



**Townsend Town Council Meeting Agenda**  
**May 1<sup>st</sup>, 2024 @ 7:00 pm**  
**VIA CONFERENCE CALL &**  
**Town Hall**  
**141 Main St, Townsend, DE 19734**

**7:00 pm Town Council Meeting**

- I. Call to Order:
- II. Opening Ceremonies
  - A. Roll Call:
  - B. Pledge of Allegiance:
  - C. Recognition of Visitors:
  - D. Announcements:
- III. General Citizen Comments
- IV. Review/Adoption of Agenda
- V. Approval / Rejection of Minutes:
  - A. **ACTION ITEM:** Approval/ Rejection of Town Council Minutes from the April 3<sup>rd</sup>, 2024, Town Council Meeting Minutes.
  - B. **ACTION ITEM:** Approval/ Rejection of Town Council Minutes from the April 3<sup>rd</sup>, 2024, Town Council Meeting Executive Session Minutes.
- VI. Departmental Reports:
  - A. Mayor Scott Lobdell
    1. **\*ACTION ITEM:** Discussion and possible vote of Ordinance 2024-008, An Ordinance to Annex 6170 Summit Bridge Rd.
    2. **ACTION ITEM:** Discussion and possible vote regarding 2023 Outdoor Recreation, Parks, and Trails (ORPT) Grant Application.
    3. **ACTION ITEM:** Discussion and possible vote to approve Resolution 2024-005, a resolution to authorize the agreement of the 2024 DNREC Surface Water Matching Planning Grant to Complete the Town of Townsend Stormwater Management Study Grant and Project Match.
  - B. New Castle County Councilman David Carter
  - C. Town of Townsend Police Chief's Report
    1. **ACTION ITEM:** Swearing in of Town of Townsend Police Department Officer.
  - D. Town Solicitor Lisa Hatfield
  - E. Town Engineer Edwin Van-Otoo
    1. **ACTION ITEM:** Discussion and possible vote regarding electrical system for the Townsend Municipal Park Irrigation System.
    2. **ACTION ITEM:** Discussion and possible vote regarding the selection of the ARPA items for the Townsend Municipal Park Irrigation System.
    3. **ACTION ITEM:** Discussion and possible vote regarding the selection of the ARPA items for the Public Works Pole Barn.
- VII. Committee Reports
  - A. **Finance Committee:** Chair: Mayor Lobdell, Co-Chair: Councilman Bangura
    1. Review and possible discussion on the March 2024 Budget vs. Actual Reports.

Town Meetings will be held both in person and in a virtual format.

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 <https://townsend.delaware.gov> or by joining the meeting via computer.

- B. **Human Resources Committee:** Chair: Councilman Suhr, Co-Chair: Mayor Lobdell
  - C. **Public Works and Land Use Development Committee:** Chair: Councilman Bangura, Co-Chair: Councilman Chapman
  - D. **Public Safety Committee:** Chair: Councilman Suhr, Co-Chair: Councilman Mertz
  - E. **Community Engagement Committee:** Chair: Councilman Mertz
    - 1. Update on the 2024 Town Fair and discussion on upcoming events.
  - F. **Code Review Committee:** Chair: Mayor Lobdell, Co-Chair: Councilman Mertz
    - 1. **\*ACTION ITEM:** Second reading, discussion, and possible vote to adopt Ordinance 2024-002, An Ordinance to Amend Section 24.04.060 of the Town Code to Add the Definition of Commercial Vehicle and Section 24.04.090 of the Town Code.
    - 2. **\*ACTION ITEM:** Second reading, discussion, and possible vote to adopt Ordinance 2024-004 An Ordinance to Amend Board of Adjustment Appeals.
  - G. **Social Services Committee:** Chair: Councilman Chapman, Co-Chair: Councilman Suhr
  - VIII. Discussion of future agenda items.
  - IX. Recess Council Meeting to Convene Executive Session.
  - X. **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.
  - XI. **Close Executive Session & Re-convene Council Meeting.**
  - XII. **ACTION ITEM:** Possible vote of Council.
  - XIII. Adjournment.
- 

**\*\*Agenda updated 04/25/2024 to add the swearing in of the new Town of Townsend Police Department Officer. – MR**

# Planning Commission of the Town of Townsend

141 Main Street, PO Box 223, Townsend, DE 19734  
Phone (302) 378-8082 Fax (302) 378-7099



The Mayor and Council of the Town of Townsend  
140 Main Street, P.O. Box 223  
Townsend DE 19734

May 1, 2024

**Chair**  
**Mr. Troy Geiger**

RE: Ordinance 2024-002, 2024-004, and Ordinance 2024-008

**Co- Chair**  
**Mr. James Reyes**

To the Mayor and Town Council,

**Mrs. Lisa Brooks**

This letter transmits the Townsend Planning Commission's recommendations regarding Ordinance 2024-008 per the discussion held on April 10, 2024. In addition to Ordinance 2024-002 and Ordinance 2024-004 per the discussion held on April 12, 2024.

**Mr. Januarius**  
**Asongu**

The Townsend Planning Commission accepts Ordinance 2024-008 that approves the annexation and assignment of Residential Zoning Classification of Tax Parcel # 14-016.00-047 located at 6170 Summit Bridge Road.

**Ms. Eschalla**  
**Clarke**

The Townsend Planning Commission accepts Ordinance 2024-002 that amends Section 24.08.020(D)(1) Board of Adjustment Appeals to be filed in the Superior Court for the State of Delaware, as presented.

The Townsend Planning Commission accepts section one of Ordinance 2024-004 that amends Section 24.04.060 to add the definition of commercial vehicle, as presented.

The Townsend Planning Commission rejects section two Ordinance 2024-004 that amends Section 24.04.090 of the Town Code, as presented to address commercial vehicles and recreation vehicles. The Commission would like to bring to the attention of Council the following sections that would be in conflict with the presented amendment:

- 24.12.030.B2.d – “In a Residential (R) District the following uses are permitted when accessory to a principal use permitted in paragraph B,1: Storage of boats trailers, motor homes and recreational vehicles when not stored in a front yard, when owned by the occupant.”

**A Council – Manager Municipality**  
**Located on the Web at [townsend.delaware.gov](http://townsend.delaware.gov)**

- 24.04.090.F – “No front yard shall be used for open storage of boats, trailers, recreation vehicles or equipment except for passenger automobile parking on driveways. Boats, trailers, recreation vehicles or equipment shall be stored in side or rear yards only.”

Please let us know if you have any questions or concerns.

