

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

May 24, 2016

7:00 PM

Vice-Mayor Dan Henderson called the Regular Meeting to order with the following present: Councilwoman Grace S. Peterson, Councilwoman Leanne Phillips-Lowe, Councilman William Mulvaney and Councilman Orlando Holland. City Manager Dolores Slatcher, Building Official, Josh Littleton were also present.

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Councilwoman Phillips-Lowe offered the opening prayer and Vice-Mayor Henderson led those present in the Pledge of Allegiance.

Vice-Mayor Henderson solicited changes to the agenda. City Manager Slatcher stated there are none.

Vice-Mayor Henderson called for a motion to approve the minutes of the Regular Council Meeting of May 10, 2016. Councilman Mulvaney made a motion to approve the minutes from the May 10, 2016 Council Meeting. Councilwoman Peterson seconded the motion; motion so passed with all present voting in favor.

Vice-Mayor Henderson called for a motion to approve the FY 17 Budget Workshop meeting minutes on May 17, 2016. Councilman Holland made a motion to approve the minutes from the May 17, 2016 Budget Workshop. Councilwoman Peterson seconded the motion; motion so passed with all present voting in favor.

Vice-Mayor Henderson presented the appointments for the Council Liaisons for next year. Councilwoman Phillips-Lowe will be the Police and Fire Commissioner, Councilman Henderson will be with the Electric Department, Councilwoman Peterson will be Parks, Recreation and Code, Councilman Holland will be Administration and IT, Councilman Mulvaney will be Public Works and WWTF and Mayor Genshaw will be Economic Development.

Vice-Mayor Henderson to proclaim May as "Poppy Month".

Vice-Mayor Henderson closed the Regular Meeting at 7:05 p.m. and opened the Public Hearing. Building Official Josh Littleton came forward.

Case # S-12-16: BASF Corporation, property owners of 100 Industrial Blvd, identified as Tax Map and Parcel 531-10.00-236.02, desire to subdivide this parcel into two parcels: Parcel A consisting of 6.2699 acres and Parcel B consisting of 13.3641 acres. Mr. Littleton stated that Mr. Tom Knopp was present representing the property owner. The property is zoned M-1 Light Industrial District; the proposed lots will comply with the area and bulk requirements for the district. Mr. Littleton stated that the subdivision request to create 2 parcels from the 19.634+/- acre parcel. Parcel A will be 6.2699 acres and Parcel B will be 13.3641 acres. The property is zoned M-1 Light Industrial and both lots will comply with area and bulk requirements of the district.

Vice-Mayor Henderson asked for any questions. Councilwoman Phillips-Lowe asked if they planned to sell the property. Mr. Knopp came forward and stated that they have several clients interested in part of the property but not all of it so that is why they wish to split the land up. Councilman Henderson asked if there were separate utilities on the property. Mr. Littleton stated that he is not sure if there are taps there or not, however, there are services on Park Ave and Industrial Blvd that can serve the site.

Vice-Mayor Henderson closed the Public Hearing at 7:09 p.m. and reopened the Regular Council Meeting.

Mr. Littleton presented the findings of facts:

- Case No. S-12-16
- Property is located on Park Ave & Industrial Blvd
- Identified as TMP 531-10.00-236.02
- Subdivision request to create 2 parcels from the 19.634+/- acre parcel.
- Parcel A = 6.2699 acres
- Parcel B = 13.3641 acres
- Property is zoned M-1 Light Industrial
- Both lots will comply with area and bulk requirements of the district.
- Planning and Zoning made a favorable recommendation to Council

Vice-Mayor Henderson then called for a motion. Councilwoman Phillips-Lowe made a motion to approve the subdivision of lands owned by BASF Corporation, 100 Industrial Blvd, TMP # 531-10.00-236.02 into two new parcels – Parcel A consisting of 6.2699 +/- acres and Parcel B consisting of 13.3641 +/- acres with the zoning remaining M-1 for both parcels.

Vice-Mayor Henderson then called for a Roll Call Vote.

Councilwoman Phillips-Lowe voted yes based on findings of the facts;  
Councilman Henderson voted yes based on findings of the facts;  
Councilwoman Peterson voted yes based on findings of the facts;  
Councilman Mulvaney voted yes based on findings of the facts;  
Councilman Holland voted yes based on findings of the facts.

