

TOWN OF TOWNSEND
December 1, 2010
Public Hearing @ 7:00 pm
Council Meeting Minutes @ 7:30 pm
@ TES Cafeteria

7:00 pm – Public Hearing

- I. Call to Order:** 7:02 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 and resident Lorraine Gorman.
- III. First & Second Reading: Ordinance No. 12 – Revision #4 – Trash Collection**
 - a. Ness motioned, Sturgis seconded to read by title only and placed before Council for its consideration.
 - b. Ness read the synopsis of the ordinance and explained the Town is revising this ordinance to make it easier for residents to pay. We are also reviewing the trash ordinance as a whole and hope to get online payments.
 - c. Hanlin added for the record that part of this discussion was about a possible amnesty program that went public. Council opted to amend the ordinance and put a cap on the yearly penalties. No existing penalties/fees will be waived and is still owed to the Town.
 - d. Vote – ayes unanimous.
- IV. First & Second Reading: Ordinance No. 10-08 - Commercial Impact Fees**
 - a. Sturgis motioned, High seconded to read by title only and placed before Council for its consideration.
 - b. Sturgis stated the reason for this ordinance is the Town only has a residential impact fee ordinance; we have nothing for commercial building.
 - c. Tom added that we haven't had a lot of commercial building up to now but we have pending commercial building in the future with the shopping center on Rt. 71 and the car lot on Summit Bridge Road.
 - d. Vote – ayes unanimous.
 - e. Sturgis motioned, Ness seconded to put both ordinances on the January 5, 2011 agenda for public hearing at 7:00 pm. Vote – ayes unanimous.
- V. Adjournment:** Sturgis motioned, Ness seconded with unanimous vote to adjourn public hearing.

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/Interim Town Manager Tom Wilkes, Finance Officer Azure Wright, Secretary Cathy Beaver.
 - b. Pledge of Allegiance: Pledge was said.
 - c. Recognition of Visitors: 9, Lorraine Gorman, Tori Baker, Mal Martin, Dwaine Haines, Lawrence Rocke, Keith Shoemaker, Quinn Johnson, Dan Blevins and Jen Hayes.
- III. Additions/Deletions to Published Agenda:** None.
- IV. Council Minutes** – November council minutes on back table (approved at workshop)
- V. WILMAPCO Presentation** – Mayor John Hanlin
 - a. **Dan Blevins**, Principal Planner – 2040 RTF
 - i. Mr. Blevins is here to speak about WilMapco's 2040 regional transportation plan. It is still in draft form, is a long range plan, this is part of the public outreach program. It must be updated every 4 years and has to be adopted by March 2011. This plan is still in draft form and we welcome all comments.
 - ii. In 2021 there will be no more federal funds available for capital projects.
 - iii. Sturgis asked if Dart would be coming to Townsend, even one of the small commuter buses. Dan said he will send a comment to them. He said like everyone else, Dart is looking at cost. Sturgis stated she has already contacted them off and on for several years. They always say they don't have the funding. We have many residents who don't own cars and many elderly residents that would use the service.
 - iv. Hanlin asked where our region sits for any type of public transportation.

- v. Jennings asked if Wilmapco advocates for non-profit privatized providers, for example Easter Seals so we can use other transportation systems other than DelDot. There funding keeps getting cut, people are forced to use DelDot and Easter Seals could do it so much cheaper.
- vi. Dan stated there are rules and regulations from the places they receive the federal money on how they use the money and they can only use it for public agencies. They know there are others who could do it cheaper, but they have to abide by the rules. If it were state money, DelDot decides how it will be used. For buses they look at the density, must be approximately 4 houses per acre, age of population and they need 20% recovery of the cost (people who pay for the service). For rail service you have to have 9+ homes per acre and this area has no where high speed trains could go.
- vii. High asked if there are any foreseeable benefits for Townsend up to 2030. Dan said no, Townsend is not an area for major expansion. Could possibly get funding for a walkable community, nothing else.

VI. Unfinished Business

- a. Change 12/22/10 workshop date – Councilwoman Sandy Sturgis
 - i. Sturgis motioned, Ness seconded to cancel the December 22 workshop.
 - ii. Jennings asked Fred if this was legal, thought there was something in the past that we were setting a standard, if we could cancel a meeting.
 - iii. Fred stated the monthly council meeting is dictated in the charter, there is no harm in cancelling a workshop.
 - iv. Ness asked if we want to cancel it or re-schedule it.
 - v. Sturgis said to cancel it.
 - vi. Hanlin let everyone know this is the meeting that is 3 days before Christmas.
 - vii. Jennings asked if there was anything that would have to be discussed about the NYE party.
 - viii. Sturgis stated there isn't going to be a NYE party this year, can't find a location to hold it.
 - ix. Vote – 3 ayes, Ness – nay.
 - x. Vote carried; there will be no workshop in December.

