

TOWN OF TOWNSEND
January 8, 2014
Council Meeting Minutes

7:30 pm – Council Meeting

I. Call to Order: 7:30 pm

II. Opening Ceremonies

- a. Roll Call: Mayor Jermaine Hatton, CM John Ness, CM Joel Esler, CW Lorraine Gorman, CM Rudy Sutton, TA Fred Townsend, TE Owen Hyne, TM Dawson Green, TC Cathy Beaver
- b. Pledge of Allegiance: Pledge was said
- c. Recognition of Visitors: Dwain Haines
- d. Announcements:
 - Mayor Hatton wanted all to know he received an invitation from St. Annes School for a ribbon cutting to celebrate a new pre-school on January 14, 2014 and will be attending.
 - Town Hall will be closed Monday, January 20, 2014 in observance of Martin Luther King, Jr. Day

III. Additions/Deletions to Published Agenda:

- a. CM Ness asked to change Lt. Deveney to Lt. Paskevicius.
- b. CM Ness motioned, CM Esler seconded with unanimous vote to accept the change to the agenda.

IV. Council Minutes (copies on back table)

- November 20, 2013 Workshop minutes approved at workshop
- December 5, 2013 Council minutes approved at workshop

V. Reports of the Officers

- a. State Police: Lt. Tom Paskevicius
 - Lt. Paskevicius said Lt. Deveney served 1 ½ years here and is now a firearms instructor down state.
 - Has been here almost 2 weeks, just getting my feet wet.
 - Worked in Troop 3 (Kent County) for 7 years, came here from Troop 2 which covers down to the canal. Very familiar with Kent County and northern NCC, this is a new area for me. Trying to learn the crime trends.
 - In December we received only 29 complaints (mostly domestic related) for the Townsend zip code.
 - Sure you all heard what happened last week at Blackbird Forest. Can't give all the details, still being investigated but there was no foul play, was not murder, young people, she was in her 20's, he was in his 30's passed away in a vehicle from inhalation, we believe because they were trying to stay warm.
 - Again, no crime trends going on here, several developments in Smyrna having theft problems, copper being stolen right now.
 - Have 2 man cars now, if you have a particular problem area please email or call me and we will have a car monitor the area.
 - CM Ness said he will contact Lt. to go over the Town area and concerns.
- b. Representative: Jeff Spiegelman
 - Apologized for missing last 3 meetings, classes prevented me from attending.
 - Back in session next week.
 - The Veterans Watchmaker initiative trains disabled veterans to make and repair watches. They were supposed to go into a building (old school) in Kenton and the deal fell through.

The watchmaker initiative is looking for a building to be donated for this program. If you know of one please let me know. Building must be donated and there is grant money for them to fix it up.

- CM Ness asked if there is a minimum requirement for the size of the building.
 - Representative Spiegelman said he doesn't know, they were going to put a lot of money (over a million dollars) in the Kenton School for renovations for the project and a new Town Hall with grant money. Even a small building can be renovated.
 - Mayor Hatton asked what hot topics will be coming up in legislation.
 - Representative Spiegelman said he knows some of them. They were hoping the general assembly would move forward in improving the economic situation in Delaware. We are actively fighting for this. There are a significant number of social bills being presented again, gun control and health care are two of them. He said he will know more next month.
 - Mayor Hatton said he asked because he wants to be aware of anything that may affect municipalities and anything we can do to be pro-active.
 - Representative Spiegelman said the only thing he knows about is the municipality union bill which passes in the House every year and fails in the Senate. Don't know yet what is happening with it.
 - Mayor Hatton explained this bill will lower the threshold for unions and municipalities with as few as three (3) workers could form a union. That will affect every municipality in the state and I understand some other unions are trying to jump on board. It all started with police unions.
 - CM Esler told Representative Spiegelman he needs to get together with him soon; we have the revised charter coming up soon.
 - Representative Spiegelman said we need to include Senator Ennis in this and all agreed.
 - Mayor Hatton stated he also talked to Quinn Johnson and feels the more people we have on board for this the better.
 - Representative Spiegelman agreed and said especially if this all started when Quinn represented this area. It would be very appropriate for them to co-sponsor this bill.
 - Representative Spiegelman announced he and his wife will be first time parents in April to a little boy. All congratulated him.
- c. Townsend Fire Department: Bob Biggs/Keith Shoemaker
- Chicken and Dumpling dinner January 29, 2014, 4:00 – 7:00. Come early to ensure you get some.
 - Quarter Auction February 7, 2014, fundraiser for fire hall at 7:00 pm.
 - Dwain Haines has spring fling 2014 tickets for sale.

