Townsend Town Council Meeting Agenda
August 7th, 2024 @ 7:00 pm
VIA CONFERENCE CALL & Town Hall
141 Main St, Townsend, DE 19734

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=aHI4RDhTZ0xjME1HV0ZOcHRxSHZ3QT09**

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.

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 July 10th, 2024, Town Council Meeting Minutes.
- B. **ACTION ITEM:** Approval/ Rejection of Town Council Minutes from the July 10th, 2024, Town Council Meeting Executive Session Minutes.

VI. <u>Departmental Reports:</u>
- A. Mayor S. Lobdell
  1. **ACTION ITEM:** Oath of Office for newly elected Council Member, Dylan k. Wiggins.
  2. **ACTION ITEM:** Discussion and possible vote on appointment of one Board of Elections Member.
     - i. Possible swearing in of new Board of Elections member.
  3. **ACTION ITEM:** Swearing in of new Planning Commission Members
     - i. Troy Greiger
     - ii. James Reyes
- B. New Castle County Councilman David Carter
- C. Town of Townsend Police Chief's Report
- D. Town Solicitor Lisa Hatfield
- E. Town Engineer Erik Gruenes
- F. Town Manager Julie Goodyear
  1. **ACTION ITEM:** Discussion and possible vote on Townsend TAP (Tier Award Program) Project Execution for SRTS (Safe Routes to School).
  2. **ACTION ITEM:** Discussion regarding the agreement between Townsend and Connolly and Gallaher LLP.
  3. **ACTION ITEM:** Discussion and possible vote on RVE's (Remington & Vernik Engineers) Proposal for Implementation of Vialytics.

VII. <u>Committee Reports:</u>
- A. **Finance Committee**: Chair: Mayor S. Lobdell, Co-Chair: Councilman J. Bangura

1. **ACTION ITEM**: Discussion and possible vote on outfitting for Townsend Police Department (PD) vehicles.

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

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

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

E. **Community Engagement Committee:** TBD

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

1. **ACTION ITEM:** Discussion and possible vote regarding enforcement of the dumpster ordinance.

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

TOWNSEND POLICE DEPARTMENT

661 South Street, PO Box 223, Townsend, DE 19734
Office 302-464-1262 / Dispatch 302-739-4865 / EMERGENCY 911

JULY 2024 Town Council Meeting

The information provided herein is from July 1, 2024 – July 31, 2024

1) 42 Total Calls for Service

- 1 – Harassment
- 1 – Alarm
- 1 – AOA – PD (Shooting / Crash)
- 1 – Child Neglect
- 1 – Follow Up Investigation
- 1 – Abandoned MV
- 1 – Civil Dispute
- 1 - Offensive Touching
- 1 – Miscellaneous Investigation
- 1 – Motor Vehicle Crash
- 2 – Suspicious Event
- 2 – AOA FD / EMS
- 2 – Terroristic Threat
- 2 – Shoplifting
- 2 - Theft's
- 2 – Criminal Mischief
- 2 – Disorderly Conduct
- 2 – Custody Disputes
- 2 – Noise Complaints
- 3 – Domestic Incidents
- 3 – Welfare Checks
- 8 – Public Assistance

2) Participated in 2 Community Outreach Events

Sincerely, *Robert J. Longo* Chief of Police

REMINGTON & VERNICK ENGINEERS

University Office Plaza, Bellevue Building
262 Chapman Road, Suite 105
Newark, DE 19702
O: (302) 266-0212
F: (302) 266-6208

TOWN OF TOWNSEND - MONTHLY ENGINEERING REPORT | AUGUST 2024

TO: **Julie Goodyear, Town Manager**

FROM: **Erik Gruenes, PE**

RE: **Town of Townsend | Monthly Engineering Report**

DATE: **August 2, 2024**

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

Should you have any questions please contact me at (302) 287-7460.

CAPITAL PROJECTS

1. **Surface Water Matching Planning Grant Program (DNTET101)**
    a) The preparation of the Cannery Lane drainage design plans and specifications are in process by RVE. The project is approximately 90% complete.
    b) RVE met with Survey Team has budgeted for the easement confirmation. In the final steps of confirming scheduling, likely the 3rd week of August.
    c) Construction easements may be required to complete the project. Survey verification required to confirm the location of existing and proposed drainage swales.

