



**Town Council Meeting Minutes
November 3rd, 2021 @ 7:00 pm
VIA TOWN HALL & CONFERENCE CALL**

Town Meetings have returned to an in-person format. Residents may choose to attend meetings in person or via electronic means. Townsend Town Hall will be available to the Town Council and those of the public wishing to attend in person. All personnel and visitors entering Town Hall must wear masks and comply with all CDC guidelines, including social distancing guidelines. Those that are sick or who have been exposed to the COVID-19 virus are asked to not enter Town Hall and may attend the meeting virtually. Those wishing to attend virtually may dial 1(301)715-8592. When directed, provide following meeting ID 827- 6421-7575# 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

- I. **Call to Order:** The meeting was called to order at 7:01 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 E. Dugan, Councilman J. Mertz, Councilman Lobdell, Town Manager A. Mangeri, Deputy Town Manager/Town Clerk A. Tantillo, Town Attorney F. Townsend, Town Engineer E. Van-Otoo, and Lt. Chris Popp, DSP.
 - b. *Pledge of Allegiance:*
 - c. *Recognition of Visitors:* Present guests included New Castle County Councilman Dave Carter, George G. Fournaris, Charles Riordan, and Mrs. Miller.
 - d. *Announcements:* No announcements.
- III. Adoption of Agenda
- IV. Approval / Rejection of Minutes
 - a. Approval/ Rejection of Council Minutes from the October 6th, 2021, Town Council Meeting.
 1. *CM Lobdell made a motion to approve the Council Minutes from the October 6th, 2021, Town Council Meeting. CW Clarke seconded the motion. Vote: Voice vote of Council- all yea's, no nays.*
 - b. Approval/ Rejection of Council Minutes from the October 6th, 2021, Town Council Executive Session Meeting.
 1. *CM Dugan made a motion to approve the Council Minutes from the October 6th, 2021, Town Council Executive Session Meeting. CM Lobdell seconded the motion. Vote: Voice vote of Council- all yea's, no nays.*
 - c. Approval/ Rejection of Council Minutes from the October 20th, 2021, Town Council Workshop Meeting.
 1. *CW Clarke made a motion to approve the Council Minutes from the October 20th, 2021, Town Council Workshop Meeting. CM Dugan seconded the motion. Vote: Voice vote of Council- all yea's, no nays.*
- V. A presentation and discussion by Belfint, Lyons, and Shuman, CPA on the Fiscal Year 2021 Town Audit

a. Auditor George Fournaris with Belfint, Lyons, and Shuman, CPA provided a presentation of the Town of Townsend FY 2021 Town Audit.

1. Mr. Fournaris explained that he has prepared a summary document and a letter for those charged with governance, whom are members of Council and the Mayor, which summarizes the audit engagement and the responsibilities of the auditors and those charged with governance. The letter explains significant audit matters and the qualitative aspects of accounting practices. The auditors are required to remind Council that all audited financial statements include some estimates in them. The most significant estimates in the Town's financial statements include the accounts receivable and associated allowances for doubtful accounts. Older infrastructure assets for which not all costs were known at the time have been recorded based on current replacement costs and historical price indexes. Depreciation on capital assets is also an estimate based on the useful lives of capital assets. The job of the auditors is to review the estimates and make sure they are reasonable as part of the audit. Additionally, the auditors are required to report to Council any disclosures that may be sensitive and in the Towns case, there was a prior period adjustment that was referred to in Number 13 of the financial statements and during the audit it was found that in the previous year, there had been a duplication of infrastructure assets that were posted twice. FO Helms pointed it out to the auditors who looked into it and made an adjustment to the statements. Additionally, one of the significant accounting estimates; the useful lives of some of the assets were adjusted during the year, by FO Helms. The auditors concurred with the adjustments and there is a disclosure in note 14 regarding this.
2. The auditors are also required to report to Council any corrected and uncorrected misstatements in the financials. The corrected adjusting entries includes the adjustment to the capital assets as mentioned and the related depreciation. Additionally, a large adjustment was made during the audit for the recording of the ARPA funds that were received, as they were originally recorded as revenue, but since they are earned until you spend the funds, they were reclassified as deferred revenue. In the current fiscal year, as funds are spent, the revenue will be recognized as well.
3. Mr. Fournaris noted that there were no disagreements with management and the audit went very smoothly. If there were disagreements or if the auditors had anything unusual, they would be required by the standards to report the matters to Mayor and Council.
4. Since the auditors are reviewing the financial statements and documents, they are in a position to sometimes give some advice or report observations. One of the things they observed during the audit was the Town investment allocations. The Town is required by their policy to have certain targets in their investments, such as certain percentages in common stock, certain in fixed income and during the year, the allocation strayed a bit from the targets. The auditors mentioned this to bring it to Mayor and Council's attention. This is not a finding, but they mention it to Council, so that Council and staff could look at it during this year and bring it in line with policy. Additionally, there was an issue with a System and Organization

Controls report or a SOC report. The Town has an outside payroll service and other outside services that provide the Town with information that ultimately goes into the financial statements. Those service providers are supposed to furnish the Town with the SOC reports and they did not. They were requested through FO Helms, and they were not provided to her. Mr. Fournaris shared that they should be provided upon request, and he recommends that the Town follow up with the requests and asks for them again, as they provide valuable information about the systems on the outside that the Town is contracting to receive. If there are any weaknesses in their systems, the Town as the customer, should be made aware of them.