VII. New Business

- a. Town Hall – Councilwoman Karen Jennings
 - i. Jennings stated she is researching different options for construction of a new town hall sight. Will bring options in for Council to look at, such as temporary module, new construction. Am investigating most economical options and looking at our budget. Our current location is not an adequate location. Tom has been researching this and has several options. She asked if anyone would like to join her in this effort.
 - ii. Tom stated the original location for the new hall was in the Town park but there are other options available; existing real estate in Town, different types of new construction, buying existing or building new.
 - iii. High stated he would help Jennings.
 - iv. Jennings thanked High and said they will bring options for Council to see to the next council meeting in January.
 - v. Dwain Haines asked what is going on with the people being able to vote for the Mayor.
 - vi. Hanlin stated we will discuss that under comments, want to stick to the agenda.

VIII. Reports of the Officers

- a. State Police: Lt. LaMarche – not able to attend.
- b. State Representative: Quinn Johnson:
 - i. Wished all a great, safe holiday.
 - ii. Dart issue came up during the campaign; I also am still being told there aren't enough people in Townsend to pay for it. They have park and rides in Middletown and then jump on Rt. 1.
 - iii. Mayor Hanlin called me about the speed limit signs on Wiggins Mill Road, DelDot doesn't feel it is necessary to change anything, to have the police sit out there more. I will continue to pursue it.

- iv. Things are quiet in legislation. Governor is busy now working on the budget; requests for money are much more than the budget. Just the cost of operations rises yearly not counting anything extra.
- v. Jennings asked what state federally funded programs Coons and Carter will vote for that will benefit Delaware. Quinn said he doesn't know, first they have to decide on tax cuts.
- c. Townsend Fire Department: Keith Shoemaker
 - i. Fire Hall is really coming along.
 - ii. Hope all remembered to change their smoke alarm batteries when they changed their clocks.
 - iii. Sturgis asked if the fire hall is having breakfast with Santa this year. Keith said they can't find anywhere big enough to hold it. Some of the money in that fund will be used this year for needy families instead.

IX. Reports

- a. Fred Townsend III, Attorney:
 - i. Have been following a number of emails amongst council since last month.
 - ii. Nothing to report.
- b. Tom Wilkes, Engineer: Nothing to report
- c. Tom Wilkes, Interim Town Manager:
 - i. Recommend Council have the owner put a fence around the burned down house in TVII on W. Founds. The hole in the ground is hazardous.
 - ii. Hanlin stated Sturgis put a motion forward to tear the house down, it is already down and the motion needs rescinded.
 - iii. Sturgis said the motion was to hire a contractor disconnect the water, will rescind that motion.
 - iv. Jennings asked if the fire was being investigated.
 - v. Sturgis stated the fire marshal has finished his investigation.
 - vi. After extensive discussion about the fire and putting up a fence, it was decided to leave the house as is.
 - vii. Tom stated the park is in great shape.
 - viii. Hanlin thanked Sturgis for all her hard work on the park with Tom.
 - ix. Sturgis motioned, Ness seconded with unanimous vote to award Austin and Bednash the snow removal contract.

X. Committee Reports

- a. Finance Committee: Chair – John Hanlin, II:
 - i. Azure read the finance report. Total Assets \$4,077,513.57, Total liabilities & Equity \$4,046,440.35.
 - ii. Hanlin asked to add audit issues to the January workshop.
- b. Streets Committee: Chair - John Hanlin, II:
 - i. Hanlin said the wreaths went up on Saturday. Henry Ridgeway helped him hang the banners on Wednesday, before Thanksgiving.
- c. Storm Water Management Committee: Co-Chairs – Sandy Sturgis and Steve High: Nothing to report.
- d. Zoning Committee: Chair - Sandy Sturgis: All ready covered.
- e. Health & Public Welfare Committee: Co-Chairs – Sandy Sturgis and Steve High: Be careful, the snowy season is here. Predicting snow flurries tonight.
- f. Energy & Environment Committee – Chair – Karen Jennings:
 - i. Townsend Wildlife Habitat Project
 - ii. Light Pollution Ordinance
 - I. Jennings said she is working with the Delmarva Stargazers Astronomy Club. We are having the first stargazing night at the park on Friday, 12/10/10 at 7:00 pm. Will be lots of fun, will have a half moon that night and will be able to see Jupiter. There will also be hot chocolate.
 - II. Check the Town face book page for more details.
 - III. Jennings said she wrote an article for astronomy magazine, it will be published in February.
- g. Veteran Affairs Committee – Co-Chairs – Karen Jennings and Steve High:
 - i. Project 19734 Soldier Support

