

TOWN OF TOWNSEND
May 6, 2009 @ Townsend Fire Hall
Public hearing @ 6:30 pm
Council Meeting Minutes @ 7:30 pm

6:30 pm – Public Hearings

- I. **Call to Order:** 6:47 pm
- II. **Roll Call:** Mayor Dave Raughley, Councilman John Hanlin, Councilwomen Sandy Sturgis and Karen Jennings, Attorney Fred Townsend, Code Officer Mike Jester, Secretary Cathy Beaver (Councilwoman Sherry Drake not present), 6 residents
- III. **Third & Final reading, Ordinance No. 09-02 – Emergency Use of Old Orchard Lane**
 - a. Hanlin motioned, Sturgis seconded with a unanimous vote to read by title only.
 - b. Discussion: In section 58-8, (c), should read “A person shall not be (in) violation”. Add the word “in”. Number (2) under (c) should read “While on foot or operating a bicycle.” Remove the last half of the sentence.
 - c. Hanlin motioned, Sturgis seconded with a unanimous vote to adopt the ordinance with the changes.
- IV. **Third & Final reading, Ordinance No. 09-03 – Public Water Utilities**
 - a. Raughley stated Fred has suggested we change this ordinance to a resolution and pass it that way.
 - b. Sturgis motioned, Hanlin seconded with unanimous vote to table Ordinance 09-03 and bring it back as a resolution at the next meeting.
- V. **Approval of Ordinance No. 09-01 – Emergency Operation Plan**
 - a. Raughley explained we have already had all the readings for this ordinance. Fred had to determine where it belonged in the code of ordinances. It now has to be adopted.
 - b. Jennings motioned, Hanlin seconded with unanimous vote to adopt ordinance 09-01/
- VI. **Comprehensive Plan**
 - a. Raughley stated he is not ready to discuss the comp plan. He has tried for 5-6 weeks to meet with Chris Coons. It is still on his desk, our plan doesn't really fall into NCC plans but is what the state wants and approves. I received word that Coons will not even look at it until the NCC budget is approved.
 - b. Sturgis motioned, Hanlin seconded with unanimous vote to table the comp plan until further notice.
- VII. **Adjournment:** 7:04 pm, Sturgis motioned, Hanlin seconded with unanimous vote.

7:30 pm – Council Meeting

- I. **Call to Order:** 7:35 pm
- II. **Opening Ceremonies**
 - a. Roll Call: Mayor Dave Raughley, Councilman John Hanlin, Councilwomen Sandy Sturgis and Karen Jennings, Attorney Fred Townsend, Engineer Tom Wilkes, Code Officer Mike Jester, Finance Officer Azure Wright, Secretary Cathy Beaver. Councilwoman Sherry Drake not present.
 - b. Pledge of Allegiance: pledge was said
 - c. Recognition of Visitors: 28 total
- III. **Additions/Deletions to Published Agenda:**
 - a. Sturgis asked to add under unfinished business, letter B, Charter changes
 - b. Hanlin added under new business, letter B, special meeting to swear in new council
 - c. Sturgis motioned, Hanlin seconded with unanimous vote to approve the agenda with the above changes
- IV. **Council Minutes** – April minutes are not done, will be posted as soon as done and approved
- V. **Presentation** - Mayor David Raughley: Raughley asked Colonel Steve High, Senior Chief Sherrie Leslie and SSgt Ray Abbott to come to the front of the room. Each was presented with a statue of an eagle soaring over a wall. Embedded in the wall it reads: “A TRUE LEADER... Has the confidence to stand alone, the courage to make tough decisions and the compassion to listen to the needs of others. One does not set out to be a leader, but becomes one by the quality of their actions and the integrity of their intent. In the end, leaders are like eagles...they don't flock, you find them one at a time.” Each statue was engraved with their names and “In sincere appreciation, Townsend Veterans Ceremony, April 18, 2009”. Raughley read the inscriptions on the statues before presenting them. All three recipients thanked Mayor and Council and Colonel High stated the true heroes are all the veterans. Abbott, Leslie and High all said short speeches.

VI. Walmart Presentation – Mayor David Raughley

- a. **Dawn McDowell** – Walmart Liaison: Dawn thanked Mayor and Council for allowing her to be here. She has lived on Railroad Avenue many years. She stated this check was not only from Walmart but heartfelt from her for “her town”. She then presented a \$1,000.00 check to the Town of Townsend as a donation from Walmart towards the Town Park. Dawn explained her job with Walmart is community involvement co-coordinator. She encouraged everyone to shop at Walmart because the more sales that go through the store, the more money Walmart gives back to the community.
- b. Sherrie Leslie announced that Walmart also donated the cake and other items for the veteran’s ceremony.