5. Mr. Fournaris shared that the audited financial statements have been finalized and their report is unmodified with a clean report with no exceptions to the report. The financial statements themselves are presented in the formats required by government standards. The basis financial standards are presented. There's an overall net position of almost \$12 million and the overall revenues in the last fiscal year were about \$243,000 in all funds. There is a presentation of actual versus budgeted revenues and expenses in the report. For FY 21, the budget was to the good by about \$200,000. At the very beginning of FY 21, Mayor and Council took action to eliminate the trash and streetlights funds. These funds are still reported in the financial statements because they were in existence at the beginning of the year, but all of the fund balances were transferred into the general fund during the fiscal year. They are closed out in the FY 21 statements, but for the upcoming FY 22 statements, they will no longer appear, and the two funds that will be presented are the General Fund and the Municipal Street Aid. Also included in the financial statements, are the notes to the financials, which are an integral part of the financial statements. Mr. Fournaris asked for any questions about the report.
6. Mayor Miller asked about the issue with the SOC reports and asked how many service providers were not providing the reports. FO Helms shared that there were two, one for the payroll service and one from Edmunds. Mr. Fournaris asked FO Helms if subsequent to the audit work, those organizations provided the report, FO Helms shared that they had not, and the payroll company shared that they do not provide the report and Edmunds has not gotten back to FO Helms after she reached out twice. Mr. Fournaris shared that most payroll services provide the report and FO Helms shared that she would reach out to both companies again to try and obtain the report. CM Lobdell said that the net change of the fund balances was \$290,000 in the plus and under the investment returns, it looks like \$177,000 of that was accounted for there. CM Lobdell asked if this was a one-time thing due to the market being good. Mr. Fournaris confirmed that the market was very good last year, which impacted this number. The report shows that the revenues overall, except for investment returns were down compared to the budget. Accounting for the investment return and the net positive variance for revenues was about \$4,000. On the expense side, the expenses were in line and were \$200,000 less than budgeted. CM Lobdell asked if the difference in the investment returns were an annual thing. Mr. Fournaris shared that he would hope it is a yearly occurrence but it unsure if it will actually be.

7. The final report is titled "Independent Auditors Report Required by Government Auditing Standards". This report is required by government standards and could also be called the report on internal controls over financial reporting and compliance. If there were any findings related to internal controls, they would be reported in this report. There were not material weaknesses in the systems that the auditors have to report on as a result of the audit for FY 21. There were three findings from FY 2020, having to do with capital assets maintenance, pay rate approvals, and journal entries and the close process and all three were things that were reported in FY 2020 and remediated by management in FY 2021, so they do not reappear as findings and there were no findings for FY 21.
8. Mayor Miller and TM Mangeri thanked Mr. Fournaris and Mr. Riordan.

VI. State Police:

a. An update on October 2021 activity.

1. Lt. Popp provided a report on October 2021 activity in the Town of Townsend. During the month of October, there were 34 incidents of records, including three natural death investigations, three theft/ shoplifting/ burglary incidents (one at the liquor store, one at a residence outside of Town, and one at a construction trailer), three domestic related incidents, three criminal investigations including a disorderly incident, a miscellaneous incident and a traffic investigation, and 23 noncriminal related incidents.
2. There were three collisions in the month of October, two were in the area of Summit Bridge Road and Pine Tree Road. One of the incidents involved a deer. The third incident was on Dexter Corner Road near Finley Street and was a single vehicle DUI.
3. There were seven traffic citations given in October along Main St and Dexter Corner Rd and two traffic warnings given along Summit Bridge Rd.
4. Additionally, there were 32.5 hours of additional directed patrol resources in the Town of Townsend. The timeslots were between 6 pm and 10 pm. Each shift has a initiative in the Townsend area for criminal. This was their long month, which is why 32 additional patrol resources were spent in the area.
5. The only significant investigation was the burglary of a detached garage off of Harvey Straughn Rd, outside of the incorporated section of Townsend. A sign was removed from the resident's property.
6. There were no intel reports documenting any new drug information or problem residences that DSP weren't already aware of.
7. Lt. Popp has spoken with Chief Longo who is scheduled to meet with DSP. Lt. Popp shared that there is a Coffee with the Commander from 10 am- 12pm at Troop 9 on 11/4/21, and there will also be a DeIDOT representative who will help with installing car seats.
8. CW Clarke asked if the criminal activity has recently increased. Lt. Popp shared that the data is on trend with the past few months. As of September, and October, there were a couple of significant incidents, but there is not a trend of anything out of the ordinary. Each month there are typically a few domestic related incidents

and some petty theft incidents, but nothing that causes any serious alarm to focus on any one specific location or residence. Lt. Popp also clarified that the investigations for death were related to natural death investigations. All three deaths were for people who were unhealthy, or of older age. Nothing related to drug overdoses or anything like a murder investigation.

VII. Mayor's Report:

a. ACTION ITEM: Discussion and possible vote on movement of Town Council meetings to 6:30 pm.

