

**TOWN OF ELSMERE
COUNCIL MEETING MINUTES
AUGUST 8, 2019
TOWN HALL
6:30 p.m.**

CALL TO ORDER: Mayor Eric 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 ST DISTRICT	MARIANNE SKIPSKI	PRESENT
2 ND DISTRICT	SALLY JENSEN	PRESENT
3 RD DISTRICT	ROBERT KACPERSKI	PRESENT
4 TH DISTRICT	CHARLES MCKEWEN	PRESENT
5 TH DISTRICT	JOANN I. PERSONTI	PRESENT
6 TH DISTRICT	BRIAN HURST	PRESENT

Town Solicitor, James McMackin – Present

Town Manager, John Giles – Present

Chief of Police, Laura Giles – Present

PUBLIC COMMENT:

Ms. Mary Steppi, 113 Locust Avenue, gave a brief overview of the Elsmere Community Garden and thanked the Mayor and Council as well as past members of Council who supported the Community Garden. She stated that unfortunately, the Elsmere Community Garden has ended its partnership with the Town of Elsmere and has officially finished donated all of their materials to other local groups. Their only request is that the garden end with two conditions, they do not want any comments that the garden failed, because it did not; and they do not want any comments that the Town required them to close, because they did not. This was a decision of the garden as a whole and was not because it was unsustainable. Their last order of business was to donate the remaining funds raised by the garden, as part of that task, they decided that they wanted to continue to serve the members of the Elsmere Community. They have elected to donate the remaining funds in the Garden account to the Elsmere Bureau of Police Needy Family Fund to continue to serve the community in Elsmere.

At this time Mary Stepp, Amy Favreau & Councilwoman Sally Jensen presented a donation to Chief Laura Giles and Needy Family Fund Chairman John Jaremchuk.

Marina Affo with the Wilmington News Journal stated that she just wanted to introduce herself, she is a new reporter covering the Elsmere area and encouraged the Town to reach out if they have any news they wish to share.

APPROVAL OF MINUTES:

Minutes of the June 26, 2019 Special Council & Finance Committee Meeting.

ACTION: A motion was made by Councilman Hurst to approve the minutes of the June 26, 2019 Special Council & Finance Committee Meeting with the no corrections. The motion was seconded by Councilwoman Skipski.

VOTE: 7-0 All-in-favor Motion carried

Minutes of the July 11, 2019 Council Meeting.

ACTION: A motion was made by Councilman Hurst to approve the minutes of the July 11, 2019 Council Meeting with the no corrections. The motion was seconded by Councilwoman Jensen.

VOTE: 5-0 with 2 Abstained All-in-favor Motion carried

1st District – Yes, 2nd District – Yes, 3rd District – Yes, 4th District – Abstained, 5th District – Abstained, 6th District – Yes, Mayor – Yes

Councilwoman Personti and Councilman McKewen stated that they abstained due to being absent from the meeting.

OLD BUSINESS: None

NEW BUSINESS:

Chief Laura Giles asked to take a moment prior to discussing new business to introduce Patrolman Zachary Linde who is the Town’s newest graduate of the police academy. He is currently being trained by Cpl. West.

Consideration of authorizing the Mayor to sign a joint Water Quality Improvement Plan (WQIP) which must be submitted as part of the Town’s National Pollutant Discharge Elimination System (NPDES) Permit.

Town Manager John Giles stated that the permit document is over 400 pages long, however, he would like to have Town Clerk Diana Reed read a small section which summarizes the permit.

Town Clerk Diana Reed read the following:

Page 17, Section B.

The initial desktop analysis and field visits primarily focused on cost effective sites on lands owned by New Castle County or DelDOT (proportional to the respective impervious cover). Since highly urban retrofits tend to be more expensive, few projects were selected within the municipal limits of Elsmere, Newport and Wilmington, if any. A list of potential projects within each municipal boundaries was given to the respective municipality. Municipalities have the option of: 1) implementing one or more of the selected projects within their boundary, or 2) cost sharing with NCC and DelDOT on projects outside their boundaries to treat their required EIA, which may provide a cheaper cost per EIA.

Newport decided to implement projects within their municipal boundaries; however, the proposed projects may not treat all of their required EIA. Newport will likely have to cost share on projects outside of municipal boundaries to meet their required EIA within the 10-year timeframe.

