



**Town Council Meeting Minutes
December 1st, 2021 @ 7:30 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=aHI4RDhTZ0xiME1HV0ZocHRxSHZ3QT09>

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.

7:30 pm

- 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 E. Dugan, Councilman J. Mertz, Councilman Lobdell, Town Manager A. Mangeri, Deputy Town Manager/Town Clerk A. Tantillo, Financial Officer J. Helms, Police Chief R. Longo, Town Attorney F. Townsend, and Town Engineer E. Van-Otoo.
 - b. *Pledge of Allegiance:*
 - c. *Recognition of Visitors:* Present guests included Mr. Dwayne Haines, Mr. PJ Moore, and Mr. Mark Pugh, a candidate for Senate in the 14th District.
 - d. *Announcements:* No announcements.
- III. Adoption of Agenda
 - a. *CM Lobdell made a motion to accept the December 1st, 2021, Town Council Meeting Agenda. CM Mertz seconded the motion. Vote: Voice vote of Council- all yea's, no nays.*
- IV. Approval / Rejection of Minutes
 - a. Approval/ Rejection of Council Minutes from the November 17th , 2021, Town Council Workshop Meeting.
 1. *CM Lobdell made a motion to approve the Council Minutes from the November 17th, 2021, Town Council Workshop Meeting. CW Clarke seconded the motion. Vote: Voice vote of Council- three yea's, no nays, one abstention. CM Mertz cited that he is abstaining as he was not at the previous Council meeting. Mayor Miller asked if CM Mertz had read the minutes and CM Mertz stated that he had, but since he was not present at the meeting, he would prefer to abstain.*
- V. Townsend Police Department:
 - a. Chief Longo presented information on his activities since the last Town Council Meeting. Items included the establishment of the procedures and guidelines for the Police Department, which are under administrative review. Chief Longo met with Troop 9 Command staff had a

good meeting and obtained information from them for operational review. He also contacted and is awaiting DELJIS (Delaware Justice Information System) response for access into police data and reporting system and requested a Livescan fingerprint machine. Chief Longo obtained the Townsend PD Federal Number for reporting and the Agency ID, he is currently awaiting the Unit / Officer Identification numbers. Chief Longo reached out to JP Judge and is awaiting response on Video Phone system for PD. He also spoke with the Attorney General's Office regarding body worn cameras. The Town will be added to the list for 3 free BWC and storage of videos in accordance with legislation, this is believed to be at no cost to the Town. Chief Longo spoke with DSP Training Academy and Clayton PD for use of their range for initial qualification with weapons.

- b.** Chief Longo has worked with TM Mangeri to purchase uniforms and several essential items for agency use.
- c.** A working AED was donated to the Town for use in the police vehicle. The Town has also received approval to obtain three radios from the state on loan until we can get newer models, which are required in next one and a half years.
- d.** Chief Longo also made contact with and established tentative dates for speaking engagements with Townsend Fire Department, the area Rotary Club, local Scout Troop & MOT Charter school for early 2022.
- e.** Chief Longo shared that he responded to motor vehicle accident with wires down, along with the Town Manger. He worked traffic control with DSP until power company arrived.
- f.** Chief Longo also made contact with outside LE Agency that possibly has office furniture to donate to the PD.

VI. State Police:

- a.** An update on November 2021 activity.
 - 1. Lt. Popp was unable to attend the Town Council meeting but provided a report on November 2021 activity in the Town of Townsend, which was presented during the meeting by Chief Longo. During the month of November, there were 29 incidents of record, including four domestic related incidents, three criminal investigations including two fugitive investigations and one fraud investigation, four drug related incidents and, and 18 noncriminal related incidents.
 - 2. There were 16 collisions in the month of November 11 was in the area of Summit Bridge Road, three were along Pine Tree Road and one was at Main Street and Wiggins Mill Road.
 - 3. There were thirty-one traffic citations given in November. There were 18 along Main St and 13 along Summit Bridge Rd. Additionally, there were six traffic warnings.
 - 4. Additionally, there were 33hours of additional directed patrol resources in the Town of Townsend. The timeslots were between 6 pm and 10 pm.

