

**TOWN OF TOWNSEND**  
**September 5, 2012**  
**Council Meeting Minutes**

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**7:15 pm – Public Hearing**

- I. Call to Order: 7:15 pm
  - II. Roll Call: Mayor Joel Esler, CW Karen Jennings, CM John Ness, CM Dwain Haines, CM Jermaine Hatton, Engineer Tom Wilkes, Attorney Fred Townsend, ES Cathy Beaver
  - III. First and Second Reading – Ordinance No. 12-05 – Grass Ordinance Revision – CM John Ness
    - a. CM Ness explained that after much discussion Council agreed to change the amount the Town charges to mow overgrown properties from \$50.00 to \$75.00 per hour. This is the only change being made to the ordinance.
    - b. CM Ness motioned, CM Hatton seconded to read the ordinance by title only. Vote: unanimous.
  - IV. Adjournment: 7:22 pm, CM Ness motioned, CM Hatton seconded with unanimous vote.
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**7:30 pm – Council Meeting**

- I. **Call to Order:** 7:30 pm
- II. **Opening Ceremonies**
  - a. Roll Call: Mayor Joel Esler, CW Karen Jennings, CM John Ness, CM Dwain Haines, CM Jermaine Hatton, Engineer Tom Wilkes, Attorney Fred Townsend, TM Dawson Green, FO Azure DeShields, ES Cathy Beaver
  - b. Pledge of Allegiance: Pledge was said
  - c. Recognition of Visitors: 17
  - d. Announcements:
    - Park Clean-up Day – Saturday, September 8, 2012
      - I. 10:00 am – 2:00 pm
      - II. Meet in the large pavilion at the park
      - III. Volunteers needed – sign-up sheet on back table or please call the Town Hall @ 302-378-8082
    - Fair Date – Saturday, September 22, 2012
      - I. 10:00 am – 3:00 pm
      - II. Parade @ 10:00 am – line up @ Fire Hall @ 9:30 am
      - III. Volunteers needed – sign-up sheet on back table or please call the Town Hall @ 302-378-8082
- III. **Meet and Greet – Tom Gordon, candidate for County Executor** – Mayor Joel Esler
  - a. Tom Gordon introduced himself and stated he is running for NCC Executive which is the office he held from 1997 – 2004. Wants to run again for a variety of reasons, public safety first, work for the senior citizens and restore county finances. While in office never increased taxes and never will.
- IV. **Additions/Deletions to Published Agenda:**
  - a. CM Haines asked to delete storm water committee.
  - b. Mayor Esler added the approval of the July workshop minutes. Going forward workshop minutes will be approved at the following workshop.
  - c. CM Ness motioned, CM Hatton seconded with unanimous vote to approve the agenda with the additions/deletions.
- V. **Council Minutes**
  - a. August council minutes approved at workshop (copies on back table)
  - b. Approval of July 18, 2012 workshop minutes
    - CM Ness motioned, CM Hatton seconded with unanimous vote to approve the minutes.
- VI. **Reports of the Officers**
  - a. State Representative: Quinn Johnson

- Presented the Town with a Delaware State Flag to fly at the park. These aren't in the budget anymore; he bought this out of his pocket.
  - Busy time, out campaigning every day and night. Primary election is September 11, 2012.
  - Another new business has opened; several local Townsend residents opened an indoor astro turf facility behind Tractor Supply.
  - Pushed and got a lot of regulatory reform, have a series of meetings coming up.
  - Will be at the fair, see you there.
- b. Townsend Fire Department: Keith Shoemaker/Jeff Dawson
- Reminded all to please clean their chimneys before winter sets in.
- c. Keith Spanarelli introduced himself, is running for State Senate, first time Senator Carper has had competition in years, lived in Delaware 14 years, am running to put my mouth where it should be, Washington can't seem to get anything done with all the red tape, feel our government got away from our core values. Our country is in a large financial hole and it's being ignored, Carper has pushed it all off and caters to people with money; I pledge to the People only and would appreciate your vote!

