

**TOWN OF TOWNSEND**  
**April 1, 2009 @ Townsend Fire Hall**  
**Public hearing &**  
**Council Meeting Minutes**

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**7:00 pm – Public Hearings**

- I. **Call to Order:** 7:04 pm
  - II. **Roll Call:** Mayor Dave Raughley, Councilman John Hanlin, Councilwomen Sandy Sturgis, Sherry Drake and Karen Jennings, Attorney Fred Townsend, Code Officer Mike Jester, Secretary Cathy Beaver. Three guests present, Kelly Longo, Bud Higgins and John Ness.
  - III. **Third & Final reading, Ordinance No. 09-01 – Approving EOP Plan for Town of Townsend**
    - a. Jennings motioned, Sturgis seconded with unanimous vote to read by title only.
    - b. Hanlin motioned, Jennings seconded to adopt ordinance 09-01.
    - c. Discussion: Fred asked if this was intended to go into the codification book. Mayor said yes and Fred stated we need a number and section where it will go into the book stated on the ordinance. The ordinance will also need to reflect the EOP is a matter of public record and is available for viewing at the Town Hall. He stated he will research where it needs to go.
    - d. Sturgis motioned, Drake seconded with unanimous vote to table the motion to adopt until Fred determines where it will be placed in the municode book.
    - e. Fred stated we go forward with the 1<sup>st</sup> and 2<sup>nd</sup> readings of the next two ordinances and make the changes before the final readings.
  - IV. **First & Second reading, Ordinance No. 09-02 – Emergency Use of Old Orchard Lane**
    - a. Hanlin motioned, Jennings seconded with unanimous vote to read by title only.
    - b. In the discussion following, Fred suggested several changes before the third and final reading.
    - c. Hanlin motioned, Jennings seconded with unanimous vote to accept the 1<sup>st</sup> and 2<sup>nd</sup> reading.
  - V. **First & Second reading, Ordinance No. 09-03 – Public Water Utilities**
    - a. Jennings motioned, Hanlin seconded with unanimous vote to read by title only.
    - b. In the discussion Fred stated he will determine where the ordinance will go in the codification before the final reading.
    - c. Jennings motioned, Hanlin seconded with unanimous vote to accept 1st and 2nd reading.
  - VI. **Adjournment:** 7:25 pm, Sturgis motioned, Drake seconded with unanimous vote.
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**7:30 pm – Council Meeting**

- I. **Call to Order:** 7:25 pm
- II. **Opening Ceremonies**
  - a. Roll Call: Mayor Dave Raughley, Councilman John Hanlin, Councilwomen Sandy Sturgis, Sherry Drake and Karen Jennings, Attorney Fred Townsend, Engineer Tom Wilkes, Inspector Mike Jester and Secretary Cathy Beaver
  - b. Pledge of Allegiance: The pledge was said.
  - c. Recognition of Visitors: 20 present
- III. **Additions/Deletions to Published Agenda:**
  - a. Jennings motioned, Hanlin seconded with unanimous vote to move the E&E committee up on the agenda under new business, item B.
- IV. **Council Minutes – March council meeting minutes approved. (Copies are on back table)**
- V. **Unfinished Business**
- VI. **New Business**
  - a. Swearing in of Board of Election members
    - i. Granville Higgins, Terry Mobley and Ed Watts came to the front of the room; all raised their right hands and read the oath of office for election board member. All signed the oath and returned to their seats.
  - b. Energy & Environmental Committee: Karen Jennings
    - i. Jennings introduced Jason Halpin from Halpin Engineering and Design. Jason designs wind energy, has worked with many towns. Are doing wind assessments throughout the state right now. He is currently looking at a sight in Middletown for wind turbine energy production. It will be a 4 ½ year rate of return on the investment. There is grant money available for this and a 30% tax rebate at tax time.
    - ii. John Ness asked what the average wind speed has to be to make this work.
    - iii. Jason stated there are different styles for different winds. The study they have done shows it would be very feasible to do this in Townsend.

