



## Mid-Month Council Meeting Minutes March 18, 2015

Meeting: 7:00 pm

**I. Call to Order:** 7:01 pm

**II. Opening Ceremonies**

- a. Roll Call: Mayor Jermaine Hatton, CM John Ness, CW Lorraine Gorman, CW Cindy Cook, TA Fred Townsend, TE Owen Hyne, TM Dawson Green, AA Melissa Faedtke, TC Cathy Beaver
- b. Recognition of Visitors: Dolores Bernal (Middletown Transcript)
- c. Pledge of Allegiance: Pledge was said.
- d. Announcements:
  - Town Hall closed Friday, April 3, 2015 in observance of Good Friday.
  - 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:
    1. Monday – Friday, 8:00 am – 4:00 pm
    2. Wednesday, March 18, 2015, 6:00 – 8:00 pm
    3. 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 are available at the Town Hall. These must be turned in by Thursday, April 2, 2015 by 4:00 pm.
  - Elections are Saturday, May 2, 2015 @ Town Hall, 8:00 am – 6:00 pm.

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

- a. CM Ness motioned, CW Gorman seconded with unanimous vote to accept the agenda as written.

**IV. Council Minutes**

- a. Approval of February 18, 2015 Mid-month minutes
  - CW Gorman motioned, CM Ness seconded with unanimous vote to accept the minutes as written.
- b. Approval of March 4, 2015 Council minutes
  - CM Ness motioned, CW Cook seconded with unanimous vote to accept the minutes as written.

**V. Mayor's Report**

a. Mayor Hatton stated he and TM Green met with Diamond Technology on Monday. They are an IT company and would like to become involved with Townsend. Middletown was also in the meeting. Have talked to them at several DLLG meetings. They are on the cutting edge of technology and overall vision and I believe they can do a little more for us than Versalign, our current IT company. They are aware we purchased 141 Main and will be online in the next 5 months. They are putting a proposal together for us. As everyone is aware, it has been a nightmare keeping the office up and running. The stability of the office is still questionable daily with our outdated hardware, software and wiring. We changed from Atlantic BB to Verizon Fios. It was a very good meeting and they suggested hardware we need to look into for our new location.

b. Also met with Dr. Cassen from Delaware State University last week. We went over how Townsend can bring economic development into Town limits and put together a smart comp plan using grant money. He is going to send over copies of what he has done in other Towns in the state with the outcome and show us tools we can use.

c. CW Gorman commented that we should find out where we stand with our sewer before we entertain revising the comp plan.

d. Mayor Hatton clarified this version of a comp plan isn't the same version we do for the state. It is more of an economic growth plan, it's not the comp plan we go to PLUS for. It is a planning tool, a strategic plan and vision for the Town. They will interview us and the residents to see what people vision.

e. CW Gorman stated she is hesitant to invest money in a plan when we don't where we stand with the sewer and may not be able to move forward with a plan.

f. Mayor Hatton stated he is meeting with County Executive Tom Gordon tomorrow to talk about our sewer. I will have my sewer bible (held up a binder relating to Town sewer). I know more about sewer's now than I ever thought I'd know. Have had several conversations with folks from the IPA, met with them last week. Have talked with Herb from the State Planning office, it truly doesn't make sense. The county has allowed the Town to increase its comp plan with future annexations. Now they are saying no

to the Plan of Services. When a Town goes to PLUS, you have to file a Plan of Services and the only sewer in Townsend is New Castle County. At that point of time the county should have said no, they wouldn't provide sewer to any additional growth outside the current boundaries of Townsend, but they didn't. That is the argument I will use tomorrow. Depending on the outcome, our attorney may have to advise us on what we can or can't do. The letter we received from the County only states they won't give us any more sewer, there is no reason stated for this. We need an explanation and I'll ask for one tomorrow. The agreement was signed in 2001 and we have outgrown the agreement based on the growth in Townsend since 2001. We have done 4 comp plan modifications through PLUS from 2001 to 2010 that they could have said they wouldn't provide sewer.

g. CW Gorman verified the contract for NCC sewer prevents us from getting sewer from anywhere else.

h. Mayor Hatton said yes, it is exclusive. Middletown could provide us additional sewer now, could run it right down Wiggins Mill Road.

i. Mayor Hatton said we have had Versalign in 2-3 times in the last few weeks. They have made several recommendations on how we could get more stability in the office. It is something that could also house us when we move to 141.

j. Mayor Hatton said he was on vacation last week and spent 4 days here going through GL's. We have overrun some of our budget line items for this fiscal year. We will discuss this under finance. We have some budgeted items that we haven't spent any money and others we have gone over. It would have been nice if we had been notified that we were close to going over beforehand, but that didn't take place.

