



## Townsend Council Meeting Minutes November 5, 2014

**7:00 pm – Community Watch Meeting – Meeting cancelled, Lt. Paskevicius could not make it.**

### **7:30 pm – Council Meeting**

#### **I. Call to Order: 7:30 pm**

#### **II. Opening Ceremonies**

- a. Roll Call: Mayor Jermaine Hatton, CM John Ness, CW Lorraine Gorman, CM Rudy Sutton, CW Cindy Cook, TA Fred Townsend, TE Owen Hyne, TM Dawson Green, TC Cathy Beaver
- b. Pledge of Allegiance: Pledge was said
- c. Recognition of Visitors: 31 visitors
- d. Announcements:
  - Town Hall closed November 11, 2014 for Veterans Day
  - Town Hall closed November 27, 2014 and November 28, 2014 for Thanksgiving

#### **III. Additions/Deletions to Published Agenda:**

- a. CM Ness asked to delete 8a, the police are not here.
- b. CM Ness motioned, CM Sutton seconded with unanimous vote to accept the agenda with the above deletion.

#### **IV. Council Minutes (copies on back table )**

- September 24, 2014 Mid-Month minutes approved 10/22/14
- October 1, 2014 Council minutes approved 10/22/14

#### **V. Wilmapco Presentation – Bill Swiatek**

- a. Mr. Swiatek is a senior planner for WILMAPCO and discussed the regional transportation plan to 2040, what they plan to do, both short and long range, and their economic goals. Mr. Swiatek went through the handout he passed around to the residents.
- b. The official public feedback opens on November 17, 2014. The actual document can be downloaded and you can send feedback.
- c. Sandy Sturgis asked why Townsend doesn't have public bus service.
- d. Mr. Swiatek stated we should, DART is challenged to extend routes. If Townsend gets a route some other route would have to be suspended. DE City did a pilot program to get bus service and Townsend could possibly do this also. He added he isn't personally involved in DART, but will get back to Council on the issue.

#### **VI. Grainary Discussion w/Mountaire Representatives and DNREC Representatives**

- a. Paul Foster from DNREC introduced himself and stated he is the program manager in charge of all permitting and air enforcement in the State of Delaware. He stated he became involved with the grainary in 2007 when it was Peavey. There were a lot of problems then, many equipment problems and leaks, they fixed all the issues and things got much better. Since Mountaire came in there have been no issues and they haven't received any violations.
- b. All grain operations in Delaware must have screens that are 24 mesh to keep most dust particles from going into the air. In the summer on 2010, legislation slightly changed the law and added grain elevators under the definition of agriculture. As such, I can't cite them, I can only check and ensure they are running the operation within the law.
- c. Mark Holland – VP with Mountaire, been with the company 15 years, we have 3 feed mills and 9 grain elevators. We do a lot of this all over and take our place in a community very seriously. We want to be a good neighbor. We appreciate your feedback and will take any necessary steps to improve any situation. We work closely with DNREC to meet standards set for us. Here with us tonight are other employees who help us meet these standards. Beth is our environmental manager; she works with

