



**Townsend Town Council Meeting Minutes
July 10th, 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: 7:00 pm
- II. Opening Ceremonies
 - A. Roll Call: Mayor S. Lobdell, Councilman J. Bangura, Councilman M. Chapman, Councilman M. Suhr, Financial Officer J. Helms, Town Solicitor L. Hatfield, Town Engineer E. Gruenes, Chief of Police R. Longo, Town Manager J. Goodyear, and Town Clerk M. Rivera. Councilman J. Mertz – absent.
 - 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: Dylan K. Wiggins, Donald Solomon, Michael A. Wiggins, Sean Waterland, and Sheryl Rojas.
 - D. Announcements:
 1. TC Rivera welcomed Town Manager, Julie Goodyear.
- III. General Citizen Comments
 - A. Mrs. Rojas requested a brief biography of the new Town Manager.
- IV. Review/Adoption of Agenda
 - A. *CM Chapman motioned to adopt the agenda. CM Bangura seconded the motion. Voice vote of Council: all yea's.*
 1. Council adopted the agenda.
- V. Approval / Rejection of Minutes:
 - A. **ACTION ITEM:** Approval/ Rejection of Town Council Minutes from the June 5th, 2024, Town Council Meeting Minutes.
 - B. **ACTION ITEM:** Approval/ Rejection of Town Council Minutes from the June 5th, 2024, Town Council Meeting Executive Session Minutes.
 - C. Mayor Lobdell listed the minutes for approval or rejection.
 - D. *CM Bangura motioned to approve the listed minutes. CM Chapman seconded the motion. Voice vote of Council: all yea's.*
 1. Council approved the minutes from the:
 - a. June 5th, 2024, Town Council Meeting.
 - b. June 5th, 2024, Town Council Meeting Executive Session.
- VI. Departmental Reports:
 - A. Mayor S. Lobdell
 1. **ACTION ITEM:** Discussion and possible vote on appointment of council member.
 - i. Mayor Lobdell welcomed Dylan K. Wiggins.
 - ii. *CM Chapman motioned to appoint Dylan K. Wiggins. CM Bangura seconded the motion.*

1. *Roll Call: Mayor Lobdell – yea, CM Bangura – yea, CM Chapman – yea, and CM Suhr – yea.*
 - a. Council appointed Dylan K. Wiggins to serve on Council and fill CM Mertz' seat.
 - iii. Mr. M. Wiggins congratulated Mr. Dylan K. Wiggins.
 - iv. Oath of Office for newly elected Council Member
 1. Mayor Lobdell advised the swearing-in for Mr. Wiggins will take place at the next meeting.
2. **ACTION ITEM:** Discussion and possible vote on appointment of one Board of Elections Member.
- i. TC Rivera advised no interest for the Board of Elections has been received.
 - ii. Mr. Waterland advised he is interested in any position available to serve the Town.
 - iii. TS Hatfield advised Board of Elections members must be a resident of the Town.
 - iv. Possible swearing in of new Board of Elections member.
 1. No action taken for this item.
3. **ACTION ITEM:** Discussion and possible vote on appointment of Planning Commission Member(s).
- i. TC Rivera noted there are three candidates interested.
 - ii. Council agreed to reappoint Troy Greiger and James Reyes to the Planning Commission since they are both interested in continuing to serve and have served for many years.
 - iii. *CM Chapman motioned to appoint Troy Greiger to serve on the Planning Commission. CM Bangura seconded the motion.*
 1. *Roll Call: Mayor Lobdell – yea, CM Bangura – yea, CM Chapman – yea, and CM Suhr – yea.*
 - a. Council reappointed Troy Greiger to the Planning Commission.
 - iv. *CM Chapman motioned to appoint James Reyes to serve on the Planning Commission. CM Bangura seconded the motion.*
 1. *Roll Call: Mayor Lobdell – yea, CM Bangura – yea, CM Chapman – yea, and CM Suhr – yea.*
 - a. Council reappointed James Reyes to the Planning Commission.
 - v. Possible swearing in of new Planning Commission Member(s).
 1. Council agreed to swear in the newly appointment members at the next meeting.

