

**TOWN OF ELSMERE  
COUNCIL MEETING MINUTES  
March 14, 2024  
6:30 p.m.**

**CALL TO ORDER:** Councilwoman 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 <sup>ST</sup> DISTRICT	MARIANNE SKIPSKI	ABSENT
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:**

Jonathan Wolfe who is the owner of 201 ½ Western Avenue spoke in regard to the potential sale of 601 Baltimore Avenue. Mr. Wolfe stated he is the owner and present this evening to answer any questions the Council may have.

Town Manager Steven Martin stated this is on the agenda under old business if we should wish to wait to discuss this.

Councilwoman Jensen stated he can be recalled during that agenda item.

**APPROVAL OF MINUTES:**

Minutes of the February 8, 2024, Council Meeting.

**ACTION:** A motion was made by Councilwoman Personti to approve the minutes of the February 8, 2024, 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:**

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, which were that he spoke to Mr. Wolfe who stated he is willing to pay for all fees for the sale of the property as well as the price of \$8,000 for the land. He further explained that in speaking with Mr. Wolfe, he found that Mr. Wolfe has intends to apply for a reverse subdivision and if he secured approvals, he would like to apply to build a home on the new lot. He explained that Mr. Wolfe acknowledges this would be all at his own risk.

At this time, Councilwoman Jensen called upon Mr. Wolfe once again to speak on this agenda item.

Mr. Wolfe stated he realizes there could be a few issues with the sale of the property, such as the land the Town currently owns is 12 feet wide which stretches behind 3 properties along Western Avenue. These properties have since claimed part of this land as their own, placing sheds on the property. Mr. Wolfe stated he does not want to get into a neighborly dispute, therefore he is requesting to only buy the section that is directly behind his property at 201 ½ Western Avenue. He has spoken to the Town Manager and agreed upon the price of \$8,000.00 for the property, but if he can buy only a portion, can the price be negotiated?

Councilwoman Jensen stated this is her district and is curious as to the reverse subdivision portion.

Mr. Wolfe clarified that the intention is to divide the back yard of 201 ½ Western and add the Town portion to it, thereby creating a new lot to apply to build a new home.

Town Solicitor Jim McMackin stated that if Mayor and Council approve the sale, there needs to be a disclaimer included in the sale that any approvals for future building cannot be guaranteed.

Town Manager Steven Martin stated that he wants to perform further evaluation of the property so that he does not put Mr. Wolfe at risk by making a bad sale.

**ACTION:** NO ACTION

**New Business:**

Consideration of awarding a contract in response to RFP 24-01 for Landscape Maintenance and Median Maintenance.

Town Manager Steven Martin stated we only received one bid submitted by Delaware Lawn and Landscape who we already have a relationship with. The bid was submitted for \$39,380. He feels this is a fair bid.

Councilwoman Jensen added that she noticed the option of signing a 3-year bid was included in the proposal. What are the Town's thoughts on this?

Town Manager Steven Martin stated he is in favor of this, especially since he has a good track record with us.

Town Solicitor Jim McMackin stated that if this RFP is granted, it should be on the condition

that it be based upon review of the Solicitor and Town Manager.

Councilwoman Steppi asked about the drainage ditch and if it is included since this is part of our NPDES requirement and if it will be a yearly requirement.

Town Manager Steven Martin stated that yes this is included, it was done 2 years ago and only once last year. But this year, we will make sure it is done this year accordingly and it is yearly.

Councilwoman Personti and Jensen clarified the proposal, which shows \$39,380 for years one and two, and then a 3% increase for the third year.

Councilwoman Steppi stated that last year, the median redesign was included and that this does not seem like a big increase.

**ACTION:** A motion was made by Councilwoman Jensen to accept the proposal by Delaware Lawn and Landscape in response to RFP 24-01 with the 3-Year Option, subject to submittal of a current Insurance Certificate and review by the Town Manager and Town Solicitor. The motion was seconded by Councilwoman DiBiaso.

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

## **DEPARTMENTAL REPORTS:**

### Code Enforcement

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

- The department issued 119 violations during the month, of those, 75 were corrected without fines being issued, 34 received fines and 10 remained pending at the end of the month.
- Issued 4 Repeat Public Nuisance Violations and of those, 3 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 10 Pre-Rental Inspections.
- Processed 22 permits.
- Issued 2 new “In Town” business licenses.
- Issued 8 new “Out of Town” business licenses.
- Issued 5 Rental Licenses, all were new rentals.
- Tagged 7 vehicles for Tow, all were removed without being towed.
- Code Officer Nicole Facciolo reported that she worked on Saturday, February 24<sup>th</sup> specifically patrolling for any work being performed without permits. She reported 0 findings of residents performing work without a permit.
- Code Officer Nicole Facciolo reported that Code Officer Vaughn Hill worked on Saturday, March 9<sup>th</sup> and. He reported 0 findings of residents performing work without a

permit.

- There was a brief discussion regarding how many Saturdays Code is working and what they are patrolling for to which Town Manger Steven Martin stated every Saturday, but he is considering dropping this down to 2 Saturdays until the summer, which then he will reinstate every Saturday, but it is solely based on the results of their findings. Code Officer Nicole Facciolo answered stated they are specifically looking to see if people are trying to get out of obtaining proper permits.
- Councilwoman Jensen asked if this is overtime?
- Town Manager Steven Martin stated no, the code officers work a half day on Friday and use the remaining 4 hours on that Saturday.
- Councilwoman Jensen asked Town Manager Steven Martin if they can discuss our Code Officers having safety equipment based on a recent incident.
- Town Manager Steven Martin said yes, we can schedule a meeting.

### 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: \$10,619.06.
  - Total penalties and interest received during the month: \$1,263.44.
  - Senior/Disabled discount application and recertification forms mailed to all residents that have requested/historically applied. Applications are available at Town Hall effective: 2/23/24.
- Continued certifying all Town of Elsmere Deeds prior to submission to the Recorder.
  - Collected \$20,220.00 in Transfer Taxes.
- Town of Elsmere Sheriff Sale Properties
  - 16 Tamarack Ave., Town Manager Report
  - 206 Rosemont Dr., No update
  - 7 Beech Ave., No update
  - 1 Oak St., No update
- HERA Registry (Abandoned Property Revitalization) revenue received during the month \$0.00.
- Verizon Franchise income received 2/20/24.
- Attended a webinar with PNC Bank on Investment and Economic Principals.
- Provided reports and documentation as requested by the Auditors for the completion of the FY23 Audit.
- Continued to work with DELJIS and DTI concerning the VAC CJIS software updates necessary to reconcile payments received by the VAC.
- Rachel Ritter evaluated the Towns IT support invoice for billing accuracy/cost savings.
- Continued to work with the Department of Criminal Justice and Impact Life regarding fiscal reporting for the Opioid Grant's first quarter. An adjustment to the budget was necessary which has prolonged the completion of the quarterly fiscal report. The quarterly report was completed, submitted, and accepted. Currently, we are awaiting reimbursement from the State.

## Public Safety

Chief Laura Giles gave a brief overview of Public Safety:

- Annual Report handed out.
- Impact Life Grand Opening occurred and was a good turn out.
- Department will be holding a Community Wellness event on May 18<sup>th</sup> and she will be sending out more information.
- Police Department parking lot gate is completed and fully operational now.
- Received a \$21,000 grant from the State for 10 laptops to be upfitted in the patrol cars
- In the process of hiring since there are now 4 long term officers that have expressed that they will be leaving soon. This leaves the department with only 7 officers, including herself. The pattern she is finding is they are all going to other Town's who are offering significantly more money. Chief Giles expressed that the Elsmere Police Department is in crisis mode with the staffing level and she cannot compete with other salaries around us offering so much more. How can she hire new officers if she can't keep who she has?
- During discussion, it was agreed that the Town needs to evaluate how to handle this since we do not want to lose our police department.
- Councilwoman Steppi asked how other Town's such as Newport are handling these vacancies?
- Chief Giles Newport dropped down to only part-time officers and the Delaware State Police is assisting, but Newport does not compare to Elsmere. Newport averages 1-2 complaints per day, while Elsmere is handling 7-8 complaints per day and the type is vastly different. We are seeing more violent crimes such as homicides, sex crimes, drugs, etc.. Chief Giles added that at this point she may even have to begin patrolling the streets again to fill in some shifts which in turn means she will have to step down from most of the committees she is a part of, which could negatively impact funding opportunities for grants.
- Chief Giles did select one applicant that will be starting the Dover Academy on April 1<sup>st</sup>.
- Councilwoman Steppi asked if there is an uptick in car accidents at Kirkwood Highway and Rt. 100?
- Chief Giles stated that it comes in waves and there is too much legislation which does not allow police to hold people accountable.

## Public Works

Public Works Supervisor Anthony Gaines gave a brief overview:

- Concentrating on potholes and handicap parking spaces, trees and catch basin repairs.
- Councilwoman Steppi asked about a catch basin at New Rd and Rt. 100 that has a cone over it. Tony answered this was a scheduled repair.
- Councilwoman Personti asked about the temporary road patch in front of 10 Spruce that was dug up by DP&L, was that part of the gas leak at Town Hall?
- Public Works Supervisor Anthony Gaines answered yes.
- Town Manager Steven Martin added that he is aware of the failing condition of the patch and he plans to hold DP&L accountable and have it properly repaired.

## Town Manager

Town Manager Steven Martin gave a brief overview:

- Latest meeting with the University of Delaware GAP and KCI revolved around the BRIC application and the point system that is used in ranking the applicant. The Town fared well in most of the areas of the application with the exception of the Building Code Effectiveness grading schedule. This part involves our readiness in the event of a hazard and derived from the New Castle County Hazard Mitigation Plan. The New Castle County Hazard Mitigation Plan has Elsmere rank as a 10 which is a weak ranking. The plan assesses potential hazards which can occur within the County and details a list of mitigation actions that could be taken. The Plan keeps New Castle County and its municipalities qualified to obtain all disaster assistance through the Robert T. Stafford Disaster Relief and Emergency Assistance Act. The federal Stafford Act disaster expenditure also keeps the state eligible for the annually funded Pre-Disaster Mitigation Program, and the Flood Mitigation Assistance Program. Without this plan, all eligible local jurisdictions would be ineligible to receive a variety of disaster recovery programs, including the Public Assistance Program to repair or replace damaged public facilities, and the Fire Management Assistance Program to help the state and communities recover the costs of major disasters. However, the State and local communities would remain eligible for certain emergency assistance and Human Services programs available through the Stafford Act. We have scheduled a meeting with the Coordinator of Emergency Management for the County to gain a better understanding of where the Town ranks and the necessary steps to improve our ranking.
- Another potential funding source that was brought to our attention by the University of Delaware IPA is the Congressionally Directed Spending Fund. The Senate will accept requests for earmarks, formally called Congressionally Directed Spending (CDS). Earmarks allow Members of Congress to request that federal funds be set aside for specific projects in their states. This is an opportunity for state, local, and tribal governments and nonprofit organizations to apply for funding for projects that would benefit from a one-time allocation of funds. Town Manager Steven Martin attended the Delaware's League of Local Governments "Hill Day" event where they had the opportunity to meet with Delaware's Congressional Delegation where he inquired about the Congressional Direct Spending fund and slow pitched the Town's Storm Water Project. Town Manager Steven Martin was informed that The Senate Appropriations Committee only allows earmarks from certain federal funding accounts, so projects must fit into an eligible account to qualify. The applications will be reviewed and requests are then submitted to the Appropriations Committee. Each Subcommittee will review requests and determine who to include in the Subcommittee's appropriations bill. The final appropriations bill will have to pass both the Senate and the House of Representatives and be signed by the President. Senators Coon and Carper were receptive to the project, and as a matter-of-fact Senator Coons recalled when was the County Executive and he visited Elsmere regarding flooding issues. We have been instructed to complete the application and forward a copy of the plan to the Senior Director of Projects by March 22<sup>nd</sup>. This funding line has been previously untapped in Delaware, and the Congressional staff would like to see some projects in this category. However, submitting for Congressionally directed spending wouldn't necessarily

preclude the Town from continuing to pursue the BRIC application that we are currently working on and is due in the fall.

- EECBG Program – The application is now ready to be submitted after final proofing. This application is for the exterior doors on the Poplar Avenue side of the building and the library’s main entrance.
- Local Cybersecurity Grant Program – This grant was awarded and DIT, along with Cloud Scale, is still working on implementation of this software. The grant and software is Phishing Security Awareness Training.
- Streets Project - Submitted the revised list of streets to Vandermark and Lynch for a proposal for engineering and assessment. Spoke to Senator Mantzavinos regarding including the Street Project in our Community Reinvestment Fund application. He said we can apply for \$150,000 and he and Representative Neal will contribute another \$50,000 each from their CTF.
- While meeting with Senator Coons, he shared information about the Community Project Funding. Although the parameters for 2025 are not available, information is published, and Kate Rohrer will let us know. We intend to apply for street funding.
- Attended the required classes for the certificate in Local Government Leadership and the certificate for Planning Education.
- The staff completed the courses for their Advanced Defensive Driving class certificate.
- 16 Tamarack went to Sheriff Sale last year but was redeemed by the Mortgage Company who paid up all the fines. The citations and delinquent taxes started to accumulate once again, reaching a total of \$29,714.69, which the mortgage company paid off once again. The delinquency on this property is now up to \$13,399.85 in taxes and \$3,400.00 in fines. We made contact with a Mortgage Solution company who represent the property, Get Sit Solutions. They promised to pay the outstanding taxes and fines within a week. Also, the person handling this property is supposed to reach out to us when she returns to the office.
- Attended the Stormwater Consortium meeting.
- Sat in on the CJC Opioid grant meeting with the Finance Director, discussing grant eligible activities.
- Scott Allen and I worked with Councilwomen Dibiaso, Jensen and Personti on the Town Wide Newsletter.
- Administrative Staff worked on securing the rental of the Ball Field at Vilone Park. Saint John the Beloved will be renting the field from April 2<sup>nd</sup>, 2024, through May 31<sup>st</sup>, 2024. The fee will be \$35.00 per day for a total of \$630.00. We are also working with another potential renter who plans to utilize the field through part of the summer.
- Public Works Dump Truck is down and was taken to Bayshore Truck Center for an estimate for repairs. It turns out that it needs a new engine. The dump truck is a 2010, has 63,443 miles on it and has had problems for the past 3 years.
- The flooding repairs have been completed in the basement. The plumber installed french drains and a sump pump with a battery backup. Thus far it has been working effectively.
- Attended Impact Life’s Grand Opening. Pictures can be found on the Town’s website.
- The staff is currently planning for the Annual Easter Egg Hunt.

#### **PUBLIC COMMENT:**

Jeff Bohner of 123 Olga Road stated he is concerned about falling trees behind the homes on Olga Road which he believes is Town or New Castle County property. During recent weather

events, many trees and large branches have fallen and he is concerned about further property damage or worse. He requested the Town trim or remove the trees as a way to be proactive instead of reactive.

Jose Matthews of 34 Richard Avenue stated he is happy with the park renovations but recently someone posted a sign in Vilone Park which had explicit writing on it, demanding people to clean up their dog feces. While Mr. Matthews agrees dog feces is a constant issue throughout the park, he requested the sign to be removed and replaced with an official sign from the Town, referencing the Code section for dog feces.

**STATEMENTS BY THE MAYOR AND COUNCIL:**

Councilwoman Steppi stated she attended the Impact Life Grand Opening event and it was filled with positive vibes and enthusiasm and she complimented Chief Giles on her work in securing Impact Life as the tenant here at Town Hall. The event was a huge success and she is excited to see how the future unfolds.

Councilwoman Personti stated she has the first draft of the newsletter and it is wonderful and should be on track for the annual lit drop.

**EXECUTIVE SESSION:**

Councilwoman Jensen amended the agenda as to postpone the Executive Session since Mayor Thompson and Councilwoman Skipski were not present at this meeting with no objections.

**ADJOURNMENT:**

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