- DNREC and walks the property to tell us where we need to improve. Marshall Ellsworth is our site manager, our first contact. Greg is in our engineer department and will speak shortly.
- d. Mark apologized for the problems in Townsend and said that is not their intention, we are very seasonal, coming to the back side of a very large corn harvest. We quit running the dryer 2 weeks ago, felt it was causing part of the dust problem; we are shipping wet corn down state. When we have the ability to move it we will, when we can't we have to dry it. If we put it in a bin wet it will spoil and could cause a fire because it isn't stable.
  - e. Representative Spiegelman apologized, he found out there was not a legislative change, there was a regulation change. If Townsend wants another change, we can certainly talk about it.
  - f. Greg stated he came here to see if he could find the source of the dust problem. He believes it is the new grain dryer. The grain dryer is a standard design used since the early 70's. It has screens on the outside and big blowers inside to suck the air in and cools the grain. The bottom half of the dryer is under negative pressure drying the grain so there are less bees wings, the red dust floating around. The other white material you see floating around is the corn tips. The corn slides down the screens of the dryer and it is like a cheese grater. The corn tips are brittle and get cut off. The bees wings blow out through the top because of the blower pressure and will float forever. We are looking at some equipment to screen the grain and remove the vines prior to it going to the dryer to try and reduce the bees wings. We also can put mineral or Wesson oil on the grain once it is dry; it will blend into the grain and will absorb the grain dust when it goes into the bins. It will also reduce the dust coming out of the chutes filling the trucks. We also plan on installing longer socks to load the trucks to improve and control the dust. It is a matter of getting the right equipment for this operation.
  - g. Mr. VanHorn asked how many years it will take to have this done.
  - h. Greg stated it will be done as soon as possible.
  - i. CM Sutton asked if there are self-contained dryers.
  - j. Greg said no, all have to bring air in and expel it. There are different styles of dryers but none are completely self-contained. He added that different types of corn produce different amounts of dust and bees wings and this has been a very high yield corn season. Wheat doesn't produce near the dust and is harvested in June.
  - k. Al Harrington showed a baggie of red dust from the hood of his car that he gathered on 10/25 and another larger bag of red dust from his sidewalk on 10/25. He stated he attended the previous workshop and asked about the air quality controls that are in place and asked if residents complained about a large amount of dust in the air if Council would pro-actively look into it. I'm assuming that whether the dust is toxic or non-toxic, if I'm ingesting it, long term or short term it will be a problem. He said he is sure DNREC and the EPA monitor the air and asked what controls are in place today stating the air quality is safe and are there checks done periodically to ensure the residents living right by the grainary are safe?
  - l. Mr. Foster stated the stuff you see are big particles. That is one of the reasons you can see it. The standards the EPA has set are for much smaller particles less than 10 microns. Microns at 2.5 are the dangerous ones and you don't see them. These particles get deep in your lungs and don't get out. The big ones get caught in your nose so as far as a health risk, the big ones aren't dangerous.
  - m. Mr. Harrington said he is not a local whacko but common sense tells him if this is in the air, it will eventually have a negative impact. I don't care about my car as some people do, Peavey used to give free car washes and you'd get your car washed and 2 days later it would be covered again. I consider this dust an issue regardless of the size of the particle.
  - n. Pam Bailey said DNREC makes construction sites wet down the dirt if there is too much dust and dirt has to be swept from the street every night. Our streets and sidewalks are covered with the dust, why can't someone clean it up.
  - o. Mr. Foster stated some of the larger mills do sweep the streets.
  - p. Mrs. Bailey asked why DNREC enforces dust control at construction sites but not at the grainary.
  - q. Mr. Foster stated they have standards and requirements that apply differently to construction and the grainary. He stressed again that he has no control over the grainary dust anymore.

- r. Dave Bailey said farmland has run-off into streams, does DNREC do anything about it.
- s. Mr. Foster said that isn't air quality. We are talking about nuisance dust and the law was changed and I can no longer fine a grain elevator.
- t. Mr. Bailey said when Mountaire took over 2 years ago they moved grain from the back to the front. That is when we saw the change in the amount of dust, can it be switched back.
- u. Mark stated they use the elevators per demand by the customers. Wheat is in the back and the corn is in the front, however, we are hauling the corn downstate now.
- v. Larry Rocke said you are talking about using oil to dry the dust, but eventually it will dry and we will have the dust problem again.
- w. Mark said it wouldn't be a problem because as we dump corn in the elevators the oil is still on the sides and will control the dust. We only do this with dry corn because we can't put oil on any corn going into the dryer as the dryer heats up to 220 degrees and could catch fire.
- x. Mr. Rocke asked if the other mills and grainary's are having problems with the dust.
- y. Mark said yes, all have bees wings. The problem here is we are in the middle of Town, location is a problem and we have to do our best to control the problem.
- z. Greg said they are going to put money into new equipment and resources to improve this issue, all the dust will never be eliminated, but it will be much better.
- aa. Matt DelPizzo said a law was in place which was changed. Industries and corporations always do this for their benefit. Look at Delaware City! Representative S. should create a new law for the grainary to abide by. Mr. Foster is a great guy but you have to stay on DNREC too.
- bb. Mr. Foster said he would first ask what are you going to do to fix the problems and that is what Mountaire is trying to do.
- cc. Alan Emsley asked if they feel most of this dust is coming from the dryer and was told yes. He asked the residents if they have noticed a difference this week and was told yes. He said they stated there are screens in the dryer, the sample looks pretty big, and could it really fit through the screens.
- dd. Greg said yes, it looks big but if you roll it around in your hand it gets small.
- ee. Ms. Sturgis stated in 2007 the equipment had to be upgraded per the laws. She asked if Mountaire downgraded any of the equipment when they came in since the law was changed and was told no. She asked how many grainary's there are in Delaware and was told there are 15 to 20 but this is the only one up north.
- ff. Greg said this grainary is here to service the farmers who don't have the equipment to drive long distances. We get farmers from Maryland also.
- gg. Mr. Bailey asked if Mountaire could do a timeline of the improvements so the residents could see it and was told yes.
- hh. Mr. Keenan asked with only one screen, could you double screen the dryer to control more of the dust.
- ii. Greg said he doesn't know if that will work as it restricts the flow.
- jj. Mr. Haines asked about the little red bugs that come from the wheat.
- kk. Mark said they treat the wheat and barley when they get it to try to stay ahead of the bugs.
- ll. Greg added when they purchased the grainary they replaced the dryer because the existing one was in bad shape. He stressed again that there has been a huge corn yield this year.
- mm. Mrs. Bailey stated she had her house power washed in September and it doesn't look like it was done. The heavy rain last week didn't even wash it off. Something has to be done.
- nn. David Augustson said he has lived here 28 years and has spent a lot of money and is constantly working to keep his house and yard nice. This last 2 years with the heavy dust, the paint on the porch and house has started to mildew. Constantly washing it down. I can't open the windows in the fall, don't want the dust in the house, can't sit on the porch and not comfortable working in the yard. Just want it cleaned up.

