

# ONANCOCK PUBLIC HEARING AND TOWN COUNCIL MEETING

JUNE 22, 2009

7:00 P.M.

## TOWN COUNCIL MEMBERS PRESENT:

Travis Bradley  
George Miles  
Fletcher Fosque

Maphis Oswald  
Kathyanne Runniger  
Kris LaMontagne

## OTHERS PRESENT:

Bruce Paone, Mayor  
Sandy Manter, Town Mgr.  
Bill Bagwell  
Vera Bruton  
Helen Bunch  
Cheryl Cashman  
Caleb & Lynne Fowler  
Sandra Fox  
Valena Gibb  
Joshua Gliptis & family  
Janet Hotcaveg  
Eula Johnson  
Charlie Landis  
Andrea Mason

Karen Simpson, Adm. Asst.  
David Rowan, Town Atty.  
Anne Nock  
Vicki & Richard Pearsall  
Carol Riennerth  
Janet Rochester  
Melody Scalley  
Alan Silverman  
Janet Stahl  
Clinton Strand  
Mike Truitt  
Bill & Linda Tweedie  
David Tweedie  
Shirley Zamora

- I. Bill Tweedie presented to Janet Hotcaveg a resolution from the Mayor of Massapequa, NY regarding her bravery in helping stop a vicious dog attack on North Street in Town.
- II. Mayor Paone read into the minutes the newspaper advertisement for the public hearing on the 2009/2010 fiscal year budget, and asked for public comment. Charlie Landis read a typed statement to the gathering. Shirley Zamora commented that as taxpayers have been asked to come up with the burden of government expenditures, Council should hold the line on benefits. She

disagreed with giving some employees an extra \$1000, even when gas prices have dropped.

- III. Mayor Paone read into the minutes the newspaper advertisement for the public hearing on the water and sewer ordinance rate change, and asked for public comment. Charlie Landis commented that he felt the budget has serious deficiencies and supported the Town Manager in getting a better system in place. Alan Silverman feels that the figures are a lot closer than Mr. Landis touts.
- IV. After the meeting was called to order by Mayor Paone, the Pledge of Allegiance and invocation were recited.
- V. Consideration of May 18, 2009 Minutes. *Councilman Bradley made the motion to waive the reading of the minutes, Councilman Miles seconded the motion, and it passed unanimously.* Councilwoman Oswald suggested changing the Town Code to do away with the reading of the minutes instead of making a motion every meeting. The Town Attorney suggested that the Town Manager prepare an Ordinance for this action. *Councilman Miles made the motion to approve the May 18, 2009 minutes, Councilman Bradley seconded the motion, and it passed unanimously.*
- VI. Public Comment. Sandra Fox asked why does Council not answer the comments made and the questions asked by the public. Councilman LaMontagne answered that Council is there to listen, not comment or address points made during public comment.
- VII. Youthworks. Representing Market Street United Methodist Church, Carol Rienarth requested the closure of West Street between 12 and 3 p.m. Monday thru Thursday for the next six (6) weeks and the use of the gazebo park for Youthworks during this time and for a cookout on Thursday evening. *Councilman Miles made a motion to grant the Market Street United Methodist Church request regarding West Street closure and the use of the gazebo park for Youthworks, Councilwoman Oswald seconded the motion, and it passed unanimously.*
- VIII. Americans for Prosperity. Melody Scalley requested permission for a gathering of citizens at the wharf between 5 and 6:30 p.m. on July 22<sup>nd</sup>, and closing off about 6 parking spaces by the bridge, on behalf of Ben Markey, President of the Virginia Chapter of Americans for Prosperity, which group is dedicated to educating business of economic policy and mobilizing those businesses as advocates in the public policy process, such as cutting taxes

and government spending. After discussion, Councilman Miles made a motion to grant Americans for Prosperity partial closure of the wharf area for a gathering, Councilwoman Oswald seconded the motion, and it passed unanimously.

IX. Fiscal Year 2008 Financial Report. The \$661,000 discrepancy between the draft and final budgets was that the grant money was not accounted for in the draft version. The auditor felt that figures should go in and out of the actual grant, not kept in a separate account. VML VACO Accounting Services will be contacted regarding assistance in preparation of next year's budget.

X. Capt. John Smith Chesapeake National Historic Trail. The National Park Service provided a draft Memorandum of Understanding between the Service and the Town, which they hope the Town will sign in order to further the partnership. After discussion, Councilman Miles made a motion to authorize the Mayor to sign the Memorandum of Understanding with the National Park Service for the water trail and to authorize the Town Manager to pursue the Gateways Program, Councilman Fosque seconded the motion, and it passed unanimously.

