

**TOWN OF ELSMERE
COUNCIL MEETING MINUTES
OCTOBER 28, 2021
6:30 p.m.**

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

PLEDGE OF ALLEGIANCE:

MOMENT OF SILENCE:

ROLL CALL:

MAYOR	ERIC SCOTT THOMPSON	PRESENT
1 ST DISTRICT	MARIANNE SKIPSKI	PRESENT
2 ND DISTRICT	SALLY JENSEN	PRESENT
3 RD DISTRICT	MARY STEPPI	PRESENT
4 TH DISTRICT	CHARLES MCKEWEN	PRESENT
5 TH DISTRICT	JOANN I. PERSONTI	PRESENT
6 TH DISTRICT	DAWN DIBIASO	PRESENT

Town Solicitor, James McMackin – Present

Town Manager, John Giles – Present

Chief of Police, Laura Giles – Present

PUBLIC COMMENT:

ACTION: A motion was made by Councilwoman DiBiaso to dispense parliamentary procedure and requirements for public comment as set forth in the agenda. The motion was seconded by Councilwoman Jensen.

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

APPROVAL OF MINUTES:

Minutes of the October 14, 2021, Council Meeting.

ACTION: A motion was made by Councilwoman Personti to approve the minutes of the September 9, 2021, Council Meeting with the one minor correction that has been corrected on page 14. The motion was seconded by Councilman McKewen.

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

NEW BUSINESS:

Consideration of making a donation to the Elsmere Fire Company at their annual banquet.

Town Manager Giles stated that this Saturday October 30th, is the Elsmere Fire Company's 100th Anniversary Banquet. He is a member of the Elsmere Fire Company and has been for many years. The Town usually donates \$10,000.00 a year to the Fire Company which already budgeted this year. He stated that there was some discussion on

whether or not the Town would like to increase that amount since it is the 100th Anniversary.

Councilwoman Personti stated that an increase would be appropriate for the 100th Anniversary. She asked what line item would this increase be distributed from?

Town Manager Giles stated that the additional amount would come out of the General Fund.

Councilwoman Personti asked if there were any thoughts regarding what the increased amount would be?

Town Manager Giles stated that his thought was to donate an additional \$10,000.00.

ACTION: A motion was made by Councilwoman Personti to give the Elsmere Fire Company a total amount of \$20,000.00 in honor of their 100th Anniversary. The motion was seconded by Councilwoman DiBiaso.

Councilwoman Skipski clarified that next year the Town would go back to its original donation amount of \$10,000.00.

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

OLD BUSINESS:

Update, discussion, and possible action authorizing expenses under the Federal American Rescue Plan Act “ARPA”. The total funding available to be spent by the Town under ARPA is \$2,927,377.50.

Town Manager stated that he would like to start with the projected projects – Resident Suggestions.

- Police Staffing – Pay for additional Elsmere Police Officer
- Public Safety – Install Crime Cameras
- Broadband Project – Pilot a Municipal Broadband Program
- Stimulus Checks to all Elsmere Residents – Provide residents who were negatively impacted from the pandemic
- A grant to assist small businesses with emergency utilities, rent, and mortgage cost up to \$5,000.00. Applications will be evaluated by Town Staff and grants will be limited to one-time single awards.
- Parks – Extend Walking Path to the Dog Park
- Training – Town sponsored job skills training event
- Fund Elsmere Fire Department – Provide funding to the Elsmere Fire Department.

Councilwoman Jensen stated that she received suggestions from residents, one being that the Parks are in serious need of attention.

Town Manager Giles stated that the Parks were already a topic of discussion prior to these proposed projects. There was a comprehensive report provided to Council and the basic groundwork has been done. The problems have been identified and the Town is looking into funding through ARPA.

Councilwoman Steppi asked if New Castle County was taking the lead with the Broadband project.

Town Manager Giles stated that the hope is that the State is going to take it over.

Councilwoman Personti asked if it is even appropriate at this time to pilot a program if there are already other programs being considered.

Town Manager Giles stated he believes these are programs that are already in the works and does not want to spend Town funds by duplicating something that's already being done. He asked if there anything on this list that Council would like to move forward with.

Councilwoman Personti stated that she would like to see more info on the Crime Cameras being installed.

Councilwoman Jensen asked where would those cameras be installed?

Councilwoman Personti stated that it has been discussed previously about installing cameras at the parks due to graffiti and underneath the Rt 100 Bridge, even though it is state property the Town may need to get permission to do so.

Town Manager Giles stated that would need to be explored more on how to go about doing so.

Chief Giles stated that the issue with installing cameras in that area would be not having the electric.

Councilwoman Jensen asked would ARPA Funds cover this, if that's what it took to have them installed.

Chief Giles stated that it would need to be looked into.

Councilwoman Jensen asked to have this flagged as something that would need to be explored.

Mayor Thompson asked if Broadband was considered infrastructure.

Town Manager Giles stated yes it would be.

Mayor Thompson stated if there is interest, then the state is requesting that municipalities send their information to Claire Dematteis to see who is looking at infrastructure ideas to combine funds with the state. The State is trying to get an idea of what projects are being looked at and how the funds are being spent throughout the different areas.

