

TOWN OF TOWNSEND
February 2, 2011
Council Meeting Agenda @ 7:30 pm
@ Townsend Fire Hall
107 Main Street

7:30 pm – Council Meeting

I. Call to Order: 7:30 pm

II. Opening Ceremonies

- a. Roll Call: Mayor John Hanlin, Councilwomen Sandy Sturgis and Karen Jennings, Councilmen John Ness and Steve High, Attorney Fred Townsend, Engineer Tom Wilkes, Finance Officer Azure DeShields, Secretary Cathy Beaver.
- b. Pledge of Allegiance: Pledge was said.
- c. Recognition of Visitors: 9 present

III. Additions/Deletions to Published Agenda: None.

IV. Council Minutes – January council minutes on back table (approved at workshop)

V. Unfinished Business

- a. Town Hall – Councilwoman Karen Jennings
 - i. Jennings stated she wanted to allocate the entire meeting, either the 2/16/11 workshop meeting or a separate meeting to the Town Hall project.
 - ii. Hanlin asked if Jennings wanted to do it at the workshop, or a separate meeting.
 - iii. Jennings asked Tom how much time he felt they needed.
 - iv. Tom suggested to move forward he bring in an architect to get feedback from Council on expectations, size, etc. He could then put a concept plan together and present it to Council. That way Council could get an idea of what this building could look like, what it would cost and what direction Council wants to go. Tom also believes he may be able to get an architect to do this at no charge as a marketing approach, in hopes he may have a job down the road. Tom stated a two hour meeting would probably be enough. Have heard rentals may not be a good option and buying property could be cost prohibitive as well.
 - v. Jennings again asked Council if they would allocate the workshop to this.
 - vi. Hanlin stated it would be fine with him as long as we don't pile too much more on top of it. Other business will have to be handled for sure so it's a matter of getting into it and discussing it.
 - vii. Tom said it could be a separate meeting or this could be the only item on the workshop agenda.
 - viii. Sturgis said she thought a committee was set up to look at all the options rather than just building a new hall.
 - ix. Jennings said this is a function of that committee.
 - x. Sturgis said she would rather not do this at the workshop, workshops are already long enough.
 - xi. Jennings said that is why she wants this workshop dedicated to discussing the Town Hall. She asked if there is anything pressing on the workshop.
 - xii. Ness said he has a guest from Delaware.net coming to do a presentation on what they can do for us with online payments. They work with many municipalities. I have already confirmed with him to speak at 7:00 pm.
 - xiii. Jennings asked if he was confirmed for that time.
 - xiv. Hanlin asked how much time he will need.
 - xv. Ness didn't give him a time limit but imagines it won't be more than 15 – 20 minutes.
 - xvi. Hanlin stated he has no issue with this gentleman coming and doing his presentation and then as long as council decides nothing else will be discussed except the town hall, obviously it is their decision, I have no say in the matter. These could be our two line items on the agenda.
 - xvii. Jennings said she will hold all her committee reports.
 - xviii. Hanlin asked if this is Council's wishes.
 - xix. Jennings said she thinks it is the best, they will all be together, and it's a good opportunity.

- xx.** Sturgis said she disagrees, the workshop is set up to discuss what is going to happen in the next Council meeting and any other business that comes up in between.
- xxi.** Jennings said no business is coming up and nothing is allocated for that meeting and she is comfortable holding her reports. She asked if everyone else was comfortable holding their reports.
- xxii.** Sturgis stated Jennings normally does hold her committee reports and she may have something coming up. That's not the issue, I feel you set up this committee, and you should hold a committee meeting.
- xxiii.** Jennings stated again that this is a function of the committee and the workshop can be dedicated to this and we're all volunteers, we already have this time scheduled to be together, thought it would be a good opportunity to discuss it and not tie anyone up on another night.
- xxiv.** Hanlin asked Tom what he basically needs from Council for the engineer. Is it just their needs and wants and desires for what the new building should consist of. He also asked how long the architect would take.
- xxv.** Tom said yes; think it would be good for Council to have an idea what the cost would be. Also research other options, get feedback, have public hearings. Would kind of be like the streetscape project.
- xxvi.** Jennings stated the streetscape was certainly discussed often at workshops.
- xxvii.** Hanlin asked Ness for comments.
- xxviii.** Ness said as long as we can be concise and not take over any other workshop items it should be OK. I will confer with the gentleman again and tell him to limit the presentation to 15 – 20 minutes. I am OK with doing this.
- xxix.** High said he is open for further discussion on construction or whatever for the Town hall. It doesn't have to take 2 hours, may only take 45 minutes, am clearly open for continued dialog/discussion on it either at the workshop or a separate meeting.
- xxx.** Hanlin has moved the discussion on the Town Hall to the workshop.
- xxxi.** Tom stated if everyone brought their ideas to the workshop it would expedite things and the architect doesn't have to be at the workshop.
- xxxii.** Hanlin said he would like everyone to bring their ideas to this meeting.
- xxxiii.** Jennings said they have voted on the initiative, need to move forward.
- xxxiv.** Hanlin agreed, but wants everyone to decide if they want to spend the money this budget year.
- xxxv.** Vote to discuss the Town Hall at the workshop – ayes – Jennings, Ness and High, Nay - Sturgis. Motion carried.

