



Townsend Council Meeting Minutes September 5, 2018

7:30 pm - Council Meeting

- I. Call to Order: 7:30 pm
- II. Opening Ceremonies
 - a. Roll Call: Mayor Rudy Sutton, CW Lorraine Gorman, CW Cindy Cook, CM Steve High, CM Ed Dugan, TE Ed Van-Otoo, TA Fred Townsend, TC Cathy Beaver
 - b. Pledge of Allegiance: Pledge was said.
 - c. Recognition of Visitors: 9
 - d. Announcements: Mayor Sutton thanked all the guests who came out for the meeting.
- III. Additions/Deletions to Published Agenda:
 - a. CM High asked to delete 7a, 7b and 8e.
 - b. Mayor Sutton deleted 8a.
 - c. CW Cook deleted 8f.
 - d. CM High motioned, CW Gorman seconded with unanimous vote to accept the agenda with the above deletions.
- IV. Mountaire Farms – David Smith, Community Relations Manager
 - a. Mr. Smith introduced himself, Scott, the overall manager and Jaime Turner, the new manager of the grainary in Townsend. Jaime served 20 years in the army and has now joined our ranks. He thanked Council for having them attend the meeting tonight.
 - b. Mr. Smith said school and football has started, the autumn decorations are coming out and the grain is starting to be picked. Corn will start coming into the mill in 2-3 weeks and will create beeswings (dust). Beeswings isn't a scientific term but is part of the farming community. It is small pieces of chaff on the cob that floats in the air when it is going into the silos. Mountaire wants to be a good neighbor and we have purchased 500 car wash coupons. There are 2 coupons per book and we would like to put them in the Town Hall for the residents to have a free car wash if Council will permit us to do this. The books aren't quite ready yet, but we will bring them as soon as they are ready.
 - c. Mr. Haines said the biggest problem is the dew makes the beeswings stick to the vehicle in the mornings.
 - d. CM High said this is great, however, this is your car. What about the medical impact on people with allergies/asthma.
 - e. Jaime said he knows of no medical problems this causes and Scott said he has never heard of anything either.
 - f. Jaime added the silos have aspirators that collect 90% of the beeswings prior to the corn being sent on. Last year the aspirator was down, it has been fixed and is now up and running.
 - g. CM High said he is going to do more research to see if there are any medical issues.
 - h. Mr. Smith asked if anyone has ever reported any medical issues and CM High said he knows of none.
 - i. Jamie stated they will also do further research into this.
 - j. Ms. Albert asked if the hours will change.
 - k. Jaime said the hours will be from 7:00 am – 10:00 pm, Monday through Friday and 9:00 am – 10:00 pm on Saturday and Sunday, per Town ordinance, for the season.
 - l. Mayor Sutton thanked all the men for coming this evening and said this is a great jest for the residents.
 - m. CW Gorman said it is very nice and thanked Mountaire for sponsoring the movie night and the donation to the fair.
 - n. Mr. Smith said Mountaire tries to please everyone; we love our Towns and the #1 industry in Delaware is farming.
 - o. CM High thanked Mountaire for being a good neighbor and producing jobs; he also thanked Jaime for his service.
- V. Mayors Report
 - a. Discussion/possible vote on Brandon Austin Memorial Golf Tournament Donation
 - Mayor explained Austin and Bednash have had our snow plow contract for several years and have always been a good partner with the Town. Brandon, Mike's son, served in the military and passed away a year ago. This is the first fundraiser they have had in his honor and all funds raised will go toward the MHS JROTC in Brandon's honor. It is a golf tournament. I would like a motion for the Town to donate \$100.00 to this cause.

