

Council Meeting Minutes
May 18, 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: Al Harrington and Michael & Regina Albert
- c. Pledge of Allegiance: Pledge was said
- d. Announcements:
 - Town Hall closed Monday, May 30, 2016 for Memorial Day
 - Many Veteran events across the state on Saturday and Sunday

III. Additions/Deletions to Published Agenda

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

IV. Council Minutes

- a. Approval of March 23, 2016 Mid-Month Minutes
 - CM Ness motioned, CM Sutton seconded with unanimous vote to approve the above minutes.

V. Mayor's Report

- a. Review Proclamation for Fire Company
 - We discussed this proclamation at the last Council meeting; because of the years we were able to use the fire hall for our meetings we wanted to do something nice. We will present the proclamation to the Fire Chief at the June 1, 2016 Council meeting.
- b. Senate Bill 283 – Veterans to work state funded construction jobs.
 - The DLLG is not in favor of this bill because it will drive the price of private businesses up and state jobs will all be union jobs which is more money. Has nothing to do with using veterans. There have already been 6 amendments. It needs to be completely re-written
- c. The Town has had a lot of publicity the last couple weeks, lots of good stuff going on in Town. Thank you to CW Gorman for the Townsend Elementary School (TES) butterfly garden; had so much fun with the kids.
 - CW Gorman said the 2nd graders were amazing and so well behaved. Kudos to Doloras at the Transcript also, she did a great job and the article was very well written. It has been picked up by other papers and is now nationwide.
 - Mayor Hatton said he received an email from a resident whose granddaughter was in the class and said her granddaughter was so excited to meet the Mayor.
- d. Mayor Hatton said there have been emails going around this week about the name of the mid-month meeting and how it is conducted. All agreed and we are going to go back to the old way, it will be called a Council meeting and the purpose will be to hammer out items to discuss at Council meetings. Only the first meeting of the month is recognized in the charter; however, we will have 2 Council meetings a month.
 - CM Ness motioned, CM Sutton seconded with unanimous vote to call all meetings Council meetings.

VI. Reports

- a. Fred Townsend III, Town Attorney
 - Prior to the meeting there was a discussion about a property owner on Commerce Street that has no electric or water. I will research this and send my findings to Council. It is possible per the Town codes that this property could be condemned.
 - There are no updates on the litigation.
 - Have found the person living in the house on Taylor Street is the legal owner and should be treated that way.

- Mayor Hatton asked what can do about property on Cannery Lane that we have a lien on; property is for sale and don't believe we will ever see our money if it sells. He does have an offer on the property.

- TA Townsend said the problem will be solved with the sale, shouldn't be all about money. Not sure we can put a lien on a property for fines.

- Mayor Hatton added he has snubbed the Town since coming here and done whatever he wants even when told he can't do it. If we do nothing, it doesn't tell a very good story for us. We have mechanisms in place that need to be enforced. He asked Mr. & Mrs. Albert if we should let the owner get away with this considering all the pain and suffering they and their neighbors have endured.

- Mr. Albert agreed the victory is that he is leaving. The Town needs to consider if the cost of litigation is worth it.

- CW Gorman agreed, the Town needs to weigh the difference between our cost now vs taking him to court. She asked if there were DNREC violations.

- Mrs. Albert said it is an example we want to set, believe he should be held accountable however, he will go away but there will be a lot of people who will do what they want and this Council will always be blamed for this situation.

- Mayor Hatton stated there are DNREC violations and TM Green has been trying to get in touch with them. CM Sutton asked if DNREC can do anything significant.

- TE Hyne said the Town reached out to DNREC because of the berm and disturbing the soil without permission. He added he saw a silt fence installed behind the berm tonight, however no plans have ever been submitted.

- TA Townsend suggested Council talk to perspective buyer and let them know there are violations and they won't be able to continue doing what current owner is doing.

b. Owen Hyne, Town Engineer

- TVI – finished surface paving. Rob wants to know how to dedicate streets to the Town. I emailed him a checklist of all that has to be done prior to this including certification from the Town Engineer, maintenance fee of 15% and possibility the Town will require a maintenance fee if done after MSA funds delegated.