- oo. Mayor Hatton thanked everyone for coming. He thinks Mountaire has assured us they are working to improve the dust issue. Council will stay on top of this to ensure they are held accountable. As DNREC stated, their hands are tied.
- pp. Mrs. Bailey asked Mr. Foster if he had a copy of the bill that was changed.
- qq. Mr. Foster said it is Senate bill 265.

## **VII. Mayors Report**

- a. Presentation of Volunteer of Year Award
  - Mayor Hatton presented Sandy Sturgis with the Granville “Bud” Higgins Volunteer of the Year award and thanked her for all the volunteer work she does for the Town.

## **VIII. Reports**

- a. State Police: Lt. Tom Paskevicius – deleted, not present
- b. Representative Jeff Spiegelman – nothing to report
- c. Townsend Fire Department: Bob Biggs
  - Thanked everyone for supporting the monthly BBQ’s. With the money we made and the money we hope to make next year, we are purchasing an automatic chest compressor.
  - Holiday Craft Show is Saturday, November 8, 2014, 8:30 am – 2:00 pm
  - Chicken and Dumpling Dinner – November 19, 2014 – 4:30 - 7:00 pm at the Fire Hall
- d. Town Attorney Fred Townsend III:
  - All have a copy of House Bill 377, the revised charter. This copy incorporates the changes required by and in response to the Governor’s office relating to several issues.
  - I used the Dover charter as a model to incorporate annexation language. I also have a copy of Dover’s ordinance for annexations for Council to discuss at a later date.
  - The charter is now in Council’s hands to decide on how to proceed, then to Representative Spiegelman to present to leg hall.
  - Mayor Hatton stated we will add this to the December agenda for approval once all have read it.
  - Rep. Spiegelman reminded Council they go back into session in mid-January.
- e. Town Engineer Owen Hyne:
  - The park electrical is complete; we are waiting for Delmarva to install the meter.
- f. Town Manager Dawson Green:
  - Construction is slowing down; most of it is taking place in TVII West. JS Homes bought the 6 lots owned by Resi Development to build on. They hope to be built out in TVII west within the next 18 months.
  - One permit for a new home was issued in October.
  - Some new street signs have been installed in TVII west.
  - Mr. Keenan asked about the one way signs next to Little Italy.
  - TM Green stated the signs have been ordered from the state, waiting for them to come in and be installed.

## **IX. Committee Reports**

- a. Finance: Chair – Jermaine Hatton
  - Finance Report
    - I. Met with our mutual fund manager Tuesday, still making money in a very slow economy, increasing yearly by 2 ½ percent. Not taking any chances with the residents’ money.
    - II. We were hoping to have the audit done by now, still working on it but hope to have it done by the end of the year.
  - Town purchase of 141 Main Street
    - I. As of last Thursday, the Town became the owner of 141 Main Street. It is the big white house on the corner of Main and Ginn Street. We are in the process of

coming up with some designs to turn it into the Town Hall to get us out of the small building at the end of South Street that we have outgrown. The good thing about it is it is centrally located and is a cornerstone of Townsend. It will draw a lot more attention to the Town of Townsend being in the heart of Town versus where we are now, in a very small, outdated building with no windows. There are a lot of renovations that have to be done to the building and hopefully those renovations will start by the first of the year, February at the latest. The sooner we get in there, the better for the look and feel for the Town. The building has been vacant for years. We are moving as quickly as we can but moving ahead with a very smart plan to allow the municipal staff a comfortable place to work rather than the cramped quarters we have now.

