



**Townsend Town Council Meeting Agenda
December 6th, 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 pm.
- II. Opening Ceremonies
 - A. Roll Call: Mayor S. Lobdell, Councilman J. Mertz, Councilman J. Bangura, Councilman M. Chapman, Councilman M. Suhr, Town Clerk M. Rivera, Town Manager A. Tantillo, Town Solicitor L. Hatfield, Town Engineer E. Van-Otoo, and Chief of Police R. Longo.
 - 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: Dwain A. Haines, Scott Ventura, Dwayne Hart, New Castle County (NCC) Councilman D. Carter, Erik Gruenes of RVE (Remington & Vernick Engineers), Christopher Gross Senior GIS Administrator of RVE, and Kevin Zelinsky GIS manager of RVE.
 - D. Announcements:
 1. Mr. Haines announced that the DVFCA (Delaware Valley Fire Chiefs Association) is holding a fundraiser. Mr. Haines explained that tickets for the 2023 Raffle are still being sold and the winner will be drawn on December 7th.
 2. Mr. Haines announced the Townsend Fire Company will be hosting the Breakfast with Santa on December 17th from 8 am to 10 am. TM Tantillo confirmed the Town will post this event on the Town's website.
 - E. General Citizen Comments
 1. Mr. Ventura, business owner on Cannery Lane advised the State of Delaware Police (DSP) refused to come to his property and that he was left to protect himself. Mr. Ventura stated he is displeased with how the Townsend Police Department (PD) is run and advised it should be shut down if there are not enough personnel.
 - a. Mayor Lobdell advised the Town is continuing to address this matter and advised Mr. Ventura to read the meeting minutes for continued updates on the discussion.
 - b. Mayor Lobdell confirmed the Townsend PD reports to Council.
 2. TC Rivera provided a reading of the written comment submitted by Katie DeSantis "Can't make the meetings means you can't be protected by the police?? Why didn't the police come to his aid? Can we get an answer on this besides you're working on it? As a mother of small children will the police come to my aid if I need them?"
 - a. Mayor Lobdell advised the Townsend PD has been seeking additional police officers. Additionally, police staffing is a statewide problem.

- b. NCC Carter confirmed staffing is an issue and is working with Smyrna and Middletown's PD to assist with calls within NCC. NCC Carter briefly explained call procedures and the jurisdictional agreement. Noting, Townsend's agreement is clear and has never heard of issues.
- 3. NCC Carter advised the Town may want to reach out to State Senators and Representatives to reevaluate the jurisdictional agreements.
 - a. TM Tantillo advised that she will send an email to coordinate a meeting with NCC Carter, the Townsend PD, DSP, NCC Police, and the Public Safety Committee to further discuss.
 - b. CM Suhr proposed a special meeting should be held to further discuss with the Town's representatives, State and County Police, and the Townsend PD.

III. Review/Adoption of Agenda

A. None.

- 1. *CM Mertz motioned to approve the agenda. CM Chapman seconded the motion. Voice vote of Council: all yea's.*
 - a. Council adopted the agenda.

IV. Approval / Rejection of Minutes:

- A. **ACTION ITEM:** Approval/ Rejection of Town Council Minutes from the October 25th, 2023, Town Council Special Meeting Executive Session.
- B. **ACTION ITEM:** Approval/ Rejection of Town Council Minutes from the November 1st, 2023, Town Council Meeting.
- C. **ACTION ITEM:** Approval/ Rejection of Town Council Minutes from the November 1st, 2023, Town Council Meeting Executive Session.
- D. Mayor Lobdell read the list of meeting minutes for approval.
 - 1. *CM Bangura motioned to approve the minutes as listed by Mayor Lobdell. CM Chapman seconded the motion. Voice vote of Council: all yea's – CM Mertz abstained.*
 - a. Council approved the minutes from the:
 - i. October 25th, 2023, Town Council Special Meeting Executive Session.
 - ii. November 1st, 2023, Town Council Meeting.
 - iii. November 1st, 2023, Town Council Meeting Executive Session.

V. Presentation of Drainage Analysis for Heart of Townsend for the Townsend Surface Water Matching Planning Grant Project from Remington and Vernick Engineers.

