

Regular Meeting of the Mayor and Commissioners
Town of Newport
February 16, 2023

Pledge of Allegiance.

Mayor MacDonald called the meeting to order at 7:00 pm and announced that the meeting was in compliance with the Delaware Open Meeting Act.

Attendance: Mayor Michele MacDonald, Vice Mayor Michael Spencer, Commissioner Stephanie Banks, Commissioner Michael Capriglione, Commissioner John Joswick. Also in attendance - Chief Mark Wohner, Town Manager Wendy King, and Solicitor Benjamin Forman, sitting in for Solicitor N. Christopher Griffiths.

Minutes from January 19, 2023, meeting. Commissioner Capriglione made a motion to accept the minutes; Commissioner Banks seconded. All ayes. The redacted minutes from December 29th meeting were approved via motion from Commissioner Capriglione and seconded by Commissioner Banks. All ayes.

Town Manager's Report – Reached out to Greg Abbott from DNREC about the \$30,000 bond bill allocation intended for the town to cover lighting and security at the boat ramp that was given to DNREC instead and asked for a solution to get the money to the town. Bob Ehmann from parks will be following up. FY2024 Community Reinvestment Fund grant period is open with a deadline to apply of May 15, 2023. Some of the projects considered for the funding were polebarn-style building at the maintenance yard, fencing around the municipal building, roof for municipal building, Ella Johnson Park track repoured. Leanna Coulbriale from our engineers, Remington, Vernick and Beach will be requesting the swale and milling work on E. Ayre Street and the swale work in Stonehurst for the most up-to-date pricing so the job can get bid out for work to begin early Summer. Commissioner intentions need to be made by March 3. Election board should be appointed by March 3, as well. Budget notes – payroll line items were higher because premium payments were made in January. Business license applications are being processed. December meeting minutes were adjusted per council's request and the new version was posted online. Mayor MacDonald asked if there was security at the maintenance yard in the event we were able to get a polebarn building there. There is fencing surrounding the property with locked entrance. Town Manager King expressed an interest in annexing the property in order to make the permitting process easier. The county demolition application is excessive at best. There was discussion about reaching out to the county executive.

Police Chief's Report – Monthly department statistics for January, 2023. The police department is back to a staffing level to support 24-hour coverage and the state is no longer covering from 11:00 pm to 7:00 am. The state review process was completed and we were cleared to bring our officer back to work. Our recruit will be graduating on March 3. Chief Wohner said that when he explained at the meeting the circumstances about the state helping the department with overnight shift coverage, the very next day, he received a phone call (as did the mayor) from a resident inquiring about not having a police department anymore. He is appreciative that information be filtered to the community but wanted council to be sure the community is understanding what they are being told.

Alderman Report - \$24,395, for January, 2023.

Maintenance Report – No questions for the two reports submitted.

Solicitor's Report – Solicitor Forman shared a message from Solicitor Griffiths apologizing for his absence and to remind council that they should continue to work toward appointing a Board of Adjustment. Council was in agreement. It was noted that the upcoming development was by right and no variances would be needed. There was nothing else to report.

Commissioners – Vice Mayor Spencer advised that he went to the Delaware League of Local Government dinner and the DeLea Founders Insurance Trust (DFIT) representatives indicated there may be a rebate forthcoming due to fund performance. There was a \$14,000 rebate received in 2022, it was not clear if this was in addition to what was given or a review of the last year's performance. (DFIT is the insurance pool for the town's worker's compensation and liability insurance.) He will be on the legislative lobbying committee and was appointed to the Executive Committee.

Mayor – Mayor MacDonald was on a conference call with County Executive Matt Meyer and a host of other people and they were discussing the RAISE program. RAISE stands for Rebuilding American Infrastructure with Sustainability and Equity. More information can be found here: <https://www.transportation.gov/RAISEgrants>
Senator Mantzavinos asked about a match and there is a 20% match with a caveat. Six out of eight of the criteria must be met and depending on the area of the project, that match could be waived. Some of the criteria would include safety, environmental, mobility, state of good repair, economic repetitiveness. She mentioned that this grant may be a good fit for the polebarn building at the maintenance yard. There was discussion about the current condition of the building and bays. Mayor and Town Manager are meeting with Bill Lower and Rick Ferrell about Downtown Development District and application on March 15. The first meeting of the comprehensive plan update committee will take place on March 16 prior to the regular meeting. Vice Mayor Spencer wanted to advise that Representative Franklin Cooke is the representative for the industrial park. The town has four representatives and three senators.

Public Comment – Frank Walker, resident, S. Marshall Street, asked the town manager if other utilities have been contacted since the plan is to re-pave a section of E. Ayre Street to ensure water/sewer lines are okay so money will not be spent to have the water company have to dig it up because of a problem. That will be evaluated once the job is re-quoted and will be part of the bid process. He wanted to clarify swales on Ayre and in Stonehurst would be done and they are part of the scope of work. He mentioned solar powered lights for the municipal building for safety. It would be motion detection and could be used for the Old Town Hall and the maintenance building. Commissioner Capriglione thought that hard wiring may be a better option in case of cloudy days, but the state may be interested in putting in solar at the maintenance yard. Kevin Haigh, resident, S. Augustine Street, reported that the street light was out at the end of the street. The light is owned by Delmarva and reporting a streetlight outage is available to the general public by utilizing the website and their GIS mapping system. Town Manager King said she would use the website to report the outage.

Old Business – Ordinance 2023-001 by Title – An Ordinance to Repeal and Entirely Replace the Existing Town of Newport Ordinance No. 427, and All Amendments thereto, Providing for the Payment, Collection, and Issuance of Licenses for Engaging In Any Business, Pursuit, or Calling Within the Corporate Limits of the Town of Newport.

Mayor MacDonald called for questions – there were none during the first reading. Vice Mayor Spencer made a motion to accept the second reading. Commissioner Banks seconded. Public

Hearing opened for questions. Mr. Haigh asked where the information was available as it was not online. The information was made available to the public last month when the ordinance was introduced and the town manager summarized the changes. Commissioner Capriglione verified the changes and commented that being a business owner and dealing with the state of Delaware and the fire marshal's office, there should be penalties for non-compliance and there are. There is a penalty phase. for getting one and there is a criminal phase for continuing to operate without a license. Previous motion stands, roll call vote – all ayes.

Vice Mayor Spencer made a motion to adjourn; Commissioner Joswick seconded.

Meeting adjourned at 7:33 pm.