VII. Mayor's Report:

- a.** No report.

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 the Woods at Hidden Creek development is ongoing, and they are currently continuing to build water infrastructure on site. Additionally, the first model home has been reviewed for a building permit and the permit was approved. A permit application for an entrance monument has been in discussion.
- b. Regarding TVI, work is being completed at the intersection of Kaitlyn Dr. and Caldwell Corner Rd, most of the work has been the responsibility of DeIDOT and currently the developer is working on the sidewalk in accordance with revised DeIDOT plans. TE Van-Otoo has reviewed the work and it is going well.
- c. Regarding Route 71 and Karins Blvd, the grant funds have been received by the Town and the Contractor, Gessler Construction has notified the Town that the project will likely need to be pushed back to next year, due to the lead time necessary for the inlet structure to be purchased and built. The roadwork repairs cannot be completed until the inlet is replaced.
- d. Regarding the Wastewater Treatment Feasibility study, TE Van-Otoo and the engineering team are awaiting sewer information from New Castle County.
- e. TE Van-Otoo shared that regarding Townsend Acres, the developer is working on the construction drawings.
- f. TE Van-Otoo shared that the Tennis and Pickle Ball Court should be closed out by the end of the year. The reseeding is completed, and final payment will be made, pending necessary documents to be received by the Town from Gessler Construction. Additionally, TE Van-Otoo is working on completing the documents for the Ginn Street sidewalk.
- g. CM Mertz asked if the size of the entrance monument for the Woods at Hidden Creek was clarified. TE Van-Otoo shared that the size of the entrance letters meets the sign size requirements, even though the structure of the sign is relatively large, the size of the structure is not dictated by the sign of the sign, the size of the letter is and therefore, no variance would be necessary.

2. **ACTION ITEM:** Discussion and possible vote on quotes to repair or replace the solar panels located at Townsend Town Hall

- a. TE Van-Otoo shared that he was able to reach out to the original contractor who installed the solar panels at Town Hall, Advanced Solar. They came out to Town Hall to review the solar panels and recommended that it may be in the Town's best interest to install newer solar panels which may be more efficient. TE Van-Otoo also asked them to quote repairs of the panels. There are a total of nine panels, and one is missing.

The quote was \$3,500 for a new system or \$975 to repair and replace the missing panel.

- b. TM Mangeri shared that the current system was moved to Town Hall and the panels are outdated.
- c. TE Van-Otoo shared that other contractor were not contacted for quotes as the Town was under the impression that the panels may still be under warranty, but the company who makes the original panels is no longer in business. The system does currently work, and Advanced Solar shared that they would be able to find a replacement to make the repair that will be compatible.
- d. TE Van-Otoo also shared that another issue was that the Town would need to complete additional documents to be submitted to DELMARVA for any possible credits, to receive all of the cost savings possible.
- e. *CM Mertz made a motion to table the vote on solar panels repair or replacement, until additional quotes could be obtained for further consideration. CW Clarke seconded the motion.*
- f. CM Lobdell asked if it was possible to get an idea of the return on investment of the solar panels. TE Van-Otoo shared that he is working on an analysis of this based on past electric bills from the Town. Additionally, TE Van-Otoo does not believe the existing solar array will give off the most cost-effective credits and it may also be more efficient to add additional arrays. TE Van-Otoo also shared that additional steps are necessary to receive credits for surplus electricity.
- g. TM Mangeri shared that the solar panel review began before COVID with trying to reach out to the original contractor and manufacturer and then the Town was made aware that it was not receiving credits for the electricity that it was producing, so he is working with TE Van-Otoo to determine the best option to ensure the Town would receive credit and repair the system.
- h. Mr. Haynes suggested applying for grants to make the repairs or install a new system.
- i. TE Van-Otoo shared that he would prepare a report on the possible credits to be received with the current system.
- j. CM Dugan shared that he was in favor of tabling the decision, looking into a more modern system and the possibility of grants. The Town could also consider selling the old panel if a new panel is installed.
- k. CW Clarke asked if the solar panels, upon renovation, at Town Hall would provide energy to the Police Department located at the old Town Hall. TE Van-Otoo shared that the energy would only power Town Hall. CW Clarke asked if there was any intent to install panels at the Police Department. TE Van-Otoo shared that he was not aware of any plans for this, currently.
- l. *Voice vote of all Council members to table the vote on solar panels repair or replacement, until additional quotes could be obtained for further consideration.: All yea's, no nays.*