- iv. Jennings said we get a lot of requests for small turbine energy but we have deed restrictions. There are other options to save energy like solar panels. She thanked Jason for coming.
- c. Greet and meet candidates running for Council
  - i. Cathy Cornish, Jay Miller and Larry Hall, all new candidates are not here. I understand Cornish will be turning her packet in tomorrow; the other two have already turned theirs in. Raughley set some rules for the candidates and residents as follow:
    - I. New candidates will speak first in alphabetical order by last name.
    - II. Incumbents will then speak by tenure with the most senior councilmember speaking last.
    - III. Raughley will mediate this so he can't ask questions, he would like all candidates to state how many meetings they have attended, their name, and street they live on.
    - IV. Everyone must be recognized by Raughley to speak.
    - V. Residents need to introduce themselves and state where they live.
    - VI. All comments will be recorded.
    - VII. Candidates are asked to come up front when called to speak.
    - VIII. There is a 5 minute time limit.
    - IX. There will be no personal issues commented on between candidates.
  - ii. Kelly Longo: Hello everybody, hi council, Mr. Mayor, I'm Kelly Longo by the way. I moved here in June 2004 from the city, live in Townsend Station. I wanted to give my son and family a better life, and coming here I saw everyone says hello to each other, everyone is neighborly and I want to keep that charm in town. It's inevitable the town will grow and I want to have a say in what happens. I believe that everything personal should stay out of public sessions and public meetings and they should only be business as usual. That's what I'm bringing forward. Any questions?
    - I. Raughley asked if anyone had any questions for Kelly.
    - II. A lady stood and said she is buying a house in town, doesn't live here yet, can't vote, but have a series of questions. 1) How do you feel about the bill by Cathcart that he is trying to get passed?
    - III. Kelly asked which bill.
    - IV. Lady said the bill to take the 1 ½% transfer taxes away from the towns.
    - V. Kelly stated she felt council would better be able to answer that question.
    - VI. Quinn Johnson interrupted and explained what the bill was about.
    - VII. Lady asked how involved has Kelly been with council and town events.
    - VIII. Kelly said she was involved with the last 2 Easter egg hunts, she goes to meetings, residents ask her questions and she sends them to the proper person to help them.
    - IX. Lady asked how many meetings she had been to.
    - X. Kelly said since 2004, quite a few, personally stopped going for a while because didn't believe in the terminology between council, now feel the need to step forward again.
    - XI. Lady asked Kelly how she could change things.
    - XII. Kelly said she could listen to people.
    - XIII. Raughley called time and Kelly thanked everyone and sat down.
  - iii. Jay Miller (arrived just before time to speak, Raughley went over the rules again for his benefit):
    - I. Jay came to the front and apologized for being late, said he coaches minor league baseball and they had a game tonight. Jay introduced himself, was on council for 8 years in the past, am asking for the citizens blessing to represent them again. I was part of a lot of accomplishments in my 8 years on council, it seems to be a little stagnant now, I don't know, it's not so much the people who is on council, it's the division council has taken. I like this small town, lived here 11 years, I don't see Townsend having a lot of growth, the sub-divisions that are being done and the shopping center that is coming in, I was on council when that was proposed, it is needed, personally don't want to see a lot of development, Carter farm is still in play if a developer buys it, would like to see any other home building stopped.
    - II. Hanlin asked Jay when was the last meeting he attended.
    - III. Jay answered he was at the meeting in April 2008 and the reason he doesn't attend the meetings is because he stays on top of things, he reads the minutes and speaks with Councilwoman Drake to find out what is going on, to me the meetings are not productive, I left the last meeting frustrated.
    - IV. Terry Mobley, TVI resident asked Jay how many times he has volunteered in the last year to give back to the community.
    - V. Jay answered: to Townsend in particular I haven't done nothing, I volunteer as a coach and the kids are from Townsend, Middletown and Odessa, all over. My best friend passed away suddenly this summer and I took custody of his oldest child. He has had a tough time and I have 4 children and I do a lot with the children of the neighborhood, Sherry and Kelly and Mike can tell you that, I take the kids from the neighborhood fishing, etc. I volunteer for a lot of other people.

