

**TOWN OF ELSMERE
COUNCIL MEETING MINUTES
APRIL 14, 2016
TOWN HALL
6:30 p.m.**

CALL TO ORDER: Mayor Steven Burg called the meeting to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE

MOMENT OF SILENT PRAYER FOR THOSE WISHING TO DO SO

ROLL CALL:

MAYOR	STEVEN BURG	PRESENT
1 ST DISTRICT	JOHN JAREMCHUK, JR.	PRESENT
2 ND DISTRICT	TED PFIRRMANN	PRESENT
3 RD DISTRICT	ROBERT KACPERSKI	PRESENT
4 TH DISTRICT	EDWARD ZIELINSKI	PRESENT
5 TH DISTRICT	JOANN I. PERSONTI	PRESENT
6 TH DISTRICT	BRIAN HURST	PRESENT

Town Solicitor, Edward McNally – Present

Town Manager, John Giles – Present

Chief of Police, Laura Giles – Present

PUBLIC COMMENT:

Town Manager John Giles introduced new Public Works employee Charles Balback.

Warren Rangnow, 1311 Sycamore Ave., reported Little Mill Creek appears to be contaminated with oil. Town Manager John Giles informed Mr. Rangnow that we have a third party engineering firm that is employed by the Town and he will request they evaluate this.

Ed Doyle, 101 ½ Washington Ave., asked about a home addition Councilwoman Personti built in 1995. He also asked about employee personnel policy regarding employment of relatives. Town Manager John Giles stated that he would look into this and relay the information requested via e-mail to Mr. Doyle.

APPROVAL OF MINUTES:

Minutes of the March 10, 2016 Council Meeting

ACTION: A motion was made by Councilwoman Personti to approve the minutes of the March 10, 2016 Council Meeting with no corrections. The motion was seconded by Councilman Jaremchuk.

VOTE: 7-0 All-in favor Motion carried

OLD BUSINESS:

Consideration for Third and Final Reading as well as a Public Hearing of Ordinance 613.

ACTION: A motion was made by Councilwoman Personti to approve Ordinance 613. The motion was seconded by Mayor Burg.

Councilman Zielinski stated this is already covered under Title 25, Landlord Tenant Code, of the Delaware Code, therefore what is the need for this Ordinance. Town Manager John Giles stated that we cannot enforce the Landlord Tenant Code. This Ordinance guarantees the Town would be reimbursed should a property incur damage that deems it uninhabitable and therefore has to provide shelter for the resident(s) in the event the Landlord does not do so. Councilman Zielinski asked Mr. McNally if there is any legal issue with this. Mr. McNally stated that there is not.

VOTE: 7-0 All-in favor Motion carried

NEW BUSINESS:

Consideration of Resolution 16-02.

ACTION: A motion was made by Councilwoman Personti to adopt Resolution 16-02. The motion was seconded by Councilman Jaremchuk.

Councilman Zielinski asked Chief Laura Giles if she had the results of the study completed evaluating this area, Chief Giles provided the study. Councilwoman Personti stated that she reviewed the study and it was suggested the area be restricted for parking.

VOTE: 7-0 All-in favor Motion carried

Consideration for First and Second reading of Ordinance 614.

ACTION: A motion was made by Councilman Jaremchuk to approve Ordinance 614. The motion was seconded by Councilwoman Personti.

VOTE: 3-4 Motion defeated

1st District – Yes, 2nd District – Yes, 3rd District – No, 4th District – No,
5th District – Yes, 6th District – No, Mayor – No

Councilwoman Personti stated she had multiple concerns from residents in her district over the years regarding people sleeping in the Town Hall Park, using it as an area to do drugs, etc. She further stated that the benches located at Wawa on New Road has historically been a problem, so much that the Town Manager stated last meeting if it

became a problem again the benches would be removed. She stated that she doesn't wish to see these amenities removed because of a few bad apples.

Councilman Jaremchuk stated that if any of the "No" votes have a complaint from their neighbors regarding someone sleeping in their vehicle, they might think twice about how they voted.