### **CORRESPONDENCE**

There was none.

### **NEW BUSINESS**

Vice-Mayor Henderson presented New Business # 1, Paving Western Sussex Boys and Girls Club Parking Lot. City Manager Slatcher stated that there were four bids received with Delmarva Paving being the low bidder in the amount of \$77,992.00. She added that the project will be paid for through the Community Trust Funds projects by Representative Short.

Vice-Mayor Henderson solicited any questions or comments from Council.

Councilman Henderson asked how it works when the project is paid through the community trust fund.

City Manager Slatcher stated that it is dedicated for public use. The City of Seaford agreed for the parking lot to be used as public parking and the Boys and Girls Club solicited the project. She added that we do the estimate, bid and oversee the project and can possibly be audited for information on the funds.

With no further questions; Vice-Mayor Henderson called for a motion.

Councilman Holland made a motion to award the bid to pave the Western Sussex Boys and Girls Club parking lot to Delmarva Paving Co, the low bidder in the amount of \$77,992.00 and to be paid for with Community Trust Funds, Del DOT as recommended by Director of Public Works Berley Mears. Councilman Mulvaney seconded the motion. Motion so passed with all present voting in favor.

Vice-Mayor Henderson presented New Business #2, Bids – Trash. City Manager Slatcher stated that there were four bids received with Peninsula Oil, Inc. being the low bidder in the amount of \$1,091 per month for year one and \$1,121 per month for year two.

Vice-Mayor Henderson asked who the current vendor was. City Manager Slatcher stated that it was Peninsula Oil, Co.

Vice-Mayor Henderson called for a motion. Councilwoman Phillips-Lowe made a motion to award the Trash Collection and Recycling bid to Peninsula Oil, Co. Inc. for year one per month for all facilities in the amount of \$1,091.00 and year two per month for all facilities in the amount of \$1,121.00 as recommend by Director of Public Works Berley Mears. Councilman Holland seconded the motion. Motion so passed with all present voting in favor.

Vice-Mayor Henderson presented New Business #3, Recommendation from the Electric Committee for an Economic Development Rate. City Manager Slatcher stated that The City of Seaford in an effort to promote the local creation of jobs and capital investment within the City, has the objective of creating qualified Employment Centers for growth. Employment Centers are areas recommended by the City Economic Development Committee and established by the City Council to foster employment and to promote growth and capital investment. Within the EC's; qualifying businesses, by virtue of their capital investment, jobs creations, or other factors and combined with increased electrical consumption, can be eligible for an Economic Development Rate for the customer's electric billing. The EDR is only to be offered to customers (existing or new) in the Large General Service ("LGS") and Medium General Service ("MGS") retail rate classes that demonstrate increased in employment or capital investment, and electrical consumption within the City of Seaford. To qualify for and receive the EDR City electric customers must be located in one of five designated Employment Centers within the corporate limits of Seaford. All EDR customers

are required to meet the requirements of the Electrical Rules and Regulations of the City of Seaford at all times to be eligible for the EDR and must comply with the Good Standing Ordinance of the City of Seaford.

City Manager Slatcher stated that there were two different tiers. Tier 1 EDR benefit would be a five percent refund of the annual Gross Operating Margin of the EDR customer. GOM will be calculated using actual retail rate revenues received from the EDR customer (excluding taxes, surcharges, late fees, penalties, and non-tariff charges) less the EDR customer's wholesale power supply costs. Tier II EDR customers would have to demonstrate substantial and trackable employment increase and/or capital investment, combined with an increase in overall electrical consumption as determined by the Economic Development Committee of the City of Seaford. There are current areas in the City in the Seaford Industrial Park and Ross Business Park. This map would allow areas to be added in the City on Bridgeville Hwy, Sussex Highway and Penco lands on the west side of the City.

Vice-Mayor Henderson asked for any questions. He asked if a property is out of the zone could they be considered. City Manager Slatcher stated that they could not at this time but it could be brought back to Council for revisions at any time.