Town Clerk Diana Reed stated that just for clarification, the form that is being requested by the State, wants to know all projects that have been decided, exact amounts and full project descriptions.

There was a brief discussion between Mayor, Council and Town Manager Giles regarding State of Infrastructure projects.

Town Manager Giles stated that he would like to move to the next set, Projected Projects – Approved.

- Funding of overtime paid to Public Works Department associated with sterilizing Town Hall. The budgeted amount that was approved is \$20,000.00.
- Partner with Needy Family to assist families with emergency situations in Elsmere. Payment will be made on a case-by-case basis and will be targeted to request for assistance with rent, mortgage, utilities, and groceries. The Need Family Fund will take and evaluate applicates and submit approved cases to the Town for payment. The budgeted amount that was approved is \$75,000.00.
- Part-Time Mental Health Clinician for EPD (ride-a-long) – EPD to hire a part-time clinician to ride-a-long with an officer to be available for mental health and substance abuse interventions with needed. On average 12 hours per week. The budgeted amount that was approved is \$30,000.00.

Councilwoman Jensen asked when the clinician would begin?

Chief Giles stated that it should start the third week of November. They are in the process of getting copies of licenses and insurance, as well as MOU's that will be signed by both the Clinician and EPD.

Public Comment:

Michael Groark, President of FOP Lodge 1 – asked with Chief Giles to clarify that for the “license”, she was referring to a licensed clinician.

Chief Giles stated yes.

- Partner with other NEU municipalities for legal services at .4 percent of grant award. The budgeted amount that was approved is \$11,709.51.

Mayor Thompson stated that at the Delaware League of Local Government Meeting today they stated that this will come out of the second round of funding.

Finance Director Steve Martin stated that is correct, it will come directly out of the second distribution of ARPA Funds.

- Participate in the State Auditor's Gray Fox Program – Transparency Initiative where grant recipients will list projects funded using ARPA funds. The cost of this approved item is \$0.

Town Manager Giles stated that he would like to move to the next set, Projected Projects – Approved Awaiting RFP.

- VRF Quality/Air Condition system for EPD. The budgeted amount that was approved is \$339,990.00.
- Stormwater Study & Evaluation. The budgeted amount that was approved is \$100,000.00.

Town Manager Giles stated a consultant would come in to evaluate the areas where known water issues are. They would provide estimates on what the costs would be to possibly fix those problems.

- Some of the known problem areas are:
 - Dover Avenue Ditch
 - Linden Avenue Swale
 - Stream Restoration/Cleanouts
 - 251 Dumont Road Storm Drain
 - Drainage System at Alvil and Vilone Road
 - Other areas to be determined

Town Manager Giles stated this is going to be a lengthy project. Once the evaluation is complete, it would go before Mayor and Council to decide which projects to fund for final approval.

Town Clerk Reed stated that once the estimates are received and projects are selected, it would need to back out for bid to determine who is going to complete the project.

Councilwoman Steppi asked what is the \$100,000.00 budgeted for?

Town Clerk Reed stated it was for the study to be completed by the consultant. The current RFP has 12 specific areas they are going to study, while also looking at the Town as a whole.

Councilwoman Jensen asked if the Town received the list of state projects that should have been available in August.

Town Clerk Reed stated that it's still not available.

Jim Towers, 121 Olga Road – Mr. Towers stated that there is an issue with the storm drains in the area of Vilone Park. He asked whose responsibility it was to fix the issues, whether it was supposed to be New Castle County or the Town. The storm drain doesn't drain properly floods Olga Road.

Town Clerk Reed stated that this is a known area and is listed in the RFP.

Councilwoman Steppi stated that since this is an area of known issues does the Town need to wait for a consultant for this location.

Town Clerk Reed stated that the consultant is going to tell us what needs to be done to fix the issue. She stated that it could only be a piece of a bigger problem. The consultant will be able to determine what it is needed to fix the whole problem.

Councilwoman Steppi inquired about the Linden Avenue swale and wanted a more specific description of where it was.

Town Manager Giles stated it's in the park and it runs along the back side of the houses of Birch Avenue.

Town Manager Giles stated he would like to move to the next set, Projected Projects – Not Eligible.

- Marketing the Town to Developers/Businesses – Create a Marketing strategy to encourage developers and businesses to invest within the Town.
- Repair streets and sidewalks.
- Repair streetlights.
- Create and make available quality of life informational packets.
- Renovations of Town Hall – New wing in Town Hall and return of Senior Center.
- Traffic Calming – Install speed reducing mechanisms/speedbumps in Rosemont.
- Community Garden.
- Supplement Budget – Pay down debt on Police Pension Fund.
- Supplement Budget – Create scholarship fund for Elsmere residents.
- Supplement Budget – Set-up rainy day fund to prevent library closure or for other public services (i.e., Senior Center).
- Supplement Budget – Fund a library subscription to educational journals.

Town Manager Giles stated he would like to move to the next set, Projected Projects – Requiring Discussion.

- A grant for reimbursement of emergency home repairs including weatherization related items for homeowners. Assistance will be capped at \$5,000.00 and limited to one award per household. Applications to be evaluated by Town Staff. This proposed budget is \$100,000.00.

