

Town of Camden
Regular Meeting of the Council
November 1, 2010
Town of Camden Municipal Building

At 7:00 p.m. Mayor Maly called the Camden Town Council Meeting to order and led the attendees in the Pledge of Allegiance and a moment of silence in recognition of our troops currently serving and those who have made the ultimate sacrifice.

The following persons were in attendance:

Council Members	Kevin Casquarelli, Councilman Jeffrey Lewin, Councilman Laura G. van Rooten, Councilwoman Kenneth Fuchs, Vice Mayor Richard Maly, Mayor
Solicitor	Craig T. Eliassen, Esq.
Administrative Staff	James O. Plumley, Town Manager Charlotte L. Klauder, Town Clerk / L.U.A. Chief William Bryson, Camden Police Dept.
Public	Attachment

Notice

Notice of this meeting has been made in accordance with the Delaware Open Public Meetings Act by posting on October 12, 2010, copies of the agenda in the following manner:

- a. The electronic sign; and
- b. The official bulletin boards; and
- c. The official website; and
- d. Delaware State News on October 24th & 31st.

Amendments to the Agenda

Mayor Maly announced the one (1) amendment to the agenda. He stated that Item II on the agenda is listed as a public hearing, which it is not; however sufficient time will be given to Mr. & Mrs. Buckson and any residents wishing to speak on the matter.

Mayoral Announcements

- The Town Hall will be closed on the following days:
 - November 2nd – Election Day
 - November 11th – Veteran’s Day

- November 25th & 26th – Thanksgiving
- Pie Event will be addressed by Ms. Klauder in her report
- The Board of Adjustment, Planning Commission and Public Workshop is scheduled for Wednesday, November 17th at 6:30 p.m. for the purpose of reviewing the proposed revisions to the Zoning Ordinances and correlating map.
- The 2011 Camden Municipal Election is scheduled for Saturday, February 26th from 12:00-8:00 p.m. at the Town Hall. Ms. Klauder will be accepting notifications of candidacy during regular business hours from December 6th – January 29th. The current Council seats expiring are Mr. Fuchs and Mr. Lewin.

Minutes

Mayor Maly asked for a motion on the October 4th minutes as written.

Councilwoman van Rooten offered corrections to the October 4th minutes which were accepted.

Motion made by Councilman Casquarelli, seconded by Councilwoman van Rooten, to approve the minutes with corrections.

Correspondence

- Letter dated October 15, 2010 from Mr. John Green concerning the Budget Deficit. This letter had been placed in each of the packets for Council's review.

Treasurer's Report

A motion was made by Councilman Lewin, seconded by Councilwoman van Rooten, to approve the September 2010 Treasurer's Report subject to audit. On roll call the following vote was recorded:

AYES: van Rooten, Casquarelli, Fuchs, Lewin

NAYS: None

Police Department Report

Chief Bryson's report included but not was limited to the following:

Hourly Activity Recap

- 194 Traffic arrests
- 24 Traffic warnings
- 27 Criminal Investments

Enforcement

- 428 hours on patrol duty
- 389 hours of administrative duty

- 245 hours training
 - 174 Criminal Investigation
 - 126 hours Special Duty
 - 115 hours Special Duty (Town)
 - 82 hours Court Regular Duty
 - 76 hours Paper Review
 - 64 hours Community Service
 - 35 hours Accident Investigation
 - 30 hours Assisting Other
 - 26 hours Meetings
 - 19 hours computer maintenance
 - 13 hours Evidence
 - 2 hours Building Maintenance
 - 2 hours Vehicle Maintenance
- Total Hours on Duty 2093

Calls Received

- 256 calls were received in September of 2010 compared to 225 in September 2009, representing a 14% increase.

Councilwoman van Rooten inquired as to the number of accidents over the past 12 years. Chief Bryson stated he did not have the numbers for the past 12 years however he could provide the following:

- 2002 = 55
- 2003 = 87
- 2004 = 126
- 2005 = 253
- 2006 = 249
- 2007 = 392
- 2008 = 364
- 2009 = 352
- 2010 = 367

Councilwoman van Rooten asked if there was a specific attributing factor to the rise in accidents. Chief Bryson stated increased traffic.