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 risen since last month. In the beginning of November, the average of those testing positive was 25.8%. As of November 30, 2021, the average is 47%
- c. Within the 19734-zip code, there were 49 new cases in the past seven days. This is a significant increase from last month when there were 22 new cases reported in the seven days prior to the November 3, 2021, Town meeting.
- d. There is now a reported average of 7 new cases daily. This is up significantly from the 3.9 new cases daily reported last month. The death toll in our zip code has not changed and remains at 20 lives lost to this Pandemic.
- e. Regarding vaccinations: Delaware Public Health is reporting in the 19734-zip code, 69.9% of the total population in the 19734 Zip Code is vaccinated with at least 1 dose; with 66.4 fully vaccinated.
- f. 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 all visitors in Town Hall. We continue to encourage staff to get vaccinated.

2. A report on Town Administrative activities.

- a. TM Mangeri shared that as previously discussed, staff have worked on a design for the upstairs conference room to be renovated into two offices for staff. Furniture has been ordered and has begun to arrive. The office will have two L shaped desks with hutch, multiple low rise file cabinets and an end cap file cabinet. We are also ordering blinds for the 11 windows. The Town will need to order computers, phone service and a printer for the office.
- b. Chief Longo continues to work to establish our newest department. Chief Longo and the Town Manager have been working to secure quotes for various needs and have begun to purchase equipment. We have advised the Cheswold Police Chief that we are prepared to purchase their police vehicle, a 2012 Dodge Charger for \$5,500. The Cheswold Town Council is expected to vote on the sale at their next meeting on December 7, 2021

- c. The Town Manager met with the contractor regarding the sidewalk on Ginn St. The estimate to replace the vandalized sidewalk is \$800.00. We continue to work with the contractor to see if there is a method to reduce cost and to schedule a time for the work to be performed. At least one of the vandals has been identified and we are working on restitution. TM Mangeri has contacted the State and the grant funds provided previously for this project may be used for this work.
- d. 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. Work will include the restoration of the storm drain in the area and is being scheduled.
- e. TM Mangeri has reviewed applications for the Public Works Supervisor position. This position was advertised on Indeed and the Town Website. He has contacted those who have the minimum qualifications and will be scheduling interviews shortly.
- f. TM Mangeri shared that the Town has We have received the PLUS Review comments and these comments have been forwarded to the Planning Commission and Land Use Committee. The Town is also working with the Town Engineer to review the Annexation Map for update to include all areas previously identified as potential areas of annexation over the next 10 years. In addition, the Draft Plan was transmitted to New Castle County, Middletown and Odessa for comment. Once corrections are made, the Plan will be submitted to Town Council for endorsement and then the Town may submit to the State.
- g. TM Mangeri shared that the contractor is finalizing the renovations to the building. The flooring is installed, the building interior is painted, and the bathroom has been modified to meet ADA requirements.
- h. TM Mangeri shared that on October 20, 2021, he met with the Delaware Water Infrastructure Advisory Council (DWIAC) 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 is \$50,000 through a Surface Water Matching Planning Grant. The Town received formal notice of the award yesterday and will now work to scope the specifics of the work and prepare a proposal to Town Council. This grant is for a two year period.
- i. This is a \$50,00 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.
- j. 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.
- k. The Deputy Town Manager/Town Clerk and the Town Manager continue to work in the annexation of two properties. TM Mangeri has been notified that the New Castle County Attorney is preparing the resolution for the County Council vote next week. Mr. Michael J. Sparco's request to annex parcel 1401600047 located at 6170 Summit Bridge Road. Parcel # 1401600002, located at 113 Money Road, Townsend, DE, is being processed. Annexation of these properties will be pending action by New Castle County. Mr. Nicholas Vavala of R. Short Roofing, Parcel # 1401600068, 6091 Summit Bridge Road has requested annexation, and this will be discussed later in the meeting.
- l. The Town Manager and the Town Financial Officer have continued our efforts to seek preapproval and reimbursement for initiatives under the CARES Act. The Town Manager has met with Mr. Michael Smith, NCC CFO, to discuss the denials received for renovation of old town hall and maintenance vehicle. We continue to negotiate the eligibility of various expenses for reimbursement.
- m. The Town continues to secure information on how the funds can be used. Ms. Helms continues to work with partnering organizations, the Town auditors, the County, the State, the Town Manager, and the Town Clerk to review the regulations on how the funds can be spent.
- n. TM Mangeri has begun research to develop a priority and allocation plan. We anticipate much of the grant will be used to support the development of a waste treatment facility for the Town. This is pending the results of the Wastewater treatment study. The Town has signed into the ARPA shared legal services agreement with Barnes and Thornburg.
- o. The Community Engagement Committee is working to host the annual Tree Lighting event on December 11, 2021. Immanuel Church will be providing song books and providing Hot Chocolate, snacks etc. There will be a special guest appearance from Santa Clause. Appoquinimink High School Brass Ensemble will join the event by performing 10 carols.
- p. The Town has been notified that the annual renewal of our insurance policies through the DFIT joint insurance program will involve a slight increase in premium. The total increase is less than 3% or \$566.00. There have been no liability or Workman's Comp Claims in 2021.
- q. During the month of November, eight Contractors Licenses were issued, eight permits were issued, four permits were closed and issued Certificates of Occupancy, four permits were closed and issued a final approval letter and 11 inspections were completed.

