

TOWN COUNCIL
MEETING
JUNE 4, 2012
7:00 PM

Mayor Moore-Present
Vice-Mayor Greer-Present
Councilman Ward-Present
Councilman Massey-Present
Councilman Doughty-Present
Councilman Metz-Present
Councilman Scanlan-Present

STAFF PRESENT: Arthur Miles, Ethel Parks, Chief DiMartino, J.R. Bishop.

CALL TO ORDER:

The meeting was called to order at 7:00 pm by Mayor Moore.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited by all present.

INVOCATION:

The Invocation was given by Vice-Mayor Greer.

APPROVAL OF MINUTES REQUESTED FOR THE REGULAR COUNCIL MEETING OF MAY 7, 2012, AND THE SPECIAL MEETINGS OF MAY 14 AND MAY 24, 2012:

Vice-Mayor Greer questioned a statement made by Mr. Miles in the May 7th Minutes, stating, *Mr. Miles noted that the anticipated expenditures will leave the reserve with \$162,000. He said that they will likely use a good portion of that toward the parking lot.* Mr. Miles said that it was a misstatement and that it will be corrected. Councilman Metz noted an error in the spelling of his name. Councilman Massey made the Motion to approve the Minutes of May 7, 2012 with corrections. The Motion was seconded by Councilman Ward. Discussion-None further. The Motion was passed unanimously.

Councilman Metz made the Motion to approve the Minutes of the Special Meetings of May 14 and May 24. The Motion was seconded by Councilman Doughty. Discussion-None. The Motion was passed by the following vote: Councilman Ward-Aye; Councilman Massey-Aye; Councilman Doughty-Aye; Vice-Mayor Greer-Aye; Councilman Metz-Aye; Councilman Scanlan-Abstained.

Councilman Ward made the Motion to approve the Public Comment meeting of May 7, 2012. The Motion was seconded by Councilman Massey. The Motion was passed by the following vote: Councilman Ward-Aye; Councilman Massey-Aye; Councilman Doughty-Aye; Vice-Mayor Greer-Aye; Councilman Metz-Aye; Councilman Scanlan-Abstained.

CITIZEN INPUT:

Kenneth Carpenter addressed to the Mayor and Council regarding several concerns. He noted that he feels that paying \$54,000 for a parking lot is a waste of tax payers' money. Mr. Carpenter went on to say that Exmore has solid waste problems, well problems, the garbage truck breaks down often, public works needs a building, we need ditching, not to mention unforeseen problems. He urged the Council to take the future into consideration and not just the present. Mr. Carpenter stated that he feels that Exmore cannot afford to pay a firm \$20,000 to hire a Town Manager at the cost of \$75,000 per year when we do not know if we will be happy with them. He said that Mr. Miles is a capable man and is doing a good job. Mr. Carpenter noted that joining the Northampton County on the PSA is asking for trouble. He said that the monthly fees will most likely be astronomical. Mr. Carpenter urged the Council to reconsider hiring this firm to search for a Town Manager.

WELCOME NICK PASCARETTI OF THE EASTERN SHORE OF VIRGINIA BROADBAND AUTHORITY (SEE ITEM "e" UNDER NEW BUSINESS):

Ron Van Geijn, with Eastern Shore Communications, stated that he has been conducting a pilot test in Exmore. He thanked the Mayor, Council, and Mr. Miles for their support. He said that they have approximately ten businesses and residents hooked up. Mr. Van Geijn noted that the signal was not what they had hoped for because of the height of the Town Hall. He said they need about a four mile radius and are working with Mr. Miles, Mr. Pascaretti with ESVBA, ANEC and the Mayor of Belle Haven to find an alternative for an antenna. Mr. Van Geijn said that he would have a report ready for the Council for their next meeting.

