



NEW CASTLE COUNTY COUNCIL COUNCIL MEETING

May 28, 2024
6:30 PM

VIRTUAL ZOOM WEBINAR MEETING &
LOUIS L. REDDING CITY/COUNTY BUILDING
1ST FLOOR COUNCIL CHAMBERS
800 N. FRENCH STREET, WILMINGTON, DE 19801**

REVISED AGENDA

A. Call to Order

- **Moment of Silence**
- **Pledge of Allegiance**
- **Roll Call**

B. Approval of Minutes

C. Announcements

FY2025 COUNTY EXECUTIVE CERTIFICATION MEMO

CAPITAL BUDGET FY2025-2030 DEPARTMENT OF LAND USE & PLANNING BOARD
JOINT RECOMMENDATION

D. Introduction of Ordinances

°24-083: COMPREHENSIVE REZONING -TO REVISE THE NEW CASTLE COUNTY ZONING MAPS IN COUNTY COUNCIL DISTRICT 6 REGARDING THE FOLLOWING TAX PARCELS: APPOQUINIMINK HUNDRED: 14-010.00-002 (0 MIDDLETOWN WARWICK RD), 14-010.00-003 (0 STRAWBERRY LN), 14-010.00-009 (0 MIDDLETOWN WARWICK RD), 14-010.00-010 (1422 MIDDLETOWN WARWICK RD), 14-010.00-015 (0 STRAWBERRY LN), 14-010.00-016 (1352 MIDDLETOWN WARWICK RD), 14-010.00-017 (1330 MIDDLETOWN WARWICK RD, STARDEL INC), 14-010.00-018 (1280 MIDDLETOWN WARWICK RD), 14-010.00-026 (301 STRAWBERRY LN), 14-010.00-028 (0 MIDDLETOWN WARWICK RD, STARDEL INC), 14-010.00-032 (1416 MIDDLETOWN WARWICK RD, SHAHAN SUBDIVISION); PENCADER HUNDRED: 11-058.00-009 (4 TROOPERS WAY, SUMMIT AVIATION); ST GEORGES HUNDRED: 11-058.00-009 (4 TROOPERS WAY, SUMMIT AVIATION)

Prime Sponsor(s): Mr. Carter

°24-084: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 40 ("UNIFIED DEVELOPMENT CODE" OR "UDC"), ARTICLE 3 ("USE REGULATIONS"), AND ARTICLE 33 ("DEFINITIONS"), REGARDING FIREARM RETAIL BUSINESSES

Prime Sponsor(s): Ms. Kilpatrick

°24-085: AMEND NEW CASTLE COUNTY CODE CHAPTER 6 (“BUILDING CODE”) ARTICLE 2 (“DEFINITIONS”), AND ARTICLE 4 (“BUILDING CODE”), REGARDING FIREARMS RETAIL STORES

Prime Sponsor(s): Mr. Bell

°24-086: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 2 (“ADMINISTRATION”), ARTICLE 5 (“DEPARTMENTS AND OFFICES”) TO REGULATE THE POSSESSION OF FIREARMS, AMMUNITION, COMPONENTS OF FIREARMS AND EXPLOSIVES FROM COUNTY BUILDINGS AND POLICE STATIONS

Prime Sponsor(s): Mr. Sheldon

°24-087: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 40 (“UNIFIED DEVELOPMENT CODE” OR “UDC”), ARTICLE 3 (“USE REGULATIONS”), ARTICLE 4 (“DISTRICT AND BULK STANDARDS”), ARTICLE 33 (“DEFINITIONS”), AND APPENDIX 7 (“GUIDING PRINCIPLES FOR DEVELOPMENT”) , REGARDING EXPANDING THE ACCESSORY DWELLING UNIT REGULATIONS TO PROVIDE EQUITABLE AFFORDABLE HOUSING OPPORTUNITIES AND THE ABILITY TO AGE IN PLACE, AND UPDATING THE GUIDING PRINCIPLES TO BE CONSISTENT WITH THE COMPREHENSIVE PLAN

Prime Sponsor(s): Mr. Hollins

°24-088: TO APPROPRIATE \$500,000 IN THE NEW CASTLE COUNTY HOUSING TRUST FUND TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES

Prime Sponsor(s): Mr. Hollins, Mr. Street

°24-089: AMEND THE PAY PLAN AND RATES OF PAY FOR CLASSIFIED SERVICE EMPLOYEES AND THE PAY PLAN AND RATES OF PAY FOR CLASSIFIED SERVICE 40 HOUR WORK WEEK EMPLOYEES REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607

Prime Sponsor(s): Ms. Hartley-Nagle

°24-090: AMEND THE GRANTS BUDGET: APPROPRIATE FUNDING FROM THE NEW CASTLE COUNTY COUNCIL FY2024 APPROVED OPERATING BUDGET TO THE SENIOR HOME REPAIR PROGRAM GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES

Prime Sponsor(s): Mr. Tackett

°24-091: AMEND THE GRANTS BUDGET: APPROPRIATE FUNDING FROM NEW CASTLE COUNTY COUNCIL FY2024 APPROVED OPERATING BUDGET TO THE 2023 NEW CASTLE COUNTY YOUTH EMPLOYMENT GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY RESOURCES

Prime Sponsor(s): Mr. Street

°24-092: AMEND THE GRANTS BUDGET: APPROPRIATE FUNDING FROM NEW CASTLE COUNTY COUNCIL FY2024 APPROVED OPERATING BUDGET TO THE NEW CASTLE COUNTY EMERGENCY HOUSING – HOPE CENTER GRANT, WHICH WILL BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING

Prime Sponsor(s): Mr. Street

°24-093: AMEND THE FY2024 APPROVED OPERATING BUDGET: REDUCE THE GRANTS AND FIXED CHARGES BUDGET LINE ITEM OF COUNTY COUNCIL TO PROVIDE FUNDING FOR NEW CASTLE COUNTY GRANTS

Prime Sponsor(s): Mr. Tackett, Mr. Street

E. Reports from Select and Special Committees

F. Consent Calendar

R24-114: CONSENTING TO THE REAPPOINTMENT OF KAREN ANDERSON TO THE NEW CASTLE COUNTY HISTORIC REVIEW BOARD

Prime Sponsor(s): Ms. Kilpatrick

R24-115: CONSENTING TO THE REAPPOINTMENT OF KAY BOWES TO THE NEW CASTLE COUNTY LIBRARY ADVISORY BOARD

Prime Sponsor(s): Ms. Durham

R24-116: CONSENTING TO THE REAPPOINTMENT OF JANET DEAN TO THE NEW CASTLE COUNTY LIBRARY ADVISORY BOARD

Prime Sponsor(s): Mr. Sheldon

R24-117: REAPPOINTING LINDA BAILEY TO THE NEW CASTLE COUNTY COUNCIL AUDIT COMMITTEE

Prime Sponsor(s): Mr. Tackett

R24-118: CONSENTING TO THE APPOINTMENT OF TODD T. BRECK TO THE NEW CASTLE COUNTY CENTREVILLE DESIGN REVIEW ADVISORY COMMITTEE

Prime Sponsor(s): Ms. Durham

R24-119: RE-APPOINTING DARYL BROWN TO THE NEW CASTLE COUNTY EMPLOYEES' RETIREMENT SYSTEM BOARD OF TRUSTEES

Prime Sponsor(s): Mr. Carter

R24-120: CONSENTING TO THE APPOINTMENT OF ANN CANBY TO THE NEW CASTLE COUNTY CENTREVILLE DESIGN REVIEW ADVISORY COMMITTEE

Prime Sponsor(s): Ms. Durham

R24-121: CONSENTING TO THE APPOINTMENT OF JAMES DALLE PAZZE AS CHAIR TO THE NEW CASTLE COUNTY CENTREVILLE DESIGN REVIEW ADVISORY COMMITTEE

Prime Sponsor(s): Ms. Durham

R24-122: CONSENTING TO THE REAPPOINTMENT OF KIANA DRAKE TO THE NEW CASTLE COUNTY PLANNING BOARD

Prime Sponsor(s): Mr. Hollins

R24-123: CONSENTING TO THE APPOINTMENT OF KEITH JACKSON TO THE NEW CASTLE COUNTY HISTORIC REVIEW BOARD

Prime Sponsor(s): Mr. Tackett

R24-124: CONSENTING TO THE APPOINTMENT OF JOHN BILEK TO THE NEW CASTLE COUNTY CENTREVILLE DESIGN REVIEW ADVISORY COMMITTEE