1. Mayor Miller shared that at the last meeting, an item was added to discuss the possibility of moving Town Council meetings to 6:30 pm. Mayor Miller and TM Mangeri had a discussion with the Town Attorney, who informed them that the Charter of the Town is the force of law and any changes to the Charter would have to go through the state legislature. The Charter states the meeting time as 7:30 pm, and past administrations have changed the time to 7:00 pm, which should not have been done. A resolution has been prepared and will be read to "Request to Amend the Town of Townsend Charter Relating to Meetings". Mayor Miller shared that this is an interim change to the Charter and the whole Charter will not be changed. TM Mangeri shared that based on the Mayor's request, when reviewing the Charter with the Town Attorney, the language of this Charter section may not have been properly modified during the last Charter revision. When looking at this section of the Charter, there is a section right below it, which says that "Council meetings should not be prohibited from rescheduling meetings", in his review and opinion, the time should not necessarily be included in the Charter and should be deleted. Regardless of what time Council votes to have the meetings, to block the time in the Charter, is unusual. The day could be in there, but blocking the time is unusual and does not allow for much flexibility, which given the past two years, has proven some flexibility and adaptability is key. TA Townsend agreed with allowing for as much flexibility as possible and he believes it is unusual to have a set time in the Charter, but it is not unusual to have a set day in the Charter for monthly meetings. He would interpret this language to mean that the first meeting of the month would be held at 7:30 pm and other meetings to be scheduled could be scheduled at different times, but this is a minimum requirement. TA Townsend agrees with TM Mangeri that the language proposed to be struck, not just the 7:30 reference, but additional language should also be removed. Mayor Miller shared that due to the ambiguity of the Town Charter, the resolution has been prepared.
2. CM Mertz asked if they would still be discussing the time change to 6:30 pm. Deputy TM/ TC Tantillo clarified that TA Townsend shared that it would be unusual to specify the time in the Charter. Mayor Miller said the resolution needs to be voted on and discussed before the time change could be discussed.

b. ACTION ITEM: Discussion and possible vote to approve Resolution 2021-016: A Resolution to Request to Amend the Town of Townsend Charter Relating to Meetings.

1. TM Mangeri provided a reading of Resolution 2021-016: A Resolution to Request to Amend the Town of Townsend Charter Relating to Meetings.

2. *CW Clarke made a motion to approve Resolution 2021-016: A Resolution to Request to Amend the Town of Townsend Charter Relating to Meetings. CM Lobdell seconded the motion.*
 - a. CM Mertz asked TA Townsend if this was a minor change or if this needed a bigger discussion, part of a larger discussion to implement later in the year. TA Townsend shared that from experience, if Council felt they would like to have this change made, Council could change practices of meeting scheduling. This should probably not be linked to a very lengthy change to the Charter. Those are referred to as recodifications and get referred to the Legislative Council who could spend months going over the recodification. If you have something important that you would rather not wait on a Charter recodification, TA Townsend would recommend breaking this out and asking the Town's Representatives to move the initiative separately from a recodification. To do a recodification, the Town should spend a considerable amount of time considering the different aspects of the Town's Charter and there are a number of conversations to have for the recodification including the quorum and if the Mayor should count towards the quorum. TA Townsend advised not to wait for a recodification to change this issue of the time of the meetings. TM Mangeri shared that in his opinion this is a minor change which would likely require a consensus vote. TA Townsend agreed that this would be an amendment as opposed to a recodification and would likely be added to a consent agenda.
 - b. TA Townsend had one suggestion. He would anticipate the Legislative Council to recommend the word "Special" be added in the second to last sentence to distinguish between the monthly meetings and the "special" meetings. "Special" meetings are what are referred to as other Town Council meetings. Additionally, if the resolution passes, TA Townsend advised that it would be sent to the Town's Representatives who would have a bill drafted from the resolution. The resolution is simply a request and not the actual resolution that changes the Charter.
3. *CM Mertz made a motion to edit Resolution 2021-016: A Resolution to Request to Amend the Town of Townsend Charter Relating to Meetings to delete the word "other" add the word "special". CM Dugan seconded the motion. Vote: Voice vote of Council- all yea's, no nays.*
4. *Mayor Miller returned to the original motion as modified by the above motion: CW Clarke made a motion to approve Resolution 2021-016: A Resolution to Request to Amend the Town of Townsend Charter Relating to Meetings. CM Lobdell seconded the motion. Vote: Voice vote of Council- all yea's, no nays.*
5. Resolution 2021-016: A Resolution to Request to Amend the Town of Townsend Charter Relating to Meetings passed.
6. Mayor Miller stuck the first action item under his report: TM Mangeri provided a reading of Resolution 2021-016: A Resolution to Request to Amend the Town of Townsend Charter Relating to Meetings.

7. CM Mertz asked if the next meeting would need to occur at 7:30 pm. TA Townsend advised that Council could hold the mid-month meetings at whatever time Council decided. The language of the Charter refers to the monthly meetings being on Wednesdays at 7:30 pm. If the next meeting is a mid-month meeting, it could be held at 6:30 pm or whenever Council decides. With regards to history, it had been Town Council's practice to notice meetings at 7:30 but to convene a public hearing at 7:00 pm. If the public hearing was needed for any agenda items. Once the public hearing was concluded, Council would wait for 7:30 pm to convene the Council meeting. The meetings then evolved to regular meetings beginning at 7:00 pm, which was problematic. CM Dugan noted that the legislative session does not begin until January and until the Charter is able to be revised, the meetings would need to be held at 7:30 pm. Mayor Miller agreed that regular meetings will be held at 7:00 pm and workshop meetings will continue to be held at 7:30 pm.
- c. Mayor Miller shared that during the last Town Council meeting, a resident mentioned that a DSP substation was going to be built in the area. Mayor Miller advised he looked into this and there is no truth to this, as DSP has no knowledge or plans to build a substation in the area.

