



Townsend Town Council Meeting Agenda
October 4th, 2023 @ 7:00 pm
VIA CONFERENCE CALL &
Town Hall
141 Main St, Townsend, DE 19734

7:00 pm Town Council Meeting

- I. Call to Order: 7:00 pm.
- II. Opening Ceremonies
 - A. Roll Call:
 1. Mayor S. Lobdell, Councilman M. Chapman, Councilman J. Bangura, Councilman J. Mertz, Councilman M. Suhr, Town Engineer E. Van-Otoo, Chief of Police R. Longo, Town Clerk M. Rivera, Town Manager A. Tantillo, Town Solicitor L. Hatfield, and Financial Office J. Helms.
 - B. Pledge of Allegiance: All present recited the Pledge of Allegiance.
 - C. Recognition of Visitors:
 1. Mayor Lobdell recognized all visitors present as reflected on the sign in sheet and via zoom: Corvette Adams, Lionel Baynard, and John Holmes.
 - D. Announcements:
 1. CM Mertz announced that it is Nobel Prize Week and congratulated all those who won.
- III. General Citizen Comments
 - A. Ms. Adams expressed concern with her property address 658 Commerce Street and a new home developing on 658A Commerce Street. Ms. Adams explained she is receiving mail for 658A Commerce Street and has received responses from the Post Office, New Castle County (NCC), and Delmarva Power. TM Tantillo advised she will look into this and follow-up with Ms. Adams.
- IV. Review/Adoption of Agenda
 - A. CM Mertz advised he would like to add an action item review at the end of the agenda's moving forward so that Council may discuss action items and/or agenda items to be discussed at the next meeting. TM Tantillo noted previously under every committee report, chair members, may request agenda items for discussion. CM Chapman advised discussion item may be under committee reports with a five-minute time limit and to the end of the agenda.
 - B. CM Mertz made a motion to add action item IX, discussion of agenda items and action items as a result of the meeting. CM Chapman seconded the motion. Voice vote of Council: all yea's.
 1. Council amended the following:
 - a. Added agenda item before adjournment, "IX. Discussion of Agenda Items and Action Items as a result of the meeting".
 - C. CM Chapman made a motion to adopt the agenda as amended. CM Mertz seconded the motion. Voice vote of Council: all yea's.
 1. Council adopted the amended agenda.

V. Approval / Rejection of Minutes:

- A. **ACTION ITEM:** Approval/ Rejection of Town Council Minutes from the September 6th, 2023, Town Council Meeting.
- B. **ACTION ITEM:** Approval/ Rejection of Town Council Minutes from the September 6th, 2023, Town Council Meeting Executive Session.
- C. **ACTION ITEM:** Approval/ Rejection of Town Council Minutes from the September 20th, 2023, Town Council Special Meeting.
- D. **ACTION ITEM:** Approval/ Rejection of Town Council Minutes from the September 20th, 2023, Town Council Special Meeting Executive Session.
- E. Mayor Lobdell read the list of minutes to approve.
 - 1. *CM Chapman made a motion to approve item V. of the agenda. CM Bangura seconded the motion. Voice vote of council: all yea's – CM Mertz abstained.*
 - a. Council approved the Town Council Minutes from the:
 - i. Town Council Minutes from the September 6th, 2023, Town Council Meeting.
 - ii. Town Council Minutes from the September 6th, 2023, Town Council Meeting Executive Session.
 - iii. Town Council Minutes from the September 20th, 2023, Town Council Special Meeting.
 - iv. Town Council Minutes from the September 20th, 2023, Town Council Special Meeting.

VI. Departmental Reports:

A. Mayor Scott Lobdell

- a. **ACTION ITEM:** Discussion and possible vote on Town goals.
 - i. Mayor Lobdell noted during the last meeting it was discussed the summary of the Town goals in the Town's Comprehensive Plan (Comp Plan) and the possibility of expanding the categories.
 - ii. CM Suhr advised without going into conversation that may need to be discussion in executive session, the conversation will be complicated. CM Suhr suggested to open discussion of Town Council priorities and/or objectives for each Town Goal listed in the Comp Plan with the intent to follow-up in executive discussion at a later meeting.
 - iii. TM Tantillo noted the Planning Commission (PC) submits a report on the Town Goals to the State. TM Tantillo explained this report details accomplishments in relation to the Town Goals. Additionally, the Comp Plan has a further breakdown of the Town Goals explained.
 - 1. CM Mertz requested TM Tantillo to send Council the Comp Plan review letter that is sent to the State.
 - 2. TM Tantillo provided a brief summary of the PC letter.
 - iv. Council discussed objectives for Comp Plan goals. The following is a list of objectives as discussed by Council:
 - 1. Annexation
 - 2. Zoning Code