Vice-Mayor Henderson called for a motion. Councilman Mulvaney made a motion to approve the Economic Development Rate Ordinance as presented in draft and recommended by the Electric Committee for approval to meet the requirements of the Memorandum of Understanding with Governor Markell's Office. And to approve the Economic Development Rate Policy as presented in draft and recommended by the Electric Committee for approval. Councilwoman Phillips-Lowe seconded the motion; motion so passed with all present voting in favor.

Councilman Mulvaney made a motion to approve the proposed employment center's map as presented adding Penco lands on the west side of the City, lands on Bridgeville Highway, and on Sussex Highway. And already included are the Seaford Industrial Park and Ross Business Park. These lands are added for potential economic development resources. Councilwoman Peterson seconded the motion; motion so passed with all present voting in favor.

Vice-Mayor Henderson presented New Business #4, Recommendation from Economic Development Committee to swap 2.08 +/- acres (M-1 Zone) in the Seaford Industrial Park with Joe Balsamo for 2.17 +/- acres (C-2 Zone) in the Ross Business Park. City Manager Slatcher stated that the land is located next to Lank, Johnson and Tull that is owned by Mr. Balsamo and he is looking to swap vacant land in the Industrial Park owned by the City of Seaford. Mr. Balsamo has a prospective client for a 7,000 square foot warehouse, however, the project is not able to be built due to it not meeting the C-2 requirements. Therefore, he is asking for a property swap so that the development can occur. The Economic Development Committee is recommending the swap of parcels under the following terms: Mr. Balsamo will be deemed responsible for all associated fees with regard to this swap – surveys (both parcels), document fees, legal fees, etc., a letter of agreement will stand in place until a firm commitment to begin construction from Mr. Balsamo's client is reached, at which time the process of the land swap would begin and development of the Seaford Industrial Park Property will still be required to follow the proper procedures for plan review

and approvals. Once the land has changed hands the City will begin working to market the C-2 zoned property in the Ross Business Park.

Vice-Mayor Henderson asked if an environmental study has been done on the City's property that used to have the tank farm. City Manager Slatcher stated that one has not but once an agreement is written that would need to be included once the land swap is approved by Council.

Vice-Mayor Henderson then called for a motion. Councilwoman Peterson made a motion to approve the exchange of lands with Mr. Joseph Balsamo being his parcel in the Ross Business Park – TMP #331-5.00-4.14 (approximately 2.17 +/- acres) and zoned C-2 Commercial with lands owned by the City of Seaford in the Seaford Industrial Park – TMP #531-10.00-236.00 (approximately 2.67 +/- acres) and zoned M-1 Light Industrial as recommended by the Economic Development Committee and be subject to the terms as presented in the letter from Trisha Newcomer, Economic Development Manager dated May 19, 2016. Councilwoman Phillips-Lowe seconded the motion; motion so passed all present voted in favor.

### **OLD BUSINESS**

There was none.

### **REMINDER OF MEETINGS & SETTING NEW MEETINGS**

- Delaware League of Local Governments, Duncan Center, Dover, May 26<sup>th</sup>
- Delmarva Power Wholesale Meeting, Clarion Resort, Ocean City, MD, May 26<sup>th</sup> at 3:00 p.m.
- Memorial Day Services, Kiwanis Park, May 30<sup>th</sup>, parade at 10:15 a.m. and ceremony at 11 a.m.
- SCAT, Dewey Beach Lions Clubhouse, June 1<sup>st</sup> at 6:00 p.m.
- DEMEC Joint Community Briefing, Dover Downes, June 1<sup>st</sup> at 4:00 p.m.
- SCAT, Steering Committee Meeting, Arena's, June 3<sup>rd</sup> at 9 a.m.

### **COMMITTEE REPORTS**

Councilwoman Phillips- Lowe reported that the fire department report is as follows: March and April were steady for our department. During that time, we answered 522 ambulance runs and 101 fire/rescue calls for service.

On March 1<sup>st</sup>, Seaford Fire Dept. and Sussex County Paramedics, were dispatched to Wheatley Ct. for a burn patient from an explosion. 87 Command responded with Asst. Chief Read. Dispatch advised that a vehicle was on fire, with exposure to the residence, and one patient with burns. 87 Command went on scene and found a SUV fully involved in the driveway, with flame impingement on the house. Engine 87-2 arrived and quickly extinguished the vehicle fire before serious damage was done to the residence.