VIII. Reports:

a. Town Attorney Fred Townsend III

1. No report.

b. Town Engineer Edwin Van-Otoo

1. An update on Town Engineering Projects.

- a. TE Van-Otoo shared that regarding TVI and TVII, there has been ongoing discussions with the developer. In TVI, there is ongoing construction at the entrance of Kaitlyn Dr. and Caldwell Corner Rd., there is DelDOT work going on and TE Van-Otoo pointed out to the developer that there is a discrepancy in the plan versus what is going on in the field. The developer updated TE Van-Otoo that the plans were revised and TE Van-Otoo still advised that there was a discrepancy. The developer is working with DelDOT to correct the layouts on the sidewalks and the inlet not out in the field. They are indicating that it may be buried so they are looking into it. These issues are being addressed. Additionally, with TVI as brought up in the past, there were punch list items for the sidewalk and curbs and paving that need to take place, along with outstanding issues for the stormwater basins in the area. TM Mangeri and TE Van-Otoo have mentioned this before, but a discussion is needed on whether or not to allow the contractor to put in the repairs for the concrete sidewalk and pavement and then to remedy the basins in the spring when it is more feasible. They will put a bond in place for that and then address the roadway. TE Van-Otoo has no objections to this as long as a bond is put in place.
- b. Regarding TVII, there is the open space area at South St. and Ginn St., that the developer presented a plan to place a swale on the perimeter of the open space area as most of the open space is in good working order, but there have been drainage issues along the perimeter in the residential area in yards and property lines. The developers presented TE Van-Otoo

with the plans and modification and met with TE Van-Otoo, TM Mangeri and Mayor Miller who noticed some encroachment in the area. Most of the area is not in accordance with the original approved plan, but the Conservation District also visited the site, and they have no objections to leaving most of the area in place since it is in good working order and the slopes of the original plan were at 1% versus what is there now, which is a little steeper and it drains a little better. The only issue was getting the water from the residential areas to the drainage areas and into the streets, so this can be discussed and moved forward, but it is ultimately the Town's decision. TE Van-Otoo has no objections to this. Additionally, the meeting was held out in the field to ensure there were no other discrepancies.

- c. Regarding the Woods at Hidden Creek, there is ongoing construction and a monument sign that has been up for discussion. The sign is fairly large. TE Van-Otoo has been reviewing the application against the Town Code and has been in correspondence with the developer to work out the size of the sign. For a residential area, they are allowed 15 square feet for the lettering of the sign and a portion of that also includes the background, clarification of the background is needed. If the sign is larger than 15 square feet, a variance application would need to be made by the developer. TE Van-Otoo shared that may be necessary to clarify the meaning of this code section for monument signs in the future.
- d. Regarding the Tennis & Pickleball Court, the area has been reseeded and the final can be issued, and the project could be closed out. The grant expired December 31st. TE Van-Otoo will coordinate with FO Helms to close this out.
- e. Regarding the Townsend Wastewater Feasibility Study, there will be a project meeting on November 16th. Information is still being gathered regarding future annexations, residential and commercial areas, to determine flow estimates.
- f. The Conservation District reviewed Cannery Lane basin to complete an inspection. They distributed a report to TE Van-Otoo and TM Mangeri and the basin is in good condition. The owner of the basin completed restoration work at the pond, and it is evident they are working on the area. TE Van-Otoo has a question for Mr. Bowman regarding the capacity of the basin and ensuring there is adequate capacity as designed, as there are no plans on the structure.
- g. Regarding the sinkhole repair at 527 Ginn Street, the contractor Standard Pipe Services parged the inside of the catch basin and there was an issue with the backfilling of the sinkholes. SPS will be back out to rectify the issue and backfill the sinkholes in accordance with the agreement.
- h. Mayor Miller asked if there were any updates on the overlay for the Woods at Hidden Creek parking lot. TE Van-Otoo shared that the developer advised they do not have anything at the moment, but they plan on having the information at some point. The overlay or revised

plans have not been sent by the developer but before moving forward with anything, they will need to share that information.

- i. Mayor Miller asked if there were any updates on the solar panel quotes. TE Van-Otoo advised he has contacted Advanced Solar and is awaiting a response.
- j. Mayor Miller asked about the trees replaced on Wiggins Mill Frontage Rd., replaced in the median by the HOA. The trees were able to be replaced by the maintenance bond for Wiggins Mill Frontage Rd.
- k. CM Lobdell asked for a timeline of the open space swale issues and when they would be resolved. TE Van-Otoo shared they will not be done this year as there will be too much erosion and no germination due to the weather. This will be completed in the spring.
- l. TM Mangeri shared that with TA Townsend's endorsement, he would like to suggest that as far as TVI, this is an administrative issue as no plans are being modified, so TM Mangeri can handle the matter internally as far as delaying and posting the bond. This would be reasonable considering the time and weather. TA Townsend confirmed that this is an administrative authority as it is already scheduled and permitted the timeline is just delayed. Regarding the swale and change to the open area at TVII, TM Mangeri shared that this is a change to the original plan design and that change should be reviewed and approved by Council. TE Van-Otoo confirmed that this is correct, and this is why he reviewed the area with the Conservation District and discussed other items that could be added. For example, at the sidewalk along South St., there is a void between the sidewalk and lawn area of the open space. The developer agreed to fill in the area. The minor items will be addressed to bring everything up to par. It was left in a condition not according to the approved plans, but at the same time, it drains properly and flows in the right direction. The only issue is that water collects in certain areas and trees were placed in the back by the wooded area and the trees will be proposed to be moved to the front of the open space to make them more useful. Items like this will be brought to Council to ensure it is what the Town wants. In terms of function ability and ensuring this is the best product that can be received. The alternative would be defaulting to the original approved and recorded plan, but if it doesn't make sense to do that and the situation could be remedied, and move forward, it could be beneficial. TM Mangeri shared he wants to be sure we are doing what is in the best interest of the Town so it does not result in a problem down the line which is why he would like Council to review. Mayor Miller agreed.
- m. CM Mertz asked if this would go to the Planning Commission and then Council or directly to Council. TM Mangeri advised that it could do either, but in this case would likely go directly to Council, as this is a resolution to an issue.
- n. CM Lobdell asked if there was any progress with the neighbor who is over the property line. TM Mangeri advised he met with the neighbor who advised he will address the issue. TM Mangeri advised that the Town can

remove anything on the open area and put a lien on the property for the repair, but TM Mangeri advised he would prefer compliance in resolving the issue.

