



Townsend Council Meeting Minutes
August 5, 2020 @ 7:00 pm
VIA CONFERENCE CALL

Per the Governor's request, all scheduled meetings will be held via electronic means. Residents will be able to view documents posted to the meeting tab on the Town website at www.townsend.delaware.gov or by joining the meeting via computer.

Those wishing to attend may dial 1(301)715-8592. When directed, provide following meeting ID 82764217575# and then the following password 361631# to enter the meeting.

If you choose to access the meeting online Join the online meeting:

<https://us02web.zoom.us/j/82764217575?pwd=aHI4RDhTZ0xiME1HV0ZOcHRxSHZ3QT09>

I. **Call to Order:** The meeting was called to order at 7:02 p.m. by Mayor Thomas McDonald.

II. **Opening Ceremonies**

A. *Roll Call:*

The following Council and Staff were present with electronic access available for guests: Mayor T. McDonald, Councilman P. Miller, Councilman S. Lobdell, Councilman E. Dugan, Town Manager A. Mangeri, Town Clerk A. Tantillo, and Financial Officer J. Helms and Lt. Lloyd, DSP.

B. *Pledge of Allegiance:* Skipped for Electronic Meeting

C. *Recognition of Visitors:* Present guests were New Castle Councilman David Carter, Josh Mertz and Kathleen Shaw.

D. *Announcements:* None

III. **Additions and Deletions to published Agenda:** None

IV. **Approval of Minutes**

A. Approval/ Rejection of Town Council Public Hearing Minutes 7/22/2020: *CM Lobdell motioned for the approval of the minutes as presented, CM Miller seconded the motion. (Vote: Dugan- Yea, Lobdell- Yea, Miller- Yea)*

V. **Mayor's Report**

A. Discussion and possible vote on Council appointment to fill the vacated seat of Councilman Franco.

a. Mayor McDonald held a discussion to fill the vacant seat left by Councilman Franco, by Townsend resident Dr. Joshua Mertz.

b. CM Miller motioned to accept Dr. Mertz as a Council member; *CM Dugan seconded the motion. (Vote: Dugan- Yea, Lobdell- Yea, Miller- Yea, McDonald- Yea).*

c. Councilman Joshua Mertz recited the Council Oath of Office and was sworn in by Town Clerk Antonina Tantillo.

d. TA Townsend noted that Councilman Mertz will be filling the vacant seat until May 2021, when the seat will go up for election.

VI. **Reports**

A. State Police:

a. There were 32 total responses in the Town of Townsend in the month of July, which included one traffic crash, four domestic disputes, five noise violations, and the remaining incidents were non-reportable incidents.

- b. There were 108 traffic tickets given in and around Townsend.
- c. Lt. Lloyd reported that the speed trailer was placed in front of Town Hall on June 26th. From June 26th through July 30th, the speed trailer counted 61,733 cars passed through Townsend, with an average speed of 27.3 miles per hour, with the posted speed of 25 miles per hour.
- d. 23% of the cars or 14,761 cars were at least 10 miles per hour over the speed limit, which would lead to some adjustments of contract policing and Police presence on Main Street.
- e. The next request is to put a speed trailer on Commerce Street to try to gauge the data on Commerce Street.
- f. The data does not breakdown the traffic data by days or time of day, but Lt. Lloyd reported that most complaints are driven around rush hour.
- g. Lt. Lloyd said the best investment would be to have contract policing around the hours of rush hour, creating fixed times for the State Troopers to be present.
- h. Lt. Lloyd confirmed the data represents trips in both directions.

B. Town Attorney Fred Townsend III:

Nothing to report.