Nick Pascaretti, with Eastern Shore of Virginia Broadband Authority, stated that the trial agreement offers bandwidth to the Town for the first six months at no charge and then for the next six months it would be deeply discounted. He said this would help encourage service providers to provide services to the Town. Mr. Van Geijn said that Onancock and Parksley are waiting for the pilot test report before they sign the contract. Mr. Pascaretti noted that it is beneficial to the Town. After much discussion Vice-Mayor Greer made the Motion to table the trial agreement until the Council feels they are confident to move forward with it. The Motion was seconded by Councilman Ward. The Motion was passed by the following vote: Councilman Ward-Aye; Councilman Massey-Aye; Councilman Doughty-Aye; Vice-Mayor Greer-Aye; Councilman Metz-Nay; Councilman Scanlan-Aye.

UPON THEIR ARRIVAL, WELCOME NORTHAMPTON COUNTY CLERK OF COURT, TRACI JOHNSON AND NORTHAMPTON COUNTY ELECTORAL BOARD CHAIRMAN, JACK THORNTON FOR THE SWEARING IN OF RE-ELECTED AND NEWLY ELECTED COUNCILMEN:

Clerk of Court, Traci Johnson swore in newly elected Thomas R. Lewis, re-elected Councilman Charles Massey, and re-elected John Metz. Electoral Board Chairman, Jack Thornton presented them with their Council certificates.

NEW BUSINESS:

DISCUSSION OF ADJUSTED BUDGET FOR 2012-2013 AND DIRECTION TO ADVERTISE PUBLIC HEARING:

Mr. Miles noted that the corrections that he was requested, by the Council, to make, have been made. Vice-Mayor Greer asked where the money for Springsted is showing. Mr. Miles said that it was taken from the vacant position in Public Safety and put in General Government. Councilman Massey asked if the budget had to be re-advertised. Mr. Miles said that it will be re-advertised and with their approval could be in this Friday's paper.

Vice-Mayor Greer asked the Council if they wanted to deal with the overtime now. Councilman Scanlan said that the overtime is in the budget but does not mean it will have to be spent.

Chief DiMartino addressed the Mayor and Council. He stated that Officer Leckel will be going to Investigator School and asked that she be moved to Investigator with a 5% pay increase. He noted also that all of his officers have worked very hard and asked the Council for 2.25% COLA for them. Vice-Mayor Greer made the Motion to require an explanation of any overtime hours including what they did during the overtime that they worked. The Motion was seconded by Councilman Doughty. Discussion-None. The Motion was passed unanimously.

Councilman Scanlan asked if they move Officer Leckel to Investigator and increase her pay by 5%, would it affect the budget. Mr. Miles noted that they do not have to change the budget unless it changes more than 1%. Councilman Scanlan made the Motion to allow Chief DiMartino to promote Officer Leckel to Investigator with a 5% pay adjustment. The Motion was seconded by Councilman Massey. Discussion-None further. The Motion was passed unanimously.

Councilman Scanlan made the Motion to advertise the proposed 2012-2013 budget in Friday's Post for Public Hearing. The Motion was seconded by Councilman Metz. Discussion-None. The Motion was passed unanimously.

CONSIDER RESOLUTION FOR VML TO UNDERWRITE OUR VIRGINIA LINE OF DUTY ACT OBLIGATION: Mr. Miles explained that last year the State of Virginia ceased to cover police officers and firemen under the Virginia Line of Duty Act. He noted that all localities must now pay for their own coverage either through VRS or our own private insurance company, which is VML. He noted that it is more cost effective to go with VML for coverage under the Act. Mr. Miles noted that it will cost approximately \$2,500 per year to cover our officers. He noted that we do not have to cover the firemen, only our police officers. Councilman Ward made the Motion to approve the Resolution for VML to underwrite our Virginia Line of Duty Act obligation. The Motion was seconded by Councilman Massey. Discussion-None further. The Motion was passed unanimously.

CONSIDER RESOLUTION TO DECIDE THE VRS RETIREMENT CONTRIBUTION PERCENTAGE FOR THE FUTURE (TWO CHOICES):

Mr. Miles noted that we have can choose the higher rate and lock it in for two years or go with the current rate that we are using. He said that the risk is that it may change and go higher than the suggested higher rate. Mr. Miles stated that the difference in the two rates is \$2,665.83 per year. He said that even if they choose the higher rate now, it may still go higher. Councilman Massey made

the Motion to stay with the 8.08%. The Motion was seconded by Councilman Ward. Discussion-None. The Motion was passed unanimously.

