

**TOWN OF TOWNSEND**  
**July 11, 2012**  
**Board of Adjustment Minutes**  
**Public Hearing Minutes**  
**Council Meeting Minutes**

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**6:30 pm – Board of Adjustment Public Hearing**

- I. Call to Order: 6:35 pm
- II. Roll Call: Mayor Joel Esler, Attorney Fred Townsend, Engineer Tom Wilkes, ES Cathy Beaver and applicant Michelle Derabertis
- III. Visitors: 4 residents, Sandy Sturgis, Steve High, Larry Rocke and Carolann Wiggins
- IV. BOA Hearing – Home Day Care @ 111 Edgar Road
  - a. Mrs. Derabertis stated she is here to ask for a variance to run a day care in her home in her development. It won't change the character of the development.
  - b. Fred asked Mrs. Derabertis to pause a minute and asked the residents in attendance that were here for this hearing to come forward so they can hear. If something is said that they can't hear, ask that it be repeated. The way the process works is we will hear from the applicant, and then we will ask questions and hear questions from those attending, whether they are for or against the request.
  - c. Mrs. Derabertis introduced herself and said she lives in Townsend Village I. She is asking for a variance to open a day care in her home which is zoned residential. I have a master's degree in education and bachelors in psychology. My family moved here from Rhode Island 7 years ago and I have stayed home to raise my children. She has three children, a 7, 5 and 2 year old. She said she has all the paperwork started with the state, the fire marshal will be there Friday for the final inspection and has talked to the homeowner's association and they are aware of the situation.
  - d. Mayor Esler said the application states you will have only 5 children. He asked if the five (5) children will include her own children.
  - e. Mrs. Derabertis said her 2 year old will be included in the number; she will only have 4 other children.
  - f. Fred asked if Mrs. Derabertis was aware she is permitted 6 children and she said she will be level 1 and per the state is only permitted 5 children.
  - g. Tom asked if she is aware of the Town rules for a home daycare and she said yes.
  - h. For the benefit of the residents at the hearing Tom stated a home day care is permitted as long as a special exception is applied for, which Mrs. Derabertis is doing and is the reason we are here tonight.
  - i. Mayor Esler said he is concerned because there is another home day care further down the same street. How much is traffic going to increase and have you talked to the other provider.
  - j. Mrs. Derabertis stated she will only have 4 students being dropped off and the business will operate around the school calendar, not all year long. The hours will be 7:30 am – 4:00 pm and half day students will be 8:00 am – 12:30 pm. I don't see an increase in traffic; any more than what goes to the park daily, I am right across from the park.
  - k. Fred asked if she could possibly have a half day student in the morning and a half day student in the afternoon.
  - l. Mrs. Derabertis said she wouldn't be allowed to with only being permitted 4 more students. Also the hours won't work with closing at 4:00 pm.
  - m. Mayor Esler asked if she knew the bus schedule for the development.
  - n. Mrs. Derabertis said the buses don't come into the development; they pick the students up at the corner of Edgar Road and Caldwell Corner Road. The only bus that comes in the development is the charter school bus.
  - o. Mr. High provided the times the buses pick-up students.
  - p. Fred stated Mrs. Derabertis indicated she approached the homeowner's association about her application to open a day care. He asked her if they approved or denied it.

