

Town of Milton
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Milton Town Council Meeting Minutes
Monday, November 2, 2020
6:30 pm Regular Meeting

1. Call to Order- Mayor Kanakos called the meeting to order
2. Roll Call
Councilman Cote'
Councilman Garde
Councilwoman Meredith
Councilman Baty
Mayor Kanakos
3. Additions or Corrections to the Agenda
4. Agenda Approval
Councilman Garde made a motion to approve the agenda as written; seconded by Councilman Baty. Motion carried 5-0.
5. Executive Session:
 - a. Discussion of the content of documents, excluded from the definition of "public record" in § 10002 of this title where such discussion would disclose the contents of such documents, including records of any building or structure operated by the State or any of its political subdivisions, the disclosure of which would reveal the building's or structure's life, safety and support systems, surveillance techniques, alarm or security systems or technologies, operational and evacuation plans or protocols, or personnel deployments
 - b. Discussion of the content of documents, excluded from the definition of "public record" in § 10002 of this title where such discussion would disclose the contents of such documents
 - c. Strategy sessions, involving legal advice or opinion from an attorney-at-law, with respect to collective bargaining or pending or potential litigation, when an open meeting would have an adverse effect on the bargaining or litigation position of the public body
 - d. Personnel matters in which the names and abilities of an individual employees are discussedCouncilman Garde made a motion to come out of executive session, seconded by Councilman Cote. Motion carried 5-0.

Councilman Garde made a motion to go into regular session, seconded by Councilman Cote. Motion carried 5-0.

6. Discussion and possible vote on Executive Session items
There were no items to vote upon.
7. Moment of Silence
8. Pledge of Allegiance to the Flag

Mayor Kanakos introduced Sherrie Harmon as the new Lieutenant of the Milton Police Department. Chief Harvey spoke about her 18 years of service as a law enforcement officer and her new role with the Town of Milton.

Regarding the Town Council seat vacated when Charlie Fleetwood resigned, Mayor Kanakos stated he will not appoint anyone to the position. Mr. Fleetwood's term is up for reelection in March 2021; whomever is interested and serving on council can run in the election.

Mayor Kanakos read into record a letter from Mr. and Mrs. Treuting, residents of Wagamons West Shore regarding commercial lawn companies working outside of construction hours. They request commercial lawn companies follow the constructions hours permitted by the Town.

Steve Crawford- 216 Ridge Road, Preserve on the Broadkill has an HOA that sets the working hours in place.

Mrs. Rogers informed Mayor and Council she had also been contacted by a resident of Wagamons West Shore asking the Town to revisit the hours of construction allowed by Town Code.

9. Public Participation:

Roy Turci, 212 West Shore Drive- spoke about the lighting on phase II of the Rails to Trails. He stated residents of the Wagamons West Shore residents do not need nor want lights on the trail. The trails should be used from dawn to dusk. He questioned the response that lighting is needed for security reasons, he cannot find data to support that claim.

Linda Mannoia, 130 Oysterman Drive- She feels the lighting on the Rails to Trails will impact their quality of life, they do not see a lot of activity on the trail at night and it will be a safety concern also. She would like Council to reconsider.

10. Requests for removal of items from the Consent Agenda

Councilman Garde made a motion to accept the committee reports of Historic Preservation Committee minutes of September 15, 2020, Planning & Zoning Commission minutes of August 18, 2020 and June 30, 2020 and approve the balance of the consent agenda as presented.

Councilman Cote seconded the motion. Councilwoman Meredith read grammar corrections that needed to be made to the Town Council minutes of September 21, 2020 and October 5, 2020. Motion carried 5-0.

11. Approval of the Consent Agenda on the following items:

- a. Written Committee Reports

- b. Written Department Reports: Town Managers Report, including the Administrative, Project Coordinator, Police, Code Enforcement, and Public Works Department Reports
- c. Finance Report and Statement of Revenues and Expenditures for September 2020
- d. Minutes: September 21, 2020 and October 5, 2020 and October 13, 2020
- e. Executive Session Minutes: September 21, 2020, October 5, 2020 and October 13, 2020

12. Discussion and possible vote on items removed from the Consent Agenda- No discussion was held.

13. Old Business- Discussion and possible vote on the following items:

a. Rails to Trails Phase II Lighting Design

Mayor Kanakos acknowledged this topic has received a lot of comments and Town Council just received more information that needs to be reviewed. He would like Council to state their views on the topic.

Mayor Kanakos felt Wagamons West Shore is in a more isolated part of Town and it is difficult for residents to walk in to Town along Lavinia Street. The Rails to Trails gives the residents access to sidewalks along Federal Street. The portion of the trail from Federal Street to the entrance of Wagamons West Shore, based on the topography, there could be regular street lamps as we have around town. In addition, he proposed bollard lights with low light from the entrance of Wagamons West Shore to Lavinia Street. Chief Harvey completed bicycle patrol on Halloween from Federal Street to Wagamons West Shore and said the darkness was very real and the bicycle light he was using did not illuminate the area enough for him to see a stick or object along the path that could have resulted in an accident or injury.

Councilman Garde stated Council is bringing this issue back up for discussion in response to suggestions and comments made by the residents of Milton. He would like to see something between the boxed lights and no lights. He mentioned similar lights to what is in the circle in Georgetown. Different options of lights were mentioned.

Councilman Garde would like to set up a small Ad Hoc committee with members from Town Council, the Police Chief, Public Works staff and residents of Wagamons West Shore. The grant requires the project be completed by June 30, 2021.

Mrs. Rogers explained the changes in the lights available and what the Town needs to review and decide to move forward with the project.

Councilwoman Meredith wanted to address concerns from residents who do not want lights. She wanted to make sure they were considering people who work in town and walk home, people that walk in town to have dinner and walk home, people who visit the theatre and walk home and the new Milton Elementary will be open next August and there could be children and parents who use the trail in the winter when it gets dark earlier. She walked the trail when it was dark and noted half of the homes along the trail have their own back yard lighting on all the time so there is already light pollution in the area.

Councilman Baty felt we have the option to have custom lighting along the trail and thinks the issue needs to be looked at by the Ad Hoc Committee and possibly the Town's engineering firm.

Councilman Garde made a motion to form an Ad Hoc Committee that would include one member from the police department, one member from the public works department, at least one member from Mayor and Council and several residents of

Wagamons West Shore and possibly a resident from another location in town. Councilman Baty seconded the motion. Mr. Thompson stated the Town can draft a resolution to include a deadline for a written report, items to address in the report and sun setting the Ad Hoc committee. Motion carried 5-0.

14. New Business – Discussion and possible vote on the following items:

- a. Sidewalk waiver request from Marilyn Taggart of 208 Ridge Road
Ms. Libby Zando represented Ms. Taggart and stated currently there are no sidewalks in the area and if one would need to be built, it would not connect to anything. The property is not located in Preserve on the Broadkill. Tom Quass clarified the code requires the sidewalk but this particular house is in an area where there are no sidewalks.

Councilman Cote made a motion to approve the waiver subject to the terms that if the Town decides in the future the area needs sidewalks, then the property owner will need to install the sidewalk in front of her house. Motion seconded by Councilman Garde. Motion carried 5-0.

- b. Resolution 2020-020 to propose borrowing of up to \$1,670,000 to finance public water system improvements. (Interim interest only payments pending 100% loan forgiveness) and to order the referendum to be scheduled
Resolution 2020-021 to schedule a public hearing for the purpose of borrowing of up to \$1,670,000 to finance public water system improvements (interim interest only payments pending 100% loan forgiveness) and to order the referendum to be scheduled

Mrs. Rogers state many years ago the Water Committee developed a capital improvement plan and this is one of the projects listed. The project includes water main replacement under Atlantic Avenue, a portion of Chestnut Street and a portion of Atlantic Street. The town put together specifications and plans and submitted an application for loan funding to the Delaware Drinking Water and State Revolving Fund. The Town was awarded the funds with 100% principle forgiveness. The Town still has to go through the referendum process because it is borrowing the funds and will need to make interest only payments. We are expecting a six to nine month construction process. This is the first resolution in the process and scheduling a public hearing on December 7, 2020 and holding the referendum on January 16, 2021.

Discussion was held regarding the date on the resolution and the process. Councilman Garde made a motion to approve Resolution 2020-021 to schedule a public hearing with the typographical error correction noted by Councilwoman Meredith. Seconded by Councilman Baty. Roll Call. Motion carried 5-0.

- c. Appointment of Board of Special Elections
Mayor Kanakos read the list of members to the Board of Special Elections to oversee the referendum. Councilman Cote made a motion to approve the Board of Special Elections nominees, seconded by Councilman Garde. Motion carried 5-0.
- d. Shipbuilders Treatment Facility Contract 2020-0131, pavement amendment
Mr. Wingo explained the pavement that needs to be installed leads from the end of the current pavement installed at the H.O. Brittingham School driveway to the treatment

facility gate. The cost will be slightly under \$13,000. In discussion with the school, they requested the area be paved instead of using gravel to be in uniform with their property. Councilman Garde made a motion to approve the change order to the Shipbuilders Treatment Facility contract 2020-131, seconded by Councilman Cote. Motion carried 5-0.

- e. Shipbuilders Treatment Facility Contract 2020-0133, project change order for pump control panel

Mrs. Rogers presented the form of change order for the electrical change order to Council. The contract has been awarded to Bilbrough Electric and is before Council due to the dollar amount (\$14,250.00). The amendment is for a pump control panel that is needed for the project. Councilman Garde made a motion to approve the change order for the Shipbuilders Treatment Facility Contract 2020-0133, seconded by Councilman Cote. Motion carried 5-0.

- f. Request from Fernmoor Homes at Heritage Creek for Town Council to approve final record plat for subdivision Phase 8B and 8C

Mr. Quass stated in January 2020 Council approved the final plat for Phase 8A & 8B. Fernmoor went before Planning & Zoning to split Phase 8B into two phases. No other changes were requested. Discussion was held on the split of Phase 8B. Councilman Garde made a motion to approve the final record plat of 8B and 8C, seconded by Councilwoman Meredith. Motion carried 5-0.

15. Adjournment

Councilman Garde made a motion to adjourn the regular meeting and go back into regular session, seconded by Councilwoman Meredith. Motion carried. 5-0.