2. **Townsend Municipal Park Irrigation (DNTET105)**
    a) Pre-Construction meeting with the contractor was held on 7/30. Construction is looking to start Mid-August and will take approximately 5 days to complete.
    b) Construction of Electrical Work is finished and approved by Certified 3rd party.
    c) The Bid Opening was May 28, 2024, at 10:00 AM. One supplier, Delaware Environmental Construction Services, submitted a bid of $107,755.
    d) The Electrical work was awarded to Generation Electric Services for the amount of $23,500.
    e) 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.

3. 2023 - 2024 Townsend General Engineering (DNTET107)

2024 Road Program

a) 2024 Road Program put out to bid in PennBID on 8/1, scheduled to close on 8/30.
b) Letter of recommendation will be presented to the Town Council on 9/4
c) Public Works Committee voted to change the work from Ginn Street to Finley & Fulton Street at the 7/15 meeting
d) RVE submitted a revised Proposal of Work for the 2024 Road Program on June 12, 2024.
e) The Town decided to hold off on the inclusion of other roads and ADA curb ramps at various locations throughout the Town.

Finley Street Pole Barn

a) Townsend was sent RVE pole barn proposal to review 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) Open Space Program is currently being handled by the Developers legal department.
    b) 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 will continue to review permit plans for development.
    b) Phase 5 sitework is underway. Due to high water tables, construction is planning to raise the ground floor approx. 18" from plans. Developer will re-submit any plans that change.
    c) The listed lots are currently under construction:
    Lot 14, 15, 16, 17, 18, 23, 25, 26, 34, 42, & 51
    d) RVE submitted revised financial security and inspection escrow letter for Phase 5: Lots 57 - 73 & 184 - 193 (27 Lots) construction on April 26, 2024.
    e) Construction of residential lots in Phase 2 is ongoing on the following roads: Leatherwood Road, Zinnia Circle and Nightshade Way.
    f) There are approximately (26) houses built in the development to date.

Scott Lobdell, Mayor
Joseph Bangura, Councilman
Matthew Chapman, Councilman
Marcus Suhr, Councilman
Dylan K. Wiggins, Councilman

Townsend
Delaware
A Municipal Corporation
April 3, 1885

Julie Goodyear, Town Manager
Jennifer Helms, Financial Officer
Mariaelena Rivera, Town Clerk
Kelsey Gallagher, Admin. Assistant
Erik Gruenes, Town Engineer
Lisa Hatfield, Town Attorney

Town Manager- Monthly Report
July 18th, 2024, through August 7th, 2024

Townhall:
- Executed a new Copier Contract- No longer leasing equipment. Will participate in the state program

Permits:
- 17 permits issued in July

Licensing:
- 16 License Business were issued/renewed in July

Recap:
260 open licenses
29 licenses expired in 2024 that are unrenewed (as of 7/31/24)

Public Works:
- Park Parking Lot sealcoat & re-striping project completed on 8/2/24, 8/3/24
- Flags placed for Memorial Day on Main St, decorated gazebo & Townhall
- Cleared tops of storm drains after heavy storms
- Cleared downed tree branches
- 2nd weed spraying of playground areas, Main St. and surrounding areas were completed
- 2nd weed trimming on main street and surrounding streets completed
- Concrete repairs at corner of Main St. and Ginn St.
- Moved baseball ground dirt to field
- Checked "no parking" signs on South St.
- Attend PWLUD Meeting
- Gathered quotes for deck repairs at Town Hall

Upcoming Projects:
- Clean and Paint all fire hydrants in no parking areas in town
- Replace mulch in park

Rentals: 2 Rentals
- Park Pavilion rental- 7/20 & 7/20… good standing full deposit return

Code Enforcement:
- 7 Violations issued
  - Unpermitted Work- 3
  - Property Maintenance- 3
  - Dog- 1