- II. Ms. Sturgis asked if we will keep the historical quality of the property.
- III. Mayor Hatton said yes. He has been in contact with several agencies in the state to see what we have to do to preserve the feel and look of the exterior of the property. The interior will change but it is a beautiful Victorian house. Anything we can do to enhance the overall beauty of it will help the surrounding neighborhood. No one on Council wants to change the feel and look of the exterior. We will be getting rid of the bamboo, it is an eyesore.
- IV. Mr. Keenan asked why the Town purchased a parcel in the middle of a residential district for a business when there are several places outside of Town that would have been better. There is a large parcel on the other side of the railroad tracks for sale.
- V. Mr. Bailey stated there were a lot of acres donated where the Town Hall was supposed to be.
- VI. Mrs. Bailey said the Town Hall was supposed to be in the Town Park.
- VII. Mayor Hatton stated they did look into that and if you had been here last year, we received several quotes to build a Town Hall in the park and the quotes were astronomical. I also inquired about the 2 parcels of land outside of Town. The cost to purchase the property....
- VIII. Mr. Keenan asked if he is talking about the Mannering property. It is under \$200,000 to purchase plus there are 2 lots his father in law used to own. That would total 7 lots.
- IX. Mayor Hatton said there is a lot more that goes into it than just purchasing the lots, we still have to build.
- X. Mr. Keenan said yes, this building will have to have 90% taken apart on the inside, new plumbing and electric, brought up to code for handicap access, parking for it...
- XI. Mayor Hatton said that is all correct and we can park on the property.
- XII. Mr. Keenan asked if it is residential or commercial.
- XIII. Mayor Hatton said it is currently zoned residential.
- XIV. Mr. Kennan said that is correct so you are putting a business there so it will have to be changed to commercial.
- XV. Mayor Hatton said it doesn't have to be changed to commercial because we are a government entity and we can change it to a municipality use.
- XVI. Suzanne Clark spoke up and said, so Council gets to control their own zoning for their own house and you (Mayor) said the people in the area would think this was a good idea, we don't.
- XVII. Mr. Bailey asked how much it will cost to renovate the house.
- XVIII. Mr. Huff said it's going to cost half a million dollars.
- XIX. Rebecca Huff said they have been in it and she knows what it looks like on the inside.

- XX.** Mayor Hatton said he doesn't know where that number came from but our Town engineer did some work on it and came up with a cost estimate for renovations of \$300,000.
- XXI.** Mr. Keenan stated for \$500,000 you could have bought and put up a brand new building.
- XXII.** Mayor Hatton disagreed and said the Town has done the research on this to see how we could get a Town Hall in the most cost effective manner.
- XXIII.** Mr. Bailey said God forbid you mess up the park!
- XXIV.** Mayor Hatton said it would have cost the Town about a million dollars to put a building in the park.
- XXV.** Mr. Bailey said it would have been a brand new Town Hall just like Middletown. This is going to look like a home.
- XXVI.** Mayor Hatton said the Town Hall in Middletown cost 6 million dollars and Townsend can't afford that.
- XXVII.** Mr. Bailey said you wouldn't have to build a 2 story building, just something new and nice. 10 years from now someone may decide to move the Town Hall somewhere else; this is just a house, not a Town Hall. Where are you going to park? You are going to have Town meetings there right?
- XXVIII.** Mayor Hatton said it will work and we will hold meetings there. There will be a minimum of 27 parking spots.
- XXIX.** TE Hyne said they did preliminary sketches and there will be 25-30 parking spaces behind the building. There is also on street parking.
- XXX.** Ms. Huff said she lives next door; you can't park on the street because people knock your car mirrors off.
- XXXI.** Mr. Keenan asked if the Town vehicles will be parked there rather than going to the employees homes.
- XXXII.** Mayor Hatton said that wouldn't be a problem.
- XXXIII.** Mr. Keenan asked if the rest of the equipment will be parked there.
- XXXIV.** Mayor Hatton said the equipment will not be stored there; the last thing we are going to do is stick a bunch of Konox boxes in a residential neighborhood. I believe that would be more harm to the ascetics of the neighborhood than having a Town Hall there.
- XXXV.** Mrs. Bailey asked if the equipment will be kept at the old place.
- XXXVI.** Mayor Hatton said we may or may not still have that place, the property is for sale.
- XXXVII.** Mrs. Bailey asked what we will do it the property sells.
- XXXVIII.** Mayor Hatton stated we also have a box at the park and we will have to condense our boxes.
- XXXIX.** CW Gorman stated there are a lot of things stored in the boxes that can be stored in the Town Hall.
- XL.** Mr. Bailey asked if the Town used to store things at the old fire house.
- XLI.** Mayor Hatton said not that he was aware of.
- XLII.** Ms. Clark and Mrs. Bailey said we did use it for storage, we rented it for a year and Mayor Hatton said the building belongs to the school district.
- XLIII.** Ms. Clark stated Mayor Hatton said we are going to change the zoning because we can.
- XLIV.** Mayor Hatton said no, we can't just change the zoning, we will go through the normal zoning process to enable us to make an update to the zoning. Even if we would have built a Town Hall in the park, we would have to change our zoning. We have nothing in our zoning regulations right now to permit a municipal building anywhere, regardless if it is commercial or any other kind of zoning because the