- q. Mrs. Derabertis said they would send her a letter, they didn't deny it, they are aware of the one down the street and they don't perceive a problem.
- r. Fred asked if the development is homeowner or developer controlled.
- s. It was established that it is developer controlled.
- t. Fred said for the record, one thing to point out is this Board of Adjustment can grant you permission to open the doors but it doesn't mean the association will permit you to open. The Town doesn't enforce deed restrictions and rules but we encourage you to abide by them. He asked Mrs. Derabertis if the neighbors are aware of your intentions and are any of the neighbors here.
- u. Mrs. Derabertis said yes they are all aware and very supportive. They know my children and we have been there since 2005.
- v. Fred stated for the record that Mrs. Derabertis has read the restrictions for the operation of a day care and has on the record agreed to abide by those rules. The Board of Adjustment can impose further restrictions, such as restrictions relating to your hours of operation. If we impose a time frame you have to abide by, will you enforce it and do you have any experience running a day care.
- w. Mrs. Derabertis said no experience with a day car, but she taught school, kindergarten and 1<sup>st</sup> grade, for 5 years before moving to Delaware. I have a contract for the parents to sign and the hours are listed. For every minute they are late picking up their child they are fined. I will enforce these hours as this will be my time with my children. This will be my first time back to work since having my children.
- x. Fred asked if Mrs. Derabertis children are in school.
- y. Mrs. Derabertis said 2 of her children will be in school at St. Annes, son will be in 2<sup>nd</sup> grade and daughter starting kindergarten this year. I will only have my 2 year old at home.
- z. Mr. High thanked Mrs. Derabertis for coming out and doing this legally, the Town can use the revenue and this is welcome. He asked her if she had a petition signed by her neighbors agreeing or disagreeing to the day care.
- aa. Mrs. Derabertis said there is no petition, she has talked to her neighbors and Mrs. Beaver sent letters to my neighbors after I turned my petition in.
- bb. Mr. High asked what neighbors got letters
- cc. ES Beaver stated all the properties that touch on Mrs. Derabertis' property received letters. There were six of them and they were mailed the day after the application was turned in on June 22, 2012.
- dd. Mr. High asked if there will be any additional employees.
- ee. Mrs. Derabertis said no, it is a level 1 day care and I don't have to have anyone else helping me, will only have 5 students.
- ff. Mr. High asked Fred what the Town can do if the Board approves this request, although the final decision rests with BC Communities because of the deed restrictions, if the applicant deviates from the rules or there is an increase in crime because of this business.
- gg. Fred stated if this is approved by the Board the applicant has to abide by the "permit" issued by the decision and if they don't abide by the rules it can be revoked. If this happens she can request a hearing and explain to us why we should let her remain open. Fred added we are public governmental and have processes to abide by. There is a mechanism in place to permit home day cares with an exception but our approval doesn't trump the approval of the homeowner's association. They could decide you can't open one up. If this room were filled with people who didn't want this home day care, the board would consider it. It wouldn't be appropriate to say the homeowner's association doesn't have a say, we have a process and we don't enforce homeowner/deed restrictions.
- hh. Mr. High stated Mrs. Derabertis has money invested in this request. What can she do if the homeowner's association says she can't do this? They would probably start with a letter asking her to desist; she could technically open before receiving the letter of approval.