Prime Sponsor(s): Ms. Durham

R24-125: REAPPOINTING STEPHEN LARRIMORE TO THE NEW CASTLE COUNTY BOARD OF ASSESSMENT REVIEW

Prime Sponsor(s): Mr. Sheldon

R24-126: CONSENTING TO THE RE-APPOINTMENT OF DAVID J. MAJEWSKI, SR. TO THE FIRE AND AMBULANCE ADVISORY BOARD

Prime Sponsor(s): Mr. Bell

R24-127: RE-APPOINTING DANIEL MCFADDEN TO THE NEW CASTLE COUNTY EMPLOYEES' RETIREMENT SYSTEM BOARD OF TRUSTEES

Prime Sponsor(s): Ms. Durham

R24-128: REAPPOINTING ALLAN ZABACK TO THE NEW CASTLE COUNTY ETHICS COMMISSION

Prime Sponsor(s): Ms. Durham

R24-129: CONSENTING TO THE RE-APPOINTMENT OF BRIAN REEDER TO THE FIRE AND AMBULANCE ADVISORY BOARD

Prime Sponsor(s): Mr. Bell

R24-130: REAPPOINTING CONNIE ROBERTS TO THE NEW CASTLE COUNTY BOARD OF ASSESSMENT REVIEW

Prime Sponsor(s): Mr. Street

R24-131: CONSENTING TO THE REAPPOINTMENT OF BARBARA CHI HSIAO SILBER TO THE NEW CASTLE COUNTY HISTORIC REVIEW BOARD

Prime Sponsor(s): Ms. Kilpatrick

R24-132: CONSENTING TO THE REAPPOINTMENT OF SOPHIA SOTILLO TO THE NEW CASTLE COUNTY LIBRARY ADVISORY BOARD

Prime Sponsor(s): Ms. George

NOTE: If an item on the Consent Calendar is objected to by a Council member, or a member of the public wishes to obtain additional information about the candidate or proposed legislation, or if a Councilmember intends to offer an amendment to a resolution, seek additional information, or state a conflict, it shall be removed from the Consent Calendar and voted upon separately.

G. Presentations

H. Consideration of Resolutions Removed from the Consent Calendar and Other Resolutions

R24-133: AUTHORIZING THE COUNTY EXECUTIVE TO SIGN THE COLLECTIVE BARGAINING AGREEMENT WITH THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME (AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES) (AFL-CIO), AND ITS AFFILIATE LOCAL 1607

Prime Sponsor(s): Ms. Hartley-Nagle

R24-134: PLAN OF BRANDYWINE COUNTRY CLUB; BRANDYWINE HUNDRED; WEST SIDE OF SHIPLEY ROAD, OPPOSITE OF SUMMERSET ROAD AND EAST SIDE OF CONCORD PIKE, OPPOSITE OF RIGHTER PARKWAY; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES TO ELIMINATE AND ESTABLISH LOT LINES, CONSTRUCT 300 APARTMENT UNITS WITH ASSOCIATED IMPROVEMENTS, CONSTRUCT 41 SINGLE FAMILY UNITS AND 24 TOWNHOUSES, DEDICATE 43.86 ACRES TO THE BRANDYWINE SCHOOL DISTRICT, DEMOLISH THE ABANDONED GOLF COURSE AND ASSOCIATED IMPROVEMENTS, DEMOLISH 7,020 SQUARE FEET OF THE EXISTING SHOPPING CENTER AND CONSTRUCT 12,200 SQUARE FEET ON TWO PAD SITES WITHIN THE EXISTING SHOPPING CENTER; ST, S AND CR ZONING; [APPLICATION NO. 2020-0566](#); COUNCIL DISTRICT 2

Prime Sponsor(s): Ms. Durham

R24-092: (STATUS: TABLED) ADOPTING THE NEW CASTLE COUNTY CAPITAL PROGRAM FOR FISCAL YEAR 2025 THROUGH 2030 Introduced by: Mr. Smiley, Mr. Cartier

R24-094: (STATUS: TABLED) TO SET NEW CASTLE COUNTY'S FISCAL YEAR 2025 CONTRIBUTION RATE FOR THE COUNTY'S PENSION PLANS Introduced by: Mr. Smiley, Mr. Cartier

I. Consideration of Ordinances

°24-068: AMEND THE GRANTS BUDGET: APPROPRIATE ADDITIONAL FEDERAL FUNDS OF \$57,101.12 AND ANTICIPATED FEDERAL FUNDS OF \$180,000.00 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO THE EMERGENCY HOUSING

CHOICE VOUCHERS GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING

Prime Sponsor(s): Mr. Hollins, Mr. Street

°24-069: AMEND THE GRANTS BUDGET: APPROPRIATE \$94,727.00 IN FUNDING FROM THE STATE OF DELAWARE, DEPARTMENT OF LABOR WITH FUNDS PROVIDED BY THE DELAWARE WORKFORCE INVESTMENT BOARD TO THE 2024/2025 STATE YEAR ROUND YOUTH EMPLOYMENT GRANT, TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY RESOURCES

Prime Sponsor(s): Mr. Hollins, Mr. Street

°24-070: AMEND THE GRANTS BUDGET: APPROPRIATE \$119,303.00 IN FUNDING FROM THE STATE OF DELAWARE, DEPARTMENT OF LABOR – DIVISION OF EMPLOYMENT AND TRAINING TO THE 2024 STATE SUMMER YOUTH EMPLOYMENT – SUBURBAN NEW CASTLE COUNTY GRANT TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY RESOURCES

Prime Sponsor(s): Mr. Hollins, Mr. Street

°24-071: AMEND THE GRANTS BUDGET: APPROPRIATE \$107,977.00 FROM THE STATE OF DELAWARE, DEPARTMENT OF LABOR – DIVISION OF EMPLOYMENT AND TRAINING, TO THE 2024 STATE SUMMER YOUTH EMPLOYMENT – CITY OF WILMINGTON GRANT TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY RESOURCES

Prime Sponsor(s): Mr. Hollins, Mr. Street

°24-072: AMEND THE GRANTS BUDGET: APPROPRIATE \$50,000.00 FROM THE STATE OF DELAWARE, DELAWARE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO THE DWIAC SEWER PLANNING GRANT FOR THE DEPARTMENT OF PUBLIC WORKS

Prime Sponsor(s): Mr. Sheldon, Mr. Carter

°24-073: AMEND THE GRANTS BUDGET: APPROPRIATE THE MONETARY VALUE OF 400 DONATED LAPTOPS \$458,000 TO THE LOCAL LAW ENFORCEMENT (LLE) 400 LAPTOP COMPUTERS 2024 GRANT FOR THE DEPARTMENT OF PUBLIC SAFETY

Prime Sponsor(s): Mr. Bell, Ms. Hartley-Nagle

°24-074: AMEND THE GRANTS BUDGET: REALIGN \$555,850.04 IN FEDERAL FUNDS WITHIN THE BEHAVIORAL HEALTH UNIT EXPANSION GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE

Prime Sponsor(s): Mr. Bell, Ms. Hartley-Nagle

°24-075: AMEND THE GRANTS BUDGET: REALIGN \$353,829 IN FEDERAL FUNDS WITHIN THE CONNECT AND PROTECT 911 JMHCP GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE

Prime Sponsor(s): Mr. Bell, Ms. Hartley-Nagle

°24-076: AMEND THE FY2024 APPROVED OPERATING BUDGET: REALIGN \$142,000 FROM SEWER FUND DEBT SERVICE TO THE DEPARTMENT OF PUBLIC WORKS, DIVISION OF PLANT OPERATIONS COMMUNICATIONS AND UTILITIES BUDGET LINE ITEM TO FUND PUMP STATION ELECTRIC SERVICE