Councilman Pfirrmann stated he was concerned about public intoxication that occurs on the benches at Wawa. Chief Laura Giles stated that if it is public intoxication they can arrest the individual.

Councilwoman Personti asked Town Manager John Giles what complaints he received regarding the benches at Wawa. He stated that primarily the complaints were of people sitting in this area, drinking, using foul language and going to the bathroom on the side of the building. It was asked a year ago to make this area a park, therefore this could be easily addressed.

Councilwoman Personti asked Mr. McNally if he had any suggestions. He stated that everyone should talk it out. He agrees that you shouldn't be permitted to sleep in a park, therefore passing an Ordinance stating that you cannot sleep in a park or public place is acceptable.

Additional discussion regarding the bus stop and benches in the area of Wawa and Kirkwood Highway occurred between Chief Giles, Mayor Burg, Councilman Jaremchuk, Councilman Zielinski and Town Manager John Giles.

Annette McHugh, 100 Washington Ave., added that loitering/public intoxication is a daily ongoing issue at the benches at Wawa/next to All Saints School. She doesn't want to see the benches removed, but if that is what needs to be done, then so be it.

Mr. McNally added that the Town could license the benches specifically to individuals involved with the school for a specific time of day. He will put something together and review with Chief Giles.

Discussion concerning needed improvements to the security of the Town Hall Complex and possible authorization to move forward with some or all of those improvements.

Town Manager John Giles present documents regarding bids for an alarm system.

ACTION: A motion was made by Mayor Burg to approve DelCollo Technologies bid for an alarm system at Town Hall in the amount of \$7,725.00. The motion was seconded by Councilman Jaremchuk.

VOTE: 7-0 All-in favor Motion carried

Town Manager John Giles also added that 2 doors on the building will need to be replaced. The bid for this was \$11,980.00 this included steel doors, however a magnetic

locking system would need to be installed. He is also researching other lock options and will present at the next Council meeting.

Discussion concerning setting a date for the Annual 2016/2017 Budget Hearing.

Historically this has been completed on the first Saturday in June. All agreed, it will be planned for Saturday, June 4, 2016. Town Manager John Giles will confirm the time with all closer to the date.

Town Manager John Giles added that he and Chief Laura Giles would like to request to submit the budget by the end of the business day May 16, 2016 as opposed to May 15, 2016 since this is a Sunday.

VOTE: 7-0 All-in favor Motion carried

Discussion concerning amount the of damage which has occurred to one of the vehicles in the Public Works Department and the costs to repair that vehicle as well as the costs to replace it. The Town Manager plans to request the Mayor and Council to authorize replacing the vehicle.

Town Manager John Giles stated that the estimate of repairs is \$9,104.08. The insurance company claim as resulted in a check of \$7,500.00 which has not been deposited yet. He also presented information on a new truck from Hertrich Fleet Service, State purchase price. The total cost of the new truck \$32,841.00 including plow. Total cost less the insurance payout roughly \$25,300.00. Mr. Giles also added that while they are replacing the fuel line system, this doesn't cover or include any damage that might have occurred to the engine.

Council proceeded to discuss the potential purchase of a new vehicle with Town Manager John Giles.

ACTION: A motion was made by Councilman Jaremchuk to authorize the expenditure of \$32,841.00 minus the trade in (\$7,500.00). The motion was seconded by Councilman Kacperski.

Councilman Zielinski asked where the money would come from. Councilman Kacperski stated that it would come from the surplus from last year's budget. Town Manager John Giles stated that it would come from the General Fund, it would be charged to the Emergency Operations Line item.

