

Town of Ellendale
Special Meeting of Ellendale Town Council
February 19, 2026
Ellendale Fire Hall – 302 Main Street
Minutes – Records on Apple iPad

CALL TO ORDER: President Sam Noto began the meeting @ 7pm

PLEDGE OF ALLEGIANCE: Recited, and a Moment of Silence was observed.

ROLL CALL: Taken by Council Secretary Lindsay Adams and the following council members were present:

Sam Noto – President
Tony Ottomano – Vice President
Lindsay Adams – Secretary
Bob Billbrough – Treasurer
Aaron Moore – Council Member

VISITOR RECOGNITION: Visitors were present; however, no comments were made.

MEETING ITEMS

i. Discussion and possible action on Maintenance item Fee Schedule Resolution

In working with outside contractors this winter, it made us realize that our fee schedule(s) were low. We reviewed and approved to increase the Maintenance Fee from \$50.00 to \$100.00 at our February 4, 2026, Town Council Meeting.

We also need to update and break down snow removal fees.

Recommendations were made to break down costs by the amount of snow falls as this is how contractors are managing their fees.

Following are the proposed amounts per hour that will be charged:

- Less than 6” - \$200.00
- Greater than 6” but less than 10” - \$250.00
- Greater than 10” - \$300.00
- If additional equipment is needed to be rented to remove snow such as a skid steer the cost would be \$350.00

Motion to approve change to Maintenance Fee Schedule as well as the Snow Fee Schedule: Member Moore 1st, Treasurer Billbrough 2nd

All In Favor - Passed 5 to 0

ii. Discussion and possible action on Snow Removal Contract

Approved March 4, 2026

Reviewed and discussed snow removal contract provided by Legacy Landscapes.

- \$1K deposit before storm starts then credited to final bill.
- Items not liable for if unmarked such as speed bumps, curbs, etc.
- Make sure Legacy realizes this is a backup plan in case J. Webb is not available.
- We want this to be a seasonal contract, not for 1 year.

Discussed obtaining additional bids. Need to note that this would be seasonal work in the winter. Also, with the understanding that this is a backup plan in case J. Webb is not available.

**Motion to table snow removal contract with Legacy Landscapes until other bids are obtained: Vice President Ottomano 1st, Treasurer Billbrough 2nd
All In Favor - Passed 5 to 0**

iii. Discussion and possible action on retention of an employment attorney to draft Ellendale Police Chief Contract

Discussed retaining employment attorney for Town of Ellendale to work on contract with the Town of Ellendale Police Chief. Scott Wilcox has been recommended by our Town Attorney Jamie Sharp.

He is very familiar with the process and benefits.

We already have a draft contract created for his review and edits.

**Motion to approve acceptance of engagement agreement with an Employment attorney: Vice President Ottomano 1st, Member Moore 2nd
All In Favor - Passed 5 to 0**

iv. Discussion and possible action on appointment of volunteer community event coordinator

Vice President Ottomano recused himself from the discussion and vote on this matter due to a conflict of interest.

Since the Community Events Committee has been dissolved Terrie Ottomano has volunteered to be the coordinator for special town events. Since we do not have this role of "Community Event Coordinator" our solicitor advised this be approved by the Town Council.

**Motion to approve appointment of Terrie Ottomano as the Volunteer Community Event Coordinator: Secretary Adams 1st, Treasurer Billbrough 2nd
All In Favor - Passed 4 to 0 (Vice President Ottomano recused himself from the discussion and vote on this matter due to a conflict of interest.)**

v. Discussion on Draft of Town Charter

Town Manager Adkins has shared current draft of Town Charter for Ellendale with Council. Plan is to share changes with our Solicitor J. Sharp in sections not the whole document at once. This will allow the solicitor to let us know if we are making edits correctly.

Section 1 – No changes

Section 2 – No changes

Section 3 – Comments with recommended changes:

- Line 5 - remove “the” from “commencing **the** at the Annual Meeting of the Town Council” (Bob)
- Line 3 – term of the President shall be for a period of two (2) years. (Aaron)
 - This is incorrect as it is decided by the Council Members yearly.
- Line 4 – The following is redundant and can be removed as it is already documented under Section 4 *Election In General*: “each of whose terms shall be for a period of two (2) years, commencing at the Annual Meeting of the Town Council following their election and continuing until each successor is duly elected and qualified”. (Aaron)
- Line 8 – This came up with previous council. Our previous solicitor stated that this is likely unconstitutional – numerous courts including Supreme Court upheld due process 14th amendment extends to intimate association specifically including relationships formed through marriage, childbirth, cohabitation is unconstitutional to deny our right due to relationship with someone else. (Aaron)
 - Verify with Solicitor Sharp.
 - Former President Panas added that the previous solicitor said it is up to the people voting to determine if they want married couple, etc. Also, you do not have elections for committee members, and your statement says they cannot be on same.
 - Remove above language and add information on nepotism? Would nepotism be in a hiring section?