## **VI. Reports**

a. Fred Townsend III, Town Attorney

- The attorney for the Senate called today, the charter passed the Senate today with no new amendments. Now it goes back to the House.

- Mayor Hatton asked if the land acquisition bill sponsored by Senator Ennis went before the Senate today.

- TA Townsend said he will have to check.

b. Owen Hyne, Town Engineer

- DelDot is going back and forth between departments about the ponding at the entrance to Dollar General. It started after they did the paving.

- TVII entrance onto Rt. 71 – following up with developer on that. It is likely the entrance won't be improved until commercial properties are improved. Will continue to follow up on this.

- Updated the zoning map to reflect the annexations and zoning changes over the last couple years. This will need to be adopted by ordinance.

- Moving along with the new Town hall. Have a submission ready to go to DelDot on Wednesday next week. Will have cost estimates for all the work along the roads done Friday. Next I will need to have a meeting with Council and Town staff about finishes in the building so I can get it on paper and then get bid packages put together. TE Hyne passed out the latest design of the 1<sup>st</sup> floor.

- CW Gorman stated she would like to be involved in the layout of the offices, used to do it for Verizon and think I could help.

- CW Gorman asked if TE Hyne had heard anything about the utility poles.

- TE Hyne said he reached out to Rich Beard at Delmarva but haven't heard back from him. Initially he said it would cost \$10,000 to move the pole.

- CW Gorman clarified she was asking about the double utility poles. The wires haven't been transferred to the new poles yet.

- TE Hyne said he will check into it, he didn't see them.

- CM Ness asked if DelDot tested the sensor loop at Main and Rt. 71 yet.

- TE Hyne stated he will follow up with Adam to see if it has been done.

- Mayor Hatton said he received an email from Pao that stated DelDot will do a traffic study on Rt. 71 in front of TVII in April. He asked if TE Hyne had the numbers for the curb work at 141.

- TE Hyne said his designer almost has it finalized.

- Mayor Hatton verified the Town will have to pay for the relocation of the electric pole at 141 and told him to add the fee to the cost estimate for the project.

- TM Green asked TE Hyne to follow up with Pao about deferring some of the costs of the driveway/entrance at 141 Main Street until the streetscape is done. TM Green would like to meet Pao on site; some things may not need to be done.

- TE Hyne said he will electronically submit to DelDot next week.

- Mayor Hatton said the money we got for the streetscape was federal money, won't get anymore, the federal fund is bankrupt. Could possibly get some CTF money; just want to ensure it is done right.

- After discussing putting the brick accent in with the new sidewalk, TE Hyne said he will add the brick in his estimate.

C. Dawson Green, Town Manager

- Turned the photo cells back on today in the gazebo and pavilion, believe Mid-Atlantic forgot to put them back on when they finished working. They should be on tonight.

- Received the re-imbusement check from DNREC in today's mail.

- A builder is working with the developer to buy 4 lots on Wiggins Mill Road and assures me he will fix the road when he gets the lots.

- Mayor Hatton asked what it will cost to fix the electric box at the gazebo.

- TM Green said he hasn't called Mid-Atlantic yet; feel if we put the same thing in there the same thing will happen.

- Mayor Hatton is concerned as it appears some of the wires were damaged.

- After a discussion on different options, TE Hyne was asked to come up with several options and talk to Mid-Atlantic for estimates.

## VII. Committee Reports

a. Finance: Chair – Mayor Jermaine Hatton

- Auditors were here today to complete the field work. They still couldn't complete it due to several reports were not ready or completed for them. We will discuss several suggestions from them later.

- We are over budget on several accounts. Advertising is over budget by \$394.60. We have a \$314.00 credit with Gatehouse Media. Suggest we increase the budget to make it a zero balance.

