



Townsend Council Meeting Minutes July 1, 2015

7:30 pm – Council Meeting

- I. Call to Order: 7:35 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
 - b. Pledge of Allegiance: Pledge was said
 - c. Recognition of Visitors: 10 visitors
 - d. Announcements: Town Hall closed Friday, July 3, 2015 for Independence Day
- III. Additions/Deletions to Published Agenda:
 - a. CM Ness motioned, CM Sutton seconded with unanimous vote to accept as written.
- IV. Council Minutes
 - a. Approval of May 20, 2015 Mid-Month minutes
 - CM Ness motioned, CM Sutton seconded with unanimous vote to approve as written.
 - b. Approval of June 3, 2015 Council minutes
 - CM Ness motioned, CM Sutton seconded with unanimous vote to approve as written.
- V. Mayors Report
 - a. We received some great news from legislative hall last night that will benefit Townsend.
 - b. The joint finance committee voted to strike the transfer tax reduction.
 - c. The bond committee restored the 5 million MSA fund and Townsend will receive its full allotment the middle of September.
 - d. CTF funds were restored which will enable us to reach out to Senator Ennis and Representative Spiegelman for funds to help with our projects.
 - e. House Bill 145 – prevailing wages, any new construction that comes to Town has to cap at \$100,000, reconstruction at \$50,000 and new construction at \$500,000 before prevailing wages take effect.
 - f. House Bill 192 and 201 – House Bill 192 states people cannot come into a Town building or Town meeting carrying a firearm. Only police or someone required to carry a weapon for their job can carry a weapon. The law takes effect as soon as the Governor signs it but then Town's need to opt into the bill by ordinance. We will discuss this at a later date.
 - g. Senate Bill 70 passed last night. This is the agreement between the Town and Appoquinimink School District to buy approximately 4 acres off Finley Street for \$1.00.
 - h. In reference to the newspaper article, the Town is still looking into different avenues to obtain more sewer capacity other than New Castle County. The reason the Town is pursuing this is we have a state approved comp plan, approved in 2010. We have land that is outside the Town limits that could be annexed into Town. All we are asking is for the comp plan and the county sewer to match. The County sits on the PLUS review committee to approve comp plans. When our comp plan was reviewed and approved, the County did not say they wouldn't provide sewer services to those parcels of land if they are annexed in. They could have objected then and the Town would not have been able to annex the property at a later date, but they didn't object. By not objecting or making any comments, they approved the Town annexing the parcels at a later date. All we want is the sewer agreement to match our approved comp plan.
 - i. The Town is currently pursuing getting all the sidewalks on Main Street fixed. We are following all protocol to get this done.

VI. Reports

a. State Police: Lt. Tom Paskevicius

- There has been no major crime activity or trends in Town. There have been some recent burglaries in the outlying area of Townsend. The Hearth restaurant was robbed 3 times in a week; we believe it was an inside job. There was a home invasion on Summit Bridge Road, an isolated incident.
- We have been very busy in the Smyrna, Clayton and Dover area with vehicle break-ins. We believe it is juveniles doing it. There have been 45 of them in the last 2 weeks. Remember to lock your car doors and don't leave valuables in the car.
- A resident showed a flyer on a sex offender living on Railroad Avenue.
- Lt. Paskevicius said it is normal procedure for these flyers to be sent out when a sex offender moves to a new address. Lt. Paskevicius knows nothing about this person but could look into it.
- CM Ness stated you can sign up for notifications on the website and see where any sex offenders live in the area. It gives additional information also and a contact number.
- CW Cook asked what the parameters to an elementary school for a tier 3 sex offender (which this one is) are. The law would also apply to home day care centers.
- Lt. Paskevicius said there are laws, that isn't his division but believes it may be 100 yards. He offered to look into this.
- Corporal Heather Imhof introduced herself as the new community outreach officer. She will handle all of Kent County and all of Troop 9 territory which includes Townsend. One of the goals of this unit is to work directly with the community. An example would be this sex offender, you could reach out to me and I will try to resolve the issue for you. I will also work with you on your community events; we are trying to close the gap between the police and the communities.
- A resident asked about the young kids walking around Town at 2:00 am in the morning.
- Another resident agreed, it is every night, a group of 10-12 young children walking around between 2:00 and 3:00 am, don't know where the parents are. I don't say anything to them because don't want retaliation. Last night there was a 12-13 year old over by the pump station at midnight. Don't know what these kids are doing. They walk the railroad tracks and party. They hang out in the park.
- Corporal Imhof said we could possibly increase patrols and find out what the kids are doing and where the parents are.
- CM Ness said you should call the police when you see them.
- Another resident said he called the police 2 weeks ago when he trouble with 2 of the kids, police came right away and I told the police where they went and the police went the other way. They are starting to be a big problem. One of them lives where the animal farm is.
- A resident asked about the community watch.
- Mayor Hatton stated the last meeting only 2 people showed up.
- CM Ness said he would like more people to be involved but you have to call the police.
- Several of the residents said they have it under control, they are watching the kids.
- Mayor Hatton said everyone should work together and be in touch with CM Ness about all of it. Appears there is a little more interest, we could have another meeting and share information and work together. We need to take control of this and work together but we need people to come to the meetings.