Best Regards,  
Commissioner Troy Geiger

# The Mayor and Council of the Town of Townsend

141 Main Street, P.O. Box 223, Townsend, DE 19734  
Phone (302) 378-8082 Fax (302) 378-7099

Introduced by: Mayor Scott Lobdell

Introduction on: 04/03/2024



## ORDINANCE 2024-008

### AN ORDINANCE TO APPROVE THE ANNEXATION AND ASSIGNMENT OF ZONING CLASSIFICATION OF TAX PARCEL # 14-016.00-047, LOCATED AT 6170 SUMMIT BRIDGE ROAD

**Mayor  
Scott Lobdell**

**WHEREAS**, the equitable owner of certain real property, with the consent of the legal owners, have sought to annex said property into the Town of Townsend; and,

**Councilman  
Joshua Mertz,  
PhD**

**WHEREAS**, the said property, consisting of tax parcel number 14-016.00-047 located at 6170 Summit Bridge Road, Townsend, DE 19734; and,

**Councilman  
Joseph Bangura,  
PhD**

**WHEREAS**, the Planning Commission of the Town of Townsend has reviewed the request and provided their recommendation to Town Council to annex said property on June 24, 2021; and

**WHEREAS**, the property is one of the recommended annexations per the 2020 Update to the 2010 Town of Townsend Comprehensive Plan; and

**Councilman  
Matthew  
Chapman**

**WHEREAS**, New Castle County and the Town of Townsend are parties to a sewer agreement dated October 24, 2001, that requires the New Castle County Executive and New Castle County Council to approve all annexation proposals; and

**Councilman  
Marcus Suhr**

**WHEREAS**, by resolution dated April 12, 2022, New Castle County Council confirmed that the sewer capacity for connection to the New Castle County sanitary sewer system is currently within the capacity limits established in the 2001 Town of Townsend/ New Castle County sewer agreement; and

**WHEREAS**, the Town Council believes the annexation is appropriate and is prepared to grant approval of the Annexation as a (R) Residential Zone in accordance with the Town of Townsend Municipal Code, Chapter 24; and,

**WHEREAS**, a copy of the public hearing notice was also posted at the Townsend Post Office on 04/03/2024 and on the home page of the Town website <https://townsend.delaware.gov/> on 04/03/2024 and published in a newspaper of general circulation on 04/03/2024; and,

**A Council – Manager Municipality  
Located on the Web at [townsend.delaware.gov](https://townsend.delaware.gov/)**

**WHEREAS**, on 04/17/2024, the Town Council held a public hearing on this Ordinance, read this Ordinance by title and synopsis, and provided opportunity for all interested citizens and parties to be heard; and,

**WHEREAS**, on ----- the Town Council acted on this Ordinance by majority voice vote pursuant to Section 4.1.3 of the Town Charter.

**NOW, THEREFORE, BE IT RESOLVED** that the proposed annexation be and hereby is, approved subject to reconsideration as may be desired by Town Council as set forth below; and,

Town Council, on the recommendation of the Planning Commission assigns the Zoning Classification of R to this parcel; and

The Planning Commission and Town Clerk is to modify the Town Zoning Map to reflect the annexation of this property and to assign the Zoning Classification of R.

**AND, BE IT FURTHER ORDAINED** that this Ordinance shall take effect upon adoption.

Introduction 04/03/2024

Public Hearing 04/17/2024

Final Reading 05/01/2024

Adoption 05/01/2024

Adopted by at least a majority of the Council members of the Town of Townsend on this 1<sup>st</sup> day of May, 2024.

Signed By

\_\_\_\_\_  
.....

Mayor

Town of Townsend, Delaware

Attest: \_\_\_\_\_

Town Clerk

## **SUMMARY**

This act *approves* the annexation and assignment of zoning classification of tax parcel number **14-016.00-047** located at 6170 Summit Bridge Road, Townsend, DE 19734.



Sponsor:  
Mayor Scott Lobdell

**RESOLUTION  
2024-005**

**RESOLUTION TO AUTHORIZE THE AGREEMENT OF THE 2024 DNREC SURFACE WATER  
MATCHING PLANNING GRANT TO COMPLETE THE STORMWATER MANAGEMENT STUDY AND  
PROJECT MATCH**

**WHEREAS**, an application for the 2024 Surface Water Matching Planning Grant was submitted to DNREC by Town Manager Tantillo to continue evaluating the Town's stormwater infrastructure throughout Townsend Village I (TVI) and Townsend Village II (TVII) and to develop a repair schedule address any deficiencies found, along with a hydraulic study of a segment of South Street to improve existing stormwater infrastructure; and

**WHEREAS**, the 2024 Townsend Stormwater Management Study is divided into two phases to be completed within a six-month time period. The phases are as follows:

- Phase 1: Perform televised inspection of existing stormwater pipes throughout TVI and TVII and provide recommendations on how to most efficiently address deficiencies observed. The construction costs for cleaning and repair are not included in this grant.
- Phase 3: Conduct a hydraulic study, analysis, and design of existing stormwater infrastructure along South Street from Gray Street to Main Street.

**WHEREAS**, the total cost of the project is estimated to be \$100,000; and

**WHEREAS**, the Delaware Division of Natural Resources and Environmental Control (DNREC), through the Delaware Water Infrastructure Advisory Council (DWIC) has approved the Surface Water Matching Planning Grant for the Town of Townsend, with funding \$50,000 of the total cost of the project through the Surface Water Matching planning Grant; and

**WHEREAS**, the Surface Water Matching Planning Grant requires a match of the grant funds in order to be approved and authorized.

**NOW, THEREFORE, BE IT RESOLVED** that the Town Council of the Town of Townsend during a regular session of Council, by a favorable majority vote, authorizes the agreement of the 2024 Surface Water Matching Planning Grant as authorized by DNREC. To pursue the Town of Townsend Stormwater Management Study.

**BE IT FURTHER RESOLVED**, that the Town of Townsend Town Council authorized a \$50,000 grant match to pursue the work anticipated to complete the Town of Townsend Stormwater Management Study.

**IN WITNESS WHEREOF**, I hereunto set my hand and caused the Seal of the Town of Townsend to be affixed this 1<sup>st</sup> day of May 2024.

Passed and Approved This 1<sup>st</sup> day of May 2024.

**TOWN OF TOWNSEND**

\_\_\_\_\_  
Scott Lobdell, Mayor

**ATTEST:**

\_\_\_\_\_  
Mariaelena Rivera, Town Clerk

| Vote of Council  | Yea | Na | Abs |
|------------------|-----|----|-----|
| Mayor S. Lobdell |     |    |     |
| CM J. Mertz      |     |    |     |
| CM J. Bangura    |     |    |     |
| CM M. Chapman    |     |    |     |
| CM M. Suhr       |     |    |     |