Respectfully Submitted,

Julie Goodyear
Town Manager

P.O. Box 223 · 141 Main Street · Townsend, DE 19734

Phone (302) 378-8082 · Fax: (302) 378-7099 · https://townsend.delaware.gov · townhall@townsend.delaware.gov

STATE OF DELAWARE
DEPARTMENT OF TRANSPORTATION
800 BAY ROAD
P.O. BOX 778
DOVER, DELAWARE 19903

NICOLE MAJESKI
SECRETARY

June 25, 2024

Julie Goodyear
Town Manager
Town of Townsend
PO Box 223, 141 Main Street
Townsend, DE 19734

RE: State Project No. T202320014
Townsend Sidewalk Walkability, PE Design Agreement Services
Transportation Enhancement Project

Dear Ms. Goodyear:

This is to serve as an Agreement (AGREEMENT) between Delaware Department of Transportation (DelDOT) and the Town of Townsend (SPONSOR) for the referenced PROJECT DESIGN.

The projects, hereinafter referred to as the PROJECT DESIGN, consists of project development, design, and engineering preparation of the Townsend Sidewalk Walkability plans.

This is a design only contract under this AGREEMENT.

In accordance with this AGREEMENT, DelDOT shall:

A. Provide funding for the PROJECT DESIGN based on an estimated total PROJECT DESIGN cost of $127,030.06,000.

B. The PROJECT DESIGN of **Townsend Sidewalk Walkability** would include the following intersections will be improved as part of this project, this includes ADA upgrades, signing, and striping:
    a. Main Street & Kaitlyn Drive (West side of intersection – signage only)
    b. Main Street & Edgar Road (East side of intersection)
    c. Main Street & Cannery Avenue
    d. Main Street & Chestnut Street / Mountaire Farms entrance
    e. Main Street & South Street
    f. Main Street & Gray Street

C. Under an open-end agreement, provide consultant services for the preparation of contract plans, specifications, and estimates (PS&E) that meet DelDOT requirements. All design fees will be included as part of the PROJECT DESIGN budget.

D. Apply for and obtain all permits or approvals required by the federal, state, and local authorities.

E. Prepare and provide written documentation that all environmental and historical studies and documentation required by federal and state authorities have been prepared and approved.

F. Coordinate with all utility companies within the project limits to determine conflicts and project needs in the PROJECT DESIGN and future construction. This may include required utility adjustments and relocations and obtaining a relocation schedule. The approved adjustment/relocation schedule will be included in the Special Provisions for the PROJECT DESIGN effort. Reimbursable utility costs, if applicable, will be included in the PROJECT DESIGN and the effort in preparing for the PS&E.

In accordance with this AGREEMENT, the SPONSOR shall:

A. Provide the matching funds that fulfill the 20% matching obligation for the PROJECT CONSTRUCTION. The amount will be based upon a final PS&E project construction estimate. All funding to cover the PROJECT CONSTRUCTION match must be encumbered prior to the start of construction.

B. Provide timely review and comment/approval of the PROJECT DESIGN plans, specifications, and estimates.

C. Seek to donate in accordance with applicable law any SPONSOR owned right-of-way necessary to construct in the future the PROJECT DESIGN as set forth in the plans and specifications for the PROJECT DESIGN. By signature of this AGREEMENT, the SPONSOR also grants permission to DelDOT and its designees the right to trespass on SPONSOR maintained or owned property or right of way to collect infrastructure baseline survey data necessary for improvements in the future as set forth in the plans and specifications for this PROJECT DESIGN.

D. Utilize the funding provided for the PROJECT DESIGN for the stated purpose only and not be redirected by the SPONSOR for any other purpose.

Under this AGREEMENT, the following General Conditions shall apply to the parties:

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A. Upon completion and acceptance of the PROJECT DESIGN, less any contract warranty periods by DelDOT, DelDOT will make a final accounting of project costs. The parties will make final settlement hereto within 90-days of written notice of the findings of the final accounting.

B. Approved plan revisions, change orders, or additional costs in the PROJECT CONSTRUCTION shall be shared by DelDOT (80%) and the SPONSOR (20%). DelDOT and the SPONSOR must review and approve all proposed plan revisions, change orders, or added costs.