XI. Ferry Committee. Councilman LaMontagne advised that 21 business people, including Senator Webb's and Glen Nye's reps and Lyn Lewis, will be traveling to Tangier Island to rekindle a relationship with Tangier. Money is being raised for the lease. The Town's contribution is waiving the head tax for a year. Councilman LaMontagne made a motion to waive for this year only the \$1,000 bulkhead rent, Councilman Miles seconded the motion, and it passed unanimously.

XII. Wharf Improvements Report. Councilman Bradley thanked Richard Pearsall for taking the lead at the Wharf Committee meetings and taking minutes. Repairs have been done to the Harbormaster's building by the Town crew, such as new shower enclosures, wash basins and vanities. Remaining actions are to provide the Harbormaster with a computer, multi-function printer/copier/scanner, DSL connection and wireless activity capability. Future plans include taking the building down to the framing and redesign/renovate using the Town crew to extend the building five feet to the Northeast to provide golf cart storage, install a tankless hot water heater and a washer & dryer. The Harbormaster requested the renovation start no later than November 1<sup>st</sup> for completion by March 2010. The committee will be working on a wharf plan at future meetings. They are looking into accommodating a larger ferry and wharf rates, which are a bit low at \$1.38 foot.

- XIII. Harborfest Committee Report. Councilman Bradley announced that Harborfest plans are proceeding well so far. A new event scheduled is Watershed Walk (an environmental festival), which will be situated at the gazebo park. There will be two stages for live entertainment. Chatham and Holly Grove vineyards will be serving wine. E.S. Art League will have an art show. Sponsorship money is coming in. The next meeting is scheduled for July 15<sup>th</sup> at 5:30 p.m.
- XIV. Enhancement Grant for Town Signs. Councilman LaMontagne informed Council that the OBCA is sending a letter to the County requesting that they move along on applying for a TEA-21 grant for Route 13 signage. Councilman LaMontagne made a motion that the Town send a letter to Accomack County requesting them to speedily apply for a grant for highway signage and that Mayor Paone request other Town Mayors to do the same at the next Mayor's Association Meeting. Councilman Miles seconded the motion, and it passed unanimously.
- XV. Town Plan. The Town Manager asked Council members to review the draft Town Plan for discussion at next month's meeting. There have been a lot of format changes, but not much substantive change. The working format of the plan is available for comparison to Council. The Town Manager will try writing an executive summary that tracks the changes and have it available by July 13th.
- XVI. Credit Card Payments. Exmore and Chincoteague accept credit card payments. Neither of them charge a convenience fee. The Town Manager recommended not charging a fee for at least the first year, as there are varying requirements from the various credit card companies. She suggested that Council revisit the issue before the next budget sessions. Councilman Fosque made the motion to accept the Town Manager's recommendation regarding not charging a convenience fee for the first year. Councilman Miles seconded the motion, and it passed unanimously.
- XVII. Wastewater Service Outside Town Limits. As some of the Accomack County supervisors seem to have reservations about making use of Onancock's wastewater system, the Town Manager suggested that Onancock approach the County with a proposed structure in which we could provide wastewater service to customers outside of Town limits, thereby establishing a line of open and honest communication regarding this important issue. She further suggests that the entity designated provide and maintain the out-of-town sewer lines to tie into the Town's lines, and that the Town handle the meter reading, billing and wastewater treatment, with the rate structure to be

discussed later. Councilman Fosque thought the Town Manager should deal with the Director of Accomack County Public Works first. Councilman LaMontagne made a motion to authorize the Town Manager to approach Accomack County Public Works to work towards a conceptual agreement outlined in her June 19, 2009 memorandum to Council, Councilman Miles seconded the motion, and it passed unanimously. The Town Manager said the septage program is stalled until she hears regarding the STAG appropriation.

XVIII. Sale of Lots Behind Runninger's Pharmacy. Councilwoman Runninger recused herself from this discussion. The Fowlers and Runningers have expressed an interest in purchasing these lots. The Town Manager asked Council whether they wanted to sell this property, whether publically or privately, whether as a whole or in separate lots, and for how much. The boat needs to be removed. A public hearing will have to be held before the property can be sold. Councilman LaMontagne made a motion to schedule an Executive Session for April 29, 2009 to discuss this matter, Councilman Miles seconded the motion, and it passed unanimously.