- Mayor Hatton told TE Hyne the deadline date for the information to be sent to MSA was 5/15. They have already passed the deadline. The Town would have to have a maintenance fee to cover all expenses until September 2017 if we take the streets before then. There was a discussion about an escrow account to pay for the lights and snow removal.

- Phase 3B – there was a discussion over the open spaces. Mayor Hatton asked TM Green to call Tom Cahill and see if he is ready to take over the open spaces. CM Ness added the homeowner's need to be made aware of this also.

- TVII, Phase 4D – doing site improvements on Gray Street; they have applied for several new home permits but were told they have to wait until the site improvements are done.

- 141 Main Street – Suppi Construction is being fined daily. They want time off for 37 rain days. We pulled the data and there were 25 rain days. They have excavated some for the sidewalk and ADA and Ginn Street and at Ginn and Main Street. Not sure why it isn't done, have a letter ready to be sent for the fines.

c. Dawson Green, Town Manager

- Met with 2 guys from RVB about the wetland delineation on Finley Street. TE Hyne added they mapped the wetlands, which is done. Now we have to meet with DNREC to see what can be done on the property. We estimate 85% of the property is wetlands. A discussion about wetlands followed.

- TM Green said the flagpoles at 141 Main Street should be installed next week.

- Mail drop box should be in by end of next week.

- Met with DelDot on Monday about the traffic problem on the grainary. They are going to put signage up from the railroad tracks and west but said we have to put a incorporated Town limit sign up. There will be no parking permitted in the area. They also stressed that if the Town wants to enforce the signage, we have to have an ordinance. Mountaire is also going to put up signs for no parking on side streets or Main Street. Was told painting yellow along the curbs means no parking and this would work better but they won't do it. They did say the Town could paint the curbs.

- After an extensive discussion, Council decided to put up signs that say "no parking anytime".

- CM Sutton motioned, CW Gorman seconded with unanimous vote to install "no parking anytime" signs and write an ordinance with fines up to \$300.00 to be put into effect once the ordinance is approved.

- TM Green said this Town Hall is much bigger than the last one. George can't keep it clean and do his job. Have received 4 proposals for cleaning this Town Hall and would like Council to add it to the budget. The estimates are for Tuesday and Thursday cleaning at night.

- CW Gorman asked TM Green to email the estimates to Council prior to the budget meeting so they can see them.

- TM Green thanked CW Gorman for emailing the CEO of Verizon and getting the Town phones up and running within 24 hours.

VII. Committee Reports

a. Finance: Chair – Mayor Jermaine Hatton

- Apologized to Council for not getting the budget to them by May 13th, all will have it tomorrow. It will be a very conservative budget.

- Auditors were here last week, lots done for the audit and received an engagement letter for this FY. They will be back 6/7/16 to complete the fieldwork for the audit they are working on (2014).

- The MSA (municipal street aide) letter was mailed to Dover, there were no changes. Am going to call them; everything is based on census numbers and since the last census we can show at least 100 new homes have been built and moved into. We need more money.

b. Public Works: Chair - CM Rudy Sutton

- Discuss solar panel project at 141 Main Street

- a) We received a proposal from RVB for the solar panel project at 141 Main Street.

- b) There are 2 options, Option 1 is for \$6,507.50 and would include the design and bidding phase. Option 2 is \$8,697.50 and would include construction management also.

- c) TE Hyne added the Town will have to enter an interconnection agreement with Delmarva Power for the solar panels; will have to have a small generator. There is no charge for this from Delmarva and the generator will not affect any electrical lines. Once the contractor is done installing the solar system and have the electrical inspection, they will call Delmarva who will come out and switch the power over.

- d) CM Sutton asked if there would be change orders with this project and TE Hyne said there shouldn't be, he has never seen a change order on a solar project as it is designed to meet your needs.

- Change order #4 – Suppi Construction – Site Work

- a) This change order is for the temporary concrete sidewalk that was put in to enable us temporary occupancy.

- b) CM Sutton motioned, CM Ness seconded with unanimous vote to accept change order #4 for \$647.00.

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

- All 5 candidates have accepted the position on the Planning Commission. We will officially appoint them at the June 1st meeting.

- Met with Pao from DelDot last week.

