



Town Council Town Council Meeting
March 2, 2022 @ 7:30 pm
VIA CONFERENCE CALL & TOWN HALL

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 in person and electronic access available for guests: Mayor Patrick Miller, Councilman E. Dugan, Councilwoman E. Clarke, Councilman S. Lobdell, Town Manager A. Tantillo, Financial Officer J. Helms, Police Chief R. Longo, and Town Engineer E. Van-Otoo.
 - b. *Pledge of Allegiance:*
 - c. *Recognition of Visitors:* Present guests included County Councilman David Carter, Ms. Sheryl Rojas, and Mr. Suhr.
 - d. *Announcements:* No announcements
- III. **Adoption of Agenda**
 - a. Town Manager A. Tantillo advised that due to unforeseen circumstances, the Townsend Wastewater Feasibility Study Presentation will need to be moved to the March 23rd, Town Council Workshop Meeting.
 - b. *CM made a motion to approve the agenda as amended. CM seconded the motion. Vote: all yea's, no nays.*
- IV. **Approval / Rejection of Minutes**
 - a. Approval/ Rejection of Council Minutes from the February 16th, 2022, Town Council Meeting.
 - b. Approval/ Rejection of Council Minutes from the February 23rd, 2022, Town Council Meeting.
 - c. Approval/ Rejection of Council Minutes from the February 23rd, 2022, Town Council Executive Session Meeting.
 1. *CM Lobdell made a motion to approve all agendas as written on the agenda to include the the Town Council Meeting Minutes from February 16th, 2022, Town Council Meeting, the Town Council Executive Session Meeting Minutes from the February 23rd, 2022, Town Council Executive Session Meeting and the Town Council Workshop Meeting Minutes from February 23rd, 2022, Town Council Workshop Meeting. CW Clarke seconded the motion. Vote: Voice vote of Council- all yea's, no nays.*
- V. **State Police:**
 - a. An update on February 2022 activity.
 - b. Lt. Popp shared that there was an increase in incidents in the month of February, with 51 incidents in the month of February, which included seven domestic related incidents, and 10 criminal investigations which included identity theft, criminal mischief, recovery of a stolen car, a DUI, and three cases involving criminal detectives' unit. There were 42 noncriminal related incidents and no significant incidents in February.

- c. There were nine collisions in February, at Summit Bridge, Pine Tree Road, Wiggins Mill Road, and Dexter Corner Road.
- d. There were also four traffic citations and four traffic warnings. Reasoning for the low traffic citation numbers were due to dealing with various snowstorms.
- e. In the beginning of 2022, the Delaware State Police completed an evaluation of “Hot Spot” areas for the purpose of enforcement. The desired strategy for Hot Spot revolves around focused emphasis determined by metrics to impact criminal activity and collisions through determined peak hours. There was a three-year analysis report that was conducted from 2018-2021. Troopers were spending on average 48 hours in Town which led to, on average 15 traffic stops, three warnings, and 13 traffic charges, there was less than one person per month arrested, one drug arrest or less per month. The analysis showed that the Townsend monthly averages, based on these measured metrics it was determined a reallocation of resources to other target areas. The area of Townsend was removed as a hot spot area and no longer requires mandatory reported time within this jurisdiction. Townsend however does fall under a Traffic Hot Spot that is patrolled from SR 1/US13 to N. Smyrna from the hours of 0600 – 1000. Patrols and directed patrols will still be in the area, but the mandatory hot spot is no longer required.

VI. Townsend Police Department:

- a. Chief Longo shared the following report to Town Council for the month of February.
 - 1. Chief Longo’s swearing in ceremony took place on February 26, 2022.
 - 2. Chief Longo worked to obtain an additional \$23,981 worth of FREE equipment this month. The savings in two months from surplus alone is \$27,479
 - 3. He worked with Council and Administration to finalize and approve police policies.
 - 4. Chief Longo obtained 2 donated desks and 3 donated police bicycles from a local agency.
 - 5. Chief Longo obtained and qualified with my department weapons.
 - 6. Chief Longo completed a working draft budget for FY 23 and is working on its revision and completed a working draft for the police department staffing and schedule
 - 7. Chief Longo picked up the Town patrol car from the shop after purchase and repair from the Town of Cheswold.
 - 8. Councilman Lobdell shared his appreciation of Chief Longo receiving surplus items for the Police department and wants everyone to recognize the cost savings of these surplus items.