- Lt. Paskevicius said he understands the frustration and the police can't be here all the time, the residents are the eyes and ears for us.
 - Corporal Imhof said the only way they will know something is going on in Town is when the residents call to report it.
 - It was clarified that residents are supposed to be good witnesses, just observe what the kids are doing and call the police. Do not approach them, puts you in harm's way.
 - A resident agreed, said these kids retaliate and break windows and flatten tires and damage cars and will jump in front of your moving car. They are criminals.
- b. Representative Jeff Spiegelman – not here, session didn't end until 5:00 am this morning.
- c. Townsend Fire Department: Keith Shoemaker
- Starting our membership drive, great place to meet, do a lot for younger kids, great organization to join.
 - Mayor Hatton asked for the information to be given to CW Cook to put on our facebook page and on our website.
 - BBQ is the last Saturday each month.
 - A resident asked why the sirens don't blow anymore.
 - Keith said many residents complained about the noise to the point we had to quit using them. Also, the siren by the post office fell off the pole and they are very expensive to replace.
- d. Town Attorney Fred Townsend III:
- TA Townsend said there is an ordinance that forbids children under the age of 16 to be out after 10:00 pm. It also imposes responsibility on the parent who knowingly permits their child to be out after 10:00 pm and before 6:00 am. After a certain number of offenses the sanctions become more serious. I will talk with CM Ness about this and he can share it with his contacts at the police department. My impression is police resources are stretched pretty thin and if it doesn't involve police activity the police aren't likely to treat it as seriously as a criminal complaint.
 - There was a vote earlier this evening to start a planning commission. I will coordinate with TM Green on getting the committee started.
- e. Town Engineer Owen Hyne:
- Construction of new homes continues in TVI and TVII.
 - Still doing grading and site improvements for Phase 3C in TVII
 - 141 Main Street – new Town Hall, we are processing the contracts with Affordable Contractors who got the inside renovation contract. This could take a couple weeks. If you see someone doing demolition work, it means things are getting started.
 - We are working on getting new bids for the site work.
 - Mayor Hatton said based on the decision from leg hall last night; we are going to reach out to Representative Spiegelman for additional funding to do the sidewalks at 141 Main Street. Because of the way prevailing wages were written, we couldn't get funds before as it would have cost more money in the end. Rep. S. has already said he will help us and Senator Ennis is also going to try and get us some funds.
 - A resident asked if he could see what the Town plans on doing at 141 Main.
 - Mayor Hatton stated he can stop in Town Hall at any time and look at the plans.
 - A resident asked if the property was annexed into Town.
 - Mayor Hatton said it was done several months ago. The property used to be 2 parcels, one was in Town, and one was not. The parcel has been annexed into Town limits and it is all one parcel number now.
 - The resident said the map he has seen shows the 2 parcels.

f. Town Manager Dawson Green:

- Mayor gave TM Greens report as he could not attend the meeting.
- There were 6 building permits for new homes issued last month.
- Townsend Properties, LLC is interested in paving Tracy Circle in Townsend Village. They would like to do it the week of July 20th. Townsend Properties will notify all the residents, not the Town. They will also put up a bond. RVB will inspect the roads before they are turned over to the Town.
- MSA funds will help cover the maintenance of the roads in a small amount.
- Delmarva replaces 5% of the lights every year. The Town passed an ordinance stating all new lights going in have to be LED which will save the Town some money.
- A resident said there was a bag of trash at the end of Commerce and Main Street last week. It was a small bag that had been run over. Don't understand why the Town couldn't have picked it up rather than notify DelDot.
- Mayor Hatton said he will ask TM Green why we didn't pick it up.
- A resident asked when Main Street will be swept.
- Mayor Hatton said they can put a request into DelDot; it is a state maintained road.
- The resident stated DelDot is supposed to sweep Main Street 3 times a year and doesn't.
- Another resident stated there are some streets that don't have curbs and there is grass growing into the asphalt.
- A resident asked if the garbage can that was hit will be put back on Main Street.
- Mayor Hatton said we will have to take that up with the contractor but first is we need to get the sidewalks fixed.

