

**MINUTES OF THE MEETING OF THE
CITY OF SEAFORD MAYOR AND COUNCIL**

February 12, 2019

6:00 P.M.

Trisha Newcomer, Director of Economic Development and Community Relations called the draft design guide presentation by Seaford Tomorrow meeting to order at 6:00 p.m. The following people were present: Mayor David Genshaw, Vice-Mayor Dan Henderson, Councilman James King, Councilman H. William Mulvaney, III, Councilwoman Leanne Phillips-Lowe, Councilman Orlando Holland and City Manager, Charles Anderson. Building Official, Mike Bailey and Supt. of Parks and Recreation, Katie Hickey were also present.

The Mayor and City Council were given a brief presentation from the Seaford Tomorrow group in reference to their design guide that is in the draft stages.

Mayor David Genshaw called the Regular Meeting to order at 7:00 p.m. with the following present: Councilman Dan Henderson, Councilwoman Leanne Phillips-Lowe, Councilman H. William Mulvaney, III, Councilman Orlando Holland, Councilman James King, City Manager, Charles Anderson. Director of Finance and HR, June Merritt, Director of Economic Development and Community Relations, Trisha Newcomer, Chief of Police, Rob Kracyla, Director of Public Works, Berley Mears, Supt. of Parks and Recreation, Katie Hickey and Deputy Chief, Mike Rapa were also present.

Mayor Genshaw offered the opening prayer and led those present in the Pledge of Allegiance.

Mayor Genshaw solicited any changes to the agenda. City Manager Anderson stated that there were none.

Mayor Genshaw stated that there will be an executive session tonight for the purpose of litigation.

Mayor Genshaw called for a motion to approve the minutes of the regular meeting of January 22, 2019. Councilman Holland made a motion to approve the minutes from the January 22, 2019 Council Meeting. Councilman Henderson seconded the motion; motion so passed with all present voting in favor.

Mayor Genshaw called forward Mr. Hunter Gray who was present from Boy Scout Troop 249 working on his citizenship badge. He thanked Hunter for attending tonight's meeting and wished him the best of luck.

New Business

Mayor Genshaw presented New Business Item #1: Present for approval proposed changes to the Travel Reimbursement Policy to update the mileage charge and per diem meal reimbursement rates. City Manager Anderson stated that the Director of HR and Finance, June Merritt and HR Coordinator, Annette Cole reviewed and updated the policy. The changes made to the policy pertained to the mileage reimbursement and the meal rate. He added that the current meal rate has not been updated in 20+ plus and is set at \$40.00 per day.

Staff is recommending to use an IRS rate based on the area that the employee is going. There is a site that can be used that will determine the amount that will be given based on the location.

Mayor Genshaw called for any questions or comments from Council; there were none. He then called for a motion. Councilman Holland made a motion to approve the changes to the Travel Reimbursement Policy to update the mileage charge and per diem meal reimbursement rates as presented. Councilman King seconded the motion; motion so passed with all present voting in favor.

Mayor Genshaw presented New Business Item #2: Present for approval a proposal for cleaning of five Roof Top Units (RTU's) and all duct work at the Seaford Police Department. City Manager Anderson stated that a proposal was received from Stanley Steamer to do the work in the amount of \$5,743. He added that a new employee at the department has been assigned to building maintenance and this was not included in the budget. Staff is recommending to take the money out of the GMB Rent Reserves to complete the work.

Mayor Genshaw solicited any additional questions from Council. Councilman King asked how much money was in the GMB Rent Reserves account? City Manager Anderson stated that he was not sure about the exact amount but he could get him that information. Councilman King asked if this was the only estimate that was submitted? City Manager Anderson stated that this work was included in a maintenance bid a few years ago and this was the only company that responded. City Manager Anderson added that if it is desired; staff can attempt to obtain another estimate. Councilman Holland asked if the tiles will be replaced or cleaned as part of this work. City Manager Anderson stated that the roof leaks in that area where they are located, therefore, they will not be replaced until the leak is fixed. Councilman Mulvaney asked if there were any condensation issues due to the leak? Chief Kracyla stated that there was none that he was aware of.

Mayor Genshaw then called for a motion. Councilman Henderson made a motion to approve the proposal for cleaning of five Roof Top Units (RTU's) and all duct work at the Seaford Police Department with funding provided by GMB rent reserves as presented. Councilwoman Phillips-Lowe seconded the motion; motion so passed with all present voting in favor.

Mayor Genshaw presented New Business Item #3: Present for approval a quote for the purchase of a Dell OptiPlex 7060 computer tower with associated hardware and software for the Dispatch Manager of the Seaford 911 Center. City Manager Anderson stated that some office space has opened up at the Police Department so it has been decided to move the Dispatch Administrator out of the communications center into an office. Therefore, a new computer will be needed for that office. Staff has looked into funding options for the computer and is recommending using E911 reserve funds.

Mayor Genshaw solicited any questions from Council; there were none.

