

**TOWN OF TOWNSEND**  
**July 7, 2010**  
**Public Hearing @ 7:15 pm**  
**Council Meeting Minutes @ 7:30 pm**  
**@ Townsend Fire Hall**  
**107 Main Street**

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**7:15 pm – Public Hearing**

- I. Call to Order:** 7:18 pm
  - II. Roll Call:** Mayor John Hanlin, Councilwomen Sandy Sturgis and Karen Jennings, Councilmen John Ness and Steve High, Attorney Fred Townsend, Finance Officer Azure DeShields
  - III. Third & Final Reading Ordinance No. 10-05 – Adoption of Town of Townsend Revised Comprehensive Plan:**
    1. Hanlin asked if anyone had any questions about the ordinance. No one did.
    2. Sturgis motioned, Ness seconded with unanimous vote to read the ordinance by title only.
    3. No discussion.
    4. Sturgis motioned, Ness seconded to adopt ordinance 10-05, revised comprehensive plan.
  - IV. Adjournment:** 7:21 pm, Sturgis motioned, Jennings seconded with unanimous vote.
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**7:30 pm – Council Meeting**

- I. Call to Order:** 7:31 pm
- II. Opening Ceremonies**
  - a. Roll Call: Mayor John Hanlin, Councilwomen Sandy Sturgis and Karen Jennings, Councilmen John Ness and Steve High, Attorney Fred Townsend, Engineer/Town Manager Tom Wilkes, Finance Officer Azure DeShields
  - b. Pledge of Allegiance: Pledge was said.
  - c. Recognition of Visitors: 8 guests
    - i. Hanlin thanked everyone for coming out and said we moved the meeting to the Town Hall because of no air conditioning at the fire hall. Apologized for the cramped space.
- III. Additions/Deletions to Published Agenda:** None.
- IV. Council Minutes** – June council minutes on back table (approved at workshop)
- V. Unfinished Business:** None.
- VI. New Business:** None
- VII. Reports of the Officers**
  - a. State Police: Lt. Lamarche
    - i. Started in Odessa 27 years ago, moved to NCC for a while as a sergeant and am back in Odessa now as a lieutenant.
    - ii. John Ness is our police liaison. If you see something going on, contact him and he will call us.
    - iii. Quiet month last month in Town limits.
    - iv. Several thefts outside of Town limits; have arrested one person and have another suspect. Is an ongoing investigation so really can't talk about it.
    - v. If anyone has a problem, please call us.
  - b. State Representative: Quinn Johnson:
    - i. Currently in recess.
    - ii. Sallie Mae is relocating to Delaware which will create many new jobs.
    - iii. Quinn let the residents know they are welcome to attend any legislation meetings, including the budget meeting.
    - iv. Quinn encouraged people to call him with any questions or problems.
    - v. Wiggins Mill Road is up and running.
    - vi. Rt. 301 is open up to Walmart, are working on the other end up to the Burger King.
    - vii. January 2, 2011 the hands free cell phone law goes into effect. Will be ticketed if talking on phone after 1/2/11. Texting isn't permitted while driving at all. Starts with \$50.00 fine.
    - viii. Introduced a very comprehensive law for people to have events at their homes (like the wrestling event last year. The second one is being held this weekend. This law went into effect.
    - ix. Quinn was asked when Appoquinimink will start building the new school in Odessa. Quinn stated that will start soon, they had to follow the process once the bond was approved.

- x. Has always been a problem with students crossing Rt. 299 into the shopping center. There is a controlled light going to be installed with crossing guards.
- c. Townsend Fire Department:
  - i. Dwain said the BBQ fundraiser will be held at Willeys this weekend on 7/10/10.
  - ii. Sturgis asked how the building plans are going.
  - iii. Tom said the plans have been submitted to RVB and are in house.

