

TOWN OF TOWNSEND
January 5, 2011
Public Hearing @ 7:00 pm
Council Meeting Minutes @ 7:30 pm
@ Townsend Fire Hall
107 Main Street

7:00 pm – Public Hearing

- I. Call to Order:** 7:09 pm
 - II. Roll Call:** Mayor John Hanlin, Councilwoman Sandy Sturgis, Councilmen John Ness and Steve High, Attorney Fred Townsend, Engineer Tom Wilkes, Secretary Cathy Beaver
 - III. Third & Final Reading: Ordinance No. 12 – Revision #4 – Trash Collection**
 - a. Ness motioned, Sturgis seconded to read by title only.
 - b. In the discussion Ness stated this amendment was done to add a cap to the late fees accrued yearly.
 - c. Vote: ayes – unanimous.
 - d. Ness motioned, Sturgis seconded with unanimous vote to adopt ordinance no. 12, revision #4.
 - IV. Third & Final Reading: Ordinance No. 10-08 - Commercial Impact Fees**
 - a. Sturgis motioned, Ness seconded to read by title only.
 - b. In the following discussion Hanlin stated the Town has an ordinance for new permits for residential building and we needed one for commercial building.
 - c. Tom added that there are several commercial properties coming to Town that will be developed in the future.
 - d. Vote: ayes – unanimous.
 - e. Sturgis motioned, Ness seconded with unanimous vote to adopt ordinance 10-08.
 - V. Adjournment:** 7:14 pm.
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7:30 pm – Council Meeting

- I. Call to Order:** 7:32 pm
- II. Opening Ceremonies**
 - a. Roll Call: Mayor John Hanlin, Councilwoman Sandy Sturgis, Councilmen John Ness and Steve High, Attorney Fred Townsend, Engineer Tom Wilkes, Finance Officer Azure DeShields, Secretary Cathy Beaver. Councilwoman Karen Jennings arrived at 7:45 pm.
 - b. Pledge of Allegiance: Pledge was said.
 - c. Recognition of Visitors: 11 visitors and residents, thank you for coming.
- III. Additions/Deletions to Published Agenda:**
 - a. Sturgis asked to add Town equipment under new business, a.
 - b. Sturgis asked to add Town manager under unfinished business, b.
 - c. Sturgis motioned, Ness seconded with unanimous vote to approve the agenda with the additions.
- IV. Council Minutes – December council minutes approval**
 - a. Sturgis gave Cathy a change to the minutes under the fire hall report.
 - b. Sturgis motioned, Ness seconded with unanimous vote to approve the minutes with the above change.
- V. Townsend Fire Company President Andy Hall – Councilman John Ness**
 - a. Hanlin introduced Andy Hall, President of the Townsend Fire Hall.
 - b. Andy said he received an email from Councilman Ness several weeks ago about residents in TVII East (Rt 71) that had concerns about a fire truck driving around trying to get to a fire in TVII West (Wiggins Mill).
 - c. The fire truck that was driving around in the wrong side of TVII trying to get to the fire on the other side was from Smyrna.
 - d. Andy assured the residents that the Townsend firemen and women know our area. Most of them have lived in the area their entire life. Andy said he has been a volunteer here for 30 years, is a past chief and serving his fourth term as President. Our drivers are also very seasoned, must be a volunteer for 4-5 years before you can drive the equipment.
 - e. There are also maps that are continually updated and distributed to everyone including Towns that assist us when needed. All towns have maps of their Towns, and we all do them differently.

