



## Townsend Town Council Meeting Minutes

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: 7 pm
- II. Opening Ceremonies
  - A. Roll Call: Mayor S. Lobdell, Councilman J. Mertz, Councilman J. Bangura, Councilman M. Chapman, Councilman M. Suhr, Town Solicitor L. Hatfield, Financial Officer J. Helms, Public Works Supervisor (PWS) P. DiMartino, Town Engineer E. Van-Otoo, Chief of Police R. Longo, and Town Clerk M. Rivera.
  - 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: James C. Reyes, Dwain A. Haines, Yoland Lee, Mark Howard, Rick Warfel, Brendin Peters, M. C., Girl Scouts Troop 1220, Alan Emsley, Sergeant A. Wysock, New Castle County Councilman (NCC) D. Carter, Brent Greenfield, Stephan Beachy, John Holmes, unknown person 302-233-3173
  - D. Announcements:
    1. CM Mertz announced the Town of Townsend Fair and Parade is in a month and is continuing to seek more parade participants; specifically, antique and classic vehicles.
    2. Mayor Lobdell announced May 1<sup>st</sup> is the start of Military Awareness month and thanked Military Personnel for their service.
- III. General Citizen Comments
  - A. Mr. Emsley noted the new speed limit sign on Wiggins Mill Road and raised a concern regarding parking on Main Street in front of the Post Office.
  - B. Mr. Haines requested an update on the Phase Three for street scape. Mayor Lobdell advised DelDOT should provide an update soon.
  - C. Girl Scouts Troop 1220 provided an update and recap on their Stormwater project; confirmed they will be out again on May 9<sup>th</sup> and 16<sup>th</sup> with the 23<sup>rd</sup> being their final date to install the storm drain markers. Mayor Lobdell thanked the troop for their update and work.
- IV. Review/Adoption of Agenda
  - A. *CM Mertz made a motion to change the rules of order to limit the meeting to under 50 minutes. CM Chapman seconded the motion. Voice vote of Council: All yeas*
    1. Council amended their rules to allow the meeting to end under 50 minutes.
  - B. *CM Chapman made a motion to move action item 4.e.1 to discuss and possible vote regarding electrical system under approval/rejection of minutes, 6.e.1. CM Mertz seconded the motion. Voice vote of Council: all yeas.*
    1. **Council moved: "ACTION ITEM:** Discussion and possible vote regarding electrical system for the Townsend Municipal Park Irrigation System." under Approval/Rejection of minutes.

C. *CM Chapman made a motion to accept the agenda with changes stated. CM Mertz seconded the motion. Voice vote of Council: all yeas.*

1. Council adopted the amended agenda as discussed.

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.

1. Mayor Lobdell read the title of the minutes for approval or rejection.
2. *CM Mertz made a motion to accept and approve the minutes listed. CM Chapman seconded the motion. Voice vote of Council: all yeas.*

1. Council approved the Town Council Minutes from the:

- i. April 3<sup>rd</sup>, 2024, Town Council Meeting Minutes.
- ii. April 3<sup>rd</sup>, 2024, Town Council Meeting Executive Session Minutes.

VI. **ACTION ITEM:** Discussion and possible vote regarding electrical system for the Townsend Municipal Park Irrigation System.” under Approval/Rejection of minutes.

A. CM Chapman presented the quotes on behalf of the Public Works and Land Use Development (PWLUD) Committee and provided a brief explanation of each.

B. Mayor Lobdell advised ARPA may be utilized.

C. TE Van-Otoo and CM Chapman provided pros and cons off the type of bid: Alternative vs Base.

D. *CM Chapman made a motion to approve the quote received by Generation Electric in the amount of \$23,500, allocated from American Rescue Plan Act (ARPA) Funds, for the project stated. CM Suhr seconded the motion. Voice vote to Council: all yeas – CM Mertz abstained.*

1. Council voted to approve Generation Electric’s quote to perform the work for the Electrical System of the Townsend Municipal Park Irrigation System utilizing \$23,500 of ARPA funds.