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.
2. TE Van-Otoo shared that regarding TVI and TVII, items are on hold due to weather, but he has been inContact with the developer who shared that weather permitting, items will pick up at the end of the month and into April.
3. Regarding the Woods at Hidden Creek, TE Van-Otoo has been in contact with the developer who has advised they are working on the base and curbing of roads in the development. They had advanced to the roundabout. They have also begun construction of lot number three. They will have at least three more lots to apply for permits by the end of the month. Additionally, the developer would be available for the Planning Commission meeting to discuss the clubhouse design, but they do not plan on beginning at the moment.
4. Regarding Townsend Acres, the Town is awaiting the construction documents.
5. Regarding the Townsend Wastewater Treatment feasibility study, TE Van-Otoo advised that due to emergency, the team will be moving the presentation to the March Workshop meeting.
6. Regarding the Route 71 and Karins Blvd project, TE Van-Otoo issued a limited notice to proceed to allow the inlet to be ordered as there is a large lead time. A pre-construction meeting will occur before the work begins and DeIDOT will be included.
7. TE Van-Otoo discussed the Ginn St. sidewalk extension and is working with various contractors to determine availability and cost for repairs to the defaced sidewalk.
8. The Surface Water Matching Planning Grant purchase order has been issued so a pre-con meeting will be scheduled for that project as well. CM Dugan asked when the streets would begin to be televised, particularly Brook Ramble, since there are sink hole concerns. TE Van-Otoo shared that he is aware of the urgency and made sure the televising of the streets would be part of the first phase. The meeting to begin would happen within the month and would include Mayor Miller and CM Dugan as the Public Works Chair.

c. Town Manager

1. Status update on the COVID-19 pandemic.
 - a. Town Manager A. Tantillo provided the following report on the COVID-19 pandemic: Regarding Covid cases in the 19734-zip code, as of February 27th, the average percent of persons testing positive is 7.4% compared to the average of 62.6%, as of January 31st, 2022. This is a significant decrease in the number of cases.
 - b. Within the 19734-zip code, there were 29 new cases in the seven-day period of February 20th-February 27th. This is a decrease from the beginning of February at 153 new cases in a 7-day period. There is now a reported average of 1.9 new cases daily. The death toll in our zip code has remains at 22 lives lost to this Pandemic.
 - c. Regarding vaccinations: Delaware Public Health is reporting in the 19734-zip code, 77.4% of the total population in the 19734 Zip Code is vaccinated with at least 1 dose.

- d. Unvaccinated Delawareans are urged to get vaccinated as soon as possible to protect themselves from infection and serious illness. Delawareans ages 5-11 have also been approved to receive the Pfizer vaccine and are encouraged to do so. Vaccination information and sites can be found at: www.de.gov/getmyvaccine
 - e. Yesterday, March 1st, 2022, Governor Carney lifted the Covid-19 state of Emergency and signed a narrow Public Health Emergency order. With this lift, mask mandates in schools and most state facilities.
 - f. Based on the information available to the Town, Town Hall will be opened to the public beginning Monday, March 7th. Masks and appointments are highly encouraged. Social distancing will remain in effect.
2. A report on Town Administrative activities.
- a. Regarding the sidewalk on Ginn Street project continues to be on hold until the Spring. Town Manager Mangeri had previously met with the contractor. The grant funds provided previously for this project may be used for this work. The estimate to replace the vandalized sidewalk is \$800.00 if the contractor will be in Town. 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.
 - b. Authorization to begin the repair of Route 71 and Karins Blvd work has been executed. The Community Redevelopment/ Reinvestment grant has been awarded in the amount of \$70,000 to allow for this work to be completed including the inlet restoration. The Town Engineer is coordinating with the contractor to find an appropriate time to begin work, weather permitting. This will begin in the spring, as advised by the Town Engineer, due to the lead time needed to order the inlet. As we are nearing the spring, we will be working to get this started.
 - c. The Surface Water Matching Planning Grant was approved for grant match via Resolution 2022-002 by Council. The signed grant agreement was sent to DNREC and just received back by the Town. TE Van-Otoo is working to coordinate the start of this project.
 - d. Regarding the Town of Townsend Police Department, Chief Longo had his swearing in ceremony on Saturday, February 26th at VFW Post 3792. The event had a spectacular turnout, and we appreciate the support of the Town of Townsend and our new Police Department. On behalf of the Town, I would like to thank the VFW members and the Members of the Delaware Veterans Support Association for their support of the event and the wonderful reception they prepared after the event.
 - e. Chief Longo continues to work to establish our newest department. Chief Longo and the TM Tantillo have been working to secure quotes for various needs such additional security, phones, and internet and continue to purchase equipment. These additional purchases are necessary to add to both physical and digital security. They will be discussed later in the meeting.

