



Townsend Council Meeting Minutes
March 4, 2015

7:15 pm – Public Hearing

- I. **Call to Order:** 7:15 pm
- II. **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, Ad. Assistant Melissa Faedtke
- III. **Pledge of Allegiance:** Pledge was said
- IV. **Final Reading of Ordinance No. 15-03; Amendment of the Unified Development Code on permitted uses within a residential (R) district**
 - a. Mayor Hatton explained that the approval of this ordinance will update the district to permit us to use the property at 141 Main Street as a Town Hall.
 - b. CM Ness read the synopsis of the ordinance.
 - c. There was no discussion.
 - d. CM Ness motioned, CW Gorman seconded with unanimous vote to move the vote to approve Ordinance No. 15-03 to the public meeting.
- V. **Adjournment:** 7:20 pm, CM Ness motioned, CM Sutton seconded with unanimous vote.

7:30 pm – Council Meeting

- I. **Call to Order:** 7:30 pm
- II. **Opening Ceremonies**
 - 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, AA Melissa Faedtke
 - Pledge of Allegiance: Pledge was said
 - Recognition of Visitors: Sean and Michelle Andersen, Dwain Haines, Keith Shoemaker, Lt. Paskevicius and Adam Weiser (DelDot)
 - Announcements:
 - Residents must be registered at the Town Hall to vote in Townsend Elections. Please bring your ID to register on any of the following dates:
 - I. Monday – Friday, 8:00 am – 4:00 pm
 - II. Wednesday, March 18, 2015, 6:00 – 8:00 pm
 - III. Saturday, April 4, 2015, 9:00 am – noon
 - April 16, 2015 is the deadline for registering to vote in the election on May 2, 2015.
 - If you are interested in running for Town Council, candidate packets will be available at Town Hall March 2, 2015. These must be turned in by Thursday, April 2, 2015 @ 4:00 pm.
 - Elections are Saturday, May 2, 2015 @ Town Hall, 8:00 am – 6:00 pm.
- III. **Additions/Deletions to Published Agenda:**
 - CW Gorman motioned, CM Ness seconded with unanimous vote to approve the agenda as written.
- IV. **DelDot – Discussion about Main Street/Rt. 71/Pine Tree Corner Road intersection**
 - Adam Weiser: Mr. Weiser is the safety program manager for DelDot. One of our programs is called the hazard elimination program which is a federally funded program that we annually study a set number of intersections. Used to study 30 locations, we now study 15 locations a year because the program changed. We focus on systemic safety where we look at roadway features that lead to different types of accidents. In our 2014 program, we look at crash data from 2010-2012. The intersection of Rt. 71/Main Street showed up on our list. We looked at crash numbers and traffic volume. We look at low cost type fixes first to save money. The crash data for this intersection is across the board, some angle crashes which are people running red lights or failing to yield, rear end

crashes, 2 crashes involved people backing up on the roadway and hitting cars behind them. Not a trend of specific types of crashes to investigate. Our study showed we can modify some signage and bring things up to date and into compliance and then monitor the intersection for the next year or so. There isn't a lot of room to install left turn lanes, if we were to do that we would be taking right-of-way and potentially some buildings. Would be a major impact and very expensive. The project would have to compete with all the other projects in the state for prioritization. So right now we will continue to monitor the site and any crashes and update the signage.

