

**Mid-Month Council Meeting Minutes**  
**April 20, 2016**

**7:00 pm - Meeting**

**I. Call to Order: 7:00 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, TM Dawson Green, TC Cathy Beaver
- b. Recognition of Visitors: 6
- c. Pledge of Allegiance: Pledge was said
- d. Announcements:
  - Ribbon cutting Ceremony for the New Town Hall, Thursday, April 21, 2016 @ 5:30 pm, 141 Main Street
  - Town Elections scheduled for Saturday, May 7, 2016 have been cancelled. Two seats were up for election and only the two incumbents, Mayor Jermaine Hatton and Councilwoman Cindy Cook turned in candidate packets.
  - The two incumbents will be sworn in for a two year term at the June 1, 2016 Council meeting. Afterwards, the five (5) Council members will elect a member to serve as Mayor for a year.

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

- a. CM Sutton added under Public Works – discussion of Suppi change order.
- b. CM Sutton also added discussion of code for exhaust fans in communities under public works.
- c. CM Ness motioned, CM Sutton seconded with unanimous vote to accept the agenda with the above

additions.

**IV. Mayor's Report**

- a. There are many bills in leg hall that can potentially affect us:
  - House Bill 317: has to do with discrimination based on family responsibilities
  - House Bill 316: discrimination on reproductive systems
  - Senate Bill 214: discrimination in employment
- b. Discuss Town fees
  - Some of our fees will be increasing in the new fiscal year. Trash is increasing 3% on July 1<sup>st</sup>.

RVB fees are increasing 5% in several areas. Code enforcement is one area of increase. RVB hasn't increased their fees in the 4 years I've served on Council.

• Mayor Hatton asked TM Green to start pulling all the fees together so we know where we stand. We have to do something different and none of us want to raise taxes even though they are almost the lowest in NCC.

• The budget meeting will be May 24<sup>th</sup> at 6:30 pm. All the current numbers will be sent to Council this week. We need to have this meeting now so the budget can be approved for the start of the new fiscal year on July 1<sup>st</sup>.

**V. Reports**

- a. Fred Townsend III, Town Attorney
  - TA Townsend congratulated all of Council for this Town Hall, it is monumental.
  - Grassbusters surety filed a motion to dismiss, which I warned they would do. We filed our response on 3/31/16 and it is now in the judges hands.
- b. David Naples, Town Inspector
  - TE Hyne said the Town Hall looks great. We have a temporary CO, are in the building and conducting business. There are some minor punch list items to be completed in the building. Site work is coming along;

may put seed down tomorrow with rain coming Friday. Waiting until after the ribbon cutting to do the curbs and sidewalks.

- Talked to Suppi and let them know their contract is up on 4/29/16. Their track history doesn't show it will be done in time.
  - Mayor Hatton asked when the Town can start liquidated damages and stated a letter needs to be sent that day if the site work isn't done.
  - TE Hyne said the date is 4/30/16 and we will discuss it again as the time gets nearer.
  - Developers are working on a punch list in TVI and TVII prior to top coat paving. Kershaw said he may be working by next month but doesn't think they will be ready to turn the streets over to the Town by the May Council meeting. There are several options; they can turn the streets over to the Town and put money in an escrow account to maintain the roads until next fiscal year or they can keep it until next fiscal year.
  - There was a long discussion about who maintains the open spaces once the development is turned over to the Town, the HOA or the Town. Mayor Hatton asked TA Townsend to look into this and verify who will be responsible.
  - CW Gorman stated they did a lot of regarding in many open spaces last year and there have been lots of erosion and ponding problems. She verified this would be addressed before being turned over to the Town.
- c. Dawson Green, Town Manager
- Apologized to all that the phones aren't working. Verizon on a work stoppage and I call them daily.
  - The flagpoles will be in within the next 2 weeks.
  - There will be a pre-construction meeting for Finley Street next week. Structure should be down within 3 weeks.
  - Mayor Hatton asked is we are any closer to paving South Street.
  - TE Hyne stated we are waiting on Artesian.
  - Mayor Hatton said we are waiting so Chesapeake can run the gas line.

## VI. Committee Reports

- a. Finance: Chair – Mayor Jermaine Hatton
- Budget meeting is 5/24/16.
  - Audit not complete yet but should be in next 10 days. Will also receive an engagement letter for the current fiscal year next month.
- b. Public Works: Chair - CM Rudy Sutton
- Discuss solar panel project
    - a) We need to increase the amount of solar panels at 141 Main to give us a suitable amount of energy.
      - b) TE Hyne said he gave the Town a proposal for this project. The solar panel now here came from South Street and doesn't meet the needs of this site. We can get additional panes and any excess power can be sold back to Delmarva. The goal is to not have a power bill at all. Our proposal includes scaling the solar rays, bidding; oversee construction, research and designing it. Will be a benefit in the future.
      - c) Mayor Hatton asked if the panel at South Street was designed to easily scale any additions.
        - d) TE Hyne said it was designed for South Street but have to gather information on this site to determine how much more we need and will add it to what we have. We will use the same design to keep it looking uniform. We have 2000 watts now; believe we will need an additional 6000 watts.
        - e) Mayor Hatton asked that this be added to the next agenda; RVB to get calculations for additional solar panels for 141 Main Street.
          - Discuss change order #2 for Suppi Construction
            - a) CM Ness motioned, CM Sutton seconded with unanimous vote to accept change order #2 for Suppi to re-do the ADA ramp for \$1,230.50
          - Discussion of exhaust fan codes in developments
            - a) We had an issue that a resident brought to our attention in November 2015 about the exhaust fans that don't have cages on them. There was a lengthy discussion on this subject and Mayor Hatton stating more research needed done and CM Sutton stating he will get back in touch with the homeowner.
          - CM Sutton stated RVB has a payment certificate for Suppi for \$21,305.20.