3. Town Fair and Harvest Parade
4. Historical Research
5. Town Webpage Enhancement
6. Public Information - Work Orders and Permit Tracking
7. Commercial Business Development
8. Utilities Evaluation
9. Surrounding Area Development Coordination
10. Roads and Sidewalks Preservation Activities
11. Social Activities
12. Community Relationship

- v. CM Suhr to coordinate with TM Tantillo to place the discussed objectives under Comp Plan goals. TM Tantillo will provide CM Suhr with the Word Document version of the Comp Plan goal section. TS Hatfield confirmed CM Suhr may distribute the drafted Word Document with listed objectives to all of Council and members may send comments to CM Suhr directly.
- vi. *CM Mertz made a motion to table the discussion and possible vote on Town goals to be followed up on October 25th starting at 6:30 pm, which will also contain an executive session. CM Chapman seconded the motion. Voice vote of Council: all yea's.*
 1. Council agreed to follow up discussion with a Special Meeting beginning at 6:30 pm, October 25th, 2023, with executive session.

B. New Castle County Councilman David Carter

- a. NCC Carter is absent. TM Tantillo advised any questions may be directed to her to forward to NCC Carter.

C. Town of Townsend Police Chief's Report

- a. Chief Longo confirmed item # 3 is being addressed and noted TE Van-Otoo will attend as well.

D. Town Solicitor Lisa Hatfield

- a. TS Hatfield advised letters as discussed previously will be going out by Friday, noting there are minor adjustments needed. Additionally, confirmed CM Chapman's request has been added to the letters.
 - i. TS Hatfield will send CM Mertz a copy of a letter and explained there are 25 letters that are slightly adjusted to each case. TS Hatfield noted the letters are informative but not aggressive.
 - ii. TS Hatfield will send an email to Council relating to the issue. TS Hatfield explained if further discussion is needed an executive session will be added to the next meeting.

E. Town Engineer Edwin Van-Otoo

- a. TE Van-Otoo advised the pumps have not been tested yet due to costs. TE Van-Otoo explained the Town has two options for power; temporary or permanent. Additionally, it is under review by TM Tantillo. TM Tantillo advised updates have recently been received and is on track for the October 15th deadline to obtain quotes. TM Tantillo noted if the quotes are within her purview she will move forward.
 - i. TE Van-Otoo briefly explained the three power options. TE Van-Otoo noted there is no conduit yet and explained the option is to test two types of wire, regular to test the pumps and conduit to ensure the conduit will work. TE Van-Otoo confirmed there is a power source to run above ground wire for testing.
 - ii. TM Tantillo noted if the test can be done within her spending limit she will move forward, otherwise it will be on the agenda for October 25th.
- b. TE Van-Otoo reported the Town received an update from the environmental review. TE Van-Otoo explained there are no statewide animals or plants however, it was mentioned there are possible coastal ponds on site. TE Van-Otoo noted the coastal ponds are not regulated therefore the Town has been provided with a recommendation to secure the habitats. TE Van-Otoo reported the Army Core of Engineers permit has been submitted this week and has a 45 day turn around. TE Van-Otoo advised once approval is received they can move forward.
- c. TE Van-Otoo confirmed The Woods at Hidden Creek construction going according to schedule and noted the only difference is the receipt of Lines and Grades Plan for review of Lot 31.
- d. TM Tantillo explained Advance Solar has delays on submitting the Solar application on behalf of the Town to Delmarva. TE Van-Otoo noted Advance Solar is working with the Town to prioritize this project. Furthermore, the application should be sent in the upcoming weeks. TE Van-Otoo will reach out to Delmarva for an estimated approval time. CM Mertz requested for the date to be submitted in a report.
- e. TE Van-Otoo reported there were supply issues for the selected stone size for the gazebo. TE Van-Otoo explained most of the stone has been installed and the contractor will be sealing cracks.
- f. TE Van-Otoo explained he requests specific deadlines however is not always able to obtain them. Moreover, TM Tantillo assists in requesting specific deadlines to hold Contractor's accountable to the ones they provided. TE Van-Otoo will provide more specific deadlines in report.

