

COUNCIL MEETING

January 11, 2016

The regular meeting of Mayor and Council was held on the above date with Council members Dias, DeBenedictis, Carrow and Fletcher present with Mayor Letterman presiding. Recording Secretary Melissa Knight, Shae Chasanov, Jeff Hurlock, Sgt. Scott, Sandy Delane and Tom Horn were also in attendance.

1. Approve Minutes:

Council Meeting 12/14/15 – Mr. Carrow made a motion to accept the minutes in written form, seconded by Mr. Dias. Motion carried unanimously.

2. Income and Expense Report:

Motion made by Mr. Dias to accept the Income and Expense Report in its written form, seconded by Ms. DeBenedictis. Motion carried unanimously.

3. Communications:

- Ms. DeBenedictis - Read the information that was given by Ms. Delane. (Please contact the town hall for a copy of the letter Ms. Delane presented to Council)

4. Inspections/Enforcement:

- Mr. Hurlock stated the Mayor and I are in the process of reviewing the 2012 Code Enforcement. The town's inspector and solicitor have reviewed the 2012 Code Enforcement.

5. Electric:

- Mr. Hurlock – The contractor that was performing the upgrade in Old Country Farm Development took longer than expected. The upgrade has made the system so much better.

6. Street:

- Mr. Fletcher – The parking area behind the townhomes near the water treatment plant will be paved on January 12th.

7. Water & Sewer:

- Mr. Fletcher – Due to the cold weather the water leak located on N. Rodney Street was not repaired today. Public Works will repair the leak January 12th.

8. Personnel:

- Mr. Carrow – A meeting was held on January 6th. A Personnel Meeting is scheduled for January 26th at 6:30 p.m. to discuss the Council Handbook.

9. Economic Development:

- Ms. DeBenedictis – The Economic Development Committee did not hold a meeting in December due to the holidays. The next scheduled meeting will be held January 26, 2016 at the Young Bean at 7:30 p.m.

10. DEMEC:

- Ms. DeBenedictis – Ms. DeBenedictis, Ms. Muncey, and Mr. Hurlock attended the DEMEC Christmas luncheon. The next DEMEC Meeting will be held January 19, 2016 at 9:00 a.m.

11. New Business:

- Vote to Decrease PCA and Implement Customer Charge –

Ms. DeBenedictis read the following motion:

A motion to Decrease PCA to a Charge of \$0.0007 per kilowatt-hour

Due to:

- 1. The anticipated reduction in the Town's wholesale power costs from \$0.08272/KWh to \$0.08084/KWH, and also;*
- 2. The Town's desire to modernize retail rates and increase Gross Operating Margins to balance the current budget through implementation of a customer charge.*

I move that the current PCA rate of power cost collection be decreased from a charge of \$0.0022 per kilowatt-hour to a charge of \$0.0007 per kilowatt-hour to be billed beginning with the next billing cycle. This represents an approximate 1.0% retail rate decrease for Town electric customers.

I further move that a customer charge of \$10.00 per month be included in all customer's bills. Including the 1.0% offset for the reduction in the PCA, the net increase in total revenues from customers will be approximately \$115,000 (or 4.3%) in 2016 as compared to revenues collected in 2015. When coupled with a decrease in power supply expenses of approximately \$40,000 in 2016, the increase in the Town's Gross Operating Margins is expected to around \$115,000 per year. Motion was seconded by Mr. Dias. Motion carried unanimously.

- Adopt Drinking Water Asset Management Incentive Program – Mr. Hurlock stated this program is the same as the Sewer Asset Management Incentive Program. The program is for mapping of sewer and water lines in the Town.

Ms. DeBenedictis read the Resolution authorizing the preparation and submission of an application to the Delaware Department of Health and Social Services, Division of Public Health, Office of Drinking Water, for participation in the Drinking Water Asset Management incentive program in order to receive up to \$100,000 in grant funds, no match required, to develop and implement an asset

management program for the Town's Drinking Water Facilities...(Please contact the town hall for the entire resolution).

Motion was made by Mr. Carrow to accept the Drinking Water Asset Management Incentive Program, seconded by Mr. Dias. Motion carried unanimously.

12. Adjournment:

Motion made by Mr. Dias and seconded by Mr. Carrow to adjourn. Motion carried unanimously.

Recording Secretary,

Melissa Knight

Public Forum
January 11, 2016

Mr. Letterman gave the floor to Tom Horn. Tom Horn gave the floor to Ms. Delane – I just have one question for Mr. Jeff, remember how the town paid for the paving in Huntington Mills. The neighbor has a can with a long tip that men use to put oil in the vehicle. My car was in the garage, I guess they didn't know that I was home. I stood at the window and watched them take that can and mark the road. You will see it. I think it is really sad that you take and mess up around your home like that. You would think they would have enough sense to mess up somewhere else. There's a guy in there that drives an infiniti. I watch them go in and out of the house on many occasions with back packs.

Mr. Horn – I would like no questions for my three minutes. I would like to introduce myself to this lady right here; I was the past Mayor for several years. I talked about my transparency. When I came up here, I was totally embarrassed when you gave me a sheet of paper when I was trying to check on the budget. I received four (4) pages of canceled checks with no name no nothing. That's ridiculous. Accountability you guys all know, I was here a long time. Each and every person is responsible for their action and pay for their action. Honesty – I understand we are going to pass Budget Committee I mean Personnel Committee Meeting tonight. Honesty that was my word. November - December 2014 we had a meeting, we had a problem. Everybody think about it. I excuse the freshman Councilman. I hope he has been filled in. I was told by an individual sitting on the Council that this would be taken care of this year. This year has passed and I certainly hope that raises across the board were looked in this Personnel Meeting. I hope that something was looked into where an individual that works for the town that has a problem with a Councilman has a right for action. If not I will be back next meeting to talk about it further. Thank you. Mr. Letterman said "I have something." Mr. Horn intrupted. Mr. Horn said "I don't need a comment." Mr. Letterman stated I will say it in your absence. Mr. Letterman read a letter he prepared addressed to Council and public. (Please contact the town hall for a copy of the letter Mr. Letterman and all Council members signed the letter.)