- f. Chief Longo also continues to receive items from military surplus. The 2012 Dodge Charger has been purchased from the Town of Cheswold and has been received by the Town.
- g. As previously discussed with Council, Mr. John Robitaille began working as the Town's Building Official in January. Mr. Robitaille has advised the Town that he was offered a new opportunity better for his family elsewhere. Mr. Robitaille will be departing the Town in the coming weeks. In an effort to not disrupt services, we are coordinating with RVE to continue Code Enforcement and Inspections in the Town.
- h. TM Tantillo advised that she is am continuing to interview for the Public Works Supervisor position. She will be continuing first round interviews and will be coordinating with the HR Committee to schedule second round interviews with those who have the minimum qualifications for the position.
- i. TM Tantillo advised that she is preparing to solicit for the Town Clerk position. The notice will be posted to the Town website in the coming days.
- j. TA Tantillo advised that the Town of Townsend 2022 Notice of Solicitation of Candidates has been posted as of Monday, February 28th, following the Board of Elections meeting which was held on February 25th. The 2022 Townsend Election will be for two seats up for a two-year term and one seat up for a one-year term.
- k. The candidate solicitation period will begin on Monday, March 7th and will close on Thursday, April 7th at 4:30 pm. Candidate packets will be available at Town Hall and via email. Those interested in obtaining candidate packets should contact Town Hall at 302-378-8082 or email townhall@townsend.delaware.gov.
- l. The Town election will be held on Saturday, May 7th from 8 am- 6 pm. Additional detail on candidates will be forthcoming once the solicitation period ends.
- m. Residents are reminded that they must register to vote by April 23rd. Registration can be made via ivote.de.gov
- n. The Town Manager Tantillo continues to work in the annexation of two properties. The Town has been notified that New Castle County is preparing the resolution for the County Council vote to proceed with the authorization of annexation of Parcel # 1401600068, 6091 Summit Bridge Road which is pending. Additional annexation requests that have been approved by Town Council for pursuit of annexation are awaiting approvals from various utilities.
- o. As mentioned previously, Town Manager Mangeri had discussed CARES Act reimbursements with the County Financial Officer to discuss delays with reimbursements. The Town has submitted additional requests for reimbursements to reimburse expenses such as for police services and expenses related to reimbursement of the Town for actions to establish a municipal police department. The Town was provided a reimbursement

for police services in the amount of \$94,657.00. The Town is awaiting final reimbursement approvals and will update Council once decisions are made at the County level.

