



## Townsend Workshop Minutes January 18, 2017

### 7:00 pm – Council Meeting

- I. Call to Order: 7:00 pm
- II. Opening Ceremonies
  - a. Roll Call: Mayor Rudy Sutton, CM John Ness, CM Jermaine Hatton, CW Lorraine Gorman, CW Cindy Cook, TA Fred Townsend, TE June Andres, TM Dawson Green, TC Cathy Beaver
  - b. Pledge of Allegiance: Pledge was said
  - c. Recognition of Visitors: 6
  - d. Announcements: none
- III. Additions/Deletions to Published Agenda:
  - a. CM Ness motioned, CM Hatton seconded with unanimous motion to accept as written.
- IV. Council Minutes
  - a. Approval of January 4, 2017 Council minutes
    - CM Hatton motioned, CM Ness seconded with unanimous motion to approve as written.
- V. Mayors Report
  - a. Mayor Sutton announced he has been chosen to serve as Troop 9's Honorary Commander for 2017 and has accepted it with honor. This is the 2<sup>nd</sup> year for the program and every troop in the state chooses a person to serve with their troop. The induction ceremony will be on Tuesday, 1/24/17 at 6:00 pm at the Delaware State Police Academy in Dover.
  - b. Discussion on revising/updating the Personnel handbook
    - CW Gorman stated all of Council has a copy of the recommendations TM Green, CM Ness and herself have made in their folders. She asked all of Council to read them and we will discuss and vote on any changes at the February 1<sup>st</sup> Council meeting.
    - CW Cook apologized for not making any comments, has been extremely busy but agree with CM Ness that the handbook is wordy.
    - CW Gorman said the entire book doesn't have to be changed immediately but will discuss at the next meeting.
  - c. Discussion/possible vote to approve Council trip to Washington DC on March 15, 2017
    - Mayor Sutton explained this is the annual trip Council takes with the DLLG delegation to meet with our senators and representatives and express our concerns. This year we will meet with Governor Carney, Senator Coons and Congresswoman Lisa Blunt Rochester.
    - CM Ness motioned, CM Hatton seconded with unanimous vote to have the Town pay for Council to go to Washington DC to represent Townsend.
    - Following the vote CW Cook said she would appreciate the cost versus the benefit of this yearly trip. She added that she attended last year and it was nice but she feels we could possibly get our senators, etc. to come here for a meeting.
    - Mayor Sutton said it is nice and gives them a format for discussion.
  - d. Discussion/possible vote for NLC bills
    - Mayor Sutton said these bills would cover the trip that CM Hatton took to attend the National League of Cities convention in Pittsburg, PA a few months ago.
    - CM Ness motioned, CM Hatton seconded to approve paying the bills.
    - Vote: CM Ness and CM Hatton – aye, CW Gorman and CW Cook – nay.

- In the following discussion Mayor Sutton asked TA Townsend if he has to vote in the case of a tie.
- TA Townsend stated he doesn't have to vote but a tie vote will die as it wasn't passed.
- CW Cook asked to see the totals from the trip.
- CM Hatton stated he doesn't have the totals; it is approximately \$1,200.00.
- CW Gorman said the trip wasn't approved by Council prior to CM Hatton going. Didn't follow protocol to take the trip and don't think the Town should pay for it.
- CM Ness said there was discussion and explanations at the previous meeting.
- CW Cook said she understands the League and its position as a lobbyist but with the Town is trying to trim the budget and she isn't sure we should carry this expense. It is a DLLG event, they should cover the cost. What benefit does the Town receive from the National League of Cities? Don't believe the residents should have to bear this cost.
- CW Gorman stated that even if it is in the budget, it must be approved by Council prior to the trip being taken.
- CM Ness said we have all made our thoughts clear, going forward Council will approve prior to the trip.
- Mr. Mueller said it shouldn't be an issue, protocol wasn't followed, trip wasn't approved by Council so shouldn't pay.
- Mayor Sutton said he did not approve of these charges at first. He added that this is on the agenda to make it public, Council can't not address it. Protocol must be followed. Based on the previous discussion and the fact that CM Hatton understands the protocol we have to follow, even though he stated previous Council did things differently; Council has all been able to voice their opinion publicly. Therefore, I vote aye to break the tie, motion has passed. The bills will be paid and we can move forward.