Town has never owned any parcel or property that the zoning code needed updated.

- XLV.** Ms. Clark asked if the zoning meeting was Monday.
- XLVI.** Mayor Hatton stated the meeting had to be cancelled as one of the committee members could not make it.
- XLVII.** Ms. DelPizzo asked if the purchase of this property was made known to the public before this meeting tonight and in what publication.
- XLVIII.** Mayor Hatton said yes it was. It was listed on the mid-month meeting agenda and discussed there.
- XLIX.** Mrs. Bailey stated that is a mid-month meeting, you didn't bring it up at a public Town meeting.
- L.** Mayor Hatton said that is a public meeting.
- LI.** Many residents said they see nothing in the minutes about this. Mayor Hatton said those minutes will not be approved until the mid-month meeting on 11/19.
- LII.** Mr. Rocke verified that all of Town Council voted on this and was told yes.
- LIII.** Ms. Huff said she has lived next door to this property for almost 20 years and put up with the crime, break-ins, overgrown grass, crap on our property. I'm glad someone is going to take care of it, however I know there will be trees cut and buildings demolished. Earlier we talked about being good neighbors, what about all the crap that will be flying around in my yard and that shed is right on my property line and probably has lead based paint and asbestos and there is all kinds of stuff going on over there. We have dealt with the hodge podge contractors over there that the prior owners have hired over the years, transient people coming and going all the time and I don't want them walking in the yard and driveway. I am asking for a project plan, I have young kids and teenagers home after school and I don't want these people coming and going. Also, I can't see any parking in the street; I can't see to back out of my driveway now so you can't park on that side of the street.
- LIV.** Mr. Huff said there are people that have got tickets for parking on that side of the street. It isn't allowed.
- LIV.** Mrs. Huff added the reason she is so fired up about this is she was met at the door last Wednesday when they were moving out by the real estate agent wanting us to sign a paper because the property was sold and the Town bought it. I don't think that was real neighborly. Here's the deal, I'm not in Town; I don't have to come to your meetings. Someone should have come to my door to let me know what was going on. When I called a month ago to ask about the survey marks in my driveway and what they were for, everyone got amnesia; no one knew why it was being done. Really! This has been in the works for almost a year. I don't appreciate being lied to when I call the hall to ask why my driveway is being surveyed. Whoever answers the phone needs to get their facts straight. If we want to be neighborly, a nice knock on the door or a flyer would have been nice so we could talk about all the changes that are going to occur 6' from my living room. It has been handled very badly.
- LVI.** Mayor Hatton said to address some of the points brought up, it was on the agenda. We actually talked about it in open public meetings; we weren't hiding anything from anyone. As far as us coming next door to talk about it, I apologize, maybe we should have. As far as the information you got when you called Town Hall, that information was transferred to our engineering firm, we didn't know what day they were coming so when you spoke to someone at Town Hall, they may not have known what was going on.