- When asked, TE Hyne stated this payment will cover 50% of the parking lot stone and paving, 9% of the as-builts and removal of underground structures. They also asked for payment for additional concrete work which we denied.
- CM Sutton motioned, CM Ness seconded with a unanimous vote to approve and pay the certificate.
- CM Sutton said Affordable Contractor also submitted payment certificate #8 for 34,336.11; \$6,000.00 being retained for liquidated damages.
- TM Green stated this bill was already voted on and paid; TC Beaver pulled the paid invoice.
- CM Ness asked if trex had been installed on the fire stairs and was told yes. He asked if the rails should be painted and CM Sutton said yes, once the wood dries.
- TM Green stated he received the third estimate for the wetland delineation and will forward it to Council for a vote at the next meeting.

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

- Discuss Planning Commission members

a) Mayor Hatton said all of Council has a list of residents interested in serving on the planning commission; we need to choose 5 members and the list has 13 names. Would like all of Council to submit their choices to TC Beaver by Monday, 4/26/16 so we can vote on the members at the next meeting. The members will be sworn in at the May Council meeting.

b) Mayor Hatton said there is a resident who hopes to do an addition to their property, will know more next month.

c) The design phase of Streetscape II is at DelDot; should have renderings in the next 3-6 months.

d. Public Safety: Chair – CM John Ness

- Attended a seminar for Code Red using your cell phone instead of a PC. Need to download information and send to Council and TM Green.

- CM Ness asked TM Green to move the speed wagon.

- Mrs. Albert asked if we know the time the police will come down Main Street to check the trucks parked waiting for the grainary to open; they line up on Main Street every day and a major accident is waiting to happen. They block the road and people have to go into the other lane to pass them. I call the police daily and they never come out. The police are aware, I don't call them because I have nothing else to do, and this is a major problem. There are also "Do Not Idle" laws.

- TM Green said he talked to DelDot and the best solution may be to put up no parking signs on Main Street for no parking 5:00 am – 8:00 pm.

- Mr. Albert suggested no parking anytime signs as there isn't room to park along that section and TM Green said that will be up to DelDot.

- CM Ness said he will call Lt. Hudak again and Mayor Hatton asked him to ask for the special trucking unit to come in for a week.

e. Community Relations: Chair – CW Cindy Cook

- The ribbon cutting for the new Town Hall will be tomorrow night at 5:30 pm. CW Cook thanked Mayor Hatton and CM Sutton for their numerous calls to make the site look nicer for the ceremony.

- CW Cook passed the agenda around to Council and said the actual ribbon cutting will be at 6:15 pm. Mayor Hatton will give a 2-3 minute speech and some residents will talk. CW Gorman will also announce the tree give-away the next day and read the Monarch Proclamation.

f. Parks & Recreation: Chair – CW Lorraine Gorman

- NWF Update

a) Mayor Hatton signed the Monarch Pledge today, it is effective Friday which is Earth Day. He is one of 3 Mayor's state wide to sign the pledge.

b) We put the butterfly garden in at Townsend Elementary School last week. The plants are due in May 1<sup>st</sup>.

c) CW Gorman showed Council and the residents a poster with pictures of the trees being given away and said if anyone can't make it let her know what tree they would like and she will set it aside.

d) Am working toward the 6<sup>th</sup> year Wildlife Certification, will have a case in the front lobby to display the books.

- Upcoming Events

a) Movie nights are scheduled for 6/17, 7/15 and 8/19.  
b) The annual parade and fair is 9/24. Mission Church is sponsoring the moon bounces again this year.

c) CW Cook said several residents have asked about a Town wide yard sale this year. She added that she has money in her budget to pay for advertising. CW Gorman agreed it would be nice. A date will be decided later.

d) Mayor Hatton said NCC is discussing giving us the County Park across from 661 South Street (old Town Hall) for \$10.00.

**VII. Citizens Comments & Participation:**

a. Mr. Reyes asked for any follow up on changes on Cannery Lane. Mayor Hatton said the zoning change was denied, the owner was notified and they are still being fined daily.

b. Mr. Reyes asked about the sidewalk damage in front of the Harris home and Mayor Hatton said we are fully aware of it and working on it.

**VIII. Adjournment:** 8:53 pm, CM Ness motioned, CM Sutton seconded with unanimous vote.

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