- Ms. Andersen stated the stop light is timed, not on a sensor and often traffic builds up. Why isn't the light censored?
- Mr. Weiser stated the light is censored, all lights in Delaware are. They change to green on demand. This intersection is called an isolated intersection, it operates free, it's not on a coordinated system with lights before or after it. It does have triggers in the roadway. If you see problems with the trigger, call our transportation center and we will send a signal technician to look at the loop detectors. One of them could be broken. On your cell phone you would dial #77 to report this.
- Ms. Andersen stated the Town has grown substantially in her 14 years living here. Traffic backs up at the light behind school buses waiting to turn and the lights don't turn to give a fair break to the traffic. There are a lot of impatient people on the roads so once you get to the light and someone delays 5-30 seconds someone will try to pass them and can't see oncoming traffic. It is dangerous.
- Mr. Weiser said they are aware of this. When someone is waiting to turn left others will pass them on the shoulder. It is against the law but aside from putting islands in to restrict it, there isn't a good way for us to prevent this from happening. Some people will still drive over islands. The ideal solution would be to provide turn lanes but we can't do that right now.
- Mayor Hatton asked if the new signage was done yet.
- Mr. Weiser said no, they are working on the estimate now.
- Mayor Hatton asked if once the estimate is done, it will be put in line with all the other projects throughout the state.
- Mr. Weiser said no, it is a low cost improvement so once the estimate is done we can move on it.
- Mayor Hatton asked if it will be done in the next six (6) months.
- Mr. Weiser said it will be done in the next 6-8 months. Striping is done in the spring, summer and fall.
- CM Sutton asked what type of signage is going to be done.
- Mr. Weiser said they will install some "keep right" signs in the island in the median. The stop sign at Brook Ramble Lane will also be upsized to meet requirements. The passing zone east of the intersection on Pine Tree Corner Road will be made a no passing zone. We are also looking at installing some raised pavement markers along Main Street and Pine Tree Corner Road similar to the ones you see on Rt. 71.
- CW Gorman asked if there is a time limit for transferring the utility from the old pole to the new pole. There are 2 double poles out there.
- Mr. Weiser will check with the public works department.
- Mayor Hatton asked what the threshold is for new developers for curbing and right a ways, etc.
- Mr. Weiser stated that is set by New Castle County.
- Mayor Hatton stated he asked because of how much the MOT area has grown in the last 14 years. Last week he watched 3 cars cut through Dollar General from Main Street to Rt. 71 so they wouldn't have to wait for the light. The light is only letting 1 ½ busses turn before changing which makes everyone sit through 3-4 light changes. The level of services required by Pao are not meeting the demand. Believe there is a dis-connect between DelDot and this intersection.
- Mr. Weiser stated you would have to talk to Pao.
- Mayor Hatton asked about getting a control signal on Rt. 71 in front of Townsend Village II.
- Mr. Weiser said to request a traffic study through Tom for this.

- Mr. Andersen said Pine Tree Corner heading east appears to have narrower lanes and people don't yield, they stop and hold traffic up.
- TE Hyne asked if DelDot is going to look at the traffic signal timing.
- Mr. Weiser stated he is going to have a signal time analysis and will also have the detectors checked to make sure they are functioning.

V. Council Minutes (copies on back table)

- January 21, 2015 Mid-Month minutes approved 2/18/15
- February 4, 2015 Council minutes approved 2/18/15

VI. Mayors Report

- Vote to pay poll workers and provide lunch for elections on 5-2-15
- After a short discussion, CM Ness motioned, CM Sutton seconded with unanimous vote to pay the 2 poll workers \$100.00 each and buy lunch for all the workers on May 2, 2015, Election Day.
- We were notified last week that Diamond State Motors is closing for good and would like permission to do a final big auction to liquidate the assets. The owner has an outstanding debt of \$700.00 to the Town and I told him that had to be paid in full before Council would vote to permit the auction. This will be a special event auction Council will approve.

VII. Reports

- State Police: Lt. Tom Paskevicius
 - There were 500 total calls (emergency and non-emergency) from January 2014 through February 2015 for Townsend proper. The majority of the calls were noise violations, property checks, generic 911 calls, suspicious vehicles and suspicious persons. We handled approximately 30 accidents, 70 alarm calls (alarms going off in peoples homes), 110 generic 911 calls w/hang ups, 4 assaults, 17 burglaries (most from new homes being built), 21 thefts, 16 trespassing, 14 criminal mischief, 17 disorderly persons, 28 domestics. There is no crime trend in Townsend and 500 calls in 14 months is extremely low.
 - On February 13, 2015 there was a murder at 600 Marilyn Court. It is still being investigated so can only give you limited information. The victim was as 18 year old male from Wilmington. There was a house party and most of the people there were from Wilmington, New Jersey and Philadelphia.
 - The copper thefts are still going on. The weather doesn't stop them.
 - If you see someone or something suspicious, call 911, don't go after the person yourself. Get as much information about the person or vehicle as you can.
 - Mayor Hatton asked how many troopers are on duty at any given time for this coverage area.
 - Lt. P said Troop 9 covers from the canal to Scarborough Road in Dover and all areas in between. If it is a good night, there may be 7 troopers out patrolling, 1 on the desk at all times. Often there are only 5 or 6 on duty. If something serious happens it may tie up 3-4 troopers. We have a very large area to cover. If I could, we would have at least double the amount of troopers we have but it is out of my hands. The majority are stationed upstate.
 - Mayor Hatton asked because he doesn't believe the residents realize the large territory you cover with only 5-7 troopers on duty at any given time.
 - Lt. P. agreed and added they try to always have troopers patrolling in the higher crime areas.
- Representative Jeff Spiegelman
 - The Division of Research apologized because they never had a chance to look at the charter, now that they have looked at it, they have issues with it. Senator Ennis has it now. I hope it will be a couple quick fixes. Once we are back in session, Senator Ennis will work with the Division of Research and I hope it will go through quickly. There will then be 6 amendments to the charter when it is passed to the Senate.
 - We will be back in session in 3 weeks.