- LVII.** Ms. Huff said all of this has been handled very underhanded and shabby. I hope everyone in this Town that is going to get stuck with a tax increase because you spend ½ million dollars on that property, and I guarantee it will probably be more when you start digging in the back yard, it will be crazy, I know how much that stuff costs. There are no roofs, there is black mold, the furnace doesn't work, I've been in there, and there is water damage.
- LVIII.** Mayor Hatton stressed again that our engineering firm did a very thorough inspection and research on the house before we purchased it. Some of the things you say are in the house aren't there.
- LIX.** Mr. Huff asked about asbestos and was told there was no asbestos found in the house.
- LX.** Mr. Bailey asked about the garage and was told no asbestos was found in the garage either.
- LXI.** Mr. Bailey asked what is going to happen outside the building, are we going to dig around in the dirt and make a parking area.
- LXII.** Mayor Hatton said yes, it will be in the back of the building.
- LXIII.** Mr. Bailey asked if this will be a municipal building or a Town Hall and was told it will be a municipal building.
- LXIV.** Ms. Huff asked if people will be permitted to rent it and was told no.
- LXV.** Mr. Bailey asked if we will have a sprinkler system installed.
- LXVI.** Mayor Hatton said no, based on the size of the building we will not have to put a fire suppression system in it.
- LXVII.** Mr. Bailey asked if \$300,000 is for the renovations and outside work and was told it was for the renovations. He then asked how much the dirt work and paving will cost.
- LXVIII.** TE Hyne said we are in the conceptual stages. We have cost estimates for the conceptual layouts. As we move further into the project we will talk to the Mayor about it and make sure the design matches the Town budget. We will also allow for the future in case we have to expand.
- LXIX.** Mr. Bailey asked where we would expand; there is a house behind and beside the property.
- LXX.** TE Hyne said any expansion would be on the same property.
- LXXI.** Ms. DelPizzo said she is a project manager and wants to make a few points. Number one, it would be cheaper to tear the house down and start from scratch. The way the entire sidewalk project was run was very poor; don't know if there was a project coordinator on the project, I could have run it better. I fell through a hole they didn't bother covering from our driveway to the road and barely got out. It was run very poorly and I want to see a project coordinator on this project, and be responsible about it and notify people if there are traffic changes and be open if you tear down the house.
- LXXII.** Mr. Keenan asked who will have the new sidewalks first, our new hall or his side of the street?
- LXXIII.** Mayor Hatton said we will have to put new sidewalks in; they have to be ADA compliant.
- LXXIV.** Mr. Bailey stated we are looking at a million dollars before this is all done. He added you are putting this in the middle of Town where no one wants it.
- LXXV.** Mrs. Bailey asked if the Town pick-up trucks will be parked at this facility. Will we build a new garage on the property?
- LXXVI.** Mayor Hatton said there won't be enough room to build a new garage.
- LXXVII.** Mrs. Bailey asked if the trucks stay at the current Town Hall.



**LXXXVIII.** Mayor Hatton said no, they go home with the employees because they were being vandalized. Since the employees started driving them home, nothing has happened to them.

**LXXXIX.** Mr. DelPizzo asked if Mayor Hatton thinks the trucks will be vandalized at the new hall, the house has been broken into and vandalized a dozen times.

**LXXX.** There was a discussion about the home being vacant for years and with the overgrowth no one could see in the back yard.

**LXXXI.** Ms. Huff asked how many people work full time in the building and was told we have 4 employees.

**LXXXII.** Ms. Huff made the statement that we need 2800 square feet for 4 people.

**LXXXIII.** Mayor Hatton said when we have a meeting in that building we have standing room only, we have run out of space in the building, we have no windows and no true ventilation. You talked about black mold. We have an issue right now where one of our employees is ill from breathing stuff coming out of the walls there.

**LXXXIV.** Mr. Huff said we will have bigger problems in this building unless we gut it.

b. Public Works: Chair – CM Rudy Sutton

- Discussion/Vote – Streetscape change-order #8

I. CM Sutton stated the reason for this change was to install a crosswalk on Chestnut Street, relocate two trash receptacles, replace the sidewalk at 303 Main Street, address window openings at 588 Railroad Avenue, replace the step in front of LaMatesina and the striping work associated with DelDot's paving of Main Street.

II. CM Sutton motioned, CM Ness seconded with unanimous vote to accept change order #8.

III. Mr. Bailey asked who is doing the work or is it already done and was told it is done.

- Discussion/Vote – Removal of trees and shed(s) at 141 Main Street

I. CM Sutton said the trees at the back of 141 Main Street have taken over the fence and are affecting the property behind it. We tried numerous times to get the previous owner to take care of this issue and now that we are the owner, we are liable and feel we should move quickly to take care of this issue. These trees are dangerous.

II. Ms. Huff asked what property they are talking about.

III. TM Green said it is 583 Ginn Street, a rental property the Schreppler's own.

IV. CM Sutton said with the removal of the trees, the sheds on the property have been inspected and deemed unsafe and we would like to demolish them also.

V. Ms. Huff said the 2 story barn borders her property and she wants to know the impact to her when this is done. Are we bringing in a bulldozer or what?

