



**Townsend Town Council Meeting Agenda**  
**December 4<sup>th</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:
- II. Opening Ceremonies
  - A. Roll Call: Mayor S. Lobdell, Councilman J. Bangura, Councilman M. Chapman, Councilman M. Suhr, Councilman D. Wiggins, Town Manager J. Goodyear, Town Solicitor L. Hatfield, Town Engineer E. Gruenes, Financial Officer J. Helms, Public Works Employee R. Boyer, Administrative Assistant K. Gallagher, 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: Dwain A. Haines, Liz Patrick, Alan Emsley, Earle Dempsey of First State Insp Agency, Honorable Judge Magistrate Alan Davis and Unknown zoom guest.
  - D. Announcements:
    1. None.
- III. General Citizen Comments
  - A. A. Emsley stated it is expensive to live in Townsend after the NCC (New Castle County) assessment.
    1. Mayor Lobdell advised that many are appealing the results through the county.
    2. D. Haines advised he went through the appellate process.
- 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 November 6<sup>th</sup>, 2024, Town Council Meeting Minutes.
    1. Mayor Lobdell provided a reading of the minutes listed for approval or rejection.
    2. *CM Chapman motioned to approve the minutes V.A. CM Wiggins seconded the motion. Voice vote of Council: all yea's.*
      - a. Council approved the Town Council Minutes from November 6<sup>th</sup>, 2024.
- VI. Departmental Reports:
  - A. Mayor S. Lobdell
    1. **ACTION ITEM:** Discussion and possible vote on appointment of one Board of Elections (BOE) Member.
      - i. Possible swearing in of new Board of Elections member.
      - ii. Mayor Lobdell announced there are now two open seats for the BOE.

- iii. TC Rivera stated there are approximately three interested candidates.
    - iv. No motion made, nor action taken for this agenda item.
  - B. New Castle County Councilman David Carter
    - 1. No reports.
  - C. Town of Townsend Police Chief's Report
    - 1. Focus for the month was on getting the PD accreditation.
    - 2. Community outreach events:
      - i. Parade
      - ii. Fire Dept open house
      - iii. Confirmed not in attendance for the Middletown Parade.
        - 1. Mayor Lobdell announced.
      - iv. Security detail for Middletown HS football games – 2 officers sent confirmed was a reimbursement.
      - v. Suspicious
        - 1. One exec session debrief.
        - 2. Youth not in school and pd escorted to school.
    - 3. **ACTION ITEM:** \*\*JP Court executive session should not and will not be in exec session. Motion needed. \*\*
      - i. *C Wiggins motioned as stated to address JP Court. CM Chapman seconded the motion. Voice vote of Council: all yea's.*
      - ii. Mayor Lobdell announces JP Court Guest.
      - iii. Alan Davis – in works for several yrs to consolidate a number of location and create change (nature of the justice of the peace is change.) Member of pd to bring custody. JP calendars where traffic calendar or misdemeanor. Arraignment process bail items is via video phone no need to have as many JP courts so they are consolidating from 16 to 12 in the position where they need to modify lease with Middletown and the court 8 down in Smyrna does not meet needs with parking etc. so obsolete. They are in the search for a state owned facility on property that may be potentially purchased. \*\*\* 2 years ago it was in the bond bill and passed judiciary for possible partial funding for acquisition of property and design of the building. Aware of location in or around Townsend that would be beneficial would like a central location.
      - iv. Looking in town
      - v. Looking in options to explore with the town
        - 1. Ex. leased property from the town.
        - 2. Seeking to build Ex. Dover.
      - vi. Possible committee needed
        - 1. Seeking 2-acre parcel 1 acre of parking and building with 6500 sqft or more. Although combo will be growing.