- VI.** Ed Watts stated he has lived down from Jay since he moved to Townsend. I think what Jay is trying to say is there are too many bad feelings amongst council, to much arguing and personal feelings interfering with business, and he doesn't want to participate in it. I don't go to many meetings for the same reason. When he was on council he was always available to me and other residents.
- VII.** Jay thanked Mr. Watts. He stated he can't say decisions he made on council were always right but he talked to residents and worked for them. He also stated he never let his personal feelings interfere with any of his decisions, always put the citizens first. He also admitted he can be stubborn.
- iv.** John Ness: John came up and introduced himself, has lived in TVI with wife Margie since December 2008, moved from New Jersey. Works as a programmer/project manager for a large financial company. I care about the town I live in. Feel I will bring new perspective to council, fresh ideas, my work experience will be a plus in getting a group of people to work together for a common goal. There will be new growth, problem will be how to handle it, infrastructure, finances, etc. I have attended all council meetings except one since moving to town. I have worked hard on the community watch program and will continue that. I talk to residents and listen to what they want for the town. Jennings, Hanlin and Drake have the Project 19734 collecting items to send to our troops and I donate to that. Ask all residents to consider electing me for town council.
- I.** Ricky Clark said usually someone runs for council because they don't agree with the way the town is being run, what would you do differently, what is your reason for running against an incumbent?
- II.** John Ness answered that he isn't running against anyone, just wants to be a part of the decisions for the town, help ensure smart growth, bring some new perspective to the town, protect the farmland, allow some growth, moved from a large city and can bring that knowledge to council and I will maintain communication with council whether I'm elected or not. I will also stay active with the community watch program. While working on that committee I have talked to many people and encouraged them to register to vote which they have done.
- III.** Ricky asked if John agreed or disagreed with the town comprehensive plan?
- IV.** John said on the surface he agrees but would need to study it more in depth, that's what being on council is about, doing research, talking to residents....
- v.** Karen Jennings: Karen introduced herself; she lives in Townsend Station, moved here in 2005. The real motivator for me is I believe this council is created to represent the residents, it's a volunteer position to represent the people, it's not a power position. That's what I believe and what I've tried to do for the last two years. Have a very good working relationship with Councilwoman Sturgis, Mayor Raughley and Councilman Hanlin. I'm not from Delaware, moved here from New Hampshire, have a 2 and 4 year old, when we moved here both my parents had passed away, really like this small community and want to make it an extended family for my boys. A lot of the agenda items that I've worked on in the last few years, the one I'm most proud of is establishing the absentee ballot, our citizens that can't go to vote, military, elderly, sick are now able to vote. Senator Ennis is amazing, he helped me a lot with that. Senator Bethany Hall-Long who was our representative at the time, and Senator Ennis helped me get the historical marker installed for town. This town is full of history. Health & Public Welfare, implemented many things, reverse 911 with Middletown, water committee, worked with Artesian water and we will never run out of water again during an emergency, veterans affairs committee, very proud of that, lots of bashing going on with our military coming home that reached me and I wanted to establish this to be able to say thank you to our veterans, they are the reason I'm standing here, energy and environmental committee, have worked with many organizations to establish our town as a wildlife habitat which will help with our preservation, etc. Looking for alternative energy grant money. Working with recycling for town.
- I.** Jay Miller said as a navy veteran he really appreciates the veteran ceremony but the way he understands it, we have two young men currently serving overseas who won't be receiving any recognition because they aren't quote unquote veterans because they are still in.
- II.** Karen said, no that isn't true.
- III.** Cathy said on the veterans committee we have a colonel in the army on active duty, we have a retired navy veteran and a retired air force veteran. One of these people works for General Vavala and one works for the general in Pennsylvania. According to military protocol, the way this ceremony has been set up to thank all veterans, past, present, current and retired that can attend this ceremony to thank them for everything they do, have done and will do in the future, it's for the ones who can attend. According to military protocol for anyone overseas, the only way a spouse or parent can or will receive a certificate for them is if they have passed away. When our veterans come home, if they want it, they will receive a certificate. At the

ceremony both of these veterans will be mentioned in the prayers and there will be a blue star banner ceremony for these veterans overseas. We are going by military protocol, listening to the experts, and that's why it is set up this way.