VI. CM Sutton stated we would let her know as soon as we know.

VII. Mr. Bailey asked who is going to do it.

VIII. CM Sutton said this is all new, we just bought the property last week, we need to get bids on the work.

IX. Ms. Huff asked if the very large oak tree behind the house is going to be cut down.

X. CM Sutton explained that they will walk the property again but right now the trees that are affecting the neighboring property have to be addressed.

XI. CM Sutton motioned, CM Ness seconded with unanimous vote to start the removal of the trees and the sheds.

XII. Mr. DelPizzo asked if Cm Sutton had followed up on the house next to him that is completely overgrown and probably has rats and possums and everything else there. You guys are very pro-active on your property and you told me constantly that it is a landscaping matter and when you see things that are unattended for

years, yet you can't do anything about it. I have emailed Mayor Hatton and you several times and not received any response.

- XIII.** CM Sutton stated he and CW Cook visited Mrs. Kratzer today. As I told you in the past, based on her condition, there are certain things I'm not willing to do. We live in a small Town and most of us chose this area because we love a small Town and we like to maintain the small town feel. We have a situation where someone has an issue, we don't want to strong arm them, that isn't the way to handle certain situations. We stopped by her home today, she came to the door, walking very slowly with oxygen in her nose, opened the storm door and we let her know why we were there. We talked to her about her landscaping and she said she can't afford to pay anyone to do it and because of her condition she can't do it herself so CW Cook and I offered our services and are getting some volunteers to help and we will address this issue on Saturday.
- XIV.** Mr. DelPizzo asked why you don't have the Town guy do it.
- XV.** CM Sutton said there are reasons why we don't jump and spend the Town's money...
- XVI.** Mr. Bailey asked how long would it take him to cut the yard.
- XVII.** CM Sutton said Mr. DelPizzo has problems with all the landscaping in the yard so it will take some time and a lot of help and tonight is a good time if anyone is willing to volunteer and help a few hours. We are going to start around 8:00 am Saturday morning and do a good clean out on the property. She was very appreciative of this. She stated she doesn't like the way it looks either but can't do it herself. She needs help and we are going to help.
- XVIII.** Mr. DelPizzo stated the man that cuts her grass offered to do it. I appreciate her age but that has nothing to do with it. Not asking you to strong arm her, I have been on this for years. You think this is a specific problem of me and my wife, if you lived next door you'd understand.
- XIX.** CM Sutton said there are other residents that have lived in this community longer than us....
- XX.** Mrs. DelPizzo said that doesn't matter.
- XXI.** CM Sutton said he told Mr. DelPizzo he would look into this and he has. Council didn't want to put an ordinance into place to deal with one person; we are going to do it this way.
- XXII.** Mrs. DelPizzo said you should do an ordinance. There is a responsibility of owning a home on Main Street. It doesn't matter your condition or age, if she's not capable of taking care of the home she needs to move out and go to a nursing facility.
- XXIII.** Mr. DelPizzo stated you should have a general pool through the Town that steps in. You have to clean up after your fair or you run street sweepers so maybe you can add something that will address this instead of having it drag out over the years. I appreciate everything you are doing; I had to stay on top of you guys to do anything because you guys turn it into being respectable. I get all that but it has been years getting to this point of someone knocking on the door.
- XXIV.** Mrs. DelPizzo said the building the Town just purchased; why not leave the overgrowth on it.
- XXV.** Mr. DelPizzo said let it sit for a year and half.....you are so worried about the bamboo!
- XXVI.** Mrs. Bailey said in the past the Town got kids involved in clean-ups that have to do community hours and suggested the Town do this.