F. Town Manager Antonina Tantillo

- a. CM Mertz wanted to ensure the sinkhole reported in TV II (Townsend Village II) West is on the list for repair.
 - i. CM Chapman reported a sinkhole under the sidewalk in TV I (Townsend Village I) on Helen Drive; will send TE Van-Otoo an email of the exact address.
- b. TM Tantillo confirmed staff has reached out to the company regarding the solar speed sign not working at night. TM Tantillo noted there is a backup battery they are working on adjusting as well.

- i. TM Tantillo confirmed after testing is done at the same location, discussion will be held regarding possibly moving the solar speed sign to the median on Wiggins Mill Road.
 - ii. CM Chapman recognized the Public Works Department for paying attention to the installation of the radar signs. CM Chapman explained he witnessed the Public Work employees stop work and seek guidance from the Town Manager regarding a solar speed sign that was to be installed between two, 35 mile per hour signs.
- c. TM Tantillo advised she is evaluating the amount of speed signs in TV II. CM Mertz requested a possible installment date for the signs in this development. Mayor Lobdell noted developments are not required to have speed signs as this a standard speed limit.
- d. CM Mertz requested better clarification of ARPA funding in report. TM Tantillo noted the total obligated funds should be reflected as \$582,030.16 in theory to include the anticipated expenses for the Pole Barn.
- e. TM Tantillo announced a reminder that Trick-or-Treating will take place on Halloween from 6 pm to 8 pm.
- f. TM Tantillo advised she will send Council an email regarding the Trunk-or-Treat event on October 20th. TM Tantillo explained the Town will be coordinating with Townsend Elementary School (TES) and is working with Casella (former GFL) to hand out pumpkins during the Trunk-or-Treat event. CM Mertz noted TECC (Townsend Early Childhood Center) will be present therefore TES is expecting more children present.
 - i. Chief Longo confirmed the Townsend PD will be available.
 - ii. CM Chapman advised he will be available to assist.
 - iii. CM Mertz confirmed he will man station and requested other Council members presence and advised costumes are optional.
 - iv. CM Mertz confirmed the theme is pumpkin patch.
- g. TM Tantillo noted Veterans Day falls on a Saturday this year and sought Councils interest on how Veterans may be recognized. TM Tantillo provided examples of how Council may recognize Veterans and events from the Towns' past. CM Chapman advised he would like to change the theme of Veterans Day by differentiating the difference between Memorial Day versus Veterans Day. Noting Memorial Day is recognizing those who have passed away and Veterans Day is recognizing those who are still alive. CM Chapman provided the example of holding a 1.5 mile run or walk for Veterans going forward to represent the PT requirement to be in the military.
 - i. CM Suhr advised TM Tantillo to coordinate with the VFW (Veterans of Foreign Wars) Post 3792 for Veterans Day. Further discussion to be held at the October 25th meeting.
 - ii. TM Tantillo confirmed the Town has a budget line called Community Events and Community Relations that is available for Town Events. TM Tantillo confirmed the Veteran's Committee has been allocated \$500.00 for the year.

