

# MINUTES

Regular Meeting of Ellendale Town Council  
September 07, 2022  
Council Chambers – 300 McCaulley Street

1. **Call to Order**

2. **Pledge of Allegiance/Moment of Silence**

3. **Roll Call**

Town Council Members Present:

Council Member Aaron Moore, President  
Council Member Tamara Skis, Vice President  
Council Member Kimberly Koukaras, Secretary  
Council Member Lisa Workman, Treasurer

Town Council Members Absent:

Council Member Kim Hughes

Town Staff Present:

Craig Eliassen, Town Solicitor  
Karen Emory Brittingham, Town Clerk

Members of the Public Present:

See Sign In Sheet, dated September 07, 2022

4. **Approval of Agenda**

**MOTION** to amend agenda to move Item 3.b. to first item and remainder of 3. (a.,c., and d.) following. Made by T. Skis, 2<sup>nd</sup> by K. Koukaras. **MOTION PASSED** unanimously.

5. **Reading & Approval of Previous Minutes**

**MOTION** to Accept the Minutes as submitted made by T. Skis, 2<sup>nd</sup> by K. Koukaras. **MOTION PASSED** unanimously.

6. **Treasurer's Report**

**MOTION** to accept report as emailed made by T. Skis, 2<sup>nd</sup> by L. Workman. **MOTION CARRIED** unanimously.

7. **Police Chief Report** read by A. Moore. **MOTION** to approve written report made by. T. Skis, 2<sup>nd</sup> by L. Workman. **MOTION CARRIED** unanimously.

8. **Town Clerk's Report**

K.Brittingham reported continuing with archiving paperwork, setting up property folders. 105 Business Licenses issued to date, 2 Building Permits and 2 Vendor Licenses for Family Fun Day. Need to update the computer system and software. Need to order maps from Sussex County. Continue to update binders, including "Violations" binder. **MOTION** to accept verbal report made by T. Skis, 2<sup>nd</sup> by L. Workman. **MOTION CARRIED** unanimously.

## OLD BUSINESS:

1. (3.b. on Agenda) Delinquent Property Taxes L. Workman introduced Ryan Adams, from Moore & Rutt, P.A. who is here to answer any questions regarding the process for munition sales. Mr. Adams stated the firm currently handles all of the sales for Sussex County and the City of Milford. It is a 4 -6-month process that includes title search, property records update (i.e. estate, heirs) Process to file includes posting property, notifying all parties, including neighbors, then sheriff sale. Additional time to address any possible errors or redemption (pay 15% more than sale price if they want to save the property). Court issues the deed to the buyer. A. Moore confirmed that all costs are paid by the buyer, however there is an “up front” fee paid to the attorney that gets reimbursed from the sale. Different “internal” procedure if the property is owner occupied.

(3.a.) Financial Audit: L. Workman provided an update that there is a meeting scheduled with an account on 9/9/2022 for guidance on what the town needs to meet the requirements. Further update at October meeting,

(3.c.) Fire Hall Rental, Rental Options: A. Moore reported that he and L. Workman met with the Board of the Fire Company and no changes could be made to the policy for three (3) months. There appears to be a lack of communication on both sides and L. Workman suggested a meeting with the Board to clear the air to move forward. However, until a change is made the town will have to pay full price to use the hall for any public meeting. L. Workman provided information on the New Hope Community Center, located on State Street, at the edge of town. The facility can be used at no charge by the town and seats 250 and has parking available. C. Eliassen confirmed the meeting place can be outside of town limits. She recommends establishing specific dates. T. Skis said the town has a liaison with the fire company However, there was confusion on who that liaison was. Currently, the liaison is the Andy Jones, Vice President. She stated the fire company is always invited to attend the town meetings, while the town is not a regular attendee at fire company meetings. The Town Council is to serve the greater community. Workman stated we need to build better communication and felt someone should be in attendance. T. Skis felt this set a bad precedent, for other interested parties that are, or are coming, to town. **MOTION** made to write the Board of the Fire Company to schedule a meeting to open up the line of communication by L. Workman, 2<sup>nd</sup> by K. Koukaras. **MOTION CARRIED** A. Moore YES, K.Koukaras YES, L. Workman YES, T. Skis NO 3 Yes, 1 No. A. Moore will write letter requesting meeting. C. Eliassen reminded the Council that if a quorum attends, it must be posted. L. Workman made a motion to schedule the meetings at the New Hope Community Center. T.

Skis was opposed to scheduling meetings and then cancelling. L. Workman did not feel the scheduling would be an issue, as the meetings would be scheduled through the week when there is not much evening activity and the center.

3.d. Mural (Public Works Building Exterior Wall) L. Workman reported that 12 or more signed up with interest in the Youth Council and the Mural would be a good community project.