Town Manager Giles stated that this is a program that is already something the State has available.

- A grant to assist small businesses with emergency utilities, rent, and mortgage cost up to \$5,000.00. Applications will be evaluated by Town Staff and grants will be limited to one-time single awards. The proposed budget is \$100,000.00.
- Signing bonus for Public Works employees. New employees can earn up to \$1,000.00 for a signing bonus. The employee must be employed by the Town for one year. The proposed budget is \$5,000.00
- Develop a scope of work to improve parks in the Town. Also erect the statue for Veteran Park (need to determine if the cost for the design is eligible). Supply a copy of QCT map. Evaluation will be completed by August 30, 2021. The proposed budget is \$327,786.00.

Town Manager Giles stated that with this, one of the things the Town is looking into doing is lighting at Richard Moore Park. He stated that Town Clerk Diana Reed is going to meet with Delmarva Power representative Vince at this location to get a rough estimate of what the cost would be to install additional streetlights. Another portion of this allotted money would be to renovate all the playgrounds within the Town and replace all mulch with rubberized material.

Councilwoman Jensen stated that with the thoughts of some residents and their knowledge about parks, it may be a good idea to establish a "Park Committee".

Dr. Matthew Saponaro, 88 Munro Rd – He stated that one of his concerns is what happens after all the "fixes" are in place and that's if all the issues are resolved. He would like to know how the Town captures all the long-term business models and what the community wants.

Town Manager Giles stated that the Town does not have all the answers. Currently, the Town plans to replace what is already existing. The population in the Town may be growing older or younger, however he doesn't feel that taking away 5–8-year-old designs and replace with 9–12-year-old designs is the answer. Funding is always an issue for small Towns. The Town does not have significant funds to commit to the parks every year.

Dr. Saponaro asked wouldn't it be effective to take this funding and put it into creating a business model.

Town Manager Giles asked what happens if we created this business model it would mean the Town wouldn't have the funds to fix the problem. The residents of the Town want to see the problems with the parks fixed now.

Finance Director Steven Martin stated that the idea is to come up with a plan fix the parks with normal replacement sustainability. He stated that he spoke with Town Manager Giles and Town Clerk Reed about how much involvement this is going to take to get this done and this is not just a plug and play.

Town Clerk Reed stated that another concern she has is that the proposed cost did not include the picnic tables and benches that are also in disrepair. Secondly, another reason to start moving forward with approving and purchasing some of the items now is the supply chain issue. There are items that were ordered in May that still have not been received.

Finance Director Martin stated that some of the communications he has had with vendors are to prepare and start these projects in the Fall to be able to have it completed by the Spring.

Councilwoman Steppi stated that she visited all the parks within the Town. She believes they are in disrepair and its time to revitalize. Grant Thornton approved the 8 parks which includes the Dog Park to be revamped. Without this ARPA funding she believes that the parks would be roped off and shut down because the Town would not be able to afford

the costs. She supports the rubberized material and a whole new layout and would like to discuss what is needed in different areas. She stated that she was unaware that the paved area of Maple Park was owned by the Town she thought it was owned by the apartment complex.

There was a brief discussion between Mayor and Council to plan the revitalization of the parks using ARPA funding by forming a committee of some sort. The Town has three years to complete work.

Gerri Fithian, 123 Olga Road – asked who makes the decision on what programs are eligible and ineligible for the ARPA Funding.

Town Clerk Reed stated that it's the Federal Treasury that makes that decision.

Ms. Fithian stated that it seems like the things that are ineligible are the things the Town needs to most. She believes the Town needs more streetlights, as well as crime cameras. The streets and sidewalks are in need of repair, especially on Olga Road.

Councilwoman Steppi stated that she believes the Town can save money in the future by using the ARPA funds now for the parks which means the Town will have more budget money for street repairs. Her focus would be to spend what the Town can on what's eligible with the ARPA funds such as parks that are in need of repair so that the Town will have more money for streets and repairs out of the Town's expenditures.

Dr. Saponaro stated that his observation is that when areas that are not well kept, they do not see as much traffic or spending, which then attracts break-ins and crime. He recommended looking at what Parks and Recreation can earn in revenue. He stated that this should be an opportunity to grow more jobs, add more spending in the area to allow an area to thrive and reduce the crime.

Chief Giles asked Dr. Saponaro if he has visited the parks in Elsmere.

Dr. Saponaro stated that he used to live up the street.

Chief Giles asked what marketability the Town would generate.

Dr. Saponaro stated that he used to play on the soccer fields over on Maple Avenue Park and the Town should require permits to do so. He stated that if the parks were redesigned to accommodate concession stands, it could make money. The Town needs to look at more than just a small community and look at what else can be brought in from the surrounding areas to make them want to come here. He suggested marketing and sponsors at the parks with businesses signs.

Chief Giles stated that she understands the vision however, the parking in the Town Parks is very limited.

Councilwoman Jensen stated that there are two parks within the Town that do require permits to use the facilities.

Town Clerk Reed stated that the biggest permits are issued for the Little League and those fees are waived every year.

