

Town of Bellefonte
Minutes of the Town Meeting on November 17, 2008

1. Call to Order:
Present: Commissioners Kathy MacDonough, Matthew Flebbe, Michelle Jatko and Treasure Curt Nass. Also in attendance: Steve Russo, Scott MacKenzie, Terry Thompson, Elaine Chester, and Brian Donovan. (No special guests)
2. A motion was made and accepted to move the Plumbing Inspectors Report to the top of the agenda.
3. Plumbing Inspectors Report (Steve Russo)
Inspections completed: 1001 Rodman Rd. – New boiler, 102 Beeson Rd. – New furnace. Turned over checks to Curt Nass
Open inspections: Received a permit 210 Schoolhouse Lane for plumbing. And 204 Schoolhouse Lane is open. There was some discussion around confusion of the open permits for Building Inspection.
4. Reading of the Minutes from October’s meeting, a motion was made to waive and accept the minutes as written.
5. Reading and of the bills:
 - Connolly Bove Lodge & Hutz LLP for services thru Sept. 30, 2008 \$ 00.00
 - State of Delaware DNREC Boiler inspection certificate (biennial) \$ 30.00
 - Delmarva Traffic Light \$ 68.13
 - Delmarva Street Lights \$ 1,244.58
 - Delmarva Town Hall \$ 41.73
 - Verizon Bill (new charges) \$ 71.08
 - IDS (Independent Disposal Serv.) \$10,454.50
 - Delmar’s Truly Nolen Pest Control (Termite Warranty 08-09) \$ 229.00
 - Green and clean (with deletion of 11/21/08 of \$60.00) \$ 545.00
 - Terry Thompson for reimbursement for the order and purchase of Building Permit forms \$ 77.30

6. Correspondence

Matthew Flebbe: Richard Black Howell of UK sent email, MD land requested how we request procurements for services. Matt responded that we solicit Tyne Gatson of Maryland Alliance for Safe Roads. Wants to meet for 10 or 15 minutes regarding Delaware bridges and roads and keeping truck size and weight down who use our roads

Michelle Jatko: Gail Stranahan called, wanted to know if there are any requirements to list her mother’s house, the Townsend house on Euclid, for rent. Michelle responded to her after talking with Kathy, “No, as long as it is single family home and not dividing into apartments.” Curt had responded to the other call regarding a settlement of property with Lisa Cartwright.

Kathy MacDonough: Dennis Dougherty of Talley Rd. called in reference to the vehicle untagged with flat tire that emerged from garage at 1201 Brandywine Blvd. County Code Enforcement has been at the site. State of Delaware pool for insurance for Workers Compensation, Kathy will explore that more. On Wed. 11/19, there is a presentation on Turning Downtown Vacancies into Community Assets by Delaware Economic Development Office. The DE League of Local Government monthly meeting, Thurs. 11/20, program subjects are Economical Turmoil and effect on Municipalities Attendees to Congress of Cities held in Florida will report, and Slate of Board members to be

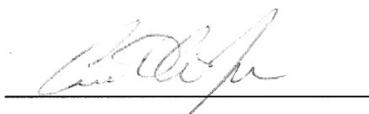
elected in January. Lee Cordle from 908 Marion complained about flood lights at 906 Marion, not sure if it may or may not be a New Castle County complaint department.

Kathy received the letter from Valerie White that we had requested of her for her plans for her Art Festival to be held Saturday, May 9th, in Bellefonte on Brandywine Blvd. to block the street of traffic from Marion to Maple from 6:00 AM to 8:00 PM. Kathy is not sure how to respond to the request. When she told us her idea at the October Town meeting she was asked to check with the businesses and Fire Hall and Bus service. Fourteen hours is too long to expect the road to be blocked, could we ask her if she can work out the art festival without blocking off the street or another location, possibly use the town park inside the oval or the sidewalks around the park and Town Hall. Would the merchants find this an attraction or detriment?

7. Treasurer's Report (See attached) Total Town Funds of \$272,603.46. Curt has received the check from the State for MSAF account of \$11,600 and will show in the next report.