- p. Regarding the American Rescue Plan, FO Helms and TM Tantillo continue to review the regulations on how the funds can be spent. The final rule has been issued recently. We anticipate much of the grant could be used to support the development of a waste treatment facility for the Town, pending the results of the Wastewater treatment study. The Town is looking forward to the presentation so that this opportunity could be discussed further.
 - q. The Comprehensive Plan Revision has been approved by Council after the public hearing and second reading of Ordinance 2022-001 to approve the Comprehensive Plan Revision at the 2/16/22 Town Council Workshop Meeting. The plan and approval ordinance have been sent to the Office of State Planning to be sent to the Governor for approval. Once approved, TM Tantillo will provide an update to Council.
 - r. During the month of February, there were 20 Contractors Licenses issued, six Rental Licenses issued, and seven Business Licenses issued. There were also two permits issued, four permits closed and issued final approval letters, and 19 inspections completed.
3. **ACTION ITEM:** Discussion and possible vote to amend the authorization to purchase the VPN for the Townsend Police Department in accordance with DELJIS requirements.
- a. TM Tantillo advised that at the 2/2/22 Town Council Meeting, Town Council approved up to \$2,500 to allow for the purchase of a VPN will need to be purchased from DTI to have a secure state network connection to access all items required by the PD including criminal records and such. At the time of the approval, the quote was not sent by DTI, but the request was for \$2,500 based on conversations regarding the costs. The quotes for the items did come through from DTI and are a little higher than \$2,500. The 2 quotes relating to the VPN are the CISCO Switch for the VPN and the NWN Carousel quote for the firewall. The two quotes total about \$2,925.00. TM Tantillo requested authorization for an additional \$425 for the VPN required.
 - b. *CM Lobdell make a motion to amend the original motion from the 2/16/22 meeting to authorize the purchase of the DELJIS VPN Requirements for the amount of \$2,925. CM Dugan seconded the motion. Vote: all yeas, no nays.*
4. **ACTION ITEM:** Discussion and possible vote to authorize payment for the additional renovations to the old Town Hall.
- a. Old Town Hall revisions required a few additional items to bring the repairs to code and to remove and replace an outdated hot water heater. As these matters were pressing and in relation to existing work, the work has been completed for an additional cost of \$2,500.

- b. CM Lobdell shared that this is typical in construction, and he made a motion to authorize the payment.
 - c. *CM Lobdell made a motion to authorize the payment for additional renovations to the Old Town Hall. CM Dugan seconded the motion. Vote: all yeas, no nays.*
5. **ACTION ITEM:** Discussion and possible vote to authorize the purchase of the access system for the old Town Hall.
- a. As mentioned previously, TM Tantillo has worked to obtain additional quotes for security at the old Town Hall to allow for the Police Department to occupy the building. This action and item and the next action items were discussed at the same time. The quotes for both the access system and the camera system come from our existing security vendor, Anaconda. The necessary items include a card access system with a keypad for the front door. This will allow for secure access in and out of the building and various offices within the building. The quote for the access system is \$11,450.00. The second quote is for the camera system to monitor both the inside and outside of the building. This quote totals \$8,560.00. Both of these systems are what are currently at Town Hall.
 - b. *CM Lobdell made a motion to authorize the purchase of the access system for the Old Town Hall. CM Dugan seconded the motion.*
 - c. CM Lobdell asked if these items were required for the Police Department. TM Tantillo shared that yes, it standard for Police departments and Chief Longo has had them in his previous departments. Chief Longo confirmed that it is standard and a good tool for evidence and monitoring inside of the building. CM Lobdell asked for confirmation if the quote was from the Towns current security vendor. TM Tantillo confirmed that yes, Anaconda does provide the cameras at Town Hall in addition to the security system at both Town Hall and the Old Town Hall. CW Clarke shared that it could be helpful to see other quotes to review costs. TM Tantillo advised that this is adding to the current system and could be complicated if multiple vendors monitored the same building. CM Lobdell shared that this could make things more expensive to wire a new system. CM Dugan asked if there could be a possibility to look at grant funds for this. Chief Longo and TM Tantillo shared that they would look into funding opportunities and also mentioned that these items are crucial for getting the building up and running. FO Helms shared that she would look into the possibility of using ARPA funds for this.
 - d. CM Lobdell asked if there were funds in the budget for these items. FO Helms added all agenda items for purchase together. \$32,500 were capital expenses, which are covered in the budget. The remaining funds of \$8,119 will be covered under miscellaneous expenses.
 - e. *Vote: all yeas, no nays.*
6. **ACTION ITEM:** Discussion and possible vote to authorize the purchase of the camera system for the old Town Hall.