- r. The Town received 3 complaints during the month of November. One complaint was regarding trees at the park which are falling onto a neighbor's property, these were taken down. A second complaint was regarding a dog running off of its leash. TM Mangeri spoke to the owner of the dog who advised that they keep the dog on the leash and will not let it off. A third complaint was regarding trash at a property. This call was received on trash day and TM Mangeri advised that it should be picked up later that day. TM Mangeri also reached out to the property management company and left a message regarding the trash and advised that the property could not be rented without a license and that the property needs to be cleaned up
3. **ACTION ITEM:** Discussion and possible vote regarding the subscription and purchase of SSD Assurance, two-factor authentication program.
 1. TM Mangeri discussed the possibility of subscription and purchase of SSD assurance, a two- factor authentication program. This would increase the cost per month by around \$325, plus initial startup fees of \$975. As TM Mangeri discussed at the precious meeting, he is not sure when or if the Town will need this, but you do not know if you need this until you need it. TM Mangeri recommends tabling this item until other quotes/ vendors could be contacted.
 2. *CM Dugan made a motion to table the vote and discussion until additional estimates were obtained. CM Mertz seconded the motion. Voice vote of Council members: All I's, no nays.*
 3. CM Mertz shared that it could be useful to look into Microsoft 365 two-factor authentication.

IX. Committee Reports

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

1. Review and possible discussion on the October 2021 Budget vs. Actual Report.
 - a. No discussion
2. **ACTION ITEM:** A discussion and possible vote on Resolution 2021-018, a Resolution to modify the administrative spending authority of the Town Manager.
 - a. TM Manger requested that this item be held until further discussion of the Finance Committee
 1. *CM Mertz made a motion to remove an agenda item for "A discussion and possible vote on Resolution 2021-018, a Resolution to modify the administrative spending authority of the Town Manager." CM Dugan seconded the motion. Voice vote of Council members: All I's, no nays.*

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

1. **ACTION ITEM:** Discussion and possible vote on personnel matters.
 - a. Mayor Miller shared that Council previously held an Executive Session to discuss personnel matters and end of year bonuses. Mayor Miller asked for a motion regarding end of year bonuses, based upon the proposed percentage levels as discussed among Council.

