

**TOWN OF ELSMERE  
SPECIAL COUNCIL MEETING MINUTES  
JUNE 26, 2017  
TOWN HALL  
5:00 p.m.**

**CALL TO ORDER:** Mayor Eric Thompson called the meeting to order at 5:00 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	TED PFIRRMANN	PRESENT
3 <sup>RD</sup> DISTRICT	ROBERT KACPERSKI	PRESENT
4 <sup>TH</sup> DISTRICT	EDWARD ZIELINSKI	ABSENT
5 <sup>TH</sup> DISTRICT	JOANN I. PERSONTI	PRESENT
6 <sup>TH</sup> DISTRICT	BRIAN HURST	PRESENT

Town Solicitor, Edward McNally – Absent

Town Manager, John Giles – Present

Chief of Police, Laura Giles – Present

**PUBLIC COMMENT:** None

**APPROVAL OF MINUTES:** None

**OLD BUSINESS:**

Review of the bids received for Phase II of the Town’s 2016 - 2017 Street Improvement Program.

Town Manager John Giles stated that the bids were publicly noticed in accordance with our Code. However, one mistake was made where the engineers advertised the program as the 2017 Street Improvement Program, when in fact; it should be Phase II of the 2016—2017 Street Improvement Program. In addition, he announced that one bid was received in response to the RFP. The bid was submitted by Paoli Services in the amount of \$152,141.50. He stated that the initial approval by Council was in the amount of \$141,000.00, if Council intends to move forward with the entire project, you would need to allocate additional funds in the amount of \$25,200.00. The necessary funds are available in the current Long Term Planning – Capital Depreciation Account.

Councilman Pfirrmann asked if the bid received indicated why it was so much higher than the estimate provided by the engineers.

Town Manager John Giles stated that he did not ask that question.

Mayor Thompson stated that he too would be interested to know that answer.

Town Manager John Giles stated that the engineer only gives an idea of how much it would cost. Paoli Services has gone through the bid specifications and looked at size, current costs of materials and provided their quote. They are not bidding against each other, the engineers estimate is for budgeting purposes only.

Mayor Thompson stated that while that is true, we are paying the engineers for their projections and they are off by roughly \$10,000.00.

Town Manager John Giles stated that in the past they normally overestimate the costs and there are enough leftover funds to cover the engineering fees and additions. This year was the rare occurrence where they have under estimated the costs.

Councilwoman Skipski asked if it would be appropriate to ask them to see if there is a way to reduce the costs.

Town Manager John Giles stated that since there are no additional bidders it is possible to ask. However, Council must remember that this project must be signed and awarded within the next 4 days or we lose the State funding.

Councilman Hurst stated that the Council could approve the full cost to move forward but still request that they look at the bid. If it cannot be finished within the requested time frame, the project could then move forward as submitted without the reduction.

Councilwoman Personti stated that she too thinks that the project should continue regardless, however, to speak with Mr. Paoli about lowering the cost.

Councilman Hurst asked if there were any concerns with using the funds from the Capital Depreciation Account.

Town Manager John Giles stated that even if the Council approves this expense, the account would still have \$72,000.00 on July 1<sup>st</sup>.

Councilwoman Personti asked for confirmation that removing the funds from this account would not affect the pending HVAC System.

Town Manager John Giles confirmed that the HVAC System funding did not require any funds from the Long Term Planning Accounts.

**ACTION:** A motion was made by Councilwoman Personti to approve the bid submitted for Phase II of the 2016 Street Improvement Program in the amount of \$152,141.50 with the condition that the Town Manager ask Paoli Services to consider reducing the amount of their bid based on the estimates provided by Vandemark & Lynch. The difference in funding should be taken from the Long Term Planning – Capital Depreciation 15-16 Line. The motion was seconded by Councilman Hurst.

Councilman Kacperski asked for confirmation that the engineering fees were an estimate and what would occur if those fees go over the budgeted amount.

Town Manager John Giles stated that they are indeed an estimate; however, the Town would need to pay the funds.

Mayor Thompson asked if we could dictate how they proceed with the project and when they hit the approved amount, anything beyond that would be cut from the program.

Town Manager John Giles stated that you could put any restriction that you want into the contract; however, every restriction is a change that needs to be made and agreed upon in the next 4 days. Approval of the bid as submitted requires the Town Manager's signature and an award letter.

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

Town Manager John Giles stated for the record that the final project would include the following locations.

<u>District</u>	<u>Location</u>
1	Intersection of Taylor & Dumont Road
1	Dumont Road (#241) to Osborne Road (#333)
1	Taylor/Rosemont/Silverbrook Intersection
5	Spruce Ave - #31 to Poplar Avenue
6	Vilone Road – Richard Ave to #7

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Third and Final Reading as well as Public Hearing of Ordinance 630.

Town Manager John Giles stated that this item appears on the agenda because it too has a deadline which is prior to the next regular Council meeting. The changes to the Pension Plan must be adopted to meet the regulations set by the IRS.

**ACTION:** A motion was made by Councilman Hurst to approve Ordinance 630 for Third and Final Reading. The motion was seconded by Councilman Pfirrmann.

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

**NEW BUSINESS:** None

**DEPARTMENTAL REPORTS:** None

**ITEMS SUBMITTED BY THE MAYOR AND COUNCIL:**

**District 1** – None

**District 2** – None

**District 3** – None

**District 4** – None

**District 5** – None

**District 6** – None

**Mayor** – None

Town Manager John Giles gave a lengthy update on the current position of the proposed State of Delaware budget.

Chief Laura Giles stated that the Part Time Officers from Delaware City have begun patrols in Elsmere and that she intends to primarily use them during the day time when an Elsmere Officer is available.

**PUBLIC COMMENT:** None

**ADJOURNMENT:**

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

**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.

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**ERIC THOMPSON**  
**MAYOR**

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**BRIAN HURST**  
**SECRETARY**