DRAFT





# TOWNSEND POLICE DEPARTMENT

661 South Street, PO Box 223, Townsend, DE 19734  
302-378-8082 Office  
302-378-7099 Fax



## MAY 2024 Town Council Report

The information provided herein is from April 1, 2024 – April 26, 2024

1. 39 total calls for service.
  - 1 Stolen Vehicle - Recovered in Cecil County MD
  - 1 Lost Property
  - 1 Investigation Follow Up
  - 1 Civil Matter
  - 1 Motor Vehicle Crash
  - 1 Recovered Stolen Vehicle AOA Cecil County MD
  - 1 Fraud
  - 1 Burglary
  - 1 Criminal Mischief / Property Damage
  - 1 Terroristic Threat
  - 1 Psychiatric Incident
  - 1 Abandon Vehicle
  - 1 Traffic Hazard
  - 1 Welfare Check
  - 1 Community Relations Detail
  - 2 Public Assistance
  - 2 Domestic
  - 2 Assist Townsend FD
  - 2 Property Checks
  - 2 Harassment
  - 2 Alarms
  - 5 Medical Emergencies
  - 7 Suspicious Activity
2. Conducted 15 School Traffic Details
3. Our total savings remain \$105,966.68 as of 6/29/2023
4. Grants funding remain \$332,113.33 as of 3/19/2024

Sincerely,  
*Robert J. Longo,*  
Chief of Police

## **TOWN OF TOWNSEND - MONTHLY ENGINEERING REPORT | MAY 2024**

**TO:** Mariaelena Rivera, Town Clerk  
**FROM:** Edwin Van-Otoo, PE  
**RE:** Town of Townsend | Monthly Engineering Report  
**DATE:** May 1, 2024

**Remington & Vernick Engineers (RVE)** is pleased to provide the Town of Townsend this status update for the various capital and planning projects.

Should you have any questions please contact me at (302) 266-0212, extension 1908.

### **CAPITAL PROJECTS**

#### **1. Surface Water Matching Planning Grant Program (DNTET101)**

- a) The preparation of the Cannery Lane drainage design plans and specifications in process by RVE. Project documents to be completed by June 30, 2024. The project is approximately 90% complete.
- b) Construction easements may be required to complete the project. Survey verification required to confirm the location of existing and proposed drainage swales.
- c) Stormwater report with hydraulic study and analysis for the stormwater system in Townsend Proper completed February 2024.
- d) RVE presented report summary and recommendations on December 6, 2023, at Council meeting.

#### **2. Townsend Municipal Park Irrigation (DNTET105)**

- a) RVE placed the irrigation project on Pennbid for public bidding on April 22, 2024. Bid opening scheduled for May 27, 2024, at 10:00 AM at Town Hall.
- b) RVE submitted Request for Proposals to electrical contractors on April 3, 2024, and received cost estimates from contractors for consideration.
- c) RVE updated the electrical plans and specifications to reflect changes to the electrical codes and includes an alternate conduit installation path on the proposed plan. Due to budget constraints the electrical work associated with the irrigation systems may have to be installed as a separate project, independent of the irrigation system project. During the week of April 1, 2024, RVE will send solicitations to electrical contractors to obtain construction cost for the electrical work needed for irrigation system.
- d) A request for additional grant funding was submitted on March 12, 2024, to the ORPT Planning Manager to determine whether more funding is available for the project. Supplementary funding is required due to the change of scope to use the existing wells pumps as the water source for the irrigation system and the increase in construction cost.

2. ***Continued* | Townsend Municipal Park Irrigation (DNTET105)**

- e) Temporary electrical connection | Lifetime conducted well pump testing on November 8, 2023. Well #1 & 2 tested positive and are in good working order.
- f) The first public bid for irrigation system on the multi-purpose and baseball fields occurred on October 25, 2023.

3. **2023 - 2024 Townsend General Engineering (DNTET107)**

**2024 Road Program**

- a) RVE to revise proposal based on designated roads selected by Town for 2024 Road Program.
- b) The Town is considering the inclusion of other roads and ADA curb ramps at various locations throughout the Town. RVE submitted a revised proposal for review on April 11, 2024.
- c) RVE submitted the 2024 Road Program proposal to Town Manager on February 26, 2024, for review. The selected roads for the mill and overlay project include Commerce Street, Faulkland Street, Fulton Street and Ginn Street.

**Finley Street Pole Barn**

- a) Townsend to review RVE pole barn proposal on May 1, 2024.
- b) USACE issued Preliminary Jurisdictional Determination letter received on March 6, 2024. The proposed pole barn design does not require a Department of the Army permit.
- c) Project scope finalized in February 2024.
- d) On December 20, 2023, USACE requested a more detailed concept plan showing the proposed development on the site (i.e. access road, parking). A detailed concept plan was given to the USACE by January 31, 2024.
- e) Final submission of USACE Nationwide Permit on November 27, 2023. Review completed by January 26, 2024.
- f) Received environmental review by DNREC on September 29, 2023.

## **PLANNING PROJECTS**

### **1. Townsend Village I (DNTEP013)**

- a) The damaged concrete sidewalk next to basin restoration site in Marilyn Court was repaired during week of March 11, 2024. The Developer is scheduled to repair the damaged concrete driveway next to the pump station on Edgar Road.
- b) Assessment of vegetation growth scheduled in spring of 2024.
- c) The Developer completed the restoration of the existing stormwater basins located behind 231 Edgar Road & behind Marilyn Court. The work included re-grading existing slopes, stabilizing slopes with erosion control matting, and replacing deteriorated outfall pipes.

### **2. The Woods at Hidden Creek (DNTEP082)**

- a) RVE submitted revised financial security and inspection escrow letter for Phase 5: Lots 57 - 73 & 184 - 193 (27 Lots) construction on April 26, 2024.
- b) Construction of residential lots in Phase 2 is ongoing on the following roads: Leatherwood Road, Zinnia Circle and Nightshade Way.
- c) The listed lots are currently under construction:  
Lot 8, 9, 13, 20, 26, 29, 31, & 32.
- d) Lines and Grades plan review completed for Lot 17.
- e) There are approximately (20) houses built in the development to date.

# ESTIMATE

**B&B Electrical Services**  
2 Wheatland Cir  
Middletown, DE 19709

brianbianca443@gmail.com  
+1 (302) 540-3662



Town of Townsend

**Bill to**

Town of Townsend  
141 Main Street  
Townsend, Delaware 19734  
United States

**Ship to**

Town of Townsend  
141 Main Street  
Townsend, Delaware 19734  
United States

**Estimate details**

Estimate no.: 1044  
Estimate date: 04/17/2024  
Expiration date: 05/17/2024

| #  | Date | Product or service         | Description   | Qty | Rate        | Amount      |
|----|------|----------------------------|---|-----|-------------|-------------|
| 1. |      | <b>Electrical Services</b> | <p>B&amp;B Electrical Services is pleased to present this fixed rate proposal for the following scope of work.</p> <p>Project name: Electrical Power Source Installation for the Town of Townsend Municipal Park Irrigation System.</p> <p>Project number: DNTET105</p> <p>1. Provide all labor equipment and all necessary materials for Well #1 and Well #2 alternate conduit per scope of work on plan sheets E-1.0 &amp; E-1.1 from Remington &amp; Vernick Engineers dated 03.27.2024.</p> <p>B&amp;B Electrical Services can start work 05.13.2024. Work will take approximately two weeks to complete.</p> | 1   | \$33,520.00 | \$33,520.00 |