- b. *CM Dugan made a motion to provide an end of year bonus to full time staff at a rate of 1.25%. CM Lobdell seconded the motion.*
- c. CM Dugan shared that the staff works diligently and professionally to preserve the best interests of the Town and that they are deserving of the bonus.
- d. CM Lobdell agreed with CM Dugan and reminded those in attendance of the meeting that the bonuses were planned for in the approval of the budget and that Council was acting on the budget.
- e. *Voice Vote of Council members: All I's, no nays.*
- f. Mayor Miller directed Town Administration to pay the bonuses during the next regular pay.

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

- 1. No report

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. Mayor Miller shared that the Comp Plan review comments were received and were going to be worked through with the Planning Commission.
- 2. **ACTION ITEM:** A discussion and possible vote to pursue the annexation of Parcel # 14-016.00-068; located at 6091 Summit Bridge Rd., Townsend, DE as recommended by the Planning Commission.
 - a. CM Lobdell shared that Parcel # 14-016.00-068; located at 6091 Summit Bridge Rd would like to annex into the Town. Before any consideration to re-zoning could be discussed, annexation would need to be pursued by the Town, with authorization from the utilities and county.
 - b. *CM Lobdell made a motion to pursue the annexation of Parcel # 14-016.00-068; located at 6091 Summit Bridge Rd., Townsend, DE as recommended by the Planning Commission. CM Dugan seconded the motion.*
 - c. TA Townsend clarified that the motion was to pursue the annexation. Mayor Miller confirmed that this was to pursue the annexation. Mayor Miller also clarified that this is off Route 71, across from the Woods at Hidden Creek entrance.
 - d. *Voice Vote of all Council members: All yea's, no nays.*

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

- 1. Mayor Miller shared that there continues to be a donation bin at Town Hall for the Delaware Veterans Association, which will end on December 5th. There have already been donations taken to the DVA, and more are coming in.
- 2. CW Clarke reminded everyone that Pearl Harbor day is December 7th and to take a moment of remembrance on that day.

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

1. CM Mertz shared that the Public Safety committee has received the Police Department policies and procedures which are under review and will be discussed in the future.

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

1. 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. CM Lobdell is working to set up a meeting with the teacher to coordinate a smaller program for this year and then continue with a larger program next year for a Junior Town Council.
2. An update regarding December Town events including Caroling and the Tree Lighting and the Holiday Decoration Contest.
 - a. CM Lobdell reminded Council that the Town Caroling and Tree Lighting event will be held on December 11th at 6 pm.
 - b. CM Lobdell also announced that the Holiday Lights contest will be broken into two categories, one for stationary displays and one for displays set to music. There will be no need to submit houses for entry, CM Lobdell will drive around and take pictures to be shared with Council and staff on or about December 18th and the Town Council will make a determination on the top two winners of each category.

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

1. CM Lobdell shared that there was some bad language painted on a slide at the park. TM Mangeri will look into this.

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

1. No report.

X. Citizens Comments & Participation

- a. Mr. Haynes asked if there was a sign in sheet and if minutes would be available to view. Deputy TM/ TC Tantillo advised that the sign in sheet was on the desk and that minutes were available on both the Town website and in print form upon request.
- b. Mr. Pugh introduced himself as a candidate running for Senate and said that he was happy to be able to attend the Council meeting.

XI. Recess Council Meeting to Convene Executive Session

- a. *CM Mertz made a motion to Convene Executive Session: In accordance with 29 Del. C. §10004 (B)(6) the Town Council will be meeting in executive session relating to the content of documents excluded from the definition of "public record" in § 10002 of this title where such discussion may disclose the contents of such documents. CM Lobdell seconded the motion. Voice vote of Council: All I's, no nays.*
- b. *Executive session convened at 9:00 pm.*

XII. Convene Executive Session: In accordance with 29 Del. C. §10004 (B)(6) the Town Council will be meeting in executive session relating to the content of documents excluded from the definition

of “public record” in § 10002 of this title where such discussion may disclose the contents of such documents.

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

XIV. 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 9:36 pm.