

**TOWN OF ELSMERE
COUNCIL MEETING MINUTES
SEPTEMBER 8, 2022
6:30 p.m.**

CALL TO ORDER: Mayor Eric 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

Finance Director, Steven Martin – Present

PUBLIC COMMENT:

APPROVAL OF MINUTES:

Minutes of the August 11, 2022, Council Meeting.

ACTION: A motion was made by Councilwoman Personti to approve the minutes of the August 11, 2022, Council Meeting with no corrections. The motion was seconded by Councilman Mckewen.

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

OLD BUSINESS: None

NEW BUSINESS:

Discussion and presentation from WILMAPCO about their upcoming projects throughout the state of Delaware.

Mr. Bill Sweltik gave a presentation about the regional transportation plan update for 2050, which is updated every 4 years.

Town Manager John Giles asked where the Elsmere projects are in the priority list?

Mr. Sweltik stated that he that he would have to verify, but believes they may not be funded yet.

Town Manager John Giles stated that it seems that the “big boys” are getting funded like DelDOT and the little guys aren’t, as in, Elsmere.

Mr. Sweltik states he is going to look at their aspirations list and will email Town Manager John Giles tomorrow with more information.

Mayor Thompson stated there was a big push on bike paths and connecting all the disjointed ones previously. Has that fallen to the side?

Mr. Sweltik stated if it’s a larger project, that might be on the aspirational list.

Councilwoman Steppi asked do you work as a recommendation through the department of transportation through a collaborative effort?

Mr. Sweltik responded yes, they recommend which projects get funded through the region using what is called a project prioritization process. It place based, looks at crashes, air quality benefits and a whole host of things and then it bubbles those projects up to the top. Those at the top are what are recommended for funding.

Councilwoman Steppi stated that she was involved in drafting the Comprehensive Plan and it seems DelDOT are only worried about moving that traffic, poor lighting and poor bus stops. We have schools and pedestrians. She walks her dog everyday as it gets dark outside and sometimes she feels like she’s not going to make it home.

Mr. Sweltik stated that WILMAPCO sends letters out to the Towns offering assistance to complete studies through their agency and he would recommend that Elsmere take them up on that. They can take a look at Kirkwood Hwy and see if we could do a bus pullover lane or better lighting and ways to try and slow vehicles down. They are a planning agency and can certainly study it and see what can be done going forward.

Councilwoman Steppi stated that would be great, thank you.

Discussion concerning requests by Council for information about daily operations and projects.

Town Manager John Giles stated this is a request by Councilwoman Personti to discuss information with each other. Can one councilperson ask for something or does it have to go through rest of council?

Councilwoman Personti asked why this is being discussed. She has been on council for 20 years and has never had an issue picking up the phone and calling the Town Manager to get information. It has only become an issue with this particular project. She stated she has every right to call about a certain project.

Town Manager John Giles stated it takes hours of work for him to give out these comprehensive type reports if each councilman/woman asks for them.

Councilwoman Personti stated, for the "Assist other agencies" request, if she had time, she would add them up from the council reports.

Chief Laura Giles stated that report doesn't separate police or fire, its simply assist outside agency. It can be outside the town to assist or can be in the town to assist

Councilwoman Personti asked that there's no way of knowing when our officers are out of town assisting the New Castle County officers.

Chief Laura Giles stated just like there's no way that the County can see that they assist our guys.

Town Manager John Giles stated that he doesn't have a problem giving out information, as long as it is reasonable, we can get to it, and is not over burdensome. This issue arose over a request to obtain something in writing from a contractor directly.

Councilwoman Personti stated that she was getting conflicted information from John, that's why she was asking for it to come directly from the contractor.

Councilwoman Steppi stated with the way things have transpired since last September regarding the Paoli contract, she never would have voted at the May 2022 meeting to increase the price to knowing there was not an executed contract or that Paoli continued to ignore requests from the town. She would have advocated to put the project out to rebid. She states the full details were not communicated to council.

Councilwoman Personti stated when council votes on a contract, their understanding is that it is going to be executed relatively soon after the vote and not be sat on.

Town Manager John Giles states it is better to sit on something to save our townspeople tax money.

Councilwoman Personti states that the delays should have been communicated to council.

Councilwoman Steppi asked what is the method of requesting information?

Town Solicitor James McMackin stated he objects to this conversation, in order to comply with FOIA, which we should always be aware of, and other Delaware laws, he recommends that it sounds like there is an agreement that if there's a request from council and filling that request is going to take too long, staff should communicate with council in an effort to narrow the request and reduce efforts.

Town Manager John Giles asks how does he give council what they want and still comply with the needs of staffing and time?

Councilwoman Steppi stated she was confused on how the contract was being executed.

Mayor Thompson stated everyone should have a better sharing community; asking questions along with providing information to get ahead of things.

Consideration of adding an Accountant position to the Town of Elsmere Wage Compensation Plan.

Town Manager John Giles stated that Finance Director Steve Martin recommended an advancement/promotion with the Finance Department staff to this new position. Council must approve all positions and assign a base salary. This would result in increasing the Finance Department Salary line item by \$1,730.00.

ACTION: A motion was made by Mayor Thompson, to approve adding an Accountant Position to the Town of Elsmere Wage Compensation Plan with a pay grade of 16. The motion was seconded by Councilwoman Steppi.

VOTE: 6-0 with 1 Recused Motion carried

Consideration of closing Town Hall for the State of Delaware Primary Election on Tuesday, September 13, 2022.

Mayor Thompson asked Town Manager John Giles if they are using the council chambers.

Town Manager John Giles stated they are using the former senior center.

Councilwoman Jensen stated she doesn't feel that Town Hall should be closed since there's no foot traffic coming in.

Councilwoman Steppi agreed with councilwoman Jensen.

ACTION: No motion.

Consideration of a request from Ms. Lauren Sheldon to hold an Elsmere Community Cleanup which is volunteer based.

Ms. Lauren Sheldon gave a presentation to create a volunteer based cleanup crew throughout Elsmere.

Town Manager John Giles stated the supplies could be stored at Town Hall.

Councilwoman Steppi suggested getting all volunteers to meet at town hall instead of meeting at the dog park since equipment would be here anyway.

Councilwoman Personti asked if Ms. Sheldon would be bringing this opportunity to high schools students to participate for volunteer hours?

Ms. Sheldon stated yes. She plans on going out to schools and talking to children about the cleanup.

Councilwoman Steppi stated that she has seen Lauren on Facebook and many residents have gone out on their own. She herself has filled up a 5-gallon bucket from just walking around the block. She thanked Ms. Sheldon for spearheading this and stated that she supports creating this group. She asked if there was a start date in September.

Ms. Sheldon is stated she'd like to start the last Saturday of September.

Councilwoman Steppi asked about getting enough supplies for the first outing from town.

Ms. Sheldon asked the question of where she should dispose everything?

Town Manager John Giles stated to drop the trash in the town hall dumpsters and recycle can sit alongside the dumpster and town staff will take care of it.

Finance Director Martin asked what department should these expenses be charged to?

Town Manager John Giles stated that we will find something.

Chief Laura Giles stated that she is willing to match Town Hall's supplies.

Update concerning the directional sign replacements on Kirkwood Highway and at Town Hall.

Chief Laura Giles stated Town Manager John Giles stepped out and asked Town Clerk Diana Reed to present next item.

Town Clerk Diana Reed stated that the contract with AD Craft was canceled due to many delays and set backs. Administrative Assistant Lucy Matos, has reached out to numerous companies for quotes in the last few weeks. She is still waiting for most of the quotes, but received one KC signs which was for \$12,950.00 which is almost double the previously approved contract.

Consideration of approving a request from the Elsmere fire Company to place a sign board in the Municipal park advertising their community block party on September 17th.

Chief Laura Giles stated they are just putting an electric board out for their community block party.

There were no objections.

Discussion concerning the condition and possible repair of Gamble Avenue

Councilwoman DiBiaso stated that Gamble Avenue was a mess. There is grass growing in the street. The traffic on this street is heavy. The residents aren't doing anything about the grass and want the street repaved. John has a probable estimate from the engineers, and it should cost around \$130,000.00.

Town Manager John Giles stated that the cost would come from the carry over line item of Infrastructure Maintenance in Long Term Planning(LTP).

Councilwoman DiBiaso stated that this street is the busiest in Vilone Village and that should be worked on first. Alvil and Gamble are the streets that are used the most in the 6th district.

Town Manager John Giles stated the town has \$411,748.99 in carryover funds for Infrastructure Maintenance.

Councilwoman DiBiaso stated if Gamble is going to cost \$132k, then the \$411k that we have in funds, isn't going to fix even 4 blocks throughout town. We need to come up with a more comprehensive plan as to how we can fund road repairs and in what order. We need more than just Gamble Avenue. She asked Public Works Director Tony Gaines if he though Gamble Avenue should be on hold until after the stormwater report.

Public Works Director Gaines stated that New Castle County attempted to find where the drains are draining to and can't confirm where the water is going . It is possible that it is causing the weeds that are coming up from the ground.

Councilwoman DiBiaso asked would he say in his opinion that repairing Gamble Avenue can be prioritized at this moment? Would you think the water issue causes more problems?

Public Works Director Gaines stated he wouldn't want to waste the money on pulling up the street right now until we get the stormwater study results.

Mayor Thompson stated his only issue would be repaving the road and then have to tear it back up if there's a stormwater issue.

Councilwoman Personti asked can we do a partial repair and cut out the worst parts of the street to be repaved?

Town Manager John Giles stated we can mill and pave the street like we did on Second Avenue.

Councilwoman DiBiaso stated that she will tell her residents that it has been brought to Council's attention and by February or March we will have a better understanding of what is going on with the stormwater study.

Consideration of closing Town Hall for the purpose of holding an employee team building retreat.

Town Manager John Giles stated that the staff takes the day off and gets together at a park and does team building games and barbecue.

ACTION: A motion was made by Mayor Thompson to close Town Hall for purpose of holding an employee team building retreat. The motion was seconded by Councilwoman Jensen.

VOTE: 7-0 All in Favor Motion Carried

Consideration of reappointing the following members of the Finance Committee, if appointed, their terms will expire on June 1, 2024.

- a. Mr. Ronald Russo
- b. Ms. Steveni Keeley

Mayor Thompson asked if anyone has reached out to them to see if they wanted to be reappointed.

Town Manager John Giles stated both are willing to be reappointed

ACTION: A motion was made by, Mayor Thompson to reappoint Mr. Ronald Russo and Ms. Steveni Keeley to the Finance Committee with terms to expire on June 1, 2024. The motion was seconded by Councilwoman DiBiaso.

VOTE: 7-0 All in Favor Motion Carried

DEPARTMENTAL REPORTS:

Code Enforcement

Code Enforcement Officer Scott Allen gave a brief overview of the Code Enforcement Report. He asked if there were any questions.

- a. The department issued 77 violations during the month, 45 of those were corrected by fines being issued, 28 receive fines and 4 remained pending by the end of the month.
- b. Issued 7 public nuisance fines, 5 of which were subsequent offenses.

- c. Requested the Public Works Department complete 10 abatements.
- d. Completed 11 pre-rental inspections.
- e. Processed 17 permit applications.
- f. Issued 6 new business licenses.
- g. Issued 2 new rental licenses.
- h. Tagged 5 vehicles for tow, all were removed without being towed.

Finance

Finance Director Steven Martin gave a brief overview of the Finance Department Report and he asked if there were questions.

- a. \$720,000.00 tax revenue this fiscal year.
- b. Transfer taxes received August 2022 were \$22,000.00
- c. Filed for fiscal year 2024 Local Service Fund Application
- d. Provided a draft contract for playground renovations.
- e. Received confirmation of renewal for our for cyber liability insurance policy
- f. Submitted new claims for insurance for EPD/Chief new # filed and completed annual equitable sharing agreement
- g. Enrolled in the empower pension portal for electronic recording.
- h. Continued processing property tax discount applications
- i. Provided information for 2021 actuary report.
- j. Continued Coverage of VAC but Lucy is trained and coverage is reducing.
- k. Melissa is removed from DELJIS system.

Councilwoman Steppi questioned the budget report, can you comment on the legal expenses on sheriff sale costs of \$9,919.00?

Finance Manager Martin stated these are costs associated with taking a to property sheriffs sale and can provide more information from the invoices on Monday.

Councilwoman Steppi asked if it was a judgement and recovered?

Finance Director Martin stated that we do recover it.

Councilwoman Steppi thanked him for the information.

Councilwoman Personati asked if someone pays their VAC fine, does 100% of what they pay go to the fine the line item?

Steve states that is a portion of the fine attributed to what we receive. There are payments sent to DELJIS for the surcharges. This line is the money that we keep.

Councilwoman Steppi stated \$35,785.18 which is highlighted is our part. That amount is what we keep, correct?

Steve stated August is not posted as of yet, so it won't be until they get the reports in October. We do provide Chief what is received from the VAC daily. We do have a report that will show in house for those fines and can provide that for you.

Councilwoman Personti thanked him for the information.

Public Safety:

Chief Laura Giles gave a brief overview of the written report. Received revenue from JP court in the amount of \$5,309.29. The total of VAC income for August was \$38,941.15. Saturday, September 3rd, a pedestrian was struck while leaving from Mulroney's crossing over to Canby Park. The car did stop, and the department was notified Tuesday it was upgraded to fatal. Witnesses stated the pedestrian did dart out in front of traffic unexpectedly. Beginning September 1st, through December 31st, 222 the officers will have facial hair for "No Shave 2022." The officers put \$40.00 in a donation jar to Master Sergeant Miller who was diagnosed with brain cancer in order to participate.

Councilwoman Personti wants to thank Public Safety for their response to her fireworks complaint that was addressed on Labor day.

Mayor Thompson asked about the problem with children being dropped off at Olga Road to Baltz Elementary School.

Chief Laura Giles stated that cars were parked in the yellow and she sent officers down to direct children and cars from being parked in odd places. No crossing guards have been placed there this year.

Public Works:

Public Works Supervisor Anthony Gaines gave a brief overview of the Public Works Department Report and asked if there were any questions.

- a. Pot holes across the town have been addressed. They just received more product so they will be out there again.
- b. Sweeper has been out to clear out the drains.
- c. Concentrating on trees around town.
- d. Training a new/old employee.

Councilwoman DiBiaso thanked Public Works for cleaning up Richard Moore Park, as well as the Chief for taking care of the police issues there as well.

Town Manager:

Town Manager John Giles stated the Park contract with Global Playgrounds is almost complete. They were not able to get a performance bond because their bonding ability has reached their

max but we We will still be working with them but will paying them more frequently and will keep a larger retainer as a result.

Councilwoman Dibiaso requested to be notified when the Global contract is signed and when they are going to start the construction.

Town Manager John Giles stated that Global is going to start construction at the end of October.

Town Manager John Giles stated that the New Castle County Tax Rate for Elsmere wasn't supposed to receive an increase this year.

Town Manager John Giles wants to have a business casual uniform for the staff. He plans to choose a shirt and wants the staff to wear khaki pants and business casual shoes.

PUBLIC COMMENT:

None

STATEMENTS BY THE MAYOR AND COUNCIL:

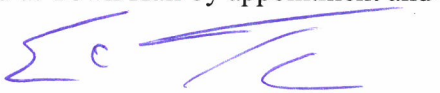
None

ADJOURNMENT:

ACTION A motion was made by Councilwoman Jensen 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 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