



**Townsend Council Meeting Minutes**  
**February 1, 2017**

**7:30 pm – Council Meeting**

- I. Call to Order: 7:30 pm
- II. Opening Ceremonies
  - a. Roll Call: Mayor Rudy Sutton, CM John Ness, CM Jermaine Hatton, CW Lorraine Gorman, TE June Andres, TM Dawson Green, TC Cathy Beaver
  - b. Pledge of Allegiance: The pledge was said.
  - c. Recognition of Visitors: 11 visitors
  - d. Announcements:
    - Mayor Sutton thanked the visitors for attending tonight.
    - Town Hall closed Monday, February 20, 2017 for Presidents Day
- III. Additions/Deletions to Published Agenda:
  - a. CM Ness asked to delete 7a, police are in Smyrna.
  - b. CM Hatton asked to delete 8d and 7b and 7c, no one here to do reports.
  - c. CW Gorman asked to delete 4a since CW Cook couldn't attend and 8c, planning commission bylaws.
  - d. CM Ness motioned, CM Hatton seconded with unanimous vote to approve the agenda with the above deletions.
- IV. Allyson Willis – Girl Scout Gold Award Project:
  - a. Mayor Sutton introduced Allyson Willis who is working to achieve her Gold Star in the girl scouts.
  - b. Allyson thanked Council for having her tonight. She said she is a freshman at Appoquinimink high school and a senior in Girl Scout Troop 792 which she has participated in since second grade.
  - c. Allyson explained that she is currently pursuing her Gold Award for the girl scouts. This is the highest achievement in the girl scouts and only 5% of eligible scouts attain this award. To achieve this award, she said she must do a project that will benefit and have an impact on a community.
  - d. Allyson stated for her project, she would like to work with the Town to research and document the history of Townsend with before and after pictures, interviews with lifelong residents, creating a walking tour and putting a scrapbook together. Would also like to possibly start the Townsend Historical Society. She asked for Council's blessing to move forward with the project.
  - e. Mayor Sutton said when he read Allyson's request he felt she was a leader to want to do this and congratulated her for even considering a project like this. He is very excited about the project and thanked Allyson for wanting to do it.
  - f. CW Gorman agreed. She told Allyson she was amazed by her introductory letter. Townsend can use this and would love to have you do it for us. CW Gorman added she would be willing to help in any way possible. The state will update our website with any pictures we want to add showing Townsend. This will be a huge asset to our Town and CW Gorman thanked Allyson for doing this for the Town.
  - g. CM Hatton said we have already talked and you know I'm 100% behind this project. I've already given you some names and will have more of people to possibly interview. Council will all be happy to help you and Cathy has lots of resources that can help you.
  - h. CM Ness said he thinks this is a great idea.
  - i. Allyson said this project has to be approved by the girl scout council but have to have a letter from Council approving it. The letter has to be presented by March 1<sup>st</sup>.
  - j. Mayor Sutton stated the letter will be done right away.
- V. Council Minutes
  - a. Approval of 1/4/17 Council minutes
  - b. Approval of 1/18/17 Workshop minutes
    - CM Ness motioned, CM Hatton seconded with unanimous vote to approve minutes as written.
- VI. Mayors Report
  - a. We recently had an issue concerning some back taxes which council is going to work on with TA Townsend to decide how to collect this money.

- b. Discussion/possible vote on changes to Personnel handbook – deleted from agenda, will be discussed when all of Council is present.