**Total** **\$33,520.00**

Expiry date 05/17/2024

# ESTIMATE

**B&B Electrical Services**  
2 Wheatland Cir  
Middletown, DE 19709

brianbianca443@gmail.com  
+1 (302) 540-3662



Town of Townsend

**Bill to**

Town of Townsend  
141 Main Street  
Townsend, Delaware 19734  
United States

**Ship to**

Town of Townsend  
141 Main Street  
Townsend, Delaware 19734  
United States

**Estimate details**

Estimate no.: 1043  
Estimate date: 04/17/2024  
Expiration date: 05/17/2024

| #  | Date | Product or service         | Description   | Qty | Rate        | Amount      |
|----|------|----------------------------|---|-----|-------------|-------------|
| 1. |      | <b>Electrical Services</b> | <p>B&amp;B Electrical Services is pleased to present this fixed rate proposal for the following scope of work.</p> <p>Project Name: Electrical Power Source Installation for the Townsend Municipal Park Irrigation System</p> <p>Project Number: DNTET105</p> <p>1. Provide all labor equipment and all necessary materials for Well #1 and Well #2 proposed conduit per scope of work on plan sheets E-1.0 &amp; E-1.1 from Remington &amp; Vernick Engineers dated 03.27.2024.</p> <p>B&amp;B Electrical Services can start work 05.13.2024. Work will take approximately two weeks to complete.</p> | 1   | \$45,760.00 | \$45,760.00 |

**Total** **\$45,760.00**

Expiry date 05/17/2024



*Delaware Environmental Construction Services*

935 Rahway Dr \* Newark, DE 19711

302.544.2086

*decservicesllc@gmail.com*

Project Name & Number: Electrical Power Source Installation for the Townsend Municipal Park Irrigation System DNTET105

**SCOPE OF WORK:**

“There are two existing wells on-site that will function as a water source for proposed irrigation system in the future. The well pumps require connection to the existing electrical subpanels in the Town Park to supply power to the well pumps. This RFQ is only for the electrical installation shown on the enclosed plans and specifications. Provide quotes for the proposed conduit run and the alternate conduit installation.”

Project Scope. Quotes must include language to the effect that all of the work included within this RFQ is included in the Quoted Price. Any exclusions from the work, as it is described in this RFQ, must be explicitly stated in your Quote. All work is included in bid

Project Schedule: Could begin work with a week and half notice. Could start 4/24/24 or anytime after. Base bid should take 2-3 days. Day one trench and run conduit, boxes, pull wire, pour concrete. Day 2 hook up panel, backfill. Day 3 clean up, restore to area. Alternate bid would be the same

Base bid = \$45,799.00

Alternate bid = \$45,599.00

If base bid and alternate bid are picked together then total will be \$83,999.00

4/9/24

Attention:  
Phone #

RE: Town of Townsend

Proposal NO. 24018

We are pleased to offer our lump sum proposal for the referenced project, as detailed below:

Scope of Work:

- Install 40 amp circuit per drawing approximately 500' (Bored)
- Install 40 amp circuit per drawing approximately 15' (Hand dug)
- Install 2 strut racks on 2 concrete pads to support provided controllers for pumps

Documents:

- Drawings provided

Subcontractors:

- 

Clarifications:

- 500' run will be installed via boring, direction of run will be verified by Miss Utility prior to start
- Concrete pads will be provided by Generation Electrical Services
- Project duration 5-7 days

Exclusions:

- Bonds
-





Lump Sum Price: \_\_\_\_\_ \$23,500.00

This price is valid for thirty (30) days from the date of this proposal.

We thank you for the opportunity to be of service and look forward to performing this work for you. Please do not hesitate to call with any questions.

Respectfully,  
Generation Electrical Services, LLC  
Estimating Team

May 1, 2024

Mrs. Mariaelena Rivera  
Town Clerk  
Town of Townsend  
141 Main Street  
Townsend, DE 19734

**Re: Proposal to Provide Professional Engineering Design Services  
for the Town of Townsend Pole Barn Building at Finley Street**

Dear Mrs. Rivera:

**REMINGTON & VERNICK ENGINEERS** is pleased to submit this proposal to provide Engineering Design Services for preparation of design plans and specifications for the construction of an 80'x40'x16' pole barn building located along South Street in Townsend, Delaware.

The engineering design services for this project will include site design, geotechnical, architectural, structural, mechanical (HVAC), plumbing, and electrical design. These services will include the preparation of final plans and specifications required for obtaining approvals, permits and bidding of the project. Our scope of work for each of these services will include the following:

**DESIGN PHASE**

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Survey:

- Perform survey of existing site at the proposed site location.
- Perform deed research, reconstruct existing control, locate horizontal and vertical existing features and provide contours and spot grades.

Site:

- Develop the preliminary conceptual site plan and layout based upon coordination with the Town personnel for the proposed site.
- Coordinate with the Town personnel to obtain approval for the conceptual plans prior to proceeding with the final plan development phase.
- Prepare final site plans, sections, details, and specifications as required to identify the scope of work for the proposed site.

Geotechnical:

- Perform geotechnical investigation of the existing site at the proposed building location.
- Prepare a geotechnical report to identify the existing subsurface conditions and provide recommendations for the foundation design and site improvements.

#### Architectural:

- Prepare conceptual building plans and layouts based upon coordination with the Town personnel for each of the proposed buildings.
- Coordinate with the Town personnel to obtain approval for the conceptual plans prior to proceeding with the final plan development phase.
- Prepare final building plans, sections, details, and specifications as required to identify the scope of work for the proposed buildings.
- Select building finishes in coordination with the Town personnel.

#### Structural:

- Provide structural design for the pole barn type building foundation systems based on the recommendation from the geotechnical report.
- Provide structural plans, details and specifications as required for site or building improvements.
- Coordinate with the pole barn building manufacturer and provide required details and specifications for the proposed building systems.

#### Mechanical:

- Perform heating & ventilation calculations in accordance with all applicable codes and standards.
- Design H&V system to include exhaust fan(s) and electric unit heaters.
- The mechanical design does not include air conditioning or dehumidification for the proposed building.

#### Plumbing:

- Provide plumbing design for one (1) single-occupant toilet room.
- Design general area floor drains.
- Design general hose bibbs and wall hydrants as necessary.
- Plumbing design will consist of domestic water distribution piping and accessories, and sanitary drain and vent piping for the above listed items.
- The plumbing design does not include a new automatic fire sprinkler system.

#### Electrical:

- Perform calculations of lighting levels, power distribution, and other electrical calculations required to design the project.
- Design the lighting system, fire alarm system, security camera and card access, and power distribution system as necessary to support the proposed building.
- The electrical system design does not include emergency power system (generators), solar panel design, or other work not specifically listed herein.

### **BIDDING SUPPORT PHASE**

- Prepare responses for addenda or bulletins to clarify the intent of the project documents, as required during the bidding period.
- Review and provide response to requests for information during the bidding period.
- Attend a pre-bid meeting during the bidding period.
- Provide review of shop drawings and submittals.
- Review and provide response to requests for information during construction.

