

Town of Newport
Regular Meeting of the Mayor and Commissioners
September 18, 2025

Pledge of Allegiance.

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

Minutes from the Regular Meeting of June 19, 2025, were accepted via motion from Vice Mayor Chatburn and seconded by Commissioner MacDonald. All Ayes.

Remington Vernick Engineers Leanna Colubriale and Matthew Wallo were present to explain to council what was going on with the Ayre Street project and to get some guidance on how to move forward. Original scope of work included Concrete curbs, gutter reconstruction and roadway rehabilitation from Augustine to James Streets with thick pavement and a robust design to support the heavy truck traffic along Ayre Street. As the contractor began milling the surface, concrete encasements containing utility lines were discovered. Core samples were taken and the encasements were not discovered. The utility companies were onsite and unaware of these encasements buried 4 inches below surface. The presence of the encasements prevents the contractor from milling by machine and the encasements need to be dug out by excavator in between. It is essentially a lattice of concrete. The job came to a halt to come up with an alternative. Change orders were submitted and the cost went from \$644,000 to \$1,038,000 and the town does not have additional funding. ADA curbing was already completed. Milling and overlay will not be a full reconstruction but will add years of life to the road. Councilmembers were asking questions about the different options presented. It was clarified that the encasements run both the length and width of the road. Maintenance Supervisor Robert Harvey noted that the encasements were likely placed in the late 80s. He also commented that the from Walnut to Marshall the road has sand underneath the asphalt and is sinking. The high pressure sewer line is there and he was not sure if the county was ever out to check on that line. The county did check the line before Augustine Street. Vice Mayor Chatburn asked how soon the contractor could return. Ms. Colubriale said the contractor has demobilized so they would have to reach out to them with an updated scope of work but would be within a few weeks after they receive an updated contract and that it would be just a few weeks' worth of work. Mayor Banks asked if we could get the different options and have an opportunity to review them. Vice Mayor Chatburn emphasized getting the road operational. The idea is getting the best bang for the buck. They can put together a summary and Commissioner MacDonald asked how soon we could get it. Ms. Colubriale said early the following week. Commissioner MacDonald asked what our plan was going to be once the town manager received the updated change orders. She will send them out to the commissioners for review since we cannot wait until October's meeting.

Town Manager's Report – Fall Cleanup was scheduled for October 18, 2025. Property at 100 Bestfield Road and the pool that was built on land that Pettinaro sold the owners but the sale was never recorded with county. Building code update from 2000 to 2021. Surveying is going on throughout town in relation to the proposed Newport Rail Station and the focus of the survey is on James, Ayre, Water and parts of Market and Justis Streets. Energy Grant Memorandum of Understanding was sent to the

DNREC representative. Budget notes. Delaware Transit Corporation was going to be holding an advisory committee meeting on September 23, 2025, at the Old Town Hall. Email from Silview resident who was interested in a playground being constructed at Ella Johnson Park. Mayor Banks asked about the pool and getting it rezoned. Solicitor Walton said it would be more complicated than just doing an administrative subdivision. The sales agreement did contain verbiage that involved paying a penalty if for some reason the buyer could not take possession of the property. The pool butts up right against the property line where a pool needs to have a six-foot setback. Commissioner MacDonald thought the pool should be filled in. There was question why an engineer was involved and that's because the property is for sale and the agent called to get information on a subdivision application and drawings would need to be drawn for that application. Solicitor Walton wanted to know what the affect was of the agreement that was not recorded and needs more time. Commissioner Chatburn asked if there was a significant difference between our code and the 2021 code and Solicitor Walton said there was. Standard code has things in it we don't need but since Newport's code is so old, we need to update it.

Police Chief's Report - Department statistics for August, 2025.

Alderman's Report - \$22,245 in court fines collected in August, 2025.

Solicitor's Report – He has been behind on some things for the town because they were down an attorney but he has hired two new attorneys were hired.

Maintenance – Maintenance Supervisor Harvey reviewed code enforcement cases he was working on.

Commissioners – Commissioner MacDonald asked if cold patch could be placed closer to the curb because hers is about washed out.

Public Comment – Jordan Seemans, Harvey Hanna & Associates, had some updates to share.

Downtown Development Districts – Governor Carney increased the budget for DDD to \$12 million but when Governor Meyer took office, he took it back to \$5.5 million but with lobbying, it was increased to \$10 million. Hopefully Newport will be admitted and certified to the DDD. This helps the housing authority with the rebates they are issuing. There are rumors that other municipalities are interested in the program and hope to know more about the program in the coming weeks. The Newport River Trail - there was a delay because of the change in administration both locally and federally. There was supposed to be a kickoff meeting with the Federal Highway Administration to discuss a possible a NEPA study. The county did not obligate the \$23 million so the money was in limbo so fingers crossed all is still well with that grant; otherwise, the county will need to look for funding for the project. As the town manager mentioned, there is an advisory committee meeting on 9/23/2025 for the Newport Train Station. There will be a review of the study done in 2013 to review things like ridership. A lot has changed since 2013. It will be an 18-month study. There will be a fun event happening at Dill Dinkers in November. A pickleball influencer (Johnnie Pickles) will be trying to break a record for hours played consecutively and they will be looking for opponents/local celebrities to play against him.

New Business – No new business

Old Business – Ordinance #2025-002 (read by title) An Ordinance to establish a Court Security Fee for Alderman Court 42 to ensure sustainable operation of the court and preservation of security services. Public Hearing was opened. Kevin Haigh, resident, asked if the ordinance was posted online. It was not posted online. Town Manager King explained that the ordinance was written to preserve our court security fee that was established when Title 37 was adopted. There was talk at the state level to

eliminate this fee for state courts and this ensures Court 42 can still assess that fee for our tickets. There were no more questions so the Public Hearing was closed. Commissioners have no questions. Roll Call vote to pass – All Ayes.

Mayor Banks made a motion to adjourn. Commissioner MacDonald seconded.

Meeting was adjourned at 7:46pm.