- I. Jennings said she got a band for the veteran's affair in April. They are working with Ray and Sherrie to get a meeting on the books. She asked Keith if the fire hall would be done and available then. He said he will check.
- h. Police Committee: Chair – John Ness:
 - i. Townsend Community Watch -
 - I. Ness said if you see something suspicious, call 911, if you have any suggestions let me know.
- i. Parks & Recreation Committee - Co-Chairs – Sandy Sturgis and Steve High:
 - i. Sturgis motioned, High seconded to award ERV the contract to build the dugouts at the baseball field.
 - ii. Sturgis said they will be half concrete and half stone floor with roof and sides so they can be locked when not in use.
 - iii. Hanlin added we need to do this now so we don't lose the state grant money this year.
 - iv. Vote – ayes unanimous.
 - v. Sturgis stated again that she can't reserve any place so there will be no NYE party.
 - vi. Tori Baker asked about the bases for the ball field. Sturgis said we have the removable bases and they have to be checked out from the Town hall.

XI. Announcements: None. Hanlin wished everyone a safe and Happy Holiday.

XII. Citizens Comments & Participation

- a. Dwain Haines asked again what is happening with the election of the Mayor.
- b. Hanlin said council consensus is there isn't enough feedback from residents. We tried to do a survey and it was improperly put together and didn't work.
- c. Haines asked why this issue couldn't be added to the ballot in May.
- d. Hanlin said Council opted not to do this.
- e. Haines said he feels like Council doesn't want this at all, doesn't care what the people want.
- f. Hanlin stated he has been on council for 6 years now and has only had half dozen people ever ask him about this. We represent all the people, not just a small handful. If council decides to have a controlled survey so we know none of them are falsely filled out...
- g. Jennings said no, there was no metrological behind it, she asked Quinn Johnson if it could be put on the polls.
- h. Quinn stated Fred would better be able to answer this, depends on what our charter says.
- i. Fred said the charter is silent, there is nothing in it.
- j. Ness said he is a resident and member of council. He has heard a few people say they would like to vote for Mayor, but the majority of them think the process is fine. As a resident he feels, "if it ain't broke, don't fix it"! If people vote council in, they can vote us out, want it on the record as saying a few residents have requested this, more are happy with the existing way Mayor is chosen. If this changes, my point of view may change, as it is, I'm happy with the way the Mayor is chosen.
- k. High told Dwain this doesn't discount your opinion, push forward and get the people to back you.
- l. Dwain stated he strongly feels the people should be able to vote for the Mayor, doesn't care what Town it is.
- m. High told him if he strongly believes in it, talk to his neighbors and friends, council isn't telling you no, we are telling you there isn't enough active interest in this from the residents.
- n. Sturgis said a lot of people work late, have everyone email all of Council.
- o. Hanlin added email is a way to hear your voice, we (council) aren't getting overwhelming feedback from the people to make us want to change the charter.
- p. Fred explained that Townsend is a government entity and council doesn't have the authority to change the charter, they can only recommend changes. Changes have to be approved by legislation.
- q. Tori Baker asked if the Veteran Committee would be interested in getting a group of people together to go to the airport to greet soldiers coming home. They are running low on volunteers.
- r. High stated he does this anyway, he sees them in Dover.
- s. Tori understands that, but thought other residents may be interested. They are looking for groups to be available. Thought veterans affairs would like to possibly do that.
- t. Hanlin asked Tori to email dates to him.

- u.* Tori also asked if anyone would be interested in driving people from Town to Middletown. She would be willing to help out if people called the Town Hall since there is no Dart here. She is always running around and would be happy to be matched up with someone. We could possibly start our own little ride-share.
- v.* Hanlin said we could possibly start a signup sheet in Town Hall.
- w.* Dwain added he stopped in the hall yesterday. His son works for IDS and they have been sold.
- x.* Sturgis said everyone is staying except Bruce.

XIII. Adjournment: Sturgis motioned, Ness seconded with unanimous vote – 9:08 pm.

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