VI. Reports

a. Fred Townsend III, Attorney:

- At last workshop TA Townsend assured Council he would finish a project and sad to say he's not done yet. Will give Council a notice of violation for 316 Gray Street. He did get the title search in and there is a judgment against the property but no unforeseen issues against the property which will prevent the Town from proceeding as originally planned. Left drafting the notice until last thinking it would be the easiest thing to do, especially with the work done previously by inspector Dave Naples. As a result TA Townsend has a number of questions for Dave and hopes to talk to him this week. He then can have the notice mailed by Friday or Monday. The Town will need some documentation from a professional rather than just a lay person's report on how the property presents a threat to the public.

- TA Townsend has a draft of the notice for the Mayor, will email to Council tomorrow.
 - One question TA Townsend has is how much time the Town will permit the property owner to make repairs if he chooses. TA Townsend thinks it needs to be a pretty short window.
 - Title search was beneficial and they (lien holder) will also receive notice.
 - Mayor Hatton asked if it is a company or individual.
 - TA Townsend said it is a company. It is a judgment for an unpaid bill for a modest amount.
 - Mayor Hatton asked TM Green to ensure Dave has talked to TA Townsend when he comes to the office on Friday.
- b. Owen Hyne, Engineer:
- TE Hyne said they had the pre-construction meeting for the streetscape today. It was a good meeting. Contracts have been executed. Are in the process of receiving product submissals from the contractor and are reviewing them. We will issue a notice to proceed at the end of March.
 - TVI and TVII construction is very slow due to weather.
 - CM Ness stated he thinks we should have a ribbon cutting at the kickoff of the streetscape.
 - Mayor Hatton agreed and the Town can invite other dignitaries.
 - CW Gorman said it will be a good idea to put a notice on the website warning residents the street will be closed on certain dates.
 - TE Hyne asked if Council wants to do digging at beginning or ribbon cutting at end of streetscape.
 - Mayor Hatton said it might be good to do both and get more feedback for the Town and help sell more homes in Phase II and III.
- c. Dawson Green, Town Manager:
- The 2012 IBC, IMC and IPC went into effect on January 1st.
 - Christmas trees will be picked up Monday, January 13th. We ask that you cut them into 4' sections. This is the only day they will be picked up. Keep them separate from your trash and recycling.
 - Middletown should have our Christmas decorations down by the end of this week.
 - Mayor Hatton asked to let him know when they do this so he can thank them again for all they do for Townsend. Middletown has done this for us for several years at no charge and we provide them with a lunch as a thank you. Want to do that again.

VII. Committee Reports

- a. Finance Committee: Chair – Mayor Jermaine Hatton
- Finance Report
 - I. Total Assets: \$2,105,059.84
 - II. Total Liabilities: \$1,129,130.33
 - III. Met with Debbie Horn who did our audit. She will be at the meeting on January 22. She is very pleased with the total finances for the Town for last fiscal year.
 - Mid-year budget and overall account finances
 - I. This isn't in your folder. We had an incident at Town Hall today, ran out of fuel and we closed the Town Hall due to the gas smell. Azure wasn't able to print the report for me but will make sure it is emailed to everyone in the morning. Our budgeted income for the year was \$606,000 and budgeted revenue was \$606,225. To date we are at \$496,241.95 which tells you we are pacing well for where we should be. Some of the controls we put into place helped us recoup a lot of funds; have cleaned up a lot of old trash bills also.

