

**TOWN OF TOWNSEND**  
**April 7, 2010**  
**@ Early Childhood Center on Brook Ramble Lane**  
**Public Hearing @ 6:30 pm**  
**Council Meeting Minutes @ 7:30 pm**

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**6:30 pm – Public Hearing**

- I. Call to Order: 6:34 pm
- II. Roll Call: Mayor Dave Raughley, Councilmen John Hanlin and John Ness, Councilwoman Sandy Sturgis, Attorney Tom Wilkes, Engineer/Interim Town Manager Tom Wilkes, Secretary Cathy Beaver. (Councilwoman Karen Jennings arrived at 6:45 pm).
- III. Pledge of Allegiance: Pledge was said.
- IV. **Third & Final Hearing – Townsend Village II Name Change Ordinance No. 10 – 02**
  - a. Sturgis motioned, Hanlin seconded with unanimous vote to read by title only.
  - b. There was no discussion.
  - c. Hanlin motioned, Sturgis seconded with unanimous vote to adopt Ordinance No. 10-02.
- V. **Third & Final Hearing – Emergency Snow Ordinance No. 10 – 03**
  - a. Hanlin motioned, Sturgis seconded with unanimous vote to read by title only.
  - b. In the following discussion Raughley explained that this ordinance was put through as an emergency ordinance before the snow storm in December. All the readings were done at one time, which made it law for only 180 days. We are now doing the ordinance through normal process to put it permanently on the books
  - c. Sturgis motioned, Hanlin seconded with unanimous vote to adopt Ordinance No. 10-03.
- VI. **First, Second, Third & Final Hearing – NCC Hazard Mitigation Plan Ordinance No. 10-4**
  - a. Sturgis motioned, Hanlin seconded to read by title only.
  - b. In the following discussion, Hanlin asked why Jennings name is on the ordinance when Sturgis is the committee chairman. Sturgis stated Jennings started this with the EOP when she had the committee.
  - c. Raughley stated for the record that we are putting this ordinance through as an emergency and having all the readings at one time because NCC needs the ordinance ASAP. This one will be official for up to 180 days and we will do it again under normal readings to put it officially on the books for good. This plan will greatly enhance the Town during any emergencies.
  - d. Hanlin motioned, Sturgis seconded with unanimous vote to adopt Ordinance No. 10-4.
- VII. **BOA Hearing – Home Day Care @ 123 Edgar Road**
  - a. The Council members moved to the audience for the Board of Adjustment Hearing.
  - b. Raughley stated this is a usage variance request to have a home day care at 123 Edgar Road in Townsend Station.
  - c. Fred motioned, Tom seconded with unanimous vote to bring the hearing back to the table.
  - d. Raughley said we had a hearing in February that was tabled due to mis-communication. It was not clear who needed to be notified by letter of the upcoming hearing. I could not attend in March, and so we are bringing this hearing back to the table now. Raughley asked the Romero's if they would review their request for the record.
  - e. Mr. Romero said they have lived here 4 years. Mrs. Romero has worked as a day care provider for 9 years. We want to open a more family style center rather than the larger, impersonal day care centers. Since the last meeting, we have received our State licensing. We do not believe this type of business will bring down the neighborhood, it will enhance it.
  - f. Fred stated he though the Romero's were surprised at the number of children the state will permit in a home day care. He had the impression they thought they could have more children. He asked the Romero's if they were still willing to proceed only being permitted to have 6 children. They said yes.
  - g. Fred asked if the Town wanted even fewer children, would they still want to proceed. Romero – yes.
  - h. Fred asked if they were licensed through the State yet. Romero – yes.
  - i. Fred ensured they are making no structure changes. Romero – no.
  - j. Fred asked if they met all the state requirements for square footage per child. Romero – yes.
  - k. Have they met the minimum square footage outside per child? Romero – yes.
  - l. Is there a driveway for safe drop off and pick up of the children? Romero – yes.
  - m. Are you amendable to the hours of 6:30 am – 6:00 pm? Romero – yes.
  - n. Do you have a contract for the parents to sign? Romero – yes, all based on the state laws which are very strict.
  - o. Fred explained to the Romero's that if the variance is granted, they would always have to meet the state laws and be licensed with the State or the Town can shut them down. The Romero's agreed.
  - p. Fred again stated if the variance is passed, the hours will be 6:30 am to 6:00 pm, not 6:30 pm. Romero's agreed.
  - q. Fred stated that even if the variance is passed by the Town, the homeowners association could still prevent them from opening or shut them down. Mr. Romero said they are aware of this. They want to do everything legal, first the State and Town, then the homeowners association.
  - r. Fred asked if they plan to proceed with opening the day care if the variance passes. Mr. Romero said no, they want approval from the homeowners association first.

