



Mid-Month Meeting Minutes October 21, 2015

7:00 pm - Meeting

I. Call to Order: 7:04 pm

II. Opening Ceremonies

- a. Roll Call: Mayor Jermaine Hatton, CM John Ness, CW Lorraine Gorman, CM Rudy Sutton, CW Cindy Cook, TE Owen Hyne, TM Dawson, TC Cathy Beaver
- b. Recognition of Visitors: Bill McMichael (News Journal), Rob Allen (Handler Construction)
- c. Pledge of Allegiance: The pledge was said.
- d. Announcements:
 - Halloween Trick or Treat Hours – 10/31/15 – 6:00 – 9:00 pm
 - Town Hall closed Wednesday 11/11/15 for Veterans Day
 - Town Hall closed Thursday 11/26 and Friday 11/27/15 for Thanksgiving
 - Town Hall closes at noon on Wednesday 12/23 and will reopen on Monday 12/28/15 in

observance of the Christmas holiday

III. Additions/Deletions to Published Agenda

- a. CM Ness motioned, CM Sutton seconded with unanimous vote to approve the agenda as written.

IV. Rob Allen – Handler Homes

- a. Discussion of Phase 4D South Street, bond waiver request
- b. Mayor Hatton explained that Handler is asking to open another phase of 20 homes. The phase they are working on is sold out.
- c. Mr. Allen stated this is Phase 4D and is 20 homes. Once this phase is done Chesapeake Gas can tie the gas line into Gray Street. He said they are ready to start site work and asked if Council would waive the large performance bond, it is very hard to get them. They will have the base roads and utilities in and put up a bond prior to submitting the first building permit. With the completion of this phase, TVII will also tie into South Street in Old Town.
- d. TE Hyne added this is a deferral of the bonding requirements until they are ready to start requesting building permits. Then the Town will get bond money which will ensure all the work is finished.
- e. Mayor Hatton asked if this is the original phasing or were some modifications made to enable us to get the gas line out to South Street.
- f. Mr. Allen said originally this phase was part of another phase and Saperstein did some work on this section. We have been doing phases in smaller sections based on the market. The market is hot now and the lots are selling very quickly.
- g. Mayor Hatton explained that having South Street connected, it enables Chesapeake to run gas into Old Town. We will also be able to get gas at 141 Main Street.
- h. Mr. Allen said this gas company is trying to expand and are good to work with. Feel this would be good for the Town.
- i. CW Gorman asked is running the gas line will have any bearing on Phase II of the Streetscape.
- j. Mayor Hatton said they have been invited to the public hearing but they may have gas run before the streetscape happens.
- k. CM Sutton asked if the top coat will be done on Esch Street anytime soon.
- l. Mr. Allen said the repairs are more extensive there; the road has been built longer but hope to get paving done this season also, before the plants close. Should be awarding the bid tomorrow and contractor should start repairs right away. It is the same in TVI, awarding the contract tomorrow and extensive repairs will be done before the top coat. Those roads have been there longer; hope to have all the repairs done this year. The plant closing will be listed on the DelDot website.
- m. TM Green said some residents contacted him to ask when the silt bags can be pulled up by the pond off Collins Court.
- n. Mr. Allen said he will look into it and they will pull whichever ones they can.

o. CM Ness motioned, CM Sutton seconded with unanimous vote to defer the bond requirement until Handler is ready to start submitting building permits for Phase 4D.

V. Council Minutes

- a. Approval of September 23, 2015 Mid-month minutes
 - CM Ness motioned, CM Sutton seconded with unanimous vote to approve as written.
- b. Approval of October 7, 2015 Council minutes
 - CM Ness motioned, CM Sutton seconded with unanimous vote to approve as written.

VI. Mayor's Report

a. Introduction of Ordinance No. 15-07: An Act to Amend Title 22 of the Delaware Code Relating to Possession of Firearms in Municipal Buildings

- We had to re-introduce this ordinance so we could run the publication in the local paper. This ordinance will prevent open carry in Town buildings and on Town property.

