



**Town Council Meeting Minutes
June 2, 2021 @ 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 click the following link:

<https://us02web.zoom.us/j/82764217575?pwd=aHI4RDhTZ0xjME1HV0ZOcHRxSHZ3QT09>

7:00 pm Re-Organization Meeting

- A. Call to Order:
- B. Roll Call:
 - a. The following Council and Staff were present with electronic access available for guests: Mayor T. McDonald, Councilman P. Miller, Councilman E. Dugan, Councilman S. Lobdell, Councilman J. Mertz, Town Manager A. Mangeri, Town Clerk A. Tantillo, Financial Officer J. Helms, Town Attorney F. Townsend, Town Engineer E. Van-Otoo, and Lt. Lloyd, DSP.
 - b. Present guests were Sheryl Rojas, Eschalla Clarke, Gerald Dove, and James Reyes.
- C. Pledge of Allegiance:
 - a. Skipped due to the electronic nature of the meeting.
- D. Additions and Deletions to published Agenda.
 - a. None
- E. Approval / Rejection of Minutes
 - a. Approval/ Rejection of Council Minutes from the May 19th, 2021, Town Council Workshop Meeting. *CM Miller motioned for the approval of the minutes as presented, CM Lobdell seconded the motion. (Vote: Dugan- Yea, Lobdell- Yea, Mertz-Yea, Miller-Yea)*
- F. Mayor McDonald shared his hope for the new Council to continue to work together and move the Town forward in the future.
- G. Mayor McDonald turned the meeting over to TC Tantillo.
- H. Introduction of new Council Members:
 - a. TC Tantillo introduced the new Town Council members, as elected during the May 1, 2021, Town Council Election.
 - 1. Eschalla Clarke
 - 2. Gerald Dove
 - 3. Joshua Mertz
- I. Oath of Office for newly elected Council Members:
 - a. Eschalla Clarke:
 - 1. Councilwoman Clarke was sworn into the Townsend Town Council by TC Tantillo, by reciting the Council Oath of Office
 - b. Gerald Dove

1. Councilman Dove was sworn into the Townsend Town Council by TC Tantillo, by reciting the Council Oath of Office
- c. Joshua Mertz
 1. Councilman Mertz was sworn into the Townsend Town Council by TC Tantillo, by reciting the Council Oath of Office

J. Nomination and Election of Town Mayor for one (1) year term:

- a. TC Tantillo opened the floor for all of Council for the nomination of the seat of Mayor to serve for a one-year Mayoral term. TC Tantillo asked for any nominations for the seat of Mayor.
- b. *Councilman Dugan made a motion to nominate Patrick Miller to the seat of Mayor. Councilman Mertz seconded the motion.*
- c. TC Tantillo asked if there were any additional nominations for the seat of Mayor.
- d. *Councilman Dove made a motion to nominate himself for the seat of Mayor. Councilman Mertz asked if he could ask a question of the nominee. TC Tantillo advised that the nomination would need to be seconded, nominations would then need to be closed out, and then a discussion could be had. Councilman Mertz seconded the motion. TA Townsend confirmed that Councilman Mertz seconded two motions. Councilman Mertz confirmed that he did second two motions and asked if it was allowed. TA Townsend shared that it was not prohibited but wanted to be sure that he understood that Councilman Mertz seconded two motions.*
- e. TC Tantillo opened the floor to any comments or discussion on the Mayoral nominations.
 1. Councilwoman Clarke asked for clarification on why Councilman Mertz seconded two motions. Councilman Mertz shared that he would like to hear public statements from both Patrick Miller and Gerald Dove as to why they wanted to be nominated for Mayor.
 2. Councilman Dugan concurred that he would like to hear a brief statement from each of the candidates for Mayor.
 3. Councilman Miller shared that he has been on Council for a little over two and a half years. He would like to be Mayor as he has worked with Council a lot and has a n understanding of what has taken place over the last couple of years, and the Town is moving ahead in great strides. Additionally, he has a lot of plans for what can take place and has given a lot of thought into what needs to be done. He intends to interface with every one of the Councilmembers and with the Town. One of the things he would like to do, is engage the Town and make sure the Town is more informed as to what is going on in the Council. Councilman McDonald feels that as Mayor he can accomplish this and that he can move all Councilmembers to also be more engaged with the Town itself.
 4. Councilman Dove shared that he does not have a problem supporting Councilman Miller as well, should he get the mayor's position. Additionally, Councilman Dove shared that he ran on certain issues as an ally for the people, of the people. He believes the Town needs to move into a different direction and his background and experience in public service for 40 years, he thinks he could move the Town forward in that direction, and he realizes the position is only for one year, which is something that could possibly be looked at down the road, possibly with a charter change. Councilman Dove shared that he spoke with quite a few people when he was out campaigning and that he received the same answers; that regardless of how many