- f. The fire in TVII West was fully involved by the time the 911 call was received. All that was still standing were the outside walls. The roof and floors were all in the basement. That is all Andy would say about the fire as it is still being investigated.
- g. Andy commended the council for changing the name of TVII to TVII East and TVII West. It was the right move for responders. Always keep in mind, we are human though, and we do make mistakes.
- h. Whenever the fire hall gets a call, first thing they do is look at their map book so they know exactly where to go. Out books have the addresses also. This book is updated every 2 months.
- i. Andy advised that if anyone ever has to make a 911 call, always give cross streets if possible.
- j. We also use the ADC map book which covers the all the Towns and is identical to our books except it doesn't have addresses. Andy stated when he assists with neighboring fires he uses this book.
- k. The new building is really coming along. He wanted to remind residents the fire hall was only out of service for 5 hours after the collapse of the old building. Pine Tree Transfer Station let us park equipment there as did a private citizen on Harris Road who let us use his hanger.
- l. He stated this has been a gruesome year and he has learned a lot about insurance. They will only pay to replace what was here, anything extra the fire company has to pay for. We also lost \$300,000 in real property and \$400,000 in personal property and equipment that they won't pay us for. We even have the documentation that it was here.
- m. We were able to get a 1.2 million dollar construction loan. We will not use one penny more of it than we have too. With the community being very generous to us and the fundraisers we have raised 2 million dollars.
- n. Every year the fire hall adopts a needy family for the holidays. TES gives us the family. The volunteers buy all the gifts and food from our own pockets; we don't use fire hall funds. This year our family got evicted the week before Christmas. With the money we collected we were able to get them back into their trailer and with the help of Smyrna and Clayton we were able to give them a very nice Christmas.
- o. Andy said they hope the construction is done by the end of March and hope to be back in business by June. Right now the brick is the holdup, weather isn't co-operating. We didn't have brick before so we have to pay for the brick. They will start dry walling the interior this week.
- p. He thanked Council for all they have done to help.

VI. Unfinished Business

- a. Town Hall – Councilwoman Karen Jennings
 - i. Tabled to January workshop.
- b. Town Manager – Councilwoman Sandy Sturgis
 - i. Sturgis asked what is going on with this position, are we going to move forward or what?
 - ii. Jennings said it is up to Councilman High as head of HR.
 - iii. Hanlin stated it is up to Council as a whole, the position has been approved already.
 - iv. Jennings asked High if we are moving forward.
 - v. High said he thinks we need to decide to re-post the ad.
 - vi. Jennings said we just need to move forward, we have received several applications.
 - vii. Hanlin said he received several applications and passed them onto High, one of them has some experience, the other doesn't and we'll leave it at that.
 - viii. Jennings stated since High is HR and the team lead on hiring a town manager, can't we just move forward.
 - ix. High said he agrees and asked Sturgis if there was something that...
 - x. Sturgis said no, it's been out there and she just wants to know where we are with it.
 - xi. High stated he has 2 resumes he just received, we voted to hire a town manager and we'll continue that process until we find someone for the position.
 - xii. Sturgis asked about advertising. If we are going to run the same ad, she has issues with the qualifications.

- xiii.** Jennings said it was approved and Sturgis said she can still have issues with it. Because of the 4 years of college requirement, she feels we may have missed out on some qualified people who have the experience.
- xiv.** Ness asked if we could use alternative outlets to place the ads.
- xv.** Hanlin stated at the last meeting it was discussed the possibility about going through headhunters or employment agencies.
- xvi.** Sturgis said they pick the ad up through the paper.
- xvii.** Torie suggested we give the ad enough time to use the entire free 30 days online running the ad.
- xviii.** Mr. Rocke suggested from past experience, council should put a deadline on themselves on when to pick someone. How many people did you lose last time because it was so stretched out for months?
- xix.** Hanlin said it wasn't stretched out, we interviewed, then did second interviews and the one we decided on, once he completed the application process, it didn't work out. We do set guidelines for ourselves.
- xx.** After much discussion, Jennings motioned, Sturgis seconded with unanimous vote to post the same ad ran previously in the News Journal on Sunday the 16th and 23rd and Friday the 14th and 21st, and the Transcript for the next 2 weeks. With the ad it will also be on Delaware Online for 30 days.
- xxi.** Sturgis asked Council if all could meet on Wednesday, January 26 at the Town Hall at 7:30 to review the resumes received and all agreed. This meeting will be posted as an executive session

VII. New Business

- a. Town Equipment – Councilwoman Sandy Sturgis
 - i.** Sturgis motioned, Jennings seconded to buy two fire safe filing cabinets for the office.
 - ii.** In the discussion, Sturgis said it is the law to keep homeowner files in fire safe filing cabinets.
 - iii.** High asked what the fire safe requirements are. Ness asked that we look into the requirements before purchasing the cabinets.
 - iv.** Hanlin asked that if the cabinets are more than \$1,000.00 each, contact council before purchasing them.
 - v.** Vote – unanimous.