## **VII. Reports**

- a. Fred Townsend III, Attorney:
- Discuss and Council possibly vote to accept Agreement of Sale for 626 Commerce Street – Fred stated the Lupo property was sold at auction on August 22, 2012. The buyer has followed all the rules and requirements the Town stipulated and paid a \$1,000 deposit with certified funds the night of the sale. Do not believe anyone was at an advantage or dis-advantage at the sale. Haven't received any correspondence from anyone objecting to the sale, it was a fair auction and recommend Council vote to permit Mayor Esler to sign the contract for the sale of the property.
  - *CM Ness motioned, CM Hatton seconded to permit Mayor Esler to sign the contract of sale.*
  - In the following discussion it was stated the verbiage used for several months prior to the sale and in the advertisement for the sale was \$1000 certified check deposit and the buyer paid \$1,000 cash deposit after winning the bid. It was stated this wasn't fair to the other bidders who went to the bank and got certified checks.
  - After much discussion it was decided the winning bidder did not have an advantage over any of the other bidders, there are federal laws surrounding cash payments and it is considered certified funds.
  - *Vote on the above motion – unanimous.*
- b. Tom Wilkes, Engineer:
- Ready to start the bid process for the new Town Hall, will drop the plans off next week.
  - Got the final comments from DelDot on the streetscape and am addressing them now for the final signatures. We will then be able to start advertising for bids.
- c. Dawson Green, Town Manager:
- State sprayed for mosquitos on 8/23/12 in TVII development only. If anyone else has areas of concern to be sprayed call with address or you can call DNREC yourself.
  - Beazer and Handler both submitted 2 new home building permits each in August.
  - Been working with developer to get streetlights installed in TVII West on West Founds Street.

## **VIII. Committee Reports**

- a. Finance Committee: Chair – CM Jermaine Hatton

- Revised budget was approved at the workshop.
  - Total assets - \$3,529,206.54
  - Total liabilities & equity - \$3,498,133.32
- b. Streets Committee: Chair – CM Dwain Haines
- Put several work orders in at the state for some sidewalk and manhole cover repairs.
  - South Street was swept by the state last month.
  - Mr. Hall said there is a street drain on Wilson and Chestnut that has been blocked for a week, CM Haines said he will check it out.
- c. Storm Water Management Committee: Chair – CM Dwain Haines - deleted
- d. Zoning Committee: Chair – CM Jermaine Hatton –
- Working with the UofD to update our zoning maps and get back into compliance.
- e. Health & Public Welfare Committee: Chair – CM John Ness – nothing to report
- f. Veterans Committee: Co-Chairs – Mayor Joel Esler & CM Dwain Haines
- We are currently seeking bids to install the veteran’s plaque at the park.
  - Remember to bring your unwanted and expired coupons to the Town Hall.
- g. Energy & Environment Committee: Chair – CW Karen Jennings
- Townsend Wildlife Habitat Project
    - I. Email if would like help with putting a habitat on your property.
  - Astronomy Night in the Park
    - I. Great American Hero, Neil Armstrong passed away.
    - II. Keep an eye on facebook for observe the moon/stars night at the park.
- h. Police Committee: Chair – CM John Ness
- Townsend Community Watch
  - Lt. LaMarche and the Captain will be retiring soon.
  - If you see or hear anything please call the police.
- i. Parks & Recreation Committee: Chair – Mayor Joel Esler
- Vandalism in the park this week, the railing on the handicap ramp was cut off and set on the wall of the gazebo, Mr. Hargrove fixed it today.

**IX. Unfinished Business**

- a. Atlantic Broadband sale to Cogent Resolution – Mayor Joel Esler
- Resolution 2012-03 – Cable Television Franchise
    - I. *CM Ness motioned, CM Hatton seconded with a unanimous vote to approve Resolution 2012-03.*

**X. New Business**

- a. Possible annexation of 27.40 acres adjacent to Cannery Lane – Mayor Joel Esler
- b. Town received a letter from Danny Keeler requesting annexation and re-zoning of the farm contingent to Cannery Lane upon his purchase of the farm.
- c. Mr. Keeler added that he won’t purchase the property unless the Town will annex it into Town limits.
- d. After a long discussion on the annexation and re-zoning process, Mayor Esler asked to have this added to the workshop for further discussion.

**XI. Citizens Comments & Participation - none**

- XII. Adjournment:** 9:15 pm, CM Ness motioned, CM Hatton seconded with unanimous vote.