



Townsend Workshop Minutes February 15, 2017

7:00 pm – Council Meeting

- I. Call to Order: 7:05 pm
- II. Opening Ceremonies
 - a. Roll Call: Mayor Rudy Sutton, CM Jermaine Hatton, CW Lorraine Gorman (arrived at 7:08 pm), 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: 3
 - d. Announcements: Town Hall closed for President's Day on 2/20/17
- III. Additions/Deletions to Published Agenda:
 - a. CW Cook deleted 7d, Community Relations, no report.
 - b. CM Hatton deleted 7e, Public Safety since CM Ness not here.
 - c. CW Gorman deleted 5a, discussion of Personnel handbook because CM Ness isn't here and had some suggestions.
 - d. CM Hatton motioned, CW Gorman seconded with unanimous vote to approve the agenda with the above deletions.
- IV. Council Minutes
 - a. Approval of 2/1/17 Council minutes
 - CM Hatton motioned, CW Gorman seconded to approve the minutes as written.
- V. Mayors Report
 - a. Discussion/possible vote on changes to the Personnel handbook – deleted from agenda
 - b. Discussion on Sustainable Community Planning Grants
 - Mayor Sutton thanked Regina Albert for sending this information to Council.
 - CW Gorman added she thinks the Town needs to consider this grant.
 - CM Hatton said we have until June 2nd and believe this grant is coming from the same office as Tony works for. We need to put a full conceptual plan together for our solar to submit. June is already talking to Tony DePrimo at Delmarva; don't want to step on any toes. He asked June to talk to Tony first and get him in here for the plan. It will be a win situation for the Town.
 - Mayor Sutton asked TM Green if he had a chance to look at the email about this grant.
 - TM Green stated he hasn't had a chance to look at it.
- VI. Reports
 - a. Town Attorney Fred Townsend III:
 - We referred to an expert in the field over the condition of the streetscape sidewalk which is now in litigation. The expert then disappeared. We received an invoice yesterday for over \$1000.00 dated November 25, 2016 from this "expert". Noel is following up with the expert and Owen on this, don't believe we will recommend the Town pay this bill.
 - b. Town Engineers Aquilino Andres Jr.:
 - TVI – met with Rob Allen to go over the punch list. We walked the site and marked the problem areas. They will start work to address the issues next week.
 - We also discussed the tree issue in TVII and it will be addressed.

- Mr. Muellar said he also talked to Rob as several trees came down in the wind storm and he said these would also be addressed.
- Smith Liquor construction ongoing; ready to pour the slab for the building.
- Mr. Muellar said he believes there is an issue with some of the streets and seams in TVI. The seams stay wet long after rain water is dried up. Believe there is water standing under the blacktop, the seams leak at the crown of the streets. Some of the problem areas that Mr. Muellar said he is aware of are on Jamie and Edgar, parts of Tracy Circle and the first 200 feet of Edgar Road coming into the development.
- TE Andres said he will consider this.
- Mayor Sutton asked TM Green if he feels there is a problem since he has an engineering background.
- TM Green stated part of the problem is that part of Edgar Road was done years ago. Developer should have come out at least 18 inches to pave where the streets connect. You don't want the seams in the same place, want them to overlap, especially where all the turns are. It would be easier to do now than later but it may be a continual problem unless they repave all of Edgar Road. They don't have to do this but when they top-coated Edgar, they also did Hugh Circle, but not Helen and Merle Drive.
- Mayor Sutton asked TA Andres if he believes they would repave all of Edgar.
- CM Hatton stated we won't accept the roads unless they do what we tell them to do.
- Mayor Sutton said this conversation needs to happen now and asked TA Andres to talk with Rob about it. He added that the situation also exists in TVII. He asked TM Green to set up a meeting with Rob Allen, TA Andres and the two of them as soon as possible so this issue can be addressed and fixed.

c. Town Manager Dawson Green:

- At the last meeting, there was concern expressed about illegal left turns from Walgreens onto Pine Tree Corner Road and issues with the tractor trailer parking on Wiggins Mill Road on weekends. Am meeting with DelDot Friday to see what can be done about both issues.
- Have had George picking up excess trash in the open lot on Cannery Lane and on Wiggins Mill Road.
- CM Hatton asked if this can be back billed to the developer and TM Green said no, he didn't send any letters but it needed to be cleaned up.
- CM Hatton said going forward, send a letter, George is being pulled from his normal duties.
- Mayor Sutton said most of the trash is coming from the developments due to the high winds we have had. TM Green agreed.
- TM Green added there is lots of trash along the tree line on Edgar Road. The developer will have it picked up tomorrow.
- There was a discussion about the best way to remind residents to secure their trash on windy trash days and that they are responsible for picking it up if it blows over.
- TM Green said he has asked George to get him some estimates for a new shed to go outside the Town Hall. Once he looks them over he will send his recommendations to Council.

VII. Committee Reports

a. Finance: Chair – CM Jermaine Hatton

- 2016 Budget Amendments
 - I. We have a couple expense accounts that are over-spent. Dawn didn't have a chance to go over them; should have them by the 3/1/17 meeting. There are 5 GL's that need fixed. We are way ahead of pace on the revenue side.
 - II. Debbie Horn will be back on 2/27/17 to do the field work for the audit.

- III. FY 2018 will include a reduction of transfer taxes, possibly as high as 16.7%, the numbers keep shifting.
- IV. Met with Senator Carper last week. Senator Carper sits on the finance committee in Washington DC and is looking for ways to streamline the process for municipalities to get funding for infrastructure.
- V. Streetlights – we have 3 different opportunities:
 - a. Increase the taxes, possibly to 52 cents from 26 cents.
 - b. Have the HOA's pay the light bills.
 - c. Add an amount to cover the lights to the trash bills. Each development has a different amount of homes; we could divide the light bill amongst all the residents in each neighborhood and the Town would continue to use MSA funds to pay the light bills for Old Town. TVII has 110 lights, TVI has 70, TS has 30 and there are 81 lights in Old Town. Streetlights will cost us about \$100,000.00 a year. The other option is to bill all residents the same amount monthly for the lights through their trash bill.
 - d. I will email Council all the information and we have to make a decision.
 - e. CW Cook verified that Delmarva will only change 5% of the lights to LED per year and was told yes. She asked what it would cost for the Town to change all the lights to LED.
 - f. CM Hatton said we don't own the poles and lights, we can't touch them. He added we not only pay for the power, we pay a rental fee for every light pole.
 - g. TM Green said part of the problem is Delmarva doesn't have LED lights for the older light styles. They have them for the developments but we would have different lighting throughout the Town. It isn't an easy swap from what we have to LED. He added he was told several years ago that Main Street is a state street and DelDot has to instigate new lighting, not the Town; however, the state maintains curb to curb and the light poles are outside the curbs. Also, the only lights Delmarva will change now are the ones the Town pays for. TV and TVII don't count as they aren't turned over to the Town yet. He also reminded Council that if they decide to have the HOA's pay for their development lights, the tariff will go up approximately 4 1/2 %; they won't get the discount the Town receives.
 - h. CM Hatton stated LED will be much brighter and we wouldn't need as many lights as we have now.
 - i. CW Gorman asked TE Andres when the grant he is looking into would go into effect and was told it is a long way out but they want to use Townsend for the project.
 - j. There was a lengthy discussion about the street light issue.
 - k. Mr. Mueller asked if the Town can require the developer to install LED lights in the unfinished phases rather than the current lights. He said he doesn't believe the concrete pedestals are poured yet, they are just now working on the sidewalks.
 - l. There was a long discussion about the cost to the developer. CM Hatton said he will contact Delmarva to see what they would be willing to do and TM Green suggested a study needs to be done to determine how many LED lights would be needed versus the regular lights.
- b. Public Works: Chair – Mayor Rudy Sutton
 - TM Green and I are meeting with DelDot Friday at 10:00 am about the bridge on Wiggins Mill Road.
 - The cul-de-sac problem in TVII West should be fixed by the end of the week.