Land Use Report

Ms. Klauder's report included but was not limited to the following:

- Board of Adjustment met October 20th wherein they discussed future educational opportunities as well as the revised zoning ordinances which will be reviewed at the joint / public meeting scheduled for Wednesday, November 17, 2010
- Planning Commission also met on October 20th. The Planning Commission had discussed the same matters as the Board of Adjustment as well as heard a request for a

recommendation to Council from Mr. & Mrs. David Buckson, Sr. for a waiver from the Open Space requirements as they pertain to the Camden Commons development. Chairman Ehli had recused himself prior to the hearing of this matter as his property is affected by this request. On a roll call vote the Commission recommend denial of the waiver request: King, Green, Schock

- Over the past several weeks, collaborations with Remington, Vernick & Beach pertaining to the revision of the Zoning Ordinances and map have been completed.
- 14 permits issued as of the report date (TOC \$9,070.92)
- 4 inspections
- Pie Event – Ms. Klauder stated she expanded on Councilman Lewin’s idea of a Pie Event to include a pie eating contest for adults and children alike, a bake sale, best pie contest and recipe swap. She implored the community with respect to involvement and volunteerism as it relates to baking pies for the Sunday, November 21st event at the Fire Company. Ms. Klauder reminded the residents that all proceeds from this event will be donated back to the town.
- Festival of Lights – Ms. Klauder stated this is a matter near and dear to her, as it was her desire to bring the community together for one celebration despite religious or cultural differences by meeting neighbors, enjoying refreshments and entertainment provided by the CR High School Choir. She stated Santa & Mrs. Claus will be available for pictures with the children. She expressed gratitude to the Holiday Committee which included Ms. Toner, Ms. Altevogt, Christine Palombo, Susan Savage and Lisa Driggins for their help in coordinating this effort. She also thanked Mr. & Mrs. Burke for their monetary donation as well as the donation of a tree.

C.W.F.D.

No one from the Camden-Wyoming Fire Department was present.

C.W.S.W.A.

Mr. Mark Dyer reported the next scheduled CWSWA meeting would be held November 9th at 7:00 p.m.

Friends of Historic Camden

Ms. Toner stated the Friends of Camden yard sale on October 23rd was a success raising \$340 which will be used for Camden Days, May 1st, 2011. She also displayed the new byways sign which was unveiled by DelDOT. She stated it would be used on the Harriet Tubman Byway as the under-ground railroad runs right through Camden.

Old Business

Mr. Plumley stated he had distributed to each member of Council the reduction options. He stated this document was joint effort between him and the Chief.

Mr. Plumley said the goal was not only to eliminate the deficit, but to look to the future expenses: healthcare benefits, property and casualty insurance, vehicle maintenance, new cars, facility maintenance and street maintenance.

After compiling the input received by the public and the recommended cuts provided by Chief Bryson and himself, the following options were presented to Council:

- A. Mr. Plumley stated adjustments have been made within the municipal employees and public works, specifically: the Finance Clerk will become a part-time position; the Maintenance Technician's and Land Use Administrator positions will be eliminated. The Police Department will eliminate the Lieutenant and Administrative Sergeant positions and one patrolman. He added this option would also include a tax raise of 24% across the board, which would equate to \$138 per annum.
- B. Mr. Plumley indicated this option includes everything in option "A" however it would eliminate one (1) additional officer. He indicated the Town has been accepted for the COPS grant which bring about laying off 1 officer on December 31st and rehiring him on January 1st, thus allowing the Town to maintain the 1 officer. He reported the funds will be available for use over the next 3 years; however the Town will be responsible for maintaining the officer for 12 months beyond the end of the grant. He recommended acceptance of the grant. Mr. Plumley indicated this option would include an 18% tax raise across the board, equating to \$103 per annum.
 - o He further stated the Town currently offers a 3% discount for taxes paid before September 1st. He declared in addition to the 3% discount, seniors enjoy an additional \$84 discount and a reduced pay rate of \$.84 on a \$100 assessed value; the regular rate is \$1.20 per \$100 assessed value. Mr. Plumley proposed all discounts be eliminated as well as imposing a penalty for late payments thus saving the Town over \$74,000 per year. He stated there is the option of implementing a 4% senior discount across the board once a senior reaches social security age, which would eliminate the Town's requirement to maintain the financial tax records for each qualifying senior.
- C. Mr. Plumley stated Option "C" is simply raise the taxes 60% or \$345 per annum.

Mr. Plumley recommended Council deliberate and come to an agreement between options "A and B".