- A. TE Van-Otoo presented agenda item, "DNTET101 - Town of Townsend Surface Water Planning Program- Presentation". TE Van-Otoo advised the analysis portion of the presentation will be done by Erik Gruenes and GIS portion of the presentation will be done by Kevin Zelinsky and Christopher Gross.
- B. TE Van-Otoo added additional comments to the following slides:
 - 1. Into and Overview:
 - a. Cannery Lane is a major area of concern.

- b. DelDOT completed a project at the Wiggins Mill Road Bridge culvert which has resulted in improvements to the drainage to this area.
 - c. MS4 Permit is a Municipal Separate Stormwater Sewer System Permit which requires municipalities to regular their stormwater through the Town that conveys into the State's water system. Noting, this would be the Appoquinimink River. TE Van-Otoo explained the Town has been proactive by performing this study. TE Van-Otoo advised performing studies and projects such as this will allow the Town to be successfully prepared when the Town does have to submit for the MS4 Permit in the future.
 - d. The Surface Water Matching Planning Grant may not be used for construction only studies and analysis. Construction recommendations as a result of this project will need to be funded by other means.
- 2. Televised Inspection of Existing Stormwater Pipe:
 - a. The green highlighted area is the heart of Town where the investigation has taken place. Pipes in this area are older and where sinkholes have been reported.
 - b. The red highlighted areas are newer developments.
 - c. GIS will be done for the entire Town of Townsend based on existing maps and completed televising.
 - d. Televising video will be available through the GIS map.
- 3. The first map following Televised Inspection of Existing Stormwater Pipe:
 - a. Shows the conditional assessments of the televised pipe.
 - b. The green highlighted pipes are in good condition.
 - c. The yellow highlighted pipes are pending issues and deterioration.
 - d. The red highlighted pipes need attention. TE Van-Otoo explained there is no eminent concern.
- 4. The second map following Televised Inspection of Existing Stormwater Pipe:
 - a. Shows the conditional assessments of the televised pipe in Townsend Station. This has the same color coding as the first map.
- 5. The third map following Televised Inspection of Existing Stormwater Pipe:
 - a. Shows the conditional assessments of the televised pipe in Townsend Station. Same color coding as the first map.
- C. Eric Gruenes added additional comments to the following slides:
 - 1. Analysis of Drainage Networks Slide:
 - a. Mr. Gruenes explained he took the GIS piping data that was prepared and modeled it in a software called Storm and Sanitary Analysis.
 - b. The green highlighted areas on the map are the pipes functioning normally and correctly.
 - c. The red highlighted areas on the map are flooded at capacity or surcharged.
 - d. Networks were chosen by the point of where the pipes discharged into a channel.

- e. When running the analysis, RVE chose the minimum of 10-year storm event and found that each network was flooded before the 10-year event.
- 2. Hydraulic Study & Analysis of Existing Storm Infrastructure:
 - a. The Stormwater Master Plan that was developed, lists each component of each flooded network and the proposed changes, such as pipe sizes and angles.
 - b. Cannery Lane is the largest network of concern. Additionally, this may be the easiest in comparison to the other networks since it is on a Town maintained road.
- 3. Heart of Townsend Drainage Networks:
 - a. Proposed solutions for Cannery Lane include regrading and adding vegetation.
 - b. Re-grading vegetation by the railroad tracks may assist with draining.
 - c. Discharge of the Commerce Street Network is unknown.
- 4. Cannery Lane drainage Network Changes:
 - a. Shows a side view of the Cannery Lane Network from the Storm and Sanitary Analysis software.
 - b. The gray areas is the ground
 - c. The white areas within the gray areas are the pipes.
 - d. The blue areas represent the water within the pipes.
- D. Kevin Zelinsky and Christopher Gross added additional comments to the following slides:
 - 1. GIS Stormwater Infrastructure Mapping
 - a. Mr. Zelinsky advised the grant received by the Town was utilized to build a digital map from existing as built information and by performing field work if needed, for infrastructure that was missing or obscured.
 - b. Map presented is a still photo of the GIS system for the Town.
- E. Mr. Gross provided a live demo of the GIS system for the Town.
 - a. The yellow highlighted areas need to be revisited due to analysis performed.
 - b. All assets that are underground have been cataloged:
 - i. Pipe size
 - ii. Pipe material
 - iii. Pipe elevation
 - iv. Inspection report link
 - v. Televising video link
 - vi. Outfall locations
 - vii. Endwall locations
 - viii. Inlets locations
 - ix. Manholes locations
 - c. The Town's Comp (Comprehensive) Plan was also utilized for the GIS system mapping:
 - i. Land Use
 - ii. Communities
 - iii. Wetlands

