



## Townsend Council Meeting Minutes December 3, 2014

### 7:00 pm – Community Watch Meeting

- Discussion

### 7:30 pm – Council Meeting

#### I. Call to Order: 7:30 pm

#### II. Opening Ceremonies

- 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, FO Azure DeShields, TC Cathy Beaver
- Pledge of Allegiance: Pledge was said.
- Recognition of Visitors: 10 visitors
- Announcements:
  - Town Hall closed Tuesday, 12/23 at noon, Wednesday 12/24 and Thursday 12/25 for Christmas.
  - Town Hall closed Thursday, 1/1/15 for New Year's Day.

#### III. Additions/Deletions to Published Agenda:

- CM Ness motioned, CM Sutton seconded with unanimous vote to accept the agenda as written

#### IV. Council Minutes (copies on back table )

- October 22, 2014 Mid-Month minutes approved 11/19/14
- November 5, 2014 Council minutes approved 11/19/14

#### V. Mayors Report

- Discussion/possible vote on Charter revisions
  - TA Townsend explained the charter has been discussed amongst Council at numerous meetings. We tried to get the revised charter approved last year and the Governor's office had several issues that had to be addressed. None of them were big issues. We had to fix the annexation section of the charter using the Dover, Delaware charter as a model. Also, there was a code of ethics section in our old charter that didn't keep with the State Law Ethics. They recommended we remove it, which we did. The bill can now go back to leg hall for approval.
  - CW Gorman said there is a discrepancy between our charter and an ordinance referencing a tie vote. The ordinance will need to be changed to match the charter.
  - Mayor Hatton asked if TA Townsend has spoken to Rep. Spiegelman and will he be able to get the charter on the docket for the current session that starts in January.
  - TA Townsend said he hasn't spoken to him recently but from previous discussions he plans to pre-file the charter and it will hit the ground running when they go back into session. We are giving this to him well in advance.
  - Mayor Hatton said he will call Rep Spiegelman and Senator Ennis tomorrow.
  - CW Gorman motioned, CM Ness seconded with unanimous vote to approve the charter with the changes and submit to Leg Hall for approval.
- Approval of Employee Handbook
  - CM Ness motioned, CW Gorman seconded with unanimous vote to approve the revised employee handbook.
  - The updated/revised handbook will go into effect January 1, 2015.
- December mid-month meeting moved to December 17, 2014
  - CM Ness motioned, CW Gorman seconded with unanimous vote to move the December 24, 2014 mid-month meeting to December 17, 2014.

## VI. Reports

- State Police: Lt. Tom Paskevicius
  - Nothing major to report, not a lot going on in the Town limits. The criminal mischief has died down at the park with the cold weather.
  - As new things come about, I will notify Council.
  - Mayor Hatton stated there is a lot of new technology coming for the police. He asked if there were anything Lt. P could recommend for the Town to investigate and look into so we could be more progressive and pro-active to help combat some of the stuff going on in Town. The State Police only patrol our Town so many hours a week, possibly there are grants out there that we would be eligible for. We may have to have our own police force to qualify for grants but we would like to do something in conjunction with the state police.
  - Lt. P said he will have to check into this for the Town.
- Representative Jeff Spiegelman – not here
- Townsend Fire Department: Dwain Haines
  - Breakfast with Santa Claus is on Sunday, 12/21/14, 8:00 am – 10:30 am. Santa will be here at 8:30. Infant to 3 years – free, 4 years to 12 years is \$4.00 and 13 years and older is \$6.00. Children can also buy gifts for their parents in the gift shop, items are \$2.00. All the proceeds benefit the Townsend Fire Company Community Adopt a Family program.
- Town Attorney Fred Townsend III: nothing to report
- Town Engineer Owen Hyne:
  - The electric is complete at the park. We have the as-built. If you drive by at night you will see a light on in the gazebo and pavilion.
  - TM Green said there isn't a light on in the pavilion. He said someone has broken the lock off the box that controls the off/on switch. I turned the light off inside the panel. He said he met with Mid-Atlantic today and has asked him to give the Town an estimate to put photo-scenic lights on a different circuit, by themselves.
  - Mayor Hatton said he can't believe it has already been broken, only been there 2 weeks. This is ridiculous. He asked TE Hyne and TM Green to work with Mid-Atlantic to see what other type of security box to put around the electric switch.
  - There was a discussion about what type of lock box could be installed.
- Town Manager Dawson Green:
  - The holiday decorations will be put up along Main Street tomorrow.
  - Ask that residents who see something that may be an area of concern and could be a hazard after it rains and freezes to please contact myself or DelDot, if it is a state owned road. Drove around TVI yesterday and there were a lot of areas with puddles. Asked the contractor to get them taken care of. Along Rt. 71 going into Dollar General had a huge puddle.
  - Mayor Hatton asked if TM Green called DelDot. Is the ponding a grading issue or a true run-off issue?
  - TM Green said he wasn't sure. DelDot doesn't take responsibility outside the right away and I believe it is at the edge of the right away. I will call the developer about getting this fixed.
  - TE Green said DelDot should have a bond on this and can make the developer fix it.
  - CM Ness asked TM Green to get the license number for him.