c. Town Manager

1. Status update on the COVID-19 pandemic.
 - a. TM Mangeri shared that Town Hall is open to the Public as is all Town meetings. Per guidance from the state and the CDC, all individuals visiting Town Hall are to wear face covering and maintain social distancing regardless of vaccination status. Any child under 2-years-old must not wear a face covering due to risk of suffocation. Unvaccinated Delawareans ages 12 and older are urged to get vaccinated as soon as possible to protect themselves from infection and serious illness. Find a vaccination site: www.de.gov/getmyvaccine
 - b. Regarding COVID cases in the state and in the 19734-zip code; the percent of persons testing positive has significantly declined since last month. In the beginning of October, the average of those testing positive was 29.8%. Within the 19734-zip code, there were 27 new cases in the past seven days. This is a significant decline from last month when there were 67 new cases reported in the seven days prior to the October 6th Town meeting. There is now a reported average of 3.9 new cases daily. This is down significantly from 9.8 daily new cases reported last month.
 - c. Unfortunately, there was an additional death related to COVID reported. The Death toll in our zip code is not at 20 lives lost to this Pandemic.
 - d. Regarding vaccinations: Delaware Public Health is reporting in the 19734-zip code, 64.8% of the total population are fully vaccinated. A total of 66.5% have received at least one dose of the vaccine.
2. A report on Town Administrative activities.
 - a. The Town offices have been open to residents by appointment or via walk-in if possible. This allows staff to coordinate to meet residents needs while assuring health and safety standards are met. Face coverings must be worn by visitors in Town Hall.
 - b. Mr. Longo, the Town's new Police Chief began work on November 1st, 2021, and is working hard to establish our newest department. Chief Longo and the Town Manager have been working to secure quotes for various needs, including a surplus police vehicle which they are looking into. Chief Longo and TM Mangeri are preparing a budget outline to discuss purchases.
 - c. Chief Longo has designed a badge and uniform patch and is exploring options for uniforms.
 - d. TM Mangeri shared one item he is looking into is making the upstairs conference room into two offices for staff and to add spacing to the office. TM Mangeri is hoping to use CAREs money to cover these expenses as COVID has presented the need to spread out and not be condensed in one area. TM Mangeri shared that he and the Town

Financial Officer have continued efforts to seek pre-approval and reimbursement for initiatives under the CARES Act. The Town will continue to apply to be reimbursed for items with CARES Funds based on the proposal provided in January. To date we have requested reimbursement for a Pole Barn at Old Town Hall, Renovations to Old Town Hall for use as a municipal police station, a vehicle for maintenance and various hardware and software items.

- e. Regarding the Old Town Hall repairs, the contractor has been working to complete the work and is awaiting the flooring and upgraded doors to be installed. The project is going well.
- f. Regarding the sidewalk at Ginn St., The Town Manager met with the contractor. The estimate to replace the vandalized sidewalk is \$800.00. We are working with the contractor to see if there is a method to reduce cost. At least one of the vandals has been identified and the Town is working on restitution. Mayor Miller asked when it would be too cold to make the repairs, TE Van-Otoo shared it would be around 35-40 degrees and a discussion was had on whether to wait until the spring to make the repairs. CM Lobdell asked if the chosen contractor for the Rt. 71 & Karins project could make the repair as they will have concrete for their project.
- g. Regarding the repair of Route 71 and Karins Blvd, the Town has received the letter of award for a \$70,000 Community Redevelopment/ Reinvestment Grant for the repair of the interchange of Karins Blvd. and Route 71. The Town Engineer worked to secure bids for the work. The Town has several bids in writing, and these were solicited from reputable firms in the area that the Town has done business with in the past.
- h. Regarding personnel, TM Mangeri shared that he has received around 20 applications for the Public Works Supervisor position. This position was advertised on Indeed and the Town Website. The Town Manager is reviewing the applications and narrowing the list to qualified candidates.
- i. The Town Manager has also been working to secure a Town Building Official and Code Enforcement Officer. The position was posted on Indeed and the Town Website with no applicants. The only applicant was Mr. John Robitaille who is well qualified for the position and can begin in January upon his retirement from RVE Engineering, if approved. This will be discussed later in the meeting.
- j. Regarding the Comprehensive Plan, the Town has been granted a final extension to complete and submit the Comprehensive Plan for PLUS Review. On September 30th, 2021, TM Mangeri met with the Cabinet Committee on State Planning Issues. The Town was granted an extension. By that date, the plan must be submitted to the State for final approval.
- k. The plan was fast tracked for PLUS review with the Office of Statewide Planning. The second PLUS review was conducted on October 27th, 2021. The Town is awaiting comments which is provided within 20 days of the meeting. In addition, the Draft Plan was transmitted to New Castle

County, Middletown, and Odessa for comment. Once the Town receives the additional comments from the second PLUS review, the Town will need to make corrections and submit to Council for endorsement and then the Town may submit to the State.

