

**TOWN OF ELSMERE  
COUNCIL MEETING MINUTES  
February 8, 2024  
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 <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:**

Town Manager Steven Martin took this time to introduce the new Code Officer, Vaughn Hill, to Mayor and Council.

**APPROVAL OF MINUTES:**

Minutes of the January 11, 2024, Council Meeting.

**ACTION:** A motion was made by Councilwoman Jensen to approve the minutes of the January 11, 2024, Council Meeting with no corrections. The motion was seconded by Councilwoman Skipski.

**VOTE:**                    7-0      All-in-Favor      Motion Carried

**Old Business:**

Discussion to update on the potential sale of a small Town owned property known as 601 Baltimore Avenue or Parcel Number 1900-500-164.

Town Manager Steven Martin updated the Mayor and Council on his findings of the history of the property and how it became Town owned, stating that it was bought in 2012 from New Castle County Sheriff Sale for roughly \$7,000 but he was unable to find the reason for the purchase.

Town Manager Steven Martin stated he would like to do further research to determine which properties on Western Avenue are encroaching and how to remediate it and to determine if this was an access way to Fairgrounds Park.

There was a brief discussion regarding the properties along Western Avenue and how they are now encroaching, current condition of the land, the history of the property and who the potential buyer is.

Town Solicitor Jim McMackin added that since it is Town owned, we do not have to enforce any encroaching unless we choose to.

Town Manager Steven Martin stated he will try to locate the recording from the Council Meeting when it was voted on to purchase the property for answers.

Discussion to update on the nuisance property known as 16 Tamarack Avenue or Parcel Number 1900-400-320.

Finance Director Valarie Strzempa updated the Mayor and Council on her findings on the property and found that someone is continuing to buy back the property before every Sheriff Sale and for an unknown reason, there is financial interest from unknown sources. There is a new delinquent tax balance of over \$9,000 so it will be sent once again.

Councilwoman Steppi commented that she is continuing to receive complaints from constituents and asked how far do we let these nuisance properties go?

Town Manager Steven Martin stated it is procedural to forward to Sherriff Sale any property with a delinquent tax balance of \$2,000 or above and we must continue to follow that for this property. Town Manager Steven Martin added that HUD must be financially interested in this particular property, and he will try to get more information from the property preservation company since there is knowledge of a pool in the rear yard with safety concerns.

Finance Director Valarie Strzempa added that typically, they do research to find out who is maintaining the property and paying the mortgage but for this one, there isn't much information available.

Chief Laura Giles suggested an ordinance change which would allow higher fines for properties that are continually being sent to Sheriff Sale.

Discussion to update regarding the donation to the Elsmere Fire Company for the cancelled 2023 Holiday Parade and the status of its refund.

Town Manager Steven Martin stated he was advised by the Board of Directors of the Elsmere Fire Company that they plan to discuss the course of action at their Board of Directors meeting on Monday, February 12, 2024 and will determine whether they will send the refund back or send a letter confirming its reallocation for the upcoming 2024 Holiday Parade.

Mayor Thompson added that this is a requirement from M&T Bank not a Town requirement.

**New Business:**

Discussion of the potential renaming of Beech Avenue as it conflicts with another Beech Avenue in New Castle County with identical numerical addresses.

Councilwoman Personti stated she was responsible for wanting this placed on the agenda since she and Councilman McKewen were contacted by Mike Rodriguez, the assistant of New Castle County Councilman Tim Sheldon. Councilwoman Personti explained that the issue is with a duplicate street address within the 19805-zip code which has become an issue within Brookland Terrace. There are five homes being affected in Brookland Terrace and they are the only ones complaining about this being a problem to their elected officials. The residents there want to ask the Town to change their zip code or street name. Councilwoman Personti continued by stating that for obvious reasons, we feel like that is a bigger undertaking than simply finding a workaround for the street in Brookland Terrace. Apparently, it was already suggested the option of using the extended 4 digits to the zip code, adding a prefix to the street name, changing the block number, or changing the street name altogether to which the group of residents refused. New Castle County has received pushback for years, as this small group of homeowners doesn't feel as though they should be inconvenienced by having to alter their street. Councilwoman Personti stated she and Councilman McKewen recognize that we should not be responsible for changing our street name since we have far more residents on our Beech Avenue and the Beech Avenue in New Castle County is roughly only five houses being affected but told Mr. Rodriguez she would bring it up as a courtesy. Councilwoman Personti asked if any members of Council had any interest in discussing changing this street?

No member of Council spoke up.

Councilwoman Personti stated she would contact Mr. Rodriguez and inform him that the Town would not be taking any action.

**ACTION:** NO ACTION

Consideration of selecting new streets to be repaired/replaced for the 2024 year in the 5-Year Street Replacement Program.

Town Manager Steven Martin explained that he received an email asking for the streets selected to be reconsidered. He asked Mayor and Council to advise him on which streets they would like done so he can move forward.

All Council members spoke and expressed their satisfaction on the streets that were selected with the exception of Councilwoman Jensen who stated due to further developments, she would like the street in her district to be repaired or replaced in 2024 to be Western Avenue.

Councilman McKewen spoke about the conditions of multiple streets in his district and how they look like they have been through a third world war. He believes his district is the worse and in dire need of replacement in multiple locations.

Councilwoman Steppi confirmed with Town Manager Steven Martin the source of the funding which will hopefully be funded through Senator Mantzavinos from the State. She further

expressed she was not satisfied with her street selection because she does not believe Baltimore Avenue is failing and there are other streets not within her district in far worse condition. Councilwoman Steppi expressed she was not comfortable accepting State money for a street she does not believe is failing. She then added that she would like to donate her 2024 Street selection to the 4<sup>th</sup> District since it is the worst in her opinion.

Chief Giles added in a suggestion as to how to approach the State to assure the Town of Elsmere can get funding, stating that towns such as Middletown are growing but Elsmere is old and once our streets are fixed, that takes us out of the equation for several years.

**ACTION:** NO ACTION

#### Presentation of a 5-Year Budget Projection.

Town Manager Steven Martin summarized the 5-Year Budget Projections and admitted that a \$30,000 error was found in Council's line in year 5 of the report and the corrected version will be sent out. This was created more as a tool to forecast and be proactive with many items such as contract renewals as an example. Town Manager Steven Martin stated he would like this to be reviewed every two to three months with updated numbers.

Mayor Thompson added that he recognizes there will be much fluctuation year to year in this, but we can use it to be proactive and anticipate any future tax increases and how to handle them.

**ACTION:** NO ACTION

### **DEPARTMENTAL REPORTS:**

#### Code Enforcement

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

- The department issued 82 violations during the month, of those, 46 were corrected without fines being issued, 30 received fines and 6 remained pending at the end of the month.
- Issued 6 Repeat Public Nuisance Violations and of those, 4 were for 2<sup>nd</sup> or Subsequent Occurrences.
- Currently have 8 vacant properties on file.
- Requested Public Works to perform 0 abatements as the result of violations.
- Performed 22 Pre-Rental Inspections.
- Processed 10 permits.
- Issued 0 new "In Town" business licenses.
- Issued 4 new "Out of Town" business licenses.
- Issued 4 Rental Licenses. Of those, 1 was an existing rental, 1 was a new rental, and 2 were only change of ownership.
- Tagged 9 vehicles for Tow, both were removed without being towed.

- Code Officer Nicole Facciolo reported that she worked on Saturday, January 27<sup>th</sup> specifically patrolling for any work being performed without permits. She reported her findings were 1 property doing siding, gutter and roof work had already obtained a permit and 1 property doing window work but that the work did not require a permit.
- Councilwoman Jensen commended Code Officer Nicole Facciolo on her added details on the monthly report.
- Councilwoman Steppi added that she has noticed improvements on the Kirkwood Highway action plan and thanked Code Officers Nicole Facciolo and Vaughn Hill on their work.

### Finance Department

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

- Continued collection of delinquent taxes.
  - Total taxes received during the month: \$15,091.79.
  - Total penalties and interest received during the month: \$1,417.44.
  - Delinquent tax bills were mailed out on 1/10/2024 and sent certified.
  - Reviewed Senior/Disabled discount applications and processed in preparation for mailing. There are 101 discounts in place due to recertification, and there are 21 wanting to apply now.
- Continued certifying all Town of Elsmere Deeds prior to submission to the Recorder.
  - Collected \$9,030.00 in Transfer Taxes.
- Town of Elsmere Sheriff Sale Properties
  - 16 Tamarack Avenue, this update was discussed as old business.
  - 206 Rosemont Drive, this has been to Sheriff Sale 3 times as well and keeps being redeemed.
  - 7 Beech Avenue, lawyers involved and in communication.
  - 1 Oak Street, this was purchased by accident and therefore redeemed in the 90 redemption period.
- HERA Registry (Abandoned Property Revitalization) revenue received during the month was \$1,200.00.
- The Department participated in HERA Registry Portal Training.
- VAC Financial coordination and process streamlining with the State of Delaware.
- Edmunds Accounting Software Clean-up/discussion with Edmunds regarding our reconciliation process and year end close/software code updates implemented.
- Grant Management, record close out/awarded grant budget and audit file preparation, in addition to performing continual maintenance/permanent file updates our of records.
- Met with the Department of Criminal Justice Planner regarding the fiscal responsibilities of the Opioid Grant.
- Disbursed employee W-2's.
- Processed non-employee 1099's for Tax Year 2023.
- Completed invoicing through the end of the FY for the newly implemented sanitation cost sharing program.

## Public Safety

Chief Laura Giles gave a brief overview of Public Safety:

- Chief Giles stated that Officer Maddams recovered 2 handguns during a traffic stop and commended him.
- Impact Life Grand Opening information with dates and times were sent via email to Mayor and Council.
- Olga and Sanders Roads, issued 5 yellow curb citations.
- In the process of hiring since another officer expressed that he will be leaving soon and she will be down 2 officers.

## Public Works

Public Works Supervisor Anthony Gaines gave a brief overview:

- Been working with Linda and Chief Giles on the handicap parking review.
- Working with tree issues amongst residents and determining who the trees belong to.
- Strep Sweeping numerous streets.
- Park Clean Up underway since there has been a break in the weather.
- Rodman Road is terrible with trash and the department has been out handpicking trash since the street sweeper is not able to get all the trash.
- Removing dirt piles at Vilone Park.

## Town Manager

Town Manager Steven Martin gave a brief overview:

- Town Manager Steven Martin explained that he learned the CAL baseball league will not be operating the baseball fields this year and plans to research how we can put our fields to use with other leagues but needs to work out maintenance and such.
- Continue with bi-weekly meetings with Grant Assistance Program at the University of Delaware's Institute for Public Administration and KCI. Work revolves around gathering data, creating designs and finishing the current scope of work tailored to the process for the DEMA's BRIC application. The BRIC application (Building Resilient Infrastructure and Communities) will be specifically for the Vilone Village Subdivision Project and the Chestnut Run & Little Mill Creek Project. Some of the work revolves around reducing the contingency from 35% down to 15% and developing an alternative to the original design. Philip Cane from DEMA and Grant Assistance Program feel that our Stormwater Study is very intuitive and checks many of the boxes for the grant. For this grant application cycle, BRIC's available funding is \$1 billion, and for Flood Mitigation Assistance, the available funding is \$800 million design.
- Mayor Thompson asked how this funding will affect the funds we are already receiving from the State?
- Town Manager Steven Martin replied that it will not have any effect since those funds are already allocated.
- For the EECBG Program, we received quotes for new exterior doors, including the library door. This will provide us with a ballpark amount that we should apply for.

- Local Cybersecurity Grant Program was awarded and DIT, along with Cloud Scale, is working on implementation.
- Attended two classes, in a four-part series to obtain certificate in Local Government Leadership and the certificate for Planning Education. The classes were Planning for Your Community's Future, and included Delaware Planning and Zoning Statutory Requirements; The Element of a Comprehensive Plan and Basics of Land Use Control. Next class will be held on February 21st, 2024.
- The staff attended a training course through HERA Registry. HERA is the company that replaced Community Champions who handled our vacant property registration and is used by municipalities and government agencies across the nation to help combat the problems caused by vacant and abandoned properties. Properties that are vacant and abandoned have a detrimental impact on the community, including maintenance issues and inviting criminal activity.
- Attended the Kirkwood Highway Land Use and Transportation Advisory Committee meeting. It was the first official meeting. We discussed roles, responsibilities, expectations, and worked on developing a vision statement and scenario planning. Also, Potential Kirkwood Highway Scenarios and Potential Criteria for Evaluation was discussed. Guests are welcome to attend, and Town Manager Steven Martin said he will inform the Council of the next meeting if they wish to attend.
- The Chief, the Finance Director, and Town Manager attended a meeting with the CJC grant monitor to discuss the Opioid Substance Abuse Grant. We were joined by representatives of Impact Life and discussed the reporting requirements for eligible uses and quarterly reimbursement.
- Submitted the Maintenance Facility Wet Weather Benchmark Monitoring Follow Up Report as part of NPDES compliance.
- After a month of trying to identify the issue with the Code Red System, the problem is solved.
- Prepared and issued the landscaping RFP and already receiving phone calls.

**PUBLIC COMMENT:**

Chris Varney of 500 Baltimore Avenue stated he has concerns with the Bark Park next to his home. With his work schedule allowing him to come home late, he has found there are vehicles parked in the Bark Park which are often there for mischievous reasons, especially since there are no lights. He recalled in the past where the gates to the park and parking lot used to be locked at dusk and it seemed this worked in deterring activity. Mr. Varney asked if there is a way we can begin locking the gates once again or even request Delmarva to install street lights in the park to illuminate it to deter criminal activity.

Chief Giles added that it is a problem and a few instances, officers have made arrests for people in that park after hours that were suspicious which turned out to be wanted criminals.

There was discussion regarding gate locking schedules and responsibility and the idea of requesting lighting in the parking lot of the Bark Park.

**STATEMENTS BY THE MAYOR AND COUNCIL:**

Councilwoman Personti stated the final edits for the 2024 Newsletter are underway with hopes to get prints out before next Council Meeting. Councilwoman Personti thanked Councilwoman Jensen and DiBiasco, Town Manager Steven Martin and Assistant to the Town Manager Scott Allen for their time and work on the Newsletter.

Councilwoman DiBiasco asked for clarification on the 5-Year Street Program and whether we were going to still get one street done per Council District to which the Town Manager agreed.

**EXECUTIVE SESSION:**

Pursuant to 29 Del. C. Section 10004(b)(9) the Mayor and Council will adjourn into an executive session to discuss a personnel matter.

**ACTION** A motion was made by Mayor Thompson to enter into an executive session pursuant to 29 Del. C. Section 10004(b)(9). The motion was seconded by Councilwoman DiBiasco.

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

**RETURN TO PUBLIC SESSION:**

Mayor Thompson called the meeting back into Public Session from the Executive Session.

**NEW BUSINESS:**

Potential action upon matters discussed in Executive Session.

Town Solicitor Jim McMackin requested the record to show that due to a procedural issue, the Executive Session could not proceed and will be addressed at a later date.

**ADJOURNMENT:**

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

**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**