Prime Sponsor(s): Mr. Sheldon, Mr. Carter

°24-077: TO PROVIDE FOR THE INSTALLATION OF DARK SKIES COMPLIANT HOLOPHANE ARE3 ARLINGTON POSTTOP STREET LIGHTS WITH LIGHT EMITTING DIODE (LED) BULBS AND THE OPTIONAL WADSWORTH 12' POLE IN THE DELAWARE NATIONAL SUBDIVISION LOCATED IN THE CHRISTIANA HUNDRED AND FOR A LIGHT TAX BASED ON THE COST OF STREET LIGHTS

Prime Sponsor(s): Ms. Durham

°24-078: TO AUTHORIZE THE COUNTY EXECUTIVE TO EXECUTE AN AGREEMENT CONTAINING AN EVERGREEN PROVISION IN ORDER TO PROVIDE DOOR LOCK SERVICES TO THE NEW CASTLE COUNTY HOPE CENTER

Prime Sponsor(s): Mr. Hollins, Mr. Street

°24-079: AUTHORIZING THE ISSUANCE OF UP TO \$33,000,000 IN A GENERAL OBLIGATION BOND THROUGH THE DELAWARE WATER POLLUTION CONTROL REVOLVING FUND FOR THE DEPARTMENT OF PUBLIC WORKS, CHRISTINA RIVER FORCE MAIN REHABILITATION PROJECT

Prime Sponsor(s): Mr. Sheldon, Mr. Carter

°24-080: AMEND THE FY2024 CAPITAL PROGRAM AND BUDGET: TRANSFER AUTHORIZATIONS FROM THE SOUTHERN SEWER SERVICE AREA CAPITAL PROJECT AND RICHARDSON PARK PUMP STATION UPGRADE CAPITAL PROJECT TO THE CHRISTINA RIVER FORCE MAIN REHABILITATION CAPITAL PROJECT AND DEAUTHORIZE FUNDING FROM THE RICHARDSON PARK PUMP STATION UPGRADE

Prime Sponsor(s): Mr. Sheldon, Mr. Carter

°24-081: AMEND THE FY2024 APPROVED OPERATING BUDGET: APPROPRIATE \$127,000 FROM THE CROSSING GUARD RESERVE ACCOUNT TO THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF CROSSING GUARDS SALARIES AND WAGES AND BENEFITS BUDGET LINE ITEMS

Prime Sponsor(s): Mr. Smiley, Mr. Cartier

°24-082: TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 22 ("OFFENSES AND MISCELLANEOUS PROVISIONS"), SECTION 22.02.008 ("NOISE CONTROL") RELATING TO DOG AND ANIMAL NOISES

Prime Sponsor(s): Mr. Smiley, Mr. Carter

°24-018: REVISE ZONING MAP; ST GEORGES HUNDRED, EAST SIDE OF DUPONT HIGHWAY, 2320 FEET NORTH OF POLE BRIDGE ROAD; REZONE AN 8.23 ACRE PORTION OF TAX PARCEL 13-008.00-027 (235.21 ACRES), AND ALL OF TAX PARCEL 13-013.00-083 (1.99 ACRES) FROM "S" (SUBURBAN) TO "CN" (COMMERCIAL NEIGHBORHOOD) Introduced by: Mr. Bell

°24-048: (STATUS: TABLED) TO AMEND NEW CASTLE COUNTY CODE CHAPTER 22 ("OFFENSES AND MISCELLANEOUS PROVISIONS"), SECTION 22.02.008 ("NOISE CONTROL") RELATING TO REFUSE

Prime Sponsor(s): Ms. Kilpatrick

°24-050: (STATUS: TABLED) THE ANNUAL REVENUE ORDINANCE OF NEW CASTLE COUNTY FOR FISCAL YEAR 2025 BEGINNING JULY 1, 2024

Prime Sponsor(s): Mr. Smiley, Mr. Cartier

°24-051: (STATUS: TABLED) CALCULATION OF SEWER SERVICE CHARGES EFFECTIVE JULY 1, 2024 FOR FISCAL YEAR 2025

Prime Sponsor(s): Mr. Smiley, Mr. Cartier

°24-052: (STATUS: TABLED) AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF NEW CASTLE COUNTY FOR THE PURPOSE OF FINANCING CERTAIN CAPITAL PROJECTS APPROVED IN THE FISCAL YEAR 2025 CAPITAL BUDGET

Prime Sponsor(s): Mr. Smiley, Mr. Cartier

°24-053: (STATUS: TABLED) THE CAPITAL BUDGET ORDINANCE OF NEW CASTLE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2024

Prime Sponsor(s): Mr. Smiley, Mr. Cartier

°24-054: (STATUS: TABLED) ADOPT THE ANNUAL OPERATING BUDGET OF NEW CASTLE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2024

Prime Sponsor(s): Mr. Smiley, Mr. Cartier

°24-055: (STATUS: TABLED) AMEND THE FY2025 APPROVED OPERATING BUDGET: REALLOCATE \$8,000,000 FROM THE REASSESSMENT RESERVE ACCOUNT TO THE GENERAL FUND TAX STABILIZATION RESERVE ACCOUNT AND APPROPRIATE FUNDING FOR PAY PLAN INCREASES FOR ALL CERTIFIED POLICE CLASSIFICATIONS

Prime Sponsor(s): Mr. Smiley, Mr. Cartier

°24-056: (STATUS: TABLED) AMEND THE PAY PLANS AND RATES OF PAY FOR ALL CERTIFIED POLICE CLASSIFICATIONS

Prime Sponsor(s): Ms. Hartley-Nagle

J. Time Sensitive Congratulatory/Honorary Resolutions

R24-135: CELEBRATING AND HONORING THE LIFE OF REV. DR. WILLIAM W. ELKINS AND EXPRESSING CONDOLENCES TO HIS FAMILY AND FRIENDS

Prime Sponsor(s): Mr. Cartier

K. Introduction/Consideration of Emergency Ordinances

L. Public Comment/Other

M. Motion to Adjourn

REVISED AGENDA POSTED: May 23, 2024

AGENDA POSTED: May 21, 2024

*The revised agenda was posted less than seven (7) days in advance of the meeting to include 24-048 under consideration of ordinances. This legislation was advertised for inclusion but inadvertently left off the agenda and is time-sensitive. The agenda is posted (7) seven days in advance of the scheduled meeting in compliance with 29 Del. C. Section 10004(e)(2). The meeting may go into Executive Session to address issues that arise at the time of the meeting.

**Under Title 29, Section 10006A of *Delaware Code*, New Castle County Council is holding this meeting as a

telephone and video conference, utilizing  Webinar. In addition, this meeting is open to the public in Council Chambers (800 N. French Street, Wilmington, DE 19801). The link to join the meeting via computer, smart device, or smart phone is : <https://zoom.us/j/377322142> You may also call into the meeting (audio) using the following call in numbers: 1-312-626-6799 or +1-646-558-8656 or +1-346-248-7799 or +1-669-900-9128 or +1-253-215-8782 or +1-301-715-8592. Then enter the Webinar ID: 377 322 142. If you do not have a good connection with one, please try the others. Additional information regarding phone functionality during the meeting is available at: <https://support.zoom.us/hc/en-us/articles/360029527911-Live-Training-Webinars>

Meeting materials, including a meeting agenda, legislation to be addressed during the meeting, and other materials related to the meeting are electronically accessible at <https://www.nccode.org/2351/Agendas-and-Minutes> Members of the public joining the meeting may be provided an opportunity to make comments in real time. A comment period will be administered by a moderator to ensure everyone may have an opportunity to comment.

If permitted to comment, you will not be able to speak until called upon by the moderator. For those appearing virtually, there are functions in the program that allow you to do this. Please see the link in the previous paragraph.



MEMORANDUM

TO: President and Members of County Council

FROM: Matthew Meyer
County Executive

DATE: April 9, 2024

SUBJECT: Certification Memorandum

Pursuant to 9 Del. C. § 1158(c), I hereby certify to County Council the estimated yield from each item of revenue to be used in balancing the Fiscal Year 2025 Operating Budget.