VOTE: 7-0 All-in favor Motion carried

DEPARTMENTAL REPORTS:

Code Enforcement

Town Manager John Giles presented the written report. In addition to the written report he added the following items:

1. The Code Enforcement Department started an inspection at the Gardens of Little Mill. He also reports after the carbon monoxide issue in Wilmington the Town will be evaluating all Apartment Complexes.
2. Councilman Jaremchuk asked about Serpes and what their plan was with rebuilding. Town Manager John Giles stated that Serpes is in a floodplain and in order to determine the remediation needed the total loss must be determined. Under our Ordinances and FEMA law if the loss is greater than 50% they are required to rebuild with flood proofing efforts. The report that was provided by Serpes is missing information that DNREC requires. The plans call for the entire bakery to be rebuilt, Serpes would like to open the bakery in phases. At this point we are waiting for additional information from Serpes to be submitted to DNREC. There was additional discussion about Serpes regarding their plans and communication with the Town between Mayor Burg, Councilwoman Personti and Town Manager John Giles.

Finance

Town Manager John Giles presented the written report and stated the Finance Director is present for any questions.

Public Safety

Chief Laura Giles, presented the written report. In addition to the written report she added the following items:

1. Chief Laura Giles informed Council that she has narrowed down the Seasonal Officers to three great candidates.
2. She also reported PFC Giles was able to detain a gentleman that has tagged multiple locations throughout Town and in surrounding areas.
3. She reported that the Police Department now has a total of 7 saves through the use of Narcan.

Public Works

Town Manager John Giles, presented the written report. In addition to the written report he added the following items:

1. He reported that Public Works was able to repair the Street Sweeper in-house.

Town Manager

Town Manager John Giles, presented the written report. In addition to the written report he added the following items:

1. The Stellar Tutoring Center submitted an application for a Parade, a walk for family literacy. They have submitted it now for November because they would like to begin advertising. The Chief has reviewed and approved.

ACTION: A motion was made by Mayor Burg to approve the family literacy walk. The motion was seconded by Councilwoman Personti.

VOTE: 7-0 All-in favor Motion carried

2. He reported that he will be out of town next week and the Chief will be in charge in his absence.

Councilman Kacperski asked about the status of the Town Wide Clean-up. Town Manager John Giles asked Administrative Assistant Valarie Strzempa to give an update. She reported that there are roughly 27 confirmed volunteers, not including town staff, police department or the fire company. All equipment (dump trucks loaders, etc.) and food donations are confirmed for the event. She reported that we are in a good place at this point and ready to go for the event.

ITEMS SUBMITTED BY THE MAYOR AND COUNCIL:

Councilwoman Personti would like to discuss the installation of pole banners with the potential for local businesses sponsoring the banners. Information from Northern Displays regarding pricing of the banners was provided to Council for review. Council, Town Manager John Giles, and Administrative Assistant Valarie Strzempa discussed installation, parts and clarified questions regarding the pole banners. Councilwoman Personti also asked the President of the Elsmere Business Association (EBA), Bob Goerlitz, if he believed local businesses would sponsor this. He stated that he believed that they would be interested.

ACTION: A motion was made by Councilwoman Personti to create any necessary policies for pole banners including the presented cost outline so that EBA can assist the Town with getting this information out to the businesses to determine if there is interest. The motion was seconded by Councilman Hurst.

VOTE: 7-0 All-in favor Motion carried

District 1 – None

District 2 – None

District 3 – None

District 4 – Councilman Zielinski asked Town Manager John Giles how the pothole repairs are coming along. Mr. Giles reported that the Public Works Department is out daily repairing potholes. Councilman Zielinski requested the amount specifically completed in the 4th District.

District 5 – Nothing further

District 6 – None

Mayor – Mayor Burg requested the Council complete a Tribute to be delivered to Councilman Reda’s viewing. All agreed.

PUBLIC COMMENT:

None

ADJOURNMENT:

ACTION: A motion was made by Councilman Jaremchuk to adjourn. The motion was seconded by Councilwoman Personti.

VOTE: 7-0 All-in-Favor Motion carried

These minutes summarize the agenda and other issues discussed at this Council Meeting. Votes are recorded accurately. The audio recordings of this meeting will be available at Town Hall for a period of two years from the date these minutes are approved. The audio recordings may be reviewed at Town Hall by appointment and in accordance with the Freedom of Information Act.

STEVEN E. BURG
MAYOR

JOANN I. PERSONTI
SECRETARY