

TOWN OF BETTERTON
Mayor & Council Meeting
July 13, 2021 @ 7:00 P.M.
Berterton, MD 21610

Meeting was held via GotoMeeting link.

IN ATTENDANCE: Mayor Donny Sutton, Councilman Bill Fracassi, Councilman Wayne Gilchrest, Councilman Harry Marcy, Councilman Bob Pyfer, Town Manager, Tom Mogle, Town Clerk, Sheila Dlugoborski, and Town Attorney Tom Yeager.

RESIDENTS: (in person and virtually via GoTo link)— Joe Sanders, Ginny Story, Dick Story, Candi Sorge, Dave Paltrineri and Mark Zwanger.

MINUTES: *Councilman Marcy motioned to approve the Mayor and Council Meeting minutes of the June 8, 2021 meeting. There was no Council Workshop meeting June 22, 2021. Seconded by Councilman Fracassi; all in favor, motioned carried.*

FINANCIAL REPORT: *Councilman Fracassi motioned to approve the June 2021 financial report; seconded by Councilman Gilchrest; all in favor, motioned carried.*

SHERIFF'S REPORT: Mayor Sutton read the June report. There were no criminal complaints. Responded to Beach area for grilling in the parking lot.

GUEST SPEAKERS: None

COMMITTEE REPORTS:

BCC: No Report.

BCDC: Museum will be open Saturday and Sundays, 1 – 3 p.m. Museum was open July 4th and had lots of visitors. There will be a free concert on August 7th at 4 p.m. in the Ark Park next to the community center. Bring your own chair. Great volunteers weeding areas throughout town which include the street scaping on Wheeler Ave., Sixth Ave. Park, Community Center, and foot bridge.

PLANNING: No Report.

APPEALS BOARD: No Report.

ROADS: No Report.

PARK: Park is being well used and everyone is enjoying the new playground area and water misters.

SAFETY: No Report.

FIRE CO.: Dick Story reported that the fire boat was still out of service and they have a boat on loan from the county rescue squad.

WATER/SEWER: Mayor Sutton read the report that Plant Operator Jeff Miller submitted. For the month of June, the Water treatment plant pumped 992,000 gal. of potable water. There was one leak in the distribution pipe on First Ave. caused by tree roots growing around a lateral pipe off of the main. The leak was repaired and the

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Water/Sewer continued:

road patched. The wastewater treatment plant treated and discharged 946,000 gal. of effluent to the Sassafra River, the plant is running well at this time, and I am preparing for Hurricane Season. I have started a tally on open clean outs throughout the town in an effort to reduce the I & I in the sewer collection system, which during rain events adds significant inflow to the Plant. Homeowners with open cleanouts should be notified to have them repaired within a reasonable amount of time, or we will make repairs and charge accordingly. The New probes will be installed on the 29th Of this month. The Drying Bed Rehab project started on Monday 7/12/21. I have passed the Wastewater Operator 5/A exam and I am processing application for the License. I will be taking the Water operator exam in Oct.

SUSTAINABLE COMMUNITIES: No Report.

Trash: June 2021 – 12.94 Tons
Recycling: June 2021 - 3.98 Tons

Town Manager Report – FEMA’s Bayside Erosion Mitigation project: GMB’s Project Manager David Rovansek has the first draft of the Bid and Agreement documents ready. When these documents are finalized, we officially seek bids. Bayside homeowners have paid their required portion of the project. However, we will still need everyone to pay their portion before construction can begin.

Ericsson Avenue Project - CDBG stated we could begin to incur cost for Preliminary Engineering for the Ericsson Avenue Project. Consequently, the RFP will appear in next week’s Kent News.

Submitted a proposal to Kent County Parks and Recreation for the rehabilitation of the tennis courts at the park. Last week, I met with another construction company to discuss alternative and to receive another quote.

Kent County Parks and Recreation, task force members will be visiting Town Hall to hold a discussion group regarding County parks. This is a part of a five-year plan to improve parks and facilities. Anyone wishing to participate contact the Town office.