- vii. Mayor Lobdell advised no concerns from council. TM will lead conversations in the meantime to see what properties may be available and advised the town does have owned property.
  - viii. Davis requests this year available for acquisition and design July 1<sup>st</sup>, 2025, more so next fall.
  - ix. Davis confirmed will also be civil location. Mixed use.
4. **ACTION ITEM:** Discussion and possible vote to offload Police Asset
- i. Charger up for renewal and advised is not in use.
  - ii. Lobdell asked if there are other PD who may need a vehicle.
    - 1. Confirmed Hartly is seeking to start a department.
    - 2. Otherwise, there are other departments that he is aware of that may be interested.
    - 3. Longo to reach out.
    - 4. Cm Wiggins asks if the town has a spare vehicle.
      - a. Confirmed there will still be a spare vehicle and is on the search to obtain another vehicle through the state.
  - i. Bangura preference? Longo preferred to be generous, however if the town is seeking funding he can request.
  - ii. Longo car was received outfitted town will not be removing. The only item needed is a radio.
  - iii. Bangura advised he agrees with donating, advising the Town has received generosity from other towns and the town should pay it forward.
    - a) Longo suggested a Pennsylvania dept in need of vehicle.
    - b) Mayor Lobdell is more inclined to give to Delaware dept first.
  - iv. The council agreed they are not seeking funding and granted Chief permission to negotiate.
5. **ACTION ITEM:** Discussion and possible vote on next steps for Police Building.
- i. Chief Longo provided a brief presentation of slides 13 through 23.
    - 1. Noting the following:
      - a. There are restrictions on juvenile arrests and keeping them anonymous.
      - b. A community room would be beneficial to use for council meetings, celebrations, Coffee with a Cop, Boy and Girl Scouts, etc.
      - c. Currently do not have locker room and had to dismiss an officer for the day due to an incident that contaminated their uniform.
      - d. 200k donation is off the table.
      - e. Confirmed slide 23 they have built police dept stations previously.
  - ii. The Chief clarified that the Town Police Dept has received a grant for this project.

- iii. Bangura asks if it is possible to create a space where the judge was talking about.
  - 1. Chief says it was discussed early advised the current plans and funding would not be feasible
  - 2. Call of the calendar / dsp has so many tickets from 7-8 and come back in. The Chief spent 6 hours in court with how busy it was. He advised at this time it is not feasible but possibly at some point will be in the future.
- iv. Wiggins- look towards the future and advised to look at 1 and a half times what was presented. Advised overall there will be an increase for the pd growth.
  - 1. The Chief advised the plans is in a way where building can be built up or expand out.
  - 2. The Chief confirmed they will repurpose the current police department.
  - 3. Mayor discussed getting the cost of the project.
- v. TM council needs directive to request bidders to spec themselves or if the town will provide the specs.
  - 1. Chapman asks to provide a list of needs.
  - 2. Longo says one of the plans he has is Fenwick's floorplan which is online and
    - a. Advised has a draft specs plan should hold for the next few years. The patrol room is big enough for 9-10 ppl.
    - b. TM confirmed there are plans provided for the executive session for council to review.
  - 3. Mayor advised it may be cheaper to have companies do the specs, and they work it into the price.
    - a. TS advised bid process needed to determine actual costs of specs no specs.
  - 4. TS advised bid process is not in charter code; it's in the purchasing policy.
  - 5. *CM Chapman motioned to give town staff to work through list to do a design bid and to move forward to open bid. CM Wiggins seconded the motion.*
    - a. CM Bangura asks for a list of who would be a potential bidder. TM will call list to see if capable of providing design bid.
    - b. *Voice vote- all yea.*
    - c. **\*\*\* Council approved \*\*\*** package to be put together by TM and Chief or have the Engineer perform the work.

D. Town Solicitor Lisa Hatfield.

- 1. Things are good.
- 2. Reviewed contract nothing out or precursory review.