3.e. Employee Handbook. T. Skis provided an update on the Employee Handbook. It has been reviewed by legal council and the changes have been incorporated (include Juneteenth and hearing process for any employee facing termination). The effective date would be as of tonight's approval MOTION to approve the Employee Handbook made by K. Koukaras, 2<sup>nd</sup> by L. Workman, **MOTION CARRIED** unanimously. Employees will be given, and sign for, a copy this week.

## 2. Annexation Updates:

- a) **West Ellendale:** Starwood Annexation Agreement has been updated. Agreement has been reviewed by legal and no red flags. **MOTION** to approve agreement made by T. Skis, 2<sup>nd</sup> by K. Koukaras. **MOTION CARRIED** unanimously. Agreement will need to be signed and notarized.
- b) **Newdale Acres:** Election date is September 24, 2022, and has been posted. Election Machines should be delivered 9/23. Three attendants will be paid \$100 each. (T. Ottomano, M. Ottomano and R. Moore) Maps will be made available to confirm residency and i.d.'s will be checked.
- c) **Garey Farm:** Annexation agreement has been reviewed. Engineer cited in the agreement needs to be changed to McCrone, Engineering and the date for the agreement needs to be updated. **MOTION** made by T. Skis to accept the agreement when amended to update engineer and date. 2<sup>nd</sup> by K. Koukaras. **MOTION CARRIED** unanimously. It was also noted by A. Moore that the town will need to pursue a firm to renew the plans. The developer would be responsible for any review fees associated with the project. Addition comment was made regarding another annexation request, but the information has not been received from the applicant to allow the request to move forward (including letters related to sewer, water and electric.)
- d) **Ingram Village.** A. Moore presented information on this project, as the current agreement with the developer expired in 2009. The current builder and pending owner is Insight Investments who have requested to renew the existing agreement. This would also allow

for new bonding as there is currently no bond existing at the site. Dale Wheatly and Doug Simpson are the current owners. T. Skis asked if the current owners are on board with the request. A. Moore stated that there has been not contact from the developers for some time. T. Skis was concerned with “checking a box” that had no advantages for the town. The developers have not been honoring any agreements for a long time. Stan Aldridge, from Insight Investments asked to address some of the concerns. The remainder of the property is currently under contract to them with settlement proposed for November. The annexation agreement will allow them to move forward with the purchase and make adjustments to the agreement after settlement. They will sign an extension/agreement to make sure that the town is comfortable with all of the owner obligations. They purchased property for thirty (30) lots and are planning to go forward with 80 more lots (20 single and 60 townhouses). The agreements for sewer and water are in place. There is currently permission to build up to 97 total lots. A. Moore stated that bonding for the roads is a concern. There is no HOA and not clubhouse and even if the clubhouse had been built there is nothing in place for the ownership or maintenance. Phase One is complete but has never been turned over to the town. There are no “As-built” drawings and some of the original construction has been damaged, including guardrails and sidewalks. The town paid to fix some of the damage and has never been reimbursed by the developer. Property owners (Panas and Ottomano were in attendance) stated they had never been advised of an HOA or a clubhouse by Beaver Properties. L. Workman said Ingram Village is a “poster child” we want to learn from. There are major concerns and there have been many complaints from the residents about what was promised and who is responsible for the maintenance. There are a lot of concerns. T. Skis asked why just “renew “the existing agreement. S. Aldridge stated the settlement attorney advised it was more concise to get an extension on the existing agreement and address what items need to be added in a separate agreement. This will allow Wheatly and Simpson to assign the agreement to Insight. A. Moore read from the agreement that “..if the agreement is transferred it must be done in writing...” T. Skis asked what is the benefit of the renewal. A. Moore said that the grey area is that the current agreement has expired, what is in force? K. Koukaras asked if after the agreement is signed, can they come back and say they didn’t agree to make the changes that are needed A. Moore said if they want to sell, they will agree. T. Skis stated it is better to have something in place vs. nothing in place, this is a step in the right direction. L. Workman disagreed that

something is better than nothing as more answers are needed on the road, pond, playground and who is responsible. More feedback is needed from the community. C Eliassen said there are recorded documents that need to be consulted including the restrictive covenants and the plot of record. The plot may contain notes. You can only assign what is in the agreement(s). **MOTION** made by T. Skis to reenter into the agreement and extend the annexation agreement. 2<sup>nd</sup> by K. Koukaras. **MOTION FAILED.** A. Moore NO, L. Workman NO, K. Koukaras YES, T. Skis YES, K. Hughes ABSENT Discussion on next steps. A. Moore said the existing documents (covenants, plot plan and agreement) need to be consulted and need to be in agreement for signature. Discussion on a workshop for discussion with the community. T. Skis said the focus needs to be on renewing the agreement, focus on the extension and not what needs to be added. S. Aldridge is in favor meeting with the community and hearing the concerns. They look forward to being a good neighbor once they are in a position to act. There are questions that need to be answered. The pond was sprayed this week, trees are being planted. **MOTION** made by L. Workman to schedule a workshop on September 28, 2022, at the New Hope Community Center, at 7:00 to discuss the concerns. 2<sup>nd</sup> by K. Koukaras. **MOTION CARRIED** unanimously.