Mayor Genshaw then called for a motion. Councilman Henderson made a motion to approve the quote for the purchase of a Dell OptiPlex 7060 computer tower with associated hardware and software for the Dispatch Manager of the Seaford 911 center with funds provided by E911 reserve

funds as presented. Councilman Mulvaney seconded the motion; motion so passed with all present voting in favor.

Mayor Genshaw presented New Business Item #4: Present for approval a letter of request and draft wastewater disposal services agreement from Proximity Malt to continue the use of the Seaford Wastewater Facility for their disposal needs for an additional one-year period. Director of Public Works, Berley Mears came forward to present the information. Mr. Mears stated that a request was received from Proximity Malt to reduce their disposal fees down to \$0.03 per gallon from the current \$0.04 per gallon previously permitted by the City Council. Mr. Mears has done some research on the waste received from Proximity Malt and is recommending to not go lower than \$0.035 per gallon.

Mr. Mears explained that Proximity's waste is high in phosphorus which requires the use of a chemical to precipitate it out. This additional precipitation creates more waste sludge that we have to process into compost. This is different than our other contracted hauler DWSA, who has a lower rate, because we actually gain alkalinity with their waste which allows us to reduce chemical usage to raise our pH. Mr. Mears added that Proximity feels that we should give them the same rate as DWSA, but their wastes are different to treat.

Mayor Genshaw asked for any questions or comments from Council. Councilman Henderson asked how much revenue we have gotten from the agreement? Mr. Mears stated that in about 13 months we have received close to \$200,000 in revenue. Councilman Henderson asked if the recommended amount would be a break-even price? Mr. Mears stated no it would not be.

City Manager Anderson added that it is unknown the total wear and tear that this treatment is causing to the plant and those costs are difficult to quantify. He also pointed out that chemicals and other input costs also go up periodically.

Councilman King asked if we were netting any profit at all from the agreement. Mr. Mears stated that we are getting about a 25% - 30% profit.

Mayor Genshaw then called for a motion. Councilwoman Phillips-Lowe made a motion to approve the wastewater disposal services agreement with Proximity Malt to continue the use of the Seaford Wastewater Facility for their disposal needs for an additional one-year period at a disposal rate of \$0.035 per gallon as presented. Councilman Holland seconded the motion; motion so passed with all present voting in favor.

Mayor Genshaw presented New Business Item #5: Present for approval an agreement with the Delaware Department of Transportation (State Contract No. T201820002) for the Market Street and Front Street Pedestrian Improvements – Seaford, Design Transportation Alternatives Program (TAP).

Mr. Mears stated that the project is currently at the point where a decision needs to be made to either move forward with the project or not do the project at all. He added that once a contract is

signed and we go to the design phase that we are then committed to move forward with project construction.

Mr. Mears stated that he did budget \$30,000 for design and there has been funding received from the Salisbury/Wicomico Metropolitan Planning Organization in the amount of \$40,000. Mr. Mears stated that the City's portion for the design is \$41,000; therefore, the City needs \$1,000.00 to have the design phase funded.

Mr. Mears showed the group a conceptual drawing of what will be done along portions of Market Street and Front Street. This project would enhance pedestrian and motorist safety and compatibility as well as provide traffic calming effects.

Mayor Genshaw solicited any comments from Council. Councilman Henderson asked if it was included in the current budget or for next year's budget. Mr. Mears stated that the \$30,000 was included in the current budget for the design.

City Manager Anderson stated that this agreement is to fund only the design part of the project which could take two to three years. Once the project moves forward, we will have time to reach out to other funding sources to get assistance with funding for the construction portion of the project; which is a large amount.

Councilman Mulvaney asked if there would be funds from MPO during the construction phase? Mr. Mears stated that is a possibility; we would have to go back to them with a request.

Councilman King asked what the project consists of? Mr. Mears stated that there will be sidewalks added in the area as well as parking along Gateway Park. The idea is to get people out to utilize the park. There will be two lanes on Market Street that will be widened and a defined turn lane on to Middleford Road will be added. Councilman King asked what was the estimated length of time for the design. Mr. Mears stated that he anticipates it taking about two year to complete.

Mayor Genshaw then called for a motion. Councilman King made a motion to approve the agreement with Delaware Department of Transportation (State Contract No. T21820002) for the Market Street and Front Street Pedestrian Improvements – Seaford, Design Transportation Alternatives Program (TAP) with funding provided by Metropolitan Planning Organization (MPO) and FY20 Budget funds as presented. Councilwoman Phillips-Lowe seconded the motion; motion so passed with all present voting in favor.

Mayor Genshaw presented New Business Item #6: Present for approval the Director of Public Works Berley Mears recommendation to hold Clean Up Week the week of May 13th – 17th, 2019.

Mayor Genshaw asked for any questions or comments from Council; there were none. He then called for a motion. Councilwoman Phillips-Lowe made a motion to approve the recommendation of the Director of Public Works Berley Mears to hold Clean Up Week the week of May 13th – 17th,

2019 as presented. Councilman Mulvaney seconded the motion; motion so passed with all present voting in favor.

