

ONANCOCK TOWN COUNCIL MEETING
APRIL 27, 2009
6:30 P.M.

REVISED

TOWN COUNCIL MEMBERS PRESENT:

Travis Bradley
Kris LaMontagne
Kathyanne Runniger

Fletcher Fosque
George Miles
Maphis Oswald

OTHERS PRESENT:

Bruce Paone, Mayor
Sandy Manter, Town Manager
Bill Bagwell
Vera Bruton
Kat Edwards, A-NPDC
Caleb & Lynne Fowler
Sandra Fox
Valena Gibb
Steven & Juliann Green
Anna Grier

Karen Simpson, Admin. Asst.
Cheryl Tyson, Broadband
Charles Landis
Pat McGuire
Denise Moxley
Anne Nock
Harry Rush
D.J. Shannahan
Diane Smith, Auditor
Roland & Janet Stahl
Shirley Zamora

I. Public Hearings.

A. Request from Steven W. Green for a Special Use Permit for a rental apartment located within a single family dwelling at 22 Meadville Drive. Mayor Paone read the newspaper advertisement into the record. The Greens purchased the property from James & Carol Gadsby, who had received a special use permit for a mother-in-law apartment attached to the main dwelling. The Greens would like to rent out the one bedroom apartment and live in the main house in order to control the rental. Denise Moxley, a part-time resident of 27 Meadville Drive, was not comfortable with this request. Anna Grier of 25 Meadville Drive wondered what would happen if there was a problem with the tenant.

B. Proposed Community Development Block Grant (CDBG) application for Onancock Broadband Network Project containing design and construction of a network, including buried and aerial fiber connecting Onancock to the fiber optic backbone to provide affordable high-speed telecommunications access to Onancock. Mayor Paone read the newspaper advertisement into the record. Kat Edwards presented the completed application for the CDBG Local Innovation Program totaling \$249,200 to complete the last mile (community network), which will connect to the backbone provided by the E.S. of VA Broadband Authority. This is being built as an economic development project with approximately twenty (20) jobs being created to be made available to low-mid income applicants through the Virginia Employment Commission (VEC). The preliminary map will be fine tuned. The final design will result from respondents and all options having been studied. Even though this grant is designed to serve businesses, it will also serve the residents in order to get as many customers as possible. It will be built to the water tower in order to provide wireless service to a large area of the people.

II. Mayor Paone introduced Sandy Manter as the new Town Manager.

III. After Mayor Paone called the meeting to order, the Pledge of Allegiance and invocation were recited.

IV. Consideration of Minutes from Town Council Meetings of March 23, March 30, April 15 and April 20, 2009. *Councilman Miles made the motion to waive the reading of the minutes, Councilwoman Oswald seconded the motion, and it passed unanimously. Councilman Miles made a motion to approve the minutes from the Town Council meetings of March 23, March 30, April 15 and April 20, 2009, Councilman Bradley seconded the motion, and it passed inanimously.*

V. Public Comment. Charlie Landis submitted two questions for the auditor regarding the budget.

Pat McGuire read into the record a letter to the citizens of Onancock regarding the previous Town Manager.

Shirley Zamora spoke in support of Maphis Oswald and asked the townspeople to support the new Town Manager. She also thanked Council for what they have done.

VI. Consideration of Green Special Use Permit. Mr. Green advised that he and his wife would spend 2-3 long weekends a month in Onancock while trying to sell their home in Pennsylvania and would have closer control over the tenant's actions. After discussion, *Councilman LaMontagne made a motion to issue Mr. and Mrs. Green the special use permit requested with a review of owner and tenant performance to accept or reject the*

permit at the end of a twenty-four (24) month time period, Councilwoman Oswald seconded the motion, and it passed by a majority of the vote.

VOTE: 4-2
AYES: Councilmen Bradley and LaMontagne and Councilwomen Oswald and Runninger.
NAYS: Councilmen Fosque and Miles.

- VII. Consideration of CDBG Application. Councilman Miles made the motion to adopt Resolution 2009- to apply for a \$200,000 Virginia Community Development Block Grant for the Onancock High-Speed Telecommunications Network and that the Eastern Shore of Virginia Broadband Authority will pay Onancock for their \$100,000 line of credit necessitated for completion of the project, Councilman LaMontagne seconded the motion, and it passed unanimously.
- VIII. Presentation of June 30, 2008 Audit Report. Diane Y. Smith submitted a draft of the June 30, 2008 Financial Report. Since a new accountant came on board, there have been difficulties with how things are classified. The Gadsby 34 conversion is missing at this time. Mrs. Smith is still working through these issues, as a lot of information was lost with the previous Town Manager. Several pages of the draft were reviewed with missing items and a few changes noted. Mrs. Smith will give an unqualified opinion with the final audit. The Town will receive a letter regarding “significant deficiencies”. She is charged to look at three areas regarding this: 1. Segregation of duties (we don’t have the personnel or money); 2. Journal entries (a lot had to be made by her – we need to work with the accountants); and 3. No one to prepare financial statements on staff. The Town Manager can work with her and the accountant to clean up a lot. The Final Audit should be completed within thirty (30) days.
- IX. Onancock Baptist Church. The Onancock Baptist Church requested the use of the gazebo park for an outdoor “free” family movie night this summer. Councilman Miles made the motion to grant the request to Onancock Baptist Church to use the gazebo park for a “free” movie, Councilman Fosque seconded the motion, and it passed unanimously.
- X. Star Transit. \$500.00 is in the budget for the Star Transit request for funding.
- XI. Mallard’s Restaurant. John Morrison sent a letter requesting restricted parking areas at the wharf, such as 1½ hour spaces. After discussion, the Town Manager agreed for the time being to install 1½ hour signs for the spaces alongside Mallards in the parking lot. The Town Manager was instructed to send a letter to Onancock businesses requesting the employees/owners to park in either of the three parking lots in Town. The Harbormaster will be requested to keep an eye on and deter ferry passengers from parking in 1½ hour spaces.