- iv. Schools
 - v. Annexation areas
- d. The GIS system may be used by anyone with internet access in a live fashion.
- e. Mr. Zelinsky noted the Town may now interact with other like data by interchanging data from universities, NCC, and the State. Furthermore, the Town may procure grant funding due to having a GIS mapping system.
- 2. TE Van-Otoo confirmed there is approximately \$30,000 remaining in the project budget. TE Van-Otoo advised the funding may be used for design drawings of Cannery Lane and South Street to resolve the drainage issues.
- 3. TE Van-Otoo noted the Town must seek funding resources to resolve the issues that have been identified through the study.
- F. TM Tantillo confirmed MSA (Municipal Street Aide) funds may be utilized for repairs. TM Tantillo noted the Town is working on developing a program to address the concerns noted and make the necessary repairs.
- G. TE Van-Otoo advised there was a report Council may refer to regarding the televising study that advises the Town to begin work on the pipes within the next five years.
- H. Mr. Gruenes advised the Town may model repairs based on the analysis of larger storm events.

VI. Departmental Reports:

A. Mayor Scott Lobdell

- a. None.

B. New Castle County Councilman David Carter

- a. NCC Carter advised Interfaith Housing will be submitting demolition permits soon for their properties. Noting, they are awaiting funding approval.
 - i. NCC Carter advised a discussion is needed with TE Van-Otoo regarding flooding on Gray Street. Noting, he may be able to assist with funding.
 - ii. NCC Carter provided a draft of Resolution 23-229 to Council for reference of the funding that is proposed for approval.
- b. NCC Carter reported NCC is working on funding for the final design and permitting for a new Southern Patrol Headquarters and Paramedic Station. Noting, they are recruiting.
- c. NCC Carter reported he is continuing work on the Wiggins Mill Rd. Park. NCC advised there are 10 new positions that have been authorized for the NCC Parks, five will be for positions south of the canal. NCC Carter advised postings will be made shortly.

C. Town of Townsend Police Chief's Report

- a. Chief Longo introduced the Townsend PD's new Police Officer Dwain Hart. Chief Longo confirmed Mr. Hart will be starting in January to assist with administrative matters, reports, and other duties.

- i. Mr. Hart advised he has been informed of what is expected. Mr. Hart stated he is excited to begin and is looking forward to help and be a part of the Town. Mr. Hart noted he is local and part of U.S. Airforce.
 - 1. Mayor Lobdell stated he is looking forward to and excited for Mr. Hart to begin. Noting, he is glad to see the Townsend PD moving forward as discussed.
- ii. Chief Longo confirmed the other recruit for the Townsend PD will begin late February and will attend the academy in Spring with Mr. Hart.
- iii. Chief Longo confirmed the Townsend PD has applied and received \$162,686 in grants for two electric vehicles and charging stations. Additionally, the Townsend PD received a \$5,000 grant from DNREC (Delaware Department of Natural Resources and Environmental Control) to assist with the installation cost of the charging stations. Chief Longo advised this is a necessity per compliance with President Biden's and Governor Carney's directive.
 - 1. Chief Longo noted he will be seeking grant funding to outfit the electrical vehicles. Chief Longo advised one of the older vehicles will be decommissioned.
 - 2. Mayor Lobdell noted the grants received do not require the Town's match. Additionally, a member of Council has reviewed the grant applications submitted prior to submission.
- iv. Chief Longo confirmed any in progress calls will require any available units to respond. If the call is not considered in progress callers will need to wait until the Town PD is available or when a unit is available.
 - 1. NCC Carter advised discussions have been held regarding triage, however further discussions are needed. Furthermore, jurisdiction agreements must be revisited to determine what will work best.
 - 2. CM Suhr advised a special meeting is needed to further discuss.

