

Town of Newport
Regular Meeting of the Mayor and Commissioners
March 21, 2024

Pledge of Allegiance.

Mayor Michael Spencer 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 Michael Spencer, Vice Mayor Michele MacDonald, Commissioner Stephanie Banks, Commissioner Michael Capriglione, Town Manager Wendy King, and Solicitor Max Walton. Police Chief Wohnner was absent.

Minutes from February 15, 2024, meeting were approved via motion by Commissioner Capriglione and seconded by Commissioner Banks.

Mayor Spencer appointed three election board members – Pamela Marsh, David Marsh and Jeff Biscoe. Mr. Biscoe was a re-appointment and the Marshes were new appointees. Commissioner Capriglione made a motion to accept the appointees; Vice Mayor MacDonald seconded. All ayes.

Town Manager's Report - Treasury webinar for ARPA reporting. Newport to Newark Steering Committee meeting. There will be five segments of trail from the Newport River Trail to Paper Mill Road. There were no discussions of financing, but some rough estimates. NPDES meeting. Insurance carrier indicated they would not be able to insure the building at 415 Washington Avenue because of the condition. They suggested that a structural engineer be contracted to see if the building is habitable. Three bays need to be demolished and a detailed county application was obtained. There was asbestos remediation some years back but environmental studies need to be completed. The state and elected officials will be brought on for feedback and recommendations. 204 N. Augustine is on the market. The City of Newark sent out a poll statewide to the municipal clerks regarding public comment to gather information on what other towns do regarding length, questions, extensions of time, and pre-sign up. The consensus was three minutes, no questions answered at the table and no back/forth communication between the table and audience. I reached out to Drew Slater from the Delaware Sustainable Energy Utility about a new solar array for the municipal building. He scheduled an energy audit for the town and University of Delaware electrical engineering students performed the audit and I am awaiting results. Delmarva Power offers a \$30,000 grant for new systems. Spring Cleanup scheduling (4/27/2024). Some relevant legislation was attached – HB189 to prohibit corporations and artificial entities from voting in a municipal election and prevents municipalities from amending their charters to allow corporations and artificial entities to vote in a municipal election. HB237 affects municipalities with a population of over 2000 that comprehensive planning shall include climate change strategies. Mayor Spencer was on a zoom meeting that addressed both of those house bills. The voting is mainly for the shore towns, Milford and Seaford – they allow corporations and LLC's to vote. Commissioner Capriglione asked about the league's position in Dewey. They are generally opposed. As far as Augustine Street is concerned, the town is still fine with giving the corner bit of land. Leanna Colubriale from Remington Vernick said they are close to finalizing details for Ayre Street milling and swale work and that Ayre Street was in worse condition than they anticipated. Residents at 217 N. Marshall Street requested a Autistic Child at Play sign. They notice speeding cars and cars often traveling down the one way to get to James Street. We received a thank you letter from Sam's Kids for our donation to the coat drive.

Police Chief's Report – Monthly statistics for February, 2024. Commissioner Capriglione asked about the new officer who is still on FTO.

Alderman's Report - \$18,439 court collections for February, 2024.

Maintenance Reports – Branches down in Ella Johnson Park.

Solicitor's Report - Solicitor Walton apologized for missing last month's meeting. He clarified that there was a conflict between our charter and state election law regarding election board members. Our charter does not specify who can serve, but state election law states no board member can be a relative of a candidate or sitting commissioner.

Commissioners - No comments or questions.

Mayor – Mayor Spencer had the DE League zoom meeting. He said it was a real pleasure serving with everyone. There was some discussion about the marijuana bill because it was recognized that Robert Coupe was the keynote speaker at the upcoming League meeting. Solicitor Walton is following everything.

Public Comment – Alicia Battaglino asked for clarification on what Mayor Spencer was saying about not being the mayor. Mayor Spencer is not running for reelection.

Old Business - Charter changes. Solicitor Walton explained the appeal process on assessments and if someone does not agree with their assessment, their appeal would go to New Castle County since we utilize their tax rolls for billing of our property taxes. Mayor Spencer appreciate everyone's input regarding the charter outlining who is running the day to day operations and that it is not subject to anyone's interpretation. Vice Mayor MacDonald thanked Mayor Spencer for his 27 years of service – 20 years as Mayor. Mayor Spencer called for a motion to accept Resolution 2024-001. Commissioner Banks made the motion; Vice Mayor MacDonald seconded. Roll call vote – all Ayes.

Second Reading/Public Hearing of Ordinance 2024-002 Comprehensive Plan Update pending certification from the state. Mayor Spencer read the ordinance. Solicitor Walton called a point of order to advise these changes will go to the Office of State Planning. It was confirmed that the engineer goes to the PLUS. The plan gets emailed to PLUS by the 31st of the month for scheduling the following month. Mayor Spencer opened up the public hearing. There was only one member of the public in attendance who also attended the last meeting but did not have the updates. Mayor Spencer noted some of the changes and thanked the Comprehensive Plan Update Committee for their time and work. Commissioner Capriglione noted a change allowing Newport Terrace to go up an additional floor but added that they may have adequate parking. By upzoning, it allows the owner to go up another story and do building improvements. Another notable change was to allow for charging stations to accommodate electric vehicles. If a marijuana dispensary was to be allowed in town, it had to be located in the industrial park. They have to be 2 miles apart. There were ultimately no questions, so the public hearing was closed. Commissioners had no questions. Mayor Spencer called for a motion to accept Ordinance 2024-002. Commissioner Capriglione made the motion; Vice Mayor MacDonald seconded. Roll call vote – all Ayes.

Mayor Spencer made a motion to adjourn; Commissioner Banks seconded.

Meeting adjourned at 7:36 pm.