- ii. Fred said she will open at her own risk before receiving a letter of approval from the homeowner's association and would lose her investment. If they tell her no and she chooses not to close they can take her to court but the Town would not be a party to that.
- jj. Mr. High asked if there have been any permits submitted in preparation for the daycare.
- kk. Tom stated by rule no structural changes can be made to accommodate the day care. She is permitted to make changes outside the home but would go through the normal Town permit process.
- ll. Mayor Esler asked if any work has been done inside the home.
- mm. Mrs. Derabertis said they had half French doors put up between two rooms.
- nn. Fred said he would not consider that a structural change.
- oo. Tom added that it says external structural changes.
- pp. Mr. Rocke asked about the hours of operation. Day cares are for working parents and every day care he has seen stays open until 6:00 pm to accommodate the parents. Closing at 4:00 pm seems awful early for working people to pick up their children.
- qq. Mrs. Derabertis stated that is her closing time, it is all she is willing to do; she will choose candidates that can work with her hours.
- rr. Mr. Rocke asked if Mrs. Derabertis would have to approach the Town again if she can't get any students with these hours.
- ss. Fred stated it depends on if we approve the application and what conditions we imply.
- tt. Mayor Esler asked if there is a pool or hot tub.
- uu. Mrs. Derabertis said no, the back is fenced in.
- vv. Fred asked if there is any type of playground facilities in the yard and was told there is one play set.
- ww. Fred asked if she plans to add to the play set and she said no, I live right across the street from the park.
- xx. Mr. High asked what the differences are in the R zoning.
- yy. Tom said there are R1, R1a, and R2. In general the allowances permitted under R1 are the same rules that apply to all the R zoning categories.
- zz. Fred said there are differences in the zonings, but this applicant is applying for relief specifically for a home day care which is permitted.
- aaa. CM Ness said his problem is with the homeowners association, we are deed restricted. We went through this process several years ago and I was told they never got permission for a home day care. Mrs. Derabertis is applying for a level 1 day care; if she wants to change the level will she have to come back before the board.
- bbb. Fred said yes.
- ccc. CM Ness said Tom Cahall is presenting this as a gray area when I asked him about it, differently than Mrs. Derabertis is presenting it. There are deed restrictions prohibiting this and Tom said he won't let anyone do this, day cares are not permitted. He said he wanted Mrs. Derabertis aware that Tom Cahall is saying these things. CM Ness said if people are continually permitted to do things that are not permitted in our deed restrictions; everyone will start doing whatever they want.
- ddd. Mayor Esler said it may be an issue Tom Cahall will have to deal with but he applauds Mrs. Derabertis for doing this the right way. He said he also believes it will be in her best interest to get a letter approving the home day care from the homeowner's association.
- eee. Fred agreed and stated again that the Town doesn't enforce deed restrictions.
- fff. Carolann Wiggins asked how many home daycares in a neighborhood does the Town permit. Is this a trend starting?
- ggg. Fred stated there is no restriction on the number however, if the question is will another day care change the cap of the neighborhood, the Board will look at everything, not just whether it will change the character.
- hhh. Ms. Wiggins said she just wondered if everyone will now flood the Town with requests for home day cares. She asked Mrs. Derabertis why she didn't wait until she had approval from BC Communities before coming before moving forward.
- iii. Mrs. Derabertis stated the 1<sup>st</sup> step was to get certified with the State to run a day care legally, 2<sup>nd</sup> step is to get approval from the Town, and 3<sup>rd</sup> step is to get approval from BC

Communities. They aren't running our development and there is already one home day care in the development.

jjj. Sandy Sturgis clarified the Town doesn't trump deed restrictions, the Town doesn't enforce them, it is up to the homeowner to uphold those rules.

kkk. Ms. Wiggins said it is like we are given rules to follow but can get around it by going to the Town. She said the 1<sup>st</sup> step should have been going to BC Communities for permission.

lll. Fred said that isn't a fair statement. The applicant is not avoiding the Town; she is abiding by our rules.

mmm. Mayor Esler said Mrs. Derabertis did it correctly, State, Town, and then homeowners.

nnn. Mr. High thanked Mrs. Derabertis again for coming here and doing the right thing, others aren't following the process.

ooo. Mayor Esler asked for a motion to close the public hearing.

ppp. Fred motioned, Tom seconded with unanimous vote to close the public hearing.

qqq. Fred motioned, Tom seconded with unanimous vote to approve this application to open a home day care at 111 Edgar Road with conditions by ordinance, no more than five (5) children and the hours to not start before 7:30 am or extend after 5:00 pm.

V. Adjournment: Fred motioned, Tom seconded with unanimous decision to adjourn.

a. All congratulated Mrs. Derabertis and Fred told her she will receive a letter from the Town with the results and stipulations of tonight's hearing.

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### **7:15 pm – Public Hearing**

I. Call to Order: 7:35 pm

II. Roll Call: Mayor Joel Esler, CW Karen Jennings, CM John Ness, CM Dwain Haines, CM Jermaine Hatton, Attorney Fred Townsend, Engineer Tom Wilkes, Town Manager Dawson Green, Executive Secretary Cathy Beaver.