Mayor Maly asked if Councilman Lewin had any questions or comments with regard to the presentation. Councilman Lewin stated he agreed with most of the options in option "A", reiterating outsourcing is important. He stated he has spoken very clearly on Police issues and while it would be nice to have as many officers as possible the Town simply cannot afford it. He also commented that he is concerned with removing the discounts and feels it should be done in phasing, stating there does not need to be another layer of discounts as Council should be mindful of how much is taken away. He asserted his preference for a modification on the discount program and an 18% tax increase.

Vice Mayor Fuchs commented Social Security recipients have not received their 2% increase in 2 years and seniors are living on a fixed income. He asserted his belief the Town should take advantage of the COPS grant.

Mr. Plumley said he, the Mayor and Chief have all spoken with Mr. Chou and as a result Mr. Chou will be implementing a new policy for calling the police department based on the severity of the crime. Chief Bryson stated they have not reached a formal agreement, however there is an open dialogue.

Councilman Casquarelli stated the Town had endured a 33% tax increase a few years back and were lucky to have had the streetscape project paid by the State. He expressed his concern with regard to the police department.

Councilman Casquarelli questioned the projections for years to come. Mr. Plumley stated if the Town stays within our means there should not be a need to raise taxes for a projected period of time.

Councilwoman van Rooten concurred with Mr. Lewin insofar as option "A" as it is provided Camden accepts the COP Grant, lay off an officer go on December 31st and rehire him on January 1st. She related incidents occurring in Dover as they pertain to gang activity and she feels we should not ignore this information and for that reason she feels we need to maintain the level of police presence.

Councilwoman van Rooten expressed her concern for the impact of a tax increase to seniors.

At this time Mayor Maly asked if there was a motion at this point to consider any of the options provided.

Motion made by Councilman Lewin to accept Option A with the following modifications:

- a) Tax increase of 18% versus 24%
- b) The COPS grant to be included in the motion; meaning one patrolman will be laid off on December 31st then rehired on January 1st.
- c) Removal of the early tax payment discount
- d) Modifying the standard senior discount from \$.84 to \$.96 per \$100 assessed value
- e) All Town Hall changes including the elimination of the Maintenance Technician and Land Use Administrator positions, as he stated those eliminations were made for the right reason.

The motion was seconded by Councilman Casquarelli,

At this time Mayor Maly opened the meeting to the Council and public for discussion on the motion.

Vice Mayor expressed his gratitude for continuing with the 24/7 police enforcement, and indicated as far as being a senior himself, he is okay with the increase.

Mayor Maly stated 15 minutes have been set aside for comments and each member of the audience will receive 2 minutes to speak.

Susan Savage – Employee and Camden Commons Resident

Ms. Savage stated she is the administrative employee who will become part-time effective January. She expressed her concern for the tax increase as she is on a fixed income and losing hours.

Tracey Torres – Newell’s Creek Resident

Ms. Torres questioned why the Town Manager and Chief of Police were responsible for creating the proposed recommendations versus the Council. She stated she had researched the police department budget expressing her desire to see the top heavy salaries eliminated thereby keeping more patrolmen. She also questioned whether or not the Chief and Captain are patrolling as those positions often do in other towns. Ms. Torres also expressed her disdain for the lack of seating in the “brand new” facility. She further indicated there were additional ways to cut spending and it starts at the top.

Ken Sweeney – Business Owner Resident (Camden-Wyoming Avenue)

Mr. Sweeney stated his small business tax has gone up by 55% in the past couple of years. He asked for clarification on the options, as it was his understanding that option “B” meant no loss of patrolmen. Mayor Maly explained option “B” would lay off two (2) officers on December 31st, rehiring one (1) officer on January 1st; however the Lieutenant and Administrative Sergeant would still be relieved of duty.

Jill Fuchs – Barclay Farms Resident

Mrs. Fuchs stated both plans are unacceptable and respectfully requested Council return to the drawing board to come up with a more palatable remedy for the situation. She further stated a decision should not be made at this meeting. Mrs. Fuchs recommended the Town Manager and Chief sit with each Councilperson individually and come up with a better plan.

Joe Simpson – Non-resident / Owner of Rental Properties

Mr. Simpson expressed his disdain for the increase in taxes indicating he has not realized a profit on his rental properties as a result thereof.