## VI. Reports

### a. Town Attorney Fred Townsend III:

- TA Townsend asked for a 5-minute recess.
- CM Hatton motioned, CM Ness seconded with unanimous vote to take a 5-minute recess.
- CM Hatton motioned, CM Ness seconded with unanimous vote to reconvene meeting.
- TA Townsend said the Planning Commission secretary informed him that Mr. Emsley stated at the last meeting that he will not be attending any meetings until March due to he will be in Florida. However, Mr. Emsley hasn't officially resigned or stepped down from the commission so Council needs to appoint Mr. Reyes to the Planning Commission to fill Rick Anibal's vacancy and appoint Mr. Rittereiser as the sixth member of the commission.
- CM Hatton motioned, CM Ness seconded with unanimous vote to appoint James Reyes to the Planning Commission to fill the vacancy left by Rick Anibal's resignation and appoint Gary Rittereiser to the committee bringing the number of members to six (6).
- TA Townsend stated Council needs to accept the bylaws of the commission and confirm how many votes are needed for a motion to pass. The way the bylaws are now written, it will take 4 ayes for a motion to pass.
- TA Townsend said he hasn't heard anything from Suppi's attorney, Mr. Logan, but he is in the process of getting documents together per their FOIA request.

### b. Town Engineers Aquilino Andres Jr.:

- Had the pre-con meeting for Phase 4E. It is 32 lots and the last phase for Handler in TVII East. As soon as they post the escrow they are ready to go to work.
- Handler is proposing blocking the end of Ginn Street from Old Town into the development until the construction is done except to construction vehicles.

- The Edgar Road pothole has been fixed.
  - Working on a punch list for TVI.
  - CM Ness asked if this is separate from turning the streets over to the Towns. Said he is very concerned about all the patching over the years and not only are the roads deteriorating, the patches are too. If and when the Town accepts the streets, they need to be in proper form.
  - CM Hatton said once the streets are turned over, we have a 2-year bond for repairs.
  - Mr. Mueller stated he believes there is a problem in TVI with the roads. After the streets are dry after a rain, the seams in the streets remain wet for days. That means there is water standing under the road. May need the developer to seal the seams.
  - Mayor Sutton said this is the same issue he brought up with the TE Hyne 2 years ago in TVII. TE Hyne said he was going to reach out to Sapperstein about it. Mayor Sutton asked TE Andres to look into this and follow up with this issue.
  - Mr. Mueller said he is the spokesperson for the development and is meeting with Rob Allen tomorrow about the new tree planted in the open area that is at a 45-degree angle.
  - TE Andres said if trees are slanted, in his experience, they straighten up. All agreed this tree won't straighten up.
- c. Town Manager Dawson Green:
- This Friday is Dave Naples last day as inspector for the Town. He has another opportunity but is trying to stay on part time with RVB. John will be doing our inspections. John is also committed to Conshohocken so if it doesn't work out we will have to talk to Chris Fazio.
  - Mayor Sutton said John doesn't have the certification's that Dave has, but Dave will be working part time and consulting with John as needed.
  - TM Green said Dave was here today and worked on the punch list for the Town Hall. We don't want anything to slip through the cracks.
  - PMA started processing the payroll this month, they have everyone's information.
  - Generation Electric will be here Monday. The plan is to put the side and back lights on the same switch.
  - TM Green asked Council if they want to put a fence around the entire property on Finley Street or just around the Konox boxes.
  - CW Gorman said they are waiting for TE Andres to supply information on what part of the property isn't usable; only want to fence in what we can use.
  - TM stated he talked to Council several months ago about attachments for the equipment that are never used. He asked Council again if they wish to sell the equipment or keep it.
  - Mayor Sutton asked TM Green to supply a list of the equipment he is referring to and it can be discussed at the next meeting.
  - CW Gorman said a resident is complaining about very early noise dumping the dumpster at the old Town Hall.
  - TM Green said he has talked to Waste Industries about moving the dumpster here.
  - CW Gorman suggested we move it to Finley Street and TM Green said they won't be able to get to it; the trucks are too heavy.
  - Mayor Sutton said if we move it here, we will get bids to fence it in and hide it.
  - TM Green said the only place to put it here is where they have the grasses planted in front of the solar panels. He said he can have Walter bring the dumpster over so Council can see where it will be and if we don't want it here they can haul it away.
  - Mayor Sutton said we can't leave it at old Town Hall, moving it here would be OK but the main issue is they are picking it up too early. Would have the same problem here.
  - TM Green has talked to Waste Industries about this. They always say it is a new driver.

- Mayor Sutton asked TM Green to have the dumpster brought here for a trial run and TM Green said it will be here by the end of the week.
- Mayor Sutton asked where we stand with the stone on Finley Street and TM Green said he hasn't been able to reach Mr. Burris but it has been muddy back there.
- Mayor Sutton said it has been a while since we looked into code enforcement and asked how the Town structures look.
- TM Green said ascetically they look good. There was a list put together by Council several years ago, will check it and go by Miles Jones property on Gray Street.
- Mayor Sutton asked TM Green to review the list prior to Dave leaving as he was instrumental in enforcing the codes.
- CW Cook said when she comes into Town at night, there is a home on Main Street advertising their carpet cleaning business with a very bright illuminated sign attached to his business truck.
- It was established this residence is an enclave and there is nothing the Town can do about it and NCC won't send a code enforcement out at night.
- TM Green said he contacted Delmarva Power about the trees leaning on power lines on Summit Bridge Road. They still haven't done anything.
- Mrs. Albert stated the property where the bail bonds office is has new barbed wire around the top of their fence. She knows it is illegal in Town and asked what can be done about it.
- CW Cook added she walks daily in that area and part of the fence is new also.
- TM Green will look into it but believes South Delaware Masonry also has barbed wire on top of their fence.