New Section 4 – Qualification for the President and Town Council

This was in the Charter, but it was not broken down in this format. Added more detail. (Kayla)

- (f) - Added candidacy federal criminal background checks. Research needed to know who we will go through such as Identigo to perform background and who pays.
- (c) - Can Solicitor Sharp verify if this tax rule is allowed in the charter.
- (g) – typo – “required **y** this Section”. Y should be by.
- (g & h) – No need to list out each Council role. President is part of Council. Can state “Each of the qualifications for Town Council”.
- Two (2) areas show Section 4

Old Section 4 – New Section 5 – This will be “Election in General”

Approved March 4, 2026

- A few discussions have taken place about moving the date of elections. Pros and cons to doing this are changes to fiscal year, budget draft is due end of June, and taxes due.
- Change to March would give candidates more time for campaign, etc. No impact from the Holiday season.
- Kayla has worked other elections where you submit your candidacy one (1) month before the election.
- Aaron asked if we can do our town election on Election Day in November? Kayla is only aware of Wilmington doing this.
- Change to fiscal year, one concern is taxes are due by June 1st per Charter.
- Do we change timeframe for candidates to submit? From 10 days to 20 or 30 days?
- (B) – Line 1 – remove “viz”.
- (D) – Do we let people vote because they own housing in Ellendale or do they need to be a Bonafide resident with a state license?
 - Do they also need to live here for 6 months? This would be shown in Delaware license.
 - County property list only shows owners of properties.
 - Kayla recommends joining Department of Election Boards. They will do GIS just for our area and that way we will know if voters are not on this list they are not registered. Note that this is a National list.
 - Renters will need to show proof of address they live in. Delaware license would alleviate this issue.

SECTIONS: Note that Sections will need to be renumbered. For example, Section 6 is now 7

Old Section 5 – New Section 6 Manner of Holding Elections and Making Nominations – No Comments

Old Section 6 – New Section 7 Organization and Annual Meeting of Council – No Comments

Old Section 7 – New Section 8 – Regular and Special Meeting, Waiver of Notice

- Title – Remove “Waiver of Notice” since this was only for Special Meeting. But now by adding Regular Meeting into this section then this can be removed. (Aaron)

(b) Line 5 – “Such notices of the Secretary must be deposited in the U.S. Mail in the mail post office in the Town of Ellendale.” Can this be changed to email? All Council Members have email addresses.

- Previously Aaron had wanted this changed to email addresses but was told that the state does not require someone to have an email address, but they do have a mailing address.
- (a) – Do we want to leave Wednesday in this new paragraph? It used to be held on Tuesday. Change to say that the Council will then schedule meetings at the beginning of the year. Can see original language as well.

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Old Section 8 – New Section 9 - Quorum – No changes

Old Section 9 – New Section 10 – Rules and Minutes of Council - No changes

Old Section 10 – New Section 11 – Vacancies – No comments

Old Section 11 – New Section 12 – Disqualification

- Do we want to match this with what is documented under Qualification section?
 - Aaron concerned about the qualification matching due to his taxes were delinquent in the past thru no fault of his own. It was Corelogic issue that caused the delinquency even though taxes are paid thru my mortgage.
 - Aaron doesn't understand Section 4/H about inappropriate behavior. Can someone on council not like what I said and give me a reprimand and therefore I am banned from running in town?
 - Section 4/E – how would we know if someone is mentally incompetent due to HIPPA laws?
 - Felony should be kept under disqualification.

Old Section 12 – New Section 13 - Contracts with Members – No changes

Old Section 13 – New Section 14 – Regular Meetings of Council

- This is like the previous Section 8 where it was stating “Wednesday” and this one says “hold regular meetings once a month”.
- Recommend to move New Section 14 into New Section 8. OR
- Or just leave Section 8 as “Special Meeting, Waiver of Notice” you can then add (a) to New Section 14.

Motion to approve tabling charter discussion: Member Moore 1st, Secretary Adams 2nd

All In Favor - Passed 5 to 0

ADJOURNMENT: 8:30pm

Approved March 4, 2026