4. **ACTION ITEM:** Discussion and possible vote on appointment of one Board of Adjustment Member.
 - i. Mayor Lobdell noted Mrs. Rojas interest to continue serving on the Board of Adjustment.
 - ii. *CM Chapman motioned to reappoint Sheryl Rojas to the Board of Adjustment. CM Bangura seconded the motion.*
 1. *Roll Call: Mayor Lobdell – yea, CM Bangura – yea, CM Chapman – yea, and CM Suhr – yea.*
 - a. Council reappointed Sheryl Rojas to the Board of Adjustment.
 - iii. Possible swearing in of new Board of Adjustment member.
 1. TC Rivera lead the swearing in for Mrs. Rojas.

5. **ACTION ITEM:** Discussion and possible vote on Rules for Town Meetings
 - i. *CM Bangura motioned to approve the Rules for the Town Meetings as presented. CM Chapman seconded the motion. Voice vote of Council: all yea's.*
 1. Council approved Rules of Procedure for Council Meetings.
 2. TM Goodyear to update the rules presented to list the current Council year.

B. New Castle County Councilman David Carter

1. No report.

C. Town of Townsend Police Chief's Report

1. Chief Longo announced the Townsend PD has been awarded \$373,260 from the Community Reinvestment Fund Grant, noting he had applied for a larger sum. Chief Longo advised he had attended the legislators last session on June 30th at Leg Hall to represent the Town and to extend thanks to Senator Hoffner and State Representative Spiegelman for their support of the Town.
 - i. Chief Longo explained the grant will be used to upgrade the Townsend Police Department (PD) Station which will also assist with their accreditation process.
 1. Chief Longo and CM Suhr to review and discuss the improvements listed on the grant in preparation for a presentation to Council.
2. Chief Longo noted the first item on his report is still being investigated; noting, Sergeant McCloskey handles major crimes and will continue to work diligently on this case.

D. Town Solicitor Lisa Hatfield

1. TS Hatfield welcomed TM Goodyear and advised she will be training TM Goodyear on FOIA (Freedom of Information Act) and going over the Town's Baseball Field Contract.
2. TS Hatfield advised there are items that need to be discussed in executive session; otherwise, all items are going well.

E. Town Engineer Erik Gruenes

1. CM Bangura raised a concern for the lack of streetlights at the Woods of Hidden Creek development. TE Gruenes advised he will follow-up with the developer regarding this item. Mayor Lobdell advised outreach to Delmarva may be needed.

2. FO Helms noted the following grants were not mentioned in the report and requested for these to be added moving forward so they are not forgotten:
 - i. Surface Water Matching grant
 - ii. ORPT (Outdoor, Recreation, Parks, and Trails) grant
 - iii. Bike grant
3. TE Gruenes confirmed only one bid was received for irrigation. Additionally, once the bid is closed no additional bids may be received.
4. TE Gruenes confirmed the electrical work has been completed at the Park and will need a third party inspection. TE Gruenes advised he will reach out to CM Chapman when it is done; noting, the contractor is responsible for following through with these inspections.
5. **ACTION ITEM:** Discussion and possible vote regarding Bid(s) received for the Townsend Municipal Park Irrigation System.
 - i. Mayor Lobdell noted the Town has received additional funding that may be used for this project:
 1. \$80,000 from the Community Reinvestment fund
 2. \$20,000 from the ORPT grant
 - ii. CM Chapman noted the Town had originally approved approximately \$40,000 from ARPA for this project and it is now down to \$13,000.
 - iii. *CM Chapman motioned to allocate \$13,877.50 from APRA (American Rescue Plan Act) Funds for the Park irrigation system to be used in conjunction with the two grants discussed \$80,000 from the Community Reinvestment grant and \$20,000 from the ORPT grant totaling \$107,755 towards the bid received from Delaware Environmental Construction Services for irrigation. CM Bangura seconded the motion. Voice vote of Council: all yea's.*
 1. Council awarded the bid received by Delaware Construction Services by utilizing the following funds:
 - a. \$80 Community Reinvestment Fund
 - b. \$20 ORPT grant
 - c. \$13 ARPA funds
 - iv. TE Gruenes will reconfirm when the company will begin work.