- CW Cook motioned, CM Dugan seconded with unanimous vote to donate \$100.00 to the golf tournament fundraiser.
- b. Discussion about Town complaints and Town complaint log
- Mayor Sutton explained that all of Council has a copy of the complaint log in their folder. He wishes to go over the log and determine who is responsible for each complaint the steps that have been taken to resolve the issue.
 - 300 Main Street – extremely overgrown back yard, has been going on for years. Must find a way to take care of this situation. He added we have no contact information for the homeowner and he will knock on the door to talk to them and get back to Council by Friday.
 - Waste Industries – several complaints about them picking trash up before 7:00 am; CW Gorman has talked to the new manager who wasn't aware of our noise ordinance and addressed it with her staff – resolved.
 - 626 Taylor Street – resident asking about getting a street light installed at the dead end of the street. CM Dugan rode by there; there is one light obstructed by trees; he is going to ask the state to put up a dead-end sign and cut back the vegetation. Will send a letter to the resident and knock on his door to talk to him.
 - CW Gorman asked about the camper in the back yard on Commerce Street where the generator runs all day and night.
 - Mr. Emsley said it is a mess there and campers aren't permitted by code. He added it was moved there by a resident on South Street.
 - Mayor Sutton said the first step is to let the resident know he has to move it and if not, he will be fined and billed for the Town to move it.
 - CW Gorman asked CM Dugan if the residents on W Founds Street are getting back to him with a resolution.
 - CM Dugan said he called after receiving the letter and made it clear it isn't a Town issue. The resident is responsible and has to fix the problem. He said he can't find anyone to fix it and CM Dugan said he can't recommend anyone; however, Artesian said there is no leak in their line.
 - Mayor Sutton asked if the resident buried a pipe for his sump pump.
 - CM Dugan said he doesn't know, he would have to go into their basement to see.
 - Mr. Emsley stated at the last meeting the infiltration basins were discussed; it wouldn't surprise me if the builder didn't tell the homebuyer they would be responsible for the ones in their yards. He recommended the Town find out which homes have these and notify the homeowners they are responsible for them.
 - Mayor Sutton said when he bought his new home the builder didn't tell him about them, but he knew about them. He added the problem is the homes are now re-selling and the new buyers are probably now aware of these basins.
 - There was a long discussion about what to do about this issue. CM High stated we have all the information in this building and doesn't think we should do all this research, would use a lot of manpower.
 - Mayor Sutton told Mr. McDonald that Rob Allen from Handler would be in Town tomorrow to look at the drainage/mud issue at Ginn and Gray Street and several other areas in the developments with the same problem.
 - TE Van-Otoo added he spoke with Rob about these issues last week. The rain is really keeping them from solving the issue, but they are going to take action to fix the problem permanently as soon as they can. They are adding more silt fence and added some stone at the entrance to help stop some of the runoff.
 - Mr. McDonald said it has been a problem for years and nothing has ever been done. He added the silt fence and stone isn't working; orange mud gushes in the road with every storm. It gets annoying when they send the street sweeper on dry mud and it cleans nothing and sends a dust cloud all the way across Main Street.
 - Mayor Sutton said he will talk to Rob again tomorrow.

VI. Reports

- a. State Police: Master Corporal William Walker: not here
- b. Representative Jeff Spiegelman: not here
- c. Town Attorney Fred Townsend III:
 - Talked to Mayor Sutton about a plan to follow to have Mark Sapperstein complete his punch list with the best results. TE Van-Otoo will help with this plan.
 - Last 2 months have had high attorney bills; next bill is only \$73.00.

- Mr. Haines stated there were 2 streets released to the state a short time ago and several areas on the streets collapsed last week. Hope the Town is having the streets inspected properly so it doesn't happen here.
 - Mayor Sutton asked TE Van-Otoo to look at an area on Karins Blvd; there is an area about 10 feet from a storm drain that appears to be collapsing. He showed it to the previous Town manager and he didn't do anything about it.
- d. Town Engineer Ed Van-Otoo:
- Talked to MS Development this week; they are very non-responsive.
 - Woods at Hidden Creek review should be submitted this week; minor revisions are done from our previous discussions.
 - Will send the flow chart to Council after TA Townsend reviews it.
 - Mayor Sutton said the developer at Hidden Branch has mentioned that they would be open to putting some things in the development; at what point do we need to put pressure on them to do this.
 - TE Van-Otoo said in the next step of the preliminary plans; it has to be done prior to building.