Mayor Genshaw presented New Business Item # 7: Mayor Genshaw to present appointments for the Standing Board for Municipal Election 2019 and the Municipal Election Board 2019 (Board used for election challenges). The following people have agreed to serve on the Standing Board for the Municipal Election for 2019; for a one-year term, Rick Peterson (Election Judge) and Sharon Drugash, for a two-year term, Toby French and Elaine Vincent and for a three-year term, Cynthia Cummings. The following staff members have agreed to assist: 6:30 a.m. until 11:00 a.m. Jeanne Sapp and Tracy Torbert, from 11:00 a.m. until 3:30 p.m. Shannon Passwaters and Erica Colegrove and the following people as relief: Charles Anderson and Trisha Newcomer all day. The following people have agreed to serve on the Municipal Election Board: Rick Stewart, Brenda Briggs and Bob Hudson.

Mayor Genshaw asked for any questions or comments from Council; there were none. Mayor Genshaw then called for a motion. Councilman Holland made a motion to accept Mayor Genshaw's appointments for the Standing Board for the Municipal Election 2019 and the Municipal Election Board 2019 (Board used for election challenges) as presented. Councilwoman Phillips-Lowe seconded the motion; motion so passed with all present voting in favor.

Mayor Genshaw presented New Business Item #8: Grievance Hearing – Council to hear the appeal of Retired Lt. Glenn VanFleet regarding his claim for backpay for stand-by duty in accordance with Employee Handbook Division 13 Section 2-148, Grievance Procedures, third step.

Mayor Genshaw called forward retired Lt. Glenn VanFleet who came forward to present his information. Mayor Genshaw added that this is typically done in an executive session, however Retired Lt. VanFleet has chosen to have it done in a public session.

Retired Lt. VanFleet thanked the Mayor and City Council for allowing him to come tonight to present his grievance for the third and final step of the grievance procedure.

Retired Lt. VanFleet then gave a brief introduction of himself and his career at the Seaford Police Department. He was hired in August of 1989 and entered the Delaware State Police Academy on September 25, 1989. He served in many roles at the Seaford Police Department and moved his way through the ranks retiring as Lieutenant with 29 years of service.

He then discussed the documents that bind us together to serve the City of Seaford. The documents contain rules, regulations, compensation rates and disciplinary actions. These documents include the GOM (General Orders Manual), City of Seaford handbook and the FOP contract. He added that all of these documents are reviewed and approved the Mayor and City Council.

He then referenced the Seaford Police Department GOM job description for the PIO (Public Information Officer) which is located in Section 2/560.05. He stated that on the last bullet point it states that the PIO will be on standby status and should keep Seaford Communications Center advised of his pager or contact telephone number. Retired Lt. VanFleet stated that he was the one that was selected by the Chief of Police to fill this position as the PIO. He added that he was always ready to be called out if needed. Retired Lt. VanFleet said that he had his cell phone on night stand each night and received hundreds of calls from officers throughout his career through the night. He added that officers that worked the overnight shift were required by the department policy to contact the supervisor in matters that were unusual circumstances such as use of force, rape, pursuits, robberies and other violent crimes. The officer would fill out an incident command report and make the necessary calls to their supervisors. In the morning when all of the commanders would review these reports so they would not be blindsided by a call from City Hall, news media or a victim of a crime asking questions. He added that as a Lieutenant you were always on call, however, the difference is that there was no official document stating that a Lieutenant would be on stand-by status which would entitle him to stand-by pay. In August of 2016, Retired Lt. VanFleet was ordered by the Chief of Police to produce news releases which is a function of the PIO. He obeyed those orders and started producing news releases and sending them to appropriate agencies. Retired Lt. VanFleet was also ordered by the Chief of Police to attend a 30 hours FBI LEDA class on media and public relations in order to better prepare him for the PIO role. He attended the class from January 30 through February 3, 2017 and received a certificate of completion for the class. He added that he was the first officer to attend this official training.

Retired Lt. VanFleet then explained the role of the PIO. He added that one of the most important roles of the PIO is doing press conferences. Typically, these press conferences are to release important news to the media without giving too much information to jeopardize an investigation. Retired Lt. VanFleet added that it was pointed out that none of his press releases were completed at night. He asked for any type of documentation that states or shows that in order for the PIO to receive stand-by pay that a news release has to occur overnight. He added that the City was very fortunate to have not had an incident of major proportion during his tenure as PIO.