- XII. Wise's Drug Store. Included in the Council packet is a copy of Chapter 551 of the Code of Virginia pertaining to blighted property. The Town Attorney advised that the Town could take one of two approaches: 1. Nuisance approach – a danger to the public. Advise the owner that they have a deadline to fix the problem or the Town can take it over and fix the problem, or take the owner to court and have them ordered to fix the property; or 2. Blight approach – procedurally about the same as #1, with the difference being addressing the issue from an aesthetic standpoint rather than a structural/safety standpoint. Thirty (30) days is reasonable notice to the owner to either fix or come up with a meaningful plan and schedule to solve the issue. If breached, we can do it ourselves or take it to court. If the Town does it, it becomes a lien on the property and can be sold to eventually recoup monies spent. Councilman Miles made a motion to instruct the Town Attorney to send a letter to the owner with a thirty (30) day deadline to fix the building or a plan to solve the issue, and that the Town will follow up rigorously when the deadline is reached and request that covered scaffolding be constructed over the sidewalk, Councilwoman Runniger seconded the motion, and it passed unanimously.
- XIII. Ferry Committee Report. Councilman LaMontagne advised that “Onancock.org” has a link to the Tangier Ferry, which starts on May 1st with two trips. There will be a “Grand Opening” in the middle of May with political dignitaries and the media. The Lease is still being worked on. The slip can be rented from 6 p.m. – 8:30 a.m. and any day the ferry does not run, with the rent being split with the Eastern Shore Historical Society. The committee will meet with Star Transit regarding transporting passengers to/from the ferry.
- XIV. Harborfest Committee Report. Councilman Bradley reported that Harborfest will be held on September 11th and 12th this year. Bands are being lined up to perform and soliciting donations will begin. Events will be similar to past years. Future meetings are on May 5th at 6 p.m. and May 20th at 5 p.m.
- XV. Wharf Improvements Committee Report. Councilman Bradley said the committee had its first meeting last Thursday. Bathroom fixtures need replacing, internet access needs to be installed, and the building needs to be touched up. Eventually, the entire building needs to be replaced. A laundry room needs to be constructed. The committee will discuss long-term visions in the future. ~~He requested that the budget include funding for gutting the bathrooms and installing new dry wall, as well as wifi for visitors and a computer/fax/printer for the Harbormaster.~~ There is \$3,000 already in the budget for repairs.
- XVI. Fire Company Committee Report. Councilwoman Oswald presented the minutes of the April 23, 2009 committee meeting, which was attended by Mike Truitt, Joe Colonna, Maphis Oswald and Fletcher Fosque. The Fire Committee unanimously agreed to request that the Town turn the firehouse over to the Fire Department. The funding options presented are: 1. Flat fee assessed every household; 2. Fire tax; or 3. Annual lump sum of \$30,000 from the Town, which would be the sole amount the Town would commit.

Councilman Fosque suggested a budget line item of \$25,000 divided into four (4) equal payments. The Town Manager has contacted HUD regarding the firehouse's disposal.

XVII. Planning Commission Report. Councilman Fosque reported that they will review the final plan and then forward it to Council next month.

XVIII. Mayor's Report. Mayor Paone reported that Arbor Family Fun Day was a well-attended, successful function that raised \$3,600 toward the playground. He invited the public to chip in toward the cost of the new planned playground at the old Onancock School.

XIX. Town Manager's Report. i. The next budget work session for the water/sewer fund will be at 7:00 p.m. on May 11, 2009. ii. DEQ did not include the Town of Onancock in its stimulus funding selections. We are still awaiting ferry money and Onancock Creek dredging funding. Duke Shannahan will follow up on the latter. iii. Boating infrastructure/Clean Marina Workshop – a good source of funding. iv. Regarding the PSA, the Board of Supervisors had a public hearing last week, but no decision has been made yet. There is outside interest in hooking up to Onancock. Short-term solutions with the County need to be discussed. STAG funds can be used for the pump out facility or the WWTP. v. Correspondence: a. One bid was received for the police car from Michelle Young for \$500.00. Councilman Fosque made a motion to accept the \$500 bid from Michelle Young for the Town police car up for sale, Councilman Miles seconded the motion, and it passed unanimously. The Town will offer the Town car to another governmental agency; b. Letter to Baseball Tomorrow Fund supporting Central Accomack Little League's request for funding.; c. Funding request from Orchestra of the Eastern Shore.; and d. Resolution acknowledging the courageous actions of Janet Hotcavey and Anthony Lofaso aiding a Town resident whose dog was viciously attacked.

XX. Mayor and Town Council Comments. Councilman Fosque asked about the Town's noise ordinance. Regarding Onancock Landing, the Town Manager advised that she needs new cost estimates from VDOT, then we can go out to bid.

Councilman LaMontagne thanked everyone for their support regarding broadband. He reminded the gathering that May 9th is Super Saturday from 8 a.m. – 2 p.m. and encouraged townwide yard sales.

Councilman Miles noted that several citizens have requested the police to do a decal check. Don't forget the sidewalk !

Councilman Miles made the motion to adjourn, Councilman Bradley seconded the motion, and it was unanimously approved.

The meeting was adjourned at 9:10 p.m.

Sandy Manter
Town Manager

Bruce Paone
Mayor

Attachments:

Revenue and Expenditures
Check Register
Police Report
Water/sewer System Report