- l. Regarding the sinkhole at the corner of South St. and Ginn St., the Town Engineer has been working with the contractor to complete needed revisions to the work performed. There were some concerns raised by the Town Engineer and the contractor is revisiting the work.
- m. For the sinkhole along Brook Ramble Lane, the Town Engineer is working to secure bids to assess the stormwater pipes along Brook Ramble Lane in Townsend Station. There are two minor sinkholes in the area and a study of the condition of the pipes is needed to assess if additional work is needed to repair the area and minimize future damage.
- n. The Town was awarded a Surface Water Matching Planning Grant. On October 20, 2021, the Town Manager met with the Delaware Water Infrastructure Advisory Council (WIAC) via WebEx. At that meeting the DWIAC Approved the Surface Water Matching Planning Grant for the Town of Townsend. Total cost of the proposed project to be approved by Council will be \$148,252.50 with the DWIAC funding \$50,000 through a Surface Water Matching Planning Grant. The Town Manager and Town Engineer are working to finalize the proposal to Town Council for this funding initiative.
- o. This is a \$50,000 grant for the Town of Townsend (Town) is for planning the Townsend Stormwater Management Study which will provide a master stormwater and drainage plan for the Town and include a preliminary hydraulic engineering study and analysis to improve and/or retrofit existing stormwater infrastructure that is no longer adequate.
- p. The Townsend Stormwater Management Study will be divided into three phases:
 - 1. Development of Geographic Information System (GIS) Stormwater Infrastructure Management Mapping Database for the Town of Townsend. And televised inspection of existing stormwater pipe.
 - 2. Cleaning and repair of existing storm sewers.
 - 3. Hydraulic study and analysis of existing stormwater infrastructure.
- q. Once the comment period passes, TM Mangeri will prepare this for Council review and project approval in coordination with the Town Engineer.
- r. Regarding annexation and development, The Deputy Town Manager/Town Clerk and the Town Manager continue to work in the annexation of two properties. Mr. Michael J. Sparco's request to annex parcel 1401600047 located at 6170 Summit Bridge Road. With the approval of the Planning Commission and Town Council, the Town administration is working to complete the services plan for the site. Mr. Sparco is advising that he is willing to develop the area in a manner that is

best for the Town. TM Mangeri has advised that mixed use or Commercial/ Retail/ Light Industrial were also important along the Route 71 Corridor.

- s. An additional request to annex Parcel # 1401600002, located at 113 Money Road, Townsend, DE, has been processed. The Town administration is working to complete the services plan for the site. TM Mangeri has met with the County regarding waste services to the site.
- t. The Town Manager also met with the Mr. Nicholas Vavala of R. Short Roofing. He is the property owner of Parcel # 1401600068, 6091 Summit Bridge Road. This parcel is directly across from the entrance to the Woods of Hidden Creek development and is eligible for annexation. His request to annex into Townsend has been forwarded to the Town Planning Commission and is scheduled for discussion and recommendation at their next meeting.
- u. Regarding the annual audit, TM Mangeri shared that Belfint- Lyons-Shuman has completed their work on the annual audit. They will be providing a presentation this evening. He is happy to report that there were no significant findings of concern.
- v. Regarding the American Rescue Plan Act, The Town continues to secure information on how the funds can be used. FO Helms continues to work with partnering organizations, the Town auditors, the County, the State, the Town Manager, and the Deputy Town Manager/Town Clerk to review the regulations on how the funds can be spent. TM Mangeri has also begun research to develop a priority and allocation plan for this important grant. The Town has signed into the ARPA shared legal services agreement with Barnes and Thornburg.
- w. During the month of October, there were four contractors' licenses issued, 16 permits issued, 10 permits closed and issued certificates of occupancy, eight permits closed and issued final approval letter, and 16 inspections completed.
- x. TM Mangeri shared that during the month of October, there were two complaints received. One complaint was regarding trees at the park which needed to be trimmed. They were reviewed and trimmed. A second complaint was regarding the dust from Mountaire. Mountaire was contacted and reviewed their equipment. All equipment is operating within requirements and they're advising they are within their specifications.
- y. CM Lobdell asked if the percentage of reported vaccinated individuals was of those eligible or overall. Councilman Carter shared that he believes the report is on overall population.
- z. TE Van-Otoo asked if there was an update on the culvert on Wiggins Mill Rd. TM Mangeri shared that the Town was notified that DeDOT would be widening the roadway when the signs were posted. TM Mangeri and TE Van-Otoo have been in contact with the regional engineer. It was determined that a walkway could not be added. TM Mangeri reached out

to Representative Spiegelman and Senator Ennis and were advised that the cost of a walkway installation can cost \$800,000, TM Mangeri is unsure of how this cost was assessed. At the advice of Representative Spiegelman, the Town reached out to WILMAPCO to ask for guidance as they completed the walkability study. Deputy TM/ Town Clerk Tantillo advised that WILMAPCO recommended applying for a TAPCO grant, which may not be available until at least next fall or winter. Since they did complete the Town's walkability study, they can likely prioritize the Town's proposal, but they advised that the grant is extremely competitive. Other opportunities to explore include exploring what our options are with the Town Engineer. Mayor Miller shared that this allows the Town to explore the options to expand the walkability of the area and the associated costs. TM Mangeri shared that it took two and a half years to get to this point and he is excited to see the repairs and the possibilities of making the area walkable.