Town of Bellefonte
Monthly Treasurers Report
October 2008 Report

| | Commerce Town Account | MSAF Account | Property Transfer Account | Total |
|-------------------------|-----------------------------|-----------------|---------------------------------|---------------------|
| Balance 10/01/08 | \$152,218.16 | \$929.72 | \$61,883.07 | \$215,030.95 |
| Receipts | | | | |
| Tax Collection | 76,761.73 | | | 76,761.73 |
| Property Transfer Tax | | | 1,995.00 | 1,995.00 |
| Rent | 1,800.00 | | | 1,800.00 |
| Interest | 70.41 | 0.43 | 17.41 | 88.25 |
| Total Receipts | 78,632.14 | 0.43 | 2,012.41 | \$80,644.98 |
| Disbursements | | | | |
| Trash Collection | 12,460.50 | | | 12,460.50 |
| Town Utilities | 1,379.77 | | | 1,379.77 |
| Landscaping | 1,005.00 | | | 1,005.00 |
| Town Maintenance | 538.00 | | | 538.00 |
| Internet/Supplies | 277.82 | | | 277.82 |
| Donations | 250.00 | | | 250.00 |
| Town Park Expenses | | | 29,307.00 | 29,307.00 |
| Total Disbursements | 15,911.09 | 0.00 | 29,307.00 | 45,218.09 |
| Ending Balance 10/31/08 | \$214,939.21 | \$930.15 | \$34,588.48 | \$250,457.84 |
| Bank CD with Interest | | | | \$22,145.62 |
| | | | | \$272,603.46 |



Curt A. Nass
Treasurer/Tax Collector

Property Transfers at 1006 Marion Ave., 901 Marion and Geiger at 718 Phila. Pike in November.

8. Building Inspector (Joe Finocchiaro, Jr. and Mike McGrath)

Mark Barnwell has indicated to Joe Finocchiaro that he no longer wants to be Building Inspector. Joe will tell Mark that he needs he should write a resignation and return all records and permit paperwork. Joseph M. Finocchiaro, Jr (Contractor and former Building Inspector) and Michael W. McGrath (Contractor) were introduced as new Building Inspectors. More than one inspector is allowed per our Town ordinances. They were giving copies of the Town Building Inspector's responsibilities and ID Badges will be provided to them. The Secretary keeps the log of the permits. Michelle was presented with a Building Permit Log by Terry Thompson. Permit forms have been ordered. A motion was made to accept both men as Building Inspectors. It was voted and approved. Joe Finocchiaro and Mike McGrath were sworn in as Building Inspectors. A listing of all completed permits need to be compiled. Curt could create one from the Fees paid to the Building Inspector in 2008. Joe and Mike were given the information to access the Town Voice Mail for the Building Inspector's box.

Open Building Permits: 1201 Brandywine Blvd., 916 Elizabeth Ave., Firehouse (tank pad). Need to verify closing of permits: 702 Maple, 1005 Marion, 206 Schoolhouse Lane
Pending Inquiries: Spalco Rental at 700 Phila. Pk., a deck at 901 Highland Ave., a shed at 909 Marion Ave. 210 Schoolhouse Lane, and Bellefonte Café (remove load bearing wall?)

9. Board of Adjustment (Brian Donovan)

Nothing new to report. The town phone voice mail is full again. Curt has not been able to get into his box.

10. Planning Commission (Terry Thompson)

The Planning Commission's scheduled Nov. 12th meeting was cancelled. They commission with the help of Linda Raab of the University of Delaware have been working to update the 1947 zoning code. The apartment district is in question, and they are recommending that any new apartments would have to go through the Board of Adjustment. The definition for apartment came out of the ICC book. A draft should be ready next month. State Office of Planning said we failed to submit the Developmental Trans Questionnaire Reporting Period Jan. 1 – June 30, 2008 report. It should list any building permits and if we made any changes to the zoning and any new development in the town. Terry got them to agree we can submit all 2008 building permits as one report. Michelle will talk with Terry about this later. Linda Raab is also working on mapping all apartments, and with the help of Max Walton, the current apartments will need to register to be grandfathered-in, owners will be notified by mail. Their next meeting will be December 10, 2008. The commission receives both Livable Delaware and Wilmaco funds.