## **VII. Reports**

- a. State Police: Lt. Anthony Hudak – deleted – not here.
- b. Representative Jeff Spiegelman – deleted – not here.
- c. Town Attorney Fred Townsend III: - deleted – not here.
- d. Town Engineer Aquilino Andres Jr.:
  - TVII Phase 4e – this is the last phase, inspection escrow has posted, haven't started work yet, will start next week.
  - Smith's Liquors work ongoing.
  - Sapperstein said they are getting ready to turn streets over to Town, working on punch list.
  - Sent a conceptual of Finley Street to Mayor Sutton and TM Green, survey is done.
  - Last Thursday CM Ness and CM Hatton and I were at the DLLG dinner. CM Ness was talking about the lighting issues in Townsend and one of the guys at our table suggested we reach out to Delaware sustainable energy. They are working on a program with Delmarva that may help Townsend in getting all the lights changed to LED. They are looking for a town to do the program in and he said he thinks Townsend will be perfect. Will let Council know when I hear from him.
  - Mayor Sutton said Rep Jeff Spiegelman notified me that the mini-bond bill passed so there will be prevailing wages on any Town projects that state or federal funds are used.
- e. Town Manager Dawson Green:
  - The haul road for Townsend Village is open now but will close again sometime in the spring.
  - Talked to Delmarva about the trees in the electric lines on Summit Bridge Road, 4 houses up from liquor store. Trying to be pro-active but they still haven't done anything about them.
  - Signed off on the 2017 mosquito spray policy, will spray larvae in March and spray again in the fall. In the interim if anyone has problems, call me and I will contact them.
  - DelDot working on U-turn signage to put in front of school.
  - Mr. Mueller asked if when spraying for mosquitos, do they spray the retention ponds?
  - TM Green said they will if there is an issue there.
  - Mr. Mueller said in the last week, he has followed 2 different people out of Walgreens turning onto Pine Tree Corner Road. The issue is both the vehicles turned left on Pine Tree Corner Road, went around the hump and drove east until could go over into their lane. Suggest the Town put up extra signage stating no left turn.
  - TM Green will contact DelDot as this is a state road.
  - Mayor Sutton asked about Finley Street.
  - TM Green said nothing yet until council decides where fence is to go and how much stone, would rather do one time rather than keep coming back. Survey completed, last time was there, ribbons on trees from delineation, if still option for solar in wetlands, have to talk to Corp of Engineers.
  - Mr. Willis said DelDot was surveying all corners at the light this week, want to put in ADA crosswalks on all 4 corners at Main, Pine Tree and Rt. 71.

## **VIII. Committee Reports**

- a. Finance: Chair – CM Jermaine Hatton
  - Debbie coming back Thursday to finish field work for 2016 audit.
  - Been working with Edmunds on a software development.
  - Been working diligently on the lighting plan. Spoke to Delmarva to get better sense of overall bills. There are 49 overhead lights and all are different, have to find out wattage of each and what type of glass. Can tell by looking at pole and will do that soon.
  - TVII will have 110 lights, TVI - 70, 30 in TS and 18 in Old Town.
  - CM Ness said we will make sure it is on website for any meetings on the lights issue in the future.
  - CM Hatton said yes but Council needs to discuss everything first.
  - CM Hatton explained the lights are all through a tariff agreement with Delmarva, which is cheaper than what the developer can get the lights for.

- Mr. Mueller clarified light poles and light problems are Delmarva's responsibility and was told yes.
- b. Public Works: Chair – Mayor Rudy Sutton
- Mayor Sutton asked TM Green where we stand with the punch list for Town Hall.
  - TM Green said he has to look at last email from Dave, don't know if Dave and the contractor walked together, contractor says he is done.
  - Mayor Sutton said TM Green, John and he will walk through the list together and asked if John knows if it is done.
  - TM Green doesn't know, was agreed they will walk through the punch list on Friday if John is available.
  - TM Green said the painter didn't scrape but repainted the stairs, there is an additional leak in the lunch room and Brent has been very busy but will be here to fix outside lights.
  - Mayor Sutton asked if the ac/heater problem was fixed.
  - TM Green said haven't had any more issues since the contractor was here.
  - TM Green said the dumpster will be moved back about 3 more feet and have to put lots of stone down as trucks are very heavy and we will enclose it with a fence.
  - There was discussion about what type of stone to use, TM Green will talk to Handler for a recommendation.
  - TM Green asked Mayor Sutton if they could look at the tree Friday also and was told yes.
- c. Land Use & Development: Co-Chairs – CM Jermaine Hatton & CW Lorraine Gorman
- Planning Commission By-Laws- deleted
  - Discussion/possible vote to remove Alan Emsley from the Planning Commission
    - I. CW Gorman said that Council all have an email in their folders; Mr. Emsley agreed to step down from the Planning Commission.
    - II. CW Gorman motioned, CM Ness seconded to remove Mr. Emsley from the Planning Commission.
    - III. CM Hatton asked what the bylaws say about this.
    - IV. CW Gorman stated TA Townsend said at the last meeting that we just need the resignation from Mr. Emsley in writing to make it official.
    - V. Vote – unanimous.
  - Rental Agreements
    - I. CW Gorman said most Towns have rental agreements, not something we will make money on but Town will know what properties are rentals. It will help protect all residents; will need tailored to the Town needs and all about safety. It will also show Town is pro-active. Would like to look into setting something up and would like input from Council.
    - II. In the following discussion, it was agreed this is a good idea but will also need some type of repercussions for owner who do not notify the Town of rental properties.
    - III. Mr. Mueller said if we are going to do this for safety, will someone from the Town go in and do inspections?
    - IV. CW Gorman said yes and the owner would pay for the inspection.
    - V. Mayor Sutton said some Towns also prevent landlords from renting a property if the owner owes the town money. He added the rental agreement will be across the board and cover residential and commercial rental properties.
    - VI. Council agreed to have CW Gorman look into this.
- d. Community Relations: Chairs – CW Cindy Cook - deleted
- e. Public Safety: Chair – CM John Ness
- Scam going on via phone, be careful with calls from people you don't know.
  - Tractor trailer on Wiggins Mill Road is gone and hopefully won't come back.
  - Resident asked if someone is going to clean the mess the truck made.
  - TM Green said the driver of the truck offered several solutions and he told him it is a DelDot road, he has to contact them before doing anything.
  - CM Hatton said there is a rash of counterfeit money going around, mostly 100's. The hologram on the left side of the bill is distorted.
- f. Parks & Recreation: Chair – CW Lorraine Gorman