- IV.** Karen tried to talk and Jay interrupted and said to him once you put the boots on you're a veteran, he understands about the protocol but I just wanted to make sure they would be recognized.
- V.** Karen said of course they will be recognized when they come home and we are doing things for them at the ceremony. There are more than 2 Townsend veterans overseas. Colonel High is getting us the list.
- VI.** Ed Watts said he would like to commend us for this veteran's ceremony. However, shortly before you were elected for your first term you stated, and it was in the newspaper, that you were running for one term only to advance your political experience. Would like to know how that has changed now?
- VII.** Karen said she has never made a comment like that and wouldn't make a comment like that. I am a stay at home mom, was in graduate school and took a break in 2001 to start a family.
- VIII.** Mr. Watts said it was in the newspaper and Karen said she would like to see the paper.
- vi.** Sherry Drake: Sherry stood and introduced herself. Been on council 3 years. The first 2 ½ years I worked in the office from 8:00 to 4:30 every single day. I learned every aspect of what's in the office from how to post payments, to run the office, answer phones, put in over 4000 hours. My community service will last for years, I've attended every meeting except for one council meeting in the last three years. I live in Townsend Station, have attended all the workshops except one and that was because I had to go and deploy my son to Afghanistan. For 2 years I organized and attended all the community functions we had in town. I planned them and attended all of them except one and again that was because I was with my son deploying him to Afghanistan. My goals are to keep doing what we're doing, I know we will be growing, there is nothing we can do about it, the state has told us we have too, but we want to keep our town a charming, wonderful, safe place to live. We need to work on our charter, things need to be changed as far as annexations into town, need to change the wording on that, need to change on how we vote for the Mayor, the residents need to vote for their mayor, not 5 council members to vote for mayor. That needs to be changed in the charter. I know the sheriffs sales, the dangerous homes in town, I was instrumental in helping getting the two homes that were dangerous in town torn down, also at the creamery that was having lots of problems, 1 more home on Commerce Street needs to be taken care of but we're working with Fred on getting that taken care of. I've donated thousands of hours to my town, I love my town and want to keep it safe and I think right now we're working in the right direction to get the park started, we'll give the contract to one of the contractor's tonight, get the playgrounds in, the gazebos, the grass and the BBQ's, the town can have functions there and the kids can play and have a great summer for the children. Saturday we'll be having our Easter egg hunt and invite all the kids to come out, it's going to be a great function. We want the environment for the children, want the children to be happy in town, just want it to be a safe environment, love my town, come out May 2 and I'd love to have your vote.

  - I.** John Hanlin asked Sherry if she's concerned about the charter, why hasn't she made any efforts to move on it.
  - II.** Sherry answered April 8 there will be a meeting on that.
- vii.** John Hanlin: John Hanlin introduced himself. Lives in Townsend Station, has been a resident for 6 years. First 2 years in town attended meetings sporadically. The year before I ran for council I attended meetings every other month. Like everybody else I love this town. It's a great little town, a great place to raise kids, for people to move to but growth is inevitable, the only way we won't grow is to raise taxes and I'm sure no one wants more taxes so we have to grow to get a larger tax base. Have been on council for 4 years, this will be my third election, I'm continuing to work on things I started. The streetscape will start at Taylor to South, 1<sup>st</sup> phase of project and I'm working on grants for this project. Big thing is the park, trying to get it done for the residents, took an avenue to save residents money, thought it would be best, free labor, in kind donations, then economy turned south so people who had committed backed out. Now accepting bids for the park to get it going. Worked very closely with Councilwoman Jennings and Mayor on the VA committee. This is something I'm really proud of; we're recognizing all veterans in our zip code. We appreciate everything they have done. One of the other candidates made a comment to vision, our vision is to move forward, not sit still, not move backward, not sit stagnant, grow and bring infrastructure to this town. We're reviewing updating our stormwater system, working on streetscape, park, both positive things. We're creating things where people will come in and say this is a nice little town, I want to live here. Working on a sewer system plan with Middletown and New Castle County. Volunteerism, I'll be honest with you, I don't attend every function, I have a wife and 4 children, attend all their

soccer games, all their school functions, and there are a lot of them. 2 of my children were elected to Townsend Jr. Council, which is another thing this council started, to incorporate the kids into the planning process for town, they designed the park, they told us very specifically what they wanted and where they wanted it.