XIX. Kerr Street Sidewalk. The Town Manager found that the Town has \$47,880 in Certificates of Deposit and \$2,000 in the FY 08/09 budget, for a total of \$49,880, to spend on the Kerr Street sidewalk at the east end. She found a construction quote from last year for \$49,500. Councilwoman Oswald made a motion to go out to bid for the Kerr Street sidewalk project, Councilman LaMontagne seconded the motion, and it passed unanimously.

XX. Mayor's Report. No report.

XXI. Town Manager's Report. i. Wise's Drug Store building: The owner was given a July 1<sup>st</sup> deadline to present an engineering report to the Town and a July 15<sup>th</sup> deadline for providing evidence of a contract for completion of the work necessary to stabilize the structure, including a work schedule. ii. Dredging: There appears to be funding to cover Priority Area #1 from the Corps and Priority Area #2 from VA Port Authority. The Corps of Engineers must approve fund acceptance before the latter funds can be used, as well as a Memorandum of Understanding being signed. When the option on the dredge spoil site expires on June 30, 2010, a lease will have to be drawn up for the remainder of the project. Dredging can start next June. iii. Directional Signs: The Town Manager has been working with Jack Richardson on the signs for in-town directions. The design has been agreed upon and we have VDOT's approval for placement. We are awaiting a quote on a possible two-color version. Consumer Confidence Report: The annual letter re the Town's water system will be mailed at the end of June. Cell Phone Recycling: The

Town is participating in a free program accepting old cell phones and rechargeable batteries for recycling. A box is available in the front office. Correspondence: a. letter from Bettie Savage canceling the block party on Watson Street for July 4<sup>th</sup>; b. letter from Tom Ford of Landdesign, Inc. contending that their proposed carnival grounds development in the RPA is allowed because it is a redevelopment of a previously developed property.

XXII. Mayor and Town Council Comments. Councilman Miles noted that the 35 mph sign on Market Street by the Inn & Garden Café is overgrown with foliage, as is the stop sign on Church Street coming from the armory. Penny Davis needs to cut her box bushes on Pine Street before Watson Street.

Councilwoman Runniger requested that another letter be sent to downtown business owners making sure they and their employees do not park on Market Street in the 1 ½ hour spaces.

Councilman Bradley requested exploring Historic District regulations for the downtown business area. Councilman Fosque remarked that it was a lot of work, therefore, needed support not only from Council, but from the public. Councilman Miles made a motion to refer the exploration of Historic District regulations for the downtown business area to the Planning Commission, with Council support, Councilman Fosque seconded the motion, and it passed unanimously.

Councilman LaMontagne mentioned that a Virginia Pilot reporter had been in Town interviewing regarding the ferry, and will be back with a photographer for the business trip to Tangier. There will also be a camera crew from Channel 13 there. The Personnel Committee will meet next month.

Councilwoman Oswald made a motion to turn over the fire department building to Onancock Volunteer Fire Department with the proviso that it reverts to the Town if the OVFD ever wants to sell it, Councilman Miles seconded the motion, and after discussion, it passed unanimously. There is a line item in the budget for \$25,000 annually for the OVFD, with no other expenses paid by the Town. David Rowan will do a title search to see if there are any deeded stipulations. The public hearing will be set for July 27, 2009. Councilwoman Oswald felt the public should be made aware of a comparison between old and new water/sewer rates. The Town Manager felt that a detailed rate analysis needed to be done soon. Councilwoman Oswald asked about the continued benefit of using the same auditor for so long. The Town Manager suggested waiting on seeing what VML VACO will suggestions will be regarding doing the financial statement. Regarding the wastewater plant project, we are two

months behind schedule, but still within our permit window, and we are not behind financially. Councilwoman Oswald reminded Council that the 6 Cross Street house is open and dangerous and that the bushes on Parker Street are extremely overgrown. VDOT will be contacted re the bushes.

Councilman Fosque would like a letter sent to the appropriate people regarding removal of the "Ethel Lewis". He wondered if there were funds available for plant screening at the wastewater plant, to which the Town Manager answered in the positive.

Mayor Paone recessed the meeting until July 29, 2009 for adoption of the budget, water/sewer ordinance rate change and Executive Session regarding sale of Town lots at 8:45 p.m.

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Sandy Manter  
Town Manager

Bruce Paone  
Mayor

**Attachments:**

Revenue and Expenditures  
Water/Sewer System Report  
Police Report