b. Online Bill Payments – Councilman John Ness: discussed earlier.

VI. New Business

- a.* Maintenance Position – Councilman Steve High
 - i.** High motioned, Sturgis seconded with unanimous vote to advertise for a maintenance position for the Town. The ad will be run in the News Journal on Sunday 2/13 and 2/20 and Friday 2/18 and 2/25. It will also be run for 2 weeks in the Middletown Transcript, weeks of 2/14 and 2/21. Resumes must be in the Town Hall by 4:00 pm on 2/28/11.
- b.* Purchase of laser color/black & white printer and laptop/netbook – Councilman Steve High
 - i.** High motioned, Ness seconded to purchase a color/black and white duplex laser printer and a laptop for the office.
 - ii.** In the following discussion Jennings asked if there had to be a motion.
 - iii.** Fred stated if it is over \$500.00 there should be a motion.
 - iv.** Ness asked the reason for purchasing a printer.
 - v.** Azure stated when we have to print mass mailings in color; we are spending a lot of money on the ink.
 - vi.** Ness asked why we needed a laptop computer.
 - vii.** High replied primarily for the secretary (or whoever) to take minutes at the meetings and whatever else the office needs it for. It will bring us to 2011.
 - viii.** Jennings asked what happened with the laptop for the new potential manager.
 - ix.** Hanlin stated a desktop was put in for the new hire.
 - x.** Sturgis asked for a dollar amount to be added to the motion.

- xi.** High amended the motion to include the purchase for both to be less than \$2000.00. Ness still seconded the motion.
- xii.** Vote – ayes unanimous.
- c. **Yard Waste Ban-IDS Proposal – Mayor John Hanlin**
 - i.** Hanlin stated a yard waste ban went into effect on 1/1/11 state wide. He met with Allen Thienpont, the new general manager of IDS this week to discuss this and get ideas and figures for additional pickups if Council chooses to. There are other options available; an on call pickup is one option.
 - ii.** Mr. Thienpont put together a proposal for us. For a once monthly pickup of yard waste for the months of April through November with a one day pickup of Christmas trees in January (date to be agreed upon by Council), it will cost an additional \$2.36 per month per resident, spread over 12 months. This rate does not include the Christmas tree pickup in January. IDS would also offer on call pickup for residents in between the monthly service day.
 - iii.** Hanlin said we could add this to the workshop for additional discussion if Council wishes, but we obviously need to have a decision made by March.
 - iv.** Jennings said we should make a decision now.
 - v.** High asked if we're asking to increase the quarterly trash bill and making it a \$60.00 trash bill. Also, who would bill for on call pickups at \$20.00 per pickup.
 - vi.** Hanlin stated they had not discussed this.
 - vii.** Mr. Thienpont said IDS would bill the Town for on call pickups and we would have to bill the residents. Residents would have to call the Town and we would schedule the pickup with IDS. He also pointed out that the Town has to keep recycling in mind, it will be mandatory in September and no one has a choice about it.
 - viii.** Hanlin said this is strictly an option.
 - ix.** Jennings said not everyone has yard waste.
 - x.** Quinn pointed out that yard waste can still be taken to Pine Tree Transfer Station, any yard waste and you are charged by weight, it is relatively cheap.
 - xi.** Hanlin stated we don't want people dumping the yard waste wherever...
 - xii.** Jennings stated we can state it very clear guidelines in the newsletter, she doesn't want additional cost for yard waste to our residents. She will not support this as many people don't have any yard waste and recycling will increase the cost anyway.
 - xiii.** Dwain Haines said he only puts 4 cans of trash out a year, he recycles everything else and still has the quarterly trash bill, doesn't believe he should also have to pay more for recycling.
 - xiv.** Quinn stated with mandatory recycling there will be much less trash taken to the landfills, therefore reducing that price for IDS and other trash haulers. No offense to IDS, that's who I also use, but the Town will have a right to change haulers, put out bids if the price doesn't stay competitive.
 - xv.** Ness asked if IDS could give us a percentage of residents that put yard waste in the trash.
 - xvi.** This would be impossible as it is put in bags and you can't see what it is.
 - xvii.** Hanlin added that we currently get a better rate for trash pickup because we are right here, IDS is right here in Town. These are just some options I wanted to bring to Council.
 - xviii.** High asked if there were a deadline for this.
 - xix.** Hanlin said no, he only said March because people will be cutting grass in April.
 - xx.** Jennings asked Fred if we could get a decision by general consensus now.
 - xxi.** Fred said he highly recommends a public hearing if we are going to do this and charge the residents.
 - xxii.** Jennings stated she absolutely does not support doing this. Want a decision made now.
 - xxiii.** Kevin Bowers asked about letting residents opt in or out of this additional service.
 - xxiv.** Mr. Thienpont stated his guys would have no idea who participated and would pick up from anyone who had yard waste out.
 - xxv.** Hanlin agreed this would not be feasible to keep track of.

