



**Townsend Council Meeting Minutes**  
**May 6, 2020 @ 7:00 pm**  
**VIA CONFERENCE CALL**

Per the Governor's request, all scheduled meetings will be held via electronic means. 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.

Those wishing to attend may dial 1(301)715-8592. When directed, provide following meeting ID 82764217575# 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>

- I. Call to Order: Meeting was called to order at 7:00 pm by Mayor Thomas Mc Donald.
- II. Opening Ceremonies
  - a. Roll Call: The following Council and staff was present with conference line available for guests: Mayor McDonald, CM Dugan, CM Miller, CM Franco, CM Lobdell joined, TM Mangeri, FO J. Helms.
  - b. Pledge of Allegiance: Skipped for Electronic Meeting
  - c. Recognition of Visitors: Mayor McDonald recognized those on the call.
  - d. Announcements:
    - i. Review of received bids related to Auditing Services for the Town of Townsend.
      - I. Bid was received from Maillie, LLP of New Castle DE.
      - II. **ADENDUM TO MINUTES:** A second bid was received from Belfint, Lyons and Shuman of Wilmington, DE. The bid was received and not recorded due to an administrative oversight. The package was confirmed to be received on time at Townhall.
      - III. All bids were forwarded to the bid review committee comprised of the Town Manager, Mayor and Financial Officer, for discussion and recommendation to the Board for the next scheduled meeting.
  - e. Mayor McDonald highlighted the electronic nature of the meeting in compliance with the Governor's State of Emergency. All items and exhibits presented at this meeting are available via the town website for public viewing and comment.
- III. Additions and Deletions to published Agenda
  - a. Added by the Mayor under 6B Report by TA Townsend, Status of MS Development
  - b. Under 6D Change to 2nd Reading and Discussion and possible vote on Ordinance 2020-003 To Amend the Code of Ordinances of The Town of Townsend Relating to Adoption of the 2018 Editions International Code Council Building and Safety Codes. Vote will be moved to the 20 May Council Workshop.
  - c. Also, under 6D strike: i. Review of received bids related to Auditing Services
- IV. Approval of Minutes

Approval/ Rejection of Council Minutes from the April 22, 2020: CM Miller motioned/CM Dugan Seconded motion to approved minutes. *Vote: (CM Dugan-Yea, CM Franco-Yea, CM Lobdell-Yea, CM Miller-Yea)*

**V. Mayor's Report:**

Town Manager and Mayor has participated in several update calls with the Governor and County representatives to get updates on the Impact of the Coronavirus and the status of the COVID-19 within the state. Reports have provided information on the status, case numbers and opening strategies. Our area is less impacted than the state as a whole. Mr. Mangeri stated we continue to monitor the situation with DSP patrolling the town. We continue to track the impact and financial support options.

**VI. Reports**

**a. State Police: Lt. Lloyd, DSP Troop 9.**

- i. 62 Responses within the Town,
  - 6 domestics, 3 substance abuse, 1 theft (scam), 1 assault (juvenile fight),  
1 package theft, 1 shoplifting, 1 trespassing and 1 burglary (shed) and 47 non-criminal related responses.
- ii. CM Franco has advised that there are people are gathering in groups larger than 10 that are using the Park. CM Franco asked the role of DSP in dealing with the issue. Lt. Lloyd said DSP is working to educate and inform the public. CM Franco asked Lt. Lloyd if he could inform the patrols of the issue.

**b. Town Attorney Fred Townsend III:**

- i. TA Townsend provided guidance on the timeline for a new election. Given the status of our call for candidates and the Governor's declaration, the election, and the timeline for submission of residents to submit their interest will be restarted when the Governor allows municipal elections to continue.

We currently have two candidates. However, our charter requires that candidates may submit their interest up to 30 days before the scheduled election. Therefore, once the election can be held, we will need to allow at least 15 days to allow residents to give notice of election. The two current candidates, assuming packages are complete, are recorded as candidates. If no other individual submit interest, there will not be a need for an election.

TM Mangeri advised that given the current language in the State of Emergency and the possibility that the Governor may extend the State of Emergency, it is not advisable to schedule an election at this time.

The Board of elections will work with the Town Manager will coordinate the rescheduling the election based on the Governor's orders under the State of Emergency.

CM Miller asked if the election delay will impact the term of office for those elected. Due to the delay in the election, do we extend the term of office. TA Townsend advised that he suspects that the term will be as scheduled.

- ii. Discussion on timeline and process for change to the Zoning Ordinance. Town Manager will coordinate with the Planning Commission to schedule a hearing with the public on the matter. The Planning Commission, after hearing from public, will then complete their review and recommendation to the Town Council.
- iii. Mayor McDonald requested a status report on the MS Development issue. TA Townsend stated that the details would need to be discussed in Executive Session. TA Townsend is advising there is progress and provided a report of the interaction with MS Development to date related to estimating costs related to bringing the elements/facilities into compliance.

**c. Town Engineer Edwin Van-Otoo: Status of projects**

- i. Tennis and Pickle Ball Court. 80% completed with the specs and needs to understand the process for bidding the work. TE Van-Otoo wanted to know if the Council needs to approve the bid package before it is released to the public. Mr. Van-Otoo will send the bid package to me for review and coordination with Park and Recreation Committee for publishing the RFP.
- ii. Townsend II Property Management is requesting signs for the area along Wiggins Mill Road and the Traffic Circle at Karins Blvd. These are being reviewed for location to determine best location based on easements and restrictions.
- iii. TE Van-Otoo reviewed the status of Lifehouse Church. The project is on schedule and making progress. Most of the curbs and sidewalks are in place. The developer is asking to add a playground to the ground that was not part of the original scope.
- iv. Pool permits. TE Van-Otoo has a few pool permits that are somewhat incomplete and are missing the data needed for review. Mr. Van-Otoo is requesting that the town prepare a checklist for each applicant to complete application. TM Mangeri commented that the need is for a coversheet of sorts for each submission to assure a complete application.