3. No litigation pending other than two with chancery advising there is no update may take up to 2-3 years.
- E. Town Engineer Erik Gruenes.
1. CM Bangura asks relating to hidden creek update with conversation with builders. Safety concerns with lack of lighting.
    - i. Gruenes spoke with the developer once phase completed will install the lights. Developers will not sign liability waiver with Delmarva.
    - ii. CM Bangura asks about the timeline since this is going on 3 years. – Gruenes will obtain a timeline.
    - iii. TM to take over to assist advised as a cost saving measure.
  2. CM Wiggins asks in reference to municipal park irrigation – needs to flush out. Town Staff & TE confirmed this has been done.
- F. Town Manager Julie Goodyear.
1. CM Bangura asks for clarification on permits – noted 11 permits – is there a need for HVAC permit? TM confirmed.
  2. TM will revise the report to separate business licenses from contractor licenses.
  3. **ACTION ITEM:** Discuss and review results of “light Survey”.
    - i. TM confirmed PWE R. Boyer performed inspection and light survey was put out for residents to respond with feedback as requested by council at the last meeting:
      1. Some noted lights out and requests for repair have been processed.
      2. Advised mixed of no more lights and more lights.
      3. General consensus is walkability.
      4. Send a list of locations to have Delmarva provide cost.
      5. Chapman advised conversation for Delmarva to add more lights on main St.
        - a. Mayor advised do not want to pay.
        - b. TC Rivera advised of grants available for solar street lighting.
  4. **ACTION ITEM:** Discuss and possible vote on Verizon Franchise Renewal Agreement.
    - i. TS reminded advised 3% kick back and is non-exclusive so town.
    - ii. Good changes –
      1. Went up 3%.
      2. Increase on all insurance for more coverage.
      3. Mediation language.
      4. Unilateral outs for co and town.
    - iii. To allow for people to connect.
    - iv. Bangura asks if this is a renewal, and the company sets price at 3% – price non-negotiable?
    - v. TS Advised there are federal regulations and has not investigated the federal regulations as this will take hours and does not want to charge town for unapproved hours has only reviewed changes.

- vi. Bangura advised would like an increase.
- vii. Bangura asks about offering to competition. TS states yes she re-confirmed the contract is non exclusive.
  - 1. FO advised breeze line pay's franchise fee.
  - 2. Mayor Lobdell asks how much?
  - 3. FO advised approx. 20k per year between both.
- viii. TS clarified page 1 is now 5 years from 15 years contract.
- ix. CM Wiggins advised there are cable lines that are on the ground and questioned who's responsible? Is TM able to do something?
  - 1. TM advised Verizon customer service was contacted and was resolved. Advised the residents may call to request for them to. TM advised the town can submit a list to address prior to final contract signing.
    - a. PW Boyer to perform research and create a list.
- x. FO Helms confirmed the town has been receiving a kick back without lapse.
- xi. TS and TM to put together a list of items council would like to see in the contract that they need to be addressed.
- xii. The council agreed to wait until the items are addressed.
- xiii. *CM Chapman made a motion to table until next council. CM Bangura seconded. All yea's.*
  - 1. Council tabled the motion.

5. **ACTION ITEMS:** Discussion and possible vote on First State Inspection (FSIA) contract for plan review services.
- i. TM advised current company no longer offers advised at this time no CO to approve plans.
  - ii. Chapman – 3 business days for review turnaround.
    - 1. Yes, and Inspectors available aswell stated FSIA E. Dempsey.
  - iii. E. First State Insp Agency is located in Milford next year is the 40<sup>th</sup> year started with electric inspections now across Delaware, Maryland, and Virginia shores and has built up to electric, plumbing, and mechanical.
    - 1. Service provided is full plan review and inspection services.
      - a. Ex. clayton
      - b. Middletown handles commercial inspections.
      - c. States they are the zoning admin as well.
  - b. Available same day inspection call-in 9 am. M-F.
  - c. TM advised at this time the only request is plan review. If council is interested then a conversation needs to be had with RVE and reminded council that the town is under contract with RVE.
  - d. E. Dempsey advised the town will still need to contract an engineer.
  - e. Chapman suggested moving forward with plan review services and to determine costs.
  - f. E. Dempsey advised FSIA is able to contract plan reviews al a cart.

- g. Chapman request to add to PW committee agenda to review permit costs at next meeting consider full services from first state compared to the Town's permit fees.
  - i. E. Dempsey advised he can provide a fee schedule. Will attend the PW meeting as well.
- h. TM contract within spending authority. – No Vote Needed.

**VII. Committee Reports:**

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

1. **ACTION ITEM:** Review and possible discussion on the October 2024 Budget vs. Actual Reports.
  - a. FO Helms General funds explained- Due to land acquisition.
  - b. Wiggins noted speaking of town events fair/jazz funds in June.
    - i. FO confirmed there is a budget amount and has sent breakdown to TM.
2. **ACTION ITEM:** Review and possible vote on Resolution 2024-008 on ARPA funds re-allocation.
  - a. Mayor noted discussed last month.
  - b. *CM Chapman motioned to approve resolution 2024-008 on ARPA funds re-allocation and provided a summary reading of Resolution. CM Wiggins seconded the motion. Voice vote of Council: all yea's.*
    - i. Roll call: all yea's
    - ii. Council approved by unanimous vote.