VII. Departmental Reports:

A. Mayor Scott Lobdell

1. The Planning Commission’s (PC) recommendation letter regarding the Ordinances in Chapter 24 has been added as an addendum to the minutes per the request of CM Mertz.
  - i. CM Suhr noted they have accepted some ordinances and rejected one.
  - ii. CM Suhr requested for the PC to submit one letter per ordinance moving forward.
2. **\*ACTION ITEM:** Discussion and possible vote of Ordinance 2024-008, An Ordinance to Annex 6170 Summit Bridge Rd.
  - i. *CM Mertz made a motion to adopt Ordinance 2024-008. CM Chapman seconded the motion.*
  - ii. No comments received from the public.
  - iii. *Roll Call Vote: Mayor Lobdell – yea, CM Mertz – yea, CM Bangura – yea, CM Chapman – yea, and CM Suhr – yea.*

1. Council voted unanimously to approve Ordinance 2024-008, an Ordinance to Annex 6170 Summit Bridge Rd.
  3. **ACTION ITEM:** Discussion and possible vote regarding 2023 Outdoor Recreation, Parks, and Trails (ORPT) Grant Application.
    - i. *CM Mertz made a motion to discuss action item in executive session. CM Chapman seconded the Motion. Voice Vote of Council: all yeas.*
      1. Council will discuss the 2023 Outdoor Recreation, Parks, and Trails (ORPT) Grant Application in executive session.
      2. TS Hatfield noted the possible vote must be done outside of Executive Session.
  4. **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.
    - i. FO Helms confirmed this is for South Street, Townsend Village (TV) II and TV I.
    - ii. Mayor Lobdell advised the Town is working on video work, GIS system, and reviewing the stormwater drains within Town. Mayor Lobdell confirmed the first phase of review was done in Townsend Station (TS); the second phase is TV I, TVII, and South St.
    - iii. TE Van-Otoo provided more details regarding the project and stormwater drains within the Town.
    - iv. Mayor Lobdell noted the project is for \$100k and the grant is for \$50k; which requires a match.
    - v. FO Helms confirmed ARPA funds may be designated. FO Helms advised the review is done through RVE. CM Mertz questioned the Finance Policy requirement with quotes. TS Hatfield clarified this is internal; therefore, does not require additional quotes. FO Helms confirmed the televising will be bid out.
    - vi. *CM Suhr motioned to approve Resolution 2024-005 with funding through ARPA. CM Chapman seconded the motion.*
      1. *Roll Call Vote: Mayor Lobdell – yea, CM Mertz – abstained, CM Bangura – yea, CM Chapman – yea, and CM Suhr – yea.*
      2. Council voted 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
1. NCC Carter confirmed NCC has approved grant for the Town Fair.

2. NCC Carter confirmed work was completed at the Park on Wiggins Mill Road, advising they will continue preparing nature trails, with a possible tree planting to be completed in the fall.
  - i. NCC Carter advised there is an open position for the Parks department and if filled the Park will be on track for completion in the Fall.
3. NCC Carter advised housing rehabilitation work has started with two demolitions done and construction to begin in the summer. NCC Carter noted the following:
  - i. Interfaith Housing is looking to complete a proposed total of 13 homes, moderately priced.
  - ii. The project is a Home Ownership program through Interfaith Housing to be sold.
  - iii. A variance request was submitted and approved for one of the properties.
4. NCC Carter advised there has been discussion of sewer planning expansion with DNREC; requires permits and NCC is awaiting confirmation.
  - i. NCC Carter advised for the Town to check with NCC regarding proposed developments.
5. NCC Carter announced there will be a Spring Fling on Saturday (May 4<sup>th</sup>) at the Southern New Castle Park from 2 - 10 pm.
  - i. NCC Carter noted NCC has received funding for a park expansion.
6. CM Mertz requested an update on the NCC Park turnover. TS Hatfield advised a munitions may have been filed with a May sale date.

C. Town of Townsend Police Chief's Report

1. Chief Longo confirmed the mural for the Police Department has been installed and is awaiting a response from school to perform a press release and certificate award ceremony for the students who completed the mural. Chief Longo credited PWS DiMartino with placement on the wall and for former Councilwoman Rojas who led the organization of the mural.
2. **ACTION ITEM:** Swearing in of Town of Townsend Police Department Officer.
  - i. TC Rivera lead the swearing in for Brenden Peters.
  - ii. Council and staff welcomed Officer Peters.

D. Town Solicitor Lisa Hatfield

1. TS Hatfield advised the situation with fences and other items are in progress with the other Attorney; no further updates.

E. Town Engineer Edwin Van-Otoo

1. **ACTION ITEM:** Discussion and possible vote regarding the selection of the ARPA items for the Townsend Municipal Park Irrigation System.
  - i. CM Chapman noted this item has been completed. No additional discussion or vote held.
2. **ACTION ITEM:** Discussion and possible vote regarding the selection of the ARPA items for the Public Works Pole Barn.

