

TOWN COUNCIL MEETING
JUNE 23, 2008
7:00 P.M.

TOWN COUNCIL MEMBERS PRESENT:

Duke Shannahan
Fletcher Fosque
Kathyanne Runniger

George Miles
Kay Wescott
Maphis Oswald

OTHERS PRESENT:

Bruce Paone, *Mayor*
Susan D. Scott, *Town Manager*
Donna Belote, *Deputy Clerk of Circuit Court*
Shaelagh S. Bolster
Travis Bradley
Vera Bruton
Mike Carpenter
Sandra Fox
Margaret Hampton

Karen Simpson, *Admin. Asst.*
David Rowan, *Town Attorney*
Lisa & Kris LaMontagne
Charles A. Landis
Anne Nock
Bob Runniger
Clinton Strand
Shirley Zamora

- I. The meeting was called to order at 7:00 p.m. by the Mayor, and the Pledge of Allegiance and invocation were recited.
- II. Donna Belote, Deputy Clerk of Circuit Court, officially swore in Bruce Paone as Mayor for the term of July 1, 2008 through June 30, 2010, Kris E. LaMontagne as Town Council member for the term of July 1, 2008 through June 30, 2012, Travis J. Bradley as Town Council member for the term of July 1, 2008 through June 30, 2012, and George E. Miles as Town Council member for the term July 1, 2008 through June 30, 2012.
- III. Consideration of May 10, 2008, May 21, 2008 and June 10, 2008 Town Council Meetings. Councilman Miles made a motion to waive the reading of all minutes, Councilman Shannahan seconded the motion, and it passed unanimously. In the June 10th minutes, the word

“Accomack” in the 6th line of the third paragraph on pg. 2 should be “Onancock”. Councilman Miles made the motion to approve the Council Minutes of May 10, May 21 and June 10, as corrected, Councilman Shannahan seconded the motion, and it passed unanimously.

- IV. Public Comment. Shaelagh Bolster read her letter to Council regarding an alleged dog attack by Kay Wescott’s dog, Major, on her dog, Myles, on May 25, 2008, and other alleged like dog attacks by Major. Ms. Wescott replied “no” to the question as to whether she had been with Major during one of the alleged attacks. Mayor Paone suggested Mrs. Bolster call or talk with Ms. Wescott, to which she commented that she had already gone through the necessary avenues to do that.

Charlie Landis read his written comments to Council on the above subject matter. He suggested Council take necessary and appropriate action to ensure citizens can safely walk their dogs in Town. He asked Council to adopt a resolution requiring the Police Dept. to keep a file on all complaints of dogs running at large, aggressive behavior, or behavior posing a nuisance and/or threat to public safety, which report should be sent to Animal Control and notice given to owners.

Kris LaMontagne noted that notes from the last Broadband meeting were e-mailed to those Council members with e-mail. He also asked for the Town’s support for “Paint Onancock!” – a plein air (outdoor painting) event in Town October 1-4, 2008. The group sponsoring this event include Mary Ann Connelly and Diana Davis (Red Queen Gallery), Charlotte Heath, Jack Richardson, Dori Ramsey and Joani Donohoe. Their goals are to highlight local artists, reach out to invite artists and art lovers to discover our scenic Town and to benefit our inns, B&B’s, hotel, restaurants and shops. An explanation letter from Joani Donohoe was given to Council members, as well as read to the gathering. The group requests use of Town property and the Town website. Council agreed to endorse this event.

Councilman Fosque asked about the Town’s policy regarding a dog attack. Mayor Paone advised that the police can follow up and take appropriate action on a complaint. The police have the authority to enforce the leash law in the Town. Town policy is to refer all animal

matters to Animal Control. Charlie Landis reiterated that there are certain areas in Town where dogs repeatedly run loose. He feels the ordinance should be checked out to see what roles people can play, and to keep records of complaints and incidents. He suggested charging \$50-100 fines for each incident.

- V. Wharf Project. Kat Edwards from A-NPDC was not able to attend. Councilman Shannahan feels that Council needs to get an idea of what they want before Mrs. Edwards does any further work. Do we want to spend any money to follow through with Mrs. Edwards? She needs to know what we want done before she can search for grant funding. We have to have a plan that costs money to get money. Councilman Fosque thought a new Wharf Committee might be a good idea – to look at Mrs. Edwards’ study and come up with some recommendations. The Town Manager advised that Mrs. Edwards needs to know how much money we need for each part of the wharf project before she can complete grant applications. Councilman Shannahan asked Kris LaMontagne to search out any interest in the OBCA regarding a committee. Councilwoman Oswald made a motion to table the wharf project, but to form a committee to look into it and answer back to Council with some direction within the next year, Councilman Miles seconded the motion, and it passed unanimously. Councilman Fosque suggested that the Mayor appoint the committee.
- VI. Planning Commission. i. Councilman Fosque reported that the Town Secretary is helping to organize and rearrange the Town Plan to read better; ii. Councilman Fosque made a motion that Town Council adopt Resolution 2008-4 requesting the Planning Commission to review the zoning designation of the Onancock School property, Councilman Miles seconded the motion, and it passed unanimously.
- VII. Mayor’s Comments. Mayor Paone thanked Duke Shannahan and Kay Wescott for their terms of service to the Town and welcomed the new Council members, Kris LaMontagne and Travis Bradley, as well as George Miles to a second term.
- VIII. Town Manager’s Report. i. Correspondence: a) invitation from FOS to their 1st Annual General Meeting on June 26th at 7:00 p.m., with an open house reception beginning at 6:00 p.m., including