## VIII. Reports

- a. Fred Townsend III, Attorney:
  - i. Still waiting to hear from the county on the munitions sale of the Lupo property.
  - ii. 140 Main Street: This will be discussed in executive session.
- b. Tom Wilkes, Engineer:
  - i. Townsend has been awarded a \$20,000.00 energy grant. RVB did an audit of the Town, Fire hall and park. Can put in higher efficient lights, solar panels, etc.
  - ii. Hanlin asked if it would be a problem with using the money to spend on a building the Town doesn't own.
  - iii. Tom said it could be a problem because it is owned by a private person.
  - iv. Sturgis said the solar panels are supposed to be removable and can be taken with us.
  - v. Ness asked how long the lease is for the building.
  - vi. Jennings said there is no lease or contract.
  - vii. Hanlin said it was a handshake deal done prior to any of us being around.
  - viii. Jennings stated she is very uncomfortable with this and so is High.
  - ix. High said he feels there needs to be a memorandum of understanding/agreement with the owners in case something happens to them and their heirs want us out.
  - x. Hanlin asked Fred if there could be any legal repercussions improving the Town hall.
  - xi. Fred doesn't believe so; need to be careful how you allocate the money. Highs comments are also astute but to have the owners sign a binding contract may force the issue and they may decide they would rather have us out as money obviously isn't an issue.
  - xii. Sturgis said the original agreement was when the farm sells; this piece of land would be turned over to the Town.
  - xiii. High stated if this is the case, it's better to find out now and if they ask us to move we can spend the money on a new Town hall.
  - xiv. Jennings stated she feels this is a huge risk.
  - xv. Hanlin asked Council if they want Fred to draw up an MOU to present to the Carter's.
  - xvi. Jennings motioned, High seconded with unanimous vote to have Fred prepare a memorandum of understanding/agreement to present to the Carter's.
  - xvii. Fred stated he will do this and Hanlin can tell him what stipulations he wants included. He will not be presenting this to the owner, so Council can change their minds.
  - xviii. Fred said Council has decided we need some type of assurance that we'll be able to continue to occupy the property.
  - xix. High said since Tom is the Town manager he will have a sizeable input on what needs to be included in the MOU.
  - xx. Tom said Council possibly needs to put a limit on what they will spend on this building.
  - xxi. Hanlin asked for any ideas on what needs to be in the MOU to please call or email.
  - xxii. Tom said the purpose of the grant is to make improvements to government buildings; he will look into it further to ensure we can make improvements here.
  - xxiii. Hanlin asked Council if Fred should review the verbiage in the grant to ensure we are legal.
  - xxiv. Sturgis said she believes Tom can do that.
  - xxv. Tom will call DNREC.
- c. Tom Wilkes, Interim Town Manager:
  - i. No written report.
  - ii. Talked to DNREC, division of parks about getting extra trash cans that we can buy from them at bulk price for the park. Still waiting to hear back from them.
  - iii. Turns out Beaston property is still an option for the Town to buy as a access to the park from Chestnut Street. Doesn't appear that way on the zoning map, but walked

the property. Will talk to Beaston again, he is willing to sell, will see if he will come down in price.

- iv. Contracts on equipment maintenance: Called Newark Mower and a private company, waiting to hear back from both.
- v. High asked if Tom contacted Middletown to see what they do to maintain their equipment.
- vi. Tom hasn't done this yet but will.
- vii. Looked at signs for the park, talked with Sturgis about it.
- viii. Sturgis said the 24 x 36 sign size will be good.