- h. Discussion regarding Town Public Works building specifications.
 - i. Mayor referred to, DNTET107 Finley Street Area Removal Map. TE Van-Otoo confirmed the Town will need to legally consolidate the lot. Additionally, there is a paper street that is proposed to turn into part of the lot once consolidated. TE Van-Otoo explained the will allow for more buildable area.
 - ii. TE Van-Otoo confirmed there is an existing boat depicted on the map which may have been removed. TE Van-Otoo explained the neighbors have been advised to notify the owner of the boat to remove the boat. TE Van-Otoo noted the area where the boat is was where the Black School was. TM Tantillo advised the Town has plans to memorialize.
 - iii. Mayor Lobdell noted the wetlands permit proposes to push the wetlands area to the solid yellow line and have the wetland buffer area start at the dashed yellow line. Mayor Lobdell noted the buffer line is to prevent people from going into wetlands as part of environmental protection. CM Suhr noted this is not the flood zone.
 - iv. CM Bangura requested for the historic black school be consolidated under a memorial. TM Tantillo advised the Town has limited information on the school. TM Tantillo noted former Councilwoman Clarke began performing research. CM Bangura noted this should be further discussed in the Public Works and Land Use Committee prior to Council discussion. CM Bangura advised discussions regarding Public Works should be held with the Committee first. CM Chapman noted this memorial may be one of the goals for Council. TM Tantillo advised she has additional ideas for the memorial as part of the discussion for the proposed Community Center.
 - v. CM Mertz noted TE Van-Otoo confirmed full utilities are available to be received at the site.
- i. Discussion regarding Community Center Options.
 - i. TM Tantillo noted she found six options which included auditoriums with stages, gyms with stages, kitchens, offices for possible rent, museum, and green room. CM Chapman noted for Council to look at the component ideas of the options not the sizes.
 - 1. CM Suhr proposed a facility swap with the current Town Hall building to be turned into a museum and advised the Community Center should be kept simple due to the lot space.
 - 2. TM Tantillo reminded Council to keep in mind staff growth over time.
 - ii. CM Mertz noted there is a banquet hall in Town and a Community Center outside of Town.
 - 1. CM Chapman noted the goal is to build the Town whereas items such as this will set the Town up for the future.

2. CM Bangura noted this may be used as a possible revenue source for the Town without increasing the taxes. Noting, this will be part of the Town's identity with the goal of providing multiple purposes to serve the Town. Furthermore, this will reduce the dependency and expand independence for the Town to not travel 15 to 20 minutes out of Town for all needs.
- iii. CM Mertz noted the Town may build for commercial entities. Mayor Lobdell expressed caution with zoning commercial in a residential area.
- iv. CM Mertz noted the previous Council may have had different opinions for the purchase plan of the property. CM Mertz advised his approval was based on possible Police Department expansion or the Public Works Maintenance Facility at the location. TM Tantillo explained the pursuit of the purchase was for the Town to acquire land for various future expansion options.
- v. CM Chapman confirmed the Town has the ability to purchase property with the intention to expand via annexation. CM Chapman noted the Public Works and Land Use Committee have discussed the possibility of purchasing two lots to annex into the Town and what is annexation.
- vi. CM Suhr referred to the Tillmans Corner option provided in the meeting packet and noted this is the largest concept plan applicable to build on site. CM Chapman advised Council should discuss what they would like to have in the Community Center.
 1. TM Tantillo will send Council an email requesting for their input for the Community Center.
 2. CM Chapman requested the Public Works and Land Use Committee to further discuss the Community Center prior to bringing to Council.

VII. Committee Reports

A. Finance Committee: Chair: Mayor Lobdell, Co-Chair: Councilman Bangura

1. Review and possible discussion on the August 2023 Budget vs. Actual Reports.
 - a. FO Helms advised as of August 2023, the Town revenues and expenses should be at 17% of the budget. Additionally:
 - i. The General Fund revenues are currently at 8% but will increase in September due to the receipt of tax payments.
 - ii. The PD (Police Department) revenues are at 2% which is normal as the PD does not generally earn revenue.
 - iii. The General Fund expenses are on target at 15%.
 - iv. The Police Department expenses are at 9%.

- b. CM Mertz read the lines for legal fees and noted they are on target. Mayor Lobdell noted the Town is at 14%. FO Helms noted there is an additional line for legal fees towards Board of Adjustment (BOA). FO Helms advised she is unsure if the BOA fees recoup the expense of 68%. FO Helms explained there was extensive legal review, and the meeting was pushed back a few times.
 - c. TM Tantillo confirmed the Town's expenses for the Back-to-School Event were offset by donations received. TM Tantillo explained the expenses for the event went towards school supplies, port-a-potty, and food. TM Tantillo advised Council to refer to the amended Fiscal Year 2024 (FY24) budget document in their agenda packet for more detailed lines.
2. ACTION ITEM: Discussion and possible vote regarding Resolution 2023-014 A Resolution to Amend the Fiscal Year 2024 Budget.