VII. Unfinished Business

- a. Approval of asphalt bid for park
 - i. Jester stated we had three bids for the asphalt in the park. Interstate Construction bid \$175,353.00, D&D Contractors bid \$160,450.00 and Diamond Construction bid \$204,240.00. D&D Contractors did not include 3 areas in their bid, making Interstate Construction the lowest bidder.
 - ii. Hanlin motioned, Sturgis seconded to accept the bid from Interstate Construction and award the bid to them.
 - iii. In the following discussion Hanlin asked Jester if he had worked with Tom on this bid. Jester said yes, Tom (town engineer) said yes and stated he was satisfied.
 - iv. Vote: unanimous.
- b. Charter changes: Sturgis asked if we could wait and schedule a meeting along with the special meeting to swear in new council.

VIII. New Business

- a. Introduction of new Council members for June 2009 – May 2010
 - i. Raughley said the elections this year were very exciting. We had 124 voters come in and vote and 7 absentee ballots. This is the most voters this town has ever seen.
 - ii. The unofficial results, won’t be official for 7 days, are as follow:
 - I. Sherry Drake 57
 - II. Larry Hall, Jr. 20
 - III. John Hanlin, III 63
 - IV. Karen Jennings 80
 - V. Kelly Longo 47
 - VI. Jay Miller 33
 - VII. John Ness 73

It is my honor to your new council, the ones who will be back on council is John Hanlin and Karen Jennings, and our new councilman is John Ness. (Ness stood so everyone could see who he was). Raughley added that John Ness is already on it. He gets emails every day; he has taken over the police committee and works with Don Loesch to get lots done in town. Said he looks forward to working with him and thanked him for running.

- b. Schedule special meeting to swear in new council members:
 - i. Hanlin motioned, Sturgis seconded with unanimous vote to schedule a special meeting for Tuesday, May 19, 2009 at 7:30 @ town hall to swear in the new council. There was no discussion.
 - ii. Sturgis motioned, Hanlin seconded with unanimous vote to have a charter change meeting on Tuesday, May 19, 2009 at 6:30 at town hall, prior to the swearing in meeting. There was no discussion.

IX. Reports of the Officers

- a. State Police – Troop 9: Sgt. Scott McCarthy was in attendance. There were 19 calls for April 2009 as follow: 3 – 911 hang ups, 1 – crash, 3 – alarms, 1 – animal, 1 – assault, 1 – assist, 3 – check on the welfare, 2 – disorderly conduct, 1 – domestic, 2 – public relations, 1 – theft, 2 – trespass. Sgt. McCarthy stated he responded to the shooting incident. The shooting victim had just moved in with his mother. This was not a random shooting; there was a dispute between the shooter and victim. The investigation is going well and it’s under control. If you have additional questions you can call Captain Paige. Jester asked if the duty officers could sit at Edgar Road in TVI early in the mornings, parents drive kids to the entrance and drop them off for the bus, kids also walk to the bus stop at the entrance of TVI and people drive in excess of 40 mph, someone is going to get hurt. He will call Sgt. Nefowski. Don Loesch said

it the same on Brook Ramble Lane in Townsend Station. Mrs. Mack added it is the same in TVII before and after school.

- b. State Representative: Quinn Johnson: not here.
- c. County Representative: Bill Powers: not here.
- d. Townsend Fire Department: Keith stated a few people showed up for the shrimp feast on the 2nd. Spring Fling drawing is 6/20/09, tickets are for sale.

X. Reports

- a. Fred Townsend III, Attorney: nothing until executive session
- b. Tom Wilkes, Engineer: nothing to report
- c. Mike Jester, Code Officer: we're moving along with the park