GENERAL FUND ESTIMATES

REAL ESTATE TAXES

Initial Annual Levy / Quarterly Adds	\$138,830,000
Prior Year Taxes	850,000
Tax Penalties	575,000
Real Estate Taxes	\$140,255,000

REALTY TRANSFER TAX **\$33,250,000**

HOTEL TAX **\$2,800,000**

SERVICE CHARGES AND FEES

911 Reporting Fees	\$1,111,705
Deeds and Instruments	6,158,000
Emergency Communications Reimbursement	209,400
FOIA Requests, Internet Printing/Copies	67,960
Impact Fees	400,000
Library Fines and Fees	95,000
Maintenance Corporation Fees	100,000
Miscellaneous Charges/Fees	332,700
Plan and Subdivision Reviews	1,320,000
Police Reports/Fines	507,500
Property Maintenance Fines/Fees	2,150,500
Recreation	1,480,466
Sheriff	1,750,000
Wills	3,721,150
Zoning Fees/Reviews	537,800
Service Charges and Fees	\$19,942,181

LICENSES AND PERMITS

Building Permits	\$5,290,000
Business Licenses	750,000
Contractor Licenses	392,000
Marriage Licenses	260,000
Other Permits	672,000
Plumbing Permits	1,050,000
Licenses and Permits	\$8,414,000

INVESTMENT INCOME, MISCELLANEOUS, RENTALS AND SALE OF ASSETS

Interest Earnings	\$7,020,400
Miscellaneous Fees and Income	3,438,276
Rentals and Sale of Assets	862,486
Investment Income, Miscellaneous, Rentals and Sale of Assets	\$11,321,162

INTERGOVERNMENTAL REVENUES

Department of Justice	\$1,000,000
Payment in-lieu of Taxes / Donations	80,000
Realty Transfer Tax Fee	1,142,000
Indirect Cost Recovery	150,000
State Paramedic Reimbursement	8,075,500
RZEDB Interest Reimbursement	130,185
Intergovernmental Revenues	\$10,577,685

USES OF AVAILABLE CASH BALANCES \$22,361,126

Subtotal: Sources of Funds \$248,921,154

LESS: INTERFUND CAPITAL TRANSFER (7,811,421)

APPROPRIATED GENERAL FUND RESOURCES \$241,109,733

SPECIAL FUND ESTIMATES

Sewer Fund

Sewer Service Charges	\$74,745,745
Delinquent Charges	5,000,000
Capital Recovery Fees	9,164,080
F.O.G. Program Fees	120,000
Interest Earnings	1,000,000
Miscellaneous Fees and Income	179,000
Plans Review	428,000
RZEDB Interest Reimbursement	871,240
Septic Waste Hauler Fees	573,000
Stormwater/Groundwater Fees	1,080,000
Stormwater Maintenance Districts	56,945
Survey and Inspection Fees	241,700
Wastewater Discharge Fees	211,000
Subtotal - Sources of Sewer Fund Resources	\$93,670,710
LESS: INTERFUND CAPITAL TRANSFER	(4,754,754)
Subtotal - Appropriated Sewer Fund Resources	\$88,915,956

Street Light Fund

Street Light Revenues	\$7,877,484
Uses of Available Cash Balance	619,045
Subtotal - Appropriated Street Light Fund Resources	\$8,496,529

Crossing Guard Fund

School Crossing Guard Tax	\$3,868,690
Uses of Available Cash Balance	37,000
Subtotal - Appropriated Street Light Fund Resources	\$3,905,690

<u>APPROPRIATED SPECIAL FUND RESOURCES</u>	<u>\$101,318,175</u>
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<u>TOTAL APPROPRIATED OPERATING BUDGET RESOURCES</u>	<u>\$342,427,908</u>
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Reserve Accounts as of March 31, 2024

Tax Stabilization Reserve Account	\$63,193,549
Sewer Rate Stabilization Reserve Account	7,482,353
General Fund Budget Reserve Account	44,592,418
Sewer Fund Budget Reserve Account	18,872,304
Total Reserve Accounts as of March 31, 2024	\$134,140,624



Department of Land Use

JOINT RECOMMENDATION

**New Castle County Capital Program & Budget
Fiscal Year 2025-2030**

April 30, 2024

DESCRIPTION

Delaware Code Title 9, § 1134 requires that, upon submission to County Council by the County Executive no later than April 1 of each year, the Capital Program and Budget be reviewed by the Department of Land Use and Planning Board for the sole purpose of determining whether the program and budget are in accordance with the Comprehensive Development Plan. A joint recommendation is then provided to County Council. The Capital Program consists of the six fiscal years following its June 30th adoption, and the Capital Budget refers to the first year of the Capital Program. The Capital Program and Budget was transmitted to New Castle County Council on March 26, 2024.

BACKGROUND & ANALYSIS

According to the Delaware Code Title 9, § 2656, the capital improvements program is required to be designed to consider the need for and the location of public facilities in order to encourage the efficient utilization of such facilities and establish:

- (1) Principles for construction, extension or increase in capacity of public facilities, as well as principles for correcting existing public facility deficiencies, which are necessary to implement the comprehensive plan.
- (2) Estimated public facility costs, including a delineation of when facilities will be needed, the general location of the facilities and projected revenue sources to fund the facilities.
- (3) Standards to ensure the availability of public facilities and the adequacy of those facilities.
- (4) To the extent provisions of the capital improvements plan anticipate State financial assistance, involvement or cooperation, such provisions shall be developed in conjunction with the state capital improvement plan and annual capital budget.

One of the basic purposes of capital improvement programming is to coordinate physical and fiscal planning to achieve the greatest possible benefits from the County's existing and anticipated financial resources. To accomplish this, a ranking of desired public improvements must be established by assigning a need-based priority to each project. The ranked project list is then reconciled with the County's ability to pay for the projects over time.

Other benefits of the Capital Program and Budget process include the following: implementation of the County's Comprehensive Development Plan, individual department functional plans and studies, and other programs and policies through tangible projects; guiding private development so that it occurs in a way that is in conformity with the Comprehensive Development Plan;

coordination of the capital projects of all County Departments furthering the implementation of the Comprehensive Development Plan; assisting with keeping the public informed of the County's long-range capital project development plans; and enabling the County Executive and County Council to better understand long-term cash needs, and to better anticipate the necessary financing for both capital and operating activities.

The 2022 Comprehensive Development Plan Update, known as NCC2050, was passed by County Council on July 26, 2022, approved by County Executive Matthew Meyer on August 4, 2022, certified by Governor John C. Carney effective July 26, 2022, the date adopted by County Council, and is effective from July 1, 2022, through June 30, 2032. Numerous goals and objectives can be found within NCC2050 that address our capital needs and fiscal sustainability; however, the Department finds the following goals and objectives as being the fundamental and core principles to follow to achieve planning and fiscal responsibilities:

Goal #1: New Castle County has a connected, well-maintained and well-loved network of open space (natural lands and recreational resources) that benefits all residents.

- Objective: Preserve at least a minimum of 7,100 acres of land as protected open space in the county, within 30 years.
- Objective: Increase the percentage of residents that have safe, comfortable access (within 1 mile using a low-stress, accessible route) to a variety of recreational opportunities and natural spaces without the requirement of a personal automobile.

Goal #2: The natural environment of the county continues to be a distinguishing characteristic of our community, and the quality of our natural resources— air, water, land, ecosystems (plants and animals)—are continually improving and meeting the needs of present and future generations. Development/redevelopment patterns that consume less unbuilt “greenfields” and resource lands support conservation of our important natural resources.

- Objective: The County shall set an example and evaluate ways to address the impact of development on micro- (e.g. local air quality) and macro-climate conditions (e.g. greenhouse gases) and achievement of State/Federal air quality standards.
- Objective: Improve surface water quality and reduce stormwater runoff from developed lands, with recognition that community revitalization and stream/ecosystem restoration are linked.
- Objective: Improve ecosystem health by reducing sprawl and fragmentation, reconnecting open space, enhancing ecosystems, and applying green stormwater infrastructure strategies (while our economy and population continues to grow).
- Objective: Increase tree-canopy to 40%, prioritizing areas with the lowest canopy cover and greatest potential benefits (e.g. urban heat island, flooding, etc.)

Goal #3: Clean water is available to all residents now and in the future.

- Objective: Continue to ensure water services and drinkable water supply is sufficient to meet demand.

- Objective: Continue to maintain efficient and effective sanitary sewer service in existing areas served by sewer and extend service to new areas, as planned, to meet growth demands in a sustainable manner.

Goal #4: Healthy, safe housing options throughout the County are diverse, meeting needs of people of all incomes, ages, abilities, and races, while maintaining design and form of the built environment that integrates with existing communities.

