



**Townsend Public Hearing & Council Meeting**  
**April 5, 2017**

**7:00 pm – Public Hearing**

- I. Call to Order: 7:00 pm
- II. 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 (7:31 pm), TC Cathy Beaver
- III. Pledge of Allegiance: Pledge was said.
- IV. Discussion of Ordinance No. 17-01 – Clean Hands Ordinance
  - CW Gorman read the ordinance by title and the synopsis. She explained that if anyone owes the Town money in any way, they will not be issued any license or permits until the money is paid in full whether they are the owner or tenant. The bill is on the property, it all ties together.
  - CW Gorman motioned, CM Ness seconded with unanimous vote to move Ordinance No. 17-01 to the Council meeting for possible approval.
  - TA Townsend said Council will have to give due process as situations come up. Taxes owed are very clear, other debt/fines will have to be handled on an individual basis.
  - Mr. Emsley said he remembers a meeting a few years ago that finances were discussed. At that time there were some huge amounts of trash money owed to the Town. He stated he isn't opposed to this ordinance but feels Council needs decent facts for every property. He doesn't understand why there is still a balance if the service has been discontinued. He added he has dealt with liens before that aren't always cleared up properly and it can be a real hassle. If the ordinance passes, he asked if he could possibly have to pay someone's past due bills.
  - CW Gorman stated a lien should be cleared up with the sale of the property. If there is no lien on the property, the new owner would not be responsible for the past bill.
  - TA Townsend added that a buyers' attorney should contact the Town to see if any money is owed the Town. There are mistakes made. This ordinance refers to unresolved situations only.
- V. Discussion of Ordinance No. 17-02 – Prohibited Parking on Wiggins Mill Road
  - Mayor Sutton read the title and synopsis of Ordinance No. 17-02. He then explained that this ordinance will prohibit parking on Wiggins Mill Road from the one lane bridge north to the bridge by the pond.
  - CM Ness motioned, CW Gorman seconded with unanimous vote to move the ordinance to the Council meeting for possible approval.
  - Mr. Keenan asked if Council is only doing this ordinance because of a few complaints in the developments. He said he only sees the truck there one night a week and doesn't feel it is a problem. He feels the developments are all Council cares about; all of Council lives in the developments and could care less about Old Town. He said he has complained to TM Green numerous times about the trucks parking on the sidewalks in Town and he walks away and nothing is ever done.
  - Mayor Sutton explained this ordinance is being done because parking on Wiggins Mill Road has become a safety issue. There was a long discussion about the issues in Old Town and Mayor Sutton said Council will have TM Green look into them.
  - Mr. Albert said Council stopped the grain trucks from parking and idling in front of his house in the wee hours and it is much appreciated. He added he lives in Old Town on Main Street also.
  - Mr. Emsley asked if the Town can put signs on state roads and Mayor Sutton told him we have to have permission from DelDot first.
  - Mr. Glanding said he is not going to mow the grass on Fulton Street between the railroad and the street anymore. The neighbors are still blocking my house; I can't park there at all and they now have 3-4 cars there. The Town will have to mow the grass now.

- Mayor Sutton asked if he has ever called the police about the neighbors parking in front of his house.
  - Mr. Glanding said no, he lets the Town know when the cars are there.
- VI.** Adjournment: 7:35 pm, CM Hatton motioned, CM Ness seconded with unanimous vote.
- 