- CM Ness motioned, CW Gorman seconded with unanimous vote to increase advertising, account number 01-6000-000 by \$394.60 to make it a zero balance.

- Computer support is over by \$4,325.74. Considering our problems and the old system and wires, that isn't bad. Feel we need to take Versalign's recommendation to upgrade the system now, will also enable us to scan documents that are needed into the secure system. Per Rowland & Johnson, we have far too much paper, need to scan.

- CM Ness stated this will be a capital improvement.

- CM Ness motioned, CW Cook seconded with unanimous vote to increase computer support, account number 01-6050-000 by \$6,325.74. (This will give us a balance of \$2,000 to get us through the fiscal year).

- Postage delivery is over by \$1,604.71. Budgeted \$1,600.00 and doubled it.

- CM Ness motioned, CW Cook seconded with unanimous vote to increase postage, account number 6260-030 to \$5,000.00. (Will cover the overage and give us a cushion of \$1,800.00 for the rest of the fiscal year).

- Town Merchandise – over by \$89.75, budget was \$500.00.

- CM Ness motioned, CW Cook seconded with unanimous vote to increase merchandise budget, account 6275-000 to \$1,000.00.

- Professional fees/legal – over by \$4,630.35, only budgeted \$15,000.00. TA Townsend has done a lot of extra work for us this year.

- CM Ness motioned, CW Gorman seconded with unanimous vote to increase legal fees, account 6280-020 to \$30,000.00.

- Subscription fees – over by \$170.26

- Training classes – over by \$700.00

- CM Ness motioned, CW Gorman seconded with unanimous vote to increase subscriptions, account number 6330-000 by \$170.26 to 0 it out, and increase training classes, account number 6370-000 by \$700.00 to make it a 0 balance.

- Workman's Comp Insurance – over by \$1,092.00, budgeted \$3,485.00

- CM Ness motioned to increase Workman's Comp/Payroll Taxes by \$3,000.00, account number 6560-060, CW Gorman seconded with unanimous vote. (This will give us a cushion to get us through the end of the fiscal year).

b. Public Works: Chair - CM Rudy Sutton – not here

c. Land Use & Development: Chair – Mayor Jermaine Hatton

- Discussion on sub-dividing 660 Commerce Street

- TE Hyne stated he reviewed the plan from Mrs. Ott today. It needs to be signed by the owner and the surveyor who made the plan who must also seal the plan. Contingent on this, I recommend approval of this sub-division.

- TE Hyne stated currently the property is deeded as one property. In the past it was 3 properties. Mrs. Ott would like to sub-divide and create 2 properties; one will be a little larger than the other. Having 2 lots will meet all the zoning requirements and she would be able to build 2 homes.

- TA Townsend recommended Council should have a contingency that Mrs. Ott cannot come back and ask for a variance.

- CM Ness motioned, CW Cook seconded with unanimous vote to approve the sub-division of the property, making it 2 properties, contingent upon the owner and surveyor signing and sealing the plan.

- There was more discussion about the property and TE Hyne stated he believes there is room for 2 homes and driveways and it will meet the Town zoning and code requirements.

- Mayor Hatton stated the zoning committee met 2 weeks ago about the property on Cannery Lane. However, it is on hold because of a glitch with the bank. The potential buyer is now looking at other property on Cannery Lane, he wants to be in Townsend.

- Mayor Hatton and TM Green went to class last week, Planning 103. In the class it was stressed that we need to move away from a zoning committee and have a planning commission. They will send TM Green some material next week to help us with the transition. We need a minimum of 5 residents on the planning commission. Mayor Hatton asked Council to all find a resident that would be interested in being on the commission. The commission can only have residents as members; however, TE Hyne will remain involved and attend the meetings. The planning commission will review everything and make recommendations to Council who will make the final decision. The commission will meet monthly.

- TA Townsend stated we will need a strong chairman; they will have bylaws to abide by and a term to serve.

d. Public Safety: Chair – CM John Ness

- Tripled the police patrols with spring here. Stressed patrolling on Main Street, Commerce Street and Railroad Avenue. Lt. P also asked his patrols going by Townsend to drive through Town and the park even though they may not be on duty here.

- Have looked into several other alternatives; pricing for security or hiring our own police force. Have talked to residents and they seem to think if we start our own police force it will be like Middletown, 24/7. It would not be like that, we would have 1-2 part time officers, all emergencies and 911 calls would still go through the state police.