XI. Committee Reports

- a. Finance Committee: Chair - Dave Raughley: doing fine, \$2,822,068.12 in the bank.
- b. Streets Committee: Chair - John Hanlin, II: Have a large pot hole on Main Street that we're looking into. It is a state maintained road.
 - i. Old Orchard Lane: Adopted ordinance 09-02 tonight. Contractor hasn't started putting in pavers due to weather.
- c. Water Committee: Chair - Karen Jennings: nothing to report
- d. Zoning Committee: Chair - John Hanlin, II: nothing to report
- e. Health & Public Welfare Committee: Chair - Karen Jennings: nothing to report
- f. Townsend Wildlife Habitat Committee: Chair - Karen Jennings: Met with Sara and the Jr. Council whom has been working very hard on planning the wildlife habitat. Sara said 5/13/09 is the official plant planting day, tons of plants were donated, town donation of \$300.00 really helped, the state has provided money and plants, all are native plants to Delaware. The Jr. Council is making bird feeders and houses. Raughley thanked all the Jr. Council members for their hard work. The Jr. Council said they are having lots of fun.
- g. Energy & Environment Committee - Chair: Karen Jennings: nothing to report
- h. Veteran Affairs Committee - Chair: Karen Jennings, Co-Chair - John Hanlin
 - i. Veterans Ceremony - April 18, 2009: Karen said there are no words adequate enough to describe the honor it was to be in the same room with our veterans and honor them, it was sacred. She thanks all the veterans from the bottom of her heart. Raughley stated this was the proudest day of his life. It was an honor to show all our veterans the appreciation they deserve. A veteran came up to me after the ceremony and said since 1947 he had never been thanked for his service to our country and he thought he would die without being thanked. Raughley asked that council put together a resolution to recognize April 18 every year as Townsend Veterans Day and it will be celebrated on the third Saturday of April, every year. He asked that this be ready for the next meeting. He reminded everyone to always thank anyone in uniform for their service to our country.
 - ii. Project 19734 Soldier Support: Karen said Colonel High is getting us a list of deployed Townsend soldiers. One of her neighbors is getting ready to deploy. If anyone knows of anyone in our zip code who is deployed, please let the town hall know so we can send care packages. Raughley added to please bring donations to the town hall.
- i. Police Committee: Chair - Dave Raughley:
 - i. Townsend Community Watch: John Ness: John thanked Mayor for meeting with the committee. Wants to set a meeting up with Lt. Logan and/or Captain Paige. Some addresses in TVII aren't on GPS yet which makes it hard for emergency response. Had Jester put a list of addresses on the west side of TVII and gave it to Captain Paige. There should not be any more problems with emergency response to that area. Ness sent a letter to the Delaware State Police and talked to Tom Cahill, we should be able to get a letter referencing trespassing and the ATV problem in TVII. Hope to have this letter next week. Terry Mobley said she will get John the name of the contact person for Handler. Raughley said John came to him about the ATV/dirt bike problem but the town can't afford around the clock police. I ask the residents to call the police every time you see one and to also write down days and times so we can get a pattern going to have police coverage.
- j. Executive Park Task Force: Chair - Dave Raughley: Park moving along, Jester said we are pushing to have a lot of equipment in and usable this summer, the playground equipment has been ordered and look for it to start being installed first couple of weeks in June.

- k. Parks & Recreation Committee: Chair – Sandy Sturgis, Co-Chair – Sherry Drake
 - i. Town Fair – June 20, 2009 – Gray Street: Looking for volunteers. Sturgis motioned, Jennings seconded to have a fair meeting prior to the special meeting on Wednesday, May 13, 2009 at 6:30 at the town hall. Ayes unanimous.
 - ii. Sturgis asked council if she could have some laminated signs made up announcing town events, no dates, example: Townsend Fair, Townsend Community Yard Sale, etc, for events we have every year. Raughley said to come up with a dollar amount.

XII. Announcements: Hanlin said his wife Diane set up Dining for Dollars at Friendly's on 5/20/09, 5:00 – 9:00 pm. 10% of all funds brought in will be donated to the veterans committee. Everyone please go up and eat.

XIII. Citizens Comments & Participation

- a. Mrs. Mobley said children are dropped off at the bus stop in the mornings at the entrance to TVI and they play in the flower beds and on the property of the Handler model homes. Parents need to tell their children to stay at the bus stop. They are breaking plants etc. Raughley stated we can put a notice in the newsletter.
- b. Mrs. Mack who lives in TVII stated her house backs up to the railroad tracks. Kids as young as 4 years old cut across the tracks into my yard. We have asked them to stay off the property but they don't care or listen. The kids crossing the tracks is an accident waiting to happen. Parents don't watch their kids or care where they are or what they're doing. They pull my no trespassing signs out and throw them over the hill. Hanlin said from the center of the track out 25' on both sides is railroad property. Jester said this isn't a town issue, it is a police issue. He suggested taking pictures, note the date and time and take them to the police. John Ness said he will contact all the community watch members to talk to parents. Mrs. Mack said the kids are from TVI. She drove over there and there were no parents around.
- c. Mrs. Mack also asked about any rules on the basketball courts. Raughley said there is a noise ordinance and the courts have to be used in driveways and put away when done. Mrs. Mack said after school the kids play basketball in the street and are oblivious to all traffic and don't move for vehicles, many of which speed through there. Someone is going to get hurt out there too. Jester said he had driven around and everywhere he saw a basketball court he left letters on the door or gave them to the parents. He feels council needs to look into giving instant fines for these. Raughley said once the park is done it may solve some of these problems.
- d. A resident from TVII stated the railroad tracks divide TVII and kids will always go back and forth. They need to be educated on the safety rules and courtesy of others rule.
- e. Sara Wozniak announced the Appoquinimink River Association will be 5 this year. There will be a birthday party on 5/21/09 at 6:00 pm at St. Andrews School. All are invited.
- f. Kevin Bowers, resident asked if there was a big flag to say the pledge. Dwain Haines said the fire company has one but can't find it. Kevin said he would like to donate one and Dwain said he will talk to the board.

XIV. Executive Session: Pending litigation and legal advice

XV. Adjournment: 9:00 pm, council going into executive session.