- Met with a resident about the issue on Fulton/Gray Street and Walnut Street.
- c. Land Use & Development: Co-Chairs – CM Jermaine Hatton & CW Lorraine Gorman
- Discussion/possible vote to approve Planning Commission By-laws
 - I. CW Gorman said the Planning Commission president signed the by-laws and TA Townsend agrees with them.
 - II. CW Gorman motioned, CM Hatton seconded to approve the PC bylaws.
 - III. In the following discussion, Mrs. Albert, Council and TA Townsend agreed to some additional changes to clarify the by-laws and the vote was tabled until the next Council meeting to approve the by-laws.
 - IV. The changes will be: the commission will consist of 5 members, 4 members must be present to conduct business, there must be 3 affirmative votes to pass a motion and the president has the right to vote.
 - Rental Agreements
 - I. CW Gorman said Council have information in their folders. She has been working on putting a rental agreement together for Townsend. Using several other Town's rental agreements, tried to tailor this to Townsend's needs. There is a separate addendum that the landlord and tenant must sign and a property checklist with a lot of safety checks. This is the first step, ask Council to please review to see if this is something we want to do and get the process started. Please email me any comments.
 - II. TA Townsend said many Towns have butted heads with the ACLU over inspections which you can overcome. Or your code can be amended to say you obtain permission from the tenant to inspect the unit.
 - III. TM Green said Dave will be back on February 27th and asked Council to let Dave be involved in this process. CW Gorman agreed with this.
- d. Community Relations: Chairs – CW Cindy Cook – deleted from agenda
- e. Public Safety: Chair – CM John Ness - deleted from agenda
- f. Parks & Recreation: Chair – CW Lorraine Gorman
- NWF – participated in a conference call this week.
 - Butterfly heroes will be done again this spring. A Disney World trip is the grand prize, it runs from 4/1/17 – 6/1/17.
 - An essay is required for the Craig Tufts scholarship award through the NWF and includes an expense paid trip to Lake Tahoe.
 - NWF is also having a photo contest again this year with a \$5,000.00 grand prize.
 - All the information will be on our website.
 - The Easter egg hunt was scheduled for 4/8/17. Just found out that is opening day for Little League. Would like to change our hunt to Sunday, 4/9/17 at 2:00 pm with a rain date of 4/15/17. All of Council agreed to the date changes.
 - We are starting work on the ball field next week. Mr. Gray has been very instrumental with all the research. Iron Source is lending us all the equipment needed to fix the infield at no charge. Mr. Gray is getting the dirt from a contact in Middletown. Owner, coaches and parents from the traveling league helping with the labor. Will be converted from a softball to a baseball field. It will cost approximately \$1,600.00 for the diamond tec dirt. Mr. Gray is going to dig up the grass in the infield with a sod cutter and save the dirt there and add new onto top it off. He will also get a price on rakes, etc. for maintenance of the field in the future. The ball teams that use the field will have their own rakes and rake the field after each practice. It is and always will be still open to the public.
 - CM Hatton asked if this will increase our insurance as a baseball goes further than a softball.
 - TM Green said he asked Celeste last year and she couldn't tell me.

- CW Gorman said all the Coaches must sign an indemnity agreement.
- CW Cook added we need to install signs stating the Town is not responsible for any damage to vehicles in parking lots.
- CW Cook commented that the flags should still be at half-staff per the Governor until he lifts the order. TM Green stated he will let George know.
- Mrs. Albert asked if the Town will be having the yard sale this year.
- CW Cook said yes, she will work on a date and get it promoted.

VIII. Citizens Comments & Participation

- a. Mr. Mueller commented that people don't know how to park at the post office. He asked if the Town could work with the post office and the mail drop off box could be changed to a goose neck box and moved up to the street where people could drive up to it and drop their mail in without getting out of the car.
- b. TM Green told Council that Steve Tait wants to speak to them about the property he owns and wants to sell in the future. His issue is he needs additional parking to utilize a second-floor space for rental. The only way to get additional parking right now would be for him to block off the road which isn't a road, it is his property (between Little Italy and DE Homes). Second, he says the Town issued a permit for DE Homes to build a parking lot on his property.
- c. TA Townsend said it sounds like Mr. Tait is trying to get the Town to give him a variance for using the second floor.
- d. CM Hatton stated DelDot verified it isn't a road. A long discussion ensued.

XII. Adjournment: 9:15 pm, CM Hatton motioned, CW Gorman seconded with unanimous vote.