- Easter egg hunt, movie nights and town fair are on the agenda.
- If anyone has any suggestions for any other events, please call or email.

**IX. Citizens Comments & Participation**

- a. Mr. Glanding said he lives on Fulton Street, neighbor parks by my front door, have a large trailer next to my house, 2 boats with trees growing out of them, car with no tags sitting on Walnut Street for 3 years and 5 large dogs in house, pits. Told TM Green about it several weeks ago and haven't heard anything.
- b. CM Ness verified the tag less car is on the road and stated he will contact police about it.
- c. Mayor Sutton said will look into this and will do what we can to make Mr. Glanding comfortable.
- d. Mr. Glanding said when his wife was dying he argued with neighbors about parking in front of the door and the day his wife died he had to call the police for them to move their cars. They fenced their yard and can't park on their property now.
- e. Mayor Sutton asked if the neighbor's property is fit and up to code.
- f. TM Green said he spoke to Dave and he said without probable cause, can't go onto property. He added he doesn't believe the house is up to code and will have John look into it.
- g. Mayor Sutton arranged with Mr. Glanding to meet him at his house the next day so they can walk the property and look into the situation.
- h. Mr. Mueller said the landscaper and Rob Allen were at his house Friday, tree that blew over will be removed, crooked tree will be fixed and they all decided 2 trees in all common areas will be moved and spread out. Mr. Mueller said Mr. Allen told him the Town gave permission for residents to refuse trees and gave the developer permission to plant additional trees in common areas that residents refused so the number of trees required would be in the development. Mr. Mueller said they are planted very crazy in the same common areas, not spread out. He added that Mr. Allen also said the Town has let the developer plant trees at houses that are settling now, to try and prevent this problem in the future, but he said they can't put trees in old settled homes, makes no sense.
- i. Mayor Sutton said we did have discussion. Houses being settled, makes perfect sense to plant trees within 1 year of settlement. In previous years that wasn't the case, that's why we are having these issues.
- j. Mr. Mueller said the landscaper told him he is moving trees now because they are dormant, but he has never been back.
- k. Mayor Sutton said when we had our meeting, worked the issues out, trees declined by residents can be planted in open spaces, we didn't tell him he has to plant trees prior to settlement now but it seems to be working. If there are still issues, Mr. Allen usually responds very quickly.
- l. Mr. Mueller added that Mr. Allen is worried about the guarantee on the trees; he shouldn't be worried about that, he needs to move some of the trees to other open areas in Phase 3 and the unfinished phases.
- m. After more discussion, the residents were assured the punch list would be completed before the developments are turned over to the Town.
- n. Mr. Mueller asked if Townsend has a contract or agreement with Fios or Atlantic Broadband that prevents other companies from coming in.
- o. CM Hatton said the Town has no control, the State mandates who can be where.

**X. Adjournment: 8:40 pm, CM Hatton motioned, CM Ness seconded, with unanimous vote.**