- Talked to potential buyers of Diamond State Brokers; biggest issue is how much land DelDot is going to take; roughly 20 feet on both corners and also have wetland issue on property. Last, the property is landlocked.

- We have a submission going to PLUS for our 5 year review of the Comp Plan and re-zoning of 307 Main Street. The owner wants the zoning changed from commercial to residential. It is on the PLUS calendar for June.

- CW Cook said there has been a suggestion of multi-use zoning on Main Street. Mayor Hatton said that will go to the planning commission.

d. Public Safety: Chair – CM John Ness

- Nothing to report.

- CW Gorman asked CM Ness to ensure we have police coverage for our events even if we have to use the rain date.

- Mayor Hatton asked how much it would cost to start our own police force. We pay for roughly 12 hours a week now - how much would it cost to pay someone part time 20 hours a week?

- CM Ness said for equipment and startup it will be at least \$30,000.00. It will also cost \$5,000.00 to wean away from the state police coverage and \$3,800.00 for insurance. So..start up the first year would be around \$75,000.00 with startup and salary. Would be about 6 years before we re-coup our startup costs.

e. Community Relations: Chair – CW Cindy Cook

- Would like Council to review an application the Mayor received for a scholarship so we can vote on it at the June 1st meeting.

- Mayor Hatton added there is \$250.00 in the budget for a scholarship. He asked CW Cook what her opinion is after reading the application.

- CW Cook said she believes it is a good candidate. This person is going into political science in college and there are limited scholarships available for that field. The Town has never awarded a scholarship although it has always been budgeted and feel we need to have some guidelines for the future. Once the work gets out, we will start getting more applicants. She added she will research guidelines and deadlines and would like to vote on this at the June 1st meeting.

- CW Cook suggested having a meet & greet your Council at 6:30 pm prior to the meeting on June 1st. All of Council agreed to this. Coffee, tea and cookies will be served.

- CW Cook ended by saying this is National Foster Care Month. They rented the pavilion this Saturday; there will be games and crafters. Hope to see everyone out there supporting the foster program.

f. Parks & Recreation: Chair – CW Lorraine Gorman

- Park Maintenance

- a) Cammock landscaping has been working daily, new rubber mulch in the playgrounds and exercise areas, new mulch throughout. Lots of weeding done, doing a nice job.

- b) Mr. Hargrove and Mr. Gray are taking care of all the other things, edging along the sidewalks, fixing trash cans, brushing rust off, cleaning and painting the BBQ grills, painting the baseball backboards, scraped the infield, filling in ruts, cleaning graffiti daily. They are doing a lot of work and it looks good. I'm also getting estimates to have someone bring water and power wash the floor of the big pavilion and gazebo. The roof shingles on the small gazebo need to be replaced and the dirt pile by the skate park is going to be leveled. If Council sees anything else, please let me know.

- c) CW Cook said when the park is booked 2 times on the weekend, the trash overflows and blows around. She asked if George could pick the trash up first thing Monday morning when the parties are booked and was told he does.

- NWF Update

- a) We received the magazine rack for the wildlife display. It is in the front lobby. This will be our library also, books can be checked out. It is part of our wildlife certification.

- Upcoming Events

- a) Friday, 6/17/16 is our first movie of the season. The movie is Paddington. We need the police there and am waiting to hear from potential sponsors. Also have several vendors coming.

- b) The annual fair is 9/24/16, mark your calendars.

- c) Mayor Hatton asked if Council is walking this year or going to stand on the steps of Town Hall.

- d) CW Cook stated the judges need to be located at Town Hall which led to a discussion on where the judges would be placed and timing the performances so as not to delay the parade.

- e) CW Cook added she has been promoting the 6/4/16 Town wide yard sale. It is advertised in 4 papers throughout the state and will be in the transcript for 2 weeks and on face book and the Town website.

VIII. Citizens Comments & Participation:

a. TM Green asked CW Cook how soon the Lifehouse Church will be built; they put their sign up Monday morning. CW Cook said they don't have all the funding yet. They plan on having some outside functions.

IX. Adjournment: 9:19 pm, CW Gorman motioned, CM Ness seconded with unanimous vote.