people voted, he knows what is on the people's mind and he knows he is the person who could bring some change to the Town government.

5. Ms. Clarke asked if each nominee could share what specific issues each nominee planned on targeting and how they intend to make a difference in the community.
6. Councilman Dove shared that the Town needs to get the community more involved and when things are done in the Town, it cannot be held close to the vest. There are perceptions that things are done, and people do not know until after it is done. Councilman Dove shared that the Town needs to be more vocal and get peoples opinions on the direction the community is going in, since they feel that this is not happening. One of the items Councilman Dove would foster, would be more community relations with the people, as the big issue.
7. Councilman Miller shared that the Town has improved their finances tremendously and has had the opportunity to have additional funds to support what needs to be done in the Town. One of the items to push for, is more development, not in the terms of housing, but in terms of businesses, bringing businesses into Town. One of the things the Town is looking at is the Water Treatment plant, to see if this is a feasible option to boost the ability of the Town to develop and increase the size of the Town, which would bring in revenue. Regarding, the land use in the Town, there is a lot of land within the Town that is currently being developed, but the Town is slowly running out of that, and the Town should try to expand the Town a bit to get the right properties available. There are a number of blight and abandoned properties which the Town Manager is working towards getting those buildings taken care of and bringing businesses in to increase the revenue and stature of the Town. Additionally, the Town has a great Veterans Committee, which has done some great things, such as raising the POW/ MIA flag on the six holidays, which was passed by resolution. Councilman Miller shared that he had the privilege of raising the flag for the first time on Memorial Day, which was an honor. Regarding Public Safety, the Town has had a lot of problems with public safety and that is one of the things the Council is looking towards, and Councilman Mertz has been working towards that. The issues are not always a matter of enforcement or adding barriers to get people to slow down or make things safer, but it is getting people involved to understand what is required of them, to talk to their neighbors to ask people to slow down, to ensure you are keeping your house safe. The Town has engaged Lt. Lloyd on this topic, and he has provided a lot of great input.
8. Regarding Community Engagement, Councilman Miller shared that this is one of the items he is keen on, as the Council needs to get the public involved. Councilman Miller shared that the Town does this in a number of ways, such as: the events like the movies in the park, the Townsend Fair in September, and the Christmas Caroling in December. Councilman Miller shared, that as Councilman Dove said, there does need to be more communication with those in Town, more than putting things on the website and advertising for the meetings, the Council needs to get out there. One of the items Councilman Miller would like to see happen, which he has seen to some degree in the past, is when the Town has the fair, to have each Councilperson introduce themselves and make the crowd aware of who they are. Councilman Miller shared that Councilman Dove came to his door to campaign. Councilman Miller shared that the Council wants to get to know the residents as much as the residents want to know the Council.