- Mayor Hatton stated he would like to have a public hearing for the final reading of this ordinance on Wednesday, November 4, 2015 at 7:15 pm and have Council possibly consider approving the ordinance in the Council meeting that follows the public hearing.

b. Stipend for Mayor & Council

- Mayor stated this is for discussion only at this time; there will not be a vote. With the charter update, it states that Mayor and Council can receive a small stipend. There is money in the budget under payroll for this. Would like to hear Council's feelings on this, have an open discussion and see if it is something we would be interested in. The reason I'm bringing this up is because at a meeting with other Mayor's and Council's this issue came up. They were extremely surprised that we are not paid anything. They read about Townsend in the paper all the time and know we all stay very busy with Town matters. Many Town Mayor's and Council members do receive a small stipend.

- CW Cook stated she has heard it said that if there were a small stipend, they would be interested in running for Council. I personally see the extensive hours some of Council puts in. I can see the importance of compensating someone for their efforts. Don't know if it would be just for the Mayor or all of Council.

- Mayor Hatton stated he personally would not allow it to happen if it were only for the Mayor. We all put in tireless hours not only on our committees but for the overall well-being of the Town.

- CM Ness verified it would be a small stipend, not a large amount of money. The assumption by most residents is that we are getting paid something. When I tell them we aren't paid anything, it is a volunteer position. I would be for this, it is a symbolic amount and it further ties the responsibility to the residents of Townsend.

- CW Gorman said if it is a very minute amount, is it even worth doing and listening to people say "Oh they are now getting paid".

- Mayor Hatton said he will run some numbers and see where we are and email Council by the end of the week and Council can discuss this again at the 11/18/15 mid-month meeting. If it will get more people interested in running for Council and making this a true democracy, it would be a good thing.

- CM Sutton stated he is in favor of this and agrees we will get more interest in Council positions. People may come out of the woodwork when it involves money until they realize what it is.

- Mayor Hatton stated all will know what it is. We will vote on it in a public meeting and it will be in the minutes. It won't be a lot of money, we are a small Town.

c. Employee Christmas Bonus

- Mayor Hatton stated we allotted money in the budget to provide our employees with a 1% Christmas bonus and if Council agrees to do it, I would like to pay them the bonus prior to Black Friday. Our employees did a lot for us this year and worked very hard. It was also nice seeing all the employees at the Town fair this year.

- CM Ness motioned, CM Sutton seconded with unanimous vote to disburse 1% Christmas bonus allotted in the budget to Town employees on Friday, 11/20/15.

VII. Reports

a. Fred Townsend III, Town Attorney – not here

- Mayor Hatton said TA Townsend is in a meeting in Wilmington. He added that he had a conference call about our litigation with Grassbusters. Nolan is ready to submit a letter to Grassbusters "in default of contract". During our call we found we can't do that because the milling overlay was added to the contract by DelDot. As a result, if we sent the default letter, they can't do anymore punch list items for us or DelDot. Mayor said he has a call in

for Jeff Nzegoda at DelDot to let him know what the Town is doing and where we stand to make sure the punch list items to the asphalt is done.

- Mayor Hatton said TA Townsend also said the school board signed the deed selling the school property at the end of Finley Street to the Town and we should receive it in the mail by the end of the week.

b. Owen Hyne, Town Engineer

- Sent a certified letter to Dollar General today. They did the development but never provided the Town with a maintenance bond. The Town is holding a couple thousand dollars in escrow until they provide the bond. If they won't provide one, we will keep the escrow money.

c. Dawson Green, Town Manager

- TC Beaver spoke with New Castle County. When the charter was revised the section about voter registration was removed and it says Council will determine by ordinance who is eligible to vote. I will put an ordinance together stating we will use the state voter registration as it states in the charter now.

- Mayor Hatton stated the reason it was removed and will be done by ordinance now is to give Council control. Every time something needs changed, we won't have to revise the charter, we can make the change by ordinance.