- a. *CW Clarke asked if the cameras are new. TM Tantillo confirmed. CW Clarke shared that she would have liked to see additional bids for the cameras. Mayor Miller confirmed that the camera system was the same as currently at Town Hall. TM Tantillo confirmed that it was and that it was the same company.*
- b. *CM Lobdell made a motion to authorize the purchase of the camera system for the Old Town Hall in the amount of \$8,560. CM Dugan seconded the motion.*
- c. CW Clarke asked for additional quotes in the future to be able to better compare costs. Chief Longo shared that he understands the concerns and wanted to advise that he previously used another company for similar purchases and the costs were much higher for less cameras. CW Clarke asked for the retention on the recordings, TM Tantillo will follow up.
- d. *Vote: all yeas, no nays.*

7. **ACTION ITEM:** Discussion and possible vote to authorize the re-wiring of old Town Hall.

- a. In relation to the VPN installation, old Town Hall will need to be rewired for internet access to allow for DELJIS VPN access and work in the building. We have coordinated with our IT vendor and have met with the DELJIS vendor to determine what is needed to complete this. The quote is for the rewiring, a network rack, a UPS system to protect the computer systems in the event of a blackout as well as Wi-Fi for the building. The cost of this quote is \$5,195.00.
- b. *CM Lobdell made a motion to authorize work to re-wire the Old Town Hall in accordance with the invoice presented. CM Dugan seconded the motion.*
- c. CM Lobdell asked if this was a one-time cost. TM Tantillo confirmed and shared that FO Helms had previously shared that these items would be covered within the budget.
- d. *Vote: all yeas, no nays.*

8. **ACTION ITEM:** Discussion and possible vote regarding the purchase of a municipal police vehicle for the Town of Townsend Police Department.

- a. TM Tantillo shared that Chief Longo reached out to his contact with the state of Delaware Fleet Services. They have a 2017 Ford Explorer available for purchase by the Town for \$10,000. There are approximately 87,00 miles on the vehicle and the vehicle is reported to have been well taken care of. The vehicle is fully equipped and would just need a radio to be installed. The purchase of this vehicle would allow for a second vehicle for the police department. This would allow for a backup vehicle, allow for considerations of hiring additional personnel and would allow for considerations of having one marked vehicle and one unmarked.
- b. Chief Longo shared that the vehicle is completely loaded and that he was advised that the vehicle was used lightly. Chief Longo shared that he researched this type of vehicle, and the price is great compared to similar vehicles, for

example the same vehicle without equipment and more miles has been priced between \$17,000 and \$21,000. Chief Longo believes that this is the most cost-effective vehicle that is available. CM Dugan confirmed that the vehicle is completely outfitted which adds an additional \$7,000- \$8,000 in cost savings. Chief Longo confirmed and shared that the only item that will need to be installed will be the radio, which the Town will be receiving on loan from the state. CM Dugan commended Chief Longo for finding such great cost-effective items.

- c. CM Lobdell shared that he also found similar vehicles online for more than double the price, so this is a great deal.
- d. *CM Dugan made a motion to authorize the purchase police vehicle. CM Lobdell seconded the motion.*
- e. Mayor Miller asked if the motion could be amended to make the purchase, pending a vehicle inspection. CM Dugan amended the motion:
- f. *CM Dugan made a motion to authorize the purchase police vehicle in the amount of \$10,000, pending a vehicle inspection. CM Lobdell seconded the motion.*
- g. CW Clarke asked how long the vehicle could be expected to last? Chief Longo said it could be estimated to last for at least 5 years. CW Clarke asked what this vehicle would be used for. Mayor Miller shared that eventually the vehicle would be used for a second officer and allow for two vehicles to be used on the road. CW Clarke asked what it means that the vehicle is fully equipped. Chief Longo shared that it would include lights, sirens, box for a radio, computer stand, and equipment that would typically need to be purchased. The partition may not be installed due to the previous use of the vehicle, but all other items are included. Additionally, you would want to have a secondary vehicle in the event that one vehicle is being repaired.
- h. *Vote: all yeas, no nays. CW Clarke asked if it would be possible to wait for the results of the inspection to purchase the vehicle. Mayor Miller advised that the motion is to approve pending inspection, so if the inspection comes back negatively, the purchase will not be made. Chief Longo advised that it would not be advisable to wait on the purchase as the vehicles are hard to come by.*

9. **ACTION ITEM:** Discussion and possible vote to change the Town Council Meeting time due to the flexibility allowed by House Bill 269.