C. Town Engineer Edwin Van-Otoo:

- a. Town Engineer to discuss ongoing Town projects.
 - i. Lifehouse Church construction is coming to a close soon. They are working on punch list items to be completed this week to do a building walkthrough with the inspection team. To be completed with punch list this week and then Mr. Van-Otoo should be able to address the punch list items.
 - ii. The Townsend Tennis and Pickleball Court project went out for bid and received two bids for the project, which both came in above the Towns budget and were \$70.00 a part. On average, the bids were \$260,000.00, with the post tension concrete. With the numbers being so close together on the bids, it shows the option for this type of concrete would not be available to the Town because the cost is in excess of the Towns Budget.
 - iii. Mr. Van- Otoo recommends using asphalt surfaces instead and then revise the plans and put it back out to bid. This will be forthcoming.
 - iv. Stormwater Basins in Townsend Village II have not yet been turned over to the Town by MS Development. Mr. Van- Otoo is working with Austin and Bednash and Cameron's and Associates to restore the stormwater basins before the Town can take possession. There are two ponds, the first one is by Myers Court and is overgrown and has vegetation, which needs to be cleared before getting sitework. The second pond is near Collins Court and is in very good condition. Mr. Van-Otoo met with the conservation district regarding the capacity of the pond. The capacity is at about 90% capacity, which is the lower limit modifications to the pond are not needed. The outflow structure needs to be modified because the old pipe is corroded. Once this is fixed, the pond will be in good condition. Austin & Bednash will put together the construction sequencing schedule and will inform Mr. Van-Otoo.

D. Town Manager Anthony S. Mangeri:

- 1. Letter for waiver of bonding requirement for the first 2 phases at Woods at Hidden Creek.

- a. TM Mangeri has been in contact with Mr. Allen and the County. The County needs to provide correspondence to Mr. Allen, per Council's request. Mr. Mangeri clarified to the County what Council is requesting but he has not received any correspondence from the County.
 - b. Mr. Van-Otoo added he needs to produce the original bond letter as discussed to state the cost of construction with the inclusion of the 120%, he was awaiting landscaping information but will work through this to move this project forward.
2. Mr. Mangeri reported that the Town is also working with the County on Townsend Acres. Townsend Acres will require a County resolution for the annexation. The County has been provided assurance that we do coordinate with the Office of State Planning Coordination and the Town has been in contact with them, but at this time, the formal letter that they will provide sewer has not been provided yet, but Mr. Mangeri is keeping in contact with their engineer and developer to see this through.

VII. Committee Reports

A. Finance: Chair Mayor Thomas McDonald - Co-Chair CM Edgar Dugan

- a. Discussion and possible vote on Resolution 2020-011, a Resolution to Revise the FY 21 Municipal Budget.
 - i. A review of the Ordinance to abolish Streetlights and Trash Utility fees was implemented with the new Tax year beginning July 1, 2020. When Resolution 2020-001 was originally approved, the intent was to terminate the garbage and streetlight utility fee, at a time when these fees would be transitioned into the taxes or the taxes would pick up the operational cost of this activity.
 - ii. The Town has provided correspondence to all residents in a variety of options to let them know if the change. Anyone who has made the payment has been credited their payment back to their taxes.
 - iii. In doing this, this affects our estimated revenue, therefore the Town budget needs to be amended. The revision of the budget is simply to identify and be transparent about the expected revenue for the year, thus adjusting expenses to offset the revenue.
 - iv. Councilman Lobdell clarified the tax year is from July 1st through June 30th and that the tax bill has gone out today, August 5th. For the portion of the fiscal year where taxes are not paid, the Town pays for all items of the operating budget.
 - v. TM Mangeri provided a reading of Resolution 2020-011.
 - vi. *CM Lobdell made a motion to approve Resolution 2020-011, a Resolution to Revise the FY 21 Municipal Budget, CM Dugan seconded the motion. (Vote: Dugan-Yea, Lobdell- Yea, Miller- Yea, Mertz- abstain). The resolution passed as read.*

B. Human Resources: Chair CM Patrick Miller

- a. Discussion and possible vote on Resolution 2020-010, A Statement on Racial Equity, Diversity, and Inclusion.
 - i. CM Miller clarified that this resolution is a statement on Racial Equity, Diversity and Inclusion and that the intent of the resolution is not to create any new programs that would benefit any group and that this is a statement that the Town will be fair to all.
 - ii. *CM Miller made a motion to approve Resolution 2020-010 a Statement on Racial Equity, Diversity, and Inclusion, CM Mertz seconded the motion. (Vote: Dugan-Yea, Lobdell-Yea, McDonald-Yea, Mertz-Yea)*

