

**Town of Felton  
Town Council Meeting  
May 13, 2014  
6:30 pm**

Mayor Kelley called the Town Council Meeting of Felton to order at 6:30 pm on Monday, May 12, 2014. Present at the meeting were:

**Council Members:** Mayor Dave Kelley; Vice-Mayor Joe Yapsuga; Michael Routh; Joanne Clendaniel and Anthony Carroll.

**Staff:** Town Manager; Rebecca Greene, Chief; Levi Brown and Town Clerk; Amy Lupinetti.

**Public:** Comcast Representative; Tom Worley, Residents; Jennifer Hobbs and Billy Myers.

**Citizen's Concerns:**

Mrs. Hobbs stated that the State of DE has a pilot program training first responders on administering Narconon for heroin overdoses. She discussed that she had a son pass away from an overdose and currently has a son that is addicted. Chief Brown stated that he does not know of any local police departments currently administering the product. Councilman Routh asked Mrs. Hobb's if she is representing a certain department and she responded no. Councilman Routh stated that this would have to be something that trained EMTs can administer and he does not feel comfortable having the town's police officers administering Narconon. He stated that he would find out more information about it and he would contact Mrs. Hobb's.

**Police Report:**

<b>Officer</b>	<b>Reg</b>	<b>SEU</b>	<b>Total</b>
<b>9451</b>	46	13	59
<b>9452</b>	148	108	256
<b>9453</b>	118	21	139
<b>9454</b>	0	0	0
<b>9455</b>	27	78	105

Chief Brown presented the April 2014 Police Report asking if there were any questions. Mayor Kelley asked why SEU decreased and Chief Brown replied that they only had two officers working last month.

Mayor Kelley asked if there have been any issues with the parking at the ball field and Chief Brown stated they have only had a couple of issues.

Vice-Mayor Yapsuga stated that he has noticed the utility truck is still parked on Green Court and suggests that an officer go there in the evening when the owner is home. Chief Brown stated that he would have an officer go to the residence after 5pm and speak to the owner of the truck.

**Motion:** Councilwoman Clendaniel made a motion to approve the April 2014 Police Report. Vice-Mayor Yapsuga seconded the motion. The motion was passed unanimously.

### **Budget Report:**

Councilman Routh asked if there was an update regarding the generator. Mayor Kelley stated the soft start has been installed and it does start up the well. The only problem we are having now is a hammering. A guy from Kinetico is coming to do some reprogramming. The worst case scenario we can run well 3 with the generator if there is an emergency.

**Motion:** Councilwoman Clendaniel made a motion to approve the April 2014 Budget Report. Councilman Carroll seconded the motion. The motion was passed unanimously.

### **Minutes:**

#### **Town Council Meeting Minutes:**

Mayor Kelley presented the April 14, 2014 Town Council Meeting Minutes asking if there were any questions. There were no questions.

**Motion:** Councilwoman Clendaniel made a motion to accept the April 14, 2014 Town Council Meeting Minutes. Councilman Routh seconded the motion. The motion was passed unanimously.

#### **Planning & Zoning Meeting Minutes:**

Mayor Kelley presented the May 6, 2014 Planning & Zoning Meeting Minutes asking if there were any questions. Rebecca stated that Mr. Ashburn and his son were out of town and someone else was supposed to be at the meeting and they did not show. Scott did say if the paperwork is correct and nobody is here we can just approve the item. Rebecca stated that she told him that we agreed that someone had to always be here to answer any questions and the same goes for the council meetings also. Vice-Mayor Yapsuga stated that he feels if the item has to be tabled then the builder should have to pay some type of penalty.

Mayor Kelley stated that over the years there have been some things that we allow Rebecca to approve and something that is in the grey area we take to Planning and Zoning. Rebecca explained that if someone comes in and I don't feel comfortable approving it I will take it to Planning & Zoning.

Councilman Routh asked if we can have an ordinance to impose some type of fees on the builders and Rebecca replied that she would contact the Attorney. Rebecca suggested that we can tell the builders to give us a check if they show then we can use that towards their building fees and if they don't show up then we will keep the check.

**Motion:** Councilwoman Clendaniel made a motion to accept the May 6, 2014 Planning & Zoning Meeting Minutes. Vice-Mayor Yapsuga seconded the motion. The motion was passed unanimously.

**Second Reading of the Floodplain Ordinance:**

Rebecca stated this is the final reading of the Floodplain Ordinance. Council approved with no changes.

**Motion:** Councilwoman Clendaniel made a motion to accept the Floodplain Ordinance. Councilman Routh seconded the motion. The motion was passed unanimously. Roll call was taken: Mayor Kelley - yes; Councilman Routh – yes; Vice Mayor Yapsuga – yes; Councilwoman Clendaniel – yes and Councilman Carroll – yes.

**Topcoat Paving at Randall's Glen:**

Billy Myers stated that there have been some financial issues that have been preventing him from having the funds to complete the paving of Randall's Glen. His intentions were to sell a house he has for sale and use some of that money to do the paving but the house has not sold yet.

Mayor Kelley read the letter to Mr. Myers that stated he was supposed to have it paved in 2012 and asked him if he has an idea when he can do the job. He also stated to Mr. Myers that the Town has a Clean Hands Ordinance; which means that until that street is paved he is not allowed to do any work in town. Mr. Myers stated that he cannot give a definite date but as soon as they get some working capital he can get the road paved. He would like to say that he would have it completed in fall of 2014 but time does go by quickly and he doesn't think that could happen. My. Myers stated that he would like to request a year's extension.

Mayor Kelley asked how bad it needed the top coat and Vice-mayor Yapsuga stated when he was campaigning this year a lot of residents asked him when it was going to be completed. One resident in particular was complaining because every time that she backs out of her driveway she hits a manhole. Billy Myers stated he was unaware of the potholes and he would go look at them tomorrow and patch them.

Mayor Kelley stated that we have a signed letter stating the road was going to be paved in 2012 and it was not done. Councilwoman Clendaniel stated that she does not think he should have an extension since he has already had two years. Mayor Kelley agreed and said he isn't trying to cause a hardship to Mr. Myers but this is only fair to the residents. When they built their house they were told that would street would be paved.

Billy Myers asked when the clean hands policy ordinance will stop and Rebecca said immediatly after the street is paved.

Billy Myer's stated that he does not think that Ralph can inspect the street and Rebecca replied she can have the engineer inspect the road but Mr. Myers will be responsible for the fees every time the engineer is requested.

**Motion:** Councilman Carroll made a motion to enforce the Clean Hands Ordinance and Mr. Myers will have to have the top coat of Randall's Glen completed before issuing any permits from the Town. Vice-Mayor Yapsuga seconded the motion. The motion was passed unanimously. Roll call was taken: Mayor Kelley - yes; Councilman Routh – yes; Vice Mayor Yapsuga – yes; Councilwoman Clendaniel – yes and Councilman Carroll – yes.

### **Approval of FY15 Budget:**

**Motion:** Councilwoman Clendaniel made a motion to adjourn for Executive Session. Councilman Routh seconded the motion. The motion was passed unanimously.

Council Meeting resumed at 8:36.

Rebecca stated that she attached a sheet that stated the items that increased and decreased on the budget. She explained that with the 3% raises, two police promotions and Josh going full time the budget increased \$4,845.00.

Vice-Mayor Yapsuga asked why the Police budget increased and Rebecca replied that there are two promotions and we are replacing their vests.

Councilman Routh asked if this was a good time to discuss the Town's engineer. Rebecca stated that after the budget and CCR she would like to discuss with Council replacing the engineer. She stated that she interviewed Dan String from KCI and he did provide her with his rates. She informed him that the Town is in the middle of a couple projects and he agreed that it is always good to allow the current engineer to continue with those projects. Rebecca also stated that she told Mr. String that she relies very heavily on the engineer and she wants to have an engineer that she can put a lot of trust into. She stated that she will probably have him attend our August meeting.

Councilman Routh asked why Pennsy decreased and Rebecca stated that when she did the budget process last year it predicted a higher number but I am thinking the weather probably had an impact on the low number this year.

Vice-Mayor Yapsuga asked if it was necessary for the employees to receive a 3% raise at one time and Rebecca asked why he would want to split the raise. Rebecca stated the total budget increased \$4800 with all increases that we are doing within the departments. Vice-Mayor Yapsuga explained that he is concerned if there is some type of emergency and we need the money. Rebecca stated we have money in our Capital Improvements line or we could get a loan if we needed the money.

Rebecca discussed the function that the Fire Company will be having in August. She stated we told Terry we can help them do whatever it is they need us to do at the event. Rebecca also

stated that she would like to move \$500 out of the non contingency savings and put it in donations and give that to the Fire Company for their event. If anyone would like to help we are ordering polo shirts for the staff and council.

**Motion:** Councilwoman Clendaniel made a motion to accept a 3% raise to all employees, two promotions for the Police Department and make Public Works part time employee full time. Councilman Carroll seconded the motion. The motion was passed unanimously. Roll call was taken: Mayor Kelley - yes; Councilman Routh – yes; Vice Mayor Yapsuga – yes; Councilwoman Clendaniel – yes and Councilman Carroll – yes.

**Resolution 14-R-01 Approving the FY15 Tax Rate:**

Rebecca stated that every year we pass a resolution that states our tax rate and also how much we predict to receive for the year.

**Motion:** Councilwoman Clendaniel made a motion pass Resolution 14-R-01. Councilman Carroll seconded the motion. The motion was passed unanimously.

**October/November Meeting Dates:**

There was discussion regarding dates for the October and November meeting. It was decided the dates will be October 20, 2014 and November 17, 2014.

The meeting adjourned at 9:01pm.

These minutes were prepared by Amy Lupinetti, Town Clerk.

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Amy Lupinetti

\_\_\_\_\_  
Date