Retired Lt. VanFleet pointed out that there are other officers at the Seaford Police Department that are on stand-by status which are the detectives. One of them receives 12 hours of stand-by pay each week whether they are called in or not. If they get called in, then they receive overtime for the time that they work but still receive the 12 hours of on call pay. The Senior Corporal makes and distributes the calendar for each month for which officer is to be on call. He added that there are three detectives in that department. The reason for the calendar is to let dispatch and administration know who to call if needed. He added that the calendar is necessary due to there being three officers in the detective division. He added that one of the reasons for him being denied stand by status was due to the fact that he was not named on a printed calendar. Due to him being the only person trained to be the PIO; there is no need for a calendar to be created. City Manager Anderson stated in the denial letter to Retired Lt. Glenn VanFleet that during the time that Retired Lt. VanFleet was out on vacation and medical leave; the Chief did not assign any other officer the duty of PIO. He was also not specifically assigned to stand by status by the Chief.

Retired Lt. VanFleet stated that if the need had arisen while he was out, the Chief at the time, Chief Flood was the PIO for many years prior to him taking over the duty. Therefore, he was readily able to do the duty if the need had arisen.

In the denial letter, City Manager Anderson stated that Retired Lt. VanFleet was not assigned to stand by duty. Retired Lt. VanFleet added that none of the past nor the current Chief was aware of that language located in the GOM.

Retired Lt. VanFleet stated that he disputes City Manager Anderson letter dated January 16, 2019 denying him any back pay for being on standby for the following reasons. The City of Seaford handbook was referenced in the letter stating that the City director is responsible for scheduling the necessary manpower for standby. Retired Lt. VanFleet added that he feels that when he was assigned the position of PIO that included all duties including Section 2/560.05 which includes stand by status.

Retired Lt. VanFleet then referenced page #2 of City Manager Anderson's denial letter that refers to the FOP contract. This states that if the Chief places an employee on call for at least an entire week, such employee shall receive 12 hours pay. Retired Lt. VanFleet stated that he was assigned this task for more than one week; by his count it approximately 83 weeks.

Retired Lt. VanFleet referenced page #3 that spoke about the on-call list. Retired Lt. VanFleet stated there would be no point of making a calendar since he was the only trained employee to do the PIO duties. He added that he had about five weeks of out of town vacation and medical leave.

Retired Lt. VanFleet then discussed that in the denial letter it stated that only authorized and approved employees receive stand by pay that is approved by the Chief of Police. He feels that his appointment to this assignment is authorized and approval by the Chief of Police.

The time of days that the news releases were created was also referenced in the denial letter. It was stated that none of these releases were done outside of working hours. Retired Lt. VanFleet stated that the Chief reviewed all of the releases prior to them going out; therefore, it was out of his control what time they went out.

Mayor Genshaw asked for any questions or comments from the Council. Councilwoman Phillips-Lowe asked if he was aware of this pay that was due to him prior to him leaving for retirement. Retired Lt. VanFleet stated that he did not know this was available. Councilman King asked if he was an hourly or salary employee? Retired Lt. VanFleet stated that he was an hourly employee. Councilman King asked if being on standby was for 5 or 7 days a week? Retired Lt. VanFleet stated that he was on call 7 days a week which is currently being used by the criminal division. They receive 12 hours of straight pay for that time frame. Councilman King then asked if stand by was for 24 hours a day. Retired Lt. VanFleet stated that was correct; you work during the day then you can be called in to respond to the Police Department after working hours. You also are mandated to respond in a certain period of time and are not able to consume alcohol, etc.

Mr. David Williams then came forward to present information on behalf of the City of Seaford. Mr. Williams stated that Retired Lt. VanFleet first met with June Merritt, Director of HR/Finance and Chief Kracyla. He then moved to the second phase of the process with City Manager Anderson who put together a detailed letter with exhibits. Retired Lt. VanFleet is seeking an amount of \$28,906.68 for standby pay despite the fact neither himself or the Chief were aware of the provision in the GOM. He didn't believe he was on standby and the Chief didn't place him on standby or authorize the standby. It was not expected of Retired Lt. VanFleet to respond to calls as the PIO. He performed all of the responsibilities as the PIO during normal business working hours. As former Chief Flood told City Manager Anderson, the PIO position was not a critical mission task.

Mr. Williams stated that Retired Lt. VanFleet is seizing upon the one provision in the GOM that nobody was aware of including himself. He added that Retired Lt. VanFleet is ignoring the language that states that only authorized employees may receive standby pay. There was no authorization or approval by the Chief. He added that the provision is consistent with the employee handbook and the collective bargaining agreement.

Mr. Williams stated that if Retired Lt. VanFleet felt that he was entitled to pay he would have put in for the pay. He would have made the City aware of that at that time; he is now requesting to go back until February of 2017. The reason that he did not put in for it at the time is because he didn't think he was on stand by nor eligible for stand by pay. Mr. Williams stated that as City Manager Anderson pointed out, the past practice differs with respect to the criminal investigation division, which has a standby list. Retired Lt. VanFleet argues the fact that he is the only employee so that is the reason there was no list. Mr. Williams stated that the fact of the matter was that if he was out of town or out, nobody else was placed on standby to serve as the PIO.

Mr. Williams stated that an employee who feels that they have not received fair or equitable treatment is entitled to grievance provisions. Mr. Williams stated that he received fair and equitable treatment. He added that it would be unfair to the tax payers to pay him the money for standby that was never authorized by the Chief and no duties were done outside of normal hours.

