

TOWN OF TOWNSEND
August 4, 2010
Council Meeting Minutes @ 7:30 pm
@ Townsend Elementary School Cafeteria
107 Main Street

7:30 pm – Council Meeting

I. Call to Order: 7:35 pm

II. Opening Ceremonies

- a. Roll Call: Mayor John Hanlin, Councilwomen Sandy Sturgis and Karen Jennings, Councilman John Ness, Engineer/Town Manager Tom Wilkes, Attorney Fred Townsend, Finance Officer Azure DeShields and Secretary Cathy Beaver.
- b. Pledge of Allegiance: Pledge was said.
- c. Recognition of Visitors: 17 visitors

III. Additions/Deletions to Published Agenda:

- a. Sturgis asked to move Quinn Johnson's report up before Mr. Flowers due to another appointment.
- b. This change was agreed to by general consensus.

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

V. Chip Flowers, Candidate for State Treasurer

- a. Mr. Flowers introduced himself and thanked Council for permitting him to come and speak. He lives in Middletown and is a military brat, has his own law firm and small business.
- b. Mr. Flowers stated he is running for state treasurer and seeks to strengthen Delaware's financial future by offering a series of proposals aimed at creating jobs, promoting economic growth and saving taxpayer funds by revamping the State Treasurer's Office. He emphasizes four core themes: fiscal responsibility, economic growth and stimulating businesses, planning and forecasting, and streamlining our financial agencies.
- c. You can learn more about the Flowers Framework at www.chipflowers.com/framework.
- d. You can reach Mr. Flowers at 302-656-7360.

VI. Unfinished Business: None.

VII. New Business: None.

VIII. Reports of the Officers

- a. State Police: Lt. LaMarche
 - i. Lt. said he and Councilman Ness went for a ride through Town before the meeting. He stated he knows people are afraid to get involved but said if you aren't sure what someone is doing, or see something suspicious, please call the police. You don't have to give your name and if you do it remains anonymous. The police have a lot of resources at hand. Lt. L stressed that if you know of or suspect a drug problem, please call. There are people moving in from PA and setting up drug houses. If we have a lot of complaints, we can get a warrant and go into the house. ATVS are an issue, they can get away from us, but if you know where they live, call us and we will go to the house. If you have names of kids causing problems, call us and we will visit the parents. Our officers have a lot of discretion. If you see anyone doing damage in the park, call us, the Town has put up a reward for anyone convicted of damaging the park.
 - ii. Hanlin said during the July 4th weekend a resident called 911 because someone had a bonfire and were throwing fireworks in the fire, they were going all over and there were young children within 5 feet of it. The fire company wouldn't come out, said bonfires were legal, after 3 hours the resident quit waiting for the police and went in.
 - iii. Lt. L said he will look into the matter.
- b. State Representative: Quinn Johnson:
 - i. My development is starting a community watch like you have in Town. We had some robberies over the weekend. The thief's went in through an unlocked garage access door, got the keys out of the car, went in the house and took what they wanted and left. What makes it worse is the people were all in the house sleeping. Please lock all doors on your house, garage and car.

- ii. Day care Moms, please lock your car and take your purse with you when dropping your children off. Purses are being taken from unlocked cars while Moms are inside dropping the little ones off.
 - iii. Working with the fire company and their insurance company to start re-building the fire hall.
 - iv. The newspaper had an article about the gaming tables at the casinos saying the projected income from them was very low under the projection. All business' have peak periods. The table games will peak in winter when people aren't outside as much as summer.
 - v. All the casinos need table dealers and are hiring. If you know anyone looking for work, please let them know. Have to have an extensive background check.
 - vi. Feel we are turning the tide on bringing jobs to Delaware. Sallie Mae, a college loan bank is relocating upstate. Valero refinery is re-opening in the spring. Fiscar Auto bought the GM plant and will have a car produced by spring 2011. We think approximately 4500 people will be moving to the Bear/Middletown area who work in Aberdeen. It's only a 45 minute drive. They are moving here because of lower taxes. Christiana Care is building a facility in Middletown and will hire around 90 people. It is critical that we're getting this facility, won't have to drive to Newark or Dover.
 - vii. Had a serious injury in Middletown this week, a man was cut with a saw. He is alive today because of the volunteer fireman. Thanks to all of them for what they do.
- c. Townsend Fire Department:
- i. Still waiting on the insurance company to start re-building. They have 21 days.
 - ii. Having a BBQ fundraiser at Willeys on 8/14/10.
 - iii. Ladies Auxiliary having a fundraiser on 9/11/10 at the Town Park.