3. **ACTION ITEM:** Review, discussion, and possible vote to proceed with Maintenance Building.
 - a. TM Mangeri shared that the Town has been working hard to develop a building for maintenance for equipment, especially expensive equipment which should be preserved. The Town has been looking at the option of installing a pole barn where the old town hall is. TM Mangeri would like to submit this for CAREs Act reimbursement and in doing so may need to split the project into the building and the mechanics, electrical, and plumbing later on. The quotes received are as follows:
 1. Peninsula Pole Buildings- \$62,800 with options for gutters at \$900 and options for Green Post at \$2,000
 2. Pole Buildings Unlimited- \$74,565 with the option for final grade at \$1,941
 3. Green Diamond Builders- \$94,430
 - b. TE Van-Otoo shared that the initial cost estimate was provide by Peninsula Pole Buildings and based on that, TE Van-Otoo asked for the height to be increased for each of the quotes to allow more clearance which increased the prices of the quotes, but some of the contractors did not increase the price of the garage doors accordingly. Most of the quote specifications were similar. TE Van-Otoo also mentioned that a bathroom would likely be added to the building and Pole Buildings Unlimited included rough-in for the bathroom while the other quotes did not include this. The quotes are not apples-to-apples.
 - c. TM Mangeri shared that the Town has been looking at this for a while and the prices have dramatically increased. The issue that has arisen is that the quotes are now over \$50,000. TM Mangeri consulted TA Townsend and Council may waive the requirement for going out to public bid if they so choose, since this is in the Town's procedure and there are potential grant funds to utilize with CAREs Act. ARPA funds are more restrictive

than CAREs Act, but there is potential to see if ARPA funds could be used, particularly to make the building habitable.

- d. CM Lobdell shared that the bids were not comparative. TM Mangeri also shared the difficulty in securing the bids due to the high market. TE Van-Otoo also shared that most of the pole building manufacturers do not include MEP design in their bids, so the Town will need to seek additional bids and complete geo-technical work of the area to ensure the area is suitable for what the Town would like to do.
 - e. TM Mangeri also pointed out that the bids were only valid for short periods of time between 24 hours and 2 weeks, which would continue being an issue, due to continued price fluctuations. These quotes are just a starting point, TE Van-Otoo advised.
 - f. TM Mangeri advised the maintenance equipment is currently being kept in the Conex boxes, which have been used in the past and are being used again due to the old town hall renovations. Mayor Miller believes more work needs to be done to determine if the building could be built and TM Mangeri agreed. CM Lobdell expressed concerns with wanting to obtain comparative quotes. Council discussed holding the vote until comparative bids could be obtained.
4. **ACTION ITEM:** Discussion and possible vote to authorize third-party pass-through grant for Townsend Fire Company command vehicle.
- a. TM Mangeri shared that the state would give the Town funds to purchase a command vehicle and then the vehicle would be donated to the Townsend Fire Company, similarly to what was done with the Fire Company gator a few years ago. TM Mangeri sought approval to receive the money from the state. complete the passthrough of funds and submit a resolution for Council approval to donate the vehicle to the fire company. The passthrough grants are not unusual and have been done in the past.
 - b. *CM Mertz made a motion to approve the passthrough of the grant for the Townsend Fire Company command vehicle and prepare a resolution in the future for the donation of the vehicle to the Townsend Fire Company. CM Dugan seconded the motion. Vote: Voice vote of Council- all yea's, no nays.*

IX. Committee Reports

a. **Finance Committee:** Chair: Mayor Miller, Co-Chair: Councilman Dugan

1. Review and possible discussion on the September 2021 Budget vs. Actual Report.
 - a. No discussion

b. **Human Resources Committee:** Chair: Mayor Miller

1. **ACTION ITEM:** Discussion and possible vote to approve Resolution 2021-017: A Resolution to Authorize Personnel Actions; The Hiring of a Code Official.
 - a. TM Mangeri provided a reading of Resolution 2021-017: A Resolution to Authorize Personnel Actions; The Hiring of a Code Official.

- b. TM Mangeri advised that Mr. Robitaille was the only applicant for the position.
- c. *CM Lobdell made a motion to accept Resolution 2021-017 as amended to say approved November 3rd, 2021.*
- d. CM Lobdell pointed out that Mr. Robitaille has served as the contracted Code Official to the Town for a while. TM Mangeri shared that hiring an in-house Code Official will allow an increased efficiency to the Town, increase the availability to the public for code enforcement and inspections and will do this in an economical manner. Mayor Miller agreed and expressed that this will contribute to decreasing expenses for the Town.
- e. *Vote: Voice vote of Council- all yea's, no nays.*

c. Public Works Committee: Chair: Councilman Dugan, Co-Chair: Councilman Mertz

1. **ACTION ITEM:** Discussion and possible vote on bids for the Route 71 and Karins Boulevard Pavement Improvements.
 - a. TM Mangeri shared that a grant was received from the state to complete the repairs and restoration of the intersection at Route 71 and Karins Blvd, the grant was received in the amount of \$70,000. TM Mangeri asked TE Van-Otoo to solicit bids for the project. Two of the bids are below the threshold for public bid, therefore the Town can continue with the review of the bids. TE Van-Otoo shared that the bids were consistent in scope. Additionally, TE Van-Otoo included an option to replace the inlet structure that DelDOT is okay with repairing and the contractors included it in the bid in the case that the Town was okay with replacing the inlet rather than just repairing as it would be covered by the grant.
 - b. The three bids are as followed
 1. Austin & Bednash- \$81,283.00 with the option to replace the inlet at \$5,549.00.
 2. Gessler Construction, which is a certified Women's Business Enterprise by the City of Philadelphia for \$39,400 with the option to replace the inlet at \$7,800.
 3. Nichols Excavation- \$49,500
 - c. TM Mangeri recommends Gessler Construction, based on discussion with TE Van-Otoo.
 - d. CM Lobdell asked if the contractors knew they would need to supply a significant amount of traffic control on Route 71 during the project. TE Van-Otoo verified that he confirmed the traffic control with the contractors, and it was confirmed that traffic control was included in their price.
 - e. CM Lobdell made a motion to accept the bid provided by Gessler Construction for the amount of \$39,400 plus the option to replace the inlet at \$7,800, for a total of \$47,200.00. CM Dugan seconded the motion.