C. DelDOT shall cause to have its contractors indemnify, defend, and save harmless itself and SPONSOR from and against all claims, demands and causes of actions of every kind and character arising in favor of the contractors' employees or third parties on account of personal injuries or death or damages to property, which may arise out of the exercise of this AGREEMENT.

D. If, prior to PS&E advertisement of the project, the PROJECT DESIGN is canceled, or put on hold for more than one year at the sole request of the SPONSOR, the SPONSOR shall be responsible for reimbursing DelDOT for all funds spent by DelDOT on the PROJECT DESIGN up to the point when the PROJECT DESIGN was halted. For the avoidance of doubt, this requirement for reimbursement includes both funds that (i) have been spent at the time the PROJECT DESIGN is put on hold or canceled and (ii) any funds that SPONSOR may be required to spend on costs that have been incurred but not yet billed to SPONSOR at the time the PROJECT DESIGN is put on hold or canceled.

Please indicate your concurrence with these provisions by signing on the appropriate line and return the original to my attention. If you have any questions or concerns, please contact me at (302)760-2338.

Sincerely,

Kelly Valencik
Program Manager
Active Transportation and
Community Connections

APPROVED as to Form for DelDOT:

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_____ _____
Brad Eaby Date
Deputy Attorney General

APPROVAL for DelDOT:

_____ _____
Pamela Steinebach Date
Director, Planning

ATTEST for DelDOT:

_____ _____
Charlanne Clymer Date
Director, Finance

APPROVAL for the SPONSOR

_____ _____
Town of Townsend Date
Julie Goodyear
Town Manager

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Legal Services -

Lisa Hatfield <lhatfield@connollygallagher.com>

Wed 7/10/2024 3:28 PM

To:Scott Lobdell <SLobdell@townsend.delaware.gov>;Julie Goodyear <jgoodyear@townsend.delaware.gov>

This message originated from outside the organization

Mayor and Julie,

As you consider the budget tonight, it seems to be an appropriate time to have a discussion about rates. Chris applied for and took the Townsend position at a very low rate. I have honored that rate – although the current rate is nearly ½ of my normally hourly rate. That said, I enjoy working with and for the town and as a firm, we try to keep our rates reasonable for municipalities. Considering that we have never requested an increase, and that most of our other municipalities, counties, and state agencies are between $395 and $550 per hour depending, I am hopeful that Townsend will consider a rate increase to $395 at this time. The only two agencies we represent that are below the $395 threshold at this time are Townsend and New Castle. We can discuss when your schedule permits.

Thank you so much and I will see you this evening,
Lisa

July 31, 2024

Town of Townsend
141 Main Street
Townsend, Delaware, 19734

Attn: Julie Goodyear, Town Manager

Subj: Proposal for Implementation of Software and Hardware

Dear Ms. Goodyear,

REMINGTON & VERNICK ENGINEERS (RVE) is pleased to provide Townsend with the attached proposal for implementation of software and hardware to streamline and manage transportation infrastructure assessments using advanced AI and digital image collection technology. RVE has established a strategic partnership with vialytics Americas Inc., signifying our shared commitment to leveraging cutting-edge solutions for transportation agencies and municipalities which will directly enhance the quality of life in the communities we serve.

Working together, RVE and vialytics provide clients with an updated, simplified approach to obtain accurate data to perform road maintenance, operation, and planning. The integration of vialytics software with engineering consulting allows us to provide clients substantial benefits including significant cost savings, objectivity and consistency in roadway assessments, quicker turnaround times and, ultimately, successful outcomes.

Implementation of the software will:

- Increase Value: Leveraging AI and digital imagery, the tool significantly enhances the quality, value and longevity of community infrastructure
- Objectivity in Assessments: The use of AI eliminates human bias, ensuring all infrastructure assessments are based on consistent, objective criteria
- Consistency and Accuracy: With advanced algorithms, the software provides consistent and accurate analysis of road conditions, enabling more reliable infrastructure development, planning and information regarding remaining roadway life cycles
- Quicker Turnaround: Fast, automated assessments facilitate quicker decision-making, allowing for infrastructure needs to be addressed in a timely manner
- Innovative Technology: By employing this state-of-the-art solution, our clients are positioned at the forefront of infrastructure management innovation

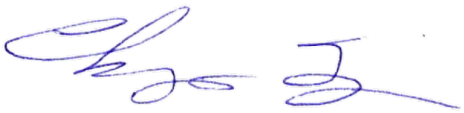
The following sheets provide details related to the proposed software and pricing.