- Haven't heard anything recently about the Municipal Street Aide. The joint finance committee is working on it. Advised the Governor that my large municipality was very upset about the MSA and he asked me where he should get the money from. I told him bike paths could be cut and a great source of money. He wasn't happy. I understand they typically always threaten to cut the MSA. Don't know if this will be the year they actually do it.
- Mayor Hatton asked about the new bill permitting people to carry guns in municipal buildings.
- Rep. S said he hasn't heard about this bill. Mayor Hatton stated he will email him a copy of it.

- Townsend Fire Department: Keith Shoemaker
 - Nothing new to report.
 - Roast beef dinner/dance on April 18th.
 - Spring fling tickets for sale.
- Town Attorney Fred Townsend III:
 - Charter: The complaint is that we have a mix of subsection designations, which is very common in charters, concerns are all stylistic and isn't an easy fix, may be 60 sections that have to be re-written. Going to see if we can get a short cut, have all the contact information to get this fixed.
 - Logged onto the website today to view the agenda and was very impressed with the new website. Much easier to navigate for the public, very user friendly, looks really good.
 - All gave credit to AA Faedtke for the "new" website. It launched today.
- Town Engineer Owen Hyne:
 - Nothing to report.
 - CM Ness asked about the water pooling at Dollar General.
 - TE Hyne said he will press DelDot for an answer. It is caused from the paving job.
 - Mayor Hatton said he talked to Pao today about getting a traffic study, it is on the schedule for spring. He asked TE Hyne to contact Pao about a red light at TVII East.
 - TE Hyne stated there are other improvements DelDot plans on doing in front of that intersection. He will definitely about this.
- Town Manager Dawson Green:
 - There were 2 tests done at 141 Main Street today, TE Hyne will discuss later in the meeting.
 - There were 5 building permits issued for the month of February.
 - TM Green officially introduced Melissa Faedtke. She is the new administrative assistant, has updated the website and is doing a great job.
 - There is a snow emergency going into effect at midnight tonight.
 - Ms. Andersen said she received a message on her phone to remove your cars from the street from the Town of Middletown.
 - CM Ness stated we are piggy backing on the Code Red system with Middletown. I have a message in from Kristen Krenzer about this. Townsend should not have received this message, there will be one coming out later for Townsend.
 - Mayor Hatton stated the actual operator of the system is off today.
 - Ms. Andersen asked what people who don't have driveways are supposed to do with their cars.
 - CW Gorman stated the ordinance states the cars have to be moved to the odd side of the road if you can't move them into a driveway.

VIII. Committee Reports

- Finance: Chair – Jermaine Hatton
 - Finance Report – no report
 - The auditors will be back 3/18/15 to complete the field work of the audit.