III. Visitors: 19 visitors

IV. Third and Final Reading – Ordinance No. 12-04 – FOIA Revision – CW Karen Jennings

a. CW Jennings motioned, CM Ness seconded with unanimous vote to read by title only.

b. CW Jennings read the title of the ordinance.

c. In the following discussion Mr. High asked for clarification for the cost of a FOIA request He understands it went from \$1.50 per page to 10 cents per page.

d. CW Jennings said we adopted what Governor Markell mandated at 10 cents per page per request.

e. Fred said that is correct. Different jurisdictions have different prices and the Attorney General determined some Towns made it expensive to discourage requests so Governor Markell approved 10 cents per page for the State and our revision follows that adoption for the State.

f. Mr. High asked TM Green if 10 cents covers the cost of manpower and material.

g. Fred stated that will be a hard question to answer.

h. CM Ness added we are trying to standardize with the state, if TM Green or an employee has to spend a lot of time we have the ability to add an additional cost to the request.

i. TM Green agreed with what everyone said.

j. CW Jennings motioned, CM Ness seconded with unanimous vote to close the public hearing.

k. CW Jennings motioned, CM Ness seconded with a unanimous vote to adopt Ordinance No. 12-04 – FOIA revision.

V. Adjournment: 7:44 pm, CM Ness motioned, CM Haines seconded with unanimous vote.

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### **7:30 pm – Council Meeting**

I. **Call to Order:** 7:45 pm

II. **Opening Ceremonies**

a. Roll Call: Mayor Joel Esler, CW Karen Jennings, CM John Ness, CM Dwaine Haines, CM Jermaine Hatton, Attorney Fred Townsend, Engineer Tom Wilkes, TM Dawson Green, ES Cathy Beaver. (Mayor Esler added FO Azure DeShields not present).

b. Pledge of Allegiance: Pledge was said

c. Recognition of Visitors: 19 visitors

**III. Additions/Deletions to Published Agenda:**

a. CM Haines asked to strike his committee reports.

b. Fred said he doesn't recommend adopting a policy for disposing surplus property. Recommends we delete V (a) from the agenda, we won't benefit from having this with the Lupo property.

c. CM Ness motioned, CM Haines seconded with unanimous vote to accept the agenda with the changes.

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

**V. Unfinished Business**

a. Adoption of policy for disposing of surplus property – Mayor Esler – deleted from agenda

b. Vote on sale method of Lupo property – Mayor Esler

- Mayor Esler said there are two things, how are we going to dispose of the property, auction or list with a realtor, and do we want to come up with a reserve or minimum deposit. He asked Council if there was a consensus on how to dispose of the property.
- Mr. High asked if there is a recommendation.
- Fred stated it has been heavily discussed in Council meetings and workshops.
- Mayor Esler agreed there has been a lot of discussion on the topic and Council interviewed 2 realtors and the discussion circled back to should we just auction the property.
- CM Haines asked if we ever heard back from the second realtor after she saw the inside of the house. TM Green said no.
- Alan Emsley stated he was at the interviews with the realtors and does not feel either of them have any experience with this type of property. He is also confused by the New Castle County (NCC) website; it appears the Town bought the property two times, once for \$25,000.00 and again for \$2,500.00. He asked if anyone could explain this to him. As much as anybody, I would love somebody to get this property and do something with it.
- Mr. High stated the Town bought the property for \$2,500.00.
- CW Jennings said we will have to research this.
- Fred explained NCC took the property to sheriff sale/munitions sale for the Town and all they wanted out of it was their back taxes. The Town bid \$25,000 and we received all our money back minus NCC taxes and the fees for taking it to sale of \$2,500.00.
- There was a long discussion between Mr. Emsley and Fred.
- Mr. Emsley said he wasn't impressed with either of the realtors that were interviewed, they aren't in the kind of market we need, and the property is worthless. It's been sitting like that for nine years. It won't sell through a realtor; it will continue to sit there. I have been in the business for years and I wouldn't take it if you gave it to me. I know someone who has made an offer to the Town several times and I guarantee he will do right by it.
- Mayor Esler stated that unless the offer crosses his desk or Councils desk, it doesn't exist. He hasn't seen it. Council is going to vote on a method of sale for the property and if we vote to auction it and your friend wants to buy it at the auction, that's fine. We need a legal way to dispose of this property and as a municipality we can't just sell it.
- Fred agreed. If we choose not to have an auction we could solicit bids by advertising and state when they will opened. We have to have a public sale; legally we can't just sell it to whomever. No matter the shape it is in, it is an asset to the Town and we are legally bound to ensure it brings the best price possible.