A one-time set up fee for the Web System and Hardware will be **$3,250.00**. The total annual subscription cost (for a 3-year term) is **$5,880.00** per year, billed annually on a lump sum basis.

We look forward to the opportunity to continue to serve Townsend under this contract. Should you have any questions or require additional information, please contact Erik Gruenes, P.E. at our Newark Office at (302) 287-7460 or via email at erik.gruenes@rve.com.

Sincerely,

REMINGTON & VERNICK ENGINEERS

By 

Christopher J. Fazio, PE, CME
Executive Vice President

General Terms & Conditions

Remington & Vernick Engineers ("RVE") is an official reseller of vialytics Americas Inc.'s services ("vialytics"). The parties agree to be bound by the terms of the vialytics General Terms and Conditions (“GTC”) available at http://www.vialytics.com/, which is incorporated herein by reference. This Order and the GTC together constitute the entire agreement between vialytics and Licensee governing the products and services referenced above (the “Agreement”), to the exclusion of all other terms. To the extent there is any conflict between this Order and the GTC, this Order shall govern. All payments shall be made to RVE. The signatory below represents that he or she has the authority to bind Licensee to the terms of this Agreement. The terms of this Order are RVE and vialytics confidential information.

vialytics

Recurring Services

SKU	Item Name	Quantity	List unit price	Net per Year
VIA-COR-010	vialytics Core™ - Main Roads	10	$408.00	$4,080.00
VIA-MNT-009	vialytics M™ Maintenance - Main Roads	10	$90.00	$900.00
VIA-INV-009	vialytics IM™ Inventory Management - Main Roads	10	$90.00	$900.00
VIA-ACC-002	Free User Accounts	25	$0.00	0
				$5,880.00

Onetime Service Fees

SKU	Item Name	Quantity	List unit price	Discount	Net unit price	Net Price
VIA-SYS-003	vialytics Web System Setup	1	$6,500.00	50%	$3,250.00	$3,250.00
VIA-HRD-001	Hardware Package	4	$250.00	100%	$0.00	0
						$3,250.00

General Terms and Conditions

The parties agree to be bound by the terms of the vialytics General Terms and Conditions ("GTC") available at https://www.vialytics.com/gtc, which is incorporated herein by reference. This Order and the GTC together constitute the entire agreement between vialytics and Licensee governing the products and services referenced above (the "Agreement"), to the exclusion of all other terms. To the extent there is any conflict between this Order and the GTC, this Order shall govern. The signatory below represents that he or she has the authority to bind Licensee to the terms of this Agreement. The terms of this Order are vialytics confidential information.

Signatures

Place, Date	Short Hills, 07-31-2024 Place, Date
Signature client	 Andrea Kozma President

REMINGTON & VERNICK ENGINEERS

RVE Order Form for vialytics Services

Company Information

Licensee
Doing business as Townsend, DE

Payment method

Primary Billing Contact
Name Julie Goodyear
Email jgoodyear@townsend.delaware.gov

Shipping Address
Street 141 Main Street
City Townsend
Zip 19734
State

Customer Account Payable Information

Purchase Order

AP Software registration required? No
%Customer_Details.AP_Software_name%

AP contact Name
Name
Email

Billing Address
Street 141 Main Street
City Townsend
Zip 19734
State Delaware

Order Summary

RVE Rep Name	Erik Gruenes	Automatic renewal	No
Vialytics Rep name	Daniel Laufer	Start date	09-01-2024
Payments	Due 30 days after receipt	End date	08-31-2027
Term	36 months	Opt Out Date	%Contract.Termination_Date%
Billing frequency	Annually	Order Number	vialytics-Q-8928
		Sales Tax	Applicable Tax will be assessed/ included upon invoicing

