

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

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

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF SILENCE:**

**ROLL CALL:**

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

Town Solicitor, James McMackin – Present  
Chief of Police, Laura Giles – Present  
Town Manager, Steven Martin – Present  
Finance Director, Valarie Strzempa - Present

**PUBLIC COMMENT:** NONE

**APPROVAL OF MINUTES:**

Minutes of the November 9, 2023, Council Meeting.

**ACTION:** A motion was made by Councilwoman Steppi to approve the minutes of the November 9, 2023, Council Meeting with no corrections. The motion was seconded by Councilwoman Jensen.

**VOTE:**                    6-0 with 1 Absent      All-in-Favor            Motion Carried

**Old Business:**

Third and Final reading of Ordinance 670:

An Ordinance updating the Town's fees for Rental Licenses.

Town Manager Steven Martin summarized the ordinance, stating that with the increased demand on the resources in the Code Enforcement Department with performing pre-rental inspections, these funds will offset the cost and has estimated the fiscal impact will be roughly \$50,500.

Councilwoman Steppi commented that the fiscal impact from this will not be realized until October or November of next year since that is the licensing period. Councilwoman Steppi also noted that the State Legislature is reviewing requirements for lead paint screening in residential rental properties, and it is something to keep an eye on.

**ACTION:** A motion was made by Councilwoman Steppi to approve Ordinance 670 as written. The motion was seconded by Councilwoman Personti

**VOTE:**                    6-0 with 1 Absent      All-in-Favor              Motion Carried

**New Business:**

Authorization to negotiate the sale of a small Town owned property known as 601 Baltimore Avenue or Parcel Number 1900-500-164.

Town Manager Steve Martin explained that there is an owner who wants to buy this land from the Town that is located behind a property he already owns. The owner did not tell him about the future intent for the land, but we intend to get it appraised and obtain a real estate agent.

Councilwoman Skipski asked if we incur the costs for those items.

Town Manager Steve Martin replied no, we will get the money back from the buyer. He also stated that this owner is a landlord, and this is something else to consider.

Councilwoman Personti asked about the origin of this piece of land and how this came to be Town owned property.

Town Manager Steve Martin replied that this dates far back, and we are not entirely sure.

Councilwoman Personti then asked if this was discovered from a recent survey performed.

Town Manager Steven Martin replied that the information provided is just a Google map image and New Castle County Parcel view of the property but that we will get an official survey done and have stakes placed out along with the appraisal and agent to represent the Town.

Councilwoman Personti asked if this was supposed to be an alleyway at some point.

Town Manager Steve Martin replied that based on how overgrown the area is with trees and brush, he believes it could have been an alleyway but that the houses on Western Avenue didn't go back that far to use the area, but he cannot be sure.

Councilwoman Jensen stated she assumes that if the sale moves forward, that the new buyer would assume responsibility for the area and clean and maintain it.

Town Manager Steve Martin stated that he feels the buyer does have a future use in mind for the land but believes the buyer did not want to share it immediately.

Councilwoman Personti asked how many feet wide the land is.

Town Manager Steve Martin replied he believes it is about 12 feet wide.

Councilwoman Personti confirmed the setback to be 5 or more feet from the property line and said whatever he can do with roughly 6 feet of land.

Councilwoman Jensen added that the pieces run behind the other two properties on Western Avenue.

Town Manager Steve Martin replied that he is guessing the buyer wants to create a driveway for off-street parking since that is really the only thing it can be used for. Town Manager Steve Martin just wanted to bring it before Council to see if they would be willing to sell the land but that we should do further investigation on the origin of the land.

Councilwoman Personti stated she would be interested in seeing the surrounding properties surveys to see if it matches from back when they purchased their properties since she has never heard of this area being Town owned. She would like to see the Town explore the origin further to make sure this is not the result of a dispute.

Town Manager Steve Martin agreed and said he will begin working on it and intends to bring it back before Council at the January or February meeting so they can make an informed decision.

Councilwoman DiBiaso asked who's to say we ask the buyer his intent with the property, proceed to sell it to them, and the buyer then changes his mind or neglects the property?

Town Manager Steve Martin replied that we could then fine them and issue citations.

Councilwoman Personti added that no matter what the owner does, they will need to abide by the Code.

Councilwoman DiBiaso asked if we could table the item until further research is done.

Town Solicitor Jim McMackin added that he pulled up the New Castle County parcel search and it is very strange how it is recorded. The information on this page says before 2012, there is not record of the previous owner, but in 2013 New Castle County began assessing taxes on the land for a period of three years. He believed it could have been County owned previously but it was deeded to the Town by an unknown source and no taxes were paid since the 1970's. Town Solicitor Jim McMackin wants to assure that we actually own this land since this is a bizarre case.

#### Discussion regarding reallocation of remaining ARPA funds.

Town Manager Steven Martin stated there are remaining ARPA funds in certain line items and feels that we should reallocate them to an unbudgeted line until a use is determined, such as

street repairs. The line items with remaining funds are for the clinician, Grant Thorton and the playgrounds which total \$52,500.

Councilwoman DiBiaso stated she thought the ARPA funds were not allowed to be used for road repairs.

Town Manager Steven Martin replied that this has since been changed under the second integration and since our budget does not exceed ten million dollars, we are now allowed to use it under a category of General Government Services which is any services provided by governments such as parks, streets, equipment, supplies and items to that nature.

Councilwoman Jensen stated she is concerned with the stormwater project and there could be overages.

Town Manager Steve Martin replied that in speaking with KCI Technologies, they estimated for 35% in any overages when typically, they budget for 25%, so believes this could be too much.

Councilwoman Steppi stated she is concerned that when we go to bid, contractors often swing high and low. Especially since the study was done 2 years ago and it is possible that more issues have risen within our drainage system and factoring in inflation, she is not optimistic that we have too much. She believes the engineer is factoring the 35% in dollars from last year.

Town Manager Steven Martin replied that is an unknown but at least the engineer budgeted aggressively.

Councilwoman Steppi asked if the plan is to put it out to bid next year.

Town Manager Steven Martin replied we will go to bid in May.

Councilwoman Steppi stated if the bid comes high and we can't do this, that is her main concern. We still have 6 months to go to spend it accordingly.

Town Manager Steven Martin added that KCI is looking to accelerate this project due to another grant opportunity that is upcoming that will go hand in hand with the storm water project. We plan to meet with KCI again this week.

Councilwoman Personti asked if we can place the money into the infrastructure line that way we can pull if needed for any overages with the projects, and if not, we will still have it for another project such as roads.

Town Manager Steven Martin replied that we can create a new separate infrastructure line that is stand alone.

**ACTION:** A motion was made by Councilwoman Skipski to approve the reallocation of remaining ARPA funds. The motion was seconded by Councilwoman Jensen.

**VOTE:** 6-0 with 1 Absent All-in-Favor Motion Carried

Councilwoman Personti added that for the record, the amount being reallocated is \$52,500.

Presentation of the Five-Year Street Repair Program with introduction of 2024 streets that have been selected.

Town Manager Steven Martin presented and summarized the project, stating that there have been six streets selected based on Council members' requests that we are aiming to have repaired in the 2024 year and that one street per Council District has been selected. This is the first step, and the second step would be to approve Vandemark and Lynch to perform the engineering of the streets selected to be able to submit for grants and funding. He clarified that each council person was satisfied in the street selected for their district to which they all agreed.

Consideration of approving Vandemark and Lynch to perform the engineering of the streets selected in the Five-Year Street Repair Program.

After clarifying each Council person was satisfied with the streets selected in their districts, he asked for a motion to approve the fees for Vandemark and Lynch to perform the engineering of the streets.

**ACTION:** A motion was made by Councilwoman Personti to approve Vandemark and Lynch to perform the engineering of the streets selected in the Five-Year Street Repair Program. The motion was seconded by Councilwoman DiBiaso.

**VOTE:** 6-0 with 1 Absent All-in-Favor Motion Carried

Discussion regarding funding for the new Elsmere Police Department vehicles.

Town Manager Steven Martin recalled last month's Council Meeting and the approval to purchase two new police vehicles. He wanted to bring assurance to Council regarding where the funding would come from since there was hesitation in using long term planning funds. After further research and meeting with the Finance Director, it was determined that after 7 months of receipts from Impact Life which will total \$49,000 which we will have by July, only then would the remaining balance of \$46,980 would then come from long term planning. Councilwoman Personti thanked them for their work and feels better about the decision to approve the vehicles.

Councilwoman Jensen asked Chief Giles if the new vehicles will be stealth or be marked?

Chief Giles replied that it would cost an extra \$15,000 to be marked.

Councilwoman Jensen asked how other Council members feel about having marked verses unmarked and that she gets asked from constituents about police presence.

Chief Giles stated they used to have marked cars and residents still asked where the police are and in a one-mile Town, she believes it is more advantageous to be stealth and we must have every advantage possible. They do have some marked vehicles and each officer has a camera so they can prove they are out there. The goal is to force people to question every black SUV they see to possibly prevent a crime from happening.

Councilwoman Skipski stated she has mixed feelings about it but she realizes the reasoning behind the stealth and now knowing the cost for marked vehicles, she is more understanding.

## **DEPARTMENTAL REPORTS:**

### Code Enforcement

Code Enforcement Officer Nicole Facciolo gave a brief overview of the Code Enforcement Report.

- The department issued 52 violations during the month, of those, 17 were corrected without fines being issued, 28 received fines and 7 remained pending at the end of the month.
- Issued 4 Repeat Public Nuisance Violations, all of which were for 2<sup>nd</sup> or Subsequent Occurrences.
- Currently have 11 vacant properties on file.
- Requested Public Works to perform 0 abatements as the result of violations.
- Performed 14 Pre-Rental Inspections.
- Processed 22 permits.
- Issued 1 new “In Town” business licenses.
- Issued 6 new “Out of Town” business licenses.
- Issued 2 new Rental Licenses.
- Tagged 5 vehicles for Tow, all were removed without being towed.
- Councilwoman Jensen stated she noticed that 201 ½ Western Avenue has been doing some work on the house and wanted to know if there were any permits obtained.
- Code Enforcement Officer Nicole Facciolo said she was not sure since she does not process each permit application but said she would double check with Administrative Assistant Denise Lardani.
- Councilwoman Jensen then asked if the house was considered vacant since there was work being done.
- Code Enforcement Officer Nicole Facciolo replied that the house has 3-4 units on the inside and there are 2-3 existing tenants and not considered vacant.
- Councilwoman Steppi then asked about 16 Tamarack Avenue being vacant, boarded up, sold at Sheriff Sale and then pulled out of the sale, it is once again on the Repeated Public Nuisance list, what happens now?
- Code Enforcement Officer Nicole Facciolo replied that she has to keep up on issuing any citations necessary for the fines to accrue enough to get it placed back on the Sheriff Sale list.

- Councilwoman Steppi then asked what rights we have as the Town since she is getting complaints, what else can be done?
- Town Manager Steven Martin replied that we need to target the property since he believes it is what is known as a ghost property since the bank does not show ownership on the deed, but we can investigate which bank it is to inform them of the continued issues with the property.
- Councilwoman Steppi stated she was able to look up the tax and sewer bills which were being sent to an address in Middletown or Townsend to a family member at one point.
- Town Manager Steven Martin replied that most of that is done through the Finance Department, and he will have them investigate.
- Finance Director Valarie Strzempa stated that she did report on this property last month that the mortgage company did redeem the property again and it is constantly back and forth with the Sheriff Sale and bank buying it back.

### Finance Department

Finance Director Valarie Strzempa gave a brief overview of the Finance Department Report.

- Continued collection of delinquent taxes. Believes they are at 97% budget.
  - Total taxes received during the month: \$25,201.45.
  - Total penalties and interest received during the month: \$2,128.99.
- Collected \$39,369.00 in Transfer Taxes.
- Town of Elsmere Sheriff Sale Properties
  - 7 Beech Ave.
  - 206 Rosemont Dr. redeemed at Sheriff Sale by the mortgage company.
- Worked closely with the Auditors while in the office this month.
  - Troubleshoot system Trial Balance/Control Account issues.
    - This resulted in several updates to our General Ledger/Control accounts to streamline this audit and future audits.
  - Pulled necessary paperwork and produced numerous reports as requested to control the Auditors' time spent and overall costs associated.
- A \$2,000.00 donation was sent to Elsmere Fire Company for the parade. (\$1,000.00 of Doncaster Funds and \$1,000.00 from M&T Bank).
- New Grant account set-up completed in our financial software.
- Accounting record Grant close-out and reimbursement to the General Fund performed.
- Welcomed internal employee Rachel Ritter into the Finance Office as Account Clerk effective 11/1/23 and continued training for this position.
- Coordinated DELJIS access requests for 2 employees for payment processing in the Voluntary Assessment Center.
- Acquired access to the State EGrants system to perform budget detail and agency budget reports for DCJC Grants.
- Final ARPA payment/retainage issued for EPD's HVAC System.
- Councilwoman Jensen asked if the \$2,000 donated to the Elsmere Fire Company would be refunded since the Holiday Parade was cancelled.

- Finance Director Valarie Strzempa replied that yes, it will be refunded back to the Town.

### Public Safety

Chief Laura Giles gave a brief overview of Public Safety.

- Chief Giles stated that she wanted to follow up on the handicap parking audit she was performing and provide an update on the constituent that called Councilwoman Skipski from Sycamore Avenue. After research, it was found that there are 7 handicap parking spaces on Sycamore Avenue, which is one of the highest streets. Chief Giles has been working with Public Works to remove some spots and estimates that there are about 45 legitimate handicap spaces throughout Town that are currently up to date.

### Public Works

- Town Manager Steven Martin stated that Public Works Supervisor Anthony Gaines had to abruptly leave due to a family emergency but that the monthly report was before them and if there are any questions, he will forward them to Anthony Gaines.
- Councilwoman Steppi thanked Public Works for responding to her and her neighbors house to assist in leaf removal prior to the major rain event that occurred.
- Town Manager Steven Martin added that if anyone sees leaves, please call and we can have Public Works remove them using the street sweeper.

### Town Manager

Town Manager Steven Martin gave a brief overview:

- Hosting holiday brunch on December 22, 2023 from 11am to 1:30pm and Council and all committees are invited to attend. We are having it catered by Drip Café in Hockessin.
- Currently awaiting final designs for construction drawings from KCI which are due by May.
- Has been contacted by the University of Delaware to assist in technical support to submit for a FEMA grant. After sending our study from KCI, they feel we will get 100% funding from this grant which is 2.1 million dollars. ARPA money can be used as cost sharing and the application will be submitted in February and we should hear something back by June.
- EECBG Grant will be used for the library door and 2 exterior doors to be replaced.
- Homeland Security contacted us for a 1-year security monitoring grant which we will be moving forward with.
- 301 Osborne Easement agreement has been signed and forwarded to DNREC.
- Completed NIMS Report which is annual.
- Held another meeting with 4 apartment complexes regarding trash cost sharing and each complex has agreed. Written agreements will be drafted for signatures.
- Held interviews for the open Code Enforcement Officer position and have narrowed it



down to 2 candidates.

- Received an outstanding bill from Auditors from last year for work that the Town did not approve. Town Solicitor sent auditors a letter to dispute and plans to have a meeting to resolve this.
- The Mayor is going out to determine the Best Decorated House on December 15, 2023.
- Intends to upload photos of all recent events on the website and FaceBook page.

**PUBLIC COMMENT: NONE**

**STATEMENTS BY THE MAYOR AND COUNCIL:**

Councilwoman Steppi stated that on Monday evening, she, Councilwoman Jensen, Town Manager Steven Martin and a few constituents attended a kickoff meeting hosted by WILMAPCO at the Cranston Heights Fire Company. This meeting was the Kirkwood Highway Land Use and Transportation Plan Public Workshop. It is a plan initiative for work to be done from Newark to Elsmere. Traffic safety was a large part of the discussion and traffic calming methods using the school zones. She advocated for public transit using DART and the bus stop conditions. This was only the kickoff meeting, and they were able to put Elsmere on their radar.

Town Manager Steven Martin added that in speaking to the representatives at the meeting, it is ultimately up to us as the Town and residents to push to get appropriate attention to Elsmere.

Councilwoman Personti asked that with the tenants in the basement and the elevator being open, is the security door really doing anything? She asked if there has been any discussion about this since anyone can come up and, in the building, bypassing the security doors.

Town Manager Steve Martin replied that yes, we can lock the elevator so it will not come up to the second floor and the doors are now deadbolted and the door next to the kitchen is locked after hours, but that during business hours, the doors are open to the public. We are exploring the option of locking the door next to the kitchen during business hours as well so the staff will be protected but we must confer with DelCollo to implement this.

Councilwoman Personti also asked if in the new year possibly starting in January, can we discuss rewording and adding more information to the newsletter that is delivered during the annual lit drop? She would like to educate the public about what their taxes are paying for and the reason for the tax increase and the level of service they receive.

Town Manager Steven Martin agreed and would like to set dates to go over what she would like it to look like.

**ADJOURNMENT:**

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

**VOTE:** 6-0 with 1 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**