

TOWN OF BELLEFONTE
Town Commission Meeting Minutes
April 11, 2016

Attending: Scott MacKenzie, Brandon Dougherty, Dave Brenner, and Curt Nass;

Excused: Ross Logan

Guests: John Cartier; Steve Segretto, Richard Mulhern, Andy Moore; Mickey Kostyshyn, and Pat Anker.

Call to Order: The meeting was called to order at 7:04 pm

Special Guests: NCC Councilman John Cartier:

- Submitted Police Activity Report for Bellefonte. Scott asked Dave to publish on the website.
- Submitted code report given to Dave to put on website.
- Discussed budget situation. - County budget needed by May 31st.
- Discussed and updated people on land use and vacant properties in the area

Public Comments: Miroslaw Kostyshyn said that he had called DelDOT about the curb painting and said that they would be in contact with the Town. He asked if the Town had heard from them and the answer was no.

Minutes:

- Minutes of February Meeting: Dave made a motion to waive the reading of the February minutes and approve them. Brandon seconded. All in favor. The motion passed.
- Minutes of March Meeting: Brandon made the motion to waive the reading and approve the March minutes. Andrew seconded. All in favor. The motion passed.

Building Inspector Report: Scott reported that Kyle Issued permits to two properties that needed a permit (these were stop-work cases where work was being done without a permit).

Plumbing Inspector Report: Mr. Russo did not attend. No activity reported.

Board of Adjustment: Brian reported no activity.

Planning Commission

- Steve Segretto reported meeting was last Monday. Postcards will be sent out for public meeting, Thursday, June 9th. 2016 at the Brandywine Fire House.
- Pre-Plus Review comments were made to update on the Comprehensive Report that the committee is working on. Steve will continue to update on us on matters.
- Next meeting is May 2nd

Treasurer's Report

- **Curt presented the Financial report for April and reported on the taxes collected (attached)**
- Dave made a motion to accept the report. Brandon seconded. The motion carried. All in favor.

Reading and Approval of Bills

Brandon read the following bills for payment:

Comcast, Internet/phone	\$431.69
Waste Industries, Trash/recycling	12,752.10
Delmarva Power, gas	38.61
Delmarva Power, street lights	1,432.74
Delmarva Power, town hall power	324.95
Suez Delaware Water, town hall	15.36
US Treasury, Treasurer taxes	1,389.91
Steve Segretto, reimb. postcards	361.46
Dave Brenner, reimb. sign hardware	12.67
Selective Insurance, town insurance	7,173.00

Dave made a motion to accept the bills as read. Andrew seconded. All in favor. The motion carried.

President's Report

- Scott read into the record the state approval letter for annexation (SEE ATTACHED LETTER)
- Scott discussed that the Town of Bellefonte can now officiate marriages in the town with the passage of House Bill 241.
- Ordinance 2016-03 will now include the transfer of zoning to the NCC and create a Zoning Review Board that will be completed by the Planning Commission
- Andrew made a motion to approve \$200 for a draft notice of 2016-03 to be published in the News Journal. Dave seconded the motion. All in favor. The motion passed.

Old Business

- Brandon made a motion to proceed with the second reading of Ordinance 2016-02. Andrew seconded. All in favor. The motion carried. (See Attached)
- Dave made a motion for the second reading of Ordinance 2016-02 in title only. Andrew seconded. All in favor. The motion carried and Ordinance 2016-02 was read by Brandon in Title Only.
- Andrew made a motion to accept the second reading of 2016-02 in title only. Dave seconded. All in favor. The motion carried.
- Scott made a call for discussion and/or amendments. Dave made a motion to amend the effective date from June 30, 2016 to June 1, 2016. Andrew seconded. All in favor of the amendment. The motion carried and the amendment was accepted.
- Brandon made a motion to adopt the ordinance 2016-02 as amended. Andrew seconded. Scott called for a discussion. There was no discussion. Scott asked if there was any public comment. All in favor. The motion carried. The properties are annexed.

New Business

Capital Improvements

- Andy submitted bids for work to be done on the annex bathrooms.
- Andrew Ritchie made a motion to accept the bid for \$27,135 to DelDeo. Dave seconded the motion. All in favor. The motion passed.

- Andrew Ritchie made a motion to approve additional \$500 for a drainage study with Howard Robertson. Dave seconded. All in favor. The motion passed.
- Brandon made a motion to approve \$3,400.00 for removal of the asbestos tiles in the annex. Dave seconded. All in favor. The motion passed.
- Dave made a motion to approve up to \$100 for flowers for the tub on Brandywine Boulevard, Andrew seconded. All in favor. The motion passed unanimously.
- **Board of Elections:** Commissioners need to re-file with the Board of Elections.
- **Beautification/Historical Marker** Approval for placement of a marker sign Native American settlement Amimenipatj would be placed somewhere near the Town parking lot on Brandywine Blvd.
- Brandon made a motion to approve up to \$1500 for a historical marker for the Native American settlement. Dave seconded. All in favor. The motion carried.
- **Advertising-Arden Guild.** Scott requested \$180 for advertising in the Arden Concert Guild program. Dave made a motion for up to \$180 for an ad in their Arden guild for promotion of the town . Andrew seconded. The motion carried. All in favor.