VIII. Reports of the Officers

- a. State Police: Lt. LaMarche
 - i.** State has done a great job getting the news out about hands free driving. With fees and taxes, the first fine will be \$106.00.
 - ii.** Caught some young men from Middletown in the parking lot of TES who were getting ready to shoot windows out at the school.
 - iii.** Two recent fatalities in Middletown recently, 1 at Boyd's Corner, 1 on 896. Both were young kids, both accidents were avoidable. Worst thing a policeman has to do is knock on a door and tell someone their loved one will not ever be coming home again.
 - iv.** During storms, we prepare ourselves to be able to get to the people in need. Work with DelDot, Fish and Wildlife, have access to 4 wheelers.
 - v.** Thanked Target at Christiana Mall. They gave us \$2,500.00 in gift cards to shop for needy kids. Was very rewarding to do.
 - vi.** Jennings stated there are new regulations from homeland security during bad storms and state of emergency. Are the police enforcing these rules?
 - vii.** Lt. L. said they do enforce the laws and the troopers all have a lot of discretion. There were no issues last year.
 - viii.** Tori asked if a new young driver has a novice driver sticker on their car, are the police targeting them to pull over.
 - ix.** Lt. L. said absolutely not, he thinks the stickers are a great idea.
- b. State Representative: Quinn Johnson:
 - i.** Go back into session January 11 until June.
 - ii.** Please follow along what is going on in legislation, call me, email me with any issues. There is also a website that lets you follow what is going on.
 - iii.** Once in session, several issues that will be coming up will be adding more casino's and cell phone issues.

- iv. Will be sending out another questionnaire, please fill it out and send it back to me.
 - v. Special election coming up on 1/13/11 for NCC President. Normal polls will be open, please vote, 2 candidates are Kim Sheldon and Tim Kovack. School will not be closed.
 - vi. Jennings asked who is going to chair the joint finance committee.
 - vii. Quinn said he doesn't know who will be the chair but knows some of the new members on the committee. He told Jennings he will send her an email. The house has already appointed their members; the Senate has not appointed theirs yet.
- c. Townsend Fire Department:
- i. Keith Shoemaker wished all a Happy New Year. Really no news, Andy filled you in on everything.
 - ii. Tori asked if they still had t-shirts for sale. Keith said he will check.

IX. Reports

- a. Fred Townsend III, Attorney: Nothing to report.
- b. Tom Wilkes, Engineer: Nothing to report.
- c. Tom Wilkes, Interim Town Manager:
 - i. Not a lot has been going on.
 - ii. Jennings said the handicap ramp on the gazebo looks really good and asked about the rails. Tom said they will be done when the weather breaks.