Councilwoman Jensen stated this may be the time to discuss whether there is a need for seven or eight parks within one square mile.

Councilwoman Personti asked if all the hazardous issues have been addressed in the parks?

Town Manager Giles stated that all the parks have been looked at and identified of what the issues are, and the Public Works Department is working to correct the issues. He stated that he advised the Public Works Department to take anything that was hazardous out of service which has been addressed.

Councilwoman Jensen stated at Vilone Park there is a bolt missing on the big sliding board and the support is loose.

Councilwoman Personti asked if there was still a certified park inspector.

Town Manager Giles stated that at this time the Town does not have a certified inspector due to the fact the course hasn't been offered since the pandemic started and changing in staffing.

Town Clerk Reed stated that as an employee one of the most visible and allowable expenses we have are parks and stormwater and she feels that those should be one of the biggest expenses since they are the most visible to the residents. She stated that some of the other suggestions are duplicates of what are already being done on a state level.

Mayor stated that this is something that the Town should take a look at and discuss a plan and doing this in stages as mentioned by Finance Director Steven Martin and start with which park is in the most need.

Councilwoman Steppi stated that is it agreed upon that some form of committee should be developed to discuss a plan to move forward.

Councilwoman Personti stated that she would love to see that considering there is community interest.

Theresa Gibison, 1323 Sycamore Avenue - stated that economically its best for Elsmere to look at the broad picture of the parks and which ones are used and not used as much and make a prioritized list. She stated that the ARPA funding is free money that is eligible for the parks so that it frees up other money to be used for sidewalks, trees, streets and streetlights.

Finance Director Martin stated that over the last 2 years there has been an increase in people purchasing homes in Elsmere.

Mr. Towers stated that he wanted to comment on the idea of concession stand in the parks. He stated that he was the treasure for the Little League for many years and with

what is spent and recieved they barely broke even because it was there for the families and players.

There was a brief discussion between Mayor, Council, Mr. Towers and Lt. Shelton who is the current president of the Little League regarding the low involvement in youth sports from what it used to be and the extensive cost to revitalize the fields.

Town Clerk Reed stated that she feels that if there is going to be a committee, she would like to have a decision so it can keep it moving forward because the conversations can very quickly be stalled.

Town Solicitor stated that as a matter of FOIA the rules of a “committee” need to be followed.

Mayor Thompson stated that rather than a “committee” be formed, he recommends it be a group of people discussing proposals on what should be presented to Council.

- Premium pay for essential workers during the pandemic. Each administrative employee who worked during the pandemic will earn \$10,000.00 and each Elsmere Police Officer will earn \$15,000.00, one Officer will receive \$7,500.00 and the part-time officer will receive \$2,500.00. The proposed budget is \$285,000.00.

Denise Lardani, Administrative Assistant for the Code Enforcement Department – “Good evening first I would like to thank you for allowing me to speak this evening. When I came to work for the Town of Elsmere in August of 2019, I was asked to sign paperwork stating I’m aware that I am deemed an essential employee. With that in mind I thought snowstorms, rains storms, flooding maybe natural disaster. Never did I think a national pandemic. Nor did any of us. Did I sign up for the fear of the unknown about a virus that potentially could be deadly? No but, I and my coworkers were loyal to the Town. When the front doors were locked to the public due to fear of the unknown, social distances and mask because the world not knowing what to expect or how to handle this virus. I never once didn’t come to work, not opened the front door to speak to residents, take payments, been yelled at, even had an elderly gentleman push right through the door ignoring my words that he was not allowed in. We performed all regular duties that could not be perform at home every day and knowing we were risking ourselves and families if we contacted the virus. This went on for months. So, let’s fast forward to April 2021. We opened our doors to the public on a Monday. The following Monday I left work not feeling well went to the doctor thinking I had a sinus infection and nope I had Covid 19. Could I have gotten it from work, maybe and 2 of my co-workers as well contracted it. I, within a few days landed in the hospital after my children found me passed out on the floor. I had pneumonia in both lungs, lowered kidney function, high liver enzymes, multiple emboli in my left lung, which resulted in a very uncomfortable chest tube placed in my back. A lung infection that once released from the hospital had a pic line to self-medicate intravenously for 4 weeks and additional pill antibiotics for 4 weeks. I am currently taking heart medication to help with the arrhythmia of my heart, blood thinners to avoid additional blood clots. The emboli has affected my left lung and I now have necrosis and the cure for the shortness of breath and pain is to have a major surgery which includes opening my chest. All of this from COVID-19. I’ve been told by multiple

doctors that I very easily could have passed away from this deadly virus. I believe due to all our willingness to come to work daily and perform our jobs to the best of our abilities the Town and its residents have never been affected. We supported and provided as if there was not a virus that could damage our lives or the lives of our families. With that being said, I think we should be rewarded to show some appreciation of our dedication and loyalty. Not one of us quit to stay home out of fear and could have collected unemployment and made more money. Not us we were here through it all and still are to provide to all the residents of the Town, Mayor and Council, thank you for your time”.