Elsmere decided to implement a street sweeping regime that exceeds the sweeping requirements outlined in the SWPP&MP to treat their required EIA. The mass loading approach to calculate EIA credit was approved by email on March 25, 2019 (see section V.C. Accounting for Impervious Area Treated). The anticipated EIA credit from this operational BMP is estimated to be 8.4 acres annually and is shown in Table 4. Elsmere will track progress and report in the Phase I annual report.

Town Manager John Giles stated that essentially, this means that have decided to exceed what it required for street sweeping to get credit for treating the impervious acres. If we meet the anticipated cleanup, it will result in the Town not having to pay approximately \$455,000.00 in fees for this permit over the next 10-years. He further stated that Town Clerk Diana Reed spent significant time working with New Castle County and DelDOT on this plan and it is paying off in its savings to the Town.

Councilwoman Personti stated thankfully they purchased the new Elgin Street Sweeper and thank you to the Public Works Department.

Mayor Thompson asked if Town Manager John Giles knew why Newport wasn't going to be able to comply and would need to cost share on outside projects.

Town Manager John Giles stated that we did not worry about the issue much because we focused on our requirements and we needed to cover. He asked Town Clerk Diana Reed if she was aware of any reason.

Town Clerk Diana Reed stated that even in Elsmere, it was hard to find projects that would give a significant enough credit to make it cost effective. When a street sweeping regime came up as a possibility, we looked into the specifics and learned that we could gain significant credit with little to no additional cost to Elsmere and became the obvious choice for credits. Newport expressed concerns in our annual meetings about being able to meet their current requirements for street sweeping which is once a year on most streets and 8 times a year on industrial streets.

Town Manager John Giles stated that he believes they may have even dropped out of participating in the National Flood Insurance Program which means their residents cannot obtain flood insurance coverage.

Mayor Thompson & Councilman Hurst stated their biggest concern is making sure that the Town does not have to cover the shortcomings of the other permittees.

Town Manager John Giles stated that he understands the concerns but does not believe it will become an issue.

ACTION: A motion was made by Councilman Hurst to authorize the Mayor to sign the Water Quality Improvement Plan. The motion was seconded by Councilman McKewen.

VOTE: 7-0 All-in-favor Motion carried

Review of the DNREC NPDES inspection report from their June 2019 site visit and compliance inspection.

Town Manager John Giles gave a brief overview of the inspection report stating that only one finding was required and we provided proof that we do comply, the only other items which were noted, were recommended actions and not required by the permit.

There were no questions regarding the inspection report from Council.

DEPARTMENTAL REPORTS:

Code Enforcement

Town Manager John Giles asked if there were any questions regarding the written report.

- The department issued 22 violations, 9 were corrected, 14 were issued fines and 1 remained pending.
- 505 Junction Street remains a nuisance property.
- There is a new Administrative Assistant in the Department. Her name is Denise Lardani.

There were no questions regarding the Code Enforcement Department.

Finance

Town Manager John Giles stated that the Finance Director is present should anyone have any questions regarding the written report or the Finance Department.

- The department received \$21,066.30 in transfer taxes for the month of June.

Councilman Kacperski asked for the current balance of the contingency fund.

Finance Director Joseph Schulcz stated that the current balance is \$242,543.11.

Public Safety

Chief Laura Giles presented the following information:

1. The department has joined Twitter and Instagram.
2. There are three grants she needs the Mayor to sign.
 - a. Combat Violent Crimes – 31,422.60 – She has requested all overtime for this particular grant because last year when using this funding for overtime, the department executed 29 search warrants, seized 12 firearms, numerous drugs, seized over \$21,000.00 and administered 11 Narcan deployments; all while being down 2 employees.

- b. SALLE Grant – State Aide and Local Law Enforcement - \$5,171.18 – She has requested to utilize all of that funding to upgrade 6 computers in the Administrative Offices of the Police Department. Beginning January 2020, Microsoft and the State will no longer support Windows 7 and all administrative units will need to be upgraded.
- c. EIDE – Emergency Illegal Drug Enforcement - \$4,121.33 – She stated that she requested overtime to be used on surveillance of suspected drug dealers and other drug investigations.

Mayor Thompson asked if there were any stipulated regulations that the Town would need to comply with (such as the federal grant where the Town would need to assist ICE agents if necessary).

