

TOWN OF OCEAN VIEW
TOWN COUNCIL WORKSHOP
TOWN HALL, 32 WEST AVENUE, OCEAN VIEW, DE 19970
December 10, 2019 @ 6:00PM

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

Mayor Curran called the meeting to order with the Pledge of Allegiance. Council Members Bruce White, Tom Maly, and Frank Twardzik were present. Town Manager Carol Houck, Planning and Development Director Ken Cimino, Finance Director Dawn Parks, Police Chief Ken McLaughlin, Attorney Dennis Schrader and Town Clerk Donna Schwartz were also present. Council Member Bert Reynolds was not present.

2. ADOPTION of AGENDA

A motion was made by Council Member Twardzik, seconded by Council Member Reynolds, to approve the agenda as amended. The motion carried unanimously 4/0.

3. NEW BUSINESS

A. Discussion and Consideration of Changes and Updates in the Employee Manual.

Mayor Curran opened the discussion with an overview of the intention of the meeting. Highlights of the discussion among Council Members and staff as follows:

Council Member Twardzik started the conversation with a question regarding “management” on page 7 and who is considered management. Mayor Curran replied it was not Council. Mrs. Houck suggested adding the definition of management to the definition page. Mr. Schrader cautioned Council from becoming involved, saying it gets technical fast. Mayor Curran suggested Council Members are at most an advisory panel only. Council Member Twardzik also referred to page 6 as needing an “or” between the word’s “residents” and “anyone” in line 4. He also noted that page 16 needed an apostrophe removed in SPDs.

Council Member Maly questioned page 33 and the Delaware Public Integrity Act, Delaware Title 29 Chapter 58. Mr. Schrader offered an overview of this state law regarding public officials and employees.

Mayor Curran noted on page 7, section 1-5 was awkwardly worded. He also noted on page 10, section 2-4 should say “submit a written request.” Mayor Curran noted an extra period on page 11, and on page 13, section 2-4 should read “business day” instead of 24 hours. On page 21, section 3-12 he questioned liability coverage and what goes there. Mr. Schrader explained liability insurance as a policy against such things as criminal activity and tort claims. He suggested removing section 3-12 as it was unnecessary. Mr. Schrader wishes to create an ordinance that would cover employees and Council Members in matters of liability, which he detailed to the Council Members. Mayor Curran noted that page 27, section 5-2 needed language clarity. He also noted that page 29, section 5-6 should change the word “expected” to “be required” for consistency in the paragraph. Mr. Schrader also suggested changing the word “shall” to “may” be subject to disciplinary action.

Council Member Twardzik stated he was concerned about a sentence on page 38, section 6-2, that says “Town employees shall not contact any members of Council regarding personnel matters.” Mrs. Houck suggested the employee could go to her, or another department head depending on the matter.

Council Member White noted that page 20, section 3-10, needs some additional language, which he suggested, concerning confidentiality. He also noted on page 26, section 4-8 the inclusion of

domestic partners to the definition. Mr. Schrader stated he will check into this matter. Council Member White suggested that sections 5-25 and 6-3 be incorporated together if possible.

Some further discussion revolved around employees needing permission from the Town Manager before contacting the solicitor. Mrs. Houck felt that things were reasonably controlled as they are and not in need of a policy change at this point.

Mrs. Houck took note of the suggestions and will make the appropriate changes.

4. **OPEN DISCUSSION**

No further discussion

5. **CITIZENS' PRIVILEGE**

None

6. **ADJOURNMENT**

A motion was made by Council Member Twardzik, seconded by Council Member Maly, to adjourn the meeting at 7:00pm. The motion carried unanimously 4/0.

Respectfully submitted,
Donna M. Schwartz, CMC
Town Clerk