



Townsend Council Meeting Minutes December 2, 2015

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, TC Cathy Beaver
 - b. Pledge of Allegiance: Pledge was said
 - c. Recognition of Visitors: 10 visitors
 - d. Announcements:
 - 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. CW Cook asked to delete 7d
 - b. CM Ness motioned, CM Sutton seconded with unanimous vote to approve the agenda with the above deletion.
- IV. Council Minutes
 - a. Approved October 21, 2015 Mid-Month minutes on back table
 - b. Approved November 4, 2015 Council minutes on back table
- V. Mayors Report
 - a. Funding for Streetscape Phase II – Senator Ennis and Representative Spiegelman both gave us \$50,000 toward the project. This phase will go from South Street to Townsend Elementary School.
 - b. Streetscape Phase I – contractor default letter was mailed by our attorney yesterday. Hopefully they will fix the sidewalks in the next 2-3 weeks prior to litigation. If not done by the end of the year we will follow through with the litigation.
- VI. Reports
 - a. State Police: Lt. Anthony Hudak/Cp11 Heather Imhof
 - Lt. Hudak said he doesn't have a long report. The burglary situation in the Townsend area, there hasn't been one in the last 30 days. We made one arrest, believe that made a difference.
 - A resident asked if the person arrested was local and Lt. Hudak said yes.
 - Mayor Hatton asked if the drug bust on Summit Bridge Road will curb some of the drug issues in Townsend and was told no.
 - CM Ness explained that Lt. Hudak has taken over for Lt. P. He will meet with him soon to go over resident concerns.
 - A resident asked when the drug bust occurred and was told this week.
 - Mayor Hatton added there is a Town Hall meeting at the fire hall on 12/10/15 at 6:00 pm to discuss the burglaries in the area.
 - Mr. Haines said there are heroin bags up and down Commerce Street and they are parking across from my house to make the exchange.
 - Lt. Hudak said he would give his cell number and asked Mr. Haines to call anytime with any issues.
 - Mr. Haines said the police don't come and he won't call anymore.
 - b. Representative Jeff Spiegelman
 - Out of session, start back in January. Nothing to report.
 - Happy Holidays to all.
 - Mayor Hatton asked what the top issues in January will be.
 - Rep. Spiegelman said there is always a threat MSA will be cut, threat every year but the larger the deficit the worse it is. Our budget currently stands at \$125,000 - \$145,000 short.
 - The loophole in the prevailing wage that was brought to my attention by Dave Hugg in Smyrna – I brought it to the attention of my caucus, we are working on closing the loophole or maybe inserting a percentage amount, not sure what the language will be. Have seen a Town get around this, their

representative paid for the entire project and they didn't have to pay prevailing wages. Once the job was complete the Town paid their Rep back a percentage of the money. Works great

- Mayor Hatton asked Rep Spiegelman to explain the loophole for our residents.
 - Rep Spiegelman said projects sponsored by a state or municipality had to pay prevailing wages to all contractors working on the job. We passed a bill last year that said prevailing wages do not kick in if the money used to pay for the project came from MSA or CTF funds. The loophole Smyrna found was that if a Town kicks in any money, as little as \$1.00 that the wage automatically prevails. This was not meant to be in the bill.
- c. Townsend Fire Department: Keith Shoemaker
- Breakfast with Santa is 12/20/15, 8:00 – 10:00 am. Santa will be there at 8:30 am until 10:00 am. If you want to take pictures, remember your cameras. The holiday Christmas shop will also be open for kids to buy gifts and everything is \$2.00.
- d. Town Attorney Fred Townsend III:
- Working on the litigation with Grassbusters and the bond company. Expect to meet for a discussion in the near future, don't believe there will be any type of settlement but feel once we file it will move forward quickly. Once we file suit, all discussion on the situation will have to be kept confidential until the case is resolved.
 - Mr. Harrington asked if there will be arbitration before or after we file and was told after.
- e. Town Engineer Owen Hyne:
- 141 Main Street – work progressing, weather issues for the outside work, some things will not be done before spring. The goal is to still get the employees into the building in the next month.
 - TVI and TVII – working on repairs to the roads and curbs and sidewalks in anticipation of top coat paving.
 - Mayor Hatton said he received a complaint from a resident that the lights were left on at 141 all night, was like a spot light in the middle of Town.
 - CW Cook said a contractor did some repairs to the sidewalk in front of her house and didn't rope it off and someone walked their dog through the concrete. Now there are paw prints in the concrete.
- f. Town Manager Dawson Green:
- Mayor Hatton read TM Greens report.
 - 11 new home permits were issued in November bringing our new home permits issued for the fiscal year to 22.
 - Handler Construction will host an open house with Santa and Cookies at 107 Edgar Road (model home) on Saturday, 12/5/15.
 - TVII West developer is working on his punch list so he can finish the streets in hopes of turning them over to the Town before the asphalt plants close this year. Mayor Hatton said there will be some further discussion about when the Town will take over the streets. Taking in the streets without funding doesn't make sense for the Town. The new funding for municipal street aid comes out in July and we will get the check in August or September 2016. He told the residents they have Council's commitment that the Town won't take over the streets to maintain until we have the money in our coffers to do it.
 - A resident asked if the Town can put a wrong way sign and one way sign up next to Little Italy. People back out onto Main Street and are constantly going the wrong way.
 - A resident stated there used to be several 25 MPH signs in the development and asked if they could be installed.
 - Mayor Hatton stated that is the developer's responsibility and he will talk to them.

