

**TOWN OF ELSMERE  
COUNCIL MEETING MINUTES  
August 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	JANE MCDANIEL	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:**

Lauren Sheldon of 200 Ohio Avenue explained that in 2022, she presented a proposal to the Mayor and Council about creating a litter cleanup initiative called the Elsmere Volunteer Cleanup Crew (EVCC), centered within the Town to combat the trash we all see while taking a walk, watching our kids play on the playgrounds, or just enjoying one of the parks we have in Town. Mrs. Sheldon explained that litter is a pervasive issue that is not limited to just our Town, but a global issue. Recently, a Keep America Beautiful study showed that there are nearly 50 billion pieces of litter along U.S. roadways and waterways. Kirkwood Highway is no stranger to litter and illegal dumping, which is why the Elsmere Volunteer Cleanup Crew has recently partnered with DelDOT's Adopt-A-Highway Program. The signs can be found by the Rt. 141 ramp and the Frain Center. To date, the EVCC has hosted over 15 cleanups, with many volunteers taking time out of their busy schedules to help keep Elsmere a beautiful place to live. This past March, Mrs. Sheldon had the honor of representing Delaware at the United States Capitol in Washington D.C. in partnership with the World Wildlife Fund, a global conservation organization to work with our elected officials in support of bills related to plastic pollution and litter. Just a few weeks after being in D.C., the Recycling and Composting Accountability Act and the Recycling Infrastructure and Accessibility Act were passed in the Senate. Therefore, today, she is here to support Ordinance 675 on the agenda, as during our cleanups she has seen an increase in illegal dumping, from tires, to 10 feet of vinyl house siding, mattresses, and business signs. Mrs. Sheldon expressed that she believes the current fine of \$100 is not enough to keep someone from dumping illegally, as that amount is likely less money than going to the dump. Littering and illegal dumping must be de-incentivized, and she believes Ordinance 675 is an opportunity to deter these actions. Mrs. Sheldon then thanked Councilwoman Steppi for sponsoring this ordinance and for her help during the Elsmere Volunteer Cleanup events, along

with Councilwoman Jensen. Mrs. Sheldon stated it has been a pleasure to volunteer alongside both of them and she appreciates the hard work they do as volunteers and their roles on our Council.

**APPROVAL OF MINUTES:**

Minutes of the July 11, 2024, Council Meeting.

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

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

**AUDIT PRESENTATION:**

Representatives from Whisman, Giordano & Associates will present the FY 2023 Audit Report Draft.

Town Manager Steven Martin stated he received correspondence from the auditors stating they would not be presenting this evening due to further delay. Town Manager Steven Martin further stated that he has received a draft copy of the audit and sent it to the Council for review and he is hopeful that the audit report will be completed and presented at the September Council meeting.

At this time, Councilwoman McDaniel arrived to the meeting.

**OLD BUSINESS:**

Consideration of nominating a member of Council as President Pro Tempore.

**ACTION:** A motion was made by Mayor Thompson to nominate Councilwoman Personti as President Pro Tempore. The motion was seconded by Councilwoman McDaniel.

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

**NEW BUSINESS:**

Introduction for First and Second reading of Ordinance 675:

An ordinance updating the fines for illegal dumping.

Councilwoman Steppi spoke as the sponsor of this ordinance, explaining that this was born out of two things: her involvement with the Elsmere Volunteer Cleanup Crew, being the boots on the ground and not just picking up litter, but discovering major dumping sites in our districts. It is a shock and awe experience and having to report it to the Town and having the Public Works Department respond to clean it up is not only disgusting, but also disturbing. The second thing was conversations she had with the Public Works Department about this dumping and thanking

them, and they asked her to look into the fines and the structure. It was then determined that, with the help of surveillance cameras, Public Works, the Police Department and even Code Enforcement are going to try to catch offenders and hold them accountable. This ordinance mirrors legislation passed in 2019 at the State level, strengthening the Statewide litter and illegal dumping fine structure.

**ACTION:** A motion was made by Councilwoman Steppi to approve the First and Second reading of Ordinance 675. The motion was seconded by Councilwoman Jensen.

Mayor Thompson expressed he is not a supporter of fines without enforcement. The fines aren't going to deter anybody if nobody's getting caught and his impression was that no one has gotten caught.

Town Manager Steven Martin replied that there were four dumping violations issued in three years. But recently, we have yet to find anyone who dumped on Town property, which is why we are planning on placing cameras in certain areas.

Chief Giles added that the only thing is, the cameras are trail cameras, typically used for animals and hunting and such. She believes that if we're going to really be serious, we need to invest in cameras that can see in the dark so we can catch them in real time, being able to see vehicles tag numbers. Hopefully it will be somebody local and we will be able to identify them but if not, we can put it out on social media asking if anyone knows who this person is. Chief Giles also explained that moving forward, there should be better communication with the Public Works Department informing the Police Department so that the officers can be more present and observant in the areas prone to the dumping at night as well.