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

1. Mayor Lobdell recapped HR meeting more details to come soon.

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

1. No reports.
2. Concerns with walkability of Town.
3. Follow-up with DelDOT regarding streets.
4. D. Haines asked about streetscapes. Mayor advised this is separate program.
5. CM Wiggins asks if caution lights are possible.
  - a. Advised possible to do so.
  - b. Illuminated caution by the Post Office.
  - c. In operation during school or high traffic.
  - d. R. Boyer stated he has seen this done before.
  - e. TC Rivera advised there is still one more speed sign that needs to be placed.
  - f. CM Bangura asks if the town would be responsible if someone gets hurt? TS advised sue is on town or Deldot or both depending on who owns the road.
  - g. D. Haines clarified streets owned by Deldot.

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

1. No reports.

**E. Community Engagement Committee:** Chair: Councilman D. Wiggins

1. CM Wiggins states that he met TM, TC, and PW at park to discuss town fair June 14<sup>th</sup> and has reached out to a musician. Outreach made with chief in reference to what is needed for wine/beer garden. Town will need to obtain a permit to ensure whoever is serving will check ids.
  - a. TS confirmed their services will need to have training \$25 for training / town will also be able to have staff trained.
  - b. Reached out to Fire Co for recommendations.
  - c. Looking to get volunteers from the Highschool- 18 and over.
  - d. Upcoming meeting the 18th at 10 am. Complimentary cup from JJ's.
  - e. Confirmed spoke about parking regarding irrigation system. Possible sponsor Austin and Bednash full services.
  - f. Chapman invited State Rep. Spiegelman to join the dunk tank last year and he stated he would join in 2025.
  - g. D. Haines recommended speaking with Rep. Spiegelman regarding the lights and walkways previously mentioned. He may have advice or extra funds to help.
2. Announced tree lighting ceremony at Townsend Park 5:30 pm.

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

1. **ACTION ITEM:** Discussion and possible vote of "Ordinance 2024-003" regarding enforcement of the dumpster ordinance.
  - a. Mayor Lobdell noted the final reading.
  - b. *CM Wiggins motioned to approve Ordinance 2024-003 and provided title reading. CM Bangura seconded.*
  - c. *Voice of vote- all yea's*
2. CM Chapman noted another ordinance change forthcoming.

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

1. Vet banners were put up and removed thanked all who assisted.
2. TM goodyear confirmed all are cleaned.
3. TM advised they are prepared to return.
4. Chap advised would like to keep and expand and advised would like to also fly flags on every other post.
  - a. TC Rivera noted banner template was created by her for the Town. TM Confirmed she has the template copy.
  - b. CM Wiggins has suggested a moment of silence after pledge of allegiance. Council in favor.
  - c. D. Haines requested repair of mirror at end of Railroad Ave.

**VIII. Discussion of future agenda items.**

- A. Approval of First State Inspection Agency contract.

- B. Public works and land use items.
- C. Adding a moment of silence after the pledge.
- D. Verizon contract correction and finalization.
- IX. Recess Council Meeting to Convene Executive Session.**
  - A. *CM Wiggins motioned to adjourn the executive session. CM Chapman seconded the motion. Voice vote of Council: all yeas.*
    - 1. The council recessed to convene executive session at 9:07 pm.
- X. Convene Executive Session:** Pursuant to 29 Del. C. §§10004(b)(2)(6)(9), the Town Council will consider a motion to meet in executive session for the discussion of the contents of documents excluded from the definition of “Public Record” in §10002(17)(a)(2), to address personnel matters as well as have preliminary discussions.
- XI. Close Executive Session & Re-convene Council Meeting.**
  - 1. Council did not recess into executive session.
- 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 Wiggins motioned to adjourn the executive session. CM Bangura seconded the motion. Voice vote of Council: all yeas.*
    - 1. *Council adjourned the meeting at 10:08PM.*