- s. Fred stated they originally expressed interest in more children. If the Town decided to limit the number of children to less than 6, would the Romero's still want to pursue this? Romero's said yes. They want to own their own small business and will take anything they can get. They want to have a business in the community and expose ourselves, build our reputation.
- t. Tom stated Fred had asked most of his questions. He is still concerned about the pool. What are you doing to prevent the children from getting into the pool? Romero's stated the State is having them install a tall gate with the lock at the top on the inside. There will be no way for children to unlock it. The State will be back to inspect it.
- u. Tom asked if they get approval tonight, when will they open the day care. Romero's said they will still wait. They do have parent's waiting and they can't wait to get their feet wet but want to do it the way it should be done.
- v. Raughley said he would let the members of the audience speak. They are to direct their questions to him and he will address the Romero's, per parliamentary procedure. He directed them to state their name, where they live, and then their question. Each person will be permitted one question or comment, no more.
- w. Michelle Davis, live in Stonefield – Ivonne has taken care of my daughter since she was 8 weeks old at a local day care. My daughter got hurt and they weren't going to tell me. Ivonne felt I as the parent had a right to know and called me to tell me. She was the only one who stuck up for my daughter and got in trouble herself. We love her and she is the only one we would trust to take care of our daughter.
- x. Sandy Sturgis stated she doesn't know the Romero's but stated they have been willing to do everything we have asked them too and are even working with their homeowners association. If she still had young children she would put them in this day care with Mrs. Romero's qualifications and the convenience of it.
- y. John Ness stated the Romero's have not received approval from the homeowners association and he doesn't think they will. He is still concerned about the additional traffic this business will bring and the danger.
- z. Dena Maliska, TVI – the first hearing was tabled because not everyone received letters. No one received letters this time either. Feel the people this affects should have a chance to speak.
- aa. Raughley stated Fred would explain the notification process.
- bb. Fred explained there is nothing in writing about the radius of neighbors that must be notified of a pending variance hearing within the Town or State. We met about this and our conclusion is it is too expensive to expect the Town to send letters to everyone within a mile radius.
- cc. Mike Davis commented that six cars won't make a difference with the traffic when the home is across the street from the park.
- dd. Raughley said the three of them on the board of adjustment are representing the Town. The Town does not govern or enforce deed restrictions. The Romero's have met all the requirements of the Board and there is no reason why we shouldn't pass this request for a usage variance. Even if the Board approves the request, Mr. Romero has said several times that the process is not over. He will pursue approval from the homeowner's association. Raughley added that he personally does not feel an additional 5-6 cars in the morning and evening will present a traffic problem.
- ee. John Hanlin, Townsend Station stated there are 2 home day cares in his sub-division. There was a parking issue with one of them, the neighbors all got together and addressed it and it was resolved. He also asked if both the Romero's had to be licensed through the State, and is the square footage in the back yard per child inclusive of the pool.
- ff. Raughley answered that only the caregiver (Mrs. Romero) has to be licensed.
- gg. Mr. Romero stated they have 100 square feet per child for play area outside the pool area.
- hh. Terry Mobley, Townsend Village I, asked if there would be signs for the day care.
- ii. Tom stated there will be no signs permitted by ordinance in Town.
- jj. Fred motioned, Tom seconded to approve the variance application with the exception that the day care hours would be 6:30 am – 6:00 pm.
- kk. In the following discussion, Fred stated he is personally prepared to vote yes to pass the request but is troubled with the neighbors. He isn't concerned about traffic but hopes the applicant has consideration for all the neighbors, children can be noisy. He doesn't want anyone to believe he agrees with the concept, but the Town has ordinances and rules to abide by. Mr. Romero has said several times that if we pass the request he will still pursue getting the homeowners association approval. However, once we make a decision, it will be over for the Town. The Town does not enforce homeowner association rules.
- ll. Raughley said that in the past when a home day care variance passed, one of the stipulations was that if the home was sold, the variance for the day care did not go with the new buyer.
- mm. Fred motioned to add this stipulation to the motion, Tom seconded again.
- nn. Raughley called for a vote: Ayes were unanimous with the following contingencies?
  - i. The home day care is for the current owner only; it does not go with the property if it is sold.
  - ii. The hours of operation will be 6:30 am – 6:00 pm.