Scott Allen, Code Enforcement Officer – “Mayor and Council members, I would like to first take the time to thank you for allowing this public comment to be heard. I would like to express my opinion on the topic of the incentive pay being discussed. Simply to open your eyes to the people that work in this building every day. It has been rumored that there is much opposition to this. And I would like to say, it’s not by the employees here. Do you not realize that many of us never stopped working? Never stopped showing up to work every day. Never stopped serving not only the residents of this town, but you. Even when the risk of exposure to the virus was imminent. Specifically, the Code Enforcement Department and Public Works. Never once were we ordered to stand down. While the doors here at town hall may have been closed, we (as in all departments here) still answered every time a resident was in need. We still responded to every property, spoke to every contractor, visitor, you, and your neighbors. Myself, as one of your code officers, still stepped inside every home to perform inspection, to assure that new residents were safe in their homes, evermore risking my exposure. While some of you stayed home during the peak of this pandemic, we stayed out. And I ask you now, does that mean anything to you? Did it mean anything to you when you vetoed that if an employee did contract the virus, we had to use our own PTO? When you vetoed that, did you know one of your employees was hospitalized? Does it mean anything to you, that when I had written evidence that my positive test result was from a direct exposure in this building, I was told “good luck in proving that”? And now you sit before all of us, giving the impression we are looked down upon. I might remind you that we are the Town. We as in staff, and Council. And time and time again I have found that it’s often staff against Council. Such as, fighting for raises, fighting for a retirement plan, sometimes feeling as though we are fighting to stay employed. Now here we are fighting for something to keep us going, adapting to these new and challenging times. I myself, love working here, I love meeting the people in this Town (even if they may not like the reason for my visit to their property) and working to make it a better place, no matter the risk. You have provided us with many great things, and this is an opportunity for another one. This small act of your vote could change the course for some of us, I am asking, think of us. Think of those here tonight who will continue to adapt, and serve, and try our best. In closing, I ask you to reconsider any choice you have may thus far. To further expand on this pressing matter, let it be known that statistically, 59% of Americans are only 1 paycheck away from homelessness, and you may not know who of that 59% is sitting before you tonight in this very room. Thank you for your time and thank you for bearing with us.”

Valarie Strzempa, Account Clerk II – “I understand the importance of utilizing this Federal money in the best interest of all who call Elsmere home. This is encouraged and guaranteed by the acceptable uses as outlined by the grant experts at Grant Thornton. The Town is fortunate to have a high retention rate, greater than half of the employees have been with the Town more than 5 years; despite operating on a 2008

COLA rated pay scale until it was updated 2019. We realize we are fortunate to have jobs and certainly the consensus might be we work for the health benefits for which we are grateful. I do ask that you consider the health risks, both physical and mental, we personally assumed by reporting during the height of the pandemic. Further, there is more than enough funds to accomplish all goals for the betterment of the Town for its residents. It is also vital to note the Town of Elsmere did not experience a loss of revenue throughout the duration of the pandemic, and this is directly linked to being fully staffed. I believe investing in the Town also means investing in the employees who supported and continue to support this Town making it a wonderful place to live for its residents”.

Nicole Nabb, Code Enforcement Officer – “For those of you who may not know me, my name is Nicole, and I am one of the Code Officers here in the Town as well as a Town resident. I started working here in late July 2020, shortly after the COVID-19 Pandemic began as I had been laid- off of my previous job also due to the Pandemic. As a Code Officer, I never once worked from home since my job cannot be done from home. The doors of Town Hall were already closed to the public at that point, but we were still required to answer the door to speak with residents' face to face (some of which did not bother to wear a mask OR came to Town Hall knowing they had COVID within their household) not to mention, us Code Officers still responded to residences within the Town to issue citations as well as perform Pre-Rental Inspections. Since I have mentioned Pre-Rental Inspections, I will explain what that means; a Code Officer meets a landlord/representative at the rental property and does a complete walk- through of the residence to ensure it is safe and violation-free for the new tenant to move in, those never stopped. Not to mention, it was made a requirement by you all (Mayor & Council) to knock on the doors of every property that was receiving a violation notice in the height of a global pandemic when staying at least 6ft apart from others was a mandate. These job requirements put me directly at risk and exposure every single day that I came to work. On another note, do you realize how everyone (meaning your employees including the Police Department) would benefit from this premium pay? There are at least 2 employees, maybe more, in this room currently who are struggling and living paycheck to paycheck trying to keep themselves afloat, myself being one of them due to divorcing a financially and mentally abusive husband. This premium pay would greatly help me re-establish my finances to where I once was and get myself out of marital debt. All I ask of you is to please consider thinking about us employees who were put at risk every day just to keep this wonderful Town running”.

Scot Sowden, Elsmere Police Officer – Stated that he has been with the Police Department for 15 years, he grew up in the Town and has been apart of this Town for 40 years. He stated he can't speak for everyone, but he can speak on behalf of the Elsmere Police Department, who came to work every day, there were days and weeks that the officers spent more time at work then home with their own families. There were 1,500

citations written, 600 arrests, executed over 80 search warrants during the pandemic, we came to work to do our jobs. The officers have been in houses where people have spit on officers, bled on them, drugs in the house and decomposing bodies, he stated they were there for everyone during the pandemic, and we are asking you to be here for us after it's over.