## **IX. Committee Reports**

- a. Finance Committee: Chair – John Hanlin II:
  - i. Total assests - \$3,687,296.41
  - ii. Total liabilities & Equity - \$3,656,223.19
- b. Streets Committee: Chair - John Hanlin, II:
  - i. Nothing has been done to the roads in TVII.
  - ii. Kershaw and Saperstein are still working on getting quotes.
  - iii. Dave Kalafut, who lives on Karins Blvd asked about the base of the roads. Do they have to wait until October for it?
  - iv. Hanlin stated the entire base needs re-done before the sub surface can be done. Can't pave in the winter so they are going try to do it between now and the fall.
  - v. Kalafut asked if we are comfortable they will do this.
  - vi. Tom stated all came out of the meeting feeling very positive. All is based on the cost. Hope to see it done before fall.
  - vii. Hanlin added Saperstein has no reason not to move forward. All of his properties are done now and we can always pull the bonds.
  - viii. Several other municipalities have what is called a good faith ordinance which I am tweaking now to meet the Town's specific needs; and plan on presenting to Council at the next meeting. Basically it will prevent builders from doing anything else in Town before meeting all the requirements on previous projects. Fred will have to review it. No developer will have a grandfather clause.
  - ix. Ness asked if Tom could call about this and send updates to Council.
  - x. Hanlin stated the email he sent is the newest update, sent last week.
  - xi. Kalafut asked if the paving can't be done, can we at least fill the potholes. There is a large one in front of his house that he's going to lose his car in.
  - xii. Joane Dudley stated a young child fell while riding her bike in one of the pot holes and scraped up her face.
  - xiii. Hanlin said unfortunately there is a dilemma; the Town doesn't own the roads. There was a discussion about who patched in the past and Hanlin stated it was the developer. The roads are not maintained by the Town until they are turned over to the Town once the building is done. This ordinance will force the builders to fix these kinds of problems before being permitted to do anything else. When we had the meeting we drove through the development and documented problems.
  - xiv. Hanlin asked Tom to apply more pressure to get these issues resolved.
- c. Water Committee: Chair – John Ness: Nothing.
- d. Zoning Committee: Co-Chairs – Sandy Sturgis and Steve High: Nothing.
- e. Health & Public Welfare Committee: Co-Chairs – Sandy Sturgis and Steve High:
  - i. Sturgis said with the heat to please check on the elderly and drink lots of water.
  - ii. Hanlin said a couple rabid raccoons have been killed in Town, one behind TS.
- f. Energy & Environment Committee – Chair - Karen Jennings: Nothing.
- g. Veteran Affairs Committee – Co-Chairs - Karen Jennings and Steve High: Nothing
  - i. Project 19734 Soldier Support
- h. Police Committee: Chair – John Ness:
  - i. Townsend Community Watch - Residents please obey traffic signs and speeds in Town.
  - ii. If you see something suspicious, please call the state police.
  - iii. Ness thanked Lt. Camponella on behalf of the Town and Council for everything he did for the Town.
  - iv. Sandy asked when the next community watch meeting would be and Ness said he will get back to everyone on it.

- i. Parks & Recreation Committee – Co-Chairs – Sandy Sturgis and Steve High
  - i. Already started working on the fair, date is Saturday, September 18, 2010.
  - ii. Still having problems with the kids moving the tables around in the pavilion so they can skate on them. They are damaging the tables. Please notify the state police if you see anyone moving them around.
  - iii. Hanlin said it was on the last agenda to bolt the tables down.
  - iv. Sturgis said it isn't done yet, so residents please keep an eye out.
  - v. Hanlin asked Tom if this was on Dave's list to do.
  - vi. Tom said no but will see it gets done.
  - vii. Hanlin said the kids are stacking them and tilting them to skate and ride bikes on.
  - viii. Sturgis said graffiti is a problem now also, they are using magic markers and gel pens.
  - ix. Hanlin stated there is a reward, the Town has a reward.
  - x. Mrs. Mack said she doesn't know if we will be able to control the kids. She took her granddaughter to the park about 2 weeks ago, there were three kids from TVI using profanity I won't repeat. Two of the boys told one the shut-up and he wouldn't and cussed me out. A lady there said 2 of the boys were hers and she apologized for her boys.
  - xi. Jennings said she won't take her boys there either.
  - xii. Mack said it could be the same boys vandalizing the park.
  - xiii. Hanlin said we can't assume.
  - xiv. Ness said the police drive through when they are on patrol.
  - xv. Hanlin said he drives through at night when he comes home from work.
  - xvi. Sturgis said we have told the state police that the Town will sign arrest warrants for any kids found in the park after dark. She told Mrs. Mack she understands her frustration over the kids being disrespectful but we can't do anything about it. I know this from personal experience also.
  - xvii. Hanlin asked the kids that see something not to confront the other kids doing it, go home and tell their parents and call the police. We can then follow up on it.
  - xviii. Ness said if it is serious enough, we can have them banned from the park.
  - xix. Sturgis agreed, it can be made part of the agreement with the police.
  - xx. Mrs. Mobley said all of the Mobley's will help with the Town fair.
- X. Announcements:**
  - a. High asked if the laptop purchase agreement for the former Mayor has been signed?
  - b. Azure said we are waiting for him to come down and sign the form.
- XI. Citizens Comments & Participation**
  - a. The Habash triplets, all members of the Junior Council asked how much the reward is for the park vandals.
  - b. Hanlin said there is a \$500.00 reward for information leading to the arrest and conviction of anyone found vandalizing the park, the war memorial by the post office and fire memorial at the fire house.
  - c. Stephen Mobley thanked Council for putting swings in the park.
- XII. Adjournment:** Sturgis motioned, Ness seconded with unanimous vote to adjourn for 10 minutes (8:32 pm) before going into executive session.

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