Ms. Delane – interrupted to make a comment. Mr. Letterman said “Ms. Delane you do not have the floor.” Ms. Delane said “You are on our time.” Mr. Letterman “No. I will give back the three and half minutes I took.”

Mr. Letterman – I will recognize the lady in the back to speak.

A resident spoke (she did not state name) about the new electric charge and safety charge, the town has a population of 2,918. The \$10.00 safety charge times that by 12 months that comes to \$29,180 for police equipment. Am I right or wrong? Mr. Letterman stated there is no rebuttal at this meeting. Resident - I am just asking. Yes or no. Mr. Letterman stated there is no rebuttal and we can discuss this further after the meeting. Resident – this should be open to the public. Mr. Letterman – I can go over this matter with you after the meeting. I do not have figures in front of me at the moment. Resident – There are people who are on a fixed income. You can not get ahold of a police officer. When you do call it takes ½ hour for anyone to respond.

Ms. Delane – I don't care what is going on with you and Mr. Horn. We don't care. You have an attitude. If you have a problem I'll get back with you. We don't have anything to do with what's going on. Mr. Letterman – I don't have an attitude. Ms. Delane stated I heard things in Boscov's. Mr. Letterman stated here we are talking about rumors in the public forum. Ms. Delane stated your time was up when you were running your mouth. I am not your child. Mr. Letterman stated Ms. Delane I did not treat you as a child. Sgt. Scott asked Ms. Delane to come down or he would need to remove her from the meeting. Mr. Letterman stated I don't know how to respond to that.

This Letter is in Response to Comments Made at Previous Clayton Council Public Forum:

The past two months during open forum portion of the regular council meeting, we were visited by a former council member who felt it necessary to launch a barrage of unfounded, incorrect and during times, discordant ramblings that I would like to take this time to refute and set the record straight.

The first item to mention is the remark about transparency. I am not sure what was meant by the use of this word since all our meetings are open to the public and with the exception of a violation of Roberts Rules of Order the public can and does on occasion have input regarding the decision making of this and previous councils. Since the current council follows the rules and dictates of the councils of past years I am at a loss to see things being handled any differently now than in the past.

The second item to address was the remark our former council member made in reference to the request that was made for a copy of the budget. A Freedom of Information (FOIA) request was filled out by this person that clearly stated in his own handwriting under the headline **information requested** "last approved treasurer's report". This was a surprising mistake for someone as he pointed out at the meeting "knows the budget like the back of their hand" That was exactly what he was given. He went on to infer at the first meeting that we for some reason were trying to conceal this requested information. It was pointed out after the abrupt exit of our former colleague that the Budget is online for anyone with access to the internet to see line by line. A copy can also be obtained by requesting one at the town hall. Our budget meetings are open to the public and minutes are available online.

This brings me to the third item. A mention was made referencing minutes of past meetings. We record all meetings, this is not a new practice of this council and this person is aware of this. Furthermore if he or anyone else looks up the written form of the minutes they will find as Roberts Rules of Order outlines a synopsis of the meeting with important information being covered in its entirety for instance. Who made a motion, who seconded the motion and how it was voted on? It is not required to record every word in written form. This mention of the minutes was made in relation to him not being appointed to a committee. It is well known that you do not have to be appointed to a committee to be involved in the discussion as was stated above where the public can and do have input on committee subject matter.

The fourth item to address was the remark that a senior representative in the area wanted to come to a council meeting to bestow an honor on this person and that we somehow prevented this from happening. I would like to make it clear that at any time, if someone wants to express appreciation to someone past or present we would not stand in the way. The Town of Clayton has a good relationship with its elected representatives and they would only need to make a request and we as Town officials will make such an appearance possible on the shortest of notice.

The fifth item is in regards to the "nightmare with the budget" that was mentioned, the \$38000.00 gift that was mentioned which was actually \$47659.00 for reimbursement to our police department giving assistance to the Delaware State police. As with every year the budget process is not easy, we have made tough choices in the past for instance cutting employee positions, and like this year having to raise fees or taxes. The budget this year was as much a challenge as was the ones in years past no more no less.

Lastly I will address the mention of \$8000.00 dollars at the December meeting. It was stated that we hadn't paid this money back. As fate would have it the very item mentioned was on the first page showing it being deposited in impact fee account of Decembers Treasurers Report. Not to be confused with the budget, this is a completely different document.

In closing I think it important to set the record straight. This was not just an attempt to besmirch the character and reputation of the entire council alone but by the very use of these verbal firebombs lobed onto the council floor and then with a hasty retreat before any attempt by council to correct the above litany of misinformation, this also calls into question the professionalism and honesty of the very department heads he says he held in high regard. I will not sit silently by while these individuals without opportunity to reply, has someone come to the public forum make these ridiculous comments, in his own words sour grapes and leaves an impression of impropriety on the part of elected officials and those hired by the town. I would also point out that we have an independent auditor go over every account and receipt and pass with flying colors every year. Their reputation is outstanding as well.

I have affixed my signature to this letter and after this reading I invite any other council person in agreement to affix theirs as well. This will be entered into the minutes in its entirety in the interest of full transparency.

David Letterman, Mayor

David Letterman
Alexander Deas
Brim E. The
Mary E. De Benedictis
Walter R. Ann^{ca}