**d. Town Manager Anthony S. Mangeri:**

- ~~i. Review of received bids related to Auditing Services for the Town of Townsend.~~
- ii. Discussion and possible vote to approve RFP for Auditing Services. The Bid Committee will review the bids and provide recommendation to the Council at the next meeting.
- iii. 2<sup>nd</sup> Reading, Discussion, and possible vote on Ordinance 2020-003 To Amend the Code of Ordinances of The Town of Townsend Relating to Adoption of the 2018 Editions International Code Council Building and Safety Codes. Vote will be moved to the 20 May Council Workshop.

John Robitaille provided discussion on the transition of the 2012 to the 2018 suite of codes provided by the ICC. Mr. Robitaille provided information on the revision structure and status.

TA Townsend provided some historical reference and comment on how this highlighted to the need for revision of the Code of Ordinances and the difficulty due to the various documents involved and the lack of an updated Code of Ordinances. This is the wave of the future to have standardized ordinances in place. We are adding Townsend specific information to assure clarity. This should be ready by the next meeting.

- iv. Replacement of faded Park Signs. Signs at Town Park that were faded have been replaced.

**VII. Committee Reports**

- a. Finance: Chair Mayor Thomas McDonald - Co-Chair CM Edgar Dugan - Received and are reviewing the Budget proposal from Administration. Finance Committee is reviewing the documents currently.
- b. Human Resources: Chair CM Patrick Miller – Two resolutions to be discussed in Executive Session.
- c. Public Works: Chair CM Edgar Dugan - Co-Chair CM Scott Lobdell
  - i. Nothing currently.
- d. Land Use & Development: Chair CM Scott Lobdell - Co-Chair CM Edgar Dugan -
  - i. Update from the Planning Commission on the Zoning Ordinance and Comp Plan revision. Reviewed the scheduling previously.

- e. Veterans Committee: Chair CM Patrick Miller - Co-Chair Anthony Franco
  - i. Nothing currently.
- f. Public Safety: Chair CM Patrick Miller - Co-Chair - CM Anthony Franco
  - i. Nothing currently.
- g. Community Relations: Chair CM Scott Lobdell - Co-Chair CM Antony Franco
  - i. Council discussed canceling park events for June and July. The Movie Nights that are scheduled for June and July Movie Nights and canceling pavilion rentals through July 30, 2020 to comply with social distancing and concerns with Pandemic Preparedness. TM Mangeri will cancel all Pavilion Rentals through July 30. TM Mangeri will also contact youth sporting groups that have activities scheduled in the Park to cancel activities through June 30, 2020.
- h. Parks & Recreation: Chair CM Scott Lobdell - Co-Chair CM Patrick Miller
  - i. CM Miller will continue to plan for the Town Fair for September. However, we will monitor the situation and potential concerns.

**VIII. Citizens Comments & Participation**

- a. NCC Councilman Carter –
  - i. Provided a legal summary of the CARES Act funding and possible pass through criteria. Feel free to coordinate with CM Carter.
  - ii. Councilman Carter provided suggestions for possible grants to allow for altered community events as practical.
  - iii. Councilman Carter discussed his effort to develop a database for social programs in the area to assist individuals affected by the ongoing Pandemic.
- b. Public comment was offered to ask if these meetings can be streamed in the future. This has been a good opportunity to see what is going on. TA Townsend responded to with a discussion of the requirements and limits.
- c. Mayor McDonald appointed Ms. Lorraine Gorman, Townsend Resident, to the Townsend Election Commission. TM Mangeri to notify Ms. Gorman of her appointment.

**IX. Motion to Recess for Executive Session: Session adjourned at 8:14 pm**

TE Townsend Suggested the following motion: In accordance to 29 Del. C. §10004 (B)(4) the Town Council will be meeting in executive session to discuss personnel matters related to open position of Town Clerk, Annual increments for staff and salary adjustments and legal matters consisting of potential litigation. CM Miller Motion/ Seconded by CM Franco

(Vote: CM Dugan-Yea, CM Franco-Yea, CM Lobdell-Yea, CM Miller-Yea)

**X. Motion to Convene Executive Session 8:15pm**

**XI. Motion to close Executive Session & Re-Convene Council Meeting 9:00 PM**

**XII. Review and possible vote on Resolution 2020-004 Resolution to Authorize Personnel Action – Town Clerk**

- a. Motion made by CM Dugan and seconded by CM Miller
- b. Motion read by TA Townsend
- c. (Vote: Mayor McDonald-Yea, CM-Dugan-Yea, CM Franco-Yea, CM Lobdell-Yea, CM Miller-Yea)

**XIII.** Review and possible vote on Resolution 2020-005 Resolution to Authorize Annual Payroll Adjustment

- a.** Motion CM Miller, Seconded CM Lobdell
- b.** Motion read by TA Townsend
- c.** (Vote: Mayor McDonald-Yea, CM Miller-Yea, CM Dugan-Yea, CM Lobdell-Yea, CM Franco-Nay)

**XIV.** Adjournment

- a.** Motion to Adjourn CM Miller, Seconded by CM Dugan.
- b.** (Vote: CM Miller-Yea CM-Dugan-Yea, CM Lobdell -Yea, CM Franco-Yea)
- c.** Meeting Adorned at 9:10