



**Town of Townsend Code Review Committee Meeting**  
**January 27, 2023 @ 2:00 pm**  
**VIA Conference Call & Town Hall**  
**141 Main St, Townsend, DE 19734**

2:00 pm Code Review Committee Meeting

- I. Call to Order: 2 pm
- II. Opening Ceremonies
  - A. Roll Call: Mayor S. Lobdell, Councilman J. Mertz, Town Manager A. Tantillo, Councilwoman S. Rojas, Councilwoman E. Clarke, and Town Solicitor N. C. Griffiths
  - B. Pledge of Allegiance: All present recited the pledge of allegiance.
  - C. Recognition of Visitors: None
  - D. Announcements:
    1. TM Tantillo announced she is working on revising the section of the Town Code regarding dumpsters being prohibited in residential properties. TM Tantillo explained she will also draft a permit/licensing process to allow dumpsters for specific periods of times. TM Tantillo advised she should have this prepared for the next Code Review Committee meeting.
- III. Citizens Comments & Participation: None
- IV. Adoption of Agenda: Adopted
- V. Discussion regarding the Town of Townsend Charter.
  - A. Article 7:
    1. TM Tantillo reminded the committee discussed Section 7.3.4.1 whereas promoting within to take place for department heads only.
    2. CM Mertz recommended to add verbiage: effective next cycle, to section 7.2.3 referring to compensation for Town Council.
    3. CM Mertz recommended to add additional verbiage regarding residency restrictions to 7.3.1. CM Mertz agreed the Town Manager need not be a resident of the Town, however they must reside in the State of Delaware or set a mileage range. TM Tantillo advised this has been discussed previously and noted additional restrictions may limit the applicant pool. Mayor Lobdell agreed the Town Manager should reside in the State of Delaware, recommending a caveat that states: or

Town Meetings will return to both an in person and 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 [www.townsend.delaware.gov](http://www.townsend.delaware.gov) or by joining the meeting via computer.



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unless approved by Council. CM Mertz noted the caveat is already stated in the Town Charter.

4. Mayor Lobdell noted a header change was recommended at the last meeting.
5. TM Tantillo advised there are notes for Chapter 7.7 and 7.8 drafted changes that need to be reviewed once more.

**B. Article 8:**

1. No changes recommended for Chapter 8.1 Fiscal Year. CM Mertz asked if the State of Delaware is on the same fiscal year. TM Tantillo confirmed.
2. CM Mertz asked for further clarification regarding Chapter 8.2. TM Tantillo explained the Charter is stating that the date of the previous year's budget is extended not the dollar amount for the previous year's budget. Mayor Lobdell noted the purpose of this is to allow the Town to remain operational. Additionally, items that have not been passed in the previous year's budget cannot be added during the extended period. TS Griffiths advised by having this in the Town Charter the Town does not need to shut down and can remain operational.
3. CM Mertz asked TS Griffiths if the Town needs to update Chapter 8.3 to reflect the assessment changes made by New Castle County. TS Griffiths advised he would need to investigate further into the assessment changes that have been made by New Castle County. Mayor Lobdell noted the Town has not made any Tax Assessment changes. TM Tantillo advised New Castle County is still collecting data for these assessment changes. Additionally, this chapter can be reviewed again later once New Castle County has completed data collection.
4. TM Tantillo read Chapter 8.4.3 TM Tantillo noted the Town has received inquiries from residents, throughout her time working for the Town, requesting if the Town has discounts for residents who are 65 or older. Additionally, she has addressed this in meetings over the years with the Town's previous Council Members and Mayors. Mayor Lobdell noted in the past residents 65 or older were not charged for taxes by New Castle County or by the Town. However, when the Town reassessed the tax breakdown these residents were required to pay taxes. Additionally, the Town has never received a formal request from residents. TM Tantillo noted the Town's current Charter does allow for this discount, if council wanted to discuss.



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- a. CM Mertz read Section 8.4.2 and requested further clarification. TM Tantillo advised Church properties and transfer of property due to familial relationship changes will be tax exempt.
  - b. CM Mertz asked what discounts the Town currently has under Section 8.4.3. TM Tantillo confirmed the only discount the Town has is for early tax payments. TM Tantillo noted if a resident pays before October 30<sup>th</sup>, they will receive a 1.5% discount off their tax bill.
  - c. CM Mertz asked if trash, per Section 8.4.4, is considered a utility service. TM Tantillo confirmed, noting streetlights were also considered a utility service. TM Tantillo noted water and sewer services were once done through the Town, however they are not anymore. CM Mertz asked why the Town does not have water services. TM Tantillo advised the Town signed an agreement with Artesian many years ago.
5. No changes recommended for Section 8.5 and 8.6
  6. Mayor Lobdell advised to review the Invest Policy to ensure the percentage of indebtedness coincides with Section 8.7.1. TM advised she will review.
    - a. No changes recommended for Section 8.7
  7. No changes recommended for Section 8.8
    - a. Mayor Lobdell noted the current cost for an annual audit is roughly \$25,000.00 per year and asked if an annual audit should be required. TM Tantillo advised there should be an annual audit. CM Mertz noted Council turnover and recommended to find a lower costing audit\*\*. TS Griffiths stated he agrees with an annual audit and advised every three years the Town may want to send out an RFP (Request for Proposal) for a new vendor. TS Griffiths advised it may be helpful have a new auditing firm perform the audit every so often to have a fresh set of eyes on the Towns Finances every so often. TM Tantillo noted the current contract will end in another year or so.

**C. Article 9:**

1. CM Mertz referred to Section 9.1 and asked for further clarification regarding condemnation proceedings and outstanding taxes. TS Griffiths advised the Town may choose to place a lien on the house and





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researched into other Town's and Cities to verify if they hold their municipal elections the same day as federal elections, and did not find such. TM Tantillo noted she is waiting on confirmation from the State and County regarding the feasibility of this.

- E. Mayor Lobdell advised to finalize the revisions and circulate them amongst the Code Review Committee.
- F. TM Tantillo confirmed the process to change ordinances requires first and second readings, a hearing, and the State Representatives will present the revised Charter to the State for approval. TM Tantillo advised she will reach out to the State Representatives notify them of what is going on and for support.
- G. TM Tantillo advised Town Council can meet for a special meeting in February to perform the first reading and the following readings can take place in March.
  - 1. TS Griffiths advised if there are small changes such as grammar, at the first reading the process does not need to restart. However, if there are big or multiple changes, they will need to restart the process. Additionally, the packet for Council shall include a redlined (exhibit A) and revised copy (exhibit B).
  - 2. TS Griffiths advised the Town Council should meet for a workshop meeting prior to the first reading.
  - 3. The Code Review Committee agreed to meet tentatively on February 15<sup>th</sup> at 6 pm. TM Tantillo advised she will reach out to Council to confirm availability.

**VI. Adjourn**

- A. Meeting adjourned at 2:58 pm.