c. Land Use & Development: Chair – Jermaine Hatton

- The zoning committee meeting scheduled for Monday has been cancelled as one of the committee members cannot make it. We will be addressing dividing a parcel at 660 Commerce Street into 2 parcels, rather than one, per the new owner's request. Hopefully the zoning meeting, which is a public meeting, will be re-scheduled in the next 2 weeks.
  - Mrs. Bailey stated she has lived here for 29 years. She asked if the property the Town bought on Main Street is the end of Town limits because Ms. Huff said she lives next door but isn't part of Town.
  - Mayor Hatton said it isn't the end of Town limits and explained about enclaves which are properties within the Town limits that have never annexed into Town. He explained that the property owner must ask the Town to annex in; we cannot approach them about annexing per the laws. Enclaves answer only to New Castle County.
  - Ms. Clark asked if the enclaves are receiving Town services.
  - Mayor Hatton stated no, they have NCC sewer, Artesian water and Delmarva Power but they aren't Town services. The Town doesn't control any of these services.
  - Mrs. Bailey asked if Dollar General is part of the Town and was told yes.
  - Mr. Emsley verified the fire house is also annexed into Town but the parcel behind it that they bought is not. He was told this is correct.
  - Mrs. Bailey stated she hopes Mountaire is helping the Town a lot with revenue. That's where the revenue should be coming from, not property taxes.
  - Mayor Hatton stated she is absolutely correct.
- d. Community Relations: Chairs – CW Cindy Cook
- Thanked the fire company for the Halloween party they put on for the children. It was really cool and the kids loved it. I put pictures on the Town facebook page.
  - Agendas are also posted on facebook with lots of Town information.
  - Council has been invited to celebrate Veteran's Day at the VFW. If Council could rsvp me, I will let them know who will be there. This celebration is also open to the public; you can call the VFW for information if you are interested in attending.
  - CW Cook said as someone who had the opportunity to meet the elderly resident today, she feels it is very important that we honor the mature, silver haired members of our community. I appreciate CM Sutton's offer to help her. I will be there also.
- e. Public Safety: Chair – CM John Ness
- Lt. P apologized for not being here. He will be at the next meeting and the community watch meeting scheduled prior to the Council meeting on December 3. He has some information and opinions about the use and maintenance of cameras and he will have another discussion on tips to keep your home safe.
  - There have been some concerns about the school bus pick-up/drop-off site in Town. It is now dark in the morning and there are children hanging out in the street, not on the sidewalk, while waiting for their bus. Talked to the Appoquinimink transportation supervisor about this issue. He is meeting with the bus contractors and the drivers will remind children to wait for the bus on the sidewalk, not the street. He is also sending letters to the schools. They are considering moving the school bus stop further down from the corner.
  - Ms. Huff suggested having them move the bus stop in front of the building the Town just purchased, where her children catch the bus. The people on the other corner have or have had oil tanks, couches, and furniture on the sidewalk. The kids have nowhere to stand but in the street.
  - Mrs. DelPizzo said the school buses driving through Main Street are speeding excessively.
  - CM Ness asked her to get specific school bus numbers.
  - Mrs. DelPizzo said she has called on the buses.

- Mr. Bailey asked where the bus stops will be moved, they have been at the same place for years.
  - CM Ness said this is only a suggestion, not sure.
  - Mr. Keenan has been in touch with them about having a crossing guard at Commerce and Main and was told there hasn't been one there for 3 years. Mr. Keenan stated that is because the school was closed for renovations. He was told there are no walkers west of the railroad tracks. He told them there are walkers and it isn't safe without the crossing guard.
  - CM Ness said he will call.
  - Mrs. DelPizzo suggested we get reflective crossing flags like they have in Washington DC. They carry them as they cross the street.
  - Mr. Haines stated he called the police a couple days ago about damage to a car. Still haven't seen a policeman on Commerce Street.
- f. Parks & Recreation: Chair – CW Lorraine Gorman
- Nothing to report, if anyone has suggestions for events at the park, please let me know. With the electricity, we have more options.
  - CW Cook asked how much will it cost for someone to use the electric.
  - CW Gorman said we don't know yet, once it is completely hooked up, Council can discuss it.

**X. Citizens Comments & Participation**

- a. Mr. Bailey asked about getting the grass cut along the railroad tracks behind the houses on Commerce Street.
- b. Mayor Hatton asked TM Green to get in touch with the railroad about this.
- c. Mr. Bailey said he hopes everyone was sincere in following through and making sure the grainary is held accountable.
- d. Mr. Bailey added that he feels the purchase of 141 Main could have been handled better. No one here knew anything about it before this meeting. That was a \$250,000 purchase and it will cost close to a million dollars before you are done with it.
- e. Mrs. Augustson thanked Council for getting Mountaire and DNREC together to talk with us. We want to work together and be able to use our yards and porches.
- f. Mayor Hatton thanked Mrs. Augustson and said it is a great first step. Now we have to ensure we hold their feet to the fire and follow through. They said a lot of great things, and I'm sure it sounded great to the houses that are affected by it, but you have probably heard it in years past. We will do our best to see that all is followed through with.
- g. Ms. Andersen thanked all for their sincerity, goodwill is good. As far as holding people accountable, can you keep a line on the agenda, would like feedback on where we stand with the process.
- h. Mayor Hatton said TM Green and the site supervisor have had an ongoing dialogue leading up to this meeting. As soon as we get any information, we will pass in on in Council meetings so everyone is aware of what is going on.

**XI. Adjournment:** 9:32 pm, CW Gorman motioned, CM Sutton seconded with unanimous vote.

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