### **CONSTRUCTION ADMINISTRATION & INSPECTION PHASE**

---

- Attend progress meetings during construction on an as needed basis in order to address issues related to the design plans and details.
- Coordinate pre-construction meeting with Contractor.
- Provide periodic inspection during construction to verify compliance with the contract documents.
- Provide construction administration services including review and recommendation of payment requests.

## **EXCLUSIONS**

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Please note that the above scope of work does not include the following services.

- Submission of Plans and Specification for permitting or planning/zoning board applications: The RFP does not identify or require these services; however our office can provide a separate proposal for these services if required.
- Title report for property.
- No subdivision, takings, easements, consolidations, vacations or dedications.
- No Baseline of stations.
- Setting any property/right-of-way corners.
- Wetlands location or delineation.
- Metes and bounds descriptions.

**REMINGTON & VERNICK ENGINEERS** will provide all engineering design services as noted above for a not to exceed fee of \$75,518.00.

|   |                    |
|---|--------------------|
| Design  | \$61,418.00        |
| Bidding Support                                     | \$ 3,100.00        |
| <u>Construction Administration &amp; Inspection</u> | <u>\$11,000.00</u> |
| <b>TOTAL</b>  | <b>\$75,518.00</b> |

We trust the information provided meets your requirements for this project. Should you have any questions or require additional information, please do not hesitate to contact our office at (302) 266-0212.

Sincerely,

**REMINGTON & VERNICK ENGINEERS**

Christopher Fazio, PE, CME  
Executive Vice President

CJF/evo

cc: Edwin Van-Otoo, PE  
Kenneth Ressler, PE



**TOWN OF TOWNSEND  
GENERAL FUND INCOME STATEMENT  
March 31, 2024**

| <b>REVENUES</b>                              | <b>BUDGET</b>     | <b>ACTUAL</b>     | <b>OVER/(UNDER)</b> | <b>Target % for<br/>Mar<br/>75%</b> |
|--|-------------------|-------------------|---------------------|-------------------------------------|
| Impact Fees: Fire House Impact Fees          | 11,250.00         | 12,000.00         | 750.00              | 107%                                |
| Franchise Fees                               | 22,000.00         | 14,113.83         | (7,886.17)          | 64%                                 |
| Interest Income                              | 20,000.00         | 62,801.56         | 42,801.56           | 314%                                |
| Miscellaneous Income                         | 1,500.00          | 1,840.73          | 340.73              | 123%                                |
| Property Transfer Taxes                      | 250,000.00        | 191,631.28        | (58,368.72)         | 77%                                 |
| Real Estate Property Tax                     | 660,000.00        | 662,457.07        | 2,457.07            | 100%                                |
| Violations, Fines & Penalties                | 1,500.00          | 1,100.00          | (400.00)            | 73%                                 |
| Rental Registration Fee                      | 1,600.00          | 2,170.00          | 570.00              | 136%                                |
| <b>Total Administrative Revenue</b>          | <b>967,850.00</b> | <b>948,114.47</b> | <b>(19,735.53)</b>  | <b>98%</b>                          |
|  |                   |                   |                     |                                     |
| Impact Fees                                  | 101,250.00        | 108,000.00        | 6,750.00            | 107%                                |
| Permits and Fees                             | 62,700.00         | 70,408.24         | 7,708.24            | 112%                                |
| Town Permits                                 | 84,100.00         | 128,697.85        | 44,597.85           | 153%                                |
| <b>Total Permits &amp; Licenses Revenues</b> | <b>248,050.00</b> | <b>307,106.09</b> | <b>59,056.09</b>    | <b>124%</b>                         |
|  |                   |                   |                     |                                     |
| Park rental                                  | 600.00            | 1,225.00          | 625.00              | 204%                                |
| <b>Total Park &amp; Recreation Revenues</b>  | <b>600.00</b>     | <b>1,225.00</b>   | <b>625.00</b>       | <b>204%</b>                         |
|  |                   |                   |                     |                                     |
| Municipal Street Aid Grant                   | 59,600.00         | 59,162.21         | (437.79)            | 99%                                 |
| Grants Revenue                               | 317,900.00        | 27,976.88         | (289,923.12)        | 9%                                  |

|  |                     |                     |                     |            |
|--|---------------------|---------------------|---------------------|------------|
| <b>Total Grant Revenues</b>            | <b>377,500.00</b>   | <b>87,139.09</b>    | <b>(290,360.91)</b> | <b>23%</b> |
| Community Events: Donations            | 1,500.00            | 1,750.00            | 250.00              | 117%       |
| Town Fair Donation                     | 3,100.00            | 3,412.50            | 312.50              | 110%       |
| Community Events: Town Fair            | 2,000.00            | 1,215.00            | (785.00)            | 61%        |
| <b>Total Community Events Revenues</b> | <b>6,600.00</b>     | <b>6,377.50</b>     | <b>(222.50)</b>     | <b>97%</b> |
| <b>General Fund Revenue Total</b>      | <b>1,600,600.00</b> | <b>1,349,962.15</b> | <b>(250,637.85)</b> | <b>84%</b> |

| <b>EXPENDITURES</b>                      | <b>BUDGET</b> | <b>ACTUAL</b> | <b>OVER/(UNDER)</b> | <b>Target % for<br/>Mar<br/>75%</b> |
|--|---------------|---------------|---------------------|-------------------------------------|
| Impact Fees: Fire House Impact Fees      | 11,250.00     | 19,500.00     | 8,250.00            | 173%                                |
| Advertising                              | 450.00        | 550.01        | 100.01              | 122%                                |
| Accounting Audit                         | 25,000.00     | 27,600.00     | 2,600.00            | 110%                                |
| PNC Credit Card Fees and Reward Credits  | -             | 2,192.13      | 2,192.13            |                                     |
| Computer/Software Support                | 43,300.00     | 32,736.86     | (10,563.14)         | 76%                                 |
| DE League of Local Governmts             | 2,750.00      | 1,616.32      | (1,133.68)          | 59%                                 |
| Decorations                              | 500.00        | 139.92        | (360.08)            | 28%                                 |
| Elections Expense                        | 1,000.00      | -             | (1,000.00)          | 0%                                  |
| Copier Maintenance Agreement             | 3,500.00      | 2,333.08      | (1,166.92)          | 67%                                 |
| Town Insurance (General Liab & Property) | 25,000.00     | 24,388.78     | (611.22)            | 98%                                 |
| Maintenance:Town Hall Cleaning/Pest Ctrl | 2,300.00      | 1,650.00      | (650.00)            | 72%                                 |
| Membership Fees                          | 400.00        | 450.00        | 50.00               | 113%                                |
| General Town Hall Expenses               | 10,000.00     | 6,650.12      | (3,349.88)          | 67%                                 |
| Office Equipment                         | 2,000.00      | 76.98         | (1,923.02)          | 4%                                  |
| Security System @ 141 Main Street        | 2,000.00      | -             | (2,000.00)          | 0%                                  |
| Office Supplies                          | 2,800.00      | 307.73        | (2,492.27)          | 11%                                 |
| Flowers & Gifts                          | 1,000.00      | 320.95        | (679.05)            | 32%                                 |
| Code Red                                 | 2,600.00      | 2,537.50      | (62.50)             | 98%                                 |
| Postage & Delivery                       | 4,000.00      | 2,650.04      | (1,349.96)          | 66%                                 |
| Town Merchandise/Uniforms                | 750.00        | -             | (750.00)            | 0%                                  |
| Professional Fees                        | 120,500.00    | 111,474.50    | (9,025.50)          | 93%                                 |