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

Discussion regarding Town of Elsmere Code Chapter 116 – Handicapped Parking.

Chief Giles explained we have 2,200 residents in this Town. Of those, 520 are rentals and we have 60 handicapped parking spaces. Of those 60 spaces, 42 are on the south side of Town. Most homes on the south side of Town are row homes, where the bathrooms are not located on the first floor so the resident must climb steps, laundry in those homes are typically in the basements, forcing residents to go down steps to do laundry, which just proves that some of the handicapped parking spaces that are issued could be simply out of convenience. Residents are simply trying to secure a parking space directly in front of their homes because of the number of vehicles in these areas. Today, there are blue handicapped curbs all in a row, making almost an entire row of homes handicapped spaces, which is a domino effect taking away regular parking for other residents. Currently, we are being inundated with people applying for these handicapped spaces. If a resident wants it, all they need is a doctor to sign off on the application, which has become too easy. All the rental properties obtaining handicap spaces is now leaving long time homeowners no where to park. Chief Giles explained that she is not sure what a real solution would be, although she would like to no longer issue any handicapped spaces but wanted to bring the severity of this to Council.

Councilwoman Personti asked do you mean that we just stop issuing anymore new spaces? Or taking away what has already been issued?

Chief Giles replied no, she believes we should stop issuing any more new spaces now.

Councilwoman DiBiasco asked doesn't each homeowner over there on that side have a designated parking area behind their house in the alleyways?

Chief Giles replied no, it's not always behind their house. Mostly it is, but there are some that do not, like homes on corner lots for example.

Councilwoman DiBiasco then stated the ones that have a designated area behind their house, that should be where they're parking. Why would they need a handicap spot? They can have that as a designated parking spot, right?

Chief Giles replied that some of them have fenced it in, so they don't even have a back yard.

There was a brief discussion among Council members and the Chief discussing that eventually, there is going to be no regular parking if people keep getting these handicapped spaces. It seems more like the handicapped spaces are being used more so like VIP parking. Residents just want to park right where they want to park, taking advantage of the system. But when there are legitimately handicapped and can't get it because then we already have too many in certain areas. The issue is how do we let the few outweigh the people who need it?

At roughly 7:04pm, Mayor Thompson interrupted, stating that there is a weather alert for a tornado warning affecting our area. The meeting paused while everyone in the room exited to seek shelter in a better part of the building until the warning expired.

At 7:30pm, the meeting was resumed. Mayor Thompson asked if there was any further discussion on the Handicapped Parking item.

Chief Giles replied no, she just wanted to bring it to Council's attention that it is a problem and have a discussion for now. Another point on this topic is how can we assign parking spaces on public roadways? Its just something to think about and have discussion on.

## **DEPARTMENTAL REPORTS:**

### Code Enforcement

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

- Mayor Thompson asked if the Department was still patrolling on weekends?
- Town Manager Steven Martin replied no, we found it to be unproductive but intend to resume it in the fall.

## Finance Department

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

- Busy month in the Finance Department for July with the transition into the new budget year.
- Tax bills were mailed out on July 11<sup>th</sup>.
- Collected \$374,000.00 in taxes for the month of July which is the highest amount collected in a long time.

## Public Safety

Police Chief Laura Giles gave a brief overview of Public Safety:

- Chief Giles stated that after meeting with the University of Delaware, she was able to provide a report of the productivity from Impact Life and the clinicians.
- Received notice from one of the clinicians that they will be leaving soon.
- The Elsmere Needy Family Crab Feast will be Friday, September 27<sup>th</sup> at the Elsmere Fire Hall from 6pm to 11pm.
- Councilwoman Steppi asked about the Red Light Camera report that the Chief provides, noticing that it has consistently showed no income.
- Chief Giles replied that it has been at zero income for quite some time due to the State extending the yellow light timing, allowing more cars to get through without a red light ticket. However, we don't pay for this camera so it is still useful for things like accidents, investigations and such.

## Public Works

Public Works Supervisor Leon Joseph gave a brief overview:

- Introduced himself to Mayor and Council as the new Public Works Supervisor, stating that he has only been here for three weeks, but he can try his best to answer any questions they may have.
- Councilwoman Jensen asked the Town Manager if the Maple Avenue Drainage Ditch was cleared out to which he confirmed.
- Councilwoman Jensen then asked if this was part of our lawn maintenance contract?
- Town Manager Steven Martin replied it was no longer part of the contract.
- Councilman McKewen asked if patching potholes was still being performed.
- Town Manager Steven Martin confirmed that yes, we are.
- Councilwoman DiBiasco stated that the Kirkwood Highway medians were recently trimmed and cleaned up and they look wonderful. She just asked Public Works Supervisor Leon Joseph to keep an eye on it since it doesn't take much for it to get out of hand, especially with all the recent rain we have received.