- II. On the expenditure side we budgeted \$602,348.08 and so far we have spent \$267,000. We are again below our overall target. Very pleased with the numbers.
 - III. When Council receives the budget, please look at your committees to see what you have left to spend in the latter part of the fiscal year. Want to make sure we don't over spend.
 - IV. Mayor Hatton said he is very pleased with the audit and thinks after the meeting everyone will be pleased as well. We had several re-accurances but overall it is a much smaller list of to-do items over previous years. Some of the to-do items should be completed before Debbie Horn comes to the meeting in two weeks. They are being worked on.
- b. Public Works Committee: Chair – CM Rudy Sutton
- As Council knows we received many complaints about maintenance of the streets with the recent snow. CM Sutton said he drafted a letter to send to TVI and TVII residents stating who is responsible for the streets in the developments.
 - CM Esler suggested he sit down with CM Sutton and edit the letter before mailing it and Mayor Hatton agreed.
 - Mayor Hatton asked if the letter could be mailed in the next week and was told yes.
- c. Land Use & Development Committee: Chair – Mayor Jermaine Hatton
- Sewer agreement update – Mayor Hatton was supposed to meet with Tom Gordon and Bill Powers about the Town sewer. The meeting was postponed which enabled Mayor Hatton to gather more information about the Town sewer. He now has a better understanding of who paid for the infrastructure. The meeting should be re-scheduled within the next two weeks. The Town currently has 66,000 gallons a day in reserve; anything new built will use that up, need additional gallons per day. The county has been very receptive in sharing information from the original agreement.
 - Mayor Hatton stated we are also still moving forward to get on the agenda of the PLUS committee to update our comp plan with the 6 parcels down Dexter Corner Road.
- d. Community Relations – CM Joel Esler
- Posting of meeting minutes on Town website – CM Esler stated traditionally we post the Council meeting minutes on the website and he has been asked by several residents why we don't post the workshop minutes.
 - TM Green stated it hasn't been done since he has been here and asked if it is mandated in the charter to do so.
 - CM Esler stated it isn't in the charter but he feels if we have a meeting the minutes should be posted, we do vote at these meetings.
 - Mayor Hatton said we do get them out to the public so we might as well add them to the website also.
 - CM Esler asked TM Green when he posts the minutes to also put a news flash on the side that the minutes have been posted. Unless someone looks for them, residents don't know the minutes have been posted. This would also push the notice to Facebook and twitter and more people would know.
 - CM Ness motioned, CM Esler seconded with unanimous vote to put all Town meeting minutes on the website with a news flash that they have been posted.
 - Mayor Hatton asked TM Green to start with both sets of minutes on the back table tonight.
 - CM Esler said the only other complaint he has received is about the plowing, or lack of it, in the developments which we are taking care of.
- e. Public Safety Committee: Chair – CM John Ness