VII. Committee Reports

a. Finance: Chair – Jermaine Hatton

- Discussion/Approval of FY 2015-2016 budget
- CM Ness motioned, CW Gorman seconded with unanimous vote to approve the FY 2015-2016 budget.
- The audit is still being worked on. The 2013-2014 audit should be done by August and we should have the report by September and will start on the 2014-2015 audit then.

b. Public Works: Chair – CM Rudy Sutton

- Rode through Town Saturday after the bad storms. Most of the storm drains were working properly but found several areas where there was significant flooding. Both areas were in new construction areas. There is an issue behind 125 Esch Street; the back yard was 85% water. Handler is grading behind the house and I believe this caused the pooling. TM Green is going to look into this. West Founds Street had about 4 inches of water around the bend. Not sure what is going on there.
- Mayor Hatton asked TE Hyne if there are any grants to do a Stormwater study.
- TE Hyne said yes, it's a matching grant and they will map everything and tell you what needs to be done to address problems,
- Mayor Hatton asked TE Hyne to work with CM Sutton and TM Green on this. Stated part of our problem is the Stormwater drains are very shallow.
- CM Sutton added the weeds and grass are getting out of hand along Main Street between the curb and the blacktop. Some of them are about 2 feet high.

- CW Cook said she worked with Mission Delaware and they did a lot of weeding. We could see the weeds on Main Street. TM Green told me that is a state street and we don't do anything on it.
 - TE Hyne said individual homeowners can weed in front of their homes but the rest is up to the state.
 - Mayor Hatton said the Town can't officially do anything on a state street, if we sprayed chemicals and something happened, we would be responsible.
 - A resident said there is a large area of wetlands on the west side of Gray Street between South and Ginn Streets that has grass over a foot and half high. It is a major breeding ground for mosquitos.
 - Mayor Hatton stated that property belongs to the developer and he will check into it tomorrow.
- c. Land Use & Development: Chair – Jermaine Hatton
- The zoning committee met tonight to make a recommendation to Council to disband the zoning committee and move forward with establishing a planning commission. This committee will take over all the responsibility of the zoning committee and some additional duties and responsibilities. The IPA group at the University of DE recommended we move forward with this so the Town can have more breadth and depth in planning responsibility.
 - CM Ness motioned, CW Gorman seconded to accept the recommendation to dissolve the zoning committee and start the planning commission. Vote: unanimous.
 - The Town is still looking for options to get more sewer capacity. In 2010 when our comp plan was updated, we had to go before the PLUS committee for approval. NCC was present and did not object to the comp plan as written. That would have been the time to state they would not provide any additional sewer to the Town for the potential annexations included in the comp plan, and they did not object, therefore approving our comp plan. The first time NCC said no to any additional sewer was in 2014.
 - A resident asked if NCC is honoring their agreement.
 - Mayor Hatton said yes, but they aren't honoring any additional sewer for the comp plan they approved. We are only asking that the two be married, supply sewer for our future annexations per the comp plan, otherwise we have to find some other way to supply sewer to the additions if the annexations are to take place.
- d. Community Relations: Chairs – CW Cindy Cook
- Would like to acknowledge Mission Delaware, a group of volunteers who did a lot of weeding and clean up throughout Town. They are a group of kids supervised by adults and they did a wonderful job. Their mission is to serve and they will be back.
 - Apologized for her voice, always gets bad this time of year due to allergies.
 - Would also like to thank Boulden Brothers for their donation to purchase American flags. These will be placed in everyone's yards for the 4th of July. Don't have a time schedule yet but am working with a group of Boy Scouts who will be doing it. Will be nice having the Town decorated.
 - CW Cook said she had a question posed on facebook and asked Mayor Hatton if he knew when the historical marker would be replaced. Was told it was put in storage when they put Dollar General up.
 - Mayor Hatton stated the problem is trying to find a location to put the marker. Some people may not know but most of the west section of Main Street is not part of

incorporated Townsend. We want the marker in Town limits. One suggestion was to put it in front of the new Town Hall when it is done.