CONSIDER RESOLUTION TO CONTINUE MEMBER CONTRIBUTION ELECTION RATE (NO CHANGE):

Mr. Miles informed the Mayor and Council that the employees are already contributing 5% so there will be no change but they still have to have to update the Resolution. Councilman Ward made the Motion to approve the Resolution to continue the member contribution election rate. The Motion was seconded by Councilman Doughty. Discussion-None. The Motion was passed unanimously.

CONSIDER RESOLUTION FOR ENTRANCE INTO A TRIAL AGREEMENT WITH EASTERN SHORE OF VIRGINIA BROADBAND AUTHORITY:

Mr. Miles noted that they have already talked about this and decided to table it until it they understood it a little better.

CONSIDER CONTRACTING WITH JOHN ANZIVINO OF SPRINGSTED, INC. FOR EXMORE'S TOWN MANAGER SEARCH:

Mr. Miles stated that the information that Mr. Anzivino sent was included in the Council packets. Councilman Scanlan made the Motion to contract with Springsted to help Exmore search for a Town Manager and also help with job descriptions. The Motion was seconded by Vice-Mayor Greer. Discussion - Councilman Scanlan said that he would like for the public to be involved to know what the public wants to see in a Town Manager as well as the employees and the Council. Mayor Moore asked about the fee. Mr. Miles told him that the fee would be approximately \$12,000 to \$18,000 plus out-of-pocket expenses. There was no further discussion. The Motion was passed by the following vote: Councilman Ward-Nay; Councilman Massey-Nay; Councilman Doughty-Aye; Vice-Mayor Greer-Aye; Councilman Metz-Aye; Councilman Scanlan-Aye.

CONSIDER A METHOD BY WHICH EMPLOYEES CAN DONATE SICK LEAVE TO NEEDY EMPLOYEES:

Mr. Miles explained that there is a need to allow employees to donate sick, vacation or personal leave to other employees who have exhausted their own. He noted that the town attorney has reviewed the policy and has approved it. The Clerk stated that it is strictly volunteer and the hours would be donated on an hour-to-hour basis as it is needed. Vice-Mayor Greer made the Motion to approve the addendum to the Employee Handbook to allow sharing of sick leave. The Motion was seconded by Councilman Metz. Discussion-None further. The Motion was passed unanimously.

THREE BUILDINGS ARE AVAILABLE TO THE TOWN SHOULD THE TOWN BE INTERESTED. THEY ARE THE OLD PARROTT INSURANCE BUILDING ACROSS THE STREET, THE OLD BANK BUILDING BESIDE THE TOWN HALL AND THE OLD DELMARVA POWER GARAGE BESIDE THE TOWN'S QUONSET HUT:

Mr. Miles noted that he was approached by Dr. Raymond informing him that the old Parrott Insurance building is available, by Richard Maddox informing him that the old bank building is available and by Lloyd Kellam informing him that the old Delmarva Light Co. building is available.

TOWN HALL ROOF IS IN NEED OF ASSESSMENT AND POTENTIAL REPAIR:

Mr. Miles stated that the roof on the Municipal Building will need repairing in the near future. He said that it is not leaking yet but needs to be fixed before it does.

EXMORE FINANCIAL REPORTS:

Mr. Miles noted that the revenue is greater than the expenditures. Councilman Scanlan asked if the officers had paid back what they owed the Town. The Clerk explained that one is paid in full and the other is making payments. Mayor Moore asked for an update on Quickbooks. Mr. Miles said that Leatherbury-Broache is working on setting up the program we need and hopes to have it in operation for us by July 1st.

OLD BUSINESS:

BROADBAND WIRELESS CONNECTION SLATED TO OCCUR IN THE NEAR TERM:

Mr. Miles noted that this was discussed previously in the meeting.