- TA Townsend stated Sam Callendar in Cheswald has a police department like we are looking at and may be able to help Townsend with the process.

e. Community Relations: Chair – CW Cindy Cook

- CW Cook stated Mayor Hatton asked for updated information on how the social media is being used. She passed stats around and read them to Council. Our likes and people reached continually grow with new information.

- We can use our social media to help draw people over to enable us to go mostly paperless. It will take time.

- CW Cook stated wherever she goes people ask her why Council didn't approve the lights at the park, it is also on social media and residents want to know why, they would like to see lights in the park at night. Felt Council needed to know this. Residents feel this may help prevent some of the destruction going on in the park.

- Mayor Hatton stated he doesn't believe the residents understand the whole situation and the cost involved and that the park still closes at dusk, lights or no lights. Having the photo cells on now should help.

- Mayor Hatton asked CW Cook if she has the ability to turn off negative comments. Some people have become cyber bullies. Believe we need to establish policies on what is allowed on the page.

- CW Cook said yes she can hide nasty comments, and she can also reply behind the scene. This is causing people to engage and get involved. She agreed we need to establish policies.

- Mayor Hatton asked CW Cook to come up with a policy for Council to review.

f. Parks & Recreation: Chair – CW Lorraine Gorman

- Baseball field

1. Talked to the gentleman in charge of T-Ball with MOT Little League. He said he would love to use our field. He will be in touch with Cathy with dates they can use the field for practice and they may try to use it for a couple games. This is a start with MOT Little League.

- Park Maintenance

1. We are in the process of getting estimates for mulch, tree trimming and tree removal. It makes sense to get the trees in shape before putting mulch down. Some dead trees need removed and many of the ornamental trees need pruned. We have money in the park maintenance budget for this.

2. We haven't received an electric bill for the park yet.

3. CW Cook said the dog waste bags need refilled, people are leaving the waste on the ground. If we fill them, maybe people will use them.

4. CW Gorman asked if Council could solicit candidates for park maintenance at the park, if needed, when required. Don't want to hire someone part time, only as George needs help.

5. Mayor Hatton said the money for this should be in the budget.

6. CW Cook suggested a paid summer internship.

7. Mayor Hatton asked Council to come up with ideas and we will discuss it at the next workshop.

- Easter Egg Hunt – March 28, 2015, Rain date March 29, 2015 @ noon

1. CW Gorman asked CW Cook to plug the crazy hat/Easter hat contest on the facebook page. She asked Mayor Hatton to bring the microphone to the egg hunt. Going to have a Town table with sign-up sheets for future events and emails. Will have hotdogs and cupcakes again this year. The church will be helping us this year.

2. We received the save the Monarch postcards and they will be on the Town table also.

- Community Yard Sale in the Park – May 9, 2015 – 9:00 am – 2:00 pm

1. Set up at 8:00 am.

- Line Dancing in the Park

1. Talked to them last week and was told a week night is best for them. She will talk to the Ladies and get back to me with a date to do this in June.

- School of Rock Concert – July 25, 2015

- Town Fair – 10<sup>th</sup> Anniversary – Saturday – 9/26/15 – Parade @ 10:00 am,  
Fair 11:00 am – 3:00 pm

CW Gorman stated she would like Council to consider a movie night in the park. It will be costly, have to get a license for the movie, will cost around \$350.00 for a current movie, rent the screen, get insurance (minimal), pay for the movie equipment and have police presence. Will cost about \$1,000.00.

Talked to the owner of Iron Source in Smyrna. He lives in Townsend (outside Town limits) and said he will let us use lights for this event at no cost; we only have to pay for the gas to run the lights.

**VIII. Citizens Comments & Participation:** None

**IX. Motion to Adjourn for Executive Session:** 9:00 pm, CM Ness motioned, CW Gorman seconded with unanimous vote.

**X. Executive Session:**

a. Discussion of Town personnel matters in which the names, competency and abilities of individual employees are discussed pursuant to 29 Del.C. 10004 (b) (9).

**XI. Motion to close Executive Session & Re-convene to adjourn Mid-Month Meeting:** 10:00 pm, CW Gorman motioned, CW Cook seconded with unanimous vote.

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