Mayor Genshaw asked for any questions or comments from Council. Councilman Henderson asked if the words on call and standby were interchangeable? Mr. Williams stated that yes; it is the same concept. Councilman Mulvaney asked if the words were interchangeable in Black's law dictionary? Mr. Williams stated that he feels that they are the same concept and interchangeable terms. Councilman King asked about the 83 weeks that Retired Lt. VanFleet referenced as being on standby. He asked if Retired Lt. VanFleet was contacted at all during that time. Mr. Williams stated that if he was contacted it was for the Lt. capacity; not as the PIO. He added that there is no evidence that he ever was.

Mayor Genshaw presented New Business Item #9: Council to render a decision in the appeal of Retired Lt. Glenn VanFleet in accordance with Employee Handbook Division 13 Section 2-148, Grievance Procedures, third step, regarding the claim for backpay for stand-by duty. (Council may elect to table this issue until after the Executive Session).

Mayor Genshaw asked for any questions or comments from Council. He then called for a motion. Councilman Henderson made a motion to table this matter and bring it back after the executive session. Councilman King seconded the motion; motion so passed with all present voting in favor.

OLD BUSINESS:

Mayor Genshaw presented Old Business Item #1: Present for second reading proposed amendments to Section 16.4.2 and 16.4.3 of the Seaford Municipal Code related to Rental to Home Ownership Incentive regulations. City Manager Anderson stated that if this is adopted it would be advertised and then effective 30 days after the advertisement.

Mayor Genshaw asked for any questions or comments from Council; there were none. He then called for a motion. Councilwoman Phillips-Lowe made a motion to approve the proposed amendments to Section 16.4.2 and 16.4.3 of the Seaford Municipal Code related to Rental to Homeownership Incentive regulations. Councilman Holland seconded the motion; motion so passed with all present voting in favor.

REMINDER OF MEETINGS & SETTING NEW MEETINGS:

- Electric Committee meeting, February 21, 2019, 3:00 p.m.; City Hall Council Chambers
- City of Seaford Planning Session, February 22, 2019, Seaford Library, 8:30 a.m. until 3:00 p.m.

Municipal Election - April 20, 2019

The City of Seaford Municipal Election will be held on Saturday, April 20, 2019 in the City Council Chambers, City Hall, 414 High Street, between the hours of 7:00 a.m. E.S.T. and 3:00 p.m. E.S.T.

One (1) Council Member will be elected for a (3) year term.

All candidates must have filed by 5:00 p.m., E.S.T., February 22, 2019. Registration can be completed at City Hall, 414 High Street, Seaford, DE. Registration hours are Monday through Friday, 8 a.m. until 5:00 p.m. or by appointment if you cannot register during these normal business hours. Any candidate who withdraws his/her name must do so in writing. Any candidate who withdraws his/her name after 5:00 p.m., E.S.T., February 22, 2019 will still appear on the official ballot for election.

Anyone eighteen (18) years of age or older who is a bona fide resident to be eligible to vote **must have been registered**

at the Seaford City Hall by 5:00 p.m., E.S.T., March 22, 2019. A nonresident property owner to be eligible to vote must be owner of record for a period of six (6) months immediately preceding the date of the Annual Municipal Election (October 20, 2018) and shall have one vote **provided he or she is registered on the “Books of Registered Voters” maintained at the City Hall. Registration hours are Monday through Friday, 8 a.m. until 5 p.m. or by appointment if you cannot register during these normal business hours.**

The City of Seaford has independent registration procedures for the Annual Municipal Election. To vote, you must meet the eligibility requirements and be registered on the “Books of Registered Voters” maintained at City Hall.

A person shall be required to register only one time. You are urged to check your registration if you did not vote in the last municipal election. If you have moved out of the City after your original registration, you will need to check your registry to assure you are an eligible voter.

All voters will need to show proof of residency which may be a State of Delaware driver’s license, a State of Delaware identification card, a federal or state tax return with address, a City of Seaford utility bill or real estate property tax bill, or other acceptable proof of residency or ownership.

CANDIDATES FILED AS OF 2/5/19

Matthew MacCoy has filed for City Council

COMMITTEE REPORTS

Councilman Henderson reported on Fire, Police and EMS.

Report from President Rick Stewart:

The Delaware State Fire Marshall’s office has recertified the Fire Hall for 433 occupants. The Delaware State Police will be at the Fire Hall for a presentation of their Year in Review. The event will take place in the Fire Hall on February 19 from 6:00-7:30 PM. The public is invited to attend.

Treasurer Jim Mitchell and President Rick Stewart met with an attorney with the Smith Firm regarding the details of the sale of Engine 87-5 to the East New Market Fire Department. Water service to the Fire House was shut off on February 11 in order to perform plumbing repairs. Upon completion of the repairs water service was restored.