VII. Committee Reports

- a. Finance: Chair – Mayor Rudy Sutton - deleted
- b. Public Works: Chair – CM Ed Dugan
- No report.
 - Mr. Haines said the pot hole that was filled is caving in; he asked CM Dugan to call NCC Sewer and Artesian to see if there is a leak. He added there are stones in the middle of Caldwell Corner Road from the construction entrance into TVI that need cleaned up.
 - CW Cook asked TE Van-Otoo to remind the construction workers to use the construction entrance, not Edgar Road.
 - Mr. Willis asked if the flow chart process has changed as he has a religious group interested in buying his land. They want to build a mosque.
 - TE Van-Otoo said he isn't aware of a process.
 - Mayor Sutton said there is a process which RVE created 2 years ago but it was never voted on with the changes made.
 - TE Townsend added there is a code section dealing with minor land development.
- c. Land Use & Development: Chair – CW Lorraine Gorman
- The Planning Commission sent a notice out with the trash billing; it's a survey asking residents for input/suggestions/ideas on how the Town should move forward in the future. A link is on the website; new website just went live Tuesday. The PC is working on updating the Comp Plan; now is the time for change. The website has additional links and is more user friendly; email any suggestions. The state provides this service (revising websites) to municipalities for free.
- d. Veterans Committee: Co-Chairs – CW Cindy Cook & CM Steve High
- American Legion usage of 661 South Street
 - I. CM High introduced Ray Abbott, the former commander of the American Legion who has always supported the Town. They are having problems with their meeting site; they purchased property in 2006 on Rt. 13 just south of Boyd's Corner and haven't been able to raise the money to build yet. They have been holding meetings at the old NCC police station in Middletown and were recently told the building is going to be leveled. Thought we could let them use the old Town Hall for their meetings, etc. We pay the taxes on it even though we don't own it. We met last week at the VA Hospital and talked about this. He stated he isn't looking for a vote on this.
 - II. Mr. Abbott thanked Council for having him. He said the last 4 years the American Legion has been using the building in Middletown. It is now going to be gutted for a paramedic site. We need office space to conduct daily business and a meeting place for our monthly meetings. I just wanted to get the word out in case anyone knows of somewhere we could go. Would like to also mention that 9 years ago the legion worked with the Town and General Vavala and put on the greatest Veteran recognition ceremony ever held in this state. General Vavala still talks about it.
 - III. CM High assured Mr. Abbott that Council would discuss this.
 - IV. CW Gorman asked when the legion meets and was told the 2nd Wednesday each month.
 - V. CW Cook asked how many people attend these meetings and was told 10-15 members usually come to the meetings but there are 250 members. We also anticipate we will have a new legion building built on Rt. 13 within the next 2 years.

- VI.** CW Gorman said she doesn't think the old Town hall would be good; not sure about the safety of the building; the roof may leak, etc. and it isn't handicap accessible. You could possibly meet here.
 - VII.** Ms. Albert said this is the same night as the PC meetings, but the PC could meet upstairs, and it would also eliminate a Council member having to be here as we could let them in and out. The legion could use this room; the only issue may be when we have a public hearing.
 - VIII.** Mr. Abbott said we meet from 7:00-8:00 pm and with a couple days' notice we could change the meeting place.
 - IX.** Mayor Sutton suggested also calling the Appoquinimink School District; they have lots of property. He added Council will discuss this and get back to him.
 - e. Public Safety: Chair – CM Steve High - deleted
 - f. Community Relations: Chair – CW Cindy Cook - deleted
 - g. Parks & Recreation: Chair – CW Lorraine Gorman
 - Annual Town Parade & Fair – 9/22/18
 - I.** 100 vendors are signed up for the fair; the deadline is Friday.
 - II.** Food vendors are already shut off; lots of varieties with the vendors this year and many new ones this year.
 - III.** Inflatables being sponsored and manned by Mission Church again.
 - IV.** Advertising for the fair will be in the Middletown Transcript the week prior to the event. Mr. Mace is also publishing an article about the fair.
 - V.** Waiting for confirmation from the state police.
 - VI.** Added some new contests for the kids; limbo is replacing the dance contest.
 - VII.** Still looking for parade participants.
 - VIII.** Appo and MHS National Honor Society have volunteered again this year
 - IX.** Volunteer of the Year Award
 - a. Please send nominations to Cathy by Friday; the award will be presented at the fair.
 - Christmas Caroling in the Park – 12/9/18
- VIII.** Citizens Comments & Participation:
 - a. Mr. Emsley asked if the state police are our force in Town and do we pay them for the service and was told yes.
 - b. Mr. Abbot said the American Legion has 2 vans parked at the site in Middletown which he uses to take veterans to the VA hospital or any appointments they may have. No one else wants to come south of the bridge. Had the DAV van in the parade last year.
 - c. Mr. Willis said the mosque offered him \$800,000 for his property and he bought 10 acres at the end of his property to build on.
- IX.** Motion to Recess for Executive Session: 8:55 pm, CW Cook motioned, CM Dugan seconded with unanimous vote.
- X.** Motion to Convene Executive Session:
 - a. In accordance to 29 Del. C. §10004 (b) (4) the Town Council will be meeting in executive session to discuss personnel matters.
- XI.** Motion to close Executive Session & Re-Convene Council Meeting
- XII.** Adjournment:
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