## VII. Committee Reports

### a. Finance: Chair – CM Jermaine Hatton

- Debbie Horn was here last week. She spent some time with Dawn to ensure she was up to speed for the audit.
- TM Green added Debbie will be here again this Friday.
- CM Hatton said he is waiting for a copy of the tariff agreement with Delmarva Power concerning the street lights. Have received some information and hope to have all the numbers and information by the next Council meeting so we can discuss what to do about the street lights in the developments. It is important that we do this quickly.

### b. Public Works: Chair – Mayor Rudy Sutton

- Talked to Jason Hastings from DelDot about the bridge on Wiggins Mill Road. Jason is looking into repairing the bridge with an option to widen it. Hope to hear something soon.
- Spoke with Sapperstein about the sidewalk issues and sent him some pictures. Hope he will move on this soon as he said he would on the phone.
- CM Ness asked if the areas with huge drop-offs could have stakes and caution tape put around them.
- Mayor Sutton said we previously spoke about this and decided not to do it as it draws attention to the area as people want to see what is going on and someone could be hurt. Sapperstein said it can be fixed quickly. Will talk to him again next week.
- CM Hatton said there is a huge pile of dirt in the development Sapperstein could use that has to be hauled away anyway. He asked TM Green if he knows how much is left in Sapperstein's escrow account. We will give him a deadline or use the escrow and fix it ourselves.
- CW Gorman added he still has lots of landscaping to complete also.
- Mayor Sutton said he will confirm with TM Green what Sapperstein says on Friday and we will coordinate with TA Townsend to put everything in writing and make it legal.

- c. Land Use & Development: Co-Chairs – CM Jermaine Hatton & CW Lorraine Gorman
  - CW Gorman said there was a Planning Commission meeting last Wednesday. Herb Inden, State Planning Office and Linda Raab from IPA were here and explained the purpose and goals of a planning commission. The presentation was very informative and all are much more comfortable after the meeting. Two new members were introduced at the meeting and will be appointed by Mayor Sutton and Council.
  - CM Hatton asked if we have a formal removal of Mr. Emsley from the commission and asked what the bylaws say about this.
  - TA Townsend said he will review the bylaws and Council can discuss this later.
  - CW Gorman said Mr. Emsley was sent an email and has never replied. He can't attend meetings and doesn't stay in touch.
  - Introduction/Appointment of two new Planning Commissioners – done under TA Townsend's report.
    - I. James Reyes
    - II. Gary Rittereiser
- d. Community Relations: Chairs – CW Cindy Cook
  - The fire hall is hosting the spring expo again this year.
- e. Public Safety: Chair – CM John Ness
  - Speeding in developments – Talked to Lt. Hudak. Have received several pictures of speeding vehicles, has become a problem since the South Street connector has been opened. Have asked for more patrols in the area and ask residents to follow the speed limits.
  - CM Ness asked TM Green to have the developer put speed limit signs up in the development on the new roads but doesn't believe it will do any good.
  - CM Hatton stated there is a homeland security grant available, will send information to CM Ness.
  - Mr. Mueller asked if the police could patrol both developments. The post office, UPS and FedEx trucks fly through the TVI during the day, it isn't only during rush hour.
- f. Parks & Recreation: Chair – CW Lorraine Gorman
  - Have been trying for years to get someone from MOT Baseball to help us get our baseball field into shape and nothing has ever come of it. We have a travel league that does lots of extras with their kids, ages 8-12. They all want to help fix our field; they will supply all the labor if we supply the material. They may also be able to help with the material. They think our park is the best kept secret around and very grateful to use it.

**VIII. Citizens Comments & Participation**

- a. Mr. Mueller said during the street light discussion at the December meeting he suggested increasing the trash bill or taxes to help. The Town would get the money up front prior to the bills coming in and the residents would have the option of claiming it on their taxes. The lights are going to be expensive. Taxes are going up anyway because of the schools. If lights and trash are added into the taxes it would be easier for the Town to collect than for the HOA to collect a separate fee. Have lived in 6 states and never seen a HOA pay electric fees. Would like to know what the Town is going to do. Has there been any more discussion?
- b. CW Gorman said no, we are waiting to get the numbers.
- c. CM Hatton said the plan is to discuss this issue publicly as soon as the numbers come in.

**XII. Adjournment: 8:31 pm, CM Hatton motioned, CM Ness seconded with unanimous vote.**

Mayor Sutton announced he is doing a lunch for Dave on his personal tab for anyone who would like to stop in.