

Newport Town Council
Minutes – Regular Meeting
August 16, 2012

Pledge of Allegiance.

The meeting was called to order at 7:00 pm by Mayor Michael Spencer and he announced that the meeting was in compliance with the Delaware Public Open Meetings Act.

Present: Town Manager Wendy King, Mayor Michael Spencer, Vice Mayor Mary Harrington, Commissioner Albert Bradbury, Commissioner Kathy Joseph, Commissioner Michele MacDonald. Also, Solicitor Stephen Robinson and Police Chief Michael Capriglione (late) were in attendance.

Minutes from July 19, 2012's meeting were approved via motion by Commissioner Bradbury and seconded by Mayor Spencer. Voice vote – all ayes.

Public Comment: Pam Baker from Barbacane Thornton presented the town's 2011 audit results. She noted that the audit was fairly presented and was basically a "clean" audit. Items of discussion included accrued liabilities, compensated absences, and recommendations. Some of the recommendations included establishing a policy for escheat checks, sticking to the compensated absences policy or changing it to fit the work environment, and improving budgeting procedures.

Resident John Joswick mentioned that the steel fabricators were asking residents to move their vehicles. He advised that Artesian Water was doing work on Larch and E. Ayre Streets, causing more issues with trucks. He thanked the town manager for correcting an issue with his tax account and mentioned a business in foreclosure that owed the town money in tax payments.

Town Manager King advised that she turned in the application for the tree grant and should hear an answer by September 1. She attended a training class at the Pension office in Dover as the state has automated the pension application process.

Police Chief Capriglione reviewed the monthly departmental statistics. There were some major burglaries that were solved and many tools were recovered. Thanked the maintenance department for assisting with transport. Met with Gene from the skatepark regarding the graffiti around town and is meeting with the kids monthly.

Gene from the skatepark introduced himself. He said they changed the hours of operation to more closely resemble the curfew in town and is committed to keeping the kids away from congregating at Richey School once they leave the

park. He said that they do have paint onsite to help with the graffiti removal around the park and around town. He also asked if the town could put up "No Loitering" signs by the parking area around Ayre Street. He advised that the skatepark will be closing temporarily on September 17, 2012, for construction on 141.

Chief Capriglione presented the Alderman's Report.

Maintenance Report was presented by Robert Harvey. He met with BASF regarding painting underneath the railroad bridge to be rid of the graffiti.

Building Inspector's Report was presented with no questions.

Solicitor Robinson advised that he was working on the residential inspection ordinance and the floodplain ordinance, draft agreement for 5 S. John Street - 60 day due diligence and 30 day close.

Commissioner Joseph mentioned a water leak at 114 N. Walnut Street.

Town Manager King asked Solicitor Robinson about political signage on town property. Mayor Spencer advised that political signs have been always been allowed on town property for years 1 month prior to primary through 30 days after the primary/election. Bill Lower, Harvey Hanna & Associates, advised that their organization would not allow political signs to be placed on their property.

New Business: Residential Rental Inspection Ordinance – introduction/1st reading. Draft was modeled after the Town of Middletown's property registration and rental inspection ordinance. The ordinance calls for registration of all registration of all residential rental dwellings and a protocol for inspections when tenant changes. New units that have a certificate of occupancy do not require an inspection. Inspection and re-inspections are outlined as is the fee structure. Registration is good for three years and needs to include the person who should be contacted in case of an emergency. The appeal process goes before the Mayor and Commissioners. It is believed that this ordinance is structured fairly.

Kevin Wolfgang, President of Evergreen Apartment Group, believes that while this ordinance is well-intended, it will not work because Newport's resources are not as abundant as Middletown's, believes this process could be illegal and wanted to suggest an alternative solution. His company self-certifies and self-registers in other jurisdictions and believes that process will work in Newport as well, in addition to educating tenants on their rights and responsibilities. There was active discussion about the potential cons (inspector too busy to complete inspection by the time a tenant is to move in, too costly for the town) and it was emphasized that this ordinance would most likely take more than one meeting/hearing to extrapolate the specific needs of the town.

Paving project at Ethan Lane – must have at least two bids. There was discussion about the specs, and bid process.

Ron Rew, resident, wanted to ask about his property line and his neighbor who wants to construct a fence. He had his property surveyed 30 years ago and the pin is missing in the back. Neighbor offered to split the cost of a new survey and he doesn't want to do that. Council and Solicitor Robinson recommended that the survey be done and if the neighbor constructs the fence on Mr. Rew's property, he can have it moved/removed.

Commissioner Bradbury made a motion to adjourn; Mayor Spencer seconded. All ayes.

Meeting adjourned at 8:36 pm.