Shelby Allen, 4418 Sandy Drive – “Good evening mayor and council, thank you for letting my comment be heard. For those of you who don't know me, my name is Shelby, and I am Code Officer Scott's wife. As someone who is not employed by the Town, nor affiliated, I have volunteered at almost every town event or function I could in any way possible to the point that for the fall festival I was willing to still participate knowing the Town was short staffed due to Scott being out on medical leave. So, I'm standing before you tonight, to speak on an issue that I feel I have every right to. Whatever is decided affects every person sitting in this room, and I hope you truly listen and listen without filters to everything everyone will say or has already said. I would like to first say that I work in a trade field and in February of 2020 we were told to stay home. For over 5 months, I remained at home isolated from the world like many of us, we heeded the warnings and did what was asked of us, however what was asked of my husband was to continue coming to work every day as “normal” and do his best to decan before coming into the house every night to protect me and our family. When I did finally return to work, I was given a bonus check for standing behind my company when so many things were unknown. And while I'm shocked that more companies, businesses, and local governments having the option, have not given this same opportunity to their employee's YOU can change that. I have personally witnessed my own father-in-law almost lose his life to this pandemic earlier this year, but you would never know that, since every one of these employee's continued to work and work harder than ever to keep this place moving and the citizens of this Town happy. Everyone in this room has a story and though you will never know the true hardships your employee's face they still show up every day with a smile on their face and a helping hand. You have the opportunity to change their lives for the better. I may not understand everything that goes into your duties as Mayor and Council, what I do understand is that every citizen of this town has a vote, and they voted for you to be proactive, kind, understanding and fair. I'm asking from one human to another be kind and be grateful for everything everyone has done and given up, to provide the best Town they can. One we can all be proud to be a part of. Thank you”.

Elliot Singleton, Elsmere Police Officer – Stated that as he was looking through the packet of information this evening, he took notice to the fact that the new hired employees in the Public Works Department are being offered a sign on bonus to obtain good workers but everyone here that has worked through the pandemic is not and wanted to bring that to the everyone's attention.

Linda Sommermann, Administrative Assistant for Elsmere Police Department – She stated that she has worked for EPD for 15 years. These officers signed up for a job and came to work every day to where they could be killed any day of the week, yes that's what they signed up for, however they did not sign up for a national pandemic where they would be exposed while walking into a house and come out with a disease that they could potentially take home to their family, that is not what they signed up for, they signed up for a job to protect the citizens of this Town, which includes herself as she lives in this

Town and have for over 30 years. She feels that it's a shame if you Mayor and Council cannot show your appreciation when the Town was given money from the Federal Government that is clearly one of the eligible uses for this funding. It clearly states this can be used for Premium Pay for employees who worked through the pandemic. The Town Hall and EPD was never closed and many of the employees can not work at home. She stated that the risks that everyone took to keep this town running, she hopes that Council appreciates that.

Steven Martin, Finance Director – Stated that he would like to read an article from the National League of Cities. He recited the following “The Interim Final Rule defines essential work as work involving regular in-person interactions or regular physical handling of items that were also handled by others. A worker would not be engaged in essential work and accordingly may not receive premium pay, for telework performed from a residence. Premium pay means an amount up to \$13 per hour in addition to wages or remuneration the worker otherwise receives and in an aggregate amount not to exceed \$25,000.00 per eligible worker. The Interim Final Rule provides that any premium pay or grants provided should prioritize compensation of those lower income eligible workers that perform essential work. Premium pay must be entirely additive to a worker's regular rate of wages and other remuneration and may not be used to reduce or substitute for a worker's normal earnings. The definition of premium pay also clarifies that premium pay may be provided retrospectively for work performed at any time since the start of the COVID-19 public health emergency, where those workers have yet to be compensated adequately for work previously performed. The Treasury Department encourages local governments to prioritize providing retrospective premium pay where possible, recognizing that many essential workers have not yet received additional compensation for work conducted over the course of many months. Essential workers who have already earned premium pay for essential work performed during the COVID-19 public health emergency remain eligible for additional payments, and an essential worker may receive both retrospective premium pay for prior work as well as prospective premium pay for current or ongoing work.” Mr. Martin stated that he understands that this is not something you have to do. He would like to also add to some of the same items that his co-workers have already stated in which was the fact that the Town did not experience a loss of income, the Town actually profited during the pandemic which is a direct result of the employees coming to work every day, taking payments, greeting residents at the front door, many residents of which had cash and in this instance there needs to be 2 employees to verify as well as the resident was allowed into the building. He stated that we as employees persevered through it all for the benefit of the Town. He hopes that the Mayor and Council consider this with the fact that everyone was dedicated to the Town.

