

**TOWN OF TOWNSEND**  
**June 6, 2012**  
**Public/Re-Org/Council Meeting Minutes**

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**7:00 pm – Public Hearing**

- I. Call to Order:** 7:05 pm
  - II. Roll Call:** Mayor Steve High, CW Sandy Sturgis, CW Karen Jennings, CM John Ness, CM Dwain Haines, Engineer Tom Wilkes, Secretary Cathy Beaver
  - III. First and Second Reading – Ordinance No. 12-04 – FOIA Revision – CW Karen Jennings**
    - a. CW Jennings motioned, CM Ness seconded to read by title only.
    - b. Ordinance 12-04 was read by title only.
    - c. There was no discussion.
    - d. Vote: ayes unanimous.
  - IV. Future Town of Townsend Town Hall Final Design – CW Karen Jennings**
    - a. CW Jennings said the design is on the back table. We got feedback from residents asking where is the Town Hall and wanted to see what progress we are making, we are on path. Please look at the designs.
    - b. Mayor High said before we go into adjournment he'd like to call State Representative Quinn Johnson forward. He stated Quinn has eluded us for several months (Quinn said only one month). Mayor High said for everything Quinn has done for the residents of Townsend and all the support he has given to Council, he would like to present him with the Town Flag (framed).
    - c. Quinn said he is speechless, he wasn't expecting this; he does this because he loves Townsend and will always be a part of Townsend. He added that the flag will be hung in his office at Legislative hall.
    - d. Quinn asked CW Sturgis to come in front of the table. He said they have had some wonderful times working together and for whatever reasons she has decided to step down from Council, regardless of whether the audience here have supported the things you have done or not, the fact is you volunteered your time to support your community, the community events that you planned and put on, everyone always had a good time, the Easter Egg hunt, NYE party, Town fair, so I want to present you with a certificate from the House of State Representatives to thank you for your service as a Council member since 2006. It doesn't seem like that long ago since you started, to 2012.
    - e. CW Sturgis thanked Quinn as everyone clapped.
    - f. Quinn asked Mayor High to come forward. Quinn said first and foremost he wanted to thank Mayor High for his service to our country. I get up every morning and think of all our veterans out there keeping us safe. We actually passed and got out there the Operation Freedom Tag. The first one was issued today. All our vets coming back from Afghanistan will be issued a tag. With that, also have a certificate for you from the House of State Representatives commending you for your time as Mayor and Councilmember. I know you spent a lot of time behind the scenes doing things for Townsend. Thank you for your service. Mayor High thanked Quinn as all clapped.
  - V. Adjournment:** 7:10 pm, CW Sturgis motioned, CM Ness seconded with unanimous vote.
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**7:10 pm - Re-Organizational Meeting**

- I. Call to Order:** 7:10 pm
- II. Introduction of Council Members:** Mayor Steve High, CW Sandy Sturgis, CW Karen Jennings, CM John Ness, CM Dwain Haines, Engineer Tom Wilkes and Secretary Cathy Beaver.
- III.** Before calling Council Elect Joel Esler and Jermaine Hatton to the front to be sworn in, Mayor High asked CW Sturgis to come forward. He said CW Sturgis is a very familiar face people have seen around Town since 2003 doing things. She always asks questions and gets things done, whether everybody agreed with her or not. CW Sturgis really cares about this Town and the residents in it; he read Resolution 2012-02 and presented her with it. It reads as follows:

# RESOLUTION

## 2012-02

**WHEREAS**, Sandra J. Sturgis, a Delaware native, chose to move to Townsend in October, 2003 to raise her family; and

**WHEREAS**, Sandra J. Sturgis started attending Council meetings and volunteering her services to the Town of Townsend; and

**WHEREAS**, Sandra J. Sturgis was elected by a majority of the residents to serve on Council for the Town of Townsend in 2006; and

**WHEREAS**, Sandra J. Sturgis served on Council for six (6) years, from 2006 to 2012; and

**WHEREAS**, Sandra J. Sturgis served as co-chair on the parks and recreation committee for six (6) years; and

**WHEREAS**, Sandra J. Sturgis dedicated many hours working in the park from its inception; and

**WHEREAS**, Sandra J. Sturgis planned and oversaw the annual Town Fair and all other events held for the residents of Townsend during her years of service; and

**WHEREAS**, Sandra J. Sturgis has worked diligently to help ensure Townsend keeps the quaint small Town atmosphere; and

**WHEREAS**, Sandra J. Sturgis did not run for re-election as Councilwoman for the Town of Townsend on May 5, 2012, but will continue to be active as a resident of Town;

**NOW, THEREFORE, BE IT RESOLVED** that Councilwoman Karen Jennings, Councilman John Ness and Councilman Dwain A. Haines along with the Town Staff and Town Residents would like to thank Sandra J. Sturgis for her six years of service and dedication, and wish her the best in the future.

Dated: June 6, 2012

The resolution was signed by CW Karen Jennings, CM John Ness and CM Dwain Haines. CW Sturgis thanked everyone while all clapped.

CW Jennings came forward, asked Mayor High to stay where he was and said it is her honor and privilege to read a resolution written in Mayor High's honor, as follows:

# RESOLUTION

## 2012-01

**WHEREAS**, Steve W. High retired from his career with the United States Army as a Lieutenant Colonel in April 2010; and

**WHEREAS**, Steve W. High chose to live in Townsend, Delaware after retirement and chose to be involved in his Town; and

**WHEREAS**, Steve W. High was elected by majority vote of the residents to serve as Councilman of the Town of Townsend for two (2) years from 2010 - 2012; and

**WHEREAS**, Steve W. High was nominated by Council to serve one (1) year as Mayor of Townsend from 2011 - 2012; and

**WHEREAS**, Steve W. High felt it was an honor to voluntarily serve the Town of Townsend as a Councilman and Mayor; and

**WHEREAS**, Steve W. High dedicated many hours to his duties as Councilman and Mayor for the Town of Townsend to ensure the residents and Town needs were met; and

**WHEREAS**, Steve W. High worked diligently with the State of Delaware, New Castle County and Delaware League of Local Government for the betterment of the residents of Townsend; and

**WHEREAS**, Steve W. High will continue to be actively involved with Town Council and attend Town events as a resident of Townsend Village I; and

**NOW, THEREFORE, BE IT RESOLVED** that Councilwoman Karen Jennings, Councilman John Ness and Councilman Dwain A. Haines, along with the Town Staff and Town Residents would like to thank Steve W. High for his two years of service and dedication, and wish him the best in the future.

*Dated: June 6, 2012*

The resolution was signed by CW Karen Jennings, CM John Ness and CM Dwain Haines.

Mayor High thanked Council as all clapped.

CW Jennings then presented both Mayor High and CW Sturgis a statue engraved with the Town logo and their names and years of service and thanked them for their service to the Town.

Both thanked Council as all clapped.

#### **IV. Oath of Office for Newly Elected Council Members:**

1. Mayor High called Council Elect Joel Esler and Jermaine Hatton to the front.
2. All clapped as they came forward.

3. Mayor High stated both these gentlemen ran for election and did a great job campaigning. Before you are the future of Townsend. This is an added plus to the present team and thanked both for being here.
4. Mayor High read the Council oath of office as Joel Esler and Jermaine Hatton repeated after him as they had their hands on the bible.
5. Once the oath was done, Mayor High introduced Councilman Joel Esler and Councilman Jermaine Hatton and congratulated both to much applause.

**V. Introduction of Entire Council:**

1. Mayor High introduced Townsend's new Council, Councilman Joel Esler, Councilman Jermaine Hatton, Councilman John Ness, Councilwoman Karen Jennings and Councilman Dwain Haines. He said at this time he will turn the meeting over to the senior councilperson, CW Karen Jennings.
2. Mayor High and CW Sturgis left the front table and moved into the audience as CM Esler and CM Hatton took their seats behind the table.

**VI. Nomination and Election of Town Mayor for one (1) year term:**

1. CW Jennings asked Council for any nominations for Mayor for a one year term.
2. CM Ness nominated Joel Esler to serve as Mayor for a one year term.
3. CM Hatton seconded the motion.
4. CW Jennings asked for a vote and all voted aye. Vote unanimous.
5. Resident John Hanlin said there needs to be a discussion; CW Jennings apologized and asked for discussion.
6. Mr. Hanlin said he had several questions for the new Council members.
7. Outgoing Mayor High interrupted and introduced John Hanlin as a former Mayor to the new members on Council.
8. Mr. Hanlin welcomed both new members on board and said he hopes they do a good job. He asked CM Esler what his plans are, what does he see as immediate needs in the Town.
9. CM Esler stated his main concern is the budget, the pros and cons of it, there are lots of big projects, Town Hall and streetscape that I want to see accomplished/completed. I am very focused on working with Council as a team to get things accomplished together. I keep telling everyone that a house is only as strong as its foundation and I want to make sure there is a strong foundation here.
10. Mr. Hanlin asked CM Hatton the same question.
11. CM Hatton welcomed Mr. Hanlin and said he loves the turnout tonight and hopes we continue to have this kind of turnout and hope to continue to have this kind of dialogue. The only way we are going to achieve this is improved communication from Town Council and Town Hall to the residents. I think that is one of the first things we have to tackle quickly. We need to create communication mechanisms. Agree with what Joel said to actually pass the budget so we can actually build a nice Town hall and actually be able to pay for it and not put the Town in any kind of debt to do so.
12. Mr. Hanlin asked both if they see any major hurdles at this point in getting those two basic items done. As far as the budget goes, obviously we have a budget. He asked both if they have had a chance to peruse the existing budget at this point and where do you feel it might be necessary to change it.
13. CM Esler stated they have both reviewed the budget and I believe there are items that we need to review, the police section, and collection of unpaid trash fees. Would like to get our cash flow coming in without dipping into our savings.
14. CM Hatton said he has the sentiments. We also need to look at additional opportunities of revenue for the Town. Right now we have very limited areas of revenue. Without having any construction going on with the impact fees we were generating several years ago has come to a screeching halt. To continue to move the Town forward without having to raise taxes or trash bills we need to identify new opportunities. I feel that is the most important thing we need to do as far as securing the Town's future.
15. Mr. Hanlin said he doesn't want them to feel he is putting them under a microscope but they are the new guys on Council. He directed his question to CM Esler and asked as a newbie, his first time on Council, what are your qualifications, how will you be able to handle managing diverse decisions and opinions because obviously in the past

everybody has had their own opinions on what they feel should be done. How will you handle something like that?

16. CM Esler said he feels it is all about teamwork, we need to come together to make decisions, discuss everything thoroughly, don't want surprises thrown out there, want to work with Council, Town Manager and residents as a whole. There is this team (Council) and this team (Council and residents). The questions you are asking me are exactly what I want to do; in the future we need more resident participation. The residents are the ones who put us here and we are representing you and that is a good thing to remember.
17. Mr. Hanlin stated he is here for the new Council members if they need any information or assistance on the back projects like the Town Hall and he is sure former Mayor High will also make himself available to them as well. Feel free to contact me; I will give you my contact information and good luck.
18. CW Jennings asked for any more questions, there were none.
19. CW Jennings asked for a vote on electing CM Joel Esler to serve as Mayor for one year.
20. Vote: unanimous.

**VII. Oath of Office for Town Mayor:**

1. Outgoing Mayor High read the Oath of Office for Town Mayor as CM Joel Esler repeated after him.
2. At the end of the oath all clapped.

**VIII. Adjournment:** 7:30 pm, CM Ness motioned, CM Haines seconded with unanimous vote.

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**7:30 pm – Council Meeting**

**I. Call to Order:** 7:30 pm

**II. Opening Ceremonies**

- a. Roll Call: Mayor Joel Esler, CW Karen Jennings, CM John Ness, CM Dwain Haines, CM Jermaine Hatton, Attorney Fred Townsend, Engineer Tom Wilkes, TM Dawson Green, FO Azure DeShields, Secretary Cathy Beaver
- b. Pledge of Allegiance: The pledge was said.
- c. Recognition of Visitors: 25 visitors

**III. Additions/Deletions to Published Agenda:** none

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

**V. Unfinished Business:** none

**VI. New Business**

- a. Re-schedule July 4, 2012 Council Meeting (Office Closed)
- b. CW Jennings suggested moving the July Council meeting to Wednesday, July 11, 2012 since the office is closed on July 4<sup>th</sup>.
- c. No one had any conflict with this.
- d. CM Ness motioned, CM Haines seconded with unanimous vote to have the next Council meeting on Wednesday July 11, 2012 rather than July 4, 2012.

**VII. Reports of the Officers**

- a. State Representative: Quinn Johnson
  - Quinn congratulated Mayor Esler and CM Hatton for their election and willingness to support the community. He welcomed them aboard and said he is looking forward to working with them as well as the rest of Council.
  - June is the last month of session.
  - We are finalizing the budget. The finance committee has for the most part finalized their meetings on the budget. The next step is to get appropriated funds from the bond committee. If you have any questions you can check the website or call or email me.
  - Rt. 71 project is broken up into several projects. DelDot does this all the time. Right now you see some work going on by Cricklewood on Rt. 71. Different people handle the different projects; I have no timelines right now but will get them to you when I have them.
  - Something else that may affect Townsend is Waste Industries is looking at property at Rt. 1 and 13 so they can grow and expand the business. If this doesn't come through, they are also looking at property outside of Delaware. We

don't want that to happen, if they stay in Delaware, they will grow in Delaware creating more jobs. Some residents don't want them in Town, this is outside of Town limits yet residents who live by the property they are looking at don't want them there. If they get the property they have to go through a process to be re-zoned. Bill Powers is working on it now; you can email your opinion or attend the meetings about this.

- A lot happens in June, any bill that doesn't pass in June dies and will have to be re-introduced if someone wishes to pursue it.
- If will be your representative until November, I will have a different territory, much smaller after that and a new person will serve Townsend. Currently our district is the largest in the state and they have divided it up. Lynn Doolan, who is running for the new seat is here tonight. No matter what happens, I will still be around and will see the streetscape through. I will help with the transition, Townsend is in my heart.
- CW Jennings thanked Quinn for all the work he has done on getting Senate bill 22 passed. As a Mom it means a lot.
- Quinn said the bill has been worked on for a long time and deals with autism. 1 in 88 children are autistic now. There are some very important therapies that can help and we would like to see 100% of autistic children get this therapy. With the therapy the children wouldn't have to be in special education or in homes.

b. Lt. LaMarche – State police:

- Stated Townsend is one of the safest places to live in Delaware, every crime comes across my desk and compared to other areas of the state, crime is low. Last month was somewhat busier, Cathy Beaver called me per the Mayor, lots of car windows were shot out but we only got three (3) reports. People need to call the police, not the Mayor or Town Hall; the police investigate and have to make the reports. The car windows were shot out with a BB gun, one person had three (3) cars shot and we think that was suspicious. Two of the people were neighbors across the street from each other. Middletown had some incidents like this, we work with and communicate with Middletown Police Department, we get their report and they get our report.
- Recent incident where a resident was up late and saw a flashlight outside and saw 2 young men who took off, he got in a foot chase, let me caution you about that, there is nothing worth getting hurt over, you never know what these people are doing, you don't know if they have weapons, be a good witness for us and get a description or tag number if you can. In this case the boys tried to get back to their car; they had to abandon it because the resident was too close. He called 911 and a trooper came down, towed the car, when the young man came to get his car we arrested him. They were probably breaking into cars looking for things to steal. They were from New Castle but one of them was related to someone in Townsend which is why they were down here.
- For those of you who have business or home security alarm systems, on June 10, 2012 the False Alarm Reduction Program was implemented. With this, you get only three (3) false alarm calls, after that it will cost you. The 4<sup>th</sup> call you will be fined \$50.00, 5<sup>th</sup> call - \$75.00, 6<sup>th</sup> call \$100.00. All calls from the 7<sup>th</sup> on will cost \$250.00 each. You must also register your alarm system through Cry Wolf at <https://www.crywolf.us/delaware>. This is a secure website and it is free to register you system. If troopers respond to an alarm that the system isn't registered, you have 30 days to get it registered or be fined \$50.00. We always send two troopers to alarm calls for obvious reasons. If you saw the number of false alarms troopers respond to, you would be shocked, we get a minimum of 30 false alarms a month. The police have worked for years to get this law passed. We have very few false alarms in Townsend.
- There have been guys breaking into abandoned and vacant homes taking all the copper piping for scrap. Copper prices are through the roof. They take any kind of scrap, causing lots of damage. Please watch for this and call if you see something suspicious.

- A lot of people are afraid to call us because they are afraid it may be a false alarm, if you see something suspicious, pick up the phone and call us and tell us there is a suspicious vehicle. Please always call, can't promise someone will come, we cover a huge territory from Christiana to Kent County, but we actually solve a lot of cases from people reporting suspicious vehicles.
  - Sadly, there have been a lot of shed and garage burglaries going on, mostly just north of Smyrna. Got a call today and we may have leads on that. Make sure you lock everything up, sheds, garage, cars, and house.
  - Please check on your neighbors, recently had a trooper working in Town and a resident approached him and said he hadn't seen his neighbor in a long time and am concerned. The trooper went to the house, things didn't look good, he called in another trooper and they made forced entry, a woman living by herself and she had been deceased 2-3 months. Very unfortunate.
  - Again, don't be afraid to call us for any reason and we will check into it.
  - Mr. High asked if with the alarm responses, is the resident responsible for the payment at the time, how do you guys get re-imbursed?
  - Lt. LaMarche said the police don't get re-imbursed; you will be billed by the State Police. He said his understanding is, you pay your alarm company and it is up to you to have them fix the faulty system, we won't get involved in a three way argument, if you have to start paying fines, you'll have your alarm company come out and fix the alarm.
  - Mr. Rocke asked what the status on the drug traffic is and how do we approach the police when we constantly observe deals going on.
  - Lt. L. said you can call the troop directly and ask to speak to me or tell the desk sergeant you want to give some information and he will relay the information to our drug unit which works undercover. We also have the Governor's Task Force which is made up of troopers and probation parole officers and it's pretty neat. We don't have the authority over probationer's that they do so if you called and said there is activity going on at a certain address and we found that is where a probationer lives, that information allows them to go to the house and go in without a search warrant and we go with them for security and if they find anything we make the arrest. You can always call crime stoppers but there is a lot that gets lost in the translation when it's relayed to the proper section, so either call the troop directly, probably your best bet, and speak to the trooper at the desk or ask to talk to me.
- c. Townsend Fire Department: Keith Shoemaker/Jeff Dawson
- Nothing to report, chicken and dumpling dinner didn't go as well as previous dinners. CM Haines has spring fling tickets for sale. It is next weekend. All prizes are given away.
  - Mayor Esler thanked all the residents for being at the meeting tonight, recognizes some of the faces. Being new to Council and as Mayor he will rely heavily on his fellow team mates, especially CW Jennings, the senior member. I am really excited to be here and looking forward to working for and with the residents.

## **VIII. Reports**

- a. Fred Townsend III, Attorney:
- Congratulated Mayor Esler and CM Hatton and added if they have any questions about any process he would be happy to help in any way he can. He wished all of Council luck.
- b. Tom Wilkes, Engineer:
- Will meet with Mayor Esler and CM Hatton later to discuss the projects we have going on.
  - Currently have two projects going, the Town Hall design. The plans are 90% complete, we are on track, we're bidding and advertising this job for contracts at the end of this month. Set of plans on the back table if you want to see it.
  - Second project is the Town streetscape, working hard on getting the plans completed. The design has been done; the one thing mainly holding it up is what is considered maintenance and traffic which essentially is pedestrian detours

around the sections that are going to be worked on. There is 10 phases of construction. We will only be working on one block, one side of the street at a time. We are required to keep pedestrian lanes open, both walking and crossing the street safely. Have to have crosswalks and temporary signs in place for that. A minor but complex detail. We should be submitting those plans to DelDot by this time next week.

- Mr. Alan Emsley asked Tom if there was any idea what the Town Hall is going to cost.
  - Tom said the preliminary estimate was \$317,000.00 and that included a \$40,000 contingency.
  - Mr. Emsley asked where it is going to be built.
  - Tom said in the Town Park to the left of the large pavilion.
  - CW Jennings asked Mr. Emsley to please look at the drawings of the hall.
  - Mr. Rocke asked if there were a time frame for the Town Hall.
  - CW Jennings said we are on target.
  - Mr. Rocke verified it will go out to bid at the end of the month.
  - Tom said yes, it will be advertised at the end of this month, the contract documents will be together and the construction should be completed by the end of this year.
  - Mr. Rocke asked about the water problem at the park, the irrigation and hooking the water to the wells.
  - Tom stated it is on the agenda, we'll get to it later on.
  - Mayor Esler said we will wait to discuss it on the agenda.
- c. Dawson Green, Town Manager:
- TM Green said due to weather and graffiti we have started replacing some street signs around Town.
  - There is more activity going on at the park, if you see something going on call the police or call me and I'll call them.
  - Mayor Esler added there was new graffiti on the skate ramp, please call the police.

## **IX. Committee Reports**

- a. Mayor Esler said we need to assign new chairs to the committees.
- b. CW Jennings stated that is usually done at the workshop due to time restraints and what each committee entails can be explained.
- c. Finance Committee: Chair –
- FY 2012-2013 Budget was approved at the May 23, 2012 Workshop.
  - Copies are available at the office if anyone is interested.
  - Azure read the totals from the finance report as follows:
    - I.** Total assets: \$3,190,638.80
    - II.** Total liabilities & equity: \$3,159,564.58
- d. Streets Committee: Chair –
- CM Haines said he has nothing.
- e. Storm Water Management Committee: Co-Chairs –
- Outgoing CW Sturgis said from the audience that she has nothing at this time.
- f. Zoning Committee: Chair –
- Outgoing CW Sturgis said from the audience that she has nothing at this time.
- g. Health & Public Welfare Committee: Co-Chairs –
- CM Ness said as summer approaches and get hot, keep an eye on your neighbors, drink lots of liquids and stay cool. Use common sense.
  - Past Mayor Steve High asked TM Green for the date of the mosquito spraying so residents can be inside while it's being done if needed.
  - TM Green said he will check for the exact dates.
- h. Energy & Environment Committee – Chair –
- Townsend Wildlife Habitat Project
    - I.** CW Jennings stated she put the application for re-certification as a community wildlife habitat in and it was approved with flying colors. Congratulations everybody who has a backyard habitat. We are number

one (1) in Delaware and I believe number sixteen (16) in the nation to be certified. It's very cool.

- Astronomy Night in the Park
  - I.** Yesterday Venus passed in front of the sun. Very cool. I have solar glasses so if anyone is interested, please email me, you can check out the sun spots, they are crazy.
  - II.** Keep an eye on facebook for the next astronomy night in the park. Bring the kids down. Have Mars up right now and Saturn and some really cool clusters.
  - III.** Mayor Esler asked CW Jennings where residents can get info on making a backyard wildlife habitat.
  - IV.** CW Jennings said the Delaware Nature Society is one of the best resources. It is easy access to what trees and shrubs are native to Delaware. I can also help anyone interested, call Cathy at the office or email me. I would love to help you and may even have some material to contribute.
- i. Police Committee: Chair –
  - Townsend Community Watch –
  - CM Ness asked people to please be familiar with the people in your neighborhood and if see someone suspicious call the state police. If you see people in the park at night, contact the police, the park closes at dusk.
  - If anyone has any questions or suggestions please email me.
- j. Parks & Recreation Committee - Co-Chairs –
  - Irrigation System for Park/Electric for Park
    - I.** Mayor Esler said Council discussed a proposal that was received for the irrigation system at the workshop. However, we don't have any electricity to run the irrigation if it is installed.
    - II.** CM Ness said if we decide we need an irrigation system we need a timeframe, if and when we have the irrigation system actually installed versus what kind of electrical power we need and whether it will be temporary or just to test the system to make sure the wells and pumps work to get water out to the trees or whether the timeframe will allow us to get basic electric service out there and I understand Tom has said we can do it in stages but the basic outline of what we need and some of the junction points for the electric will be best served by putting it in...
    - III.** Tom said there is no electric at the park right now so whatever service you need, whether it's the wells or Town Hall or lights, need to establish service to the park, a junction box, so you'll be bringing electric into the park from the street to a central location and it will be streamed out from there so whatever location you need it and in whatever capacity you need it as well.
    - IV.** CW Jennings asked if this is a separate amount in addition to the overall project cost.
    - V.** Tom said yes, these are basic cost estimates. He said Karen gave him a breakdown of what the total service will cost versus everything else that can be done. The initial basic service will provide electric to the park to a central location and you will branch off of there for whatever you want to do, lights for the parking area, plans for the scoreboard and announcer booth at the baseball field, probably low priority right now, bathrooms, Town hall and pavilions and the wells for the irrigation system. Right now the basic service is worthwhile and certainly necessary. That is step one (1).
    - VI.** Mr. Hanlin asked what the cost of the irrigation is.
    - VII.** Mayor Esler stated the irrigation estimate is \$59,700 and on top of that is the cost of the electric. Mayor Esler asked Tom if the temporary hook up of electricity is part of the cost.

- VIII.** Tom said he isn't sure what the temporary hookup is, he isn't privy to the irrigation system as far as what the designer scope is.
- IX.** CW Jennings said TM Green announced there is matching grant money from DNREC to help pay for irrigation and stuff with the electric.
- X.** Diane Hanlin asked how much the grant is.
- XI.** TM Green said the matching grant is \$94,500.
- XII.** Mr. Hanlin verified it is a matching grant so we have to match it dollar for dollar.
- XIII.** CW Jennings said we allocated \$100,000 in the budget toward electric and irrigation.
- XIV.** Mr. Emsley asked if we are going to put wells in.
- XV.** Mayor Esler said the wells are there, we are talking about installing an irrigation system.
- XVI.** Mr. Hanlin stated he is very concerned that Council is even considering an irrigation system at this point.
- XVII.** Mr. High said he doesn't mean to interrupt, but at the end of the day when you flip the switch, how much will it cost to get the electric and the irrigation in the park?
- XVIII.** CW Jennings said approximately \$145,500.
- XIX.** Mr. Emsley asked why it is necessary. He has never seen a park with irrigation.
- XX.** Mayor Esler said he isn't a gigantic fan of an irrigation system but we need to protect our investment of trees out there. That's one way of looking at it.
- XXI.** Mr. Hanlin said he wants to state that in the original design, he was involved in the original design of the park as was CW Sturgis and CW Jennings. The irrigation system was put there "in case". Just because it's there doesn't mean it has to be built. It was put there in case the Town decides to do it, it is already approved by DNREC, but just because it's there doesn't mean you have to do it, just because you have allocated \$100,000 some dollars in the budget doesn't mean you have to spend it. That's the point I'm trying to get across. As Mr. Emsley said, and I know I also have never seen any park that has an irrigation system. I understand wanting to protect something or your investment but you have to weigh what it's going to cost compared to the 2 or 3 trees that may have died from lack of water. It's going to cost \$300.00 or \$400, even \$1,000 to replace some trees as opposed to \$60,000 for an irrigation system.
- XXII.** Mayor Esler clarified the numbers so all are clear. The total irrigation system is \$59,700.00. Basic electric to get it to the park is \$69,300.00. The electric for just the wells is \$16,500.00 for a total of \$145,500.00.
- XXIII.** Mrs. Sturgis clarified that the basic electric isn't for the irrigation so you can't add it to the irrigation; you have to do the basic electric to get it into the park.
- XXIV.** CW Jennings said that was absolutely correct, the basic electric has to run regardless.
- XXV.** CM Hatton stated we have to run the basic electric to the park in order to get it to the irrigation system.
- XXVI.** Tom added for the bathrooms, Town Hall, lights and scoreboard also.
- XXVII.** CM Hatton said you can separate it out however you want but you have to have the basic to do anything.
- XXVIII.** Mr. Emsley questioned the prices again.
- XXIX.** CW Jennings again read the prices for all the items and again stated CW Sturgis and CM Hatton are right, basic electric has to be run to park before anything else can be hooked into it and reminded everyone that we have a grant for the irrigation system.
- XXX.** Mr. Emsley said the bathroom obviously.....
- XXXI.** (Many people were talking at once).

- XXXII.** Mr. Emsley said he is confused because Sandy said some of electric is for, I don't know if she said the Town Hall...
- XXXIII.** Mrs. Sturgis said in order for them to get electric into the park, they have to pay for the basic electric, from the street to the park, \$59,000.00. This will then have junctions to run electric to whatever needs it as it is built or installed.
- XXXIV.** Mr. Emsley asked about the \$16,000.00
- XXXV.** CM Hatton explained that is from the basic electric to the wells.
- XXXVI.** Mr. Emsley then said the \$16,000.00 plus the \$59,000.00 is then the absolute cost of the irrigation system.
- XXXVII.** Mayor Esler said these numbers are all estimates; we haven't had any bids yet. He explained all the numbers again.
- XXXVIII.** Mr. Emsley asked what is meant by basic electric.
- XXXIX.** CM Hatton again stated it is getting basic electric into the park from the street. In the future, anything that requires electric will be junctioned off the basic.
- XL.** Mr. Emsley asked if the price for the basic electric is an estimate or will Delmarva do that.
- XLI.** Tom said Delmarva will have to approve the design.
- XLII.** Mr. Emsley asked if an electric company that will do it, is that who gave the \$69,000 estimate.
- XLIII.** Tom said no, he purposely did the estimates on the high side, would rather be over budgeted than under. These are ball park type figures.
- XLIV.** Mr. Emsley said if you don't do the irrigation system it will still be \$69,000.
- XLV.** Mayor Esler said yes.
- XLVI.** Tom said the price includes conduit and copper from the street out to the service block and Delmarva will charge a fee to connect the service.
- XLVII.** CM Ness said we have a matching grant from the state up to \$94,000.00.
- XLVIII.** Mr. Emsley asked if the grant was actually approved or just available.
- XLIX.** TM Green said it is approved.
- L.** CW Jennings added that it is approved and allocated in the budget.
- LI.** Mayor Esler said to keep in mind; all of this will have to be put out to bid.
- LII.** Mr. Emsley asked if DNREC has a matching grant for our Town Hall electric.
- LIII.** Mrs. Sturgis said no.
- LIV.** Mr. Emsley asked more questions about the grant as others were talking.
- LV.** Tom explained the grant is for park projects and the Town hall is not part of that, it doesn't qualify.
- LVI.** Mr. Emsley said it is basically for the irrigation then.
- LVII.** Tom said for reference the Town has gotten this matching grant in the past and helped pay for a lot of what is in the park.
- LVIII.** Mayor Esler asked Fred for his thoughts.
- LIX.** Fred said he has nothing to add, he thinks it is a policy question, not a legal issue.
- LX.** CW Jennings stated the gentleman who provided the irrigation bid is not here.
- LXI.** Mr. Hanlin said he is still trying to figure out the numbers, he understands the proposal. What you are saying is it will cost \$59,000.00 to get the water from the well to spray the grass and trees, doesn't include water to anything else.
- LXII.** Mayor Esler said as he understands it, it doesn't include water to the bathrooms, Town Hall
- LXIII.** Tom said it isn't potable water, its well water, not treated.
- LXIV.** Mr. Hanlin said since it isn't potable water you will have to think about an infiltration system, an ultraviolet system, right?

- LXV.** Tom said he wouldn't recommend the Town get into water treatment, there is water at the park already, public water, so that would be the avenue, and there is a water meter. There is piping out there for whatever.
- LXVI.** Mr. Emsley asked if the wells had pumps in them and how many are there.
- LXVII.** CM Hatton said there are two (2) wells with pumps in them.
- LXVIII.** CM Ness said the way he sees it, we have a nice park up there and there will be maintenance and upkeep for the park. I see it as a necessary amount of money that needs to be spent. I've seen other parks where the ball fields without irrigation turn into dustbowls and everything else. Without any rain or irrigation it will turn into a dustbowl too. I would prefer not to spend the money but we have the park and need to protect our investment so that people can go and enjoy the park. Don't think people would enjoy it if there was a lot of dust when the wind blows. Certain things about it that we need to care for, we have park equipment, and the gazebo has been damaged a couple times. Unfortunately that's all it takes, a couple people to do that and we have to fix things. There is grass and bushes and trees that all need maintained, either we have to maintain it or let the trees, grass and shrubs die.
- LXIX.** CW Jennings said we would research alternatives before we let that happen.
- LXX.** Mayor Esler said the other concern he has is there is no maintenance agreement with this contract. If something breaks, do we have to pay again to fix it?
- LXXI.** Mrs. Sturgis said there is an agreement.
- LXXII.** Mr. High said from what he read there is a limited one year warranty. He asked TM Green what the 94K grant can be used for, the park in general?
- LXXIII.** TM Green said when he applied for the grant it was for the irrigation system, electric into the park, volleyball courts, horseshoe pits, drinking fountains. Think that was it.
- LXXIV.** Mayor Esler asked for the timeframe on the grant. Do we have to start it at a certain time?
- LXXV.** TM Green said the grant is good May 1, 2012 through December 31, 2013. However, the Town cannot use the money until the agreement has been executed. It has been sent off to the state and they have to sign off on it but it is a matching grant.
- LXXVI.** Mr. Emsley asked if Council is going to make a decision to do this irrigation or is this just a discussion.
- LXXVII.** CW Jennings said no, it is to make a decision.
- LXXVIII.** Mr. Emsley asked if there was any kind of public hearing or is it necessary. Seems like an awful lot of money to spend, you want to build a Town Hall, you are going to end up like other Towns with no money, you are biting off a lot. This Town has beautiful lawns and I haven't seen any sprinkler systems. I own property here and I don't water my lawn. I'm confused about the grant, \$94,000, if it's a matching grant; they are only going to match what you spend. I assume its 50/50 right?
- LXXIX.** TM Green said correct. The total for this phase is \$189,000 but they will match \$94,500 to the Town's \$94,500.
- LXXX.** Mr. Emsley asked what phase.
- LXXXI.** TM Green said for this phase, to put in irrigation and electrical at the park.
- LXXXII.** Mr. Emsley asked how we got to \$189,000.
- LXXXIII.** TM Green explained that this phase totaling \$189,000 is for irrigation, electric, water fountains, volleyball courts and horseshoe pits.

- LXXXIV.** Mr. Emsley clarified that they are matching half of all that and was told yes.
- LXXXV.** There was a discussion about all the numbers not matching.
- LXXXVI.** CM Haines stated we have no bids yet, everything was estimated high. We wanted to make sure we had plenty of money instead of not enough.
- LXXXVII.** Mr. Emsley said he is sitting here as a taxpayer and I'm hearing \$16,590, then \$145,000 total, then TM Green said \$94,000 so I'm thinking if the irrigation system is \$16,000 plus \$59,000, that's about \$76,000, they are only going to match half of that, nobody disagreed with me. Now its \$189,000 and I haven't seen where \$189,000 comes from. I'm concerned because I don't want to see the Town get into a situation where we are in trouble and just don't know if an irrigation system is number one on the list. To me a Town Hall is something that's important. Certainly bathrooms and a scoreboard, to me, are a lot more important than an irrigation system. If you get all that stuff in or at least get to where you can figure out what you are doing, when it comes to spending money I think we all don't like to spend a lot of money, do a little, see where you are, do more and see where you are. Once everything else is done then the irrigation system may be fine. But as I say, I see a lot of green lawns in Town and no irrigation systems.
- LXXXVIII.** Mr. High stated a lot of numbers have been thrown out and it is very confusing but at the end of the day it will cost Townsend \$72,000 for irrigation and electric, or less. The issue now seems to be is there a need?
- LXXXIX.** Mr. Emsley said he feels a Town Hall is more important and needed before an irrigation system. How much income does the Town bring in a year, minus your expenses, employees and bills? Just think it would be best to let it sit for a while. TM Green said the grant is good until 12/31/13. Let it sit for a while. It may turn out you don't need an irrigation system. Stuff won't all go bad at once, if later you find you need it, you can do it.
- XC.** CW Jennings said we could also offer a public hearing fully disclosing all the figures. This agenda doesn't mean we are getting ready to motion and move forward with this.
- XC.I.** Steve High asked Council if they need to discuss this further.
- XCII.** CW Jennings said Council should put this back out there and accurately advertise it so the residents can see it and do it in an informal public hearing format and everyone can get the feel for it and find out what is important to everybody.
- XCIII.** Mayor Esler said we could break the numbers down more and separate everything so we aren't confusing the grant with the estimates for the projects. Then we can vote on it.
- XCIV.** Mr. Emsley said it would be better to get some actual bids, I'm sure the estimates are pretty accurate but with this economy you should be able to get a lot of bids.
- XC.V.** Mayor Esler said the only bid we have is for the irrigation system.
- XCVI.** Everyone started talking.
- XC.VII.** Mr. Hanlin said the park has been up and running for three (3) years, how many original trees have died and been replaced, not talking about new trees, replacement trees. What is the dollar amount to replace them, do any of you know.
- XC.VIII.** CM Haines said two (2) weeks ago we planted some new trees that were given to us. TM Green had Mr. Hargrove pull the dead trees out and we planted the new ones.
- XCIX.** Mr. High said it was six (6) new trees.
- C.** Tom added there was some removal and replacing of some trees several years back. Not sure how many, maybe 10% or so.

- CI.** Mr. Hanlin said maybe cost wise, \$3,000 - \$4,000 to replace existing trees that died. Again, cost versus benefit, \$3,000 over three (3) years versus \$60,000 for an irrigation system.
- CII.** CM Ness said to make a couple points, over the past couple years there has been water put out there, we had a service come out and water the trees and bushes, that's why we have the green bags around the trees, they come and fill those up with water.
- CIII.** CW Jennings said we can do that now.
- CIV.** CM Ness continued saying there may or may not be DNREC grants in upcoming years, if we can get the money this year, we have it and we want to protect the investment of the park. A lot of people think the park is a good thing. As far as the bidding, I don't think anyone is saying we are taking numbers, above a certain amount we have to go out and have advertised bids, there is a whole process. We have done that for the irrigation system.
- CV.** Mr. Emsley asked how many bids we received.
- CVI.** CM Ness said one bid and CW Jennings said she believes we had 3 bids in the second round, or three (3) the first round and one (1) the second round?
- CVII.** Several people said just one (1).
- CVIII.** Mr. High said chapter one had 2 bids, chapter two had none and chapter three had 1 bid, however, the 1 bid was one of the same from chapter one. Two companies bid for that contract.
- CIX.** Mr. Emsley asked if we require 3 bids.
- CX.** Mr. High said yes, but per the Town procurement policy, however only 2 bids were submitted, you can't go out and beat on someone's door and say give me a bid so it is what it is. Final version, chapter three only had one bid submitted.
- CXI.** Mr. Emsley asked what the other bid was.
- CXII.** Mr. High said he doesn't have the paperwork in front of him but believes it was \$1,000.00 more.
- CXIII.** Tom said there are certain rules for bidding projects, if it is over a certain amount you have to advertise it. Would like to get at least 3 bids back but can't force people to bid but that is the general guidelines.
- CXIV.** Mr. Hanlin said that is especially true when you have grant money from the state. They have very strict guidelines on how the money is used.
- CXV.** CM Hatton asked that the irrigation system be added to the workshop.
- CXVI.** Mrs. Hanlin asked that Council be very careful how we spend money, I would rather see a Town Hall built way before we water the weeds, would rather see all money go to a new Town hall before spending any more money on the park.
- CXVII.** Mr. High asked Council to consider changing the porta-pot at the park to a handicap porta-pot for our handicap residents. We have worked hard to make the rest of the park handicap assessable.
- CXVIII.** CW Jennings said absolutely.
- CXIX.** Maurice Mobley asked if Council could please build the restrooms at the park first because the porta-pot is really gross.

- Town Fair

- I.** Mayor Esler asked Mrs. Sturgis if she had any comments about the fair.
- II.** Mrs. Sturgis said she plans on being a volunteer at the fair but will not plan it.
- III.** Mayor Esler asked to add this to the workshop agenda.

**X. Announcements:** None

**XI. Citizens Comments & Participation**

- a.* Mr. Emsley said he read the minutes and asked if the Lupo property is the burned house on Commerce Street. (He was told yes). He said the minutes said it will be discussed at the workshop and asked what it was about.

- b. Mayor Esler stated Council advertised for real estate brokers to sell it for the Town and come in and tell us what they will do to advertise the sale, etc. Those interested scheduled appointments and will be interviewed on June 13, 2012.
- c. Mr. Emsley said he is a real estate broker and has a suggestion. I bought my first property in Townsend in 2005 and that property (Lupo) was there in the same condition as now and it's 2012. My suggestion is I don't think most realtors are going to be interested in the property simply because the property isn't worth much money. Exactly what its worth is hard to say, I've never been inside it. I suggest you put an ad on Craigs List and say on Saturday from 9:00 am-2:00 pm the door will be open for anyone to go in and see the house. Anyone with any intelligence is going to look to see what they are dealing with, whether you knock the house down or fix it, I have no idea, maybe one of you have been in it and know what shape it's in.
- d. CW Jennings stated there is a tree growing in it.
- e. Mrs. Sturgis said it is a vine.
- f. Mr. Emsley continued and said the house could be stable and you could do something with it.
- g. CW Jennings said the Town determined it is stable, it needs cosmetic stuff.
- h. Mr. Emsley said he would be happy to put the house on the Mobley list for free, and so would his realtor friend in Town. This way the realtor gets no commission either. The problem is when people see there is no commission they know something is wrong with it. I would open the home up for a day for anyone interested in it to see the inside. (I just bought a house at auction on Commerce Street). You can hire an auctioneer or one of you do it and there are people who will be interested. Sell it. It would be such a plus for the Town. Every time I ride down that street, I wonder how it has taken so long to do something with the property.
- i. CW Jennings said they have been working diligently towards a resolution.
- j. Mr. Emsley said we could have the place sold within a month, out of our hands and somebody working on it in the nice weather and getting it back on the market so it's a plus for the Town instead of a negative. I think putting it out to realtors is really a waste of time.
- k. CM Ness said he appreciates the concern and suggestion. We would have to refer to Mr. Townsend, we are a municipality, don't know if as a municipality we can put it on Craigs list.
- l. Mr. Emsley said he only said Craigs list because it's a very effective way to advertise.
- m. CM Ness said he understands but there may be limitations on what we can and can't do. If we could, we'd like to get rid of it tonight.
- n. Mr. Emsley said the Town will get rid of and get the best price we can get. Most people aren't going to buy that house. But get it done, open it up and let people see it, don't know what you want for it but you should take whatever you can get for it, sell it and they can fix it up, you can collect taxes on it and it will be a plus for the neighborhood.
- o. Fred asked Mr. Emsley if he had seen auctions like that before and would it be customary for the Town, who has a modest investment in the property to protect the public from the house, having a reserve bid.
- p. Mr. Emsley said there are a very small number of people who will be interested. The problem with reserve is that you have to figure out what it is. One of the places I bought had a reserve of \$10,000 and it was in good shape.
- q. Fred asked if the reserve is advertised.
- r. Mr. Emsley said yes, it's all over the place. It's very interesting, had never been to an auction before and they have more disclosures than I've ever seen. Pages of them. They have all kinds of rules.
- s. Fred asked if you had to have a certified check with you.
- t. Mr. Emsley said no, he had to pay 5% with a personal check or credit card when I won the bid.
- u. Fred stated Council has already demonstrated they are very interested in dealing with this situation, and no matter how it is disposed of; we want a responsible owner to end up with that property so it doesn't just continue in its current state. What steps do you recommend....

- v.* Mr. Emsley said he is a landlord, do you know how much he would love to have responsible tenants, and I do for the most part. The only thing you can be sure about and somebody would have to have the money to go to settlement. I don't know how you would determine, but the person who buys the property, and you can require 10% down at the sale and settle within 30 days, the alternative if they don't do what you say or want them to, you have rules around here. I believe if I were in the Town's position, I would be more interested in not how much money I could get, but the person buying the property. I know a lot of people in the real estate business and people who would be interested in buying this property. The idea of just buying it and not doing anything with it....
- w.* Mayor Esler asked Fred if it would be possible for Mr. Emsley to attend the realtor interviews next week if he is available.
- x.* Fred said it is an open meeting. Anyone can attend.
- y.* Mayor Esler asked Mr. Emsley to call Cathy and get on the schedule for next Wednesday.
- z.* Mr. Emsley said he wants to see the inside and would list it for nothing; he wants to see it back on the tax rolls.
- aa.* TM Green told Mr. Emsley to call him when he wants to see the inside of the house.
- bb.* Mr. Hanlin asked if something could be put in the agreement of sale that the house must look like "this" by a certain date.
- cc.* Mr. Emsley said no, chances are someone will know the person who buys the property. Why would anyone buy it and do nothing with it?

**XII. Adjournment:** 9:05 pm, CM Ness motioned, CM Hatton seconded with unanimous decision.

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