### **3. Committee Updates:**

- a) Family Fun Day Festival: T. Skis reported it was a nice restart. Over 150 backpacks were given away. Kindness Stones were a huge success and thank you to the Ottomano's for the donation. They will plan ahead next year to make it even more successful, as there were several conflicting activities scheduled in the area that may have affected the attendance.
- b) Youth Council: L. Workman reported over 12 signed up, some appear to be out of town residents. Definitely want to move forward with organizing them. First project would be the mural. Discussion on paint, cost and potential spring project date. T. Skis mentioned this is to be under the guidance of adults and is to include learning who government works. L. Workman will reach out to previous members to see what was done in the past. **MOTION** was made by L. Workman to restart the Youth Council with the first meeting being in October 2<sup>nd</sup> by K. Koukaras. **MOTION CARRIED** unanimously.
- c) Tree Lighting. Roxanne Moore provided information from a contractor that does a lot of decorative work in the area. They install the lights, remove them and then store them for the next year. The Moore's will provide a \$100 donation for the tree. The

decorations could include the gazebo, a wire tree from the flagpole, the memorial area and the roof line of town hall. The decorations would be removed on January 2<sup>nd</sup>. Mrs. Moore plans to work with the community and involve more people to expand the decorations and provide donations. T. Skis said there is currently no funds in the budget for decorations, but donations are an option. L. Workman asked about vandalism and who is responsible, as the star could be an issue. C. Eliassen mentioned concerns for a creche. A. Moore asked that the quote be sent to them for review. **MOTION** made by T. Skis to allow for money to be available from the Community Fund to allow for decorations. 2<sup>nd</sup> by L. Workman. **MOTION CARRIED** unanimously. Reminder that the Community Funds are not limited to Christmas. K. Brittingham will work on a Donation Letter.

**NEW BUSINESS:**

1. Candy Rain: Request was made by J. Jones, via email and not in attendance, to allow for use of the town park for “Candy Rain” on October 30, 2022 from 1:00-3:00 pm. A. Moore said this has been done in the past. The Candy is donated, and Rogers Signs donates the truck. **MOTION** made by K. Koukaras to allow for the event, 2<sup>nd</sup> by T. Skis. **MOTION CARRIED** Further discussion was to allow for a movie later in the evening for “After Dark in the Park”.
2. Surplus Vehicles: A. Moore reported the two police vehicles (Crown Vics) are no longer being manufactured. They were once being used as a backup but, with the purchase of the new vehicle, are no longer needed. The town is currently paying insurance on them. **MOTION** made T. Skis to sell the vehicles, type of sale to be determined by Chief, Aaron and Jamie (i.e. sealed bid, auction..., and to establish minimum price), 2<sup>nd</sup> by L. Workman. **MOTION CARRIED** unanimously. Reminder to remove all equipment. All monies from the sale will be returned to the Police Fund.

**CORRESPONDENCE:** None

**RECONITION OF VISITORS:**

Rowland Moore provided clarification that he is not the appointed liaison with the Fire Company. As of January 01, 2022, the liaison contact is the Vice President of the Company, Andy Jones. Also, the building that was being discussed for the Mural is in poor condition. There is a lot of rot that needs to be addressed.

T. Skis acknowledged frustration that visitors could not address issues while council was in session. However, anyone can be requested to be put on the agenda to address any concerns

they may have. C. Eliassen said any additions to the agenda can be made up to six (6) hours prior to the meeting.

Roxanne Moore had questions regarding Delinquent taxes and who received the funds when the property is sold. Previously, the town paid for a sale and other lien holders were paid first. (i.e., state and county). C. Eliassen said it is the First Filing, which lien is recorded first.

K. Brittingham asked for clarification on the options to collect funds, i.e.. Wage attachment, that are listed in the Town Charter. C. Eliassen said munition should always be the first consideration,

Roxanne Moore also asked that a binder be started that provides information and contacts for basic town information and events, including Family Fund Day, Tree Lighting, etc.

Tom Panas had concerns with the bus stop at Ingram Village, It is a safety issue and wanted it moved further back into the subdivision. Information was provided that DeIDOT and the School District do not allow the buses to enter into the subdivisions. Additional information could be obtained from the school district and perhaps discussion on a bus shelter being provided by the developer.

**EXECUTIVE SESSION:** None

**ADJOURNMENT:**      **MOTION** made by T. Skis at 9:23pm to adjourn, 2<sup>nd</sup> by K. Koukaras.  
**MOTION CARRIED** unanimously.