9. Councilman Miller also shared that there is a great, rich history in the Town, which Councilwoman Clarke brought up during the Council Orientation session. The Town has a rich history, beginning before the civil war, when African Americans started the Town. These are the types of things the Council should be able to highlight and share where the Town comes from and where the Town is going. These are just some of the items Councilman Miller would like to accomplish along with many other things and with the help of Council, he believes they will be able to get it done.
10. TA Townsend emphasized to the new members of Council, that Townsend is not unlike a lot of other smalls Towns with a Charter like Townsend, and a Mayor in Towns like Townsend do not have any special authority versus the authority of a Councilperson. It is the mayor's job to preside over the Council meetings. If any Councilperson feels in the future that they have any difficulty getting items on the agenda, they can reach out to TA Townsend who can advise on how to be more affective in trying to pursue whatever policies should be pursued for Townsend. The mayor does not vote unless there is a tie. Whatever initiatives Councilmembers feel should be brought to bear, can be brought equally from Council positions as the mayor's position. Additionally, TA Townsend shared that if he could be of assistance to any of the Councilmembers, they are urged to reach out to him.
11. No additional comments were made.
12. TC Tantillo announced that the comment section of the election was closed and the votes for Mayor will require a majority of Council votes; being a five-person Council, this will require three votes for the successful filling of the Mayoral vote.
13. Council proceeded with a voice vote, in alphabetical order, as led by TC Tantillo.
 - I. *Councilwoman Clarke: Voted for Councilman Patrick Miller*
 - II. *Councilman Dove: Voted for Councilman Gerald Dove*
 - III. *Councilman Dugan: Voted for Councilman Patrick Miller*
 - IV. *Councilman Mertz: Voted for Councilman Patrick Miller*
 - V. *Councilman Miller: Voted for Councilman Patrick Miller*
 - VI. *Based upon the results of the voice vote, Patrick Miller was elected Mayor of the Town of Townsend for a one-year term.*

f. Oath of Office for Mayor:

1. Councilman Patrick Miller was sworn into the seat of Townsend Town Mayor by TC Tantillo, by reciting the Mayor Oath of Office

K. TC Tantillo turned the Council re-organization meeting over to Mayor Patrick Miller

L. Assignment of Council to Committees, by Mayor

a. Mayor Patrick Miller assigned the following Councilmembers to the following Committees:

1. **Finance Committee:** Chair: Mayor Miller, Co-Chair: Councilman Dugan
2. **Human Resources Committee:** Chair: Mayor Miller
3. **Public Works Committee:** Chair: Councilman Dugan, Co-Chair: Councilman Mertz
4. **Land Use and Development Committee:** Chair: Councilman Dugan, Co-Chair: Mayor Miller
5. **Veterans Committee:** Chair: Councilwoman Clarke, Co-Chair: Councilman Dove

6. **Public Safety Committee:** Chair: Councilman Mertz, Co-Chair: Councilman Dugan
7. **Community Engagement Committee:** Chair: Councilwoman Clarke, Co-Chair: Councilman Dove
 - I. Mayor Miller noted that he changed the name for this committee from Community Relations to Community Engagement, as this is community engagement.
8. **Parks and Recreation Committee:** Chair: Councilman Dove, Co-Chair: Councilman Mertz
9. **National Wildlife and Historic Preservation Committee:** Chair: Councilwoman Clarke
 - I. Mayor Miller noted that he also changed the name of this committee to add Historic Preservation to this committee.

M. Adjournment of Reorganization Meeting

- a. Mayor Miller adjourned the Council re-organization meeting at 7:30 p.m.
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- I. **Call to Order:** The meeting was called to order at 7:30 p.m. by Mayor Patrick Miller.
- II. **Opening Ceremonies**
 - a. *Roll Call:*
 1. The following Council and Staff were present with electronic access available for guests: Mayor P. Miller, Councilwoman E. Clarke, Councilman G. Dove, Councilman E. Dugan, Councilman J. Mertz, Town Manager A. Mangeri, Town Clerk A. Tantillo, Financial Officer J. Helms, Town Attorney F. Townsend, Town Engineer E. Van-Otoo, and Lt. Lloyd, DSP.
 - b. *Pledge of Allegiance:* Skipped for Electronic Meeting
 - c. *Recognition of Visitors:* Present guests were Lorraine Gorman and James Reyes.
 - d. *Announcements:*
 1. Mayor Miller made an announcement, that since he shared the names of the Councilmembers on the various committees, he will meet with each Councilmember on the committee to determine the responsibilities of each committee and what Council and he as the mayor can do to assist each committee.
- III. Additions and Deletions to published Agenda. None
- IV. State Police:
 - a. An update on May 2021 activity.
 1. Lt. Lloyd congratulated each Councilmember and offered his assistance if the need arises. For May 2021, there were 37 responses in Town, a theft, four domestic disputes, a fugitive apprehension, a non-criminal death investigation, 26 non-criminal incidents, and four crashes; three of which were property-damage crashes, and one was a personal injury crash.
 2. 112 citations were issued, in and around the Town.