- TM Green said he sent Council the draft of the planning commission several weeks ago. Received comments back from Mayor Hatton and CW Gorman. Need the rest of Council to send their comments so I can get them to TA Townsend. IPA will be starting some of the classes and don't want to miss out on them.

- Will be getting estimates to clean up the trash and debris on Finley Street. People have been dumping at the end of the street.

- Mayor Hatton said he and TA Townsend talked about this. Suggest we get some type of safety wrap on the property and we need to get insurance on the property as soon as possible. Believe this is the first time since I've been on Council that that much trash has been dumped at the end of Finley Street. Because of that, don't want anyone playing around the structure and getting hurt before we get it removed.

- TM Green said a safety wrap will attract people to the sight. He asked if we can demolish it as soon as we receive the deed.

- Mayor Hatton and Council agreed.

- CM Ness motioned, CM Sutton seconded with unanimous vote to have TM Green get some estimates to demolish/clean up the property at the end of Finley Street.

- TM Green said they will be starting drywall next week at 141 Main Street. He asked all of Council to stop by to see the carpet and tile samples and get their input. Samples are on site.

VIII. Committee Reports

a. Finance: Chair – Mayor Jermaine Hatton

- Finances looking fabulous. We set aside a certain amount of money for 141 Main Street knowing we could transfer funds from the Metlife account if we needed it. To date, we have only used the money we set aside and still have funds there, haven't had to touch the Metlife account. We may not have to use any money from the Metlife account the way building is moving along in Town. That has really helped us with this project.

- Thank you for approving Phase 4D. Building and selling more homes will help us with our project also.

- Auditors contacted us to start the 2015 audit; they will hopefully be here in the next couple weeks. TM Green has been faxing some things that they needed for the audit. Should be a better audit this year with no line in the sand.

- Mayor Hatton thanked TM Green for doing all the audit stuff. Between him and the total admin staff, they all do portions of the finances and I think it has shown us that the position is way too much for one person. As small a Town as we are, we are very flex in some of the things we do.

b. Public Works: Chair - CM Rudy Sutton

- Update on 141 Main Street – New Town Hall

- a) Everything moving right along. Drywall should start next week, had rough in inspection, insulation sprayed last week, windows should be in Friday and will start going in. The way they did the framing, they can start the drywall even if the windows aren't in yet. The sewer and water lines went in yesterday. The site work contractor still not really doing anything yet.

b) TE Hyne said he is urging him to start, has done some grub work, hope to have the silt fence in tomorrow. Said he is finishing a couple jobs now and should be on site next week and will be here until done.

c) CM Sutton said the framing for the fire escape is supposed to start this week. Project is moving right along. Few snags with the decking, has to be ADA compliant and is being taken care of.

d) CW Gorman asked if everything is on schedule and was told yes.

e) Mayor Hatton commented that the only thing that worries him is getting the sidewalks in with winter coming. Would prefer we wait until spring to do the sidewalks if it is going to be late in the season. Want them to cure properly before we have to put salt on them. I know we can't blame salt for all deterioration but concrete has to cure a period of time.

f) TE Hyne said the curing period is 28 days.

g) Mayor Hatton said we should have had the site entrance approval from DelDot today.

h) TE Hyne said they had a meeting today and usually send comments out a week later.

I have already left a message for them.

i) Mayor Hatton said if the site entrance approval is held up, it will hold up the entire process. It will make it almost impossible to do any work in front of the parcel. We will have the entrance to the parking lot off Ginn Street and the handicap ramp will be accessible; we won't be able to use the driveway off Main Street or use the sidewalks.

j) TE Hyne said landscaping probably won't be done until spring.

k) Mayor Hatton agreed this would be wise, don't want to plant trees in November and December.

l) TE Hyne stated change order #7 added recessed porch lighting in front, running several cable jacks in the building, additional electrical receptacles in the foyer, some GFI receptacles outside. The change order includes a credit, with the credits and debits this change order is a credit of \$63.35.

m) CM Ness motioned, CM Sutton seconded with unanimous vote to approve change order #7.