Customer Remittance Information

Payment by wire

Bank Name:

Bank Address:

Routing No.:

Account No.:

Payment by check

Bank Name: TD Bank
PO Box : 95000 LB
2328830101
Bank Address: PHILADELPHIA PA 19195-0001

Seller company name	
Name	Remington & Vernick Engineers
Title	
Signature	
Date	

Buyer company name	
Name	Townsend, Delaware
Title	
Signature	
Date	

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 S. Lobdell & Councilman J. Mertz

Introduction on: January 10, 2024

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

Mayor
Scott Lobdell

Councilman
Joshua Mertz, PhD

Councilman
Joseph Bangura, PhD

Councilman
Matthew Chapman

Councilman
Marcus Suhr

Town Manager
Antonina Tantillo, MPA,

WHEREAS, the current Townsend Municipal Code prohibits dumpsters at properties which are zoned in residential districts; and

WHEREAS, property owners within residential districts may need to utilize dumpsters from time to time to for matters related to trash collection and building permits; and

WHEREAS, safeguards must be put into place when allowing for permits in residential districts to ensure no safety concerns are presented with the temporary dumpster.

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

Section 1. Amends Chapter 12.12.080 Trash And Recycling Collection of the Townsend Municipal code by striking the following as noted with strikethrough and adding the following as noted by underline: ****I recommend creating a new ordiance section to address dumpsters as a whole, since there are no regulations for permit dumpsters/garbage containers ex.:* *https://library.municode.com/de/wilmington/codes/code_of_ordinances?nodeId=PTIIWICO_CH45UT_ARTIVSOWA_DIV1GE_S45-251MADUGACO* **

12.12.080 Trash And Recycling Collection

A. Trash must be placed at the curb no earlier than 24 hours prior to scheduled trash pick-up. All trash containers must be removed from the sidewalk area no later than 24 hours after trash pick-up. Trash containers and/or bags should

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be placed at the edge of the property so as not to block the sidewalk.

B. Commercial and retail establishments and apartments may use the trash company of their choice (preferably whoever has the town contract) that best suits their needs. The business owner must supply the town a letter stating what trash company they have arrangements with and will pay their trash bill directly to the company they use rather than the town.

~~C. Dumpsters will not be permitted at properties that are zoned residential.~~

C. Dumpsters or portable storage containers for the purpose of remodeling, storage, cleanup of debris, etc., must be permitted by the Town for a stated period of time not to exceed two (2) weeks of time, or the time period for which there is an active building permit open on the property, ~~within residential districts (R, R-1, R-1A, R2, and R-3).~~ Such dumpster(s) or portable storage containers are subject to the following limitations: ***may be beneficial to have an app submitted for all districts considering all is relatively close to one another***

1. Dumpster(s) or portable storage containers when placed in the front of the property shall be place on hard concrete or asphalt surface. The location shall not affect the health safety, and/or welfare of the neighborhood in accordance with Section 10.04.010 of the Townsend Municipal Code.

2. Portable storage container(s) when stored in the rear or side of the property, must meet the set back requirements in accordance to that of an accessory structure.

3. No dumpster shall be overfilled and shall be emptied in accordance with Section 12.12.010 of the Townsend Municipal Code.

4. Every dumpster container shall conform to all local, state and federal specifications.

5. Fees for Dumpster Permits will be outlined in Chapter 4.12 Fee Schedule.

Section 2. Amends Chapter 4.12.020 Fees Enumerated of the Townsend Municipal code by adding the following as noted by underline:

3. Permit Fees

Dumpster fee : $0 - ***discuss with Jen if we should have a minimal amount like $10 to cover costs of paperwork/admin. Possible raise $1 per year ? ****

Violation of Dumpster Permit application: The fir st violation a monetary penalty shall be assessed of not less than $100 nor more than $500. Each subsequent violation shall incur a penalty of not less than $200 nor more than $1,000.

Section 3. 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 ____day of _____, 2024.

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Introduction

Final Reading

Adoption

Signed By

_____

Mayor

Town of Townsend, Delaware

Attest: _____

Town Clerk

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