- CM Ness asked if we are going to have a thank you celebration for Boulden Brothers and the volunteers.
- CW Cook stated a thank you letter has already been sent to Mission Delaware and we put a Boulden Brother card on each of the flags. We are also putting a thank you on the website and facebook to show the people what companies are willing to help small communities.

e. Public Safety: Chair – CM John Ness

- CM Ness stated he will stay after the meeting so anyone interested can give him their contact information for the distribution list for Community Watch.
- Sent information to Council on Flash Cam, which is a self-contained solar powered camera that can possibly be used at the park. It would be installed on a pole and is motion sensitive. It is a very high grade commercial camera. In a demo I saw where people shot at the camera and it still worked. For one camera the cost is \$7,600.00. Am looking for any grants available to possibly help with the cost.
- Discussion/Possible Vote to purchase CodeRed for Townsend
 - I. This is a replacement for R911. We are piggy backing on Middletown and paying them \$1,400.00; however they aren't permitting us to use the full scope of the system. With our own system, we would have unlimited use and be able to send information out about our events also. The annual cost for us to purchase the system would be \$2,500.00.
 - II. CM Ness motioned, CW Gorman seconded to enter an agreement with ECN for the Code Red Information System for the annual cost of \$2,500.00.
 - III. A resident asked who will put the announcements out through the system.
 - IV. CM Ness said it would be multiple people, himself, TM Green and the Mayor. If someone isn't available, another person could access it through the web.
 - V. A resident asked how many people are signed up for the system.
 - VI. CM Ness said there are 2300 people in Town and you can sign up to get messages on your home phone, via cell phone or email. There is a link to Code Red on the Town website. You can add as many phone numbers to the system as you wish, home, work, and cell.
 - VII. A resident said he believes this is a good thing but it is the first he has heard about it.
 - VIII. CM Ness stated we talk about it at almost all the meetings and push it on our website and facebook page. Please help spread the word by mouth.
 - IX. Vote – unanimous.

f. Parks & Recreation: Chair – CW Lorraine Gorman

- Park Maintenance
 - I. At the last meeting we voted to post an ad in the Transcript looking for a part time, seasonal park employee.
- Report on Country Line Dancing
 - I. This event, held several weeks ago was a huge disappointment. Was well advertised. The fire house was there with their BBQ and the MOT women were there to perform and teach line dancing. Sadly, my family and I were the only ones there. We will not be holding this event again.

- School of Rock Concert – Saturday, July 25th
 - I. This is a music studio in Wilmington who put bands together with their students. It is a live audience for the bands and helps them. There will be at least 3 bands, possibly 4. Please come out and support these kids.
- Movie under the Stars – Friday, August 7, 2015 – 8:30 pm
 - I. The first movie was a huge success. Two companies, Ulrich Photo/Video and Gold Star Services contacted me after the event and both said they would like to sponsor another movie night under the stars. Iron Source will again provide the lighting for the parking lot.
 - II. Rain date is Saturday, August 8, 2015.
 - III. The movie this time is Boxtrolls.
 - IV. The funnel cake and ice-cream vendor will be on sight selling their wares.
- Town Fair – Saturday, September 26, 2015
 - I. Looking for as much support as possible, vendors, volunteers, parade participants.
 - II. A resident asked if the Town would consider having a block party for the residents in the park. Other Towns do this and shut down one street, everyone brings a dish, plays music, etc.
 - III. CW Gorman said the only problem will be insurance. Any event the Town sponsors, the insurance is a huge expense.
 - IV. The resident asked if they could have a Town party in the park themselves and the Town won't have the expense. Great way to bring everyone together.
 - V. Mayor Hatton said they actually did this in TVII West and everyone have BBQ's going and dunk tanks and everyone had a great time. It is possible the residents could do this.
 - VI. CW Gorman said she would be willing to help in any way, as a resident, not a councilmember, and then the Town isn't responsible for anything.
 - VII. CW Cook said MTown has had several events, mostly for teenagers and they were big events.
 - VIII. Another resident said the battling between the teens in this Town has got to stop. They beat each other half to death.
 - IX. The resident said we can incorporate these youth in the block party so they can meet everyone.

VIII. Citizens Comments & Participation

- a. No comments.
- b. Mayor Hatton thanked the residents for coming tonight and giving input to the meeting with constructive comments.
- c. Mayor Hatton also thanked Council for all their work and dedication to the Town.

IX. Adjournment: 9:25 pm, CW Gorman motioned, CM Sutton seconded with unanimous vote.