- iii. No long term parking is required as children are dropped off in the morning and picked up in the afternoons.
  - iv. The applicant must always meet state requirements and be licensed by the State, or the Town can shut them down.
  - v. Applicant must obtain and keep a current Town business license (calendar year).
  - vi. Homeowner is aware that the Town of Townsend does not govern or enforce deed restrictions, and with the granting of this variance, the homeowner's association could still shut them down.
- VIII. Adjournment: Fred motioned, Tom seconded with unanimous decision to adjourn the Board of Adjustment meeting at 7:35 pm. Hanlin motioned, Jennings seconded with unanimous vote to adjourn the public hearing at 7:36 pm.

**7:30 pm – Council Meeting**

**I. Call to Order:** 7:45 pm

**II. Opening Ceremonies**

- a. Roll Call: Mayor Dave Raughley, Councilmen John Hanlin and John Ness, Councilwomen Sandy Sturgis and Karen Jennings, Attorney Fred Townsend, Engineer/Interim Town Manager Tom Wilkes, Finance Officer Azure Wright, Secretary Cathy Beaver.
- b. Pledge of Allegiance: Pledge was said.
- c. Recognition of Visitors: 29

**III. Additions/Deletions to Published Agenda:**

- a. Hanlin motioned, Sturgis seconded with unanimous vote to move a. and b. under new business up, and do after the council minutes.
- b. No other changes.

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

**V. Unfinished Business**

- a. IDS proposal – Councilwoman Sandy Sturgis
  - i. The landfill is increasing their rates by 40% per ton starting July 1, 2010, from \$51.50 per ton to \$73.00 per ton. On July 1, 2011 and July 1, 2012 they will increase the fee by \$2.00 more per ton each year.
  - ii. IDS will have to increase their price to the Town starting 7/1/10 or they will actually lose money. They have given us a proposal for the next 3 years and if we sign a contract with him, he guarantees these prices, even if the state raises the cost at the dump even more than they are proposing. The rates he is proposing are: 7/1/10 – 6/30/11 - \$16.67 per home per month, 7/1/11 – 6/30/12 - \$17.02 per home per month and 7/1/12 – 6/30/13 - \$17.57 per home per month.
  - iii. Sturgis motioned, Hanlin seconded to extend the contract for 3 more years for trash pickup with IDS at the above prices. The new contract will start July 1, 2010.
  - iv. In the following discussion Hanlin asked if we would be in violation for not putting this out to bid.
  - v. Sturgis said if we were paying out of taxpayer money, yes we would be, however, the residents pay these bills. In the past we have spent a lot of money on putting it out to bid and IDS has always come in with the lowest bid by far. They are also local and very easy to work with. They do whatever we ask of them. IDS is also guaranteeing us these prices, even if the landfill raises the amount more than they quoted. Even with these increases, IDS is still lower than the next lowest bidder the last time we put it out for bid.
  - vi. Jennings added that Fred stated it is legal to do this.
  - vii. Fred added there is no limit on contract extensions as long as we are happy with the service.
  - viii. Quinn Johnson said Clayton recently chose to sign a contract with IDS for much less money while looking at bids with DSWA.
  - ix. Vote to sign a 3 year contract with IDS for the above prices: unanimous.
- b. Park Swing Sets – Blue Ridge Outdoor Designs – Manager Tom Wilkes
  - i. Tom stated Council approved purchasing swing sets at the workshop. He is still waiting on prices from the contractor.
  - ii. Raughley added that swing sets were not originally in the plans for the park because the Jr. Council didn't want them and Council decided against them. However, Council listens to the residents, many of whom have asked for swings in the park, so we are going to put swings in the park. He thanked Council for approving the purchase of swing sets.
- c. Concrete bumpers in parking lots at park – Manager Tom Wilkes
  - i. Bumper blocks are relatively inexpensive and used to prevent people from driving on the grass. We had damage at the park last fall and winter with people leaving the parking lot and driving across the grass. I am getting prices for these, once we have them Dave Cummings, our maintenance man will install them.