- Objective: Increase variety and range of price points of safe, quality housing options, in a diversity of locations.
- Objective: Increase proximity of quality housing to other daily needs throughout the county, especially jobs and quality education, to support overall cost of living affordability. Better balance of jobs and housing can support residents and their access to both quality/affordable living and living-wage jobs as well as employers and their workforce.
- Objective: Expand access to homeownership, especially among low-income residents and people of color.
- Objective: Upgrade the condition of substandard housing stock—including integration of green energy—throughout the county, without causing displacement.

Goal #5: New Castle County is a strong, resilient hub of the regional economy that provides a range of jobs and services to County residents.

- Objective: Promote business clusters by focusing resources and policies toward retaining and growing businesses in discrete sectors that advance the County's economic strengths.
- Objective: Achieve a diverse and supportive business ecosystem.
- Objective: Increase the percentage of jobs located in Delaware Level 1 State Strategies Investment Areas, ensuring job centers are located near inclusive transit options and existing infrastructure/services.

Goal #6: All residents have the ability to participate in the economy and have access to living-wage jobs. Delaware's workforce is strong and positioned for emerging industry and jobs as well as applying innovation and adaptation in traditional industries.

- Objective: Increase equitable access to workforce, educational and economic opportunities.
- Objective: As economic growth occurs, increase distribution of benefits across the community.

Goal #7: Farming continues to be a viable way of life and contributes to economic resiliency and healthy communities (for its provision of food access and security, its preservation of farmland, and contribution toward community character).

- Objective: Increase the amount of preserved, contiguous farmland and amount of prime soil protected from development.

Goal #8: All New Castle County residents will have safe, efficient, inclusive access to employment, retail services, parks, and other daily needs including by walking, bicycling, public transit, and emerging modes. The transportation and land use systems are integrated and support each other to create livable places and a vibrant county.

- Objective: Establish a Vision Zero policy and coordinate with DelDOT and WILMAPCO toward reaching zero traffic fatalities by 2050.
- Objective: Enhance and increase accessibility by all modes to/between local and regional destinations, including diverse housing, jobs, and goods/services.

Goal #9: Transportation of people and goods is efficient and fair. The transportation system and land use/development are coordinated; development occurs in areas with ample existing or planned transportation infrastructure (and other infrastructure) and decisions are fiscally sound, inclusive, and fair for present and future generations.

- Objective: Preserve existing roads and transportation infrastructure, while limiting widening and creation of new multi-lane roadways. Make the best use of our past investments and their capacity through innovation and collaboration.
- Objective: Plan for emerging transportation modes and technologies (e.g. renewable energy-based, autonomous, e-bikes/scooters, etc.) to leverage benefits and minimize potential negative externalities; embrace technology designed to address existing infrastructure issues, benefit the environment, and improve how people experience travel.

Goal #10: Land uses, transportation, and other infrastructure complement each other, and neighborhoods and areas across the county are distinctive, attractive, functional, comfortable, and human scale. The physical environment is high quality, inclusively designed, retains value, and is fiscally sustainable.

- Objective: Redevelop and infill key areas of the county (identified in Community Plans and other studies/analyses) and struggling industrial land, strip malls, office parks, and other “greyfields” to achieve connected places, continuity of design, and sense of place.
- Objective: Increase compact development in places where it is appropriate and will support the range of community goals (like transit, affordable housing/lifestyles, non-motorized accessibility, enhancement of place, etc.).

Goal #11: The built environment and streetscapes promote physical activity and healthy lifestyles including options for walking and biking. All residents have safe, inclusive access to lead physically active and healthy lifestyles.

- Objective: Increase the percentage of people who walk, bike, and take transit to work (from 6% in 2018).
- Objective: Increase access to healthy food retailers, medical care, and other daily needs.

Goal #12: The value and significance of the historic, prehistoric, and cultural resources in the county are known and promoted; significant resources are preserved for the benefit of residents and visitors.

- Objective: Increase awareness of the county’s historic/prehistoric/cultural resources, including tourism promotion.

- Objective: Increase preservation and adaptive reuse of the county’s historic/prehistoric/cultural resources.

Goal #13: Environmental protection, climate change mitigation, and adaptation are important considerations in all county policies. Our community’s collective built environment—infrastructure, transportation, nature, and development patterns—are designed in a way that limits greenhouse gas emissions and protects our people and critical infrastructure from impacts of climate change.

- Objective: Reduce Greenhouse Gas emissions.
- Objective: Strengthen/improve resiliency in the face of climate change threats through changes to the built environment (infrastructure, transportation, etc.) so to minimize risk and impacts to all people and communities.

Goal #14: Pursue a net zero built environment by following emerging technologies, and alternative regional and individual energy sources.

- Objective: Increase the proportion of energy efficient building stock and conservation infrastructure in the building stock.
- Objective: Reduce pollution from Transportation sources.

Goal #15: New Castle County’s infrastructure and economic and social systems are strong, and our communities are prepared for future climate-related and man-made/natural events; all residents will live in neighborhoods that are protected from negative impacts of incompatible non-residential land uses/activity and other hazards such as flooding (discrete and cumulative); and economic growth, prosperity and change in New Castle County is equitable and accessible by all.

- Objective: Reduce infrastructure that is at risk due to sea level rise and flooding as well as other risks.
- Objective: Reduce risk/disparate impact on sub-populations.

Goal #16: Participation in planning and development represents the full diversity of the county.

- Objective: Increase diversity of engagement in community planning activities of all county residents regardless of age, race, income, native language, abilities, etc.
- Objective: Increase diversity of local professionals involved in planning, land use, infrastructure, and development.

Goal #17: Development, infrastructure, and change is well-planned and coordinated, achieving sustainable and effective public investment in our communities.

- Objective: Planning/investment decisions integrate across governments and jurisdictions.
- Objective: Increase collaboration associated with data/analysis and public engagement.
- Objective: Achieve greater predictability regarding future development.
- Objective: Provide improved emergency services; types of equipment and response time to meet future demands.

The goals of previous comprehensive planning efforts, which directly relate to the capital budget, are still valid and include the following: controlling the pace of development through the availability of developable land and adequate infrastructure; coordination and efficient and effective use of governmental resources at all levels to improve the quality of life for our citizens; provision of adequate community facilities, services, and utilities consistent with the future land use plan; integration of the County's infrastructure and service plans with land use plans to provide efficient delivery of services; and requiring that new development contribute to the cost of community facilities and services.

The FY2025 Capital Budget totals just over \$34.2 million. In addition to significant ongoing investments in public works for extensive improvements to the County's sanitary sewer system, as well as a library capital projects, the FY2025-2030 budget will continue to fund a variety of important initiatives such as preservation of parks and open space, support for valuable community services programs, and the cost of quality facilities and equipment, all while continuing to reflect the ongoing need for fiscal prudence. A responsible Capital Budget is part of a balanced approach to providing the necessary infrastructure to serve county residences and businesses. New Castle County's bonds continue to be rated AAA by all three major rating agencies, reflecting the County's high level of fiscal responsibility. This rating was most recently reaffirmed in September 2021, and S & P Global restated the County's triple-A credit rating in March 2023. These ratings allow the County to fund its capital projects at the most competitive interest rates, which maximizes the County's ability to invest in critical infrastructure at the lowest cost to improve a variety of valued County services.

According to the Delaware Population Consortium, approximately 21,842 new county residents are projected from the year 2020 to the year 2050, although the total number of households is expected to decrease somewhat during that time. To preserve quality of life, additional infrastructure will be necessary, and impact fees will be used to supplement the future cost of equipment, vehicles, and buildings necessary to serve new development. For example, impact fees are currently used to assist volunteer fire companies in the purchase of capital equipment, and also in the construction of new substations to serve new communities.

The FY2025 Capital Budget includes \$11.05 million for progressing sewer/stormwater rehabilitation, as part of a total \$245.70 million investment over the next six years. Proactive management and preventative sewer upgrades have consistently protected the County's drinking water and our environment. In addition to the need for new infrastructure, it is critical that our aging systems be maintained to serve the existing and expanding population. The sanitary sewer system is one of the most important services that New Castle County provides, currently consisting of three treatment plants, over 1,800 miles of sewer line, more than 46,000 manholes, and 176 pump stations.