F. Town Manager Julie Goodyear

1. TM Goodyear advised all is going well.
2. TM Goodyear noted there are a few executive items to discuss.
3. TM Goodyear explained she comes from Property and HOA (Home Owner's Association) Management. TM Goodyear advised she is a resident of the MOT area. TM Goodyear advised she has experience with ordinances, governing documents, bylaws, etc. TM Goodyear noted she also worked in banking and holds a degree in accounting.

VII. Committee Reports:

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

1. Review and possible discussion on the May 2024 Budget vs. Actual Reports.
 - a. FO Helms noted all items are on track and there is nothing unusual.
 - b. FO Helms noted the June reports will not be ready for the next Council meeting as the Town will be in the middle of an audit.
2. **ACTION ITEM:** Discussion and possible vote regarding Resolution 2024-006 A Resolution to Affirm the Adoption of the FY 25 Municipal Budget.
 - a. FO Helms noted she had met with the Finance Committee a few times to prepare the budget presented.
 - b. FO Helms explained there was a deficit of approximately \$445,000 which has now been brought down to approximately \$208,000. FO Helms advised the Town will need to use Cash to cover the deficit.
 - c. Mayor Lobdell noted the one positive is that the Town had projected to use \$300,000 in Cash to cover last year's deficit, but this was not used. Furthermore, the Town was under budget by approximately \$200,000.
 - d. FO Helms noted the Town now obtains health benefits directly through Highmark which saves approximately \$16,000 per year and has lowered most of the premiums for employees to pay.
 - e. FO Helms confirmed the Town has opened a money market account. FO Helms noted this was never done before and projects approximately \$35,000 per year in interest earned.
 - f. FO Helms confirmed the PD is the result of the deficit as they are all expense and no revenue.
 - g. CM Suhr requested the Finance Committee to create a plan to avoid a deficit and increase revenue. FO Helms agreed advising she is against using the Town using Cash for a second year.
 - i. Mayor Lobdell confirmed the Committee will be meeting to discuss this.
 - ii. Mayor Lobdell noted the tax structure will be changing next year. Therefore, tax rates will be based on proposed expenditures.
 - iii. FO Helms advised housing may go up.
 - h. CM Suhr requested to understand why the budget needed to be approved by resolution.
 - i. TS Hatfield advised she will look at code to review.
 - ii. Mayor Lobdell noted this is listed in the resolution presented. Advising section 802 of the Town Charter calls for the budget.
 - iii. Mayor Lobdell noted the resolution provides a breakdown of the presented budget.

- i. *CM Chapman made a motion to approve Resolution 2024-006 A Resolution to Affirm the Adoption of the FY 25 Municipal Budget. CM Bangura seconded the motion.*
 - i. *Roll Call: Mayor Lobdell – yea, CM Bangura – yea, CM Chapman – yea, and CM Suhr – yea.*
 - a. Council adopted the budget presented for FY (Fiscal Year) 2025 via Resolution 2024-006

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

1. CM Suhr noted their task was to hire the Town Manager.
2. CM Suhr advised there are no additional reports; however, they may need to schedule a follow-up meeting with the Town Manager.

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

1. **ACTION ITEM:** Discussion and possible vote regarding Remington and Vernik Engineers (RVE) proposal to provide Engineering Design and Construction Management Services for the 2024 Road Program.
 - a. TE Gruenes confirmed the Committee had decided to focus on Ginn Street between Main Street and Gray Street for repaving and repairs. TE Gruenes confirmed RVE will performing core sampling of various roads throughout the Town to plan for future road repairs. Additionally, RVE will prepare construction plans.
 - b. CM Suhr noted it has been discussed of turning South Street or Ginn Street into a one way.
 - i. TC Rivera advised the Safe Routes to School TAP grant has recommended a possible one way on South Street. TC Rivera advised the Rossi Group will be reaching out to the Town to further discuss the proposed changes.
 - ii. Mayor Lobdell noted for RVE to look into right of ways to possibly widen the street since the Town owns properties on Ginn St.
 - iii. CM Chapman advised the Public Works and Land Use Development Committee will discuss this item further during their meeting. CM Chapman noted the Town should engage the public interest to determine what would be best.
 - c. Mayor Lobdell noted the amounts listed on the proposal.
 - d. CM Chapman noted construction will need to go out to bid and the goal is to begin work before the winter.
 - e. *CM Bangura made a motion to accept the proposal presented in the amount of \$11,150 using the Road Program Funds. CM Chapman seconded the motion. Voice vote of Council: all yea's.*
 - i. Council approved the allocation of \$11,150 from the Road Program Funds towards the proposal presented by RVE.