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

- The PLUS review for 605 and 615 Cannery Lane to possibly change the zoning is scheduled for next Wednesday, 10/28/15. I will not be able to attend, mother is having surgery, hope TM Green and TE Hyne will attend.

- The Town has received several inquiries from developers that want to come into Town. The only parcel left if this one. Am very happy we are almost out this door, think this property will go quickly.

- There is 15 acres off Rt. 71 called Townsend Acres that has been looked into by buyers; they have already been allotted sewer as has this farm. Townsend Acres has 49 lots, all sub-divided and all have individual parcel numbers. It is currently owned by a family trust. It is also within our comp plan to annex into Town limits.

- CW Gorman asked if both farms have been approved for building.

- Mayor Hatton said yes, the only issue with the Carter Farm is an egress to Rt. 71. People want to build and live in Townsend.

- CM Sutton asked if Mayor has heard any feedback from Lifehouse Church.

- Mayor Hatton said no, he is going to reach out to Pettinaro and see if any interest on the commercial property.

- CW Cook stated she believes Lifehouse has the funding and should be signing papers in December.

d. Public Safety: Chair – CM John Ness

- October 30 & 31st we will have patrols in Town and have adjusted schedules for the police for the winter months.

- Two residents at the Council meeting expressed concerns and I passed them onto Lt. P. He will contact the residents.

- Lt. P is being re-assigned. As soon as the new Lt. comes on board, I will take him through Town so he sees how the land lays.

- CW Cook asked how long the patrols will be here mischief night. Concerned about the new Town Hall.

- CM Ness said they will be here all night and will keep a close eye on the park. Will ask them to keep eye on Town Hall also.

- TE Hyne asked if Council would like to post the new Town Hall with signs as a construction site and Mayor Hatton said yes.

- Mayor Hatton asked about lighting at the new Town Hall for Halloween so if someone is running across the property they can be seen. He will also ensure the contractor makes sure all the doors are locked.

- Mayor Hatton asked CM Ness to ask for confirmation by October 29th on what troopers will be in Town and the hours they will be here. He also let CM Ness know he passed some information on to Lt. P and a special task force about the plastic bags found along Commerce Street and in the park.

e. Community Relations: Chair – CW Cindy Cook

- Attended a MASCC brainstorming meeting at the end of September. Roxanne has been asked to promote our area. Would like to give Roxanne your contact information, she wants pictures of the Mayor and would like you to share some information.

- The new Chamber book is printed. Our ad is the same and free. May want to add some to it next year and add some pictures even though it is costly.

- Was contacted by MHS Theatre Department. They asked if I would promote an upcoming production on our facebook page and I told them yes.

- Social media continues to grow, the members/friends mark is at 966. We should give a t-shirt to the 1000 friend.

- Mayor Hatton asked CW Cook if she can track the website and see who the 1000 member/friend would be and was told yes. Mayor said to put it on the website and give a t-shirt to that person.

f. Parks & Recreation: Chair – CW Lorraine Gorman

- Sunday, December 13th - Tree lighting/Christmas Caroling in the Park

- a) Immanuel United Methodist Church will be a large part of the caroling again this year. We hope to expand it this year and hope to get other churches involved. Trying to schedule our first meeting.

- b) CW Cook said she will send CW Gorman the children's choir coaches information from Lifehouse Church.

- c) CW Gorman said she wants to put lights up in the gazebo and on the tree this year. The decorations are still good.

- d) Mayor Hatton said there are companies that will put the lights and decorations up and turn them on and maintain it for the season. If we are going to do it, it needs to be done right.

- e) Mayor Hatton added it is too late for this year, but need to look into purchasing new street decorations for next year.

- f) CW Gorman thanked TM Green for making the electric panel by the gazebo inaccessible to the public.

- g) Mayor Hatton asked if there will be a flyer for the Christmas caroling. CW Gorman said yes, once she meets with the church, they want it bigger and better than last year.

IX. Citizens Comments & Participation: none

X. Adjournment: 8:19 pm, CW Gorman motioned, CM Ness seconded with unanimous vote.