Report from Chief John Wilson:

Staffing continues to be a challenge for the Department. Recently the Department has gained in numbers of Associate Members, however no gains in Active Membership have been experienced recently.

Two vehicles are currently out of service:

B-87 is out of service for maintenance.

T-87 is out of service for DOT inspection.

Two vehicles were involved in minor traffic incidents:

A-87 was struck by another vehicle during an incident resulting in minor damage to its mirror.

B-87 damaged a mailbox in the course of a response. The mailbox will be replaced by a vendor of the Department, however there was no damage to the vehicle.

Clean-up occurred at the Fire House on February 6. This will become regular event in order to keep up with needed maintenance and hygiene.

On February 6 the Department was visited by representatives of the Park County Rural Fire District #1 located near Livingston, MT. The visit was for the purpose of surveying Engine 87-3 with the intent to make a purchase. As a result of the survey there is now a tentative agreement for the sale of 87-3 for \$210,000.00 pending approval of the membership at Park County Rural Fire District #1. In cooperation with the Seaford 991 Center the Department is updating its response grid. This exercise will help to make responses more appropriate and efficient by adjusting responsibilities of mutual aid departments. The update should be complete in early March.

The Apparatus Committee is actively meeting to write bid specifications for a replacement engine.

Divert from Nanticoke Memorial Hospital is an issue that is increasingly effecting the Department.

The recent relocation of Bayhealth Medical Center in Milford has increased distances and out of service times for responses when Nanticoke is on divert.

Training:

No report for this period

Police Activity during period of January 22 through February 11, 2019 as reported by Chief Robert Kracyla:

Criminal

On January 21, 2019, Pfc. Short observed a vehicle that had fled from Delaware State Police earlier in the evening. The vehicle made a U-turn and headed north on Sussex Highway. When Pfc. Short activated his emergency equipment, the suspect vehicle began to flee. Sgt. Rapa called off the high-speed pursuit.

On January 21, 2019, units responded to Days Inn for a report of a stolen vehicle. The male victim and female suspect went to the Days Inn and rented a room. The female suspect went to get ice and did not return immediately. The male victim went looking for her and discovered his vehicle was gone. After entering the vehicle information in NCIC, the vehicle was located in Baltimore with the female inside. During contact with her, Baltimore PD located a stolen firearm out of Pennsylvania in the vehicle. Baltimore PD arrested the female and Ptlm. Ruark obtained warrants on the suspect.

On January 27, 2019, Sgt. Rapa observed a vehicle making a U-turn in front of Whispers to head eastbound on Norman Eskridge Highway. The vehicle appeared to be the same make and model of a vehicle that was involved in a pursuit with Laurel PD earlier. Sgt. Rapa followed the suspect vehicle to nearby Chandler Heights and the suspect fled on foot. Laurel PD arrived with their canine but had negative results. The vehicle was towed to Laurel PD.

On January 28, 2019, officers from the Seaford Police Department responded to a residence in the 400 Block of North Pine Street in Seaford for a reported Home Invasion. The investigation revealed that two male suspects entered into a residence and confronted a resident demanding property. One of the suspects displayed a handgun. A struggle between the resident and one of the suspects took place at which time both suspects then fled the scene. The suspects are described as tall, thin white males, one of which had dark hair and a beard. Both suspects fled in an unknown direction. Investigation continues

On January 30, 2019, Pfc. James and Ptlm. Ruark responded to 703 Kimbrough Court in reference to a report of an assault. Upon arrival units made contact with the victim and his mother. The victim was attacked by 6 or 7 subjects in the parking lot where he was punched and kicked in the head. The victim was transported to Nanticoke Memorial Hospital for his wounds. He suffered an exterior hematoma, facial abrasions, and a concussion. The victim was able to identify one of the subjects, and warrants are being obtained.

On February 1, 2019, Seaford Police units arrived at Nanticoke Memorial Hospital in reference to an 18-month-old black Haitian male in the ER and not responsive. The staff stated that the child arrived at approximately 0400 hrs unresponsive and not breathing. Medical staff performed live-saving measures; however, the child passed away. At this time, the cause of death is uncertain and an investigation is ongoing.

Admin

January 22, 2019 –
Chief attended Council on Police Training meeting in Dover.
Chief attended the City Council meeting.

January 23, 2019 –
Chief met with Unified Seaford for monthly prayer.
Chief traveled to Dover to attend a board meeting with Council on Police Training.
Seaford Police Department hosted its first night of Citizen's Police Academy.

January 24, 2019 –
Chief attended Leadership Academy at City Hall.
Chief attended the Proclamation signing of Human Trafficking Awareness month with Governor Carney.

January 25, 2019 –

Chief held staff meeting regarding the applicant pool for the Delaware State Police Academy, budget and evaluations.

January 29, 2019 –

Jimmy Hoppa attended Roll Call to address his role as Chaplain to the Seaford PD. He went on a Ride-A-Long with Pfc. Wyatt afterwards.

Met with Dan Logan and Dennis Madarang regarding Section 8 housing.