building/grounds tours of the Onancock School; b) response to Shore Engineering re outside hookup of Onancock water service. Some discussion followed re running water/sewer lines up Market Street and Mr. Chin connecting at his cost; c) e-mail from Evan Clements re the proposed Accomack County PSA, which he does not think is “the golden opportunity”, and our sewer treatment plant; d) letter from Margaret V. Cox re the Town joining the proposed County PSA. The Town Manager noted that the County is creating the PSA and will look at many options, one of which might be using the Onancock sewer treatment plant. No decision will be made without much study and a great deal of input from Onancock citizens; e) Onancock church schedules regarding the Onancock Christmas Parade, which had originally been scheduled for December 20th at 5:00 p.m., for which Karen Simpson was graciously thanked. After discussion, Councilman Miles made a motion to schedule the 2008 Onancock Christmas Parade for December 21st at 4:00 p.m., Councilwoman Wescott seconded the motion, and it passed unanimously.

- ii. Notification from Virginia Port Authority of \$175,000 allocation for FY 2009 to partially fund dredging Onancock Creek and carrying over funds granted under prior years resolutions until June 30, 2009 of approximately \$165,185. Councilman Shannahan congratulated the Town Manager.
- iii. Bid tabulation for upgrades to the wastewater treatment plant. Galway Bay entered the lowest bid of \$11,989,000. The Town is checking their references, and within the next couple of weeks, the Town Manager and Operator-in-Charge will visit a plant in Elkton, MD previously built by Galway Bay. If all references check out fine, a special meeting will be called in July to award the bid, pending funding agency approval. The Town Manager meets on July 21st with some funding agencies in Richmond, after which a revised financial plan will be distributed.
- iv. Councilman Miles made a motion to adopt Ordinance 2008-1 to incorporate the Motor Vehicle Laws of the State of Virginia by reference effective July 1, 2008, Councilman Shannahan seconded the motion, and it passed unanimously.
- v. Councilman Miles made the motion to adopt the FY 2008-09 budget to be effective July 1, 2008 and Councilman Shannahan seconded the the motion. Councilman Fosque commented that Council has put a lot more work into this budget than in the past. Next year a better system should be incorporated re salaries, and Council should start

earlier on the process next year. Councilwoman Oswald felt this budget was pushed through in some areas and did not follow procedure re closed session on salaries. Councilwoman Runniger disputed the last part of the previous statement, and reminded everyone that any Council member could have called for a closed session. Councilman Shannahan reminded Council that the Town Manager was denied a salary raise three years ago because she did not have the education most people in her position have. Council offered to pay for her courses online to complete her degree, and that when she got her degree, Council would give her a raise. He asked Council to recognize that we have a wonderful servant in Susan Scott, who performs over and above the call of duty. A vote was taken, which was a majority vote.

AYE: Councilmen Shannahan, Fosque and Miles and
Councilwomen Runniger and Wescott.

NAY: Councilwoman Oswald.

vi. Meetings/activities for July 2008:

1. July 3 - Ice Cream Social/Concert @ Gazebo Park
2. July 4 - HOLIDAY – Town Office closed
3. July 9 - Tree Board Meeting @ 7 p.m.
4. July 10 – Mayor’s Association Meeting @ 7 p.m.
5. July 15 – Planning Commission Meeting @ 7 p.m.
6. July 28 – Town Council Meeting – 7 p.m.

A Special Meeting to discuss tentative award of wastewater plant Contract will be scheduled in July when all information and Recommendations from engineer are obtained.

The conference registration form for the VML Annual Conference at Norfolk Waterside on October 19-21, 2008 was enclosed with the packet. Councilman Fosque expressed an interest in attending. The Town Manager advised that the two new Council members would be attending the VML conference in July for newly elected members.

IX. Councilman Shannahan made a motion to go into closed session pursuant to Virginia Code Section 2.2-3711(A)(3) to discuss the disposition of publicly held real property, including the appraisal of the

property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Town concerning the former BB&T property.

Councilman Miles made the motion to come out of closed session, Councilman Shannahan seconded the motion, and it passed unanimously. A copy of the certification is appended to the minutes.

Councilman Miles certified that only matters as prescribed above were discussed, Councilman Shannahan seconded the certification, and all approved.

- X. Mayor and Council Comments. Councilwoman Oswald commented that the wharf report was unreadable, as it was handwritten, and requested that it be simplified. She did not like the minutes being editorialized.

There was some discussion about lightning hitting the water tank and causing extensive damage. The Town Manager advised that additional surge protectors and lightning rods were installed per the engineering firm's specifications.

Councilman Shannahan thanked the public and Town Council for the privilege of serving. He also thanked the Town employees for the great job they did for the Town. He strongly supports Anne Nock's comment on May 21st that politeness and courteousness needs to come back at Council meetings.

Councilman Miles enjoyed working with Councilwoman Wescott and Councilman Shannahan.

Councilwoman Runniger echoed the last two comments and welcomed the newest Council members.

Councilwoman Wescott said it was an honor to serve on Council.

Councilman Miles made the motion to adjourn.

The meeting was adjourned at 8:55 p.m.

Susan D. Scott
Town Manager

Bruce Paone
Mayor

Attachments:

Check Register
Wastewater Plant Report
Police Report
Wharf Report