3. Additionally, there was 47.5 hours of supplemental patrol coverage, with the Townsend 2021 initiative, for the month of May.
4. Councilman Mertz shared that he made a call for non-criminal activity during the month of May, the patrol car arrived in less than five minutes. He thanked Lt. Lloyd for this assistance. Mayor Miller also shared his thanks for the presence of State Troopers in Town, especially the Park.

V. Mayor's Report:

- a. Action Item:** A discussion and possible vote on Resolution 2021-005, thanking Mayor Thomas McDonald for his service to the Town of Townsend.
 1. TC Tantillo provided a reading of Resolution 2021-005, thanking Mayor Thomas McDonald for his service to the Town of Townsend.
 2. *CM Dugan made a motion to accept Resolution 2021-005, thanking Mayor Thomas McDonald for his service to the Town of Townsend, as read. Councilwoman Clarke seconded the motion. (Vote: Clarke- Yea, Dove- Yea, Dugan- Yea, Mertz- Yea)*
 3. TM Mangeri presented Mayor McDonald with a plaque from the Town, acknowledging his dedication.
- b. Action Item:** A discussion and possible vote on Resolution 2021-006, thanking Councilman Scott Lobdell for his service to the Town of Townsend.
 1. TC Tantillo provided a reading of Resolution 2021-006, thanking Councilman Scott Lobdell for his service to the Town of Townsend.
 2. *CM Dugan made a motion to accept Resolution 2021-006, thanking Mayor Thomas McDonald for his service to the Town of Townsend, as read. Councilman Mertz seconded the motion. (Vote: Clarke- Yea, Dove- Yea, Dugan- Yea, Mertz- Yea)*
 3. TM Mangeri presented Councilman Lobdell with a plaque from the Town, acknowledging his service to the Town.
- c.** Mayor Miller thanked both Mayor McDonald and Councilman Lobdell for their service to the Town.

VI. Reports

a. Town Attorney Fred Townsend III

1. TA Townsend congratulated Mayor Miller and all of the Councilmembers who were sworn in.
2. TA shared that there is progress being made on the TVII common areas, there are some technical changes to be accomplished, but this is progressing.
3. TA Townsend also shared that he is ready to meet with the Town Manager on enforcement issues in the Town going forward. TA Townsend shared that he would need to be involved in a hands-on role with a couple of the issues present, and the Town can assist with additional issues.

b. Town Engineer Edwin Van-Otoo

1. TE Van-Otoo congratulated Mayor Miller and all of the Councilmembers who were sworn in and looks forward to fostering a relationship with each of them.
2. An update and discussion on Town projects.