**7:30 pm – Council Meeting**

- I.** Call to Order: 7:36 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: 20
  - d. Announcements:
    - Town Hall closed Friday, April 14, 2017 for Good Friday
- III.** Additions/Deletions to Published Agenda:
  - a. CM Ness asked to remove 9a and 9b, neither are here.
  - b. CM Ness motioned, CM Hatton seconded with unanimous vote to accept the agenda with the two deletions.
- IV.** Allyson Willis – update on Girl Scout project – “The History of Townsend”
  - a. The Scout leaders approved my project.
  - b. I now have it broken down into categories and did research at the Corbit Calloway Library last month.
- V.** Tony McDonald – Creative Financial Group
  - a. Mr. McDonald passed out pamphlets as he explained the name of the company has changed from Metlife to Creative Financial Group. Won’t affect the Town in any way.
  - b. The Town has a conservative portfolio, there is only 16% invested in stock, the rest of the money is in bonds and securities.
  - c. The past 12 months the accounts averaged between 3.6-3.9 % gain, all the accounts are doing what they should be doing.
  - d. Keeping an eye on several areas, may have to reallocate a bond fund if it keeps going up, not much into stocks, have strategies in place if the interest rates go up for bonds to be changed.
  - e. Based on a conservative objective the Town is doing OK, all history included.
  - f. Enclosed in the packets is a team bio. At some point, would like to talk to Council about our website that you can look at daily if you wish.
- VI.** Council Minutes - none
- VII.** Mayors Report
  - a. Discussion/Consider approving Ordinance No. 17-01 – Clean Hands Ordinance
    - CW Gorman motioned, CM Ness seconded with unanimous vote to approve/adopt Ordinance No. 17-01 – Clean Hands Ordinance.
  - b. Discussion/Consider approving Ordinance No. 17-02 – Prohibited Parking on Wiggins Mill Road
    - Mayor Sutton read the title and synopsis and stated this ordinance will prohibit parking on Wiggins Mill Road anywhere between the two bridges.
    - CM Ness motioned, CW Gorman seconded with unanimous vote to approve/adopt this ordinance.
    - CM Ness that if residents have problems with parking anywhere else in Town to please let Council know so they can address the issue.
  - c. Employee Handbook Revisions – CW Lorraine Gorman
    - Vision Care – CW Gorman said the state and county employees pay 100% of their vision premium. She asked Council if the Town wants to enforce this or should we pay

75% and the employee 25% of the premium. This is what we do for the health insurance.

- CM Hatton asked what the cost for vision is and TM Green said for a family it is approximately \$24.00 per month.
- CM Hatton said this would cost the Town roughly \$72.00 per month or \$500.00 a year.
- CW Gorman asked Council if they want to take on another bill with all the other issues that have come up.
- TM Green explained this is the first year vision has been offered to non-state employees with under 15 employees. If we choose to have it, it will be effective July 1.
- After a lengthy discussion, all of Council except for CM Hatton agreed the employees would pay for vision if they want it 100%. We will follow what the state does. CM Hatton felt the Town should pay 75% and the employee 25%, just like with the health insurance. All agreed it can be revisited in the future.
- Vacations – CW Gorman said TM Green clarified the language; the only change he recommends is employees receive 5 weeks' vacation after 20 years rather than 25 years.
- TM Green stated he is trying to keep it in line with what we already have in place. He added employees get 2 personal days for every year of service, maxing at 10 days; that is 2 additional weeks off.
- After more discussion, Council decided to leave the vacation time as is.
- CW Gorman said we are deleting the last sentence from the personal time off.
- Sick leave – employees get 1 sick day per month, this is not paid at separation. The Town provides short term disability which is 60% of the salary with a max of \$750.00 per week based on the salary. Can use other time accumulated to make their salary whole. Now there are 90 days of accrued sick leave max; this can be used for disability legally to bring your salary to a full salary also.
- Council all agreed to keep the max sick time to accrue at 90 days. It would take an employee 8 years to accrue 90 days providing none was used.
- Purging emails – plenty of room on the server; not a concern at this time.
- CW Gorman said if Council agrees, she will add the changes to the personnel handbook and add it to the next Council agenda for approval.
- Council all agreed.