- f. TM Mangeri will certify that the inlet can be replaced by the grant funds, with the grant source.
- g. TE Van-Otoo asked for the timing of the grant and when the grant can be completed, in this season or next. FO Helms confirmed that there was no deadline for the grant, but the Town advised that it would be completed within six months.
- h. CM Mertz asked if the unexpended funds would have to be returned. TM Mangeri confirmed the funds could not be redirected but he was unsure of how much would be left after engineering and inspection costs. This is pending. CM Mertz also asked if it was a concern that there were no terms and conditions of the Gessler quote. TE Van-Otoo advised that it was not a concern, and it was confirmed that traffic control was included in the price quote.
- i. CM Lobdell asked for notifications to be sent out through the Town and the HOA's when construction starts.
- j. *Vote: Voice vote of Council- all yea's, no nays.*

d. Land Use and Development Committee: Chair: Councilman Lobdell, Co-Chair: Councilman Dugan

- 1. A status update on the 2020 Comprehensive Plan PLUS review.
 - a. Discussed earlier in the meeting.

e. Veterans Committee: Chair: Councilwoman Clarke, Co-Chair: Mayor Miller

- 1. Discussion on Veterans Day Event
 - a. Mayor Miller shared that the Veterans Day ceremony will be held at the park gazebo on November 11th- Veterans Day. The colors will be present, a Cub Scout troop will assist, Mayor Miller will provide an address regarding Veterans Day and the names will be read for those who have lost have their lives in the MOT area in the wars the US fought in, and a bell will be rung for each name, followed by a moment of silence. There are a total of 22 names.
- 2. Mayor Miller also shared that the Delaware Veterans Support Association is hosting a food drive from November 2nd through December 5th and a collection bin will be placed in front of Town Hall. The collection is for non-perishable items and details will be posted to the Town website.

f. Public Safety Committee: Chair: Councilman Mertz, Co-Chair: Councilwoman Clarke

- 1. CM Mertz welcomed Chief Longo and planned on scheduling a meeting with Chief Longo and CW Clarke.
- 2. Mayor Miller spoke with the owner of LIPPS to discuss the possibility of a Coffee with the Chief event. This is to be coordinated.
- 3. CW Clarke mentioned that she had an incident where she was approached and took action to report the issue to DSP, she does not have details on the person's name or if they live in Town but wanted to make Council aware. Mayor Miller said he would discuss the concern with Chief Longo. CW Clarke also advised she notified the TVII HOA of the issue.

g. Community Engagement Committee: Chair: Councilwoman Clarke, Co-Chair: Councilman Lobdell

1. A recap on the October 22, 2021, Movie Night in the park.
 - a. CW Clarke shared that the event was successful and the Nightmare Before Christmas was presented and there were around 30 residents present. The sponsors, GFL and Iron source donated pumpkins and lights and the leftover pumpkins were left for children to take on the Town Hall lawn a few days later. CW Clarke also reached out to the Townsend Early Childhood Center to advise them that pumpkins were available. CW Clarke thanked Town staff for making the event happen. Mayor Miller also noted the Town was represented at the Townsend Elementary Trunk or Treat event to hand out treats to over 200 students.
2. A discussion and update regarding the reinstatement of the Junior Town Council.
 - a. CM Lobdell shared that there was positive feedback on the Junior Town Council from the social studies teacher at Townsend Elementary. There are four classes, and they are in the process of learning about the different levels of government, so they are ecstatic about the idea of the Junior Town Council. Elections will be held in the classrooms and student Council members could participate in Town events. CM Lobdell is working with TM Mangeri to coordinate the program and discuss December events.
3. A discussion regarding December Town events including Caroling and the Tree Lighting.
 - a. Council held a discussion to determine a date for the Town Caroling and Tree Lighting event. Council decided to hold the event on December 11th and will coordinate with local churches for assistance as done in the past. TM Mangeri will coordinate to ensure lighting and decorations are put up with Town staff with the assistance of the Town of Middletown Electric Department.
 - b. CM Mertz and CM Lobdell also added that decisions would be made to announce the Holiday Lights contest.
4. Mrs. Miller asked if the Town could investigate replacing the public address system before the events. TM Mangeri and Mayor Miller will investigate this.

h. Parks and Recreation Committee: Chair: Councilman Lobdell, Co-Chair: Councilman Mertz

1. A discussion on the status of the spring Town Fair planning event.
 - a. CM Lobdell will discuss this during the community engagement planning meeting and bring the discussion back to Council.
2. CM Mertz shared that he would contact Miss Utility for the Town's Little Libraries. TM Mangeri is in the process of submitting the application to New Castle County for the installation at the County Park in Town.

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

1. A discussion on how to proceed with the historic preservation activity.
 - a. Mayor Miller shared that he and CW Clarke will meet to discuss historic preservation goals.

X. Citizens Comments & Participation

- a.** County Councilman Carter shared that he is starting the process of transferring the County Park to the Town. He also discussed continuing to pursue walking trails along Wiggins Mill Road. Additionally, there will be a meeting with County Executive Matt Meyer regarding County Parks. CM Carter also shared that there is a new County Chief of Police. CM Carter also shared that he has some grant funds available for small projects.
- b.** CM Carter shared that there is a lot of controversy over the southern New Castle County Master Plan, and it did not get approved. The ordinance was tabled, and other changes are forthcoming.

XI. Adjournment.

- a.** *CM Lobdell made a motion to adjourn the meeting. CM Mertz seconded the motion. Vote: Voice vote of Council- all yea's, no nays.*
- b.** Adjournment at 9:41 pm.