- Update on starting Townsend Police Department
 - CM Ness said he is waiting on a quote from Ms. DiSantos for liability insurance on hiring a police officer. Once he has that information he will add it into the mix and present Council what the startup cost and yearly maintenance cost will be to hire a part time officer.
 - The board of DelJis is meeting the end of this month and will review our application for an agency number. This will allow Townsend to be recognized by the state in case we hire a police officer, and the state will send any money for tickets issued. It will also allow the police officer to look up license numbers, addresses and whatever they need to do. This is another piece of the puzzle in case we decide to move forward.
 - Mayor Hatton asked how real this is based on the numbers CM Ness already has.
 - CM Ness said we should be able to recoup the startup costs in 3-5 years. DelJis will help us find equipment and so will the State Police. If we can get used equipment; car, laptop, etc., it will reduce the costs.
 - CM Esler stated there is also grant money available.
 - CM Ness said once we are recognized and have a police force the money could be open to us.
 - Mayor Hatton asked CM Ness what the chances are of the state police having someone ready for retirement that could take us from conception to deployment if we decide to move forward with this.
 - CM Ness stated Lt. Deveney told him there are several candidates that would be interested in the position and DelJis is also very helpful and would put the information out state wide.
 - Representative Spiegelman asked CM Ness if he has checked with the general assembly for grant money.
 - CM Ness said once we are established he will check into it.
 - Dwain Haines asked if by part time CM Ness means it will be like the State Police in Town now.
 - CM Ness said yes, depending on the time of year, it will be 20-25 hours per week.
 - Mr. Haines asked if calls would go through the 911 system for our officer.
 - CM Ness said in off hours we would go through 911. When the officer is on duty they will respond if something is going on.
 - Mr. Haines asked how they will be notified that something is going on.
 - CM Ness said we will have to make arrangements with the 911 system and our officer would be hooked into the system with his laptop.
- f. Charter & Ordinance Committee – CM Joel Esler
- CM Esler said Mr. Tuttle emailed him today; they are doing some research into the wording for the Town Manager to be added to the charter. Mr. Tuttle also sent the project scope/agreement which he will email Council.
- g. Parks & Recreation Committee: Chair – CW Lorraine Gorman
- Electric service for park
 - I. TE Hyne stated we are almost there, waiting on wage rates from the state. Anticipate our first advertisement can be January 13, 2014 and would like Council to authorize the advertisement for the project.
 - II. CW Gorman said they would like to look at everything prior to making a motion. She asked TE Hyne to email everything to Council and they can motion at the workshop on 1/22/14 after reviewing the scope of work.
 - Baseball scoreboard
 - I. CW Gorman contacted the MOT Little League and they are interested in the score board. Wanted to make sure that Council is in agreement that it will better serve

the youth by having someone use it rather than it sitting in storage. It was donated to the Town and she feels we should donate it, re-gift it.

II. Mayor Hatton suggested making a motion.

III. CW Gorman motioned, CM Ness seconded with unanimous vote to donate the scoreboard to a non-profit organization if someone can use it.

- Easter Egg Hunt

I. Easter is on 4/20/14, would like to schedule the Easter egg hunt for Saturday, 4/12/14 with a rain date of Sunday, 4/13/14.

II. All of Council agreed to these dates.

III. CW Gorman stated she needs to replenish her prizes.

IV. Mayor Hatton said he will send CW Gorman the budget.

- Re-installation of Jester plaque

I. CW Gorman spoke with Jeff at South Delaware Masonry about possibly mounting the plaque on stone (like the Veterans plaque). Jeff feels he may be able to epoxy it permanently to the stand that is there.

II. CM Esler still believes the plaque needs to be mounted.

III. Mayor Hatton asked if Jeff is donating his services.

IV. CW Gorman said as far as she knows he is.

- National Wildlife Federation

I. CW Gorman announced that Townsend just got re-certified for the 4th year from NWF. They are very happy with everything on our website. There is a NWF scholarship, it is in its fifth year and is basically a scholarship to an adventure camp (all expenses paid) for a youth between the ages of 8-18 and one chaperone. This year the camp is in Pacific Grove, California from June 28 – July 4th. Anyone interested has to submit an application and an essay. We will put this information on the website with a link to get to the scholarship information. Entries are due by March 28th.

VIII. Unfinished Business - none

IX. New Business

a. Introduction of Ordinance No. 14-01, Appointment of Town Manager – Mayor Jermaine Hatton – There will be a public hearing for this ordinance on 1/22/14 at 7:00 pm, prior to the workshop, and it will be added to the workshop agenda for approval of the ordinance.

b. Mayor Hatton stated he will send the ordinance to Council to review prior to the meeting.

X. Citizens Comments & Participation

a. TM Green asked when Council wants to start adding voting information to the website.

b. After a discussion, CW Gorman motioned, CM Esler seconded with unanimous vote to have TM Green put information on the website about voter registration.

XI. Adjournment: 8:30 pm, CM Esler motioned, CM Ness seconded with unanimous vote.