|   |                   |                   |                     |             |
|---|-------------------|-------------------|---------------------|-------------|
| General Legal                                 | 75,000.00         | 25,124.97         | (49,875.03)         | 33%         |
| Board of Adjustment                           | 5,500.00          | 4,259.86          | (1,240.14)          | 77%         |
| IPA Services                                  | 1,000.00          | 105.00            | (895.00)            | 11%         |
| Subscription Fee                              | 1,800.00          | 1,463.46          | (336.54)            | 81%         |
| Training Classes                              | 2,500.00          | 610.00            | (1,890.00)          | 24%         |
| Trash Collection Service                      | 226,400.00        | 170,213.99        | (56,186.01)         | 75%         |
| Travel & Entertainment                        | 1,500.00          | 217.66            | (1,282.34)          | 15%         |
| Utilities - Town Hall                         | 13,300.00         | 9,152.65          | (4,147.35)          | 69%         |
| Street Lights                                 | 96,800.00         | 78,766.27         | (18,033.73)         | 81%         |
| Unrealized Gains/Losses                       | -                 | (119,200.69)      | (119,200.69)        |             |
| Realized Gains/Losses                         | -                 | 1,690.52          | 1,690.52            |             |
| <b>Total Administrative Expenditures</b>      | <b>684,900.00</b> | <b>409,578.61</b> | <b>(275,321.39)</b> | <b>60%</b>  |
| Payroll & Benefits                            | 599,700.00        | 383,205.96        | (216,494.04)        | 64%         |
| <b>Total Payroll Expenditures</b>             | <b>599,700.00</b> | <b>383,205.96</b> | <b>(216,494.04)</b> | <b>64%</b>  |
| Professional Fees: Code Enf/Inspections       | 40,000.00         | 44,229.80         | 4,229.80            | 111%        |
| Professional Fees: Lot Grading Reviews        | 8,000.00          | 8,800.00          | 800.00              | 110%        |
| Charter/Comp Plan Fees                        | 1,000.00          | -                 | (1,000.00)          | 0%          |
| <b>Total Code &amp; Planning Expenditures</b> | <b>49,000.00</b>  | <b>53,029.80</b>  | <b>4,029.80</b>     | <b>108%</b> |
| Town Equipment Fuel                           | 5,000.00          | 1,664.41          | (3,335.59)          | 33%         |
| Park Maintenance Expense                      | 34,500.00         | 5,141.02          | (29,358.98)         | 15%         |
| Vehicle/Equipment Maintenance                 | 4,200.00          | 1,271.29          | (2,928.71)          | 30%         |
| Public Works Equipment                        | 3,900.00          | 2,077.55          | (1,822.45)          | 53%         |
| Public Works Uniforms                         | 1,200.00          | 212.48            | (987.52)            | 18%         |
| Town Landscaping & Beautification             | 1,500.00          | 109.95            | (1,390.05)          | 7%          |
| Street Repairs                                | 82,600.00         | 37,499.17         | (45,100.83)         | 45%         |
| <b>Total Public Works Expenditures</b>        | <b>132,900.00</b> | <b>47,975.87</b>  | <b>(84,924.13)</b>  | <b>36%</b>  |
| Community Relations                           | 1,250.00          | 450.14            | (799.86)            | 36%         |
| Community Events Expense                      | 9,100.00          | 2,334.60          | (6,765.40)          | 26%         |
| National Wildlife Foundation/Habitats         | 500.00            | 10.15             | (489.85)            | 2%          |



|  |                     |                   |                     |            |
|--|---------------------|-------------------|---------------------|------------|
| <b>Total Community Events Expenditures</b> | <b>10,850.00</b>    | <b>2,794.89</b>   | <b>(8,055.11)</b>   | <b>26%</b> |
| Capital Expenses                           | 17,000.00           | 8,041.25          | (8,958.75)          | 47%        |
| <b>Total Capital Expenditures</b>          | <b>17,000.00</b>    | <b>8,041.25</b>   | <b>(8,958.75)</b>   | <b>47%</b> |
| <b>General Fund Expenditure Totals</b>     | <b>1,494,350.00</b> | <b>904,626.38</b> | <b>(589,723.62)</b> | <b>61%</b> |



**TOWN OF TOWNSEND  
POLICE INCOME STATEMENT  
March 31, 2024**

| REVENUES                    | BUDGET            | ACTUAL            | OVER/(UNDER)        | Target % for<br>Mar<br>75% |
|-----------------------------|-------------------|-------------------|---------------------|----------------------------|
| Impact Fees: Public Safety  | 22,500.00         | 24,000.00         | 1,500.00            | 107%                       |
| Fines - Police              | 6,000.00          | 1,493.01          | (4,506.99)          | 25%                        |
| Grant Revenue               | 162,700.00        | 162,686.00        | (14.00)             | 100%                       |
| Miscellaneous Income        | 3,900.00          | 4,130.58          | 230.58              | 106%                       |
| Transfers In                | 297,150.00        | -                 | (297,150.00)        | 0%                         |
| <b>Police Revenue Total</b> | <b>492,250.00</b> | <b>192,309.59</b> | <b>(299,940.41)</b> | <b>39%</b>                 |

| EXPENDITURES                   | BUDGET   | ACTUAL   | OVER/(UNDER) | Target % for<br>Mar<br>75% |
|--------------------------------|----------|----------|--------------|----------------------------|
| Community Relations            | 1,000.00 | 672.50   | (327.50)     | 67%                        |
| Repairs & Maint - Vehicles     | 6,650.00 | 2,863.38 | (3,786.62)   | 43%                        |
| PD Bldg Expenses               | 1,500.00 | 107.05   | (1,392.95)   | 7%                         |
| Security System - 661 South St | 2,350.00 | -        | (2,350.00)   | 0%                         |
| Computer/Software Expense      | 1,500.00 | 941.87   | (558.13)     | 63%                        |
| DSP Extra Duty Patrol          | 4,000.00 | -        | (4,000.00)   | 0%                         |
| PD Cleaning                    | 1,200.00 | 900.00   | (300.00)     | 75%                        |
| PD Pest Control                | 500.00   | 490.00   | (10.00)      | 98%                        |