- a. Mayor Lobdell advised a Finance Committee meeting was held and the proposed budget amendment was discussed. FO Helms noted the Town's budget for Police Grants is increasing due to a carryover of Police Department grant funds from the previous year.
- b. FO Helms will include a balance sheet at future meetings which will include the Town's investments and cash in the report.
- c. TM Tantillo explained when the committees were created, Council was made aware of which formerly named committees were combined together to create new committees; therefore, the budget did not need to be amended to reflect the new committee names. Additionally, committees will submit their budget amount requests for each budgetary cycle for the following year.
- d. CM Mertz explained remaining budgets for specific events may be reallocated to a different event. FO Helms clarified the reallocation must be for the same fiscal year, it may not rollover.
- e. Council reviewed the amendments made.
- f. TM Tantillo provided a title reading of Resolution 2023-014 A Resolution to Amend the Fiscal Year 2024 Budget.
- g. *CM Chapman made a motion to adopt Resolution 2023-014 as discussed. CM Bangura seconded the motion.*
 - i. Roll Call Vote of Council: CM Bangura – yea, CM Chapman – yea, CM Mertz – yea, CM Suhr – yea, and Mayor Lobdell – yea.

- a. Council adopted Resolution 2023-014 A Resolution to Amend the Fiscal Year 2024 Budget.

B. Human Resources Committee: Chair: Councilman Suhr, Co-Chair: Mayor Lobdell

- 1. None.

- C. **Public Works and Land Use Development Committee:** Chair: Councilman Bangura, Co-Chair: Councilman Chapman
1. None.
- D. **Public Safety Committee:** Chair: Councilman Suhr, Co-Chair: Councilman Mertz
1. None.
- E. **Community Engagement Committee:** Chair: Councilman Mertz
1. CM Mertz advised a calendar will be sent out shortly. Additionally, CM Mertz is looking to utilize forms and apps in Microsoft.
- F. **Code Review Committee:** Chair: Mayor Lobdell, Co-Chair: Councilman Mertz
1. TM Tantillo advised there are four action items regarding the Town's Municipal Code that are forthcoming to the Committee:
 2. TS Hatfield confirmed the four action items included:
 - a. BOA
 - b. Commercial vehicles
 - c. Clearly defining fence permit
 - d. Dumpsters in residential areas
 3. TS Hatfield advised she will review the TMC to confirm if the term Council Present may be replaced with the term Mayor as a clerical change.
- G. **Social Services Committee:** Chair: Councilman Chapman, Co-Chair: Councilman Suhr
1. None.

VIII. ACTION ITEM: Possible vote of Council.

- A. No motion made, nor action taken for this agenda item.

IX. Discussion of agenda items and action items as a result of the meeting.

- A. Executive session to be scheduled on the next Council meeting agenda; 10/25/2023 at 6:30 pm.
- B. Discuss and perform research for the Black School Memorial at the Public Works and Land Use Committee meeting.
- C. Deadline for water pump quotes is 10/15/2023 to be discussed at the 10/25/2023 meeting if quoted over budget. If quoted under budget TM Tantillo will proceed and discussion will be held at the 10/25/2023 meeting.
- D. TM Tantillo action items:
1. Re-send the Comp Plan to Council and provide CM Suhr with the word document version.
 2. Add additional sinkholes reported on East Founds Street and Helen Drive.
 3. Provide a report status update on speed limit signs to be moved
 4. Send email to Council requesting their Community Center desires
 5. Coordinate with the VFW on the Veterans event
 6. Work on permanently displaying the flags

- E. CM Mertz action item:
 - 1. Create Community Engagement calendar
 - 2. Discuss events with TM Tantillo
 - 3. Discuss four Code action items; deadline to be received from TM Tantillo by 10/20/2023.
 - 4. Code Review Committee discussion in October in preparation for Council meeting discussion in November.
- F. TM Tantillo confirmed that she is working to permanently display the flags at Town Hall. TM Tantillo noted this should be done at the same time Christmas lights are displayed in Town.
- G. TM Tantillo announce Town Hall will be closed on Monday, 10/09/2023, in recognition of Columbus and Indigenous Peoples Day. Additionally, Town Hall will be closed on 11/10/2023, in recognition of Veteran's Day.
- H. TE Van-Otoo announced the Gazebo repairs should be done by Sunday; weather permitting.

X. Adjournment.

A. CM Chapman made a motion to adjourn the meeting. CM Mertz seconded the motion. Voice vote of Council: all yea's.

- 1. Council adjourned the meeting at 9:20 pm.
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