- i. CM Chapman made a motion to table the discussion. CM Bangura seconded the motion. Voice vote of Council: all yeas.*
  - ii. Council voted unanimously to table discussion and possible vote regarding the selection of the ARPA items for the Public Works Pole Barn.*

## VIII. Committee Reports

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

1. Mayor Lobdell confirmed FY25 budget update is forthcoming.

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

1. The committee confirmed updates will be discussed in executive session.
2. Mayor Lobdell confirmed the Town has hired a Part time Public Works seasonal employee.

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

1. CM Bangura confirmed there will be a committee meeting next week to discuss the Town's Road Program.
  - a. Mayor Lobdell clarified TE Van-Otoo has analyzed the Town's roads to assist with the Road Program.
2. CM Bangura noted PWS DiMartino has provided a report for April.
3. PWS DiMartino confirmed the mulching at the Park will be done in time for June 1<sup>st</sup>.

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

1. No reports.

### E. **Community Engagement Committee:** Chair: Councilman Mertz

1. Update on the 2024 Town Fair and discussion on upcoming events.
  - a. CM Mertz provided the following updates on the Town Fair:
    - i. The Town is seeking sponsors for Pie Eating and the Lil' Miss and Mr Strawberry contests.
    - ii. The dunk tank has been obtained. CM Mertz and CM Chapman volunteered to be dunked. CM Mertz explained donations will be obtained for the Townsend Early Childhood Center (TEC) and the Townsend Elementary School (TES) boosters. Furthermore, is working with the Principal to coordinate.
2. Announced the following upcoming events:
  - a. Clean up at the park happening, May 4<sup>th</sup>.
  - b. Veterans event, May 17<sup>th</sup>.

### 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.
  - a. Mayor Lobdell provided a title reading of Ordinance 2024-002.

- b. Mr. Reyes confirmed the broad statement from the first draft has been clarified with the draft presented.
- c. *CM Bangura made a motion to adopt Ordinance 2024-002. CM Mertz seconded the motion. Voice vote of Council: all yea's.*
  - i. *Roll Call Vote: Mayor Lobdell – yea, CM Mertz – yea, CM Bangura – yea, CM Chapman – yea, and CM Suhr – yea.*
    - a. Council voted unanimously 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.

- a. CM Mertz provided a synopsis of Ordinance 2024-004.
- b. *CM Mertz made a motion to adopt Ordinance 2024-004. CM Chapman seconded the motion. Voice vote of Council: all yea's.*
  - i. No comments received from the public.
  - ii. *Roll Call Vote: Mayor Lobdell – yea, CM Mertz – yea, CM Bangura – yea, CM Chapman – yea, and CM Suhr – yea.*
    - a. Council unanimously voted to adopt Ordinance 2024-004, an Ordinance to Amend Board of Adjustment Appeals.

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

- 1. CM Chapman confirmed they are moving forward with 10 Hometown Hero Banners which will be displayed from Memorial Day to Veterans day.
- 2. CM Chapman noted there is a possible tree donation to the Town and the Committee is searching for potential placement of the tree.

IX. Discussion of future agenda items.

A. No discussion was held.

X. Recess Council Meeting to Convene Executive Session.

A. CM Mertz made a motion to recess the Council meeting and convene Executive Session in accordance with the agenda. CM Bangura seconded the motion.

- 1. Council recessed into executive session at 7:58 pm.

XI. **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.

XII. **Close Executive Session & Re-convene Council Meeting.**

A. Council meeting re-convened at approximately 11 pm.

XIII. **ACTION ITEM:** Possible vote of Council.

A. *CM Mertz made a motion to approve a match up to \$125k or ARPA Funds for the 2023 ORPT Grant and reduce the allocation of the Pole Barn as necessary to accommodate the match for the 2023 ORPT Grant match. CM Chapman seconded the motion. Voice vote of Council: all yea's.*

1. Council approved the match of \$125k utilizing ARPA Funds and to reduce the allocation of ARPA funds for the Pole Barn as necessary to accommodate the match for the 2023 ORPT Grant.

B. *CM Mertz made a motion to extend an offer to the candidate as discussed in Executive Session. CM Bangura seconded the motion. Voice vote of Council: all yea's.*

1. Council approved to extend an offer to the Town Manager candidate as discussed in Executive Session.

**XIV.** Adjournment.

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

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1. Council adjourned the meeting at approximately 11:15 pm.
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