Additional funding for the Department of Public Works in the FY2025 Capital Budget includes \$6.23 million for Facilities/Equipment and \$10.98 million for Parks, including \$3.50 million in funding for agricultural preservation, greenway systems, and open space preservation, as well as numerous park improvements for active recreation amenities like game courts, softball fields, and playgrounds, for a Public Works total of \$28.25 million.

\$5.13 million is included in the FY2025 Capital Budget for the Department of Community Services. The majority of this amount has been authorized for the design and future construction of a new community library in Newark, with the remainder allocated for various library and recreational facility renovations and improvements.

The FY2025 Capital Budget also includes \$400,515 in funding for the Department of Public Safety to invest in a variety of first responder needs, including protective vests and life-saving equipment, as well as allocations over the next several years for additional needs of the County's first-class emergency response efforts.

The balance of the FY2025 Capital Budget includes \$425,000 for the Department of Administration to invest in the purchase and implementation of new internet firewalls and related services.

DEPARTMENT OF LAND USE RECOMMENDATION

The Department believes that the proposed Capital Program and Budget is based on sound land use planning principles and is in accordance with the 2022 Comprehensive Development Plan, NCC2050, and recommends that New Castle County Council approve the New Castle County Capital Program & Budget for Fiscal Years 2025-2030.

PLANNING BOARD RECOMMENDATION

At the business meeting held on April 30, 2024, the Planning Board considered the recommendation and analysis offered by the Department of Land Use. On a motion made by Mr. Snowden and seconded by Ms. Visvardis, the Planning Board voted to recommend to County Council that the proposed Capital Budget & Program be APPROVED, and the motion was adopted by a vote of 6-0-3 (Yes: Peterson, Cahill-Krout, Cantrell, Daigle, Visvardis, Snowden; No: none; Absent: Cochran, Drake, Gray).

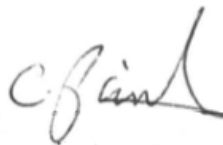
There was no discussion preceding the vote.

STATUTORY GUIDELINES

In the phraseology of 9 *Delaware Code Section 2603 (a)*, the Department of Land Use finds that the recommended Capital Program & Budget, Fiscal Years 2025-2030 would promote the convenience, order, and welfare of the present and future inhabitants of this state.



Karen Peterson, Chairperson
New Castle County Planning Board



Charuni Patibanda, Esq., General Manager
Department of Land Use

Prime Sponsor(s): Mr. Carter
Requested by: Land Use
Date of introduction: May 28, 2024

ORDINANCE NO. 24-083

COMPREHENSIVE REZONING -TO REVISE THE NEW CASTLE COUNTY ZONING MAPS IN COUNTY COUNCIL DISTRICT 6 REGARDING THE FOLLOWING TAX PARCELS: APPOQUINIMINK HUNDRED: 14-010.00-002 (0 MIDDLETOWN WARWICK RD), 14-010.00-003 (0 STRAWBERRY LN), 14-010.00-009 (0 MIDDLETOWN WARWICK RD), 14-010.00-010 (1422 MIDDLETOWN WARWICK RD), 14-010.00-015 (0 STRAWBERRY LN), 14-010.00-016 (1352 MIDDLETOWN WARWICK RD), 14-010.00-017 (1330 MIDDLETOWN WARWICK RD, STARDEL INC), 14-010.00-018 (1280 MIDDLETOWN WARWICK RD), 14-010.00-026 (301 STRAWBERRY LN), 14-010.00-028 (0 MIDDLETOWN WARWICK RD, STARDEL INC), 14-010.00-032 (1416 MIDDLETOWN WARWICK RD, SHAHAN SUBDIVISION); PENCADER HUNDRED: 11-058.00-009 (4 TROOPERS WAY, SUMMIT AVIATION); ST GEORGES HUNDRED: 11-058.00-009 (4 TROOPERS WAY, SUMMIT AVIATION)

1 **WHEREAS**, County Council adopted Substitute No. 2 to Ordinance No. 22-024 as
2 amended by Floor Amendment No. 1 ("New Castle County Comprehensive Plan" or "the
3 Plan"), on July 26, 2022, and the County Executive approved the Ordinance on August
4 4, 2022; and

5
6 **WHEREAS**, the Future Land Use Element and Map Series of the New Castle
7 County Comprehensive Plan designates proposed future general distribution, location
8 and extent of the uses of land consistent with goals, policies and measurable objectives
9 enumerated in the Plan; and

10
11 **WHEREAS**, the New Castle County Comprehensive Plan guides and encourages
12 sustainable economic development sensitive to the context of neighboring residential
13 developments; and

14
15 **WHEREAS**, the New Castle County Comprehensive Plan guides and encourages
16 preservation efforts to best protect important ecological habitats; and

17
18 **WHEREAS**, 9 *Del. C. § 2660* requires New Castle County to amend its official
19 zoning map within eighteen months of the date of adoption of a revision to the county
20 comprehensive plan "to rezone all lands in accordance with the uses and intensities of
21 uses provided for i the future land use element for the County"; and

22
23 **WHEREAS**, Ordinance No. 23-083 was introduced on June 13, 2023, to amend
24 the official zoning map in accordance with the uses and intensities of uses provided for in
25 the future land use element of the New Castle County Comprehensive Plan; and

26 **WHEREAS**, the County can foster more informed participation by the public,
27 including increased opportunities for review, by amending the zoning map in smaller
28 portions, such as by Councilmanic District; and
29

30 **WHEREAS**, this County-initiated rezoning is intended to guide and control future
31 growth consistent with the spirit and intent of the Comprehensive Development Plan as
32 provided by State law; and

33 **WHEREAS**, County Council has determined that the amendments to the zoning
34 map substantially advance, and are reasonably and rationally related to, legitimate
35 government interests (i.e., promoting the health, safety, morals, convenience, order,
36 prosperity and/or welfare of the present and future inhabitants of this State).
37

38 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
39

40 Section 1. The Zoning Maps of Appoquinimink Hundred, Pencader Hundred, and
41 St Georges Hundred, are hereby amended by changing the zoning classification of the
42 land shown on attached Exhibit "A", Maps 1-2 dated 4/17/2024, as set forth therein.
43

44 Section 2. This Ordinance shall become effective immediately upon passage by
45 New Castle County Council and approval of the County Executive, or as otherwise
46 provided in 9 *Del. C.* § 1156.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