- xxvi.** Mr. Bowers asked about designating several places in Town where residents could drop their yard waste off. As an example, there are open spaces at the back of TVI and TVII that could be used.
- xxvii.** Mr. Thienpont stated they have done this in other Towns. The problem is people put their trash and everything else in these spots also.
- xxviii.** Jennings said this is a Council decision.
- xxix.** After more discussion, Sturgis motioned, Ness seconded with unanimous decision to hold a public hearing at 7:00 pm on March 2, 2011 before the council meeting to get residents feedback.
- xxx.** Sturgis will also have recycle information at the public hearing.
- d. Park Tree Warranty – Mayor John Hanlin**
 - i.** Hanlin said he is bringing back to the table the park tree warranty for discussion. Council had voted to have a 2 year warranty on the trees and he has the check for that in his folder, however, some of Council has had second thoughts, wondering if a 1 year warranty would be sufficient. Also have a check in the folder for this amount.
 - ii.** Ness asked how much the second year would cost and Hanlin said the same amount, \$5,700.00.
 - iii.** Ness asked how much it would cost per unit to replace a tree.
 - iv.** Sturgis said the warranty on each tree is \$50.00 and the trees are over \$100.00 each.
 - v.** Ness asked how many trees we planted and Sturgis said 229. She added that the first time we planted 78 trees and lost 38 of them for various reasons.
 - vi.** Mrs. Maliska asked if the Town has plans for underground sprinklers.
 - vii.** Hanlin and Tom said they weren't part of the original plan but something that could be added later on.
 - viii.** Tom added there is water at the park for future use, and have yard hydrants now that could be used.
 - ix.** Sturgis said if the trees make it the first year, chances are we won't have any problems with them. The first year is the most critical.
 - x.** Fred also added that the warranty doesn't protect against over/under watering or pest or disease infestation after 6 months, or abuse of the tree.
 - xi.** Ness motioned and Sturgis seconded to purchase the 1 year warranty on the trees and opt out on the 2 year warranty.
 - xii.** Jennings asked if we feel in danger of losing \$5,000.00 in trees next year.
 - xiii.** Hanlin said no.
 - xiv.** Jennings then asked why we are doing this, it's stupid.
 - xv.** Sturgis said we already signed a 2 year warranty, now we want to change it and purchase the 1 year warranty and opt out of the 2 year warranty.
 - xvi.** Fred explained that is correct. After speaking with the contractor, I feel we should buy the 1 year warranty. It is consistent with our contractual obligations.
 - xvii.** High said there is confusion here; the contract gave the option to sign a 1 or 2 year warranty, or have no warranty at all. The contract didn't state we had to purchase a warranty, but we chose to sign a warranty agreement.
 - xviii.** Fred stated that is correct, but while talking to the contractor, I found he adjusted the price of the trees down because we chose to sign a 2 year warranty. There is no obligation to sign a warranty, but I feel it is appropriate to sign the 1 year since he reduced the price of the trees.
 - xix.** Hanlin called for a vote: ayes – unanimous.
 - xx.** Jennings asked Hanlin to note Sturgis wasn't here for the vote.
 - xxi.** Hanlin noted for the record that Councilwoman Sturgis had stepped out and wasn't here for the vote.

VII. Reports of the Officers

- a.** State Police: Lt. LaMarche: Not here
- b.** State Representative: Quinn Johnson:
 - i.** Back in session. Governor has introduced the 2012 budget. It will be a lot of work. Want to keep our triple AAA bond rating in case we need bond money. Many states don't have this rating.
 - ii.** Delaware unemployment at 8.5 %. Need to work on job growth.