11. Park Commission (Scott MacKenzie)

The park has been approved for additional \$24,750 to the 30,000 DTF for a total of \$54,750, an expansion of 2006 funding. Scott said that now he was told the subdivision to the property with legal fee totaling close to \$10,000 was not necessary, just passing an ordinance would have sufficed. So they will not reimburse us for that amount. Scott said that there are plenty of other things that fit the requirements for that funding. Scott made a summary of list of expenses, and confusion due to Irwin qualifying payment for the wrong item on their invoice...so billing statement may be incorrectly itemized. The \$24,650 for trees (\$8,100) and as sidewalks (\$16,000), so the Phase III current invoice has really been paid, just mis-recorded at Irwin. Scott will be meeting with them and

he will straighten it out, and break out the demolition price. He will have Andrew Durham review the results and ask for his final hours. Kathy gave a written list of items regarding the park that might be helpful for review from discussion with Dick McGinnis. The height of the gazebo floor was questioned. Scott mentioned that it was intended for the illusion of the look of a trolley. He needs to get bids for the cost of the accessibility ramp for the gazebo and contract for the running-boards for on the other side to look like a trolley. He thought the one bid for \$9,800 was too much. Kathy still needs to get the \$16,000 from Sen. McDowell's office that was promised for reimbursement for the sidewalks. She mentioned the sidewalk work done outside the Koist Law office at the corner of Grove Avenue and Brandywine Boulevard by Deldot and expect the funding will still be available to us. Resolution of the outstanding money due for the sidewalks will allow for the McDowell reimbursement. A motion passed to pay up to \$16,400 to pay for sidewalks. (We are holding back on \$15,350 for an Irwin bill. Scott will take the list of observation about the park to Andy Durham for his evaluation of Irwin's work and the plantings. Scott said the mulch meets the States guidelines for a public park, the area is not a playground. It was reiterated that any more that two commissioners gathered together could be considered a meeting and subject to the requirements of public posting of notice a week before it happens.

12. Commissioner Reports

Matthew Flebbe: The dumpster on Rodman Road near Euclid has been removed.

Michelle Jatko: Thank you to the following people present: Scott MacKenzie, Terry Thompson, Elaine Chester and everyone else that does work on behalf of the town, including Curt Nass for his time at Town Hall to collect taxes, and Brian Donovan on the Board of Adjustment.

Kathy MacDonough: Tom Finocchiaro submitted a bid for snow plowing.

13. Old Business:

Regarding snow plowing, it was proposed that the town is not required to request bids each year. Scott said every three year we need to request public bids for reimbursement purposes. It was decided that Tom's increased rates were so minimal that a motion was made to accept Tom Finocchiaro's proposal. The motion passed unanimously. Would we need to clear the sidewalk within the park on the oval? Would salt or sand be appropriate for the brick sidewalk? Posting a sign of park behavior and rules, must be considered for concern of liability. Also, the sidewalk on the Marion Ave. side of Town Hall.

Kathy called for another special meeting to discuss the Waste Disposal contract. It may take an hour and half to review the variety of choices. IDS wants to keep us an Allied Waste wants to get our business so there is no fear that service will stop. The time will be Monday after thanksgiving, December 1, 2008, 7:00pm at Town Hall. She will forward information to the commissioners before the meeting. Steve Russo checked the Town Hall heater after reports of it making noise.

Michelle will ask for Max Walton's help to rewrite the Day Care Lease. It was decided to leave the rental fee at \$1800 as we had not pursued the increase after the 2007 Lease went to month-to-month status after Dec. 31, 2007. It was discussed that we only provide repairs to the "shell" of the building and heat. Anything interior would be the responsibility of the Day Care. Some consideration was made to the possibility of access to the Town Hall through the Day Care for accessibility issues.

14. New Business:

A motion was made and a unanimous vote to accept M. Elaine Chester to the vacant Commissioner seat on the Town Commission. She was sworn in, and her term expires June 2009.

15. Next Town meeting is Dec. 8, 2008. Christmas decorations: Elaine will organize. Michelle said she will help. Meeting adjourned.