January 30, 2019 –

Chief went to Teen Challenge and joined in on WGMD Radio speaking about the opioid crisis, the Citizen's Police Academy, using social media to solve crimes, and Seaford's diverse cultural population.

Chief and Acting Lt. Sterner met with Defense Attorney Stephanie DeSantis in Georgetown.

January 31, 2019 –

Chief held a Sergeant's meeting.

Met with Greg Jackson regarding a request for Seaford School teachers to play against Seaford Police officers in a basketball game.

February 2, 2019 –

Met with City officials to interview Deputy Chief applicants. Michael Rapa has been named Deputy Chief.

February 7, 2019 –

Our Annual Awards Ceremony was held.

February 8, 2019 –

The Chief, Deputy Chief, and Sgt. Sterner met with City Manager and participated in a teleconference with Enterprise regarding the vehicle leasing program.

Chief attended Night to Shine – Tim Tebow event to offer prom to special needs teenagers.

The recruit employment process is going well with three candidates passing polygraph and background investigations. We are currently working on getting them through the medical and drug testing portions of pre-employment.

Training

Sgt. Miller attended training last week in Hershey, Pennsylvania, regarding Suicide in Law Enforcement.

Over the last 2 weeks 8 dispatchers trained for Emergency Fire Dispatch certification, 2 took EFD Q class (quality assurance), and this week 8 dispatchers will complete a 4 hour Pro QA course.

Phone Statistics for Seaford Police and 911 Center:

January 2019 Phone Stats	
Wireline 911	188
Cell Phone 911	514
VOIP	102
Total 911	818
Abandoned 911	79
Total Administrative Calls	2263
Outgoing Admin Calls	482
Incoming Admin Calls	1749
Abandoned Admin Calls	32
Incidents	
Police	1223
Fire	60
EMS	295

Councilwoman Phillips-Lowe reported on Public Works.

PUBLIC WORKS:

- AMI water meter deployment is from 02/04 – 02/21 for February
- Continued assisting with AMI meter locations and installations
- Worked with installer every day in assessing meters to exchange
- Had to complete some 60 re-reads
- Ross Station parking lot project started
- Rebuilt sweeper head with budgeted capital purchase
- Assisted Electric and Parks with loading and hauling large piles of limbs

- Repaired downspout at the PD
- Rebuilt plow #26
- Replaced water service on Lincoln Street
- Cleaned key sewers
- Re-activated 60 meters for the AMI project to assist with getting them to operate
- Disconnected McDonald for demo
- Working on planning session materials, budget, evaluations, easements, projects, and more
- Attended multiple meetings, DelDOT fence, DNREC, GMB, Dolby, MPO TAC, more
- I am still working on easement acquisitions for Rt.13 and Middleford Rd. projects
- Performed all routine tasks; swept, L & L, read meters, disconnects, hung pink tags, collected State water samples, supplied barricades for various events, etc.

WWTF & COMPOST

- Plant performance is good
- We do have compost to sell
- Received regular Proximity waste
- Leachate treatment going well
- No major maintenance issues to report

Councilman Mulvaney Reported on the Electric Department

Crew

Continued renumbering the poles for the circuit changes.

Blake worked on the annual federal EIA-861 report.

Separated the electrical service at Allen Hiram for the main office.

Put all the furniture back after the new flooring.

Replaced a fuse in a relay for the AMI radio system.

Changed a bad transformer due to age on Market St 1/23/19. 2 houses.

Had down secondary wire on Thompson St due to wind. Had to pull in new secondary wire. 6 houses for about 3 hours.

Decommissioned the old transformer at Pine ST substation.

Ran power from the new control house to the old control house at Pine ST substation so we can use it for storage.

Greg Brooke, Nick Moore and Nick Smart took some of their lineman test.

Started demolition of the old Pine St substation.

Had a bad underground service on Read St ,we ran a temporary overhead to get the residence back in power until they could get an electrician in to fix their problem.

Director

Had the bi-weekly conference call for AMI.

Had a webinar on energy efficiency with Trish and Charles put on by APPA.

Worked on the FY20 budget & 3-year CIP.
Worked on employee annual evaluations.
Had the 3rd session of the Leadership training.
Had a webinar on Smart Energy presented by American Public Power Association.
Wrote down the procedure to decommission the old transformer at Pine ST substation and went there with the crew to complete the task.
Had a meeting with Jim Watson at NMH with DEMEC and Trisha about the energy efficiency program.
Had a webinar with AMP about the water meter communication network.
Acting City Manager from Jan 28 to Feb 1.

Upcoming Weeks.

Work with NextGen changing out the AMI meters whenever they have a problem.
Continue remarking poles from the distribution circuit changes.
Continue working on the new circuit 330.
Pull in the wire on the last two segments of SVSC.
Install the new tennis court lights and timers.

Councilman Holland reported on Administration & IT.