- a. Regarding MS Development, TE Van-Otoo shared that he has been working with TM Mangeri on the legal descriptions, which were sent to Karins and Associates, and returned with necessary revisions. TE Van-Otoo expects to have them within the coming weeks. Once received, the Town could move forward with the recording of the dedication of these open spaces to the Town. These areas include the dedication of the ponds; one adjacent to Meyers Ct. and the other at Collins Ct. These have been restored and approved by the Conservation District and will be included in the dedication.
 - 1. Councilman Mertz asked for clarification on the stormwater ponds. TE Van-Otoo shared that the pond on Collins Ct. was reviewed for capacity, and it came within 90% of the capacity, which was approved by the Conservation District, and it was not worth disturbing the existing habitat to reach the additional 10%. Additionally, the outlet structure was re-lined, which was a major portion of what had to be completed. Regarding the second pond, which was overgrown, it was cleared and grubbed, and the capacity is in order. The main thing is that there may be some invasive species, but the Conservation District identified this and said it may not be detrimental as there are other species in the pond which will counteract this.
 - 2. The ponds match the existing conditions of the approved plans.
- b. Regarding the Ginn St. sidewalk, TE Van-Otoo shared that that area of TVII has not yet been turned over to the Town, so TE Van-Otoo has been trying to reach the developer to receive his approval prior to conducting work in this area. Once complete, TM Mangeri has the agreements in order and the Town can proceed with installing the sidewalk.
- c. TE Van-Otoo shared that there are items for the project closeouts of TVI and TVII. Regarding TVI, phases 3A and 3B stormwater as-builts are necessary, Karins and Associates are looking into it. Regarding TVII, there are five phases in the area which need to be completed along with documents to move forward. Once completed, these projects can be closeout.
- d. Regarding the Townsend Tennis/ Pickleball Courts, the project is completed, and punch list items need to be complete, including regrading and other issues to be addressed. The contractor has been informed and will move forward to complete them.
- e. TE Van-Otoo shared that the agreement for the wastewater treatment feasibility study has been signed by the Town and the Town is waiting for it to be executed by New Castle County. Once given approval, TE Van-Otoo can begin the study. This project can take up to six months to gather information, create a report, and share with the Town.
- f. CM Mertz asked for status on the trees that were previously removed during the pickleball/ tennis court installation and asked if there were plans to replace the trees. TE Van-Otoo shared that plans to replace or replant these trees were not a part of this project. CM Mertz would like to note that he would like to address the lost trees in the future. TM Mangeri shared that the reason the trees were not kept or replaced in that area, was due to a drainage issue in the area, which was contoured on the installation of the courts.

- g. CW Clarke asked if there were deadlines to accomplish projects by. TM Mangeri shared that the wastewater treatment project is awaiting the signature from the secretary of environmental projects. This project should last about a year, to develop a complete comprehensive report. TM Mangeri wants to ensure the data is included in the report to ensure the report is thorough to discuss with the county, as the wastewater contract will be up in four years. Regarding the tennis/pickleball court, the punch list items need to be completed before opening to the public. Additionally, the courts are locked in order to allow for the punch list items to be addressed on the uninterrupted courts. Once completed, there will be an opening ceremony with Council, DNREC, and the County to formally open the courts. This will be coordinated with Mayor Miller and the Parks and Recreation committee.

c. Town Manager Anthony S. Mangeri

1. Status update on the COVID-19 pandemic.

- a. TM Mangeri shared that on May 21st, the Governor lifted a predominant number of restrictions in the state, although there is still a state of emergency. The State of Emergency still has restrictions for those not vaccinated. Individuals that are vaccinated, with some exceptions, such as: hospitals, state, county, and school buildings, healthcare facilities, nursing facilities; mask mandates are lifted, for those who are fully vaccinated. There is confusion amongst the public about when and where to wear masks, and businesses still have the right to ask those entering the building to wear masks. This is ongoing. Unvaccinated individuals should continue to wear masks and social distance.
- b. Townhall is open to the public, residents are encouraged to make an appointment to visit Townhall and must wear masks upon visiting. Staff who are fully vaccinated, have the option not to wear a mask, if they so choose. Those staff members who have not completed their vaccinations, must wear a mask in the building.
- c. Face to face meetings continue to be discussed with the Governor's office. Governors and CDC guidelines continue to be reviewed, per the guidelines, social distancing of three feet separation is required such as Town meetings. Additionally, there is no way to determine who is or who is not vaccinated, so in a public Town meeting, masks will be required to be worn. Town Council chambers have been marked out and there may be up to nine people who could be accommodated in Town meetings along with the Town Mayor and Council and Town Staff. All are encouraged to review the Governor's 29th modification to the State of Emergency. The Town has also been talking with the Governor's office about how to safely open Town Meetings in person.
- d. TM Mangeri shared that in the area, the number of new cases has dropped significantly. As of 6/1, the new cases have dropped to a new daily average of 31, in the state. Within the zip code, new cases have dropped to less than one new case per day over a seven-day average. Unfortunately, there has been one new death due to COVID-19 within the zip code, bringing the total of deaths to 14. Delaware Public Health is

reporting that 67.5%, over the age of 16 in the 19734-zip code have received at least one dose of a vaccine.