D. Town Solicitor Lisa Hatfield

- a. TS Hatfield reported things are good.
- b. TS Hatfield reported she will be meeting with the developer's attorney before Christmas regarding encroachment issues.

E. Town Engineer Edwin Van-Otoo

- a. Discussion and update on Town Park and well pump testing.
 - i. TE Van-Otoo confirmed the well pumps have been tested and are in working condition.
 - ii. TE Van-Otoo advised he has met with Delmarva and discussed the need for transformers. Noting, further discussion is needed.
 - iii. TM Tantillo advised Middletown is unable to perform the electrical work.

F. Town Manager Antonina Tantillo

- a. TM Tantillo reported the following updates:

- i. DelDOT (Delaware Department of Transportation) Grant – TM Tantillo reminded Council the grant was received last year and there are many phases. TM Tantillo confirmed the Town is in the research collection phase. TM Tantillo reported there was a field meeting with DelDOT and the TE Van-Otoo. Explaining, they looked at areas of concern and reviewed, signage, utilities, and sidewalks. TM Tantillo advised DelDOT is looking to hold another public workshop in March. Furthermore, DelDOT will be providing final recommendations and conducting additional research.
 1. TM Tantillo noted this work is in coordination with “Safe Routes to School”.
- ii. The application which was resubmitted in September for the planning of the parks and recreation in the Town has been approved for \$125,000 and the Town is waiting on the final award notice.
- iii. The Delaware Bike Council will be holding a meeting December 6th, 2023, to consider the Town’s application for the trails expansion by TV (Townsend Village) II West to connect to the Townsend Municipal Park. Updates will be sent within the upcoming days.
- iv. The Town has met with DelDOT regarding Route 71 and Main Street. DelDOT is looking at ways to help with traffic flow and will provide recommendations to present at a later meeting.
 1. Mayor Lobdell noted one of the options favored by DelDOT is a sketch he submitted two years ago.
 2. TM Tantillo will draft a resolution for Council’s review to urge DelDOT to address the issue.
- v. TM Tantillo confirmed Town staff is working on addressing speed radar signs not working and with the Townsend PD on data collection.
- vi. CM Mertz expressed concern with the lack of lighting on Main Street. TM Tantillo advised this is a DelDOT issue. NCC Carter advised he can look into setting up a light district. TM Tantillo advised she will reach out to Delmarva to see how they may be able to assist.
- vii. Mayor Lobdell noted the Rossi Group has completed an analysis at Karins Boulevard and has advised a light signal is not needed.

VII. Committee Reports

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

1. Review and possible discussion on the October 2023 Budget vs. Actual Reports.
 - a. TM Tantillo confirmed the Town is under spent.
 - b. Mayor Lobdell noted the staffing positions have not been filled.
 - c. TM Tantillo advised the audit presentation will be held during the January meeting.
 - d. CM Mertz noted the Town’s transfer taxes are low. TM Tantillo advised it is difficult to predict Transfer Taxes as they are based on the sale of homes.

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

1. None.
2. TM Tantillo noted an advertisement for the open Part-Time Administrative Assistant has been posted.
3. TM Tantillo advised there will be a posting for a Part-Time Building Official forthcoming.
4. TM Tantillo confirmed there will be a staff luncheon on December 14th held during business hours from 12 – 2 p.m.; noting, no posting is needed.

C. Public Works and Land Use Development Committee: Chair: Councilman Bangura, Co-Chair: Councilman Chapman

1. Discussion regarding Community Center Options.
 - a. CM Chapman advised the Committee is working on a concept plan for the Community Center. TM Tantillo noted there will be another Public Works and Land Use Development Committee meeting held later in the month.
 - b. CM Chapman advised the Committee is also working on an annexation package and tri-fold which will be presented to Council for review.

D. Public Safety Committee: Chair: Councilman Suhr, Co-Chair: Councilman Mertz

1. Chief Longo confirmed cameras for Park are underway. Additionally, PD upgrades should be complete by the end of the week.