- a. TM Tantillo shared that Both the House and the Senate have approved HB 269 to amend the Town Charter to allow for flexibility in meeting time. The Governor has signed the bill and we are no longer be tied to the 7:30 pm meeting time.
- b. Council discussed considerations for moving up the meeting time and agreed to schedule the next meetings at 6:30 pm.

IX. Committee Reports

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

1. Review and possible discussion on the December 2021 Budget vs. Actual Report.
 - a. No discussion.
- b. Human Resources Committee:** Chair: Mayor Miller
 1. Interviews for the Public Works Supervisor will be scheduled in the near future with TM Tantillo.
- c. Public Works Committee:** Chair: Councilman Dugan, Co-Chair: Councilman Mertz
 1. CM Dugan shared that he reviewed the sinkholes and advised that they were filled. CM Dugan also advised that the tree by Edgar and Helen was cut back and is not blocking the stop sign. CM Dugan also advised that he would like to get back to the pole barn discussion to install bids.
 2. TM Tantillo confirmed that the sinkholes were filled and inspected and were found to be in sound condition and will continue to be monitored to see if they need to be filled more. Additionally, the Surface Water Matching Planning grant will be helpful to find the best solution for the concerns on Brook Ramble. Regarding the stop sign, the owners of the tree were issued a violation letter and did take care of trimming the branches back, this will continue to be reviewed. The discussion regarding the pole building can be revisited for a complete building for public works.
 3. CM Dugan shared that there were potholes on Brook Ramble and asked if they could be reviewed and repaired as necessary. TM Tantillo shared that they will be reviewed. TM Tantillo also advised that the Town is reviewing Town streets to see if any repairs need to be made.
- d. Land Use and Development Committee:** Chair: Councilman Lobdell, Co-Chair: Councilman Dugan
 1. No report.
- e. Veterans Committee:** Chair: Councilwoman Clarke, Co-Chair: Mayor Miller
 1. Mayor Miller advised that the VFW will be holding a Medal of Honor ceremony on March 25th at 11 am to recognize the soldier who the VFW is named after.
- f. Public Safety Committee:** Chair: Councilman Mertz, Co-Chair: Councilwoman Clarke
 1. Discussion regarding stop signs in Townsend.
 - a. CW Clarke advised that Public Safety Committee discussed the stop signs in Town to determine the possibility of the need for additional signs. CM Mertz shared that he would continue to research the stop signs to determine additional needs and needs for additional signs. CW Clarke shared that CM Mertz will share additional information at a future meeting.
- g. Community Engagement Committee:** Chair: Councilwoman Clarke, Co-Chair: Councilman Lobdell
 1. CW Clarke shared that the committee met and reviewed the calendar for potential events. A few events could be the Townsend Day at the beginning of April which could include a website post and/or a resolution. April 22nd is Earth Day, and a Park Cleanup and seed distribution event is being explored. May 30th is Memorial

Day, and the committee will determine if something could be done to recognize the day. In June, CW Clarke shared that she would like to discuss some activities to engage residents. July 4th is Independence Day and discussions could be held to discuss how to recognize the day. CW Clarke shared that the Committee is interested in exploring a back-to-school drive in August. September 24th will be the Townsend Parade and Fair and the Junior Town Council will begin that month. CM Lobdell shared that a resolution will be forthcoming to reinstate the Junior Town Council. CW Clarke shared that October is Halloween and potential opportunities could be explored. November 11th is Veterans Day, and another event could be held to recognize this day. December will continue with the annual Caroling and Tree lighting event, date to be determined. The Committee will continue to work on planning events.

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

1. CM Lobdell shared that the committee met with TM Tantillo to determine what is needed to prepare the park for the spring and summer seasons. Additional items are forthcoming.

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

1. CW Clarke advised that the Mayors Monarch Pledge is forthcoming on the next agenda.
2. Regarding Historic Preservation, the project to dive deeper into the Town of Townsend History will be on hold, pending further quotes and scoping of the work.