Diana Reed, Town Clerk – Stated that her biggest thing is showing appreciation to the employees. Some of the impressions that the employees are getting is that they are not worth it, or they don't deserve, even though employees come to work to serve the Town and should show that appreciation in whatever number is decided. While she understands the thoughts to put this decision off, there are employees that would benefit from it now, who could use the help now and to say no at a time where you have unprecedented funding that the Town will never see again is unreasonable. She stated that she understands that the on the administrative side they don't take the risks the Police Department does with being hands on and some of the things they sign up for but the administrative side does not get the Pension they do, we get a longevity incentive, a

bonus based on how long you have been employed. She stated she would give that up in a heartbeat for a 7 and half percent matching plan that is given to an officer who isn't even certified. She stated to be able to show this appreciation at a time where it is not hitting the regular budget is one small thing you can do for us employees when you can't committee to the pension fund or the other things, and to show that we the employees are appreciated.

Councilwoman Jensen stated that she would like to say that she apologizes that some of the employees don't feel appreciated, but she believes that council and their supervisors don't feel that the employees aren't worth it and that she does not object to some sort of bonus or premium pay. She does believe that the proposal that is suggested by the Town is much too high. She stated that the administrative employees, not Police, Code Enforcement or Public Works, were permitted to work from home for a period of time and that needs to be taken into consideration. In her mind she believes that the only people who lost pay were those who contracted COVID which were the 3 to 4 individual employees. She stated that its not fair to be made to feel that everyone lost pay and to her knowledge pay was not lost. She stated she is open to discussing some sort of bonus.

Councilwoman Personti stated that she personally would like to see everyone get the same rate of pay. She feels that accommodations were made within all departments, whether it be employees had a rotating schedule or officers taking reports by phone. She stated that it was a general rule that in every instance if accommodations, could be made to keep employees safe to do so. Even with those accommodations there were 3 administrative employees' who contracted COVID and one very seriously ill and it is very upsetting.

Mrs. Sommermann stated that in the Elsmere Police Department they had 2 officers' contract COVID as well.

Councilwoman Personti asked if they hospitalized?

Mrs. Sommermann stated they were not, however one of the officer's entire family contracted the virus.

Councilwoman Personti stated that there are risks to everyone and that she is in support of giving the premium pay, giving the entire staff something. She believes that everything that everyone has stated is true. The Town kept going. She stated that during this time she had many calls for police issues and just as much if not more call for Code issues. This is why she cannot justify a different amount. She would like to see one amount for everyone.

Councilwoman DiBiaso stated that she agrees because every employee has been just as dedicated. Whether they were in the office or not they were still working regardless. She feels that dedication is enough warrant giving the employees premium pay.

Mrs. Sommermann stated that her and Mrs. Reed worked on reports to show the number of hours every employee worked during the pandemic and the amount that each employee would receive if you went by the hours worked. The calculations are much higher than the proposed amount.

Chief Giles stated that she would like to correct the information provided for the part-time officer who was in the academy, he should have received the full \$15,000.00 due to the number of hours worked. She stated that she also disagrees with Councilwoman Personti with no disrespect; She doesn't believe that on the administrative side they had the same contact as Officers, Public Works, or Code Enforcement. Although the Police Department took over 5,000 complaints, the Code Enforcement Department does not have that.

Councilwoman Personti stated that there were accommodations made where they could be made.

There was a brief discussion among Council and public regarding the premium pay and what other agencies are offering.

Town Manager Giles stated that the calculations were done to see what employees work as far as hour for hour. The total amount that was calculated was \$467,594.00 and the proposal was \$285,000.00 which is \$185,000.00 less then what the hour for hour calculation. He stated that he understands that its hard to give out money when residents are opposed, however there haven't been many residents that we've heard from that are opposed. The one non-committee meeting that was had, there was an individual present who was in favor of the premium pay.

Mayor Thompson stated that the individual was in favor of some contribution to the employees.

Town Manager Giles stated that he agrees with Councilwoman Personti in the fact that the employees need to not be separated. He stated that every employee's job is important.

Councilwoman Steppi stated that she did review the information that was provided, and she feels that the approach is fair when you look at the information.

Councilwoman DiBiaso asked if there was any employee that worked from home during the entire pandemic?

Town Manager Giles stated no. He also stated that if certain employees took a layoff, they would have made more money on unemployment rather then coming to work every day.

Councilwoman Skipski stated that she believes that everyone on Council feels that every employee deserves something.

Lt. Gregg Shelton, Elsmere Police Department asked if everyone agrees, because not everyone has spoken up.

Mayor Thompson stated that he believes that comment was addressed to him since he hasn't spoken. It's never been a matter of watching how this is going to play out as employees pit each other against each other when there is a Police Officer stating the officers are more important than the employees on the Town side.

Chief Giles and Mrs. Sommermann stated that, that was never said.

Councilwoman DiBiaso stated instead of Elsmere asking all the other municipalities what they are doing for premium pay, why doesn't Elsmere set the example by giving their employees the premium pay so that other municipalities can ask "what did Elsmere do." She feels that a decision should be made regarding this matter.

There was a brief discussion between Mayor and attendees of the meeting regarding the discussion of the premium pay and employees of the Town and Police Department.

Chief Giles stated that the Mayor is putting words in her mouth that were never said. She never said that the Police Department was more important she said that there was more exposure for the Police, Code and Public Works and Mayor is turning it around.

Mayor Thompson stated that he was not quoting anyone. He stated that everyone should be the same.