## VIII. Reports

- a. State Police: Lt. Anthony Hudak - deleted
- b. Representative Jeff Spiegelman - deleted
- c. Town Attorney Fred Townsend III – nothing to report
- d. Town Engineer Aquilino Andres Jr.
  - Started work on the punch list for TVI and the asphalt this week. Still haven't heard from the developer.
  - TM Green said he met with Rob Allen today re: Edgar Road. Jerrys Paving is proposing doing it all over if there is a patch in the area. We are going to meet and walk it tomorrow.
  - TVII – Went over the punch list for TVII with the developer today for Wiggins Mill Frontage Road, not a lot on it.
  - Mr. Mueller commented that the residents didn't know the developer was going to tear sidewalks and curbs out last week. TM Green said we didn't know either.
  - Mr. Mueller said it is one thing to replace sidewalk, it can be fixed; the problem is asphalt, if water gets in next year and freezes and expands, we are going to have problems. He asked about the center4 seam leakage whit it rains.
  - TM Green said there will be a 2-year guarantee for all the asphalt.

- CM Ness said the maintenance guarantee is great but should get it done right when it is done.
  - TE Andres said the contractor said the center seam leakage isn't an issue.
  - Mayor Sutton added that he, the developer, the contractor, TE Andres and TM Green met and they all said the seam is there when the tie in is done, it is a common issue that won't cause any problems.
  - Mr. Mueller advised the Town to get it in writing. Don't have a crown in a residential area like on the highways. That's why the water doesn't run off.
- e. Town Manager Dawson Green
- TM Green said he must leave and apologized.
  - He said he has been dealing with the wetlands behind the homes in the developments and the trees that have fallen.
  - Met with Rob Allen today; don't have a clear understanding of the HOA and who will be responsible for open spaces once they are turned over to the Town. Per Rob, the Town will be responsible. Asked Council if the Town wants to keep responsibility of the open spaces or should they stay with the HOA? They are starting to become an issue. Per Tom Cahill, the HOA is already formed and the open spaces need deeded over to the Town. The developer says he will no longer maintain the open spaces in TVII West.
  - TA Townsend stated this isn't an agenda item on tonight's meeting. It is very important and needs added to the next meeting agenda. He added there should be a deed recording as a final step on who has ownership of open spaces; the grantee needs to cooperate with the deed being recorded. He said he wouldn't recommend the Town accepting the recording of the record plan that the Town is responsible for the open spaces as of today.
  - CW Gorman asked for copies of the site plans for Council to look at before the next meeting.
  - Mr. Clark asked if Chesapeake Utilities can extend the gas line to the intersection of Gray and South Street. It is currently capped at the last house being built. Once this is done the mud hole between the curb and my yard could be fixed and hopefully people walking will quit cutting across my lawn. He said he has large dogs and is afraid someone will get hurt. Once the grading is done between the curb and my yard and the silt fence removed, Mr. Clark said he will maintain it so his yard doesn't look bad.
  - TM Green said Chesapeake sent survey letters to all the residents and needs the surveys back from residents that may be interested in natural gas in order to keep the cost down.
  - Mayor Sutton told Mr. Clark he will talk to Chesapeake about seeding the ground and removing the silt fence. (TM Green left meeting at 8:36 pm).
  - CM Ness said he will follow up with TM Green at a later date about the residents' concerns with the construction vehicles in Old Town.

## IX. Committee Reports

- a. Finance: Chair – CM Jermaine Hatton
- The information from Tony was very good, assets still growing.
  - Should be close to getting the final report from the auditor for 2016; they have everything they need from us.
  - Mayor Sutton verified with CM Hatton that Dawn, our finance clerk has supplied everything Debbie needs and was told yes.
- b. Public Works: Chair – Mayor Rudy Sutton
- Affordable Contractor gave us the bond today. A check for \$12,947.57, the final draw will be issued to him tomorrow.