## Town Manager

Town Manager Steven Martin gave a brief overview of the Town Manager's Monthly Report:

### Stormwater Project:

- Still waiting on a decision from the House of Representatives on our Congressional Direct Spending application.

- In the meantime, we had several discussions with KCI regarding the completion of their survey and the status of the bid documents for the Patty Blevins Walking Path, Chestnut Run & Little Mill Creek. They are going to have those back to us in September.
- Town Manager Steven Martin also asked KCI to provide a proposal for some construction management or bid oversight. He acknowledged that we are not engineers and there may be technical questions or inspection items we cannot recognize to be correct or not. KCI did submit that proposal and we found it to be much too high and we have asked them to scale it down some and we are waiting for the reply.

Streets Project:

- Rosemont and Taylor – The RFP's were issued during the month and we received only one bid. This bid was a prevailing wage job and came in at \$288,000.00 which is entirely too high for this intersection. Town Manager Steven Martin stated he has asked Vandemark & Lynch to change some design or requirements for this job so that we can go out to bid again for this.
- 5-Year Street Repair/Replacement Program – Advertised an RFP for this project for the four streets agreed upon. The bids are due back on August 16<sup>th</sup> and he will present them at the September Council Meeting. He also spoke to Senator Mantzavinos and Representative Neal who both agreed to contribute \$50,000.00 each.
- Councilwoman Steppi asked at what time do we receive this money?
- Town Manager Steven Martin replied only when we receive the bids back.
- Attended a week long training hosted by FEMA for Benefit Cost Analysis.
- Himself and Code Officer Nicole Facciolo went to court regarding a property going to Sheriff Sale and the motion was stayed and the homeowner is working towards paying off the owed amount to remove her property from the list.
- Met with representatives from Dawn Career Institute and enrolled Public Works Maintenance Worker Anthony Disanto in their upcoming CDL class.
- Street Sweeper – Met with Gran Turk to review with the Public Works Department the functionality of our street sweeper, only to find out there are issues with the truck, such as the water tanks being cracked. Therefore, we received a quote for all the repairs totaling \$12,000.00
- There was a discussion regarding the recent service by Republic Services, asking if they have provided any reasoning for the recent lack of weekly service recently. Town Manager Steven Martin replied no, but he believes it is a staffing issue. When he met with them, they say its not a staffing issue, but every other week a truck is ironically breaking down, resulting in incomplete collection. There was a discussion regarding areas of Town being missed in different Council districts and which type of collection it was. Chief Giles suggested asking Town Solicitor Jim McMackin to write Republic Services a letter to which he happily agreed.
- Councilwoman Personti asked about an update for the tree issue that is laying across the creek from the VA hospital.
- Town Manager Steven Martin replied that he will reach back out to the VA hospital and if not, he will reach out to New Castle County because it has to be either one of theirs.
- Councilwoman Jensen asked about the status of the light installation at the Dog Park parking lot.
- Town Manager Steven Martin replied that the application has been submitted, but he will have to check in with Administrative Assistant Katherine Pierce for a status update.
- A question was asked if we are still having fireworks at the Fall Festival this year, to which Town Manager Steven Martin confirmed, yes, we are.
- Councilwoman Personti asked about the Spooktacular event, stating that since we are not

doing a movie this year, can we do something else for about an hour of entertainment?

- Town Manager Steven Martin replied that he had an idea along those lines for some sort of entertainment, possibly a best costume contest or something to that nature.
- Councilwoman McDaniel asked since we do a best decorated house for Christmas, can we do one for Halloween?
- Town Manager Steven Martin replied that we don't have it in the budget for this year, but we can for next year.
- Town Manager Steven Martin updated the Mayor and Council on the property on Locust Avenue, stating that last Friday, himself, Code and EPD responded to the property and obtained access where they took pictures of all the violations. However, as of today, one of the sisters paid off all the fines. So we can no longer take the house to Sheriff Sale.
- Councilwoman McDaniel asked about the sewer drain on Old Dupont Road and the status of the repair.
- Town Manager Steven Martin replied that we discovered that road is a Town road so we now have to obtain a quote to have it repaired.

**PUBLIC COMMENT:** None

**STATEMENTS BY THE MAYOR AND COUNCIL:** None

**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, not to return into public session.

**ACTION** A motion was made by Mayor Thompson to enter an executive session pursuant to 29 Del. C. Section 10004(b)(9) and amend the agenda as to not return into public session. The motion was seconded by Councilwoman Jensen.

**VOTE:** 7-0 with 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.



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**ERIC THOMPSON  
MAYOR**



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**SALLY JENSEN  
SECRETARY**