## VII. Committee Reports

- Finance: Chair – Jermaine Hatton
  - Finance Report
    - I. Total Assets \$4,145,099.35. Total liabilities \$203,939.66. The Town is very solvent; we have become very fiscally responsible.
  - The audit is still moving forward. We had some glitches inside the financial software. Thanks to Middletown, we have been able to fix these. They had some of the same issues when they installed the software. Hopefully the audit will wrap up sometime in January.

- Public Works: Chair – CM Rudy Sutton
  - Discussion/vote and possibly awarding of Tree Removal services at 141 Main Street
    - I. The Town received 7 estimates for the tree removal at 141 Main Street. The quotes range from \$11,500 to \$28,500 to remove all the trees. All the estimates were different, some in great detail and some very vague.
    - II. CM Sutton motioned to award the contract to Morris Enterprises to remove all the trees and leave 5-8” stumps for \$12,800.00. CM Ness seconded the motion with unanimous vote.
    - III. CM Sutton explained Morris Enterprises’ proposal is in great detail and in their proposal they suggest leaving the stumps. Grinding the stumps was a good idea; however, because of the site work that has to take place, if we pave over the stumps, we can run into holes in the parking lot caused from decay in the future. The best thing to do is leave 5-8” stumps and have the site contractor deal with the complete removal of the stumps and roots. Will initially cost a little more money, but down the road it will be cheaper.
    - IV. CM Ness asked if it is our fault the proposals are so different?
    - V. CM Sutton said TM Green explains in great detail what has to be done and any professional contractor should give detail in their estimate explaining what they are going to do. Some of the estimates gave great detail; some were handwritten one liners with the price to do it.
    - VI. CW Gorman asked when we anticipate them doing the work.
    - VII. CM Sutton said we are not sure but they know we want it done as soon as possible.
    - VIII. Mr. Bailey asked where the company is from.
    - IX. CM Sutton said they are from Newark; they are a tree removal company.
    - X. Mayor Hatton added they have an arborist on staff; the level of detail on his proposal was amazing. He also gave a lot of information on how this would be done to make it safe for everyone concerned. From our perspective and the residents that border the property, I have great confidence in Morris doing this job, he is bonded and insured and we have used him for several jobs in Town before. From a comfort level, some of the fly-by-nights that gave 1 line estimates, no, there is no true comfort that you will get a good job.
- Land Use & Development: Chair – Jermaine Hatton
  - Council voted to annex the enclave at 141 Main Street into Town limits. As you recall, one parcel is in Town, one parcel in in the County and considered an enclave. The house sits in the middle of the 2 parcels.
  - The zoning committee met 11/17/14. We didn’t have enough members present to move forward but hope to meet in January and move forward with the small land development at 660 Commerce Street.
- Public Safety: Chair – CM John Ness
  - If anyone has suggestions or comments, please let me know.
  - If anyone is interested in being on Town Watch, please send me your email and number.
  - CM Ness said he is talking with a representative from SpyPoint about cameras in the park, as soon as I have more information I’ll present it to Council.
- Parks & Recreation: Chair – CW Lorraine Gorman
  - We have a resident that is going to start a Daisy Troop in Townsend. It is the first one in years. The information will be on facebook and our website.
  - There will be Christmas caroling in the park at 2:00 on Sunday, 12/21/14. All are welcome, the more, the merrier. Immanuel United Methodist Church will graciously lead the caroling and it

will be lots of fun. There will be books with the song words available. If it rains, we will move it to the church.

**VIII. Citizens Comments & Participation** - none

**IX. Adjournment:** 8:10 pm, CW Gorman motioned, CM Sutton seconded with unanimous vote.

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