IX. Reports

- a. Fred Townsend III, Attorney: Nothing to report.
- b. Tom Wilkes, Engineer: Nothing to report.
- c. Tom Wilkes, Interim Town Manager:
 - i. Tom stated some of the pot holes in TVII have been patched and they are working on them. There has been no progress with getting them to top coat the roads. This has been very frustrating for us.
 - ii. Sturgis motioned, Ness seconded to have the Town start the process to attach the bond money for street repairs in TVI and TVII.
 - iii. In the following discussion, Sturgis explained to the residents that developers have to put bond money up when they start building. It is called a performance bond. If for some reason they don't do as they are supposed to, the Town can go after the bond money to make repairs the developer is responsible for and doesn't do. The Town may have to put money out first, but will get re-imbursed.
 - iv. Isha Smith from TVII said she appreciates the motion but the pot holes are fixed. The people want the roads top coated and don't understand why the Town doesn't make the developer do it. They patch every year and it doesn't stay. Why can't the Town force the developer to hold up their end of the contractual agreement?
 - v. Hanlin explained the Town is very limited with what they can do as the roads haven't been turned over to the Town yet. Had meetings with Sapperstein, Kershaw etc. Saperstein's portion of building is done; we are waiting for a plan from him to finish the streets.
 - vi. Tom added there are 3 developers who own property in TVII. Sapperstein came to us in May, this is why it's so frustrating, wanting to finish the roads and turn them over to the Town. He is done with his section, yet he hasn't moved forward with closure plans yet. He wants his bond money back and thought it would be done quickly.
 - vii. Jennings said if the pot holes are fixed, should we attach the bond money.
 - viii. Tom stated he would like to move forward as was agreed to at the workshop and send a letter to him with a deadline for having the work done or we attach the bond money.
 - ix. Hanlin said this will go against his record; we aren't planning on finishing the roads off.
 - x. Mr. Mack asked why the roads aren't finished before the homes are sold.
 - xi. Tom explained the large construction trucks would continually tear the roads up.

- xii.** Tom explained the bond money is only 10%.
- xiii.** Jennings stated she felt this was ridiculous; Hanlin has been dealing with this issue for years. She feels Tom needs to send a letter with a deadline to pave the roads. Jennings asked Sturgis to amend the motion to include paving the roads.
- xiv.** Sturgis stated legally we can't make them final finish the roads because there is still construction traffic.
- xv.** Mrs. Smith, Mr. and Mrs. Mack and Mrs. Dudley all asked why the builders can't use the entrance road off Ginn or South Street to Main Street. The entrances from Ginn and South Street in old Town aren't open yet, and there is no intention to open them in the near future. All agreed it will be years before the development is finished because no one has money; that is the complaint, they won't be building back there for years so top coat the roads.
- xvi.** Sturgis said she is the chair of public health and welfare and her concern is the safety of the residents.
- xvii.** Jennings asked Tom if Council votes for this motion, can he commit the developer to a timeline.
- xviii.** Tom said no, we have no control over that.
- xix.** Sturgis said Mr. Mayor, I call previous question.
- xx.** Hanlin stated the conversation is getting redundant and asked for a vote on the motion on the table.
- xxi.** Jennings said nothing this council has done is effective, she wants the constituents' satisfied with dates and timelines.
- xxii.** Hanlin said Tom can't give a timeline, that will be up to the bonding company. The motion is to start the process.
- xxiii.** Vote: ayes unanimous.
- xxiv.** Sturgis asked Cathy to have Steve update the internet with the progress of this issue.
- xxv.** Tom asked Council if they want him to make a counter offer on the Beaston property.
- xxvi.** Fred said this is an issue for executive session.
- xxvii.** Sturgis asked that this be discussed in executive session after the meeting.

