

**TOWN OF ELSMERE
COUNCIL MEETING MINUTES
September 14, 2023
6:30 p.m.**

CALL TO ORDER: Councilwoman Sally Jensen called the meeting to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE:

MOMENT OF SILENCE:

ROLL CALL:

| | | |
|--------------------------|---------------------|---------|
| MAYOR | ERIC SCOTT THOMPSON | ABSENT |
| 1 ST DISTRICT | MARIANNE SKIPSKI | ABSENT |
| 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
Chief of Police, Laura Giles – Present
Town Manager, Steven Martin – Present

PUBLIC COMMENT: NONE

APPROVAL OF MINUTES:

Minutes of the amended August 10, 2023, Council Meeting.

ACTION: A motion was made by Councilwoman Personti to approve the amended minutes of the August 10, 2023, Council Meeting with no corrections. The motion was seconded by Councilman McKewen.

VOTE: 5-0 with 2 Absent All-in-Favor Motion Carried

Old Business: NONE

New Business

Consideration for approval of a contract with a Hera Property Registry, LLC to replace Prochamps.

Town Manager Steven Martin stated that we found out in June that Prochamps filed for bankruptcy and Hera is the recommended property vendor and there is no difference in the contract from Prochamps.

Town Solicitor James McMackin stated the Motion can be approved subject to review to make sure the contact is the same and advised Council that they can approve subject to negotiations.

ACTION: A motion was made by Councilwoman Jensen to authorize contract with Hera Property Registry, LLC to replace Prochamps pursuant to negotiation. The motion was seconded by Councilman McKewen.

VOTE: 5-0 with 2 Absent All-in-Favor Motion Carried

Consideration of appointing the following member to the Planning Commission. If appointed, their term would expire on September 14, 2026

a. John Holloway

ACTION: A motion was made by Councilman McKewen to approve appointing John Holloway to the Planning Commission with a term expiring on September 14, 2026. The motion was seconded by Councilwoman Personti.

VOTE: 5-0 with 2 Absent All-in-Favor Motion Carried

DEPARTMENTAL REPORTS:

Code Enforcement

Code Enforcement Officer Scott Allen gave a brief overview of the Code Enforcement Report.

- The department issued 80 violations during the month, of those, 48 were corrected without fines being issued, 23 received fines and 9 remained pending at the end of the month.
- Issued 5 Repeat Public Nuisance Violations, 3 of which were for 2nd or Subsequent Occurrences.
- Currently have 11 vacant properties on file.
- Requested Public Works to perform 4 abatements as the result of a violation.
- Performed 13 Pre-Rental Inspections.
- Processed 25 permits.
- Issued 0 new "In Town" business licenses.
- Issued 6 new "Out of Town" business licenses.
- Issued 1 new Rental License.

- Tagged 5 vehicles for Tow, all were removed without being towed.
- Councilwoman Steppi questioned the violations regarding Community Liquor Store.
- Code Enforcement Officer Scott Allen stated that they have 1 remaining, and it is the glass for the windows and they are waiting for the contractors to supply the glass and will do a final walk through once completed.

Finance Department

Town Manager Steven Martin gave a brief overview of the Finance Department Report.

- Community Power Credit Union hosted a financial literacy and banking products lunch meeting with the staff.
- A notice from the Sheriff's Office was issued that Chapter 13 filing for 108 Forest Ave was rescinded.
- The following payments were received as result of Sheriff Sale: 915 Baltimore - \$12,606.62 and 108 Forest - \$12,689.09 (We also submitted a billed for \$12,215.00 in legal fees).
- Completed the Annual Municipal Street Aid report.
- Continued to process Senior Discount/Disability tax applications.
- We submitted an application to the Community Foundation requesting a \$5,000 grant from the Doncaster Fund for the Fall Festival and Christmas Parade.
- Completed a DOJ financial close out report for an EPD grant.
- The Finance Office took in \$407,210.00 of property tax payments for the month.
- We did some cleanup of administrative appointment and user setup at M&T bank.
- We submitted the Town Local Service Fund Budget Application.
- I attended an M&T Treasury Management webinar.
- Implemented Positive Pay and ACH Fraud Protection on our accounts at PNC Bank

Public Safety

Chief Laura Giles gave a brief overview of Public Safety.

- Chief Giles stated that one officer withdrew from Delaware State Police hiring process and they will only be down one Officer now and hopefully hiring someone that will be going to the Dover Academy in October.
- Chief Giles stated that she received the 2023 Chevy Malibu and is waiting for equipment to be delivered so she can upfit it.
- Chief Giles stated that the status for the Opioid Grant for the old Senior Center was submitted and they wanted us to make changes and will let us know by Monday if the grant has cleared.
- Chief Giles stated we received \$31,281.12 from the Combat Violent Crime Grant.
- Chief Giles stated that Paoli has started on the police parking lot and will be done within a month.

- Chief Giles stated that Council may be getting phone calls regarding handicap parking as they did a review of handicap parking spots and, per Town code, to have a Handicap parking spot, they must have the handicap license plate on the vehicle.
- Chief Giles stated that she will be out of the country from 9/19/23-10/9/23 and Lt. Shelton will be in charge.
- Councilwoman Steppi asked about the doorbell ditch situation and if Elsmere Police Department was the primary department on site.
- Chief Giles stated that it is in our jurisdiction, but Delaware State Police asked if they could handle it since it involved their police officers and Elsmere Police allowed them.
- Councilwoman Steppi asked if any of the teenagers were detained in an Elsmere Police vehicle.
- Chief Giles stated that no teenagers were held in Elsmere Police vehicles.
- Chief Giles did state that one of the juvenile's mother reached out and she gave the mother Delaware State Police Internal Affairs and Attorney Generals phone numbers and email addresses.

Public Works

Public Works Supervisor Anthony Gaines gave a brief overview of Public Works.

- We hired Brice Bolen, and he has been working for a month, he is still in training and we are still looking for another employee.
- The department is continuing to address potholes throughout Town.
- We are still cleaning the trees up around the Town from the last couple storms we have had.
- Staff completed the following: Halo/disinfecting of Town Hall, replacing and paint the panels in the Senior Center.
- Annual Park cleanup projects are done, and we painted over the graffiti at Fairgrounds and cleaned up graffiti off the play structure at Vilone and Walling. We cleaned up fallen trees at Fairgrounds and Maple as well as removed the beehive at Vilone Park.
- Completed 4 abatements at the request of the Code Enforcement Department.
- Councilwoman Steppi asked if all the work on the Senior Center is being paid by the Opioid Grant.
- Town Manager Steven Martin stated yes, up \$100,000.
- Councilwoman Steppi asked about a lease being signed for the Senior Center.
- Chief Giles stated that the tenant is coming in tomorrow and we had to prove to the State why we were asking for \$7,000 a month.

Town Manager

Town Manager Steven Martin gave a brief overview:

- Town Manager Steven Martin stated that KCI is continuing to work on design phase and construction documents for Vilone Village and Vilone Park. We should have the documents by the end of the last week of September.
- Town Manager Steven Martin stated after some evaluation of the Town's stormwater project report, he would like to first prioritize the Dover Avenue Drainage Ditch / Blevins Pedestrian Path and then the Taylor Road at Silverbrook Drive as the next projects to be scheduled. We have Council's approval to fully pay for these two projects with ARPA funds and further speaking to KCI, we should be able to start the work by early 2024. In addition, it would give the residents of the Town that sense of confidence that we are trying to address the flooding issue. I am requesting a proposal from KCI for both projects.
- Councilwoman Jensen asked if a construction report would be done by then.
- Town Manager Steven Martin stated that once construction drawings are done, then they can go out to bid.
- Town Manager Steven Martin stated he had a meeting with Kevin Donnelly of DNREC and the Mayor on September 14th and they are awarding us \$470,000, which will be for Vilone Park and Dogwood Hollow, which has a funding of \$682,000 and will need to come back to Council to request additional ARPA funds to be reallocated for that project.
- Town Manager Steven Martin stated that he submitted reimbursements for the Jefferson Street project.
- Town Manager Steven Martin stated he had a meeting with Tom Schultz from the US Department of Energy discussing our EECBG grant application.
- Town Manager Steven Martin stated we are looking into the New Castle County Bicycle and Pedestrian Project Funding Opportunity and Del-Dot Transportations Alternative Program grant for funding.
- Town Manager Steven Martin stated we received an update from the County regarding the road repairs and they received the bids but are now waiting on the money. He has been checking in once a week for updates and once he has an update, he will let the Council and Mayor know.
- Town Manager Steven Martin stated we are working on the Town of Elsmere's Five-year Street repair project. This master plan presents each street in order as the "Worst" streets to the less "Worst". He spoke Vandermark & Lynch about obtaining a proposal for engineered documents for the first six streets selected for year one. He stated he has been looking at grants and an Infrastructure Bill that the President rolled out in April and there is a meeting in Washington D.C. on how we can request getting the money and requesting from Mayor and Council for him to attend this meeting.
- Town Manager Steven Martin also stated that the US Department of Transportation Safe Street and Grants Program is a grant we can use for our streets.

- Vandermark & Lynch is finalizing construction documents for Rosemont and Taylor Street re-engineering. We have to request a Easement Maintenance Agreement from the resident adjacent to the corner of Rosemont and Taylor.
- Town Manager Steven Martin stated that we attended a meeting with Lance Miller from 2NDNATURE. They provide a database for tracking the condition of our catch basins and information for the Annual NPDES Report. During the conversation, we found out that their software can do so much more. For instance, we can map our stormwater system, warehouse pictures of flooding issues and a variety of stormwater information management and compliance items. They assist local, state, and federal agencies across the country with stormwater information management. At the conclusion of our meeting, we shared our Stormwater Report prepared by KCI which they found very comprehensive and said the data we have could be eligible for grant funding opportunities from NOAA.
- Town Manager Steven Martin stated that we had a meeting with a representative for the Department of Labor who provided information on the changes for Minimum Wages and attended Financial Wellness in the Workplace Webinar.
- Town Manager Steven Martin stated he met with the Fire Chief about the proposed re-engineering of Rosemont and Taylor Road.
- Town Manager Steven Martin stated that he had a meeting with Parklynn Apartment management regarding numerous code violations.
- Councilwoman Steppi asked about Parklynn Apartments and if there are additional violations.
- Town Manager Steven Martin stated that the violations have been cleared up and no additional violations have happened.
- Councilwoman Jensen asked if the mold was remediated.
- Town Manager Steven Martin stated that it was, and Code did a walk through.
- Councilwoman Personti asked who he met with.
- Town Manager Steven Martin stated that he met with LaToya and Jacob who is part of management.
- Town Manager Steven Martin stated we have held several interviews for the vacant Administrative Assistant position. We are starting the second interviews the week of September 11th.
- Town Manager Steven Martin stated that the posting of the Finance Director is due to close on September 13th with interviews to commence the week of September 18th.
- Town Manager Steven Martin stated that the Senior Center RFP has been extended for an additional two weeks. A couple of the bidders need more time as this is a design build project, and they need more to complete their drawings. The bid closes on September 28th.
- Town Manager Steven Martin stated that for the Window RFP, we must get the windowsills tested for lead base paint. He said that EPA and OSHA regulations state that disturbing lead-based paint or presumed lead-based paint in occupied homes or business facilities built before 1978 must comply with the Lead Renovation, Repair and Painting (RRP) Rule.

PUBLIC COMMENT: NONE

STATEMENTS BY THE MAYOR AND COUNCIL:

Councilwoman Steppi stated that we have close to 120 people at the Mobile Food Pantry this month and that we have had a better selection of items and residents are very thankful. She also stated the Food Bank of Delaware informed us that we cannot turn non-Elsmere residents away. She stated that there are very few non-Elsmere residents that come through the line, that its maybe 10 people and not to let it take away from the outreach for our community. She stated that every vehicle hands her ID's or bills to show they are a resident.

Councilwoman Personti questioned when the Food Bank told us that we cannot limit it to Elsmere residents.

Town Manager Steven Martin stated they told him back in January that we could not limit to just Elsmere residents and that is part of the USDA compliance.

Councilwoman Personti asked then there is no need to check IDs?

Councilwoman Steppi stated that checking IDs help fill out the forms as names and addresses are needed and then some questions regarding governmental benefits they receive, and IDs are helpful when there is a language barrier. She stated the Food Bank ask these questions because they must put out statistics.

Councilwoman DiBiaso questioned why do we have to check IDs if it doesn't matter where they live.

Councilwoman Steppi stated that its easier to fill out the forms as it asked for ID and name and residents are aware they need to show their IDs.

Councilwoman Jensen question if the Food Bank runs year to year and that December will be our last one if we do not renew.

Chief Giles stated that the Mobile Food Bank was paid out of Needy Family money.

Town Manager Steven Martin stated we paid \$16,000.

Chief Giles stated that the \$16,000 was for 6 months from the Needy Family.

Chairman John Jaremchuk stated that the Town of Elsmere gave a large donation to the Needy Family Fund and is thankful for that but then the Needy Family Fund paid for the Mobile Food Bank. He then questioned why are we not turning non-Elsmere resident away when we are paying for the food.

Councilwoman Personti asked if the Food Bank would still come to Elsmere if the Town does not pay for the food?

Town Manager Steven Martin stated that they do go to other locations around Elsmere.

Councilwoman DiBiaso stated that she has volunteered at many Food Banks and if there is any food left over, the Food Bank takes the left-over food back, even though we have already paid for it and that she would not turn anyone away either. She asked how do we regulate the amount of food we pay for?

Councilwoman Jensen stated that if the volunteers are giving out 2 dozen eggs but see that the line is still long, then we will change it 1 dozen or if we see there are more items left and the line is still long then we give more of that item.

Councilwoman DiBiaso asked that wouldn't it be more efficient to figure out how much food we need to pay for instead of paying \$16,000 a year?

Town Manager Steven Martin stated that what the Town pays for in 100 families can increase or decrease but it affects the amount we must pay. He also stated that we were receiving a poor

selection of food and he reached out to the Director at the Food Bank, and we have been receiving a better selection now.

Councilwoman DiBiaso asked that banana and grapes were left over last time and if we could donate them to a homeless shelter instead of giving it back to the Food Bank?

Town Manager Steven Martin stated there isn't much food left over since we have had a better selection.

Councilwoman Jensen stated we are paying for 100 families, but we have been serving over 100-120 people.

Chairman John Jaremchuk stated the food that the Food Bank gives out is donated to them which is why we have different food at different times. He stated that the Food Bank is calling the shots, but we are paying them \$16,000 a year for what?

Councilwoman Jensen stated that part of the funds were to go toward the salary of the driver and run the truck that is refrigerated.

Chairman John Jaremchuk stated the salary for the driver is \$70,000.

Councilwoman Steppi stated that she brought the initial concept to the ARPA table for community outreach. She stated the Finance Director at the time and now Town Manager Steven Martin stated the Town wants to do the Food Bank for a year. She stated that the Mobile Food Bank was greatly needed in the beginning of COVID and with inflation.

Chairman John Jaremchuk stated that he is not critical of the whole program, just on how they can dictate things to us.

Councilwoman Personti stated that one of our own Hometown Hero's Raymond Firmani will be 102 years old on Tuesday, September 19th and Mission BBQ on RT 202 was so impressed with them that they are having Luncheon for him from 11:30-1:30.

Councilwoman Dibiaso stated that she wanted to thank Town Manager Steven Martin and Supervisor Anthony Gaines regarding Richard Moore Park's vandalism and how effective they are at cleaning it up.

Councilwoman Jensen stated that she would like a cost breakdown on what the cost of maintaining Richard Moore Park is.

Town Manager Steven Martin stated that he will be out of the office 9/26/23 and 9/27/23 and that he believes the Fall Festival will be a very nice event as we have 4-5 food trucks and dessert trucks. We are putting up signs and will put more signs up, as the Town put \$16,000 into this event.

Councilwoman Personti stated that she would like a sign for her lawn and all of Council's lawns.

ADJOURNMENT:


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

VOTE: 5-0 with 2 Absent 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