- ii. Raughley said the Town built this park for the residents, not council. He asked that people keep a watch there and if you see anyone doing something wrong, please call the police and then email or call someone on council. The police keep records of all the incidents, whether they come out or not and this helps them develop trends and keep an eye on things when it is most needed. You do not have to give your name when you call the police. Please help us keep the park clean and nice for everyone.

**VI. New Business**

- a. Introduction of candidates running for office – Mayor Dave Raughley
  - i. Raughley stated there are two seats up for office this year with elections being held on Saturday, May 1, 2010. It is his and Sandy Sturgis seats open this year. He is not running again for personal reasons but Sandy is. Raughley introduced the candidates in alphabetical order and they all spoke a little about why they are running. They are:
    - I. Cathy Cornish: Lives on Taylor Street, been here 4 ½ years and want to help all residents in Townsend. I’m all about the residents and their needs, everyone, I want to be a voice for all, not just a few.
    - II. Steve High: Lives in Townsend Village I, been here 2 years. Looking forward to retiring from the military after 28 years and want to continue serving the people, the people of Townsend.
    - III. Don Loesch, Jr.: Lives in Townsend Station, been here 4 years. Running for 2 reasons, my Dad was always active in the community, it gives you a sense of well being and pride and two, have been involved with the community watch about 18 months. Have also helped Sandy with the fair in the past. My family and I cleaned the park one Sunday a couple weeks ago. I do a lot of projects at work; I follow through and follow up.
    - IV. Incumbent Sandy Sturgis: 3<sup>rd</sup> time running for Council, want to continue what I’m doing – working for the residents. Want to continue watching the growth level so we have control and don’t end up like Middletown. Would like to finish the projects we have started. I thoroughly enjoy what I’m doing, working for the people of Townsend.
    - V. Raughley stated he believes we have 4 great residents running for office, the Town should be proud. Hope the Town speaks out and comes up to vote and we have a good election. All elections are important, but this is a critical election, a critical time for the Town. He asked all present to get their neighbors into Town hall to register to vote. He then thanked all the candidates for running.
- b. Swearing in of Board of Election members: Cathy Beaver
  - i. Granville (Bud) Higgins
  - ii. Terry Mobley
  - iii. Edward Watts
  - iv. Beaver swore in the Board of Election members. All signed their oaths and Beaver notarized them.
  - v. Raughley thanked all three for agreeing to be on the Board of Election again this year.
- c. Fire Hall permit fees – Councilman John Hanlin
  - i. Council had a discussion at the workshop about waiving the building permit fees for the reconstruction of the fire hall. Per the fire hall, this won’t be necessary as insurance will pay all the fees.
  - ii. Starting in May, we will start having our Council meetings at the fire hall again.

**VII. Reports of the Officers**

- a. State Police: Lt. Wallace
  - i. There were 26 calls for the month of March as follow: 2 – 911 hang ups, 2 – abandoned vehicle, 5 – alarms, 1 – assault, 1 – burglary, 2 – check on the welfare, 5 – disorderly conduct, 2 – domestic, 1 – drugs, 2 – missing persons, 1 – OPR, 1 – suspicious persons/vehicle, 1 – trespass. There were also 23 traffic arrests made.
  - ii. Hanlin asked if the assault was by knife, he was notified there was a knife fight at the fire hall 2 nights ago.
  - iii. Wallace said no that will be on next month’s report.
  - iv. Ed Watts said South Street in old town is one way. Stated cars fly down the road going the wrong way every night. He also said there are too many cars parked on Finley Street. It is a short dead end street and if there is an emergency, personnel won’t be able to get through.
  - v. Tom stated there are two abandoned vehicles on South Street, asked Lt. Wallace what their procedure was for abandoned vehicles.
  - vi. Lt. Wallace stated they will check to see if they are stolen, if not, and they have expired tags they will notify the owner to move it from the road. If they don’t move it, the police will have it towed.

- b. State Representative: Quinn Johnson:
  - i. Quinn commended the 4 candidates for running for office and speaking to the residents. It isn't easy to speak to a room full of people.
  - ii. Legislation is on Easter break.
  - iii. I am a small business owner and a member of the Small Business Caucus which has really grown. We are trying to see what small business' can do to help create new jobs in Delaware.
  - iv. Once back in session we will look at expanding gambling in the state.
  - v. Education is a huge issue that affects the environment. Big business' move here because of the educational system. Appoquinimink won money in the "Race to the Top for Education". Everyone is now looking at us.
  - vi. A bill I sponsored for special needs children passed in the house and is going to the senate.
  - vii. Am also on the natural resource committee and need the Town's feedback.
- c. Townsend Fire Department:
  - i. Keith Shoemaker of the fire department thanked Council for all they did during the storm when the roof collapsed.
  - ii. The Town is able to use the fire hall for council meetings again. This will start with the May meeting.
  - iii. The fire hall is having fundraisers to raise money to re-build.
  - iv. 5/4/10 – Applebee's will donate 15% of the proceeds for the entire day, eat in or take out. You must have a coupon which you can get from any fire personnel or pick one up at the Town hall.
  - v. 9/4/10 – BBQ at Willeys
  - vi. T-shirts are for sale
  - vii. The ladies are also going to have several fundraisers.
  - viii. Raughley asked Keith to thank everyone at the fire company for all they do.

### **VIII. Reports**

- a. Fred Townsend III, Attorney: No report, but want to say Cathy does a nice job of staying on top of delinquent accounts. Townsend has collected a lot of past due accounts because of this, other towns I've been associated with don't do near as well.
- b. Cathy thanked Fred.
- c. Tom Wilkes, Engineer: The Streetscape is still being reviewed by DelDot.
- d. Tom Wilkes, Interim Town Manager:
  - i. Dave working hard at the park grading ruts, seeding and general housekeeping. Empties trash cans and picks trash up from park daily.
  - ii. Am waiting for quotes on the fencing to help prevent the animals next to the park from being abused.
  - iii. Swing sets are ordered.
  - iv. Samples of the stone for façade of the gazebo are available for review.
  - v. Getting bids for bumper blocks at the park.
  - vi. Pot holes are an issue throughout Town and being worked on.
  - vii. The abandoned vehicles in Town are being worked on.
  - viii. Still waiting on more bids from contractors to do the Town hall repairs.

### **IX. Committee Reports**

- a. Finance Committee: Chair - Dave Raughley:
  - i. Raughley read the finance report.
  - ii. The Town has \$3,174,894.70 in total assets and \$3,143,821.48 in total liabilities & equity.
  - iii. Raughley thanked Azure for putting the reports together.
  - iv. Raughley told the residents he is very proud of the Town's financial security due to the diligence of Town Council.
  - v. We are still working on the infrastructure and the state has given us another \$100,000.00 grant for the park.
- b. Streets Committee: Chair - John Hanlin, II:
  - i. Hanlin said he doesn't want residents to think Council doesn't listen to them. All of council works full time, and sometimes we don't know about problems unless you tell us. Please email or call with any issues.
  - ii. Hanlin thanked Quinn and Bethany Hall-Long (who started the process) for getting the crosswalk in at Happy Harry's.
  - iii. Hanlin thanked Bud for pointing out that the curb on Finley Street needs painted yellow.
  - iv. Asked residents to keep eyes open and let Council know when you see something that isn't right.
- c. Water Committee: Chair – John Ness: No report.
- d. Zoning Committee: Chair - John Hanlin, II, Co-Chair – Sandy Sturgis: No report.

- i. Raughley thanked Council for all their support with the comprehensive plan. Last week Ed and Raughley presented the revised Townsend comprehensive plan to the State and they loved it. DelDot had some suggestions. We are waiting for a letter from PLUS to add to the comp plan for final approval.
    - ii. Raughley explained that the comprehensive plan sets the direction the Town should go in growth. It is good for the Town, County and State. Council will have some decisions to make in the future and I will be available to help if needed.
  - e. Health & Public Welfare Committee: Chair – Sandy Sturgis:
    - i. Sturgis reminded everyone to fill out and mail in the census form. If you have a PO Box you need to come to the Town hall and pick the form up. They can't put them in PO boxes. There is also a census worker at the Town hall daily from noon to 3:00 pm through 4/19/10 to assist anyone who may need help. Please mail the census back, this helps the Town get federal money.
    - ii. Raughley added there is energy grant money available. The last census showed only 350 residents in Townsend. That really hurt what was available to the Town, we have 1500 residents. Please fill out the census and mail it in to make money available to the Town.
  - f. Energy & Environment Committee – Chair: Karen Jennings: Nothing to report.
    - i. Townsend Wildlife Habitat Project: Jennings said she has great news.
      - I. Roxanne Paul, the coordinator for the National Wildlife Federation called. Townsend is CERTIFIED. We are #40 in the nation and #1 in Delaware to be certified.
      - II. Jennings thanked all the residents who certified their yards and everyone who helped her achieve this.
      - III. The vice president of education from the national wildlife federation will attend the Townsend Environmental Day on 4/24/10 and do a speech. Hope to see everyone there. The event is from 10:00 am - 12:00 noon.
      - IV. Jennings asked all the Jr. Council present to stand.
      - V. Jr. Council member Elizabeth Habash went to Principal Sheppard about using recyclable lunch trays rather than styrofoam ones. They have had 4 meetings and are looking into grants to cover the cost.
  - g. Veteran Affairs Committee – Co-Chairs: Karen Jennings and John Hanlin
    - i. Jennings said she spoke to Eric Wilkes mom; Eric is currently deployed and coming home 4/16/10. She hopes he will be able to attend the veteran's social.
    - ii. Project 19734 Soldier Support
      - I. Jennings thanked the Jr. Council for all the donations they collected for Project 19734.
    - iii. Veterans Social – April 17, 2010
      - I. Invitations went out Monday for the social. It is invitation only.
      - II. The event is entirely donation driven. Are looking for donated baked goods.
      - III. Hanlin said the fundraiser at Friendly's was tonight from 5:00 pm to 10:00 pm. They are donating 10% of the proceeds to the veteran social.
      - IV. Stephen Mobley said he and his brother are members of the Young Marines and asked if there was anything they could do to help at the affair.
      - V. Jennings said Sherrie Leslie has already got the Young Marines coming, they should contact her. (There are different groups of Young Marines). She thanked Stephen for always volunteering.
  - h. Police Committee: Chair – John Ness:
    - i. Ness thanked Raughley for years of service. Still have several meetings to go. Sure hope we can come up with something to give Raughley and embarrass him!
    - ii. Townsend Community Watch:
      - I. Next Town Watch meeting is 4/19/10 at 7:00 pm at the Town Hall.
  - i. Executive Park Task Force: Chair – Dave Raughley: Thanked Tom and Dave for all their hard work at the park. It should be done soon, with the exception of the community center. Something we can all be proud of.
  - j. Parks & Recreation Committee: Chair – Sandy Sturgis
    - i. Easter Egg hunt went well, kids all had fun.
    - ii. Have an issue with trash at the park, will have a meeting at the Town hall on Thursday, 4/15/10 at 6:30 to discuss what can be done.

**X. Announcements:**

- a. Register to Vote in Town Elections – Monday through Friday, 8:00 am – 4:00 pm
- b. Wednesday, 4/21/10 – 4:00 pm – 8:00 pm
- c. Townsend Environmental Day – 4/24/10 – 10 am – 12:00 pm

d. Town Council Elections – 5/1/10 – Town Hall – 8:00 am – 6:00 pm

**XI. Citizens Comments & Participation**

- a. Mrs. Mack from TVII said no one in her area received census forms. Forms are available at the Town Hall. Anyone with a PO Box needs to pick one up; federal law prohibits the forms from being put in PO boxes.
- b. Maurice Mobley said he had fun at the Easter Egg hunt and asked if we were having a fair this year. Sturgis said yes on the third Saturday of September. She thanked all of council for all they volunteer to do.
- c. Hanlin personally thanked Raughley for all he has done for the Town and his years of service. Also thanked him for being his mentor. Raughley will be missed. (There was a standing ovation).
- d. Raughley thanked everyone, he will have a speech next month, feels honored to have been able to serve all these years.

**XII. Adjournment:** 9:15 pm, Sturgis motioned, Hanlin seconded with unanimous decision.

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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