|  |                   |                   |                     |            |
|--|-------------------|-------------------|---------------------|------------|
| PD Equipment                             | 1,650.00          | 1,366.16          | (283.84)            | 83%        |
| PD Office Equipment                      | 2,150.00          | 1,409.15          | (740.85)            | 66%        |
| Advertising                              | 100.00            | -                 | (100.00)            | 0%         |
| Postage & Delivery                       | 300.00            | 190.51            | (109.49)            | 64%        |
| Printing                                 | 200.00            | -                 | (200.00)            | 0%         |
| Miscellaneous Expense                    | 300.00            | 251.79            | (48.21)             | 84%        |
| Prisoner Meals                           | 100.00            | -                 | (100.00)            | 0%         |
| Training Classes                         | 6,500.00          | 179.95            | (6,320.05)          | 3%         |
| Office Supplies                          | 2,500.00          | 15.18             | (2,484.82)          | 1%         |
| Cleaning Supplies                        | 250.00            | -                 | (250.00)            | 0%         |
| DUI Blood Draws                          | 500.00            | -                 | (500.00)            | 0%         |
| Memberships & Subscriptions              | 300.00            | 575.00            | 275.00              | 192%       |
| Fuel                                     | 11,000.00         | 3,325.31          | (7,674.69)          | 30%        |
| Insurance - (Gen Liability & Property)   | 7,100.00          | 3,960.83          | (3,139.17)          | 56%        |
| Uniforms: PD                             | 21,900.00         | 2,491.44          | (19,408.56)         | 11%        |
| Professional Fees: Legal Services        | 5,000.00          | -                 | (5,000.00)          | 0%         |
| Professional Fees: New Hire/Occ Health   | 2,400.00          | 1,223.00          | (1,177.00)          | 51%        |
| Utilities - PD                           | 11,850.00         | 7,685.45          | (4,164.55)          | 65%        |
| <b>Total Administrative Expenditures</b> | <b>92,800.00</b>  | <b>28,648.57</b>  | <b>(64,151.43)</b>  | <b>31%</b> |
| Payroll & Benefits                       | 291,900.00        | 151,793.41        | (140,106.59)        | 52%        |
| <b>Total Payroll Expenditures</b>        | <b>291,900.00</b> | <b>151,793.41</b> | <b>(140,106.59)</b> | <b>52%</b> |
| Capital Expense - PD                     | 213,800.00        | 169,273.06        | (44,526.94)         | 79%        |
| <b>Total Capital Expenditures</b>        | <b>213,800.00</b> | <b>169,273.06</b> | <b>(44,526.94)</b>  | <b>79%</b> |
| <b>Police Expenditure Total</b>          | <b>598,500.00</b> | <b>349,715.04</b> | <b>(248,784.96)</b> | <b>58%</b> |



**TOWN OF TOWNSEND  
SPECIAL REVENUE FUND INCOME STATEMENT  
March 31, 2024**

| <b>REVENUES</b>                            | <b>BUDGET</b>     | <b>ACTUAL</b> | <b>OVER/(UNDER)</b> | <b>Target % for<br/>Mar<br/>75%</b> |
|--|-------------------|---------------|---------------------|-------------------------------------|
| Grants Revenue                             | 753,100.00        | -             | 753,100.00          | 0%                                  |
| <b>Special Revenue Fund Revenue Totals</b> | <b>753,100.00</b> | <b>-</b>      | <b>753,100.00</b>   | <b>0%</b>                           |

| <b>EXPENDITURES</b>                            | <b>BUDGET</b>     | <b>ACTUAL</b>     | <b>OVER/(UNDER)</b> | <b>Target % for<br/>Mar<br/>75%</b> |
|--|-------------------|-------------------|---------------------|-------------------------------------|
| Capital Expenses - ARPA                        | 753,100.00        | 139,005.84        | 614,094.16          | 18%                                 |
| <b>Special Revenue Fund Expenditure Totals</b> | <b>753,100.00</b> | <b>139,005.84</b> | <b>614,094.16</b>   | <b>18%</b>                          |



**TOWN OF TOWNSEND  
POLICE GRANTS INCOME STATEMENT  
March 31, 2024**

| <b>REVENUES</b>                     | <b>BUDGET</b>    | <b>ACTUAL</b>    | <b>OVER/(UNDER)</b> | <b>Target % for<br/>Mar<br/>75%</b> |
|-------------------------------------|------------------|------------------|---------------------|-------------------------------------|
| Police Grants Revenue               | 45,700.00        | 43,886.06        | (1,813.94)          | 96%                                 |
| <b>Police Grants Revenue Totals</b> | <b>45,700.00</b> | <b>43,886.06</b> | <b>(1,813.94)</b>   | <b>96%</b>                          |

| <b>EXPENDITURES</b>                     | <b>BUDGET</b>    | <b>ACTUAL</b>    | <b>OVER/(UNDER)</b> | <b>Target % for<br/>Mar<br/>75%</b> |
|---|------------------|------------------|---------------------|-------------------------------------|
| Overtime                                | 12,000.00        | 4,894.12         | (7,105.88)          | 41%                                 |
| FICA                                    | -                | 40.94            | 40.94               |                                     |
| Misc Expense                            | 33,700.00        | 11,544.34        | (22,155.66)         | 34%                                 |
| <b>Police Grants Expenditure Totals</b> | <b>45,700.00</b> | <b>16,479.40</b> | <b>(29,220.60)</b>  | <b>36%</b>                          |



**TOWN OF TOWNSEND  
CASH AND CASH EQUIVALENTS  
March 31, 2024**

| <b>Account</b>              |           | <b>March-24</b>     |
|-----------------------------|-----------|---------------------|
| Cash - Operating Account    | \$        | 1,109,459.59        |
| Cash - Payroll              |           | 49,605.76           |
| Cash - Municipal Street Aid |           | 171,482.88          |
| Cash - Escrow Account       |           | 91,998.88           |
| Cash - Petty Cash           |           | 100.00              |
| MML Investors Services      |           | 3,140,032.52        |
| <b>Total General Fund</b>   | <b>\$</b> | <b>4,562,679.63</b> |

| <b>Account</b>           |           | <b>March-24</b>   |
|--------------------------|-----------|-------------------|
| Police Grants Cash       | \$        | 47,258.41         |
| ARPA Cash                | \$        | 510,549.34        |
| <b>Total Grants Cash</b> | <b>\$</b> | <b>557,807.75</b> |

Note:  
Operating Cash includes remaining ARPA funds

|                                     |           |                   |
|-------------------------------------|-----------|-------------------|
| Cash - Operating Account            | \$        | 1,109,459.59      |
| Less: Police Funding in FY24 budget |           | (297,150.00)      |
| <b>Total Operating</b>              | <b>\$</b> | <b>812,309.59</b> |



## Public Works Department Report

May 1<sup>st</sup>, 2024

- 1.) Installed:
  - Radar Sign at Kaitlyn Drive and Caldwell Corner Road
  - New toddler and child swings at Town Park
- 2.) Continue to maintain town properties as per weekly upkeep.
- 3.) Filled sink holes and/or potholes reported:
  - Town Park near pickleball court storm drain
  - Helen Drive
  - Jamie Lane
- 4.) Conducted interviews for the public works seasonal employee.
- 5.) Gathering estimates for:
  - playground and gym areas mulch
  - cracked traffic mirror at Railroad Avenue and Main Street
- 6.) Working on scheduling of special project items for June:
  - Refresh curb painting
  - Town Fair preparations
- 7.) Volunteered for monthly food drive at Immanuel Church on 4/26/2024.
- 8.) Continued code enforcement:
  - Unpermitted roof
  - Cars parked in driveway blocking sidewalk for pedestrian's travel causing safety concerns
  - Grass Violations
- 9.) Repaired open drain with no cap in park.