- CW Jennings asked if Fred has a recommended method.
- Fred stated at the last couple meetings we have discussed both listing with an agent, and there were reservations about that, and the prospect of conducting an auction. The benefits of an auction are it is open and shut as long as you get a qualifying bid. It is the more cost effective way of disposing of the property.
- CM Ness stated after the last meeting with the realtor we are leaning against listing with a realtor.
- Mr. Emsley again said listing it would be a waste of time. He asked if there were a flat fee to have an auction.
- Fred said the Town could conduct the Town themselves.
- Mr. Emsley said he wants something to happen to the property. The issue is you need someone to buy it and fix it, not leave it sit.
- *CW Jennings motioned, CM Ness seconded to sell the property by auction.*
- In the following discussion CM Ness asked for details of an auction and do we want to set a reserve and a deposit.
- Mr. Emsley said a reserve is very important. An auction is very different that soliciting bids and opening them on a given date.
- Mr. High asked if there is a minimum amount the Town will take.
- CW Jennings asked what the total amount the Town has invested in the property.
- Mayor Esler said the sale price was \$25,000 and we got \$17,000 back which makes it \$8,000.00.
- CW Jennings suggested making \$8,000 the minimum amount.
- Ms. Sturgis said the Town also has the cost of boarding the house up, two engineer inspections, maintaining the lawn, past trash and tax bills.
- Mayor Esler said there was a figure of \$16,000.
- CM Hatton stated that included all the late fees and once they are all removed...
- CM Ness said needless to say the amount we have put into it is probably more than we'll get out of it.
- CW Jennings said she is confused as to why we don't have the data for a figure we have to have.
- Mr. Emsley stated if he owned this property he would hope the Town would have taken me to court by now. Now the Town owns it and the money you have invested doesn't have a thing to do with what it looks like.
- Fred said we went over this at the last meeting. What you are saying is not to get a reserve or set it too high. If the intention is to get every penny they have invested in the property they aren't going to get it and Council is aware of it.
- Mr. Emsley said in his opinion there shouldn't be a reserve. Does anybody not want the property fixed up? If Council wants the property fixed up, fix it up yourself. If you put a \$16,000 reserve on this, nobody in the world will bid on it, I guarantee you.
- CW Jennings said our finance committee chairman said to make the reserve \$8,000 so....
- Mr. Emsley said to keep it at \$0.
- CW Jennings said it is the Town residents' money and we will make all efforts to recoup some of the money.
- Mayor Esler said we won't go into the negative with our residents' money.
- Mr. Emsley stated if you do it you won't get rid of the property.
- Mayor Esler said we will then seek another avenue to sell the property.
- Fred spoke with Mr. Emsley and said he doesn't believe he is saying if the Town puts a \$500 reserve on this that the property won't sell. Mr. Emsley

has also told us he is in the business and asked him what he thinks the property value is.