X. Committee Reports

- a. Finance Committee: Chair – John Hanlin, II:
 - i.** Hanlin read the finance report.
 - ii.** Total Assets - \$3,308,186.69
 - iii.** Total liabilities & Equity - \$3,277,113.47
 - iv.** Hanlin said we received the contract from Rowland and Johnson, our auditors to start the 2009-2010 audit.
- b. Streets Committee: Chair - John Hanlin, II:
 - i.** Will do what we can and keep the residents as informed as possible.
 - ii.** Jack Fitzhugh asked if something is going to be done with the railroad track on Main Street. Someone is going to get hurt there.
 - iii.** Hanlin said this has been a thorn in his side since he moved here. There is an 800 number at the crossing and I call them once a month.
 - iv.** Ness said residents need to call this number, the more complaints they get the further up they will move it to be fixed. Representative Johnson has also worked on this with us. The railroad said it won't be fixed until 2011.
 - v.** Dwain Haines said the speed limit in town is 25 mph; no way you can go that fast without damaging your vehicle.
 - vi.** Hanlin agreed. Talked to the railroad manager a month ago, he told me it will be 2 years before they fix it; they have said that every time I call them. We are looking at the end of 2011 to get it fixed.
 - vii.** Jack asked if we could get senators, etc involved.
 - viii.** Hanlin said he will call Quinn Johnson and Senator Ennis to see what we can get done.
 - ix.** Jack and Mrs. Willey said they are going to start a petition.
- c. Storm Water Management Committee: Co-Chairs – Sandy Sturgis and Steve High: Nothing.
- d. Zoning Committee: Chair - Sandy Sturgis:

- i. The comp plan is at Governor Markells to be signed; once he signs it I will introduce two ordinances to change the zoning on two annexed properties.
- e. Health & Public Welfare Committee: Co-Chairs – Sandy Sturgis and Steve High:
 - i. Nothing more to discuss.
 - ii. Sturgis motioned, Ness seconded with a unanimous vote to start a committee to change the charter.
 - iii. The 1st meeting will be on Thursday, 8/12/10, 7:00 pm at the Town hall. Everyone is invited to attend these meetings and participate.
 - iv. We will be receiving \$3,513.50 in snow re-imburement from the state.
- f. Energy & Environment Committee – Chair – Karen Jennings: Nothing.
 - i. Townsend Wildlife Habitat Project
 - I. If you want to certify your back yard, call the Town hall and get my home number and call me.
- g. Veteran Affairs Committee – Co-Chairs – Karen Jennings and Steve High: Nothing, will hold report until Steve gets back.
 - i. Project 19734 Soldier Support
- h. Police Committee: Chair – John Ness:
 - i. Townsend Community Watch – To re-iterate Lt. Lamarche, please call the police with any problems.
 - ii. The next community watch meeting is Monday, 8/23/10, 7:00 pm at the Town Hall.
 - iii. Ness asked for residents to please forward him any email address changes.
 - iv. Jennings thanked Ness, said he does a great job sending emails to everyone.
- i. Parks & Recreation Committee - Co-Chairs – Sandy Sturgis and Steve High:
 - i. Town Fair – September 18, 2010
 - ii. Parade starts at 10:00 am, fair immediately following until 4:00 pm
 - iii. Advertisement starts in the Guide next week.
 - iv. \$25.00 for vendor tables, no charge for non-profits.
 - v. Had to cancel the last park clean-up, Sturgis had to work and no one else could do it. The next park clean-up is Saturday, 8/21/10 at 10:00.
 - vi. Hanlin asked when there will be a meeting. Sturgis said closer to the end of the month.

XI. Announcements:

- a. Ness said residents had some questions regarding the quality of our water, generated by articles in the Transcript and News Journal. Talked to Chad Hall at Artesian Water Company. Townsend water is fine; the poor water quality is in northern NCC. There are links on Artesians website if you want to read about it.
- b. Jack Fitzhugh asked if the Town watch was only for the developments or all of Town.
- c. Ness said it is for all of Town, and he is welcome to join. Call him and/or come to the meeting.
- d. Any suggestions are also always welcome.

XII. Citizens Comments & Participation

- a. Beverly Reed thanked Sturgis for making the motion and Council approving it to get the roads fixed in TVII. Hopefully we can move forward.

XIII. Adjournment: 8:58 pm, Sturgis motioned, Jennings seconded with unanimous vote to adjourn and go into executive session in 10 minutes.

XIV. Executive Session immediately following to discuss financial & personnel policies

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