# The Mayor and Council of the Town of Townsend

141 Main Street, P.O. Box 223, Townsend, DE 19734  
Phone (302) 378-8082 Fax (302) 378-7099



Introduced by: Mayor Lobdell

Introduction on: January 10<sup>th</sup>, 2024

## ORDINANCE 2024-002

### AN ORDINANCE TO AMEND SECTION 24.04.060 OF THE TOWN CODE TO ADD THE DEFINITION OF COMMERCIAL VEHICLE AND SECTION 24.04.090 OF THE TOWN CODE

Mayor  
Scott Lobdell

**WHEREAS**, the Town Code currently states that commercial vehicles may not be parked overnight anywhere within the Town limits; and

Councilman  
Joshua Mertz,  
PhD

**WHEREAS**, the Town Code does not define “commercial vehicle;” and

Councilman  
Joseph Bangura,  
PhD

**WHEREAS**, the Town Council desires to amend the definition section of the Zoning and Unified Development Chapter of the Town Code to include a definition for commercial vehicles.

Councilman  
Matthew  
Chapman

**NOW, THEREFORE**, be it ordained by the Town Council of the Town of Townsend, as follows:

Councilman  
Marcus Suhr

**SECTION 1:** That Section 24.04.060 of the Code of Ordinances, Town of Townsend, Delaware is hereby amended by adding a section after the line beginning “Church” and before the line beginning “Demolition,” which said section shall read as follows:

“Commercial vehicle” shall mean a vehicle of a type required to be registered as commercial under state law or used or maintained for the transportation of persons or property for hire, compensation, or profit, except taxicabs. Commercial vehicles are further defined by the federal Highway Administration as a Class 3- vehicle which is classified as a four tire, single unit vehicle.

**SECTION 2:** That Section 24.04.090 of the Code of Ordinances, Town of Townsend, Delaware is hereby amended by striking *G. The overnight parking of trucks or commercial vehicles in a residential area shall be prohibited* and adding said section shall read as follows:

Town Manager  
Antonina Tantillo,  
MPA,

A Council – Manager Municipality  
Located on the Web at <https://townsend.delaware.gov>



1. Vehicles and trucks above a Class 3 as defined by the FHWA shall be parked in driveways overnight. Overnight parking on streets is prohibited.
2. Recreational Vehicles. Any boat, boat trailer, motor home, self-contained camper, mobile home, trailer, pop-up camper/tent trailer, horse trailer or similarly oriented vehicle as defined in Title 21 of the Delaware Code as amended from time to time are prohibited from parking on the street, with the exception of 48 hours to load and unload.

**SECTION 32:** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

**SECTION 43:** In the event any existing Ordinances or parts of Ordinances are in conflict herewith, the provisions of this Ordinance shall control.

**SECTION 54:** This Ordinance shall become effective immediately upon passage.

Adopted by at least a majority of the Council members of the Town of Townsend on this 1<sup>st</sup> day of May, 2024.

Introduction 01/10/2024

Public Hearing 04/17/2024

Final Reading 05/01/2024

Adoption 05/01/2024

Signed By

\_\_\_\_\_

Mayor

Town of Townsend, Delaware

Attest: \_\_\_\_\_

Town Clerk

**SUMMARY**

An act to provide the definition of a commercial vehicle to Chapter 24 of the Townsend Municipal Code.

DRAFT

# The Mayor and Council of the Town of Townsend

141 Main Street, P.O. Box 223, Townsend, DE 19734  
Phone (302) 378-8082 Fax (302) 378-7099

Introduced by:  
Mayor Scott Lobell and  
Councilman Joshua Mertz  
Introduction on: 03/06/2024



## ORDINANCE 2024-004

### AN ORDINANCE TO AMEND SECTION 24.08.020(D)(1) OF THE TOWN CODE TO REQUIRE APPEALS FROM THE BOARD OF ADJUSTMENT TO BE FILED IN THE SUPERIOR COURT FOR THE STATE OF DELAWARE

Mayor  
Scott Lobdell

Councilman  
Joshua Mertz,  
PhD

Councilman  
Joseph Bangura,  
PhD

Councilman  
Matthew  
Chapman

Councilman  
Marcus Suhr

**WHEREAS**, the Town Code currently states that any person aggrieved by a decision of the Board of Adjustment who wishes to file an appeal may file an appeal to the Town Council within a reasonable time; and

**WHEREAS**, the Town Council desires to amend such instruction to comply with Delaware State Code Chapter 22, Section 328 which requires appeals to be filed within thirty (30) days to the Superior Court of the State of Delaware.

**NOW, THEREFORE**, be it ordained by the by the Town Council of the Town of Townsend, as follows:

**SECTION 1:** That Section 24.08.020(D)(1). (2), & (3) of the Code of Ordinances, Town of Townsend, Delaware, is hereby replaced to read as follows:

Any person or persons, or any taxpayer or any officer, department, board or bureau of the Town aggrieved by any decision of the Board of Adjustment may seek review by the Superior Court of such decision, in the manner provided by the laws of Delaware and particularly by Chapter 3, Title 22, Annotated code of Delaware. Such appeal must be filed within thirty (30) days from the date the Board of Adjustment issues it's written opinion on the matter which is the subject of the appeal.

**SECTION 2:** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

**SECTION 3:** In the event any existing Ordinances or parts of Ordinances are in

**A Council – Manager Municipality**  
**Located on the Web at <https://townsend.delaware.gov>**

conflict herewith, the provisions of this Ordinance shall control.

**SECTION 4:** This Ordinance shall become effective immediately upon passage.

Adopted by at least a majority of the Council members of the Town of Townsend on this 1<sup>st</sup> day of May, 2024.

Introduction 03/06/2024  
Public Hearing 04/17/2024  
Final Reading 05/01/2024  
Adoption 05/01/2024

Signed By

\_\_\_\_\_  
.....

Mayor  
Town of Townsend, Delaware

Attest: \_\_\_\_\_  
Town Clerk

**SUMMARY**

This act *revises* Chapter 24 of the Townsend Municipal Code relating to Board of Adjustment appeals to be filed in the Superior Court for State of Delaware.