- e. Town Hall continues to be open by appointment and staff continue to migrate back into the office. Staff are encouraged to get vaccinated and an overwhelming majority of staff have been vaccinated.
 - f. Regarding the playground, the restrictions have been lifted and all park equipment has been restored. The only exception to the restrictions are that children who are not vaccinated are still encouraged to wear masks and social distance and wash hands. The handicap port-a-potty has also been returned to the Town Park.
2. A status update on the sidewalk installation at TVII, along Ginn Street.
- a. TM Mangeri shared that the paperwork has been returned and the Town is just awaiting the necessary approvals and can then begin the work. The Town appreciates the grants provided by Representative Spiegelman and Senator Ennis.
3. A report on Town Administrative activities.
- a. TM Mangeri shared that residents should be reminded of trash, recycling, and yard waste guidelines. Guidelines can be found on the Town website and this information has been re-issued on the Town website, along with the yard waste guidelines. Trash should have a three-foot buffer around all sides and all trash and recycling need to be in the respective containers. Additionally, trash must be curbside by 7 am in order to be picked up. Additionally, the yard waste program has been going well and has been positively accepted by most residents. There are a couple of residents who have requested their yard waste cans be returned.
 - b. Regarding Karins Blvd. and Rt. 71, TM Mangeri shared that he sent an email to DelDOT and copied the Public Works Committee. After a year of requesting information on the interchange of Karins Blvd. and Route 71, which was never final surfaced. TM Mangeri advised DelDOT of facts, which include the following: the permit was issued by DelDOT; not the Town, the oversight and regulatory authority was the responsibility of DelDOT and not the Town. Additionally, the standards to be used are the state's standards; not the Towns, DelDOT accepted a bond or escrow from the developer to ensure the work was completed yet did not complete the work and do not know where the escrow is. Additionally, MS Development was permitted by DelDOT to complete the work and vacate the area without resolving the final surfacing, which is a DelDOT issue and DelDOT inspection is necessary. TM Mangeri is asking DelDOT to review the situation and resolve the issue which could be done by providing the funding to restore the area, but TM Mangeri feels the Town does not have the responsibility to complete this work, as DelDOT had the review authority. TM Mangeri also advised DelDOT of the cost estimate for this work of \$50,000- \$60,000. Additionally, Senator Ennis and Representative Spiegelman were copied on this so that they are aware of the ongoing issue.

1. CW Clarke asked for clarification on the Karins Blvd./ Route 71 item. TM Mangeri shared that the final surfacing was never completed, and the Town is working to ensure that the correct work is being completed. Ultimately, if DelDOT does not agree to do this, the responsibility will go to the Town. The Town was aware of this, going into the dedication.
 - c. TM Mangeri shared that there is an upcoming walkability workshop with WILMAPCO to make sure that Townsend has a connection of its neighborhoods via walkable communities and strategies for walkable communities. This workshop is scheduled for Thursday, July 8th from 4 pm- 7 pm and will likely be held at the park, since they would like to walk around and view Wiggins Mill, as that is a major factor of walkability.
 - d. Regarding administrative activities, TM Mangeri shared the following details for the month of May:
 1. There were 10 contractors licenses issued.
 2. 13 permits issued.
 3. 7 additional permit applications were received and are in review with the Code Official.
 4. 5 additional permit applications were received, awaiting additional items from the homeowners.
 5. 2 permits were closed and issued Certificates of Occupancy.
 6. 11 permits were closed and issued a final approval letter.
 7. 27 Inspections were completed.
 8. There were three complaints for the month of May.
 - i. One complaint was for trespassing of a resident on an adjacent property.
 - ii. One complaint from a resident requesting information on when the Town sprays for mosquitos. The Town advised that the State completes this and the state and Town will schedule accordingly.
 - iii. One complaint was to inquire about when streetlights will be installed along Helen Drive. TM Mangeri has reached out to Delmarva, and they have ordered the necessary equipment to be installed. TM Mangeri has been working with CM Dugan on this project.
4. An update on the 2020 Comprehensive Plan.
 - a. Regarding the Comprehensive Plan, TM Mangeri shared that it has been submitted for PLUS review and the Town is awaiting the review to be scheduled. TM Mangeri will communicate with the Mayor and Council to coordinate the meeting details.
5. Mr. Reyes asked for clarification about the yard waste containers. TM Mangeri shared that this has been added as part of the solid waste contract at no additional