- 5 new building permits was great news, good source of revenue.
- Hope to be able to report at the next meeting of more revenue coming into Town with a major property sale, which would be good for us.
- Public Works: Chair – CM Rudy Sutton
 - Update on 141 Main Street
 - TE Hyne passed out a final rendering of the site plan for 141 Main Street. Still waiting on comments from DelDot. Gives you an idea of what it will look like.
 - Did some testing there this afternoon. Tested in back of house where a small Stormwater basin will be installed. It is being designed and not shown on this drawing.
 - Mayor Hatton said it appears the sidewalk is bordering our property. Is that all we will have to do or will DelDot require us to do more.
 - TE Hyne said DelDot will make the Town improve the corner of Ginn and Main, on both sides of Ginn Street, with a handicap ramp.
 - Mayor Hatton asked how soon final approval will come in from DelDot.
 - TE Hyne stated he spoke with Pao, who is handling the review for this project. Within 2 weeks we should be ready to hand this over to DelDot for review. Preliminarily they will probably want it to go through their 10 day process here and 30 day process there, etc. I will certainly encourage them to speed it along. Hopefully they will take a preliminary look at it to expedite the process.
 - Mayor Hatton said he asked because he wants to reach out to Senator Ennis and Rep Spiegelman for some of their CTF funds for some of the improvements, especially since MSA may be cut.
 - TE Hyne said at the front of the hall, the new driveway will be much wider and compliant. Currently there is a utility pole in the middle of it but we are talking the Delmarva about moving the pole.
 - TM Green said Delmarva plans on meeting me onsite for the future renovations.
- Land Use & Development: Chair – Jermaine Hatton
 - Vote to Adopt Ordinance No. 15-03, Amendment of the Unified Development Code on permitted uses within a residential (R) district
 - I. CM Ness read the synopsis of Ordinance No. 15-03.
 - II. There was no discussion
 - III. CM Ness motioned, CW Gorman seconded with unanimous vote to adopt Ordinance No. 15-03.
 - Discussion/Possible Vote on zoning change for parcel # 25-003.00-059 – 605 Cannery Lane and parcel # 25-003.00-060 – 615 Cannery Lane
 - I. Mayor Hatton said the zoning committee met last night with potential buyer of 605 and 615 Cannery Lane. The 2 open lots on Cannery are currently zoned commercial and the potential buyer would like to have the zoning changed to industrial to meet the needs of their business. Had a good discussion, some of the improvements the buyer wants to do would benefit the Town. The zoning committee made no recommendations last night, wants to see some drawings of what buyer wants to do first. Hope the next meeting with the zoning committee will be in 2 weeks. These properties are currently owned by FDIC and been for sale for a long time. The potential buyer is trying to move fast on this project.
 - Sub-Division application for 660 Commerce Street, parcel # 25-004.00-134
 - I. There was some confusion on what had to be done with this property, used to be 3 parcels and is now one. The current owner, Ms. Ott wants it to be 3 lots again so a small sub-division will have to be done again. Ms. Ott wishes to build on 2 lots. Haven't seen the lots yet.

- II. TE Hyne stated he has talked to the surveyor and he sent an electronic copy. He will present a copy to the Town.
- Public Safety: Chair – CM John Ness
 - Call the police if you see anything. There is a link on the website with reporting information and crime safety tips.
 - If you call the police and don't get a response, please let me know.
 - Mr. Andersen said he found a 4 point razor blade tipped arrow from a cross bow in his yard. He said he didn't call the police.
 - CM Ness asked to talk to Mr. Andersen after the meeting.
 - Ms. Andersen asked if this is a legal weapon to discharge in the Town limits.
 - Mayor Hatton said it is not legal by ordinance.
 - TA Townsend stated Towns and cities have ordinances but all are superseded by state law.
- Community Relations: Chair – CW Cindy Cook
 - The Spring Expo is re-scheduled to 3/12/15 at the fire hall, 3:00 pm – 7:00 pm.
 - The newsletter should be out this week.
- Parks & Recreation: Chair – CW Lorraine Gorman
 - Easter Egg Hunt – **Residents Only**
 - I. Saturday, March 28, 2015, raindate – Sunday, March 29, 2015
 - II. Starts at noon
 - III. Crazy hat/Easter Egg bonnet parade at noon to kick off the festivities.
 - Community Yard Sale in the Park – Saturday, May 9, 2015, 8:00 am – 2:00 pm
 - I. No table fee but need to register at Town Hall.
 - Line Dancing in the Park in June, date to be announced
 - Rock Concert – July 25th
 - I. School of Rock from Wilmington will have several bands there for the concert. Bring your snacks from home and enjoy the entertainment.
 - 10th annual Parade and Fair – Saturday, September 26th
 - CW Cook stated there is a picture gallery on the new website. If we get the pictures from prior events to Melissa she can add them to the website.

IX. **Citizens Comments & Participation** - none

X. **Adjournment:** 8:46 pm, CM Ness motioned, CM Sutton seconded with unanimous vote.