2. ***ACTION ITEM:** Discussion and possible vote regarding preliminary plans for the Major Subdivision with re-zoning request for Parcel #: 25-008.00-002, 100 Karins Boulevard.
 - a. Mayor Lobdell noted he will not be voting on this item. Explaining, during the last meeting this item should have been voted upon.
 - i. CM Chapman noted no vote was taken as there were outstanding items that needed to be addressed.
 - ii. Mayor Lobdell advised changes will be made on the final construction plans.
 - b. Mayor Lobdell explained approval of the preliminary plans allows the applicant to move forward with construction plans. Mayor Lobdell confirmed the construction plans will need final approval by Council.
 - c. *CM Chapman made a motion to approve preliminary plans for the Major Subdivision with re-zoning request for Parcel #: 25-008.00-002, 100 Karins Boulevard, conditional on the items being addressed at the last meeting. CM Suhr seconded the motion. Voice vote of Council: all yea's. – Mayor Lobdell abstained.*
 - i. Council approved the preliminary plans for the Major Subdivision with re-zoning request for Parcel #: 25-008.00-002, 100 Karins Boulevard with the condition that the following items are addressed:
 - a. Take into consideration the traffic concerns.
 - b. Egress for emergency vehicles.

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

1. CM Suhr advised the scope of work needs to be reviewed for the grant applied for by Chief Longo.

E. Community Engagement Committee: TBD

1. Discussion on upcoming events.
 - a. CM Chapman noted the next big event for the Town is for Back-to-School.
 - i. CM Chapman requested TM Goodyear to begin organizing and soliciting donations for this event.
 - ii. Mrs. Rojas advised she is available to assist. However, she is not available for September.
 - iii. Mayor Lobdell advised TM Goodyear to reference last year's event date.
 - iv. CM Suhr advised TM Goodyear to reach out to LifeHouse Church regarding the event; noting, they are a strong presence in the community.
 - v. TM Goodyear advised in brief discussion with Chief Longo, he was interested in combining the event with a safety night out.

F. **Code Review Committee:** Chair: Mayor S. Lobdell, Co-Chair: Councilman M. Chapman

1. **ACTION ITEM:** Discussion and first reading of Ordinance 2024-003 An Ordinance to Amend Chapter 12 of the Townsend Municipal Code as Related to Trash and recycling Collection and Chapter 4 of the Townsend Municipal Code as Related to the Fee Schedule.
 - a. CM Chapman suggested to add a clause to allow for dumpsters with construction.
 - b. TS Hatfield advised italics are commentary.
 - c. CM Chapman advised a dumpster should be synonymous with a business license.
 - d. FO Helms raised concern for the Town to issue fines for dumpsters. TC Rivera advised the Town must still follow the current code even if there are discussions of changing the code. Noting, even State and Federal laws are followed in the same manner.
 - i. TS Hatfield advised Council may vote to suspend enforcement of the dumpster ban.
2. Council agreed to table discussion. meet after further discussion is held by the Code Review Committee.
3. CM Chapman made a motion to suspend the enforcement of the dumpster ordinance except in situations where a dumpster remains on an individual's property for more than 14 days, until the next Council meeting.
 - a. Council suspended enforcement of the dumpster ban in residential districts.
 - b. CM Chapman requested for an action item to renew or suspend the temporary resolution be added on the next meeting's agenda.
4. ***ACTION ITEM:** Discussion and first reading of Ordinance 2024-001 An Ordinance to amend Section 18.04.010 of the Town Code to Further Clarify Permitting Requirements.
 - a. TC Rivera confirmed the ICC (International Construction Code) is available for everyone's review.
 - b. CM Chapman advised the proposed ordinance would make the current code less restrictive.
 - c. CM Suhr raised a concern with encroachments
 - i. TS Hatfield noted it is the homeowner's responsibility to ensure that they do not encroach on another property
 - d. FO Helms raised concern with removing permit requirements in accordance with ICC exceptions as this is a budgeted revenue item. CM Chapman noted the costs for RVE's services may be equal to or greater than the cost the Town charges for a permit; therefore, the Town needs to review permitting fees with RVE.
 - i. CM Bangura requested FO Helms to perform a cost analysis of what would happen to the budget if permit fees were expunged.