- viii. There were no questions, John thanked everyone and asked them to come out and vote.
- ix. Raughley thanked all the candidates for running. This town is not stagnant and neither is this council.

## **VII. Reports of the Officers**

- a. State Police – Troop 9: Captain Paige was in attendance. There were 19 calls for March 2009 as follow; 1 – 911 hang-up, 3 – alarms, 3 – assist, 1 – check on the welfare, 1 – civil matter, 3 – crashes, 2 – disorderly conduct, 3 – domestic, 1 – suspicious persons/vehicle, 1 – trespass.
- b. State Representative: Quinn Johnson: Commended all the candidates, it's not easy to get up and talk to a roomful of people. Back in session and very busy, I'll be leaving when I'm done with my report. Working on the budget, have 750 million dollar deficit and growing, have stimulus money coming but will only take it down to 600 million dollars. Governor has proposed a 8% salary cut and a 2 % increase in health insurance for all state employees, 50% tax increase on alcohol, 45% tax increase on tobacco, income tax increases for anyone who makes over \$60,000.00 a year, franchise tax and so on. He is looking at sports betting to increase revenue, 3 new casinos, 10 sports betting places statewide, there is lots of opposition yet it is very important. We only hear from people opposed to these changes, we also need to hear from people who support it and welcome any suggestions for increases. Legislation would like to see no cuts but can't find a way around it.
  - i. Ed Watts stated getting the sports betting structure right should help.
  - ii. Jay Miller asked if the governor has considered he is giving state employees a double whammy, how does he expect to retain the good workers.
  - iii. Lots of people started talking.
  - iv. Ricky Clark interjected not to shoot the messenger, he is only bringing us information, send emails to the governor with your suggestions to help us all.
  - v. Raughley suggested everyone who had a chance to go and listen to the governor reality check, it is an eye opener.
- c. County Representative Bill Powers: not here.
- d. Townsend Fire Department: Keith Shoemaker said on 4/2/09 will be breakfast with the Easter Bunny, infant to 3 years are free, 4-12 year old - \$4.00, 13-adult - \$6.00. It will be the same menu as with Santa Claus. 5/2/09 will be the shrimp feast; menu will be shrimp, meatballs, beer and cole slaw. Cost is \$30.00 per person or \$35.00 per couple.
- e. Ricky Clark added there have been several fires outside of town limits late at night and apologized for the noise and inconvenience to the residents. These were two major fires, one was arson, an old farmhouse.

## **VIII. Reports**

- a. Fred Townsend III, Attorney: nothing to report
- b. Tom Wilkes, Engineer: We are still compiling reports on the stormwater management for town. We are getting ready for the 4/15/09 meeting with council on the streetscape.
- c. Mike Jester, Code Officer: nothing right now.

## **IX. Committee Reports**

- a. Finance Committee: Chair - Dave Raughley: No finance report tonight.
- b. Streets Committee: Chair - John Hanlin, II: St. Annes Church Road will be going under construction soon and will be shut down, keep it in mind, from Rt. 71 to Wiggins Mill Road.
  - i. Award bid for Old Orchard Lane: Raughley read a letter from RVB dated 3/30/09 in reference to the bids for Old Orchard Lane. They recommend the bid be awarded to D&D Contractors.
  - ii. Hanlin motioned, Drake seconded with unanimous vote to award the project to D&D Contractors contingent on the figures for Old Orchard Lane.
  - iii. Jester asked to add to the motion that if D&D chooses not to accept the bid to award it to the 2<sup>nd</sup> lowest bidder.
  - iv. Tom added that bidder is Merit Construction.
  - v. Hanlin added that to the motion, Drake seconded with unanimous vote.
- c. Water Committee: Chair – Karen Jennings: As of 4/18/09 the water tower in town will be defunct, all the water now comes through New Castle County, won't ever run out of water again. Very exciting.
  - i. Dwain asked what we will do with the tower. Raughley said council is tossing around ideas. Sturgis added we are not going to destroy it.
- d. Zoning Committee: Chair - John Hanlin, II: At last workshop discussed the comp plan, will be huge. Raughley will be meeting with Chris Coons soon, hope to roll out to the public in the next 2 months.
- e. Health & Public Welfare Committee: Chair – Karen Jennings: Jester and I will be meeting soon with Jim Weldin, will have more to report at the next meeting. Would like to let everyone know that anyone who has a child with autism to please consider this committee a source of help. It can be very overwhelming. I will help in any way I can, it's an issue very near and dear to my heart.