Ambulance 87 and Medic 107 treated the patient and transported to Nanticoke Memorial Hospital with non-life threatening injuries. The incident was investigated by the Delaware

Fire Marshal's Office. It was later learned, that the patient was working on his SUV in the garage when it lit on fire. The patient put the vehicle in neutral and pushed it out of the garage to save his home.

The training for the month of March was done by the Delaware State Fire School. The instructor explained the new technology and functions of the APEX 800 radios that are getting put into service. Whenever we operate on scene, communication is extremely important, making it equally important for officers and members to have a clear understanding of how our radio systems work.

On April 18<sup>th</sup>, Seaford Fire Dept. was dispatched to a brush fire on Conrail Rd in the area of Hearn Pond Rd. Brush 87-1 responded under the direction of Cpt. LeCates. Brush 87 arrived to find numerous brush fires along the train tracks from Hearn Pond Rd to the town of Bridgeville. Seeing the fire spreading quickly and starting to threaten nearby homes, Cpt. LeCates quickly called for assistance from neighboring fire stations. Since the closest fire hydrant was over a mile away, adequate water supply was an issue. When the situation was brought under control, there were fire units on scene from Seaford, Blades, Bridgeville, Georgetown, Laurel, Greenwood, Federalsburg, and Hurlock fire departments. An engine from Millsboro Fire Company was transferred to Seaford fire station for protection in case of any second fire/rescue emergencies in the district. It was found out that a train was dropping sparks as it traveled through the area, starting the fires.

In the second week of April, our department took delivery of a new Horton International ambulance. The replacement committee has been working for the past 10 months on building what will be designated as A-87. The project originally started to replace ambulance C-87, a 2006 Ford ambulance. However, when C-87 was totaled in a motor vehicle accident last October, the replacement process became a priority to bring our ambulance fleet back to full force. Our department training on April 20<sup>th</sup>, was to bring members up to speed on the operations of the new ambulance, so when all the final touches were made the unit was ready to go. Ambulance A-87 officially went in service on April 28<sup>th</sup> and we look forward to it serving the citizens of Seaford for the next 10+ years. April 16<sup>th</sup>, members set up at the Tractor Supply on Sussex Hwy. to sell BBQ chicken as a fundraiser for the Department. The event was a success as we sold a few hundred chicken platters. We are planning on running a few extra chicken BBQ fundraisers this year, in addition to what we do at River Fest, in an attempt to create alternative income to offset the increasing costs of running an emergency services department.

On April 23<sup>rd</sup>, Seaford Fire Department was alerted along with Blades and Laurel FD to a house fire on Pine St. in Seaford. 87 Command (Chief Moore) arrived and found a two story residence with smoke showing from the second floor. Engine 87-2 made a quick response and extinguished the bedroom fire before it had a chance to spread any farther into the residence. Situation was placed under control and turned over to the homeowner in 45 minutes.

At the department meeting on April 27<sup>th</sup> it was discussed to participate in Georgetown Fire Departments vehicle extrication challenge. A team of 5 firefighters will be going to the competition held at the 16 Mile Brewery in Georgetown. The competition consists of several vehicle accident scenarios. Teams are judged on using proper extrication tactics

and on how quickly the patient is removed from the vehicle. Multiple fire companies from Kent and Sussex County participate. All proceeds of the event are donated to the Delaware Burn Camp, a summer camp run by volunteers designed specifically for kids that have suffered from burns. Submitted by Matt Read, Assistant Chief.

In the Police Department, Chief Flood attended the Police Chiefs meeting in Dewey Beach May 16-20 and received all of his credits. Firearms qualifications are underway and they will be finished this week. Cpl. Miller attended an advanced interview class and Officers Russell and Little attended a Hometown Security conference. Promotional oral boards are scheduled for June 7<sup>th</sup> and applicant testing is scheduled for June 1<sup>st</sup>. He is working on personnel issues and tazer recertification is scheduled for June 1<sup>st</sup> and 2<sup>nd</sup>. Patrols were done on North Street in reference to a speeding complaint with no results. The CID department made an arrest in the armed robbery and purse snatching cases.