- e. TS Hatfield made a recommendation to add verbiage regarding fees and the ICC.
- f. *CM Suhr motioned to table until the next meeting. CM Bangura seconded the motion. Voice vote of Council: all yeas.*
 - a. Council tabled discussion and possible vote of Ordinance 2024-001 An Ordinance to amend Section 18.04.010 of the Town Code to Further Clarify Permitting Requirements until the next meeting.

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

1. The Veterans and Social Services Committee thanked TC Rivera and PWS DiMarino for their work on the banners.
2. CM Chapman confirmed banners will be taken down and put up for Labor Day. CM Chapman explained the plan for the banners is to hold them until the following year. Furthermore, any damaged banners will be retired and offered to the member displayed on the banner. CM Chapman confirmed the banner will be replaced.
 - a. TC Rivera confirmed that slots for banners are filling up for next year.
3. Discussion of Veterans Raffle plans and budget
 - a. CM Chapman announced the Town is soliciting services and items for the raffle.
 - i. CM Chapman confirmed proceeds will go towards the purchase of more flags, banners, and hardware for banners. CM Chapman noted the goal is to place the banners on the Town's streetlights. CM Chapman welcomed raffle ideas.
 - ii. CM Chapman confirmed the Town has received the following feedback from the public via survey monkey for raffle awards:
 - a. 80% were for gift cards.
 - b. Just under 80% cash prizes.
 - c. The rest were for experiences, electronics, and services.
 - i. CM Chapman explained these services include car detailing and oil changes.
 - iii. CM Chapman confirmed the Town purchased \$750 worth of items from the Brian Conelly House amazon list and will be dropping off the items Friday evening.
4. Discussion of Butterfly Garden plans and budget
 - a. TC Rivera noted interest for volunteers to assist with clean-up has been solicited. TC Rivera advised there are two gardens, one located at Town Hall and the other located in the Town Park.

- b. CM Chapman advised he will reach out to the Townsend Village I HOA, who are interested in installing a garden within one of their greenspaces. CM Chapman noted the cost of the install would be at the Town's expense.
 - i. TC Rivera noted the Town has a \$100 gift card for Wildlife expenses.

VIII. Discussion of future agenda items.

- A. Swearing in for the newly appointed Town members.
- B. Discussion and first reading of Ordinance 2024-003 An Ordinance to Amend Chapter 12 of the Townsend Municipal Code as Related to Trash and recycling Collection and Chapter 4 of the Townsend Municipal Code as Related to the Fee Schedule.
- C. Discussion and first reading of Ordinance 2024-001 An Ordinance to amend Section 18.04.010 of the Town Code to Further Clarify Permitting Requirements.
- D. A recap of the proposed major subdivision and rezoning at 100 Karins Blvd.

IX. Recess Council Meeting to Convene Executive Session.

- A. *CM Suhr made a motion to recess the Council Meeting and convene to Executive Session. CM Chapman seconded the motion. Voice vote of Council: all yea's.*

- 1. Council recessed and convened to executive session at 8:40 pm.

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.

- A. Council closed Executive Session and re-convened the Council Meeting at approximately 10:22 pm.

XII. ACTION ITEM: Possible vote of Council.

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

XIII. Adjournment.

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- A. *CM Chapman 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 10:23 pm.
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