- Mr. Emsley said the value is \$0, I don't want it.
- CM Haines stated Mr. Emsley said he wouldn't take the property if we gave it to him.
- Mr. Emsley said correct and asked if anyone here has been in the property.
- CM Ness said no one has said we are going to have an auction or bidding process and put a \$16,000 reserve on it, it was suggested but we haven't made a decision.
- Mr. High said the question was what the Town has invested and the answer was \$16,000.
- Mayor Esler stated we all agree the property is not worth what we have in it. We also are not willing to take nothing for it. We have a motion and second to auction the property with a minimum reserve of \$8,000.00.
- CW Jennings added that is the recommendation of our finance chair.
- Mayor Esler said the second section is a deposit. What does Council want to require for this?
- Fred said Council needs to consider the requirements for the auction. The typical rule for an auction is some kind of deposit made by the winning bidder on the spot. I recommend a modest flat fee, certified cashier's check.
- CW Jennings said the amendment to the bid is minimum bid is \$8,000 with a deposit from the winning bidder in the amount of \$1,000.00 certified check.
- CM Ness asked Council to reduce the reserve.
- CW Jennings said it is the finance chairs recommendation.
- CM Hatton moves that we table this discussion to a workshop where we can pull the numbers together and come up with a hard number Council agrees on.
- CW Jennings seconded the motion to table the discussion to the workshop.
- After much more discussion Fred stated there is a motion and second to table the discussion to the workshop, Mayor needs to call roll for a vote.
- CM Haines said first we need to vote on the first motion don't we.
- Mayor Esler said to table a motion will override the original motion. He asked for a *vote to table the motion*, CW Jennings and CM Hatton voted aye, CM Ness and CM Haines voted nay to table. Mayor Esler had to break the tie and voted *not to table the motion*.
- CW Jennings said she is comfortable lowering the price.
- Mayor Esler asked CM Ness what he wanted to do.
- CM Ness said we have a ballpark figure of what we have into the property, it's a relatively low amount, property has been sitting there, and I recommend \$1,000.
- CW Jennings said she thought his issue was with the deposit amount.
- CM Ness said no, his issue is with the reserve amount and I recommend \$500.
- CW Jennings asked CM Hatton if he was comfortable with that.
- CM Hatton said no.
- Quinn Johnson said he has been to two types of auctions. The Town needs to set a reserve but the public doesn't need to know what it is. If you don't get a bid for at least your reserve amount you don't have to accept it.
- Fred said there are all types of auctions and Quinn has described one. He said he printed off an auction option off the web today. It includes a minimum opening bid which is the same thing as a reserve. Being a government entity I feel we need to announce what our reserve is.
- Mayor Esler said OK, to clarify where we are at, we have a motion and a second to sell the Lupo property by auction, must have a deposit of \$1,000 by

certified check made by the buyer at the time of the sale, but we do not have a consensus on the amount of the reserve. I have heard \$8,000 from the head of the finance committee and CM Ness feels it should be much less. Is this correct?

- CM Ness said yes.
- CW Jennings said we can vote on the motion.
- Fred agreed, you can decide and vote on the details later such as the date of the sale, how it will be conducted, how to advertise, where the closing will be.
- Mayor Esler asked if it would be appropriate to vote on this motion and work the details out at the workshop.
- Fred said yes.
- Mr. Emsley said it is very difficult to get a certified check to pay with at an auction, can't bring the bank with me.
- Fred said it is done all the time; need a certified check for \$1,000 as a deposit at time of sale.
- Mr. Emsley said he mis-understood. He added he believes Fred's idea of getting sealed bids and open them on a certain date is a better way to sell the property and your lawyer recommended it.
- Mayor Esler said he has a motion and second that we have to follow through and vote on. I have a recommendation for the reserve to be \$8,000.
- Mr. Emsley said if you make the reserve \$8,000 and it doesn't sell, and he said he doesn't believe it will, and then you have to try something else. You can't set the price on something because of what you have in it unless you plan on keeping it.
- Mayor Esler said we aren't doing that.
- There was another long discussion. Fred told Mr. Emsley he was arguing to the choir. Council is doing what they have to do to protect the taxpayers.
- CM Hatton recommends having a reserve of \$2,500.00. All of Council agreed.
- *Mayor Esler said we have a motion and second to sell the property by auction with a reserve of \$2,500.00 and a deposit of \$1,000.00 in the form of cashier's check with the final details to be decided at the workshop on 7/18. Vote: ayes unanimous.*

## **VI. New Business**

### **a. Meeting with Handler – Mayor Joel Esler**

- Mayor Esler met with Handler Homes regarding Townsend Village II and there announcement of intention to start developing the Handler properties on Esch Street. They will develop 10 – 15 lots in the vacant area. This will be on the workshop agenda to work out the details prior to them starting work.
- Ms. Wiggins asked if they will open Esch Street into Town.
- Mayor Esler said no, not right now because of funding etc.

