

Milton Town Council Meeting August 17, 2015 Preliminary / Summary Minutes

Call to Order

The meeting was called to order in the Milton Public Library at 6:30 PM on August 17, 2015 by Mayor Jones. A moment of silence was then observed, followed by the pledge of allegiance to the flag.

Roll Call:

Theodore Kanakos, present
Emory West, present
Esthelda Parker-Selby, present
Michael Cote, present
Sam Garde, present
Marion Jones, present
Seth Thompson, the Town Solicitor was also present

These Preliminary Minutes:

These preliminary minutes cover only the high points of the meeting. The discussions were recorded, and will be transcribed. The transcription will serve as the final minutes of the meeting. Documents included in the Council Package are not included as attachments to these preliminary minutes.

Public hearing - Fiscal Year 2016 Budget and Fee Schedule

Letter from Primo Toccafondi. A letter was submitted by Mr. Toccafondi with many comments, including:

- How was the salary for the Town Manager determined?
- The Legal fees seem very high.
- Why is the salary of the Chief of Police a budget addition?
- Kudos for including an amount for Police retention.
- Considering that there will be a Town Manager, is the Administrative staff too large?
- There is no "contingency"; most budgets include an allowance for future unknown exigencies.
- A copy of the letter is included as Attachment 1.

Cliff Newlands, 110 Oysterman Drive made several comments, including:

- Mayor & Council should think of new ways to raise revenue.
- Approximately \$50,000 could be raised by increasing the Building Permit fee from 2% to 3%.
- Hold off on hiring the Accounting Clerk, since hiring a Town Manager will put the Admin Department at full complement, and having a new Accounting Clerk would put the Dep't in an over-staffed position.
- Split the Town Manager's salary 65/35, as it had been done during his administration.

Steve Larson, 204 Dorsey Lane spoke on several occasions and made a number of comments, including:

- There should be an across-the-board cut of 5% in all Departments expenses.
- Town services are negligible in Cannery Village.
- Cannery Village has to pay a third party to clean the streets.
- Opined that Mayor & Council refused to enforce regulations against the Developer of Cannery Village.
- Opined that the Town does not need a street sweeper.
- Mayor & Council should look for new ways to raise revenue. He opined that parking meters in town would add substantially to the Town's net revenue. He opined that 50 meters could raise as much as \$90,000.
- Opined that Realtors are intentionally steering people away from Milton.
- Later in the evening, he apologized for his "tirade", but opined that everything he had said was either experienced by him, or related to him by a neighbor.
- Reminded everyone that Governments do not have any of their own money; they derive funds from taxes on the populace.
- Opined that Mayor & Council should demand cuts in waste and improvements in productivity to lower the tax burden on the citizens.

Don Shandler, 202 Grist Mill Drive made several comments, including:

- Opined that the Town's citizens are concerned with the process for developing the budget.
- Opined that a revised process should include:
 - A mission statement.
 - The goals.
 - A system to measure results vis-a-vis the goals.
- Opined that any items not previously budgeted should have a cost-benefit analysis.
- Opined that Mayor, Council and Town Staff should work in a way to reduce expenditures.
- Opined that what the Town really needs to avoid the kinds of processes we are seeing, is professionally trained, competent Town Manager.

Rich Baty, Grist Mill Drive made several comments, including:

- He & his wife moved to Milton for several reasons, one of which was to reduce expenditures on taxes.
- Opined that the streets in Cannery Village need to be paved, and that the Mayor & Council should compel the Developer to do so.
- Opined that a 26% increase in property taxes is out-of synch with the economy in general.

Maurice McGrath, 137 West Shore Drive made several comments, including:

- Opined that he would be happy to look at the line items relative to a new Town Manager.
- Opined that the town could not afford a new street sweeper and new chipper.
- Opined that home owners might be willing to clean the streets in front of their homes to save money.

- Asked if any consideration had been given to sharing costs with neighboring Towns for the sweeper and chipper.

Dick Trask, 101 Mill Pond Avenue made several comments, including:

- Cost of the street sweeper is excessive for the Town at this time.
- Opined that the Town should consider using a sub-contractor to clean the streets periodically.
- Indicated that he wanted to hear comments from the Mayor & Council regarding the impact of the possibility of having two new schools in Town, namely a replacement for HO Brittingham and a refurbished Milton Elementary.