PHASE III DOWNTOWN PARKING LOT PROJECT APPLICATIONS BEING MADE:

Mr. Miles stated that the Phase III Downtown Parking Lot Applications are in the process of being made to the County.

OUR TOWN HALL NOTE IS NOW SATISFIED!:

Mr. Miles informed the Mayor and Council that the Town Hall is paid for and a copy of the paid note is in their packets.

RESOLUTION OF APPRECIATION FROM EXMORE BAPTIST CHURCH AND SHORE CHRISTIAN ACADEMY WITH INVITATION TO GOD AND COUNTRY DAY JULY 1, 2012:

Mr. Miles read the Resolution from Shore Christian Academy and Exmore Baptist Church. The Resolution was written to thank the Town for their help in the demolition and cleanup of a house purchased by the Church, equipment provided and dirt used to fill collapsing septic tanks on additional lots, allowing the Special Use Permit at the Oakland Drive property for Shore Christian Academy and for taking a stand to allow the nativity scene to be placed on town property every year. The Resolution also invites the Mayor, Council and Mr. Miles to attend Exmore Baptist Church on July 1, 2012 where they will be recognized.

EXMORE FIRING RANGE OWNERSHIP ISSUES HAVE BEEN FURTHER CLARIFIED AND CAN BE TAKEN TO THE ZONING BOARD IN JULY. A SPECIAL RECREATIONAL EVENT APPROVAL HAS BEEN APPROVAED BY THE NORTHAMPTON COUNTY ZONING OFFICE:

Mr. Miles noted that the ownership issues have been clarified and he has made the adjustments to the plat to suit the Zoning Board and he still intends to take it to the Zoning Board in July. Mr. Miles stated that he has asked for a special recreational event approval and has received zoning clearance for a Temporary Recreational Event on October 6, 2012 for the Troy Ashe Tournament.

POSITIONS FOR THE PLANNING COMMISSION, ZONING APPEALS BOARD AND FAÇADE COMMITTEE HAVE BEEN ADVERTISED WITH NO INTEREST GENERATED:

Mr. Miles said that there is also an opening on the IDA representative. He noted that he ahs had one person of interest call him but has not met with him yet.

POLICE DEPARTMENT REPORT:

Chief DiMartino reported that everything is going well with the department with 347 summons issued, 495 building checks, 12 parking tickets, 31 misdemeanor arrests, 2 felony arrests and numerous calls for service. He thanked the Mayor and Council for their support in naming Officer Leckel an Investigator with a pay increase. Chief DiMartino informed them that Officer Zieger graduates tonight.

The Council briefly discussed talking to Bev Leatherbury regarding the collection process of delinquent taxes.

DISCUSSION-COUNCIL/CITIZEN INPUT:

Vice-Mayor Greer asked why a new employee was hired in public works and Joe moved to full time after the hiring freeze that was put into effect in October 2011. He said he feels there is no respect for the Council. Mr. Miles said that Rob is leaving and Johnny is ill.

Councilman Ward discussed the need for a pump truck to pump the septic tanks and said they do not need to spend the money to hire a new Town Manager.

Councilman Scanlan asked who had gas cards. Mr. Miles told him that Public Works, the Police Department and that he and the Clerk have one in the event hey may need to go somewhere. Vice-Mayor Greer stated that Mr. Miles and the Clerk did not need a gas card. If they had to go anywhere they could be reimbursed mileage.

SUGGESTED DATES FOR A BUDGET PUBLIC HEARING (MONDAY, JUNE 18, 2012), A SPECIAL MEETING FOR BUDGET APPROVAL (MONDAY, JUNE 25, 2012) AND A REGULAR COUNCIL MEETING (MONDAY, JULY 2, 2012):

Mayor Moore noted that there will a Public Hearing on Monday, June 18 and a Special Meeting on Monday, June 25, 2012.

MOTION TO ADJOURN:

Vice-Mayor Greer made the Motion to adjourn the meeting. The Motion was seconded by Councilman Massey. The Motion was passed unanimously. The meeting was adjourned.

William M. Moore, Jr. Mayor

Ethel Parks, Town Clerk