## **VII. Reports of the Officers**

### **a. State Representative: Quinn Johnson**

- Lynn Dolan is here tonight, she is running for representative of this district which is being split up.
- MOT areas seeing lots of improvement in jobs.
- Working on First State Angel Act, helps create capital for smaller business; will have to re-introduce it next session.
- New law we started in the House, regulatory process, we pass laws and agencies develop policies but sometimes don't follow intent of law, governor did executive order for this and his office will review every regulation.
- Have done a lot of work with disabled children and adults, passed the autism insurance bill which is huge.
- CW Jennings thanked Quinn.



- Publicly funded housing for all handicap individuals, shortage of housing for handicap adults, bill will increase housing for them.
  - CM Ness thanked Quinn for always helping with Town issues on top of all his other issues.
  - Quinn said you just have to grow roots in the area, learned that from Bethany Hall-Long and I will make sure you continue to be represented well.
  - There are three (3) people running for the open seat, the primary is in September, elections in November. There are 7 total seats open in the House.
- b. Townsend Fire Department: Keith Shoemaker/Jeff Dawson
- Keith apologized for having no air, antifreeze got in all the lines.
  - In case you didn't notice, fire house is going green, lots of solar panels in the back.
  - Spring fling was a huge success thanks to the tickets Dwain sold.

### **VIII. Reports**

- a. Fred Townsend III, Attorney: nothing to report
- b. Tom Wilkes, Engineer:
- Plans for streetscape are back at Deldot for review. Spoke with one of the reviewers and hope to get it turned around.
  - Ready for a committee meeting to discuss the amenities now that the design is done. Pretty flexible next week.
  - CW Jennings said we want to post meeting so residents can come, scheduled Town Hall Committee meeting for Thursday, 7/19/12 @ 6:00 pm @ Town Hall.
  - Mr. High asked Tom if there is a start date for the streetscape.
  - Tom said no date now, still waiting for final approval, this is the fourth submittal this year.
- c. Dawson Green, Town Manager:
- At the last Council meeting Mr. High asked about mosquito spraying. I contacted the state and am trying to schedule the best time to do it.
  - Since the economy has slowed down, so has building but have a construction update for you. Since January 1<sup>st</sup> Handler is or has built 5 new homes, Beazer has built 1 new home and has the model home built in TVII West. It is slow but is picking up.

### **IX. Committee Reports**

- a. Finance Committee: Chair – CM Jermaine Hatton
- As of June 29, 2012 – Total Assets - \$3,232,817.47
  - Total liabilities & equity - #3,201,744.25
- b. Streets Committee: Chair – CM Dwain Haines
- Will talk to Mr. Green later.
- c. Storm Water Management Committee: Chair – CM Dwain Haines - deleted
- d. Zoning Committee: Chair – CM Jermaine Hatton – nothing at this time.
- e. Health & Public Welfare Committee: Chair – CM John Ness
- With the extreme heat please remember to check on your neighbors and drink lots of water.
  - We are updating the facebook page with some reminders and will do same on the Town website.
  - Mr. Rocke asked who in the Town is in charge of emergency response and what does that job entail. I'm asking because of the recent storm we had which could have been like Middletown.
  - CM Ness stated we have a plan in place for emergency services and we coordinate with the police. We can provide you with a copy of that.
  - Mr. Rocke asked who a resident would call.
  - CM Ness said we can provide that information on who to get in touch with depending on the emergency.

