

TOWN COUNCIL MINUTES

FEBRUARY 23, 2009

7:00 P.M.

AMENDED

TOWN COUNCIL MEMBERS PRESENT:

Fletcher Fosque
Maphis Oswald
Kathyanne Runninger

George Miles
Travis Bradley
ABSENT: Kris LaMontagne

OTHERS PRESENT:

Bruce Paone, Mayor
Sandy Manter, Interim Town Mgr.
Bill Bagwell
Harry Brough
Vera Bruton
Helen Bunch
Bill Burnham
Mike Carpenter
Cheryl Cashman
Richard Cole
Caleb & Lynne Fowler
Sandra Fox
Valena Gibb
Laura Belle Gordy
Eula Johnson

Karen Simpson, Admin. Asst.
David Rowan, Town Atty.
Charlie Landis
Steve Mallette, Bd. Of Super.
Anne Nock
Richard Pearsall
Howard Picard
Haydon Rochester
Duke Shannahan
Alan Silverman
Roland Stahl
Clinton Strand
Mike Truitt
Bill Tweedie
Carol Vaughn, E.S. News
Shirley Zamora

- I. Mayor Paone called the Town Council Meeting to order at 7:00 p.m., after which the Pledge of Allegiance and invocation were recited.

II. Consideration of Minutes. In the February 12th work session minutes, the word “Commissioner” was changed to “Councilman” in the first line under Item II.

Councilman Miles made the motion to waive the reading of all minutes, Councilman Bradley seconded the motion, and it passed unanimously. Councilman Miles made the motion to accept the Town Council Minutes of January 26, 2009 and the Work Session Minutes of February 2 and February 12, 2009, as corrected, Councilwoman Runniger seconded the motion, and it passed unanimously.

III. Public Comment. Duke Shannahan reported that there is a strong possibility that the entire Onancock Creek can be dredged. Regarding the court hearing on the Town’s suit held today, he understood that the entire case was dismissed and that there would be nothing on record regarding the accusations. He read into the record a petition for signature at Marsh Jewelers expressing discontent with Council regarding their non-support of the former Town Manager.

Charlie Landis commented on the court hearing today regarding the dismissal of the suit.

Shirley Zamora asked how does the \$3.7 million loss to Onancock from the Water Quality Improvement Fund affect the WWTP project and what lobbying will be done by the Town regarding this problem. So far we have only received 19% of the funding.

Roland Stahl accused two Council members of having a bias against the former Town Manager and should resign.

Steve Mallette, Chairman of the Accomack County Supervisors, speaking for himself and the Vice Chair, Laura Belle Gordy, will be making themselves more accessible to localities by keeping the lines of communication open and coordinating/collaborating more fully than in the past. They intend to work out solutions to any problems directly with localities.

Cheryl Cashman presented a letter to Council regarding a problem she has with how water/sewer bill penalties are assessed.

IV. Bill Burnham of the OBCA expressed the membership’s interest in becoming involved in “Harborfest”, with the Town and Onancock School. Councilman

Bradley thought the Town would want to take a primary role in Harborfest and work with the OBCA and some other groups. Councilman Bradley made a motion that Council establish a Harborfest Committee, Councilwoman Oswald seconded the motion, and it passed unanimously. Council will be in touch with OBCA.

V. Broadband Grant Public Hearings. The Town Manager announced that in order to get block grant funding for broadband, there is a two-phase public hearing process. The first hearing says that the Town is interested in applying for a block grant and takes ideas for any sort of project. The second hearing is for more specific projects. Councilman Miles made a motion to schedule two (2) public hearings at the next two regular Town Council meetings for block grant funding for broadband, Councilman Fosque seconded the motion, and it passed unanimously.

VI. Economic Stimulus Funding Update. The Town Manager reported that DEQ has released guidelines for the formal application process, with a March 9th deadline. After review, a preliminary list will be available for public comment on April 15, 2009. Then DEQ will review and approve projects on April 27th & 28th. She felt the Town should make a presence at the public hearing. The two potential problems regarding funding an existing project (the WWTP) are the Davis-Bacon Act and Buy America requirements, which were not necessary in our initial application for funding. She will ask DEQ if we need to refigure our contract to comply with the new regulations. DEQ is mainly looking for new projects, but will look at subsequent phases of existing projects; i.e., the septage receiving plan. In answer to a question during public comment, the Town Manager advised that with WQIF money being shifted around, we should not lose project money.

The only projects not yet submitted by the Town Manager are broadband and dredging. The E.S. Broadband Authority has also submitted an application. Rural Development has not yet settled on their application process.