X. Committee Reports

- a. Finance Committee: Chair – John Hanlin, II:
 - i. We are addressing issues from the auditor who will be at the workshop. Azure and I have discussed the issues.
 - ii. Total assets - \$3,771,495.17, total liabilities & equity - \$3,740,421.95.
- b. Streets Committee: Chair - John Hanlin, II:
 - i. Hanlin asked Tom if the changes to the streetscape were given to DelDot yet and Tom said yes.
 - ii. Hanlin said he received an email from Sapperstein, MS Development. He states he will start working on or before 3/15/11 to repair curbs, top coat phase II and III, replace trees as needed, top soil and grade open areas and finish any other work needed.
 - iii. Hanlin says we now have it in writing, all depends on weather and financing and Tom added track record. Hanlin said it is a good step, he is at least communicating with us.
 - iv. Had several compliments on how quickly the streets were cleaned after the storm over Christmas. Thank you to Austin & Bednash who got the contract.
 - v. Ness asked if we could remind residents to move their cars off the streets when they know we will be getting snow accumulation.
 - vi. Hanlin agreed it makes it much easier to plow the roads. He said the only road that was bad was South Street which is state maintained. Dwain said he went down it once several days after the storm.
 - vii. Tori asked if the roads in her development were even plowed (sarcastically).
 - viii. Hanlin said the Town doesn't plow TVI or TVII; they have not been turned over to the Town yet.
- c. Storm Water Management Committee: Co-Chairs – Sandy Sturgis and Steve High: Nothing to report.
- d. Zoning Committee: Chair - Sandy Sturgis: Nothing to report.
- e. Health & Public Welfare Committee: Co-Chairs – Sandy Sturgis and Steve High: Nothing to report.
- f. Energy & Environment Committee – Chair – Karen Jennings:
 - i. Townsend Wildlife Habitat Project: Nothing to report.
 - ii. Light Pollution Ordinance: Table to workshop, 1/19/11.
 - iii. Jennings said the first astronomy night was clouded out. She is planning to have another one the next full moon. She thanked Principle Sheppard for supporting her and getting the children involved in this project.
 - iv. Jennings said she wrote a feature article called “Why should I care for Astronomy” for Astronomy Magazine which is in the February issue. It's really cool, and everyone

- v. should check it out. The astronomy outreach program is very important for science and navigation.
- g. Veteran Affairs Committee – Co-Chairs – Karen Jennings and Steve High: Nothing to report.
 - i. Project 19734 Soldier Support: Nothing to report.
- h. Police Committee: Chair – John Ness:
 - i. Townsend Community Watch –
 - ii. Ness stated we have only received 20% of the reverse 911 forms back. The information will be passed onto Kristen Krenzer to put in the system. Please send the forms back in.
 - iii. If you see anything suspicious, call 911, if you have any issues, please let me know.
- i. Parks & Recreation Committee - Co-Chairs – Sandy Sturgis and Steve High:
 - i. Park coming along well. Only trees left to plant are along the Konox box. Hanlin asked what we are going to do with the Konox box. Sturgis said for right now she is just moving it over to finish the planting until Council decides what to do with it.
 - ii. Delmarva gave us poles to use around the park, it has been suggested we still use the poles with chains and put them around the parking lot by the contractor doing the trees.

XI. Announcements:

- a. No announcements. Hanlin thanked the fire company for permitting us to use the hall again for meetings.

XII. Citizens Comments & Participation:

- a. Dwain told Council there is a new manager at the grainary.
- b. Mr. Rocke stated the Town seems to have a lot of problems collecting money for trash and wanted to know what is being done about it. He stated the secretary obviously doesn't have a lot of pull.
- c. Hanlin explained the process, once someone is behind, we send out a "nice" letter, then our attorney sends out a "nice" letter, then a lien is filed against the property. We pay the trash company monthly, we bill quarterly.
- d. Mr. Rocke asked if it is successful.
- e. Hanlin said for the most part yes.
- f. Sturgis stated once people get our or Fred's "nice" letter, most call and start payments.
- g. Ness added we have just started sending the bills out separately with an invoice sticker on the outside so people won't throw them away. We are also working on getting online payments set up.
- h. Fred added that he thinks the Town is doing everything possible to collect funds that are cost effective. We do receive large sums of money from people on a pretty regular basis, sometimes through the re-finance or sale of their property. The lien system is very effective. To sue people individually would cost the Town a lot of money, wouldn't be cost effective. From my experience working with other Towns, Townsend is doing everything right and having better success than other towns.
- i. Jennings motioned, Ness seconded with unanimous vote to go into executive session about HR issues after a 10 minute break.

XIII. Adjournment: 9:05 pm, Sturgis motioned, Jennings seconded with unanimous vote.

THE AGENDA ITEMS AS LISTED MAY NOT BE CONSIDERED IN SEQUENCE. THIS AGENDA IS SUBJECT TO CHANGE TO INCLUDE THE ADDITION OR THE DELETION OF ITEMS, INCLUDING EXECUTIVE SESSIONS WITH THE TIME TO BE DETERMINED