Councilman Mulvaney reported that City Manager Dolores Slatcher's report included a day spent conducting interviews for a new director of Public Works for the City of Milford. Bid Openings for City trash contract and the parking lot paving at the Western Sussex Boys and Girls Club on tonight's agenda were performed. Site meetings were held regarding the Kiwanis Park SVFD Tribute. Pre-construction and shoreline improvements at WWTF and Riverview Park with DNREC & UD. She also attended the DEMEC Board Meeting and City Manager meeting.

Finance/ HR Director June Merritt, reported installation of the magnetic card swipe machines at the front counter; notice of installation will be posted on the website, Facebook and front counter. In addition to continuing work on the FY17 budget, she prepared the Sea Level Rise grant reimbursement and the annual affidavit for Municipal Street Aid funding. She also began reviewing and updating the City's process for emergency medical priority notification developing a new form & procedures and met with a New York Life representative to set up enrollment for an employee benefit of which the cost will be borne by the employee. All other daily business is routine; delinquent notices were mailed on May 20<sup>th</sup> with non-payment disconnects scheduled for June 7<sup>th</sup>.

Assistant City Manager Anderson was out of town, and did not file a report.

Councilman Holland reported that in the Recreation Department had the volleyball championship on Monday. Men's slow pitch softball will be held on Monday and Wednesday and Men's flag football will be held on Wednesday and Sunday.

The Parks Department did field prep for the soccer, football and softball fields and did regular grass cutting along with grass cutting work orders.

Councilman Henderson reported that in Economic Development Trisha Newcomer is currently attending the National Main Street Conference in Milwaukee, Wisconsin.

In Public Works, Superintendent Berley Mears, reported department personnel performed routine tasks including street sweeping, leaf and limb pick up, meter readings, state sample collections, disconnects, re-reads, continued replacing services on William's Street prior to repaving, and installed the last one on May 23<sup>rd</sup>. Paving bids were received for the Boys and Girls Club Paving and Trash bids. The department completed Clean Up Week and handicap ramps were installed on Third Street prior to the street paving. They applied weed control spray at the pumping stations and completed big piles that were not picked up during Clean Up Week.

The Waste Water Treatment Facility total system performance is reported as good. The leachate program continues to go well, compost sales are increasing, and the screening of material is ongoing. Plant personnel report that other operations and maintenance are routine with no major maintenance issues to report. The facility received a positive comment from a local resident regarding the City's RV dumping facility. DNREC performed annual compost site inspection with good results. There were at least 2 facility tours conducted within the last 2 weeks including students from the Level 1 class at Del Tech, and a tour for City Council members. He thanked them all for working late and the great hospitality.

Josh Littleton, Building Official, reported that he attended numerous meetings including: a Riverfest committee meeting, a Construction Coordination meeting, a budget workshop and he attended a Safety Committee Meeting. He is working on notices to property owners affected by proposed FEMA flood map changes. He issued a readdressing schematic for Meadowbridge Apartments to be implemented during construction. He also performed several building plan reviews.

Councilman Henderson added that this was his last report as serving as the Operations Liaison and he thanked all of the departments and stated it was an honor and privilege to serve them.

Councilwoman Peterson reported that Electrical Engineer, Rick Garner, worked on drawings and documentation of the fiber optic system. He did coordination for AED/CPR/First Aid training and attending class. He did the final approval for solar system at 603 W Locust Street. He did coordination for registration for the PJM Demand response program. He also attended numerous meetings. Bill Bennett, Superintendent of Electric, reported that his department helped with Clean Up Week. He also reviewed the prints and specifications for the Pine Street Substation Expansion. He worked on updating the books of transformer and capacity number and locations. They continued working on clearing the easement for the new circuit 330 and did monthly substation checks.

With no further comments, Vice-Mayor Henderson called for a motion to adjourn the Regular Meeting of Mayor and Council. Councilwoman Peterson made a motion to close the Regular Meeting of Mayor and Council. Councilwoman Phillips-Lowe seconded the motion. Motion so passed with all present voting in favor. The Regular Council Meeting was closed at 7:43 p.m.

  
Dolores J. Slatcher, City Manager

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