charge for the next two years. At the end of the two-year period, this will be re-evaluated and discussed by Council.

6. **Action Item:** A discussion and possible vote on Resolution 2021-007 to authorize the Reconstitution of a Municipal Police Department.
 - a. Mayor Miller requested TC Tantillo to read Resolution 2021-007 to authorize the Reconstitution of a Municipal Police Department.
 - b. TC Tantillo provided a reading of Resolution 2021-007 to authorize the Reconstitution of a Municipal Police Department.
 - c. *CM Mertz made a motion to adopt Resolution 2021-007 to authorize the Reconstitution of a Municipal Police Department as read. CM Dugan seconded the motion. (Vote: Councilwoman Clarke- Abstain, Councilman Dove-Nay, Councilman Dugan- Yea, Councilman Mertz- Yea)*
 1. *Mayor Miller asked TA Townsend if the abstention counted as a affirmative or nay vote. TA Townsend shared that he believes it counts as a nay vote, as an abstention counts neither as a yea vote or not by virtue of being either absent or by virtue of an asserted conflict, so his interpretation is that it is a nay vote, which creates a two-to-two tie of yea and nay votes.*
 - d. *As this was a two-to-two tie vote, Mayor Miller voted yea for Resolution 2021-007.*
 - e. *Resolution 2021-007 is approved.*

VII. Committee Reports

- a. Mayor Miller shared that he had made the committee assignments during the re-organization meeting. He will share these assignments with Council. He shared that he would like to meet with the various Council members to discuss the Committees, what they would like to see happen, and any ideas that Mayor Miller may have for those Committees.
- b. Mayor Miller shared that he wanted to go through the committees, although he knew that Committees have been reassigned and there may not be a report at the time.
- c. **Finance Committee:** Chair: Mayor Miller, Co-Chair: Councilman Dugan
 1. Review and possible discussion on the April 2021 Budget vs. Actual Report.
 - a. No questions or discussion was necessary.
- d. **Human Resources Committee:** Chair: Mayor Miller
 1. No report. Mayor Miller shared that Council would be going into an Executive Session meeting prior to the adjournment of the Council meeting.
- e. **Public Works Committee:** Chair: Councilman Dugan, Co-Chair: Councilman Mertz
 1. CM Dugan asked for a status update on the stop sign at the southeast border of Ginn St and Gray St. TM Mangeri shared that he is working with TA Townsend to identify the language necessary for an ordinance to adopt the stop sign. TM Mangeri shared that he does not believe the sign was in the original plans, which means it was never approved by Council. Additionally, an inventory of all stop signs in Town will be conducted. TE Van-Otoo
- f. **Land Use and Development Committee:** Chair: Councilman Dugan, Co-Chair: Mayor Miller

1. No report.

g. Veterans Committee: Chair: Councilwoman Clarke, Co-Chair: Councilman Dove

1. **No report.** CW Clarke shared that she was looking forward to working on this committee.