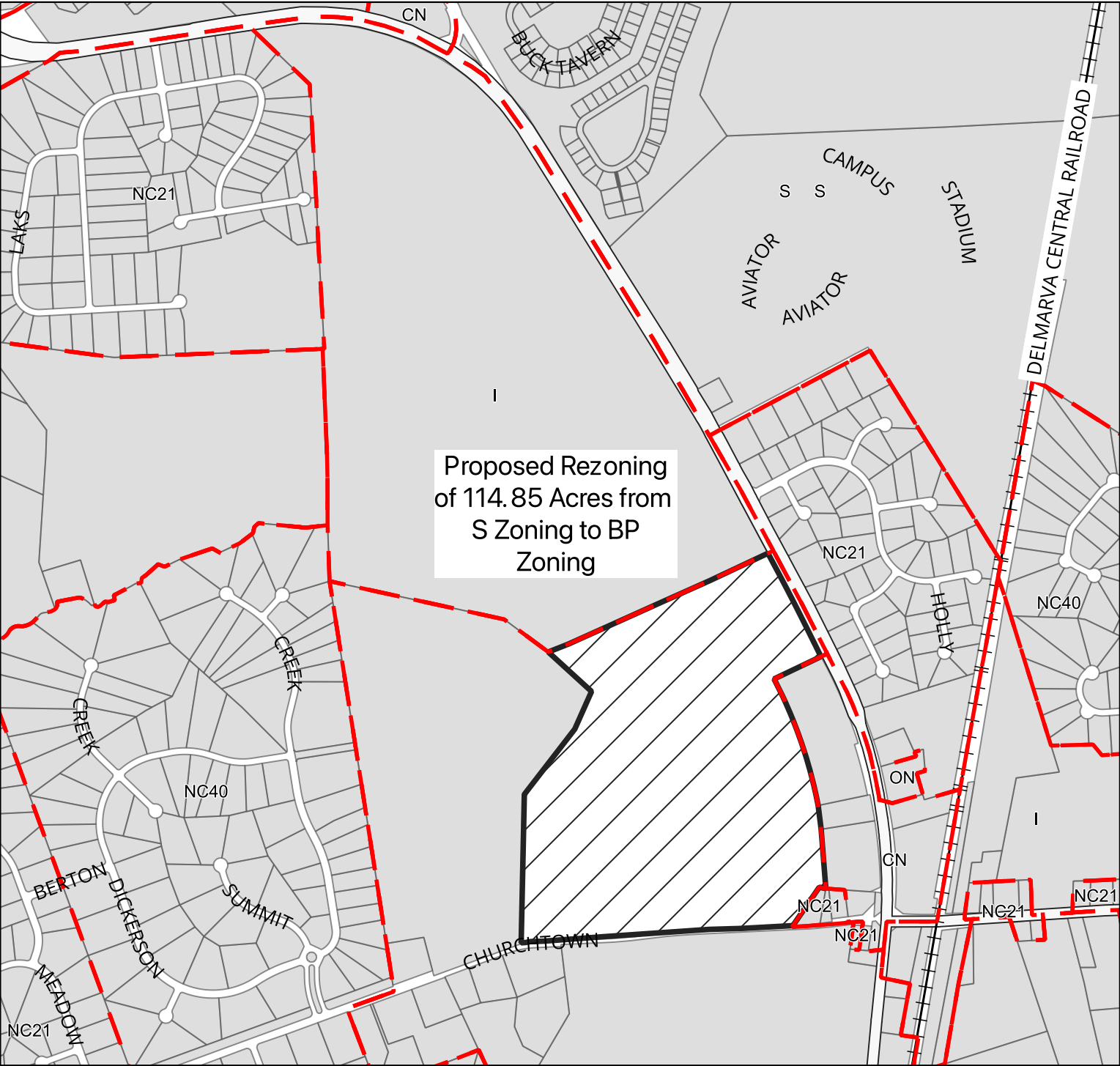
Matthew Meyer
County Executive
New Castle County

SYNOPSIS: Same as title.

FISCAL IMPACT: There is no discernible fiscal impact with the adoption of this legislation.

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: S ZONING TO BP ZONING

APPLICATION NO. 2024-0231-Z
TAX PARCEL NO: 11-058.00-009



HUNDRED: PENCADER AND ST GEORGES
NEW CASTLE COUNTY, DELAWARE

Scale: 1:12776
Prepared by: Matthew Rogers

Date: 4/17/2024



PERMANENT ORDINANCE NO. 24-083
Date Adopted by County Council:
Date Approved by County Executive:

Prime Sponsor(s): Ms. Kilpatrick
Requested by: Executive Office
Date of introduction: May 28, 2024

ORDINANCE NO. 24-084

TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 40 (“UNIFIED DEVELOPMENT CODE” OR “UDC”), ARTICLE 3 (“USE REGULATIONS”), AND ARTICLE 33 (“DEFINITIONS”), REGARDING FIREARM RETAIL BUSINESSES

1 **WHEREAS**, County Council adopted Substitute No. 2 to Ordinance No. 22-024
2 as amended by Floor Amendment No. 1 (“New Castle County Comprehensive Plan” or
3 “the Ordinance”), on July 26, 2022, and the County Executive approved the Ordinance
4 on August 4, 2022; and
5

6 **WHEREAS**, the New Castle County Comprehensive Plan guides development
7 and redevelopment to be sensitive to the context of neighboring residential
8 development; and
9

10 **WHEREAS**, the County recognizes the importance of updating its development
11 regulations to be consistent with, and implement, the New Castle County
12 Comprehensive Plan; and
13

14 **WHEREAS**, Delaware has the fifth highest rate of gun violence in the country
15 according to Everytown for Gun Safety. In an average year, 111 people die and 577 are
16 wounded by guns in Delaware; and
17

18 **WHEREAS**, research has shown that homicide rates increase in the years
19 following an increase in gun dealer density and that these effects are more severe in
20 black communities, as published in “*Gun Dealer Density and its Effect on Homicide*” by
21 David B. Johnson and Joshua J. Robinson; and
22

23 **WHEREAS**, guns are the leading cause of death for children in the United
24 States; and
25

26 **WHEREAS**, County Council has determined that the provisions of this Ordinance
27 substantially advance, and are reasonably and rationally related to, legitimate
28 government interests (i.e., promoting the health, safety, morals, convenience, order,
29 prosperity and/or welfare of the present and future inhabitants of this State).

NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:

Section 1. *New Castle County Code* Chapter 40 (“Unified Development Code” or “UDC”), Article 3 (“Use Regulations”), Division 40.03.100 (“Use regulations”), is hereby amended by adding the material that is underscored as set forth below:

Sec. 40.03.110. Use Table.

Table 40.03.110 lists the type of uses...

Table 40.03.110A. General Use Table									Table 40.03.110B. General Use Table							Table 40.03.110C. General Use Table	
Zoning District (Urban and Suburban-Transition Character) Y=permitted, N=prohibited, L=limited review, S=special use review, A=accessory									Zoning District (Suburban and Special Character)							Additional Standards (all districts)	
Land Use	TN*	ST	MM	ON	OR	CR	BP	I	CN	S***	SE	NC**	HI	EX	SR	Parking	Limited & Special Use Standards
Commercial									Commercial							Commercial	
...Drive-in facility	L	N	N	L	L	L	L	L	L	N	N	N	L	N	N	Table 40.03.522	Table 40.03.210, Section 40.03.316
<u>Firearm retail business</u>	<u>L</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>Table 40.03.522</u>	<u>Table 40.03.210 Section 40.03.342</u>
Heavy retail and service	N	N	N	N	N	Y	N	Y	N	N	N	N	S	N	N	Table 40.03.522	Section 40.31.430...

39
40
41
42
43
44

Section 2. *New Castle County Code* Chapter 40 (“Unified Development Code” or “UDC”), Article 3 (“Use Regulations”), Division 40.03.200 (“Limited and special uses”), is hereby amended by adding the material that is underscored as set forth below:

Sec. 40.03.210. Buffering, location, bulk and scale standards. ...

Table 40.03.210A. Limited and Special Use Standards						Table 40.03.210B. Limited and Special Use Standards						Table 40.03.210C. Limited and Special Use Standards
Buffer Standards						Locational or Dimensional Standards						Additional Standards
Bufferyards			Separation			Minimum				Maximum		
Land Use	Location	Increase Opacity or Width	Fence or Berm	Use Protected	Distance from Use to protected parcel	Spacing	Site Area	Road Access	Open Space	Lot Area	Height	Other
Commercial						Commercial						Commercial
Drive-in facility	Residential	0.4										Section 40.03.316
<u>Firearm retail business</u>												<u>Division 40.25.200 for TN districts. Max. 10% of GFA within the park or development and a maximum of 10% within any parcel in OR, BP and I districts</u>
Heavy retail and service...												

45 **Section 3.** *New Castle County Code* Chapter 40 (“Unified Development Code” or
46 “UDC”), Article 3 (“Use Regulations”), Division 40.03.300 (“Additional limited and special
47 use standards”), is hereby amended by adding the material that is underscored as set
48 forth below:
49

50 **Sec. 40.03.342. FIREARM RETAIL BUSINESSES**
51

52 The following requirements apply to any firearm retail business:
53

- 54 A. A firearm retail business is not permitted within a 500 foot radius of any
55 residentially zoned parcel.
56
57 B. A firearm retail business is not permitted within a 1,000 foot radius of any parcel
58 containing a, school, daycare center, or a parcel that contains government-
59 owned parkland.
60
61 C. A firearm retail business is not permitted within a 1,500 foot radius of any other
62 parcel containing a Firearm Retail store.
63

64 **Section 4.** *New Castle County Code* Chapter 40 (“Unified Development Code” or
65 “UDC”), Article 33 (“Definitions”), Division 40.33.300 (“General definitions”), is hereby
66 amended by adding the material that is underscored as set forth below:
67

68 **Sec. 40.33.240. Commercial uses.**
69

- 70 A. *Adult uses.* This includes...
71
72 P. *Vehicular sales, rental and service.* ...
73

74 Q. *Firearm retail business.* Any establishment or portion of an establishment which
75 engages in selling or purchasing guns, firearms, or ammunition.
76