E. Community Engagement Committee: Chair: Councilman Mertz

1. Update on Community Events.
 - a. CM Mertz thanked the Town staff and the Social Services Committee for putting together the event for the Veterans in Middletown.
 - b. CM Mertz confirmed event setup for the Tree Lighting on Friday will begin at 4:30 p.m. CM Mertz noted the event will begin at 6 p.m. and there will be special guests present. CM Mertz welcomed Council to assist with the event.
 - i. TM Tantillo confirmed the Town has the following community participants:
 - a. Immanuel Church
 - b. Odessa High School Band
 - c. Cub Scouts
 - d. Casella
 - e. Fire Department
 - f. Townsend PD
 - ii. CM Mertz advised the Town Fair should be around the first week of June. Noting January begins the planning sessions and welcomed assistance from the rest of Council. TM Tantillo advised Council to keep an eye out for emails. CM Suhr advised TM Tantillo to reach out to the Railroad company regarding their operations for the railroad track on the day of the parade.

- iii. CM Mertz requested Council to send in nominations for the Grand Marshal of the Town Fair to himself or TM Tantillo.
- c. TM Tantillo noted the Town is holding a Food Drive to collect items for the Townsend Community Food Pantry at Town Hall and will also be taking collections at the Townsend Tree Lighting and Caroling event Friday.
- d. CM Mertz advised there is a Referendum Vote for the Appoquinimink School District on December 12th and encouraged everyone to vote.

2. Discussion on the 2023 Annual Holiday Decoration Contest.

- a. CM Mertz welcomed Council to join him to ride around the Town, or do so separately, to take photos of contestants for the Townsend Holiday Decoration Contest.
 - i. TM Tantillo confirmed there are four awards in total, two for each category.
 - ii. TM Tantillo advised submissions will be disseminated to all of Council for review and vote before the January meeting.

F. Code Review Committee: Chair: Mayor Lobdell, Co-Chair: Councilman Mertz

- 1. None.
- 2. Mayor Lobdell advised the Committee is looking to schedule a meeting after the Holidays; noting he has met with Mr. Emsley who brought up concerns regarding the Town's Municipal Code.

G. Social Services Committee: Chair: Councilman Chapman, Co-Chair: Councilman Suhr

- 1. None.

VIII. Recess Council Meeting to Convene Executive Session.

- A. Mayor Lobdell confirmed Council will be holding the January meeting on the second Wednesday of the month, January 10th.
- B. *CM Mertz made a motion to recess the Council meeting to convene the executive session in pursuant to 29 Delaware C. 10004(b)(2). CM Chapman seconded the motion. Voice vote of Council: all yea's.*
 - 1. Council recessed and convened executive session at 8:45 pm.

IX. Convene Executive Session: Pursuant to 29 Del. C. §§10004(b)(2) and (4), the Town Council will consider a motion to meet in executive session for a strategy session, which will include legal advice or opinions from an attorney-at-law, with respect to potential litigation, as well as discussions that may have an adverse effect on the bargaining or litigation position of the Town, and 29 Del. C. §10004 (B)(9), the Town Council will consider a motion to meet in executive session for a strategy session, to address personnel matters.

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

- A. Council reconvened the regular meeting at approximately 9:48 pm.

XI. ACTION ITEM: Possible vote of Council.

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

XII. Discussion of future agenda items.

- A. CM Suhr requested a Public Safety Special Meeting. TM Tantillo will coordinate with everyone's schedules to confirm a meeting date. TM Tantillo noted an executive session may be needed to discuss sensitive matters during the Special Meeting. CM Chapman advised it may be best to hold the meeting strictly public without an executive session to show concern for the situation. CM Suhr proposed to add an executive session to the agenda in the event one is needed, with the intent that the Town will discuss everything publicly and allow for public comment. Council agreed to hold this meeting at the end of January.
- B. CM Mertz confirmed the Town Fair will be held June 1st.
- C. TM Tantillo confirmed the next Mayor's Monarch Pledge will be done in late Winter or early Spring.
- D. CM Mertz noted the Code Review Committee has already received documents from TM Tantillo for review and will need to hold a meeting in January to move forward with those items.
- E. TM Tantillo confirmed the Public Works and Land Use Committee will be meeting on December 20th. CM Chapman and CM Bangura confirmed they have reviewed and approved the agenda for the December 20th meeting at 11 am.

XIII. Adjournment.

- A. *CM Suhr made a motion to adjourn the meeting. CM Mertz seconded the motion. Voice vote of Council: all yea's.*
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- 1. Council adjourned the meeting at approximately 9:54 pm.
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