- Mr. Rocke said he is talking about a natural disaster, who would a resident contact. Like with this last storm, if a tree fell across the street, who would we contact.
  - Mayor Esler stated several of Council rode through Town after the last storm to assess damage. We will discuss this at the workshop.
  - CM Ness added that we also have Reverse 911 where we contact residents if there is time before a bad storm or disaster.
  - Mr. Rocke asked who in Town has that responsibility.
  - CW Jennings stated it is part of health and public welfare. Former CW Sturgis and I worked on it and now CM Ness is the chair so he would be the one to address any problems and Middletown helps us with Reverse 911.
  - CM Ness said again he would get Mr. Rocke a copy of the Emergency Operation Plan.
- f. Veterans Committee: Co-Chairs – Mayor Joel Esler & CM Dwain Haines
- CM Haines reminded residents to please drop their expired coupons off at the office. We mail them to our veterans overseas.
  - Mr. High asked where we are with the veteran plaque.
  - Mayor Esler stated he has to meet with CW Jennings on that and apologized it hasn't been done.
  - CW Jennings stated we have no support for the plaque.
  - Mr. High clarified no support for the installation of the plaque.
  - CW Jennings stated for any of it.
  - Mr. High stated we have a plaque but haven't decided on a method to install it.
  - CW Jennings said correct.
  - CM Ness said we did receive bids to install it.
  - CW Jennings said we had two (2) bids and will get Mr. Greens recommendation.
  - Mayor Esler stated he will check into it.
- g. Energy & Environment Committee: Chair – CW Karen Jennings – nothing to report.
- Townsend Wildlife Habitat Project
  - Astronomy Night in the Park
- h. Police Committee: Chair – CM John Ness
- Call the police if you see anything so they can have a record.
  - You can report anonymously.
  - In the summer people are out later.
  - Mayor Esler asked CM Ness if he has a report from Lt. LaMarche.
  - CM Ness said there is nothing to report. He said if there are any trends he will report on it to the residents.
  - Mr. Rocke stated he recently noticed some damage at the park to the gazebo.
  - TM Green stated it was repaired today; it was damaged in the storm.
  - CM Ness asked residents to call the Town if they see any vandalism.
  - Townsend Community Watch
- i. Parks & Recreation Committee: Chair – Mayor Joel Esler
- Tentative Fair Date – Saturday, September 22, 2012
  - This will be the fair date, no longer tentative
  - The parade will be at 10:00 am, starts at the fire hall and goes to the park which is the kickoff for the fair in the park.
  - Mayor Esler said Ms. Beaver has been sending notices to vendors for the parade and fair. If anyone is interested in participating in the fair or parade, Ms. Beaver has the application forms.
  - Mrs. Mobley stated she will come to the office this week to get an application.
  - Mr. High asked if there is an event contact besides the Town Hall.

- Mayor Esler said him; I can be emailed or called but the main point of contact is Ms. Beaver.
- Ms. Sturgis asked if there will committee meetings.
- Mayor Esler said yes and asked Ms. Sturgis if she would like to help.
- Ms. Sturgis stated she will come to the meeting.
- Mr. High said the paint job on the dugout is good, matches the big gazebo and the also a good job on the mulch. No more bare spots.
- Mayor Esler received an email about the mulch in the center section and around the trees in the parking lots and am working with TM Green on it.

**X. Announcements:**

- a. Peavey Grainary on Main Street has been bought by Mountaire Farms of Delaware.
- b. Post Office Hours – In July the mail carriers will begin working out of the Middletown Post Office. The Townsend Post Office will have normal window business hours inside and PO boxes will still be available 24/7.
- c. Solicitors Permit – Mayor Esler said he received several calls about people selling door to door, we have provisions that have to be followed, must come to the Town Hall and pay a fee and show license. If you see someone soliciting, ask if they have a permit from the Town.
- d. Mr. High asked if we give them a badge or something so residents know they are registered with the Town and was told they get a paper license.

**XI. Citizens Comments & Participation**

- a. CM Hatton thanked CM Ness for checking on the Town after the storm.

**XII. Adjournment:** 8:58 pm, CM Ness motioned, CW Jennings seconded, vote unanimous.

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