h. Public Safety Committee: Chair: Councilman Mertz, Co-Chair: Councilman Dugan

1. A presentation of a paper on speeding and traffic safety in the Town of Townsend.
 - a. CM Mertz shared that he would present this at a later date, due to the committee change. He shared that he also like CM Dugan to review this as he is now on the committee and wants to also review with TM Mangeri. CM Mertz also shared that the purpose of this paper is to define the challenges as indicated from the Council and public side, regarding speeding and traffic safety and CM Mertz makes suggestions on resolving this issue. TM Mangeri thanked CM Mertz for drafting this paper and allowing him to provide CM Mertz with feedback.
 - b. TM Mangeri shared that the Town was awarded a \$3,000 grant to install a speed advisory sign to be mounted in a place to be determined, pending discussion with the Public Safety Committee. CM Mertz asked if now that we know an ordinance needs to be passed for stop signs, do we also need an ordinance for this. TM Mangeri shared that we do not, as in the State of Delaware, the speed limit unless otherwise posted in all Towns is 25 mph and in order to post differently, there needs to be a study and approval. TA Townsend confirmed that this is correct and notice of the speed limit is different than where to place stop signs, which would alter traffic flow.

i. Community Engagement Committee: Chair: Councilwoman Clarke, Co-Chair: Councilman Dove

1. No report. CW Clarke shared that she is looking forward to getting the Town more engaged and increasing the activity of the Town.
2. CM Mertz advised; as previous Chair of the Committee, that there are a few events that were previously discussed, and he will pass off the items to one committee Chair to then be shared with the other committee member. TA Townsend shared that there is no prohibition on committee members to meet and share information generically, as long as they are not discussing items to be voted on or a policy item. CM Mertz shared that he will schedule time to share this information with both committee members.

j. Parks and Recreation Committee: Chair: Councilman Dove, Co-Chair: Councilman Mertz

1. No report.

k. National Wildlife and Historic Preservation Committee: Chair: Councilwoman Clarke

1. No report.
2. TM Mangeri shared that he has an extensive background in historic preservation and the Town does have a historic district in Town. TM Mangeri shared that he

would like to schedule time to discuss the Town's historic preservation and strategy.

3. CW Clarke shared that this will be a passion project for her and she looks forward to working on this committee.

VIII. Citizens Comments & Participation

- a. No comments or participation from the public.

IX. Recess Council Meeting to Convene Executive Session

- a. TA Townsend shared that Council would vote to go into Executive Session for a particular purpose as permitted under the state code. The agenda refers to the correct session of the state code, which relates to personnel matters, and this is his understanding for the reasoning to go into Executive Session.
 - b. Mayor Miller requested a motion to move to Executive Session to discuss personnel matters, per Delaware Code. *CM Dugan made a motion to move to Executive session to discuss personnel matters, per Delaware Code. CM Mertz seconded the motion. Voice vote by asking all in favor by signifying I- All Council members voted yea. No nay votes.*
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X. Meeting recessed for Executive Session at 8 32 p.m.

XI. Convene Executive Session: In accordance with 29 Del. C. §10004 (B)(9) the Town Council will be meeting in Executive Session strategy session relating to potential litigation with Town Attorney Townsend.

XII. Close Executive Session & Re-convene Council Meeting.

XIII. Council meeting reconvened at 9:10 p.m.

XIV. Action Item: A possible vote on Resolution 2021-008, A Resolution on Annual Salary Adjustments for Town of Townsend employees.

- a. Mayor Miller shared that a vote and discussion on proposed Resolution 21-008 will be discussed at a later date.

XV. Mayor Miller asked if new Council members emails were set up. TM Mangeri advised that Council emails will be established the next day. Additionally, TM Mangeri requested Council send headshots to him for Council ID's, along with the completed forms as previously discussed. TM Mangeri also offered his assistance to Council if they need anything.

XVI. Mayor Miller requested to be notified when emails are set up so he could communicate with Council Committees.

XVII. Mayor Miller thanked Council for being on the Council and shared that it would be a pleasure working with each of them. Additionally, Mayor Miller shared his email with Council and asked for Council phone numbers to connect with Council.

XVIII. Adjournment.

- a. CM Dugan made a motion to adjourn the Council meeting. CW Clarke seconded the motion. Voice vote by asking all in favor by signifying I- All Council members voted yea. No nay votes.

The agenda items as listed may not be considered in sequence. This agenda is subject to change to include the addition or deletion of items, including executive sessions.