Public Comments:

- Mary Vaughn from 1207 Monterey Place came to discuss the construction of a hydroponic growing system of her next door neighbor. She wanted to know if this was within R-1 code. Scott answered that the system was granted a permit, but that the Building Inspector had suggested a fence surrounding the system.
- We will keep an eye on the property and make sure it's not being used for any use beyond the current codes.

Announcements:

- Next town meeting May 9, 7 pm. Next Planning Commission meeting May 2.
- Dave made a motion for the meeting to be adjourned. Brandon seconded. All in favor. The motion carried.
- Meeting adjourned at 8:45 pm

Submitted by: Brandon Dougherty



Town of Bellefonte, Delaware

**Ordinance 2016-02 - Annexation of the properties so identified as
1214 Wynnbrook Road, 1214 Talley Road, 1215 Talley Road, and 1215 Brandywine Boulevard**

WHEREAS the Town of Bellefonte has the authority to annex adjoining unincorporated parcels granted by the State of Delaware, Title 22, section §101, and

WHEREAS the Town of Bellefonte Charter, adopted by an act of the Delaware Legislature in July 2015, authorizes the Bellefonte Town Commission to annex adjoining parcels within the restrictions enumerated therein, and

WHEREAS annexation of the aforementioned adjoining parcels were declared and published in the Bellefonte Comprehensive Plan, adopted by the Town and approved by State of Delaware in 2007, and

WHEREAS Resolution 2016-01 was passed by the Bellefonte Town Commission at the February 8 town meeting, with unanimous consent of the Commissioners, and due notice was sent to the property owners of the aforementioned properties, and Public Hearings held on March 14 and April 11 to gain public comment, and

A Plan of Municipal Services has been submitted to the State of Delaware Office of Planning Coordination, and proper notice shall be given to the New Castle County Department of Land Use and Office of Planning, now

THEREFORE, for the purpose of smoothing out the irregularities in the Town's border, be it resolved, after careful consideration, that the Bellefonte Town Commission has approved by majority vote, the annexation of the above properties according to Bellefonte Ordinance 2015-02, Annexation, as adopted on November 9, 2015.

SEVERABILITY – The provisions of this Ordinance shall be severable. If any provisions of this Ordinance are found by any court of competent jurisdiction to be unconstitutional or void, the remaining provisions of this Ordinance shall remain valid, unless the court finds that the valid provisions of this Ordinance are so essentially and inseparably connected with, and so dependent upon, the unconstitutional or void provision that it cannot be presumed that the Bellefonte Town Commission would have enacted the remaining valid provisions without the unconstitutional or void provision; or unless the court finds that the remaining valid provisions, standing alone, are incomplete and incapable of being executed in accordance with Bellefonte Town Commission's intent.

This Annexation is effective June 1, 2016.

First Reading Date: March 14, 2016 Second Reading Date: April 11, 2016

Approved: _____

Scott Marquardt
President

Date: April 11, 2016

Affirmed: _____

Brandon Pugh
Secretary

Date: April 11, 2016



STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF STATE PLANNING COORDINATION

March 23, 2016

Mr. Scott McKenzie, President
Bellefonte Town Commission
901 Rosedale Avenue
Bellefonte, DE 19809


RE: Plan of Services 2016-01, East End Annexation
Tax Parcel #s 0613200211, 0613200210, 0613200209, 0613200208

Dear Mr. ^{Scott} McKenzie,

This letter is to confirm that we have received and accepted the completed Plan of Services for the above-referenced annexation. The Town has completed all relevant annexation requirements of Title 22, Section 101 of the Delaware Code.

After the properties have been annexed please notify our office in writing so that we may update our records and maps. A copy of the official annexation resolution should accompany this notification. Please do not hesitate to contact me if I can be of any further assistance.

Sincerely,


Herb M. Inden
Principal Planner

cc: Connie Holland

Town of Bellefonte
 Monthly Treasurers Report
 March 2016 Report

	Town	Account	MSAF Account	Property Transfer Account	Town Accounts Sub- Total	March 2015
1	Balance 03/01/16	\$76,363.38	\$2,002.97	\$147,818.12	\$226,184.47	\$216,108.48
Receipts						
2	Cable Franchise Proceeds	12,907.06			12,907.06	
	Property Transfer Tax			8,040.00	8,040.00	
	Insurance Reimbursement	6,000.00			6,000.00	
3	Town Taxes	1,337.73			1,337.73	
4	Total Receipts	20,244.79	0.00	8,040.00	28,284.79	3,532.74
Disbursements						
5	Trash Collection	12,739.90			12,739.90	
6	Town Utilities	2,272.94			2,272.94	
7	Audit Services	1,625.00			1,625.00	
8	Public Notices	448.00			448.00	
9	Legal Fees	306.52			306.52	
10	Bank Fee	1.89			1.89	
11	Total Disbursements	17,394.25	0.00	0.00	17,394.25	31,626.38
12	Ending Balance 03/31/16	\$79,213.92	\$2,002.97	\$155,858.12	\$237,075.01	\$188,014.84

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March Properties:
 Transfer Tax

706 Maple
 102 Beeson
 1003 Rodman Rd

Curt A. Nass
 Treasurer/Tax Collector