Chief Laura Giles stated that because these are State grants they do not have those types of regulations.

ACTION: A motion was made by Councilman Hurst to authorize the Mayor to sign the three grants outlined by Chief Laura Giles. The motion was seconded by Councilwoman Skipski.

VOTE: 7-0 All-in-favor Motion carried

- 3. The Needy Family Fund Annual Crab Feast will be Saturday, September 28th from 6pm to 11pm. Tickets are \$50 each, with a table being \$500. Appetizers are served from 6pm to 7pm. Crabs, shrimp, fried chicken, salads and desserts from 7pm-8:30pm. Beer, Wine and Soda included.

Public Works

Town Manager John Giles asked if there were any questions regarding the written report or the Public Works Department:

- The department patched 17 potholes during the month as well as placed 5.27 tons of hot patch in large potholes on Park Drive.
- The department installed 2 handicapped parking spaces at the request of the Police Department.
- Began repainting crosswalks at Sanders Road at Vilone Road, Sanders Road at Olga Road, as well as, Poplar Ave at Olga Road.
- The department has been working on 3 sinkholes which have been discovered. Paoli Services has been performing exploratory digs at each location and we have the following updates:
 - 15 Beech Ave – when this location was dug it was discovered that there is a problem with the sanitary sewer. New Castle County has been notified and have accepted responsibility. They have placed metal plates over the hole and have not given a repair date.
 - 115 Bungalow Ave – when this location was dig it was discovered that there is a sanitary sewer problem on the residential side, however, New Castle County has accepted responsibility. They

have placed two metal plates over this location and have not given a repair date.

- Alvil Road at Sanders Road – when this location was dug it was discovered that there is a problem with the storm sewer line. This problem has been repaired and backfilled, but a permanent patch has not yet been placed.
- We have received a report of an additional sinkhole underneath a sidewalk at 1232 Maple Avenue. We have contracted Paoli to perform a dig at this location and expect to find that there is a problem with artesian water because there are two water shutoffs at the sidewalk.
- Artesian Water has been sending notices to the Town about required backflow preventers on all of the meters owned by the Town. We have had significant difficulty finding a contractor who was willing to complete the work, however, we have finally found one. In addition, one of those affected is the Town Hall, however, there are additional problems at Town Hall with the fact that the shutoff valves at Town Hall are failing and the water cannot be turned off. Therefore, artesian must turn the water off at the curb while the repairs are being made. In addition to this, the contractor completing the remediation work in the Senior Center needs the water turned off so that they can cap some of the plumbing lines and complete the necessary repairs. The repairs will be taking place on Friday, August 9th and is estimated to take 6 hours to complete. He would like to request the Council to close Town Hall beginning at 10:00am while the repairs are being completed, since it is impractical to have employees working with no functioning restrooms or sinks. The cost of the repairs at Town Hall will be \$4,200.00. The repairs to the other water meters throughout Town (there are 8) will cost \$21,000.00. He does not believe that we need all of these hose bibs, but he intends to eliminate 4 of the 8 and only keep the units which are necessary. There are funds available in the budget to accommodate the repairs and no additional funding will be necessary.

Councilman Hurst asked if the Town Manager has the authority to close Town Hall without Council approval.

Town Manager John Giles stated that he believes he does; however, he did still want to inform the Council of his decision and the reasons for that decision.

There were no questions regarding the Public Works Department.

Town Manager

Town Manager John Giles stated that he has the following additions to the Town Managers report.

- The municipal street aid funding was approved by the State and was funded at 6 million dollars, so we should hopefully see an increase in our annual payment.

- FEMA has completed their reviews and updates to the Flood Rate Map. No Elsmere residents filed any appeals to the new decisions and most residents who were affected were removed from the flood zone.
- The Senior Center has again provided an estimate to replace the dry chemical hood over the ovens in their kitchen. It is clearly spelled out in the lease agreement that the Town will not maintain the system, it is a responsibility of the tenant and that the tenant must keep the equipment in good working order.

ITEMS SUBMITTED BY THE MAYOR AND COUNCIL:

PUBLIC COMMENT:

ADJOURNMENT:

ACTION: A motion was made by Councilman Hurst to adjourn. The motion was seconded by Councilwoman Skipski.

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

BRIAN HURST
SECRETARY