Councilman McKewen stated that his opinion is that the amount is too high and he is unsure how that figure was determined.

Town Manager Giles stated that the amount was determined by the number of hours each employee work and the amount of \$467,000.00 and cutting it by \$185,000.00 to come up with the figure that was proposed.

Councilman McKewen agrees that it should be equal across the board in the amount to be given to every employee.

ACTION: A motion was made by Councilman McKewen to approve the premium pay of \$8,000.00 from the ARPA funds to all employees. The motion was seconded by Councilwoman Personti.

There was a discussion among Council members clarifying the motion of who would receive the \$8,000.00, whether it be all employees across the board and the part-time employees and the time frame of employment.

Councilman McKewen withdrew his original motion.

ACTION: A motion was made by Councilman McKewen to approve the premium pay of \$8,000.00 from the ARPA funds to all current employees that were employed by the Town between April 2020 to April 2021 and one officer in the academy to receive \$6,000.00 for a total of \$190,000.00. The motion was seconded by Councilwoman Personti.

Councilwoman Jensen stated for clarification that is a one-time bonus and not up for discussion with the second round of funding.

Councilwoman Personti stated that is correct.

Mrs. Sommermann stated she would like to say there are no employees here that are pitting each other against one another, and she believes there is not one employee in the Town that works together daily, yes, we may have disagreements with a policy but there isn't an employee here that doesn't have each others back.

Elliott Singleton stated that of the employees there tonight, none of us have said well that person did more then another, if anyone has said we are pitting each other it's not coming from us.

Councilwoman Jensen called the question.

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

Town Manager Giles stated that he would like to take a moment to thank Mayor and Council for their consideration to show the employees that they are appreciated.

- Partner with the Food Bank of Delaware or a local church to provide free food to families in need. The amount for this project is to be determined.

Town Manager Giles stated that the reason the amount is to be determined is because there are already programs in place that provide this and he would like to look into them rather than reinvent the wheel on our end.

Councilwoman Steppi stated this was her idea that she didn't get a chance to elaborate, however the census shows that Elsmere is in the 15 percent poverty rate. Her idea was not to create a food closet but was to partner with the food bank as a distribution site, or to offer an acme gift card to residents in need.

Ms. Nabb stated that she feels that a \$25.00 gift card is fantastic, however she personally shops at Aldi and they are much cheaper and you can get more for your money.

Councilwoman Jensen stated that offering a grocery gift card would be an option.

Councilwoman Steppi stated that over the next 3 years it would be something small to consider if Finance Director Steve could get in contact with a distribution site to partner with.

Finance Director Martin stated that if Councilwoman Steppi could forward him the information he would reach out to the contact person.

Councilwoman Steppi stated that there are hard times coming for residents and anything small that the Town could do would help.

John Jaremchuk, Chairman of the Elsmere Needy Family Fund – Stated that he feels that this is redundant. The Elsmere Needy Family Fund already does this for residents, which is giving gift cards to those in need, however after listening to the information he understands better and agrees.

Councilwoman Personti stated that under FAQ 2.5 reimbursement of the emergency home repairs and grant to assist small businesses. She asked why is this separate and if this is something that could be handled under the Needy Family.

Mr. Jaremchuk stated that this is redundant as well because they have a State and County program that provides the same assistance. He stated that the Needy Family has helped in those special circumstances.

There was a brief discussion between Council regarding how the Needy Family Fund works and who is eligible.

- Provide financial assistance for recruitment and retraining of volunteer firefighters by utilizing an enhanced incentive program (\$50,000.00 per year). Assist with ongoing staffing expenses and hiring of a supervisor who would be charged with ensuring compliance to all COVID related vaccines, testing, PPE and disinfecting guidelines (\$100,000.00 per year). Include full-time and part-time employees in hazard pay program. The proposed budget is \$50,000.00.

Councilwoman Jensen asked how long are they proposing this funding for?

Town Manager Giles stated that it would be forever.

A brief discussion was had between council regarding this and that it is outside the budget of the Town, and they will not be approving this proposal from the Firehouse.

Town Manager stated that the RFP's will be going out next week for items discussed or approved.

Councilwoman Jensen stated that she would like to thank the Town for setting the room up in the way that it was and feels it was more conducive for this discussion.

Town Manager asked when Council wants to hold the next meeting?

Councilwoman Personti stated that we should discuss whatever can be discussed every month at the regular council meetings and if another workshop is needed then to schedule it at that time.

Town Manager confirmed that at this time there will not be another workshop scheduled unless otherwise requested moving forward.

There was a brief discussion between council and members of the meeting on when they would meet to discuss the Parks to get moving forward on this project, and as long as its not a quorum of council they can meet virtual or in person to come up with ideas on the park project.

ADJOURNMENT

ACTION: A motion was made by Councilwoman Jensen to adjourn. The motion was seconded by Councilwoman DiBiaso.

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 recording of this meeting will be available at Town Hall for a period of two years from the date these minutes are approved. The audio recording may be reviewed at Town Hall by appointment and in accordance with the Freedom of Information Act.



ERIC THOMPSON
MAYOR



SALLY JENSEN
SECRETARY