Howell Point Road traffic issue: Email: Tom, we wanted to share the traffic counter data collected for the first week of June along Howell Point Road. Number of trips 982 total; Posted Speed Limit 25 mph; Mean Speed 31.5 mph; 85% Speed 38.2 mph (speed at which drivers feel safe driving); % exceeding 10 mph over the speed limit 29.02% (285 trips); Peak # of trips/day 155 Saturday; AM Peak Hour 16 trips; PM Peak Hour 22 trips. Town Manager Mogle agrees with Dan Voshell, County Road Supervisor, in that this is an enforcement issue. The addition of multiple stop signs have been shown to not be a speed deterrent and actually create an additional safety issue as in an area of low traffic volume drivers consider them to be a substantial inconvenience and will tend to ignore or will tend to speed up after moving through the intersection. Another email: Mike (Moulds) Kent County Public Works Director - Tom, we are able to supply more information to the Sheriff to help with enforcement if he needs it. At lower speed limits it is very common for drivers to exceed it within 10mph over at a higher % than higher speed limits. Discussion from Council – The town cannot have a speed camera unless there is a school in the town. Council can decide to put up a 3-Way stop sign at the intersection of Ericsson Avenue and Howell Point Road and if it doesn’t work, they can be removed. Add “Stop Ahead” as well. *Councilman Gilcrest motioned to install the 3-Way Stop signs and Stop Ahead signs on Howell Point Road for Six (6) Months and request the county do another traffic counter data installed after a few weeks. Councilman Pyfer seconded. All in favor; motion carried.*

Complaint about golf carts on the walking bridge.

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UNFINISHED BUSINESS:

Deferred Ordinance 2021-02 – This will now be an Emergency Ordinance 2021-02. An Ordinance to increase the Special Assessment rate. Public Hearing will be on August 10th and hearing will be advertised in the Kent County News prior to hearing date. Town Attorney, Yeager stated that letters will need to be mailed out to property owners about said Ordinance.

NEW BUSINESS:

Schrimer Farm Contract Agreement Discussion and Vote – Dr. Joe Stock grant committee member gave a synopsis of the property and the grant information through Maryland Department of Housing and Community Development (DHCD) State Revitalization Programs. Discuss on grant and contract. Town Attorney Yeager commented that the actual parcel size according to the deed is 30.63 acres but the contract states 30 acres. This will need to be corrected to 30.63. The grant and contract are for \$500,000. This would not cover the closing costs. The town is exempt from recordation fees but would still need to pay attorney fees, title insurance, etc. *Councilman Fracassi made the motion to approve the contract for the purchase of the Shrimmer Farm acreage; seconded by Councilman Gilchrest; all in favor; motion carried.*

Resolution 2021-04 – Kent County Hazard Mitigation Resolution - Mayor Sutton introduced and read into record Resolution 2021-04. *Councilman Gilchrest motioned to adopt Resolution 2021-04 - Kent County Hazard Mitigation Resolution; seconded by Councilman Marcy; all in favor; motion carried.*

Hunting Request – Parcel 151 Howell Point Road, Robert Clark, Jr. - Property was owned by Jack Fernwalt and purchased by Robert Clark, Jr. Mr. Fernwalt was granted permission from Council on October 23, 2018 with a temporary limited exemption and valid until the end of 2022-2023 hunting season, at which point you can reapply. *Councilman Marcy motioned to allow the new owner, Robert Clark, Jr. to continue the permission granted to Mr. Fernwalt, previous owner, to the end of 2022-2023 hunting season. Councilman Fracassi seconded; all in favor; motion carried.*

OPEN FORUM: Town Attorney Yeager stated that the Town should include title insurance and title search in the Schrimer Farm acquisition.

ANNOUNCEMENTS:

Betterton American Legion is holding Bingo every Sunday.

Youth Group will be starting again on September 17th; October 8th & 22nd; and November 5th & 19th. December 11th, Annual Christmas Party.

A Resident sent an email in reference to concerns about beach parking. The parking becomes a town issue when there is parking on town streets vs. the county “beach” parking lot. We will contact County Parks and Recreation Supervisor, Myra Butler and Kent County Sheriff’s Dept., Sheriff Price. Discussion about running a shuttle from the fire house parking area. Will contact the fire company to see if anyone would be interested.

Horse Racing returns to Betterton – November 6th at the Fire House. Sponsored by Betterton/Still Pond Lions Club.

Motion was made by Councilman Gilchrest to close the July 13, 2021 meeting; seconded by Councilman Marcy; all in favor; Motion carried.

Meeting adjourned at 8:34 p.m.

Respectfully submitted,

Sheila Dlugoborski, Town Clerk/Treasurer

Approved:

August 10, 2021