- C. Public Works: Chair CM Edgar Dugan - Co-Chair CM Scott Lobdell
 - a. CM Lobdell reported that after the storm in Town, the area fared well, and the water drained in a reasonable amount of time.
- D. Land Use & Development: Chair CM Scott Lobdell - Co-Chair CM Edgar Dugan
 - a. The ordinance Discussion and possible first reading of Ordinance to Annex the area known as Townsend Acres into the Town of Townsend.
 - i. This is held until the Town receives correspondence from the County.
 - b. Mayor McDonald reported that the Planning Commission is making headway on the Comprehensive Plan.
- E. Veterans Committee: Chair CM Patrick Miller - Co-Chair Vacant
 - a. No report
- F. Public Safety: Chair CM Patrick Miller - Co-Chair – Vacant
 - a. CM Miller reported the two abandoned buildings on South Street have been taken down and destroyed. They were initially a safety issue and are no longer a safety issue.
 - b. TM Mangeri reported the two abandoned houses identified as dangerous on South Street have been removed. The demolition permit required a final inspection which was completed on 8/5/2020 and that passed. The Town is looking at other properties that may be dangerous in Town and is working hard at looking at vacant properties. Councilman Carter has provided insight to the Town in the past and this will aid in improving the Town overall as the Ordinance calls for.
 - c. TM Mangeri confirmed the representative of the estate worked with the Town to complete the demolition of the two houses on South Street and there was no cost to the Town for that demolition.
 - d. With the storm on 8/4/2020, the Team did well. The Team was able to monitor the storm and send out two CodeRed notices for residents to take shelter as there were two separate warnings for tornados in the area. The Team noticed anomalies in CodeRed that TM Mangeri will work with CodeRed on and will try to encourage residents to sign up for CodeRed.
 - i. For example, there is a large number of residents who have blocked the CodeRed calls from the number they signed up with, so the calls may not be received by residents. Residents will need to clear this and the Town will have to work through this.
 - e. TM Mangeri publicly thanked George Hargrove for working to complete a damage assessment after the storm. He drove around Town to assess any damage and address any immediate needs, which there fortunately were no significant needs.
 - f. The only areas of overland water concerns were receded by the morning of 8/5/2020, which meets the requirements for Stormwater Management.
 - g. TM Mangeri is working with the County to ensure Townsend is included when notices come out.
- G. Community Relations: Chair CM Scott Lobdell - Co-Chair Vacant
 - a. Follow up on CodeRed, all forms of communication; texts, calls, and emails; came through well and CM Lobdell agrees we need to make a push to get the Town Residents involved in CodeRed.

- b. Mayor McDonald pointed out that moving Trash and Street lights under capital expenses, the Town is at the point where the Town's expenses are all paid by property taxes.

H. Parks & Recreation: Chair CM Scott Lobdell - Co-Chair CM Patrick Miller

- a. Update on the COVID-19 pandemic and discussion on the Town's Pavilion Rentals and Park playground status.
 - i. TM Mangeri reported that having someone in the park at twilight has been a great success.
 - ii. TM Mangeri highlighted an incident where the Town representative in the Park was threatened by someone and the State Police responded quickly, and the issue has been resolved.
 - iii. Most people in the park are compliant, but more people should be wearing facemasks when they cannot be six feet apart.
 - iv. The tables have been topped and secured to try to avoid large gatherings. The skate park items could not be removed, but they have been left in place. The swings have been taken down and the playground remains closed as a concern.
 - v. The park is not manned on a regular basis and the park can not be cleaned every hour or every two hours per CDC guidelines, so the playground will remain closed.
 - vi. CM Miller asked TM Mangeri if there was any status update on Phase III. TM Mangeri reported based on the Governor's calls, the Governor wants to enforce mask wearing and social distancing and continue holding off on Phase III.
 - vii. CM Miller reported the little libraries are nearing completion and will be delivered to the Town Hall, but CM Miller does not want to put these in place until at least after Phase III.

I. National Wildlife Federation Liaison: Vacant

- a. No report

VIII. Citizens Comments & Participation

- a. Councilman Carter requested to be kept informed of the resolution from NCC.
- b. Councilman Carter asked how the Town was doing with CARES money. TM Mangeri reported this process has begun with the coordination and completion of initial documents and that the Town will start putting claims in beginning now, to ensure it is working, even though the Town has until December.
- c. Councilman Carter asked if the Town was keeping track of the County's upcoming Comprehensive Plan Meeting at the end of August, TM Mangeri reported that this has been posted to the Town's website.

IX. Adjournment

Mayor and Council adjourned the meeting at 7:47 pm.