VII. Committee Reports

- a. Finance: Chair – Jermaine Hatton
- Our auditor was here last Monday cleaning things up for the next audit. That audit should start late January, early February. Based on some internal issues it has taken a bit longer to start the audit, but this audit will be much cleaner than the previous audit because of due diligence we are doing now. For some background information, we have a new software package in house now and it's taking a little longer to get our current staff up and running using the system and being able to generate all the reports, but we will be a lot better in the next coming weeks.
- b. Public Works: Chair – CM Rudy Sutton
- 141 Main Street recap – site work is moving slow but interior is moving right along. Flooring should go in this week, painting is 90% done. The contractor has done a great job keeping the character on the outside and inside, which was one of our goals. As you know, the building sits in the center of Town. The contractor is trying to get us in there by Christmas but that is subject to

how quick the site work is done. We can't get a final until the handicap ramp is on the side of the building.

- c. Land Use & Development: Chair – Jermaine Hatton
 - Received the deed for the property on Finley Street which was transferred from the school district, and it has been sent to the recorder of deeds. Working on getting insurance on the property.
 - At the end of October the Town went to PLUS. We got information back from them this morning. We sent it to IPA for an interpretation of the document. We also have a call into the Office of State Planning. NCC was very vague in their response.
 - Ms. Sturgis asked what the Town plans to do with the Finley Street property.
 - Mayor Hatton said several options are being discussed; however a placard will be placed there marking it as a historical site.
- d. Community Relations: Chairs – CW Cindy Cook – deleted from agenda, nothing to report.
- e. Public Safety: Chair – CM John Ness
 - There will be a meeting here on December 10 at 6:00 pm about the burglaries in the area.
 - Turkey vultures – called DNREC and they referred me to the Department of Agriculture. The hotline number is 1-877-463-6497. The vultures are not a health issue and they are getting ready to roost for the winter. They like high spots, hence them roosting at the grainary and on peoples roofs. They suggested you buy Canadian goose flappers, can be purchased at Cabela's or sport store, cost \$15.00 - \$20.00 for five of them, spray paint the heads – red for the red vultures and black for the black vultures and hang them up. They said vultures don't like to see other dead vultures and it may get rid of them. They had several other suggestions. They said vultures are lazy and when the sun comes up they fly on the thermal updraft and as sun goes down, they roost.
- f. Parks & Recreation: Chair – CW Lorraine Gorman
 - Sent the revision of the Holiday letter to all of Council, heard back from only a few of you. Didn't receive any changes. Would like all of Council to sign off on the letter tonight so they can be copied and mailed to the residents.
 - Christmas Caroling/Tree Lighting in the Park – Sunday, December 13, 2015 – 4:30 pm
 - This event is rain or shine, will be held in the gazebo at the park.
 - Lights are on the tree and former CW Sturgis always decorates the tree in memory of Mike Jester.
 - Hope to have a larger turn out than last year. We had about 50 last year.
 - Immanuel Methodist Church will lead us and there are song books.
 - Will be a nice event, only 45-60 minutes and refreshments will be served, hope to see everyone there.

VIII. Citizens Comments & Participation - none

IX. Adjournment: 8:14 pm, CM Ness motioned, CM Sutton seconded with unanimous vote.