77 **Section 5. Consistent with Comprehensive Development Plan.** New Castle
78 County Council finds that the provisions of this Ordinance are consistent with the spirit
79 and intent of the New Castle County Comprehensive Development Plan.
80

81 **Section 6. Inconsistent Ordinances and Resolutions Repealed.** All
82 ordinances or parts of ordinances and all resolutions or parts of resolutions that may be
83 in conflict herewith are hereby repealed except to the extent they remain applicable to
84 land use matters reviewed under previous Code provisions as provided in Chapter 40 of
85 the *New Castle County Code*.
86

87 **Section 7. Severability.** The provisions of this Ordinance shall be severable. If
88 any provision of this Ordinance is found by any court of competent jurisdiction to be
89 unconstitutional or void, the remaining provisions of this Ordinance shall remain valid,
90 unless the court finds that that the valid provisions of this Ordinance are so essentially
91 and inseparably connected with, and so dependent upon, the unconstitutional or void
92 provision that it cannot be presumed that County Council would have enacted the

93 remaining valid provisions, without the unconstitutional or void one, or unless the court
94 finds that the remaining valid provisions, standing alone, are incomplete and incapable
95 of being executed in accordance with the County Council's intent. If any provision of this
96 Ordinance or any zoning map or portion thereof is found to be unconstitutional or void,
97 all applicable former ordinances, resolutions, zoning maps or portions thereof shall
98 become applicable and shall be considered as continuations thereof as not as new
99 enactments regardless if severability is possible.

100
101 **Section 8. Effective Date.** This Ordinance shall become effective immediately
102 upon its adoption by County Council and approval by the County Executive or as
103 otherwise provided in 9 *Del. C.* § 1156 and shall only apply to land use applications
104 submitted after such date(s) unless the applicant by written request agrees to submit to
105 the provisions of this Ordinance.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: The following is a summary of the revisions contained in this ordinance broken down by New Castle County Code Division or Section number.

Sec. 40.03.110. This amendment establishes which zoning districts permit firearm retail business uses.

Sec. 40.03.210. This amendment establishes limited use standards for firearm retail business uses in certain zoning districts.

Sec. 40.03.342. This amendment establishes limited use standards generally for firearm business store uses.

Sec. 40.33.240. This amendment defines firearm retail business.

FISCAL NOTE: There is no discernible fiscal impact upon the adoption of this Ordinance.

ORDINANCE NO. 24-085

**AMEND NEW CASTLE COUNTY CODE CHAPTER 6
("BUILDING CODE") ARTICLE 2 ("DEFINITIONS"), AND ARTICLE 4 ("BUILDING
CODE"), REGARDING FIREARMS RETAIL STORES**

1 **WHEREAS**, New Castle County is charged with the responsibility of ensuring the
2 health, safety, and welfare of the citizens of New Castle County by administering and
3 enforcing the regulations of the building industry; and

4
5 **WHEREAS**, Federal laws are silent regarding many important aspects of firearm
6 retailer businesses, such as location and security requirements, which currently can be
7 enhanced to protect public safety; and

8
9 **WHEREAS**, other jurisdictions have adopted ordinances and business regulations
10 that govern the sale of firearms, including zoning ordinances regulating the location of
11 firearm businesses and security and safety requirements for firearm retailers; and

12
13 **WHEREAS**, New Castle County Council finds that the provisions of this Ordinance
14 are rationally and reasonably related to and substantially advance its goal of protecting
15 and preserving legitimate government interests, including the protection and preservation
16 of the public health, safety, prosperity, general welfare, and quality of life of New Castle
17 County and its residents.

18
19 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**

20 **Section 1.** *New Castle County Code* Chapter 6 ("Building Code"), Article 2
21 ("Definitions"), is hereby amended by adding the material that is underscored, as set forth
22 below.

23
24 **ARTICLE 2. DEFINITIONS.**

25
26 **Sec. 6.02.001. Definitions.**

27
28 The following words, terms, and phrases, when used in this Chapter shall have the
29 meaning ascribed...

30
31 *Developed parcels* means...

32
33 *Firearm* means as defined in § 222 of Title 11 of the Delaware Code.

34
35 *General Manager* means...

37 **Section 2.** *New Castle County Code Chapter 6 (“Building Code”), Article 4*
38 *(“Building Code”), is hereby amended by adding the material that is underscored, as set*
39 *forth below.*

40
41 **ARTICLE 4. BUILDING CODE.**

42
43 **Sec. 6.04.002. Amendments to the International Building Code.**

44
45 **CHAPTER 3. USE AND OCCUPANCY CLASSIFICATION**

46
47 *Section 309, Mercantile Group M, is amended by adding the following subsection:*

48
49 *B309.4, Firearm retail businesses.* Firearm retail businesses shall comply with
50 *Section 429.*

51 ...

52
53 **CHAPTER 4. SPECIAL DETAILED REQUIREMENTS BASED ON OCCUPANCY AND**
54 **USE**

55
56 *Chapter 4, Special detailed requirements based on occupancy and use, is amended*
57 *by adding the following section and subsections:*

58
59 *Section B429, Firearm retail businesses.*

60
61 *Section B429.1, General.* The provisions of Sections B429.2 and B429.3 shall
62 *apply to buildings used in whole or in part for the sale of firearms.*

63
64 *Section B429.2, Construction.* Firearm retail business buildings shall be
65 *constructed in accordance with this Code and shall contain all the following:*

66
67 *1. Equipment to video record the interior and exterior of the premises.*

68
69 *2. A security alarm system that is continually monitored.*

70
71 *3. Bars, security screens, commercial grade metal doors, grates, or other*
72 *physical barriers approved by the Code Official are installed on all exterior doors*
73 *and windows to prevent unauthorized entry.*

74
75 *4. If practicable, physical barriers designed to prevent the use of motor vehicles*
76 *to breach all buildings where firearms are stored.*

77
78 *Exception:* The firearm retail business locks and stores all firearms in a vault,
79 *safe, or secure room or portion of the building that meets the requirements set*
80 *forth in this section when the business is closed.*

81
82 *Section B429.3, Means of egress.* The requirements of this section shall not
83 *supersede any means of egress requirements set forth in this Chapter.*

84
85 **Section 3.** Inconsistent ordinances and resolutions repealed. All ordinances or
86 parts of ordinances and all resolutions or parts of resolutions in conflict herewith are
87 hereby repealed upon the effective date of this Ordinance.
88

89 **Section 4.** Effective date of the provisions of the Ordinance. This Ordinance shall
90 become effective immediately upon adoption by New Castle County Council and approval
91 by the County Executive, or as otherwise provided in 9 *Del. C.* § 1156.
92

93 **Section 5.** Continuation of existing ordinances and resolutions. The sections
94 appearing in this Ordinance, so far as they are in substance the same as those ordinances
95 and resolutions adopted and included in the *New Castle County Code*, shall be
96 considered as continuations thereof and not as new enactments.
97

98 **Section 6.** Continuation of existing institutions, rights, and liabilities. The revisions
99 of prior ordinances, resolutions, rules and regulations, provided for in this Ordinance, shall
100 not affect any act done, or any cause of action accruing or accrued or established, or any
101 suit or proceeding had or commenced in any civil action, nor any plea, defense, bar or
102 matter existing before the time when such revisions shall take effect; but the proceedings
103 in every such case shall conform with this ordinance to the extent applicable.
104

105 All the provisions of ordinances, resolutions, rules and regulations revised by this
106 Ordinance shall be deemed to have remained in force from the time when they began to
107 take effect, so far as they may apply to any department, agency, office or trust, or of any
108 transaction or event of any limitation or any right or obligation or the construction of any
109 contract already affected by such ordinances, resolutions, rules and regulations,
110 notwithstanding the revisions of such provisions. No offense committed and no penalty or
111 forfeiture incurred, under any of the ordinances, resolutions, rules and regulations revised
112 by this Ordinance and before the time when such revisions shall take effect shall be
113 affected by such revisions.
114

115 No action or prosecution, pending the effective date of the revisions provided in
116 this Ordinance, for any offense committed or for the recovery of any penalty or forfeiture
117 incurred under any of the ordinances, resolutions, rules and regulations revised herein
118 shall be abated or affected by such revisions, except that the proