

TOWN OF TOWNSEND
March 3, 2011
Public Hearing @ 7:00 pm
Council Meeting Minutes @ 7:30 pm
@ Townsend Fire Hall
107 Main Street

7:00 pm – Public Hearing

- I. Call to Order:** 7:01 pm
- II. Roll Call:** Mayor John Hanlin, Councilwoman Sandy Sturgis, Councilmen John Ness and Steve High, Attorney Fred Townsend, Engineer Tom Wilkes, Secretary Cathy Beaver.
- III. First and Second Reading Ordinance No. 11-01, Burning in Town Limits:** Councilwoman Sandy Sturgis
 - a. Sturgis motioned, Ness seconded to read by title only.
 - b. In the discussion Sturgis stated in light of the yard waste ban that was effective 1/1/11, this ordinance now permits residents to have screened in fire pits on the patios, etc. With the original ordinance, they weren't permitted.
 - c. Ness asked if this ordinance was approved by the fire company.
 - d. Sturgis said no, they wouldn't do anything about the 1st ordinance.
 - e. Vote: ayes unanimous.
- IV. First and Second Reading Ordinance No. 11-02, Comprehensive Plan Amendment:** Councilman Sandy Sturgis
 - a. Sturgis motioned, Ness seconded to read by title only.
 - b. Sturgis explained that the car lot on the corner of Main Street and Rt. 71 was zoned half commercial and half residential. The zoning was changed with an amendment to the comprehensive plan making the property all commercial. This ordinance is to accept the change in the comp plan.
 - c. High asked if this change would affect the apartment above the car lot.
 - d. Sturgis said no, there isn't an apartment there, it is an office.
 - e. Vote: ayes unanimous.
- V. Recycling and Yard Waste pickup**
 - a. Hanlin stated Council just wished to inform the public at this point that a yard waste ban went into effect on 1/1/11. You can no longer put grass, leaves, tree limbs, etc. in your trash. This is effective statewide.
 - b. Hanlin added that on 9/15/11, statewide recycling will become law.
 - c. Sturgis said with the yard waste ban, IDS, our trash carrier has offered us several options. One option was bi-weekly pickup of yard waste which would add approximately \$4.00 to everyone's trash bill. Another option was to have on call pickup for yard waste. This would cost \$20.00 per call.
 - d. When recycling becomes mandatory in September trash bills will go up. If things go right, we may be able to reduce trash pickup to bi-weekly. Many options out there. That is what this meeting is about, want to get residents feedback.
 - e. Hanlin added there will be more meetings down the road.
 - f. Dwain Haines said he doesn't want to be charged for yard waste; he mulches his grass and doesn't have any other yard waste.
 - g. Sturgis said this is part of the reason Ordinance 11-01 was revised. It will allow people to burn their branches, as long as the pit they use is screened in.
 - h. Tori Baker stated she moved here from a Town that had trash, recycle and yard waste pickup. With recycling, the amount of trash went down, which reduced that portion of the bill so the recycle and yard waste charges didn't increase the bill much at all.
 - i. Tori asked about the comment from the last council meeting about using common spaces in the developments as dumping areas for yard waste.
 - j. Hanlin said that is not going to happen. He amended his statement by stating he would never approve or vote for that, but it would be a Council decision.
 - k. Tori said since that statement was said, people are actually already doing it. There has been a lot dumped in the empty lot behind my house. This lot has always been a problem, with the builder often saying they will clean it up and never doing it. It is really a mess now with Christmas trees and other junk dumped in it. It really needs cleaned up. Tori said the Town has a several clean-up days yearly, why not rent a chipper and during clean-up day, and have more of them and people can bring their yard waste and we can make mulch out of it and give it back to whomever wants it.
 - l. Sturgis said another option that has been discussed is getting permission to use an area of the Wiggins Mill Park owned by New Castle County and using it as a yard waste/mulching area.
 - m. Dwain added the state provides free service for Christmas tree disposal for a month after Christmas. You can get the information on the state website.
 - n. Hanlin added there is a free yard waste dump site in St. Georges, the problem for some people would be getting it there. You can also use Pine Tree Transfer Station for a minimal tipping fee.
 - o. Ness suggested we get proposals from IDS once recycling is mandatory and if trash is reduced once that is implemented, Council can re-visit possibly implementing yard waste pickup.
 - p. Sturgis said while talking to the previous owner, she hasn't talked to the new owner yet, the only way to reduce the price is to go to bi-weekly trash pickup. She added the elderly in Town don't have much trash and will have even less with recycling.

- q. Hanlin said this is basically the same he got from his meeting with Allen, the new owner of IDS. Also, gas prices continue to rise, once we put the contract out to bid again, we may have a gas surcharge on the bill once again.

VI. Adjournment: 7:22 pm, Sturgis motioned, Ness seconded with unanimous vote.

7:30 pm – Council Meeting

I. Call to Order: 7:33 pm

II. Opening Ceremonies

- a. Roll Call: Mayor John Hanlin, Councilwomen Sandy Sturgis and Karen Jennings, Councilman John Ness and Steve High, Attorney Fred Townsend, Engineer Tom Wilkes, Secretary Cathy Beaver. Finance Officer Azure DeShields arrived at 7:40 pm.
- b. Pledge of Allegiance: The pledge was said.
- c. Recognition of Visitors: 7 visitors

III. Additions/Deletions to Published Agenda:

- a. Hanlin asked to add Builder Permit Fees under new business, item c.
- b. Ness motioned, Sturgis seconded with unanimous vote to accept the agenda with the above change.

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

V. Unfinished Business

- a. Town Hall – Councilwoman Karen Jennings
 - i. Jennings said Tom provided all of Council with a feasibility study for the new Town Hall and asked if anyone had any questions.
 - ii. Hanlin asked Tom if this was a proposal from RG Architects.
 - iii. Tom said yes, to summarize, this is a proposal from RG Architects to do a feasibility study to investigate a new Town Hall and the purpose of this proposal and the intent is to provide a feasibility report to Council to determine the cost and possible size of a new Town Hall. They will come back to us with a questionnaire to see what the Town is looking for, then they will develop a conceptual plan to give the Town an idea of what it will look like and a cost estimate to build it. Council will probably want to make some changes once they see a cost estimate, this is all part of the planning phase to help formulate a plan.
 - iv. Tom said the cost of this proposal is \$8,000.00. His costs will be minimal as most of what he will do will be in the form of public hearings or meetings which he doesn't charge for.
 - v. Hanlin asked if there was a time limit on this proposal from start to finish. They are proposing a public hearing to start.
 - vi. Tom said they are proposing a 3 – 4 hour meeting to start.
 - vii. Hanlin asked if this will be a fact finding meeting with our requirements, hopes and dreams.
 - viii. Tom stated yes.
 - ix. Sturgis said that basically they are going to draw us a Town Hall and provide an estimated cost to build it. The \$8,000.00 is for a conceptual plan only.
 - x. High asked if they will give us only a blueprint or will there be a model also.
 - xi. Tom said there will be a floor plan and an elevation plan.
 - xii. Hanlin asked what the re-imbursable expenses are for.
 - xiii. Tom said mileage for meetings, extra copies of the prints, material, etc.
 - xiv. Hanlin said they want an extra \$550.00 for the re-imbursable expenses. He asked if they will give back what they don't use of this.
 - xv. Tom said yes.
 - xvi. Ness clarified we will get a conceptual floor plan and blueprints; Tom said yes.
 - xvii. High asked when the first product to look at will be available after the 3/7/11 start date.
 - xviii. Tom stated the first thing to be done will be the 3-4 hour meeting to get Council's ideas so they have an idea of what you want in the Town Hall. They will then go to the drawing board. I am guessing it will be approximately a month, but I will check.
 - xix. Jennings motioned, High seconded to accept the feasibility report for the new Townsend Town Hall.
 - xx. Vote: Jennings and High – aye, Sturgis – nay. Ness was silent and said he'd like to get it done but asked for more discussion.
 - xxi. Ness asked if this was absolutely necessary at this time.
 - xxii. Sturgis stated if we build a new Town Hall this is the first step.
 - xxiii. Hanlin said that considering the fact we have out grown this building and it is in our comprehensive plan to actively pursue a permanent Town Hall.

- xxiv.** Ness stated he wants it on the record that Council looked at other options that weren't viable, rentals and buying existing. All were very limited options. Since this is the next step, I will vote aye.
- xxv.** Hanlin said there are three ayes, 1 nay, motion carried. The proposal from RG Architects is accepted.

VI. New Business

- a.** Council trip to Washington DC – Councilwoman Sandy Sturgis
 - i.** Sturgis motioned, Jennings seconded with unanimous vote for the Town to pay for Council to take the train to Washington DC with the DLLG delegates.
 - ii.** Council will call to let Azure know if they want to leave from Wilmington or Aberdeen and she will make the train reservations.
- b.** Voter Registration Dates – Councilwoman Sandy Sturgis
 - i.** Sturgis said Council needs to set dates for voter registration. She reminded residents that they have to be registered in Town to vote in Town elections and they have until Thursday, 4/21/11 to register to vote in this year's election on May 7, 2011.
 - ii.** 1 Saturday – 4/9/11 – 8:00 am – 4:00 pm
 - iii.** 2 evening dates – 3/23/11 and 4/20/11, 4:00 pm – 8:00 pm.
- c.** Anderson Homes Builder Permit Fees – Mayor John Hanlin
 - i.** Hanlin said he received a letter from Steve Anderson, owner of Anderson Homes asking Council to re-consider how we receive payment for our permit fees. Currently builders have to pay 100% of the permit fee when they submit a new building permit for review. He is asking Council to permit builders to pay 25% of the total permit fee up front and the remaining 75% of the fee when they are ready for a CO (certificate of occupancy). The building process typically takes 4-6 months. Mr. Anderson stated this will free up additional money at the onset for builders and they will be able to start more homes and increase building activity.
 - ii.** Hanlin suggested to Council that if they agree to do this, possibly make it a temporary change until the market picks up again.
 - iii.** Sturgis motioned, Ness seconded to approve builders paying 25% of the permit fee up front and the remaining 75% with the certificate of occupancy for one (1) year only.
 - iv.** In the following discussion Tom said it makes sense, yet it doesn't. Right now most builders aren't building a new home unless they have a contract with a buyer so the fees are technically being paid by the buyer. Tom said the only question he would ask is if it's necessary if the buyer is paying the fees up front.
 - v.** Ness also asked the time frame from getting the permit to requesting a CO.
 - vi.** The time frame is typically 4-6 months.
 - vii.** Hanlin added that his understanding is with new construction that the buyer only pays a percentage of the fees up front.
 - viii.** Ness said if that is the case, will this really help the builder, will it create more activity.
 - ix.** Sturgis explained that with new construction loans between the builder and bank, the money is paid out in increments, not all at once. The more money the builder has available to buy supplies, etc., the more homes he can start.
 - x.** Hanlin said if council agrees to this it will be for all builders in Town.
 - xi.** Tori Baker asked what will happen if the mortgage falls through.
 - xii.** Sturgis said the builder would still be responsible for the fees.
 - xiii.** Ness asked if this will affect the Town cash flow.
 - xiv.** Hanlin and Sturgis said no, some of the fees are impact fees for the future.
 - xv.** Vote – ayes unanimous.
 - xvi.** Hanlin will draft a letter for the builders explaining the new process.

VII. Reports of the Officers

- a.** State Police: Lt. LaMarche
 - i.** Ness said Lt. LaMarche was not able to attend and sends his apologies.
 - ii.** Ness announced Sgt. Nefosky retired last week after 33 years with the state police. He was the first one Ness worked with to schedule patrols in Townsend.
 - iii.** Ness said on behalf of the Mayor, Council and residents of Townsend he extends big thanks and congratulations on his 33 years with the Delaware state police and helping keep Townsend safe. Wish him luck with his future endeavors.
 - iv.** Hanlin also thanked Sgt. Nefosky and wished him luck.
 - v.** Ness asked for a copy of the meeting minutes to forward to Lt. LaMarche who will forward them to Sgt. Nefosky.
 - vi.** Ness asked residents to email or call him with any problems or police questions.
 - vii.** Spring is coming; Ness is looking at possibly increasing patrols in Town. He also asked residents to remind their neighbors to not walk on the train tracks with nicer weather coming. Bad things can happen and people should just stay away from them.

- b. State Representative: Quinn Johnson:
 - i. Currently out of session. The last phase of the budget is being worked on.
 - ii. Back in session on March 15, 2011. I may not be able to attend several Council meetings once we are back in session as meetings are on the same night.
 - iii. Have been meeting with the secretaries at several labor intensive state agencies. Medicaid and unemployment are going up, yet the state isn't hiring or replacing anyone who leaves and these agencies are very busy.
 - iv. Some good things happening to help our economic development. Johnson Controls is building a new 4500 square foot manufacturing facility on Rt. 301 in Middletown. They will employ between 150 – 200 manufacturing jobs which doesn't include the construction jobs to build it. They hope to be producing by August.
 - v. Health South has applied for permission to build a 34 bed re-habilitation hospital. It will employ about 200 construction people and once done will employ 80-90 medical therapists.
 - vi. Christiana Care is also going to build a hospital on Rt. 299.
 - vii. Quinn said he is going to start having a mini series of forum meetings to help business' in the area stay informed. Everyone is welcome. First one will be March 16, 2011 at 6:30 pm in the NCC Southern Patrol building in Middletown. These meetings will be an aide for people who want to start a business or are new to business.
 - viii. Dr. Marchio is retiring after 16 years. When he came on board there were only 5 schools, now there are 13 with 2 under construction. There is a committee to hire a replacement for him, they will be big shoes to fill.
 - ix. DelDot Secretary Carolann Wicks has resigned effective sometime in March. Many are upset with the news that has come out about land deals, etc. A lot of things happened long before she came, but with her position at the top, it would be her responsibility to know about all of it and question it. State auditors and the FBI are looking into many things. Imagine there will be more people dismissed before this is all done.
 - x. The governor will speak to us once we are back in session. He is looking out of state to fill this position and the new person has to be approved by Senate. There are a lot of trust issues now because of things from the past. This position needs to be filled quickly and the person will have accountability, you are only as good as the people around you.
 - xi. Sturgis asked when the new schools off Rt. 13 are going to be built.
 - xii. Quinn said they have started, they had to compact the ground to get it to the necessary density. The renderings of the drawings are done.
 - xiii. Sturgis added this will create new jobs also.
 - xiv. Quinn agreed, there are 2 of the schools being built there and a new school in Clayton is being built.
 - xv. Tori asked if the redistricting would affect Townsend.
 - xvi. Quinn said the feeder patterns will change, so it will affect Townsend.
- c. Townsend Fire Department: Keith Shoemaker
 - i. Keith introduced Jeff Dawson who will be working as the liaison when he is done.
 - ii. Spring Fling tickets are still on sale. Drawing will be 6/18/11 in Harrington.

VIII. Reports

- a. Fred Townsend III, Attorney: Nothing to report.
- b. Tom Wilkes, Engineer:
 - i. Developer in TVII is still committed to the street and curb improvements in TVII, should be starting in March, weather permitting. He is still working with the bank for funding.
 - ii. Have also asked the developers to fix the breakage around the manholes in the streets of all the developments.
 - iii. Talked to the DelDot project planner about the streetscape plans. Hope to meet with him soon to finalize the plans.
 - iv. Hanlin said he has also talked to him. He wants us to move forward, as we do, but the Town will award the contract.
 - v. Tom agreed, and DelDot wants to make sure the streetscape is done before they re-pave Main Street which is on the agenda this year.
 - vi. Sturgis asked if the re-paving would mess up the stamping in the road.
 - vii. Hanlin said they didn't approve that.
 - viii. Tom added DelDot shot down the stamping and different color in the road. The crosswalks are still going in. They will be done after the re-paving.
- c. Tom Wilkes, Interim Town Manager:
 - i. Hanlin asked when the rock fesad will be done at the park.
 - ii. Tom stated they are getting material and will be starting next week.

IX. Committee Reports

- a. Finance Committee: Chair – John Hanlin, II:
 - i. Hanlin read the finance report as follows:
 - ii. Total Assets - \$3,099,111.13
 - iii. Total liabilities & equity - \$3,068,037.91
 - iv. Hanlin said he has asked Azure to start pulling information so they can start working on next year’s budget. They will get together next week.
- b. Streets Committee: Chair - John Hanlin, II:
 - i. Hanlin said hopefully we have had our last snow.
 - ii. Work by the post office has been completed.
 - iii. Dwain said the patch work on Main Street is falling apart, doesn’t understand why it was done to start with. Don’t know who did it but it needs fixed.
 - iv. Hanlin said it was done 1 ½ years ago.
 - v. Tom said there was a sink hole associated with this.
 - vi. Dwain said this isn’t what he is talking about.
 - vii. Hanlin said DelDot did all the other patching, we weren’t even aware of them coming in to do it but he will check into it and see if they can fix it.
 - viii. Dwain also said the man holes in the streets need fixing, the coating around the rim needs re-done. Main Street, Railroad Avenue and Commerce Street.
 - ix. Tom said he will check into it the next time he is in Town. He will talk to Jeff who is organizing the paving.
- c. Storm Water Management Committee: Co-Chairs – Sandy Sturgis and Steve High: Nothing
- d. Zoning Committee: Chair - Sandy Sturgis:
 - i. Brought up at public hearing, ordinance 11-02, re-zoned through the comp plan from ½ commercial and ½ residential to all commercial.
- e. Health & Public Welfare Committee: Co-Chairs – Sandy Sturgis and Steve High:
 - i. Sturgis said she’d like to remind everyone of the dog ordinance. Please scoop their poop, be respectful of your neighbors. We will be putting up more dog signs with bags in the park and Town.
 - ii. Sandy told Tom there is a wire hanging down in front of the church that blows into the church and asked him to check into it.
- f. Energy & Environment Committee – Chair – Karen Jennings:
 - i. Townsend Wildlife Habitat Project: Jennings said when spring comes she would like to get started helping people turn their back yards into wildlife habitats. Please call or email her if you are interested.
 - ii. When weather is warmer, will start having our astronomy outreach nights for new moons and full moons. Delmarva Star Gazers and Astronomy Magazine are working in partnership with us. This will be held at the park. Check our face book or call me. This will probably start at the end of the month or beginning of April.
 - iii. At the Town Hall in the library is information on Star gazing and back yard habitats.
 - iv. Light Pollution Ordinance
- g. Veteran Affairs Committee – Co-Chairs – Karen Jennings and Steve High:
 - i. Veteran Appreciation Ceremony – April 16, 2011
 - I. High stated as soon as they get a firm date to plant the tree in the park they will have one ceremony to dedicate the tree and plaque.
 - II. The veteran event will be held at a later date somewhere inside.
 - III. There will be two separate events.
 - IV. Jennings asked Keith when the fire hall will start taking reservations.
 - V. Keith said in July; want to make sure all is as it should be.
- h. Police Committee: Chair – John Ness:
 - i. Townsend Community Watch -
 - ii. A Townsend Station resident, Don Loesch will be moving out of Town. He couldn’t attend tonight but want to thank him for all he has done with the community watch and all his help with other events in Town.
 - iii. Sturgis stated he is the one who started the Drive 25 campaign. She also thanked Don for all his volunteer help with the Town fairs and Town clean-ups.
 - iv. Hanlin thanked Don also for the record. He may attend the next workshop and asked Cathy and Azure to make a certificate of appreciation to be presented to Don.
 - v. Azure said everyone will need to come in and sign the certificate.

X. Announcements: Hanlin read all the announcements.

- a. If you are interested in running for Town Council, the candidate packets are available at the Town Hall.
- b. You must be registered to vote at the Town Hall to vote in Town elections.

- c. Elections will be held Saturday, May 7, 2011 at the Town Hall. Voting will be from 8:00 am – 6:00 pm. There are currently three (3) seats up for election this year, those held by Mayor John Hanlin, Councilwoman Karen Jennings and Councilman John Ness.

XI. Citizens Comments & Participation

- a. Tori asked if there will be an Easter Egg hunt this year. She has been contacted by the 4-H club who would like to volunteer their services for this and any park clean-up event we have. They have to do community services.
- b. Sturgis said she will talk to Tori about it later.
- c. Ness said he attended Breakfast with NCC President Clark. There is a packet in everyone's folder from this breakfast. President Clark is very interested in working with the municipalities in any way he can.

XII. Adjournment: 8:55 pm, Sturgis motioned, Ness seconded with unanimous vote.

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