- iii. Medicaid is up; approximately 1 in 4 Delawareans are getting aid right now because of the lower revenue.
 - iv. School enrollment rising.
 - v. In 2011 there is an extra pay period which means a larger payroll.
 - vi. State wide, the total demands on the budget for 2011 is 292.9 million dollars.
 - vii. We aren't proposing any tax increases.
 - viii. There will be cuts in health and pension benefits for new state employees. Other reductions are being made to farm land preservation, open space, higher education, contractual services for Deldot services and health services, school transportation, charter school transportation, prison funds. These are some examples of cuts being made, many more.
 - ix. Still need to ensure the quality of education and keep the small class sizes.
 - x. A lot of capital improvements will be happening also.
 - xi. Casinos will be back on the agenda.
 - xii. Vo-Tech Schools being merged into 1 large district on the agenda.
 - xiii. Please go to my website to give me feedback: quinnjohnson.org.
 - xiv. Jennings and several residents had question for Quinn on different issues.
- c. Townsend Fire Department: Keith Shoemaker
- i. Keith stated it has been quiet, the building is moving along.
 - ii. Dwain added that Spring Fling tickets are on sale again. He has them if anyone is interested. The drawing will be 6/18/11.

VIII. Reports

- a. Fred Townsend III, Attorney:
- i. Things have been quiet.
 - ii. Have been working on routine matters involving trash collection, sending out letters, removing or attaching liens.
- b. Tom Wilkes, Engineer: Nothing to report.
- c. Tom Wilkes, Interim Town Manager:
- i. Beaston Counter-offer: Beaston originally offered to sell the land to us for \$45,000. The Town countered with a \$10,000 offer. Beaston has countered our offer with \$30,000. He said this is what he paid for the property.
 - ii. Hanlin asked Council if they wanted to counter again.
 - iii. Fred clarified the lot isn't big enough to build on, yet is valuable to the Town as another entrance into the park. He said an alternative to buying the lot would be to negotiate easement rights with Mr. Beaston.
 - iv. Council decided to not counter offer at this point, to let it sit for a while.
 - v. Tom said Diamond State motors was supposed to have the zoning changed on the property from residential to commercial with the comprehensive plan update. This was promised to him when he annexed into Town. There was a meeting with the PLUS committee and they have approved this change. The Town should receive the paperwork soon.

IX. Committee Reports

- a. Finance Committee: Chair – John Hanlin, II:
- i. Total Assets: \$3,022,227.48
 - ii. Total liabilities & equity: \$2,991,154.26
 - iii. Hanlin said Council met with the Town auditor at the workshop and have the report on their findings and how to approve things. It is at the office if anyone would like to see it.
- b. Streets Committee: Chair - John Hanlin, II:
- i. Hanlin reminded residents to clean their sidewalks within 12 hours of a snowstorm ending per ordinance #11.
 - ii. Austin and Bednash did a great job plowing our roads; Deldot did a great job on Main Street. There were several minor problems that have been/are being taken care of.
 - iii. Dwain stated he is usually still working 12 hours after a storm, but cleans his sidewalk as soon as he can.
 - iv. Hanlin stated Council will look into this.
 - v. Mrs. Maliszka stated many people don't do their sidewalks at all.

- vi. Hanlin stated this is the same as the mowing ordinance, if the people don't do it the Town will send someone to do it and charge the homeowner.
- 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: Nothing to report.
 - i. Townsend Wildlife Habitat Project
 - ii. Light Pollution Ordinance
- g. Veteran Affairs Committee – Co-Chairs – Karen Jennings and Steve High: Nothing to report.
 - i. Project 19734 Soldier Support
- h. Police Committee: Chair – John Ness: Nothing to report.
 - i. Townsend Community Watch -
- i. Parks & Recreation Committee - Co-Chairs – Sandy Sturgis and Steve High:
 - i. Sturgis stated she just received the contract from ERV to cut the telephone poles and put them around the parking lots at the park with rope to prevent people from driving on the grass. She apologized for not having copies in the folders, just received it.
 - ii. The total bid is \$6,772.00 which includes cutting and placing the poles, purchasing the rope and hardware and installing it.
 - iii. Hanlin asked that the contract be scanned in and sent to all of Council. This will be discussed at a later date.

X. Announcements: None.

XI. Citizens Comments & Participation: None.

XII. Adjournment: Sturgis motioned, High seconded to adjourn for 10 minutes at 9:13 pm and Council will go into Executive Session to discuss personnel issues.

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