MEETINGS:

- ✓ Attended the Riverfest meeting.
- ✓ Attended a meeting with DNREC concerning our copper limits at the WWTF.
- ✓ Attended the BOA meeting.
- ✓ Met with David and Mike V. and Todd L. at the County Office.
- ✓ Attended the SCAT dinner and Steering breakfast.

OTHER WORK:

- ✓ Prepared the Council agenda.
- ✓ Worked on evaluations.
- ✓ Attended Deputy Chief interviews.
- ✓ Attended the SPD awards ceremony.

Information Technology Report:

- Working on Budget
- Facility Inspection
- Safety Team Prep for Meeting and Workplace Safety Renewal
- Sound System Install
- Misc Software Repairs and Computer issues

Administration Report for Council –

- Continue working on AMI deployment.
- Preparing for FY 2020 Budget.
- Attend 4th & final session – Customer Service Program: Technology from Distribution to Meter Reading and CIS
- All other business is routine – financial management, payroll & benefits, purchasing, billing, customer service, etc.

Councilman King reported on Code and Parks and Recreation:

Code Department Report:

Building Official Mike Bailey reports that the Code Department is doing routine inspections for on-going projects, violation inspections throughout the City and performing plan reviews for new permits. The Code Department has issued 20 permits to date in 2019 and 238 Rental Licenses have been received.

Large Project Status Updates:

- The Ross Station Event Center parking lot has started and construction is proceeding on schedule.
- McDonald's old building has been demolished and work on the new restaurant will begin soon.
- At the Riverplace Phase 2, the footers are almost finished.
- The permit for the Chick-Fil-A restaurant has been issued.

Parks & Recreation:

Superintendent of Parks and Recreation Katie Hickey reports that the Parks Department has completed tree trimming and tree/limb removal at William's Pond, installed/replaced floodlights on both press boxes at the Sports Complex, and worked on tree trimming behind the FedEx Building. Additionally, they have completed 4 of the 6 High Street benches, worked on the Pink Ribbons for the upcoming Life for Chocolate even and were busy with snow removal on February 1st. The department completed a webinar on January 29th regarding playground safety. The Parks Department met with the Historical Society and Seaford High School Ag Teacher about a tree grant for the Ross Mansion and the Jay's Nest.

The Recreation Department has been setting up registration and prepping for spring men's softball and flag football. They have been organizing pictures and trophies for youth basketball.

Parks and Recreation Department additional updates:

- Attended Leadership Academy at City Hall on 1/24;
- Attended Local Governments Role in Healthy Communities Delaware on 1/28;
- Attended Seaford Tomorrow bake sale & fundraiser at Texas Roadhouse;
- Worked on adding items for the Parks Department FY20 budget;

- Worked on the budget for the Recreation Department FY20 budget;
- Attended a meeting about the 2019 Seaford Community Swim Center;
- Completed safety inspections with Gary & Sgt. Sterner at Seaford PD on 2/7;
- Held Riverfest Committee meeting on 2/7.

Mayor Genshaw asked for a motion to adjourn the Regular Meeting to go into executive session for the purpose of discussing litigation. Councilwoman Phillips-Lowe made a motion to close the Regular Meeting and move into executive session. Councilman Mulvaney seconded the motion; motion so passed with all voting in favor. Meeting was adjourned at 8:17 P.M.

Mayor Genshaw called for a motion to reopen the regular Council Meeting at 9:04 p.m. Councilwoman Phillips-Lowe so moved and Councilman Henderson seconded the motion; motion so passed with all present voting in favor. Mayor Genshaw stated that the purpose is to review New Business Item #9, the grievance by Retired Lt. VanFleet. Councilman Henderson made a motion stating that having heard former Lt. VanFleet's testimony and having read City Manager Anderson's written response to Lt. VanFleet's grievance. He finds that there are conflicts and vagaries in the City's GOM which leads him to rely on the historical nature that the assignment of the PIO was not to be on standby neither the Chief or any prior Chief was aware of or assigned stand by duty for the PIO. Furthermore, former Lt. VanFleet nor any prior PIO operated under the knowledge that he or she was on standby. Therefore, it is my determination to uphold the City Manager's denial of former Lt. VanFleet's claim for backpay. Councilman Mulvaney seconded the motion. Mayor Genshaw then asked for a roll call vote:

Councilman Henderson voted no based on his written remarks

Councilwoman Phillips-Lowe voted no based on Councilman Henderson's written remarks

Councilman Mulvaney voted no based on Councilman Henderson's written remarks and added that he feels Retired Lt. VanFleet was seeking unjust enrichment

Councilman Holland voted no based on Councilman Henderson's written remarks

Councilman King voted no based on Councilman Henderson's written remarks.

The motion so carried with all voting to deny back standby pay for the duty of the PIO assignment.

With no further questions or comments, Mayor Genshaw called for a motion to close the Regular Council meeting. Councilwoman Phillips-Lowe so moved; Councilman Henderson seconded the motion; all present voted in favor. Mayor Genshaw closed the meeting at 9:09 p.m.

Charles D. Anderson, City Manager

/tnt