The Town Manager remarked that we need the obligated funds released since the suit against the Town has been withdrawn. We have been using some general fund money in the meantime. Hopefully the project won't have to be halted if the money is not soon released. The contractor has slowed down on ordering materials. Presently concrete work can be accomplished.

VII. Gaskins Chapel Resolution. Councilman Miles made a motion to adopt the Resolution recognizing Gaskins Chapel African Methodist Episcopal Church for their

138th Anniversary, Councilman Bradley seconded the motion, and it passed unanimously. This Resolution was published in the E.S. News, but Publication of any future resolutions such as this will be decided on an individual basis.

VIII. Appointments. Planning Commission – Ridgway Dunton is willing to continue as a Commissioner. His current term expires March 12th. Shirley Zamora does not wish to be reappointed as a Commissioner. Councilman Miles made a motion to appoint Ridgway Dunton to serve another term on the Plannign Commission, Councilwoman Oswald seconded the motion, and it passed unanimously. Councilwoman Oswald made a motion to appoint Michael Truitt to serve on the Planning Commission in place of Shirley Zamora, Councilman Miles seconded the motion, and it passed unanimously.

Tree Board - Councilman Fosque made a motion to appoint Bill Burnham to serve on the Tree Board in place of Janet Fosque, Councilman Bradley seconded the motion, and it passed unanimously. Judith Greer will be contacted as to whether she desires to serve another term or not.

IX. Mayor's Report. Mayor Paone thanked the Board of Supervisors, especially Steve Mallette and Laura Belle Gordy, for allowing him to report to them regarding the PSA. The Town is very willing to participate in the PSA. He expressed his appreciation to Judge Tyler for a swift resolve of the suit against the Town. David Rowan clarified what happened at the court hearing today - there was a series of motions presented to the judge. The plaintiff's attorney asked for a continuance, which the judge denied. The plaintiff's attorney then took a non-suit, which means the plaintiff can dismiss his own case once and can refile his case within six (6) months. The Town Manager has advised the funding agency that the suit has been withdrawn, but has not heard back yet. She asked our representatives to assert some political pressure on the Executive Director of DRA to release our funds.

X. Town Manager's Report. 1. Wise's Drug Store - The property owners hired a firm to stabilize the bricks along the roof edge, but discovered that more intensive work needed doing. Johnny Wise realizes the family needs to take care of the situation short-term. He will meet with the Town Manager within the next two (2) weeks. We need certification that the building is safe, the sidewalk/street cleaned up and reopened. The Town Attorney advised that there is a possibility of recourse, but the property owner would have to refuse to do anything first.

2. Septage receiving - No change in our permit is required to receive septage. We need to change some standard operating procedures and are working on a document to present to the State for review.

3. Blacksmith Shop - The Historical Society is interested in holding demonstrations at the Shop. We could open the Shop at least once a year in conjunction with the Society.

4. Water Saving Tips - When we receive a complaint about a high water/sewer bill, we first check for a leak. If there is no leak, we offer suggestions on how to save water. These sheets will be helpful when handed out to Town residents.

XI. Mayor and Town Council Comments. Councilman Fosque was advised that we still do not have the engineer's stamp on the Onancock Landing bridge. He suggested scheduling a preliminary budget work session, which will be on March 9th at 6:30 p.m.

Councilwoman Oswald felt that the Water Committee should meet to review the entire water/sewer billing process.

Councilman Bradley talked with Congressman Nye and gave him a partial list of our infrastructure projects. He will be willing to try and help us with the governor's office and STAG funds. Councilman Bradley was told that the reason Council packets are not delivered any more is because the Police Department did not want to deliver them. Council members will contact the Town Manager about their preference for packet delivery. Councilman Bradley stated that regarding the law suit against the Town, the decision to fire the Town Manager made by Council was not contingent on the outcome of the law suit. We are moving on and advertising for a new Town Manager. He complimented Councilman Fosque and Councilwoman Oswald on doing a good job, and he supports Town Council's decision.

Councilwoman Runniger thanked the attendees for showing interest in Council's meeting. Please keep it up, as it is appreciated.

Councilman Miles agreed and lauded Sandy Manter for doing well.

Mayor Paone offered condolences to William Tweedie regarding his dog being attacked. He invited more public input in Town matters and thanked the citizens for becoming involved so far.

Councilman Miles made the motion to adjourn, Councilman Fosque seconded the motion, and the motion passed unanimously.

Mayor Paone adjourned the meeting at 8:05 p.m.

Sandy Manter
Interim Town Manager

Bruce Paone
Mayor

Attachments:

Revenue & Expenditures/Check Register
Plant Report
Police Report