Hearing no further comments, the Mayor called for a roll call wherein the following vote was recorded:

AYES: Casquarelli, Lewin, Maly
 NAYS: None
 ABSTAIN: van Rooten, Fuchs

Mayor Maly stated a lot of work went into these proposals. He also reminded the citizens of their desire for a 24/7 police force. He stated they could not cut salaries of the officers due to the contract agreement. Mayor Maly agreed it is unfortunate, however all the Town has as a source of revenue is taxes which had to be raised in order to keep the services the taxpayers desired.

Councilman Lewin stated there is a huge deficit in this town, Mayor, Council and staff have been looking at it for 4 months, and the longer the wait the closer Camden comes to not having a town. He also stated this was not a decision that was entered into lightly and commended the Chief, Town Manager and Mayor for their efforts.

New Business

TIDBURY CROSSING

Request for Reduction of Letter of Credit

Mayor Maly announced the developers of the Tidbury Crossing development were seeking a reduction in the posted Letter of Credit. He directed Council to the recommendation by the Town Engineer to approve such reduction. At this time he asked Mr. Plumley to explain the purpose of a Letter of Credit, to which Mr. Plumley deferred to Ms. Klauder

Ms. Klauder stated a Letter of Credit or Performance Bond is posted at the beginning stages of a development to ensure there is money available to complete a project should a developer go bankrupt or pull out of development prior to completion. She stated these funds are then utilized by the Town to ensure completion of the infrastructure.

Motion made by Councilman Casquarelli, seconded by Vice Mayor Fuchs to accept the reduced Letter of Credit as proposed by the developer of Tidbury Crossing. The vote was unanimous and the motion carried.

DAVID & PATRICIA BUCKSON, SR.

Tax Map No. NM 7-02-094.07-03-07.00

Waiver Request from Open Space Requirements

Mayor Maly stated this matter had appeared before the Planning Commission on Wednesday, October 20th and the Planning Commission had made a formal recommendation for denial of this request as presented to each Council member in their packages.

At this time Mayor Maly asked for a motion on whether or not to accept the recommendation for denial as made by the Planning Commission.

Motion made by Vice Mayor Fuchs, seconded by Councilwoman van Rooten to deny Mr. & Mrs. Buckson's request for a waiver from the open space requirements.

Mayor Maly allowed 10 minutes for public discussion on this matter.

David Buckson, Sr. – Owner of Record (Developer of Camden Commons)

Mr. David Buckson expressed his belief that the Town of Camden by denying this request has confiscated his property. He further indicated this land has never been used nor has anything ever been done with it in 30 years, which was supposed to have been for the enjoyment of the community. Mr. Buckson stated he had withdrawn his request for waiver relief of the open space on Meetinghouse Lane which would be more ideal for use by the community.

Theo O'Brien – Former Resident of Camden Commons

Ms. O'Brien stated she no longer resides in Camden Commons; however she had been a longtime resident of the community. She stated she has compiled three decades of history involving the Bucksons and their development of what was supposed to have remained open space. She indicated the open space was to be dedicated by record plan or deed and expressed

her thoughts that the continued development of open space by the Bucksons to be illegal. She read into the record a brief history of the events as they pertain to the development of open space within the Camden Commons Development. Ms. O'Brien also referenced Mr. Buckson's latest attempt in 2007 to develop this same property wherein he withdrew his request at the last minute. She also reminded Council that a portion of this property is designated as storm-water management, and the Town would be setting a terrible precedent should they allow this development.

Susan Savage – 302 Meetinghouse Lane

Ms. Savage expressed her concern for the development of the open space as well as what she perceives as permitted misuse of the open space by the students of Caesar Rodney High School for parking.

At this time a roll call was taken on the motion presented by Vice Mayor Fuchs and the following was recorded:

AYES: van Rooten, Casquarelli, Fuchs, Lewin
NAES: None
ABSTAIN: None

The recommendation by the Planning Commission is accepted and the motion carried in accordance with the Zoning Ordinances. The property in question is to remain open space.

Public Comment

Jill Fuchs – Barclay Farms Resident

Ms. Fuchs stated she feels as though the Council should be sitting eye level with the constituents.

Adjournment

At 8:29 p.m. a motion made by Vice Mayor Fuchs, seconded by Councilman Casquarelli to adjourn the meeting.

Charlotte L. Klauder
Town Clerk