- f. Townsend Wildlife Habitat Committee: Chair – Karen Jennings: Had a meeting this morning with Principal Sheppard, the Jr. Council and Sara Wozniak, kids have been mapping and researching, we're in the process of certifying TES as a wildlife habitat. Sara is also working on donations.
- g. Energy & Environment Committee – Chair: Karen Jennings:
- h. Veteran Affairs Committee - Chair: Karen Jennings, Co-Chair – John Hanlin
  - i. Veterans Ceremony – April 18, 2009 @ Townsend Fire Hall, 11:00 am – 3:00 pm: Plans are rolling right along, 4/18/09 will be the event. Raughley said he has arranged for several fire companies to hang the big flag over Main Street. We're working on the decorations, got a reduction on the food cost, when the caterer saw the input and enormity of the event he reduced the cost, don't have a complete list of attending dignitaries yet.
  - ii. Project 19734 Soldier Support: Jennings asked residents to please call the town hall if they know of anyone in the 19734 zip code who is stationed overseas.
- i. Police Committee: Chair – Dave Raughley:
  - i. Townsend Community Watch: John Ness – Raughley said he is working on several items with Captain Paige and will get back to the residents as soon as he can.
  - ii. John Ness said the next meeting will be held 4/20/09 at the town hall at 7:00 pm.
  - iii. Lt. Daniels has retired; we work with Captain Paige and Lt. Logan again.
- j. Executive Park Task Force: Chair – Dave Raughley: Received 6 bids from contractors to do the park. He read a letter from RVB on recommendations for the park, advised we award the contract to Interstate Construction. Gateway was the lowest bidder but are a very small company and don't feel they can do the job.
  - i. Award bid for Park: Sturgis motioned, Drake seconded with unanimous vote to award the contract for the park to Interstate Construction and if they don't accept award it to the 2<sup>nd</sup> lowest bidder, Kershaw Construction, it must also be done within our time frame restrictions.
- k. Parks & Recreation Committee: Chair – Sandy Sturgis, Co-Chair – Sherry Drake
  - i. Easter Egg Hunt – April 4, 2009, 1:00 pm – 4:00 pm, Townsend Elementary School  
Rain date - 4/5/09
  - ii. Town Fair – June 20, 2009 – Gray Street: starting to plan the fair, looking for volunteers.

**X. Announcements:**

- a. Town Yard Sale – May 2, 2009
- b. Elections for three (3) Council seats on May2, 2009 @ Town Hall – 8:00 am – 6:00 pm
- c. You must be registered to vote at the Town Hall prior to election
- d. Voter registration deadline: April 17, 2009
- e. You can register to vote at the Town Hall:
  - i. Monday through Friday 8:00 am – 4:00 pm
  - ii. Wednesday, April 15, 2009 – 8:00 am – 8:00 pm
- f. Petitions of Candidacy packets must be turned in by 4:00 pm on Thursday, April 2, 2009
- g. Qualifications for Candidacy:
  - i. Be 18 years of age
  - ii. Be a citizen of the United States
  - iii. Be a legal resident within the Town Corporate Boundaries for a minimum of twelve (12) consecutive months immediately preceding the filing of Candidacy.
  - iv. Be a registered voter within the Town of Townsend.

**XI. Citizens Comments & Participation**

- a. Raughley announced on 4/4/09 will be the Appoquinimink River Association run at St. Andrews school in Middletown.
- b. Ed Watts stated that last year during elections at town hall there was a bit of problem with candidates and council members and family members going in and out of the town hall. He told all of them they can go in and vote and leave the property until the announcement at the end of the day.

**XII. Adjournment:** 9:30 pm, Sturgis motioned, Drake seconded, vote was unanimous.

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