X. Citizens Comments & Participation

- a. Mr. Suhr shared that he resides at 560 Ginn St. He is asking questions related to a shed, CM Mertz suggested he address Council. Mr. Suhr shared that he put in a shed permit application. He was advised that the setback requirements for his house is for 10 feet. Mr. Suhr shared that this is different from the county and the HOA. Mr. Suhr wanted to know why the setback is required to be at that length. He also shared that he does not believe his neighbors follow this. Mr. Suhr also recommended that Council review TMC Section 4.1.03 which requires ordinance changes to be published in newspapers to eliminate that requirement to bring this up with 2022.
- b. TM Tantillo advised that permits do require site plans to determine where proposed structures are in accordance with setback requirements. Setback changes in the code were changed in 2020, when the code was revised. Ms. Rojas advised that this was brought to the Planning Commissions attention in 2020 and she will review the setback requirements with the Planning Commission. Mayor Miller shared that he would work with the rest of the Planning Commission to address this concern at the next meeting.
- c. TM Tantillo advised that the current code is still in effect and the Town will continue to comply with the current code until a code revision is made. TE Van-Otoo added that in the past, the setback requirements were five feet, the ten-foot setback should be revised, but as of right now, the ten-foot setback is required. A variance could be a possibility and the Town could also consider revising the code if they chose. Mr. Suhr advised that he does not believe his neighbors follow the ten-foot setback. TE Van-Otoo advised that the five-foot setback was in place for many years and the ten-foot setback is fairly new, so fewer sheds would have been installed with the updated code than the previous code and as of right now, the Town still needs to adhere to the ten-foot setback as is outlined in the Code. CM Lobdell asked if

the setback requirement could be waived administratively, TM Tantillo advised that it could not be, as it was in the Code. CM Lobdell shared that the only option in the immediate time would be a variance request. TM Tantillo stated for the record that no variance requests have come through for this setback concern since the setback code was changed in 2020. Mayor Miller advised that he would look into the concern. Ms. Rojas advised that she would work with the Planning Commission to review the concern. Ms. Rojas asked if an ordinance revision would be required, TM Tantillo advised that the ordinance would need to be revised. TE Van- Otoo advised that when reviewing setback requirements, the Planning Commission would need to take into consideration swales and inlets in backyards. CM Lobdell advised that the Town would investigate the options to allow Mr. Suhr to place the shed in his yard without the ten-foot setback requirements, whether that be a variance request or a code revision. TM Tantillo advised that a variance could be applied for, and the application is on the website and the cost for a variance is \$500. Council expressed concerns over the cost of variances and asked who approved the price TM Tantillo advised that it was in the Code as approved by previous Council members. CM Lobdell advised that they would continue to look into the issue and will get back to Mr. Suhr.

- d. Mr. Suhr again voiced his concerns regarding the posting in newspapers. TM Tantillo advised that ordinance changes, in addition to being published in the newspaper, are also published to the Towns website and those who are signed up for emails do receive notification for items published to the website. Mayor Miller also encouraged residents to attend Town meetings. CW Clarke asked if there was a preferred method of communication for ordinances. Mr. Suhr recommended Facebook and email.
 - e. County Councilman David Carter shared that he moved through committees to do Habitat restorations at Wiggins Mill. They are working on a resolution to have the state review the area. A grant was accepted for the reforestation of tree planting in the area. Active recreation is not being considered. CM Carter advised he will meet with TM Tantillo to discuss affordable housing opportunities. CM Carter advised that he has provided comments to the County on their Comprehensive Plan, and he is awaiting a track change response of how the comments were addressed. A small tree planting will occur along Black Bird Creek which was affected by the tornadoes in 2020.
- I. Recess Council Meeting to Convene Executive Session Recess Council Meeting to 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 personnel matters.
 - II. *CM Lobdell made a motion to 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 personnel matters. *CW Clarke seconded the motion. Voice vote of Council: All I's, no nays.*
 - a. *Executive session convened at 10:09 pm.*
 - III. Executive Session was closed, and the Council Meeting was re-convened at 10:39 pm.
 - IV. Adjournment.
 - a. *CM Lobdell made a motion to adjourn the meeting. CM Dugan seconded the motion. Vote: Voice vote of Council- all yea's, no nays.*
 - b. Adjournment at 10:40 pm.