- Bailey’s Landscaping has given an estimate for maintaining our Town Hall property. Will have a proposal at the next meeting. Will also have TM Green get bids from several other vendors.
- c. Land Use & Development: Co-Chairs – CM Jermaine Hatton & CW Lorraine Gorman
- Introduction of Ordinance No. 17-03 – Five Year Comp Plan Review/update
    - I. CM Hatton stated there will be a public hearing prior to the Council meeting on 4/19/17 and a possible vote to approve this ordinance at the Council meeting.
  - Mr. Reyes asked if there if there has been a decision made on the streetlight issue.
  - Mayor Sutton said no decision has been made yet.
  - CM Hatton asked to add the discussion to the next workshop; will be a long discussion. Once that is done we can schedule a public hearing.
  - CM Hatton said we may have some streets turned over to the Town prior to the 5/15/17 MSA deadline.
  - Mr. Reyes asked if he could get a synopsis of what Council is putting together on the streetlights. He asked if it is in writing who will pay for the streetlights.
  - Mayor Sutton explained it is in writing that the Town will pay for the lights when the developments are turned over to the Town but the Town can’t afford to pay for the streetlights. Council must decide how to pay for them or if they should be turned over to the individual HOA’s to pay.
  - CM Hatton explained the Town has a tariff agreement with Delmarva that makes a huge difference in the cost but we also pay rent on the poles. Delmarva doesn’t have the technology for better and cheaper lights, they would have to change the housing and bulbs. It is a timing situation and I’m trying to get the cost reduced.
  - CW Gorman added that TE Andres is also looking into a grant for Townsend to change out the lights.
  - Mr. Reyes said he feels like favoritism is always shown toward the people in the developments. Old Town is part of the Town also. I have had a streetlight across from my house that has been out for 2 years, Mr. Green has known about it and nothing has been done. Old Town residents pay taxes yearly like everyone and I don’t even have a sidewalk.
  - Mr. Keenan agreed and added he has complained about his sidewalk for years and it still hasn’t been fixed.
- d. Community Relations: Chairs – CW Cindy Cook
- Town elections are 5/6/17. The deadline for candidates to turn in packets is tomorrow, 4/6/17.
  - The scholarship award guidelines are posted at the post office, on our website and facebook.
  - Thanked Kiana McKnight for coming to the meeting tonight. She is running for the school board again this year.
  - The Town community yard sale will be on 6/3/17. The Town will advertise for this.
- e. Public Safety: Chair – CM John Ness
- The days are getting longer, watch for kids playing throughout Town.
  - Mr. Reyes said a garage on the corner of Cannery and Cherry Lane was broken into last week, many cars are parking there on weekends.
  - CM Ness said it is an ongoing problem the police are watching. If you can get plate numbers and call the police it would help.
  - CM Ness told reminded residents to always lock their cars and don’t leave valuables in the vehicle. Some cars were broken into at night in TVI this week.
- f. Parks & Recreation: Chair – CW Lorraine Gorman

- Baseball field upgrade
    - I. Going to start this project Monday. Started and stopped 3 times because of weather. By the end of next week, it should be done. Being transformed with the help of Iron Source, Slims Chance Foundation and Slims Chance Baseball.
  - Easter Egg Hunt – Sunday, April 9, 2017 @ 2:00 pm
    - I. The Immanuel United Methodist Church is baking cupcakes for us again this year. There will also be hotdogs.
  - Movie Night Under the Stars – Friday, June 9, 2017 – no movie has been selected yet.
  - Town Fair – Saturday, September 23, 2017 – parade @ 10:00 am, fair 11:00 – 3:00 pm
- X. Citizens Comments & Participation**
- a. Mr. Clark said the firemen are starting new training. Don't be alarmed if you see a truck in front of your house. We need more volunteers for administration and firefighting. We are also trying to get a grant to help buy more equipment.
  - b. Mayor Sutton said if there is anything the Town can post on our website or facebook page to let us know. He then thanked everyone for coming tonight.
- XI. Motion to Recess for Executive Session: 9:14 pm, CM Hatton motioned, CW Gorman seconded with unanimous vote.**
- XII. Motion to Convene Executive Session**
- a. In accordance to 29 Del. C. §10004 (b) (2) the Town Council will be meeting in executive session for preliminary discussions on site acquisitions for any publicly funded capital improvements or sales of real property.
- XIII. Motion to Close Executive Session & Re-Convene Council Meeting**
- XIV. Adjournment**
-