Report for March 2011 (see attached). He stated that the tickets for March 2011 were:

Officer	2010	Regular 2011	SEU 2011	Total 2011
9451	115	131	72	203
9452	180	189	41	230
9453	172	0	0	0
9454	101	86	43	129
9455	169	94	6	100
Total	737	500	162	662

Mayor Kelley asked Chief Brown how recruiting a full-time officer was going and Chief stated that they had given out seven to ten applications but have not received any back.

Chief stated that the Felton PD will be participating in the "Take it Back" campaign which is a program to encourage residents to bring unused prescriptions into the Police Department and they will pack up everything they receive and send it to the EPA.

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

Budget Report:

Rebecca presented the March Budget Report stating that all departments are inline except for the Public Works Department which is off by one percent. Council reviewed the Budget Report.

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

Minutes:

Mayor Kelley presented the March 14, 2011 Town Council Meeting Minutes and asked if there were any corrections. There were none.

Motion: Councilman Yapsuga made a motion to accept the March 14, 2011 Town Council Meeting Minutes. Councilwoman Clendaniel seconded the motion. The motion passed unanimously.

Curbside Recycling:

Rebecca stated that she spoke to the Vice President and the Manager of Independent Disposal Services (Trash Collection for the Town) about curbside recycling for the Town and they are offering a very good contract. She stated that the cost for trash collection & curbside recycling will remain at the current cost for trash collection only for the next two years then have the following increases:

7/1/11 – 6/30/13 - \$17.34

7/1/13 - 6/30/14 - \$18.21

7/1/14 – 6/30/15 - \$19.12

7/1/15 – 3/30/16 - \$20.08

This would not include any tipping fee increases by DSWA (Delaware Solid Waste Authority) which would be \$.20 for each \$1 per ton increase Rebecca continued. She said that Felton is the only Town which is not already using curbside recycling and that was why she was able to make this deal. She stated that recycling bins will be distributed and will have a starting date and schedule attached to the bin.

Mayor Kelley stated that DSWA is proposing a \$2 per ton increase and will probably propose an additional \$2 per ton increase next year. Rebecca said that means that our trash collection will go up an additional \$.40 in the next two years. Mayor Kelley said that there is a Public Hearing about the proposed increases if any residents are interested in attending.

Motion: Councilman Yapsuga made a motion to accept the contract with Independent Disposal Services. Councilman Carroll seconded the motion. The motion passed unanimously.

Resolution 11-R-01 Tax Rate:

Rebecca presented Resolution 11-R-01 and read the summary aloud: A Resolution to adopt the Kent County assessment list for purposes of Felton Town Taxes; setting the tax rate at \$.81 per \$100 of assessed value; and establishing a 50% discount on the amount of taxes due on properties owned of public record by at least one person 65 years of age or older where such property is the primary residence of such person.

Motion: Councilman Yapsuga made a motion to accept Resolution 11-R-01. Councilman Fletcher seconded the motion. The motion passed unanimously.

2012 FY Budget:

Rebecca said that she would like to break the 2012FY Budget into sections to be voted on.

Health Insurance – Rebecca stated that there is one employee that has a contract that says that his insurance will be paid in full and that with such a small staff it is hard to say that one person does not have to pay but others do.

Police Clerical Position – Rebecca stated that the budget worksheet does not include this position.

Motion: Councilman Carroll made a motion to eliminate the part-time Police Clerk position. Councilman Fletcher seconded the motion. The motion passed unanimously.

Employee Raise – Rebecca stated that she sent everyone a copy of the evaluations that will be used and asked if Council wanted raises to be performance based. Councilman Fletcher asked what performance will be based on if there are no procedures and Rebecca stated that the Police would be based on their directives, the Public Works on State regulations and laws and Sarah has a list of directions.

Rebecca continued stating that she expects everyone to get a four percent raise because if an employee is not meeting their standards they have a meeting immediately. Mayor Kelley asked if performance reviews will be quarterly and Rebecca responded that they will be yearly.

Mayor Kelley stated that he did not want money to become the employee's main motivator. He feels that doing a good job should be their motivator. Councilman Carroll stated that if the budget allows he would like to see a four percent raise across the board.

Councilman Fletcher added that he did not have a problem with everyone getting a raise this year since it has been so long but he does not think this should happen every year. He feels that if an employee is doing an outstanding job they should be rewarded.

Councilman Yapsuga agreed stating that the Town needs to have employee evaluations but he does not feel pay should be based on them. He would like to see some additional money that could be used for outstanding work but there is no money for that this year.

Mayor Kelley stated that employee evaluations provide a paper trail and let everyone know how they are doing. Rebecca stated that the Town has very dedicated employees and if money was their main motivator they would have left by now.

SEU – Rebecca stated that she and Chief Brown reviewed the SEU numbers and they would like to see the hourly rate increased to \$30, the budget line reduced to \$20,000 and a change to the procedure of patrol to require a minimum of one ticket per patrol hour during the month or they will not be eligible to run SEU the following month. Rebecca added that the \$20,000 could be raised by Council if more funds were needed.

Motion: Councilman Yapsuga made a motion to increase the SEU rate to \$30 per hour, reduce the budget line for SEU to \$20,000 and require a minimum of one ticket per patrol hour to be eligible to run SEU. Councilwoman Clendaniel seconded the motion. The motion passed unanimously.

Draft Budget FY12:

Rebecca presented the Draft FY12 Budget and informed Council that the Summary Sheet included a four percent raise and a General Ledger Carry Over of \$93,000 from last year which is much more than expected.

Rebecca stated that at the end of the fiscal year she would be making a lump sum payment toward the water loan of any additional Debt Service fees that were collected. Rebecca asked if everyone was comfortable with this budget and Council stated that they were.

Councilman Yapsuga stated that he would not be able to attend next months meeting.

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

Sarah Ferguson, Town Clerk prepared these minutes.

Sarah Ferguson

Date