Elliot Whalen, Heritage Boulevard, made several comments, including:

- Told a story of having seen a potentially dangerous situation with the following summary:
 - He first called the Milton Police number, and got no answer. The answering machine indicated that the message box was full.
 - He then called 911, and the State Police came within a few minutes.
 - Captain Cornwell replied, making the points including:
 - The Milton Police force is not on full-time dispatch.
 - There are only 3 local police departments in Sussex County on full-time dispatch; the other 18, including Milton, are dispatched by the State Police.
 - If a non-emergency, use the Milton Police area code 302 number.
 - If an emergency, dial 911.

Jim Welu, 406 Hazzard Street spoke on more than one occasion and made a number of comments, including:

- Agreed with Steve Larson's comment re a 5% across the board reduction in expenditures.
- Opined that the Town staff does not need bottled water.
- Opined that the Town does need a street sweeper, and indicated that we might be able to use prisoners periodically to do the job.
- Opined that this Public Hearing was too early since the Mayor & Council had not had a chance to discuss it in public prior to the meeting.
- Opined that there should be another public hearing.
- Stated that his all-in costs for pulling a construction permit to build the house on Hazzard Street was approximately \$5,000.
- Opined that such costs disincentivize regular citizens from building on many of the 1,100 "infill" lots in Town.

Mark Quigley, 207 Ridge Road spoke on several occasions and made a number of comments, including:

- Milton Police do a great job in general.
- Urged the Mayor & Council to look for new sources of revenue.
- Reminded everyone that there approximately 1100 "infill" lots within Milton, and that pushing harder to have new homes built on these would increase the base for tax revenues and transfer tax revenues.

- Asked how many Town staff lived in incorporated Milton. Response: 3 out of 19.
- Urged the citizens to “stop voting them back in.”
- Opined that the Mayor & Council don’t “get it” regarding a tax increase.
- Opined that the draft budget was nothing but irresponsible. Opined that the Town should be more “fiscally responsible.”
- Reiterated his call for Mayor & Council to seek “innovative ways” to raise revenues.

Dara Schumauer, West Shore Drive made several comments, including:

- Has lived in Milton for 7 years.
- Opined that the street sweeper should be eliminated from the budget.
- Opined that the potential savings in street repairs will not be offset by the cost of the street sweeper.
- Opined that hiring a well qualified Town Manager would alleviate some of the current budget problems.
- Opined that Mayor & Council should look for new ways to raise revenue, and concurred with the earlier recommendation to install parking meters.
- Asked how the proposed 26% increase was determined.

Dianne Friend, 115 Spinnaker Lane, Shipbuilders Village made several comments, including:

- Opined that there was not a lot of talk about decreasing costs.
- Opined that the town does not have the infrastructure to support dramatic growth.
- Opined that Mayor & Council should concentrate on fixing issues.

Kay Markel, West Shore Drive made several comments, including:

- Opined that all citizens’ regular costs are going up, and that we all have to skimp.
- Opined that the Town should also be required to skimp.

Gene Steele, 122 Carriage Drive, Wagamons West Shore made several comments, including:

- Opined that a 26% tax increase at this time is “ridiculous” in light of a 20% increase in 2011 and an 11% increase in 2014.

Betty McGrath, 137 West Shore Drive made several comments, including:

- Had no comment on the budget per se.
- Urged the citizens to “bring it down a notch” when expressing concerns about the draft budget.
- Hoped her cynicism would not be realized, speculating that Mayor & Council may seek kudos for “reducing the tax increase from 26% to 10%.”

Unnamed Resident made several comments, including:

- Opined that the tax increase proposed made it look like the tax base is shrinking, based on total assessed value.

Lee Revis-Plank, 211 West Shore Drive made several comments, including:

- Opined surprise that the Mayor & Council had not had the opportunity to discuss the budget in public prior to this meeting.
- Opined that taxes should not go up more than the nations' GDP.
- Opined that it might be satisfactory to add something special above the GDP if it is really needed.

Lorraine Wasserman, West Shore Drive made several comments, including:

- Opined that Milton has an excellent Police Captain.
- Opined that Milton really needs to hire a Town Manager.

Judy Shandler, 202 Grist Mill Drive made several comments, including:

- Opined surprise and disappointment that the Mayor & Council had not had the opportunity to discuss the budget in public prior to this meeting.
- Opined that the current draft budget amounts to a "wish list" and is still in a nascent phase.
- Opined hope that the next step would be to produce a meaningful budget without having to raise taxes.
- Opined hope that there would be a line-by-line discussion of the necessity for each item.

At some point in the Public Hearing, Councilman Garde explained that the document everyone is looking at is a draft budget, produced in compliance with the the Town Charter. He reminded the citizens that it is not an approved budget, and that the Mayor & Council still have an obligation to go through the draft in detail and trim where reasonable. He opined that the final approved budget would not require a 26% property tax increase.

The Public Hearing on the budget was closed at approximately 7:42 PM.

Public Participation:

Steve Larson, 204 Dorsey Lane made several comments, including:

- Opined that Mayor & Council have a very big responsibility to prepare a reasonable budget.
- Indicated that "his prayer" is that Mayor & Council "listen" to the voices of the people.
- Indicated that there is on-going battle with the Developer in Cannery Village; particularly over sidewalks.
- There is a services issue in Cannery Village since the streets have not been dedicated to the Town.
- Opined that ADA compliance was lacking in Cannery Village, and that the Town has taken no action to enforce the requirements of the Americans with Disabilities Act (ADA).
 - Mike Cote responded that Chestnut Properties was supposed to be meeting with home owners on Thursday or Friday.

Steve Crawford, 216 Ridge Road made several comments, including:

- While driving into Chandler Street from Union, he noticed a safety hazard. Cars were legally parked on the street, but the presence of a telephone pole on the corner made the turn wider than normal, leaving no room an exiting car.
- Recommended considering a No Parking rule from the corner to the library road.

Maurice McGrath, 137 West Shore Drive made several comments, including:

- How can the town compel Chestnut Properties to complete the sidewalks and paving the streets in Cannery Village?

Percy Dhamodiwala, Office on Rte 16 made several comments, including:

- He recently opened a new pharmacy on Rte 16 near the diner.
- Opined that the Mayor & Council can do a better job by facilitating new businesses that want to open in Milton.

Additions or Corrections to the Agenda:

There was a suggestion to remove item 11c, Physical Fitness Equipment Usage Policy (Police Department), from the agenda.

Agenda Approval:

A motion was made, seconded and unanimously approved to approve the Agenda as amended.

Presentation and Approval of Minutes: Transcribed Minutes February 19, 2015; Preliminary Minutes dated July 20, 2015; Executive Session Minutes July 6, 2015:

- Re transcribed minutes of Feb 19, a motion was made, seconded and unanimously approved by those voting to approve the minutes as presented. Councilman Kanakos did not vote since he was not a member of Council on the date of the meeting.
- Re Preliminary minutes of July 20, it was noted that the draft minutes were incorrect in respect of the roll call votes. Councilman West was absent and Councilman Cote was present, though the draft preliminary minutes indicated that Councilman West voted on the roll calls and Councilman Cote did not.
- A motion was made, seconded and unanimously approved to accept the Preliminary Minutes of July 20, as amended to make the corrections noted above.

Finance Report and Revenue/Expenditure Report

An unaudited Treasury June Monthly Report was included in the Council Package, prepared by the Town Staff, and attested to by the Treasurer of the Town Council, Mr. Michael Cote. There were a few questions asked and clarifications sought by various Council members; all of which were resolved satisfactorily during the discussions. One point was to confirm that the results represented the date range 6/1/15 through 6/30/15. Another was to confirm the difference between line item 20-350-5419, Trash Disposal Service expense (\$265,041 budgeted), and line 20-03-350-4600, Trash Collection Fees (\$275,041 budgeted) was to allow for Town Staff Administration.

Old Business: Discussion and Possible Vote on the Following Items:

a. Tasks assigned by Council Resolution 2015-015 relating to the Chief of Police Hiring Process order relating to the Comprehensive Plan

A Personnel Committee Report to Mayor and Council, prepared by Kristy Rogers and Marion Jones, was included in the Council package. In summary it said:

- The Delaware Police Chief's Council (DPCC) responded to inquiries from the Town and indicated that DPCC would need to charge between \$5,000 and \$10,000 to essentially take the lead in all aspects of the hiring of a new Police Chief.
- DPCC made it clear that even if they took a much greater role in the hiring process, they expected that the Mayor and members of the Town Council would also participate, especially in the interviews.
- The Personnel Committee respectfully amended its original recommendation by reducing the number of interview panels from 4 to 2, but left other aspects of its recommendation in place.

Further discussions included:

- Vice Mayor Parker-Selby opined that none of the Town's money should be spent on third parties to perform interviews.
- Councilman Garde confirmed the members of the Personnel Committee to be
 - Mayor Jones
 - Vice Mayor Parker-Selby
 - Councilman Cote
 - Councilman Garde
 - Town Clerk Kristy Rogers (Town's Personnel Officer)
- Councilman West opined that members of the Personnel Committee should not participate in the interviews.
- Councilman Garde indicated that he, as well as other members of Council, had been called incompetent, irresponsible, not-listening, and other derogatory things over the course of this meeting. He opined that those accusations were incorrect, and that he and other members of the Council were doing their level-headed best to perform in the interest of the Town.
- Vice Mayor Parker-Selby opined that she had no biases or built-in preferences when it came to being able to objectively evaluate applicants for the position of Chief of Police.
- Councilman West indicated that he wanted less confrontation and more cooperation.
- A motion was made by Vice Mayor Parker-Selby to approve the recommendation made by the Personnel Committee, as presented. Councilman Cote seconded.
- A roll call vote was taken with the following results:
 - Councilman Kanakos: No
 - Councilman West: No
 - Vice Mayor Parker-Selby: Yes
 - Councilman Cote: Yes
 - Councilman Garde: Yes
 - Mayor Jones: Yes
 - The motion carried.

b. Citizen Initiated Mural Art Project – Request for donation

An e-mail from Steve Crawford, Project Manager for the Mural Project was included in the Council Package. In summary it said:

- Charles Jones, owner of the property adjacent to Irish Eyes, will not sign a maintenance easement, but has stated to Tom Jones that he supports the Project, and will allow access to the wall for painting and maintenance of the mural.
- The issue is access to the mural for maintenance, since the mural is intended to become the Town's property as a "Municipal Sign".
- Counselor Thompson opined that it might be possible to expand the license agreement with Tom Jones to include responsibility for maintenance, provided the Town reimbursed his costs for such maintenance.
- Councilman Garde made a motion to table the issue until Mr. Thompson prepared a revised license agreement and had a chance to discuss it with Mr. Tom Jones. The motion was seconded and unanimously approved.

c. Physical Fitness Equipment Usage Policy (Police Department).

This item was deleted from the agenda.

d. Fiscal Year 2016 Budget and Fee Schedule

The draft budget prepared by the Town Clerk, acting under a Resolution designating her to perform the functions of Town Manager for a limited time period, was originally submitted to Mayor & Council at the July 20 meeting, but not discussed during that meeting because of a FOIA issue that required the meeting to adjourn before 8:00 PM when the Library closed. A line-by line discussion was begun with the revenue lines during this meeting. There was unanimous agreement to increase line item 01-03-200-4960 Transfer tax Revenue from \$200,000 to \$225,000. It was further agreed to leave items 01-03-200-4605 Tax Interest Revenue, 01-03-350-4200, Permit Fees - Sewer - Invoiced, and 01-03-350-4250 Sewer Impact Fees from Tidewater open for future discussion. The item 01-03-200-4600, Property Tax Revenue will be revisited when all other items are essentially agreed among members on Mayor & Council. All other revenue items were left as proposed.

A motion was made, seconded and unanimously approved to conclude the budget discussions for this meeting, and to resume such discussions during the August 25 meeting.

New Business - Discussion and Possible Vote on the Following

No items.

Executive Session

A motion was made, seconded and unanimously approved to go into Executive Session.

At the end of the Executive Session, a motion was made, seconded and unanimously approved to come out of Executive Session.

Discussion and Possible Vote on Executive Session Items:

A motion was made, seconded and unanimously approved to go into Regular Session.

A motion was made, seconded and unanimously approved to approve the minutes of the Executive Session of July 6, 2015 as amended.

Adjournment

A motion was made, seconded and unanimously approved to adjourn.

Approval

These minutes were approved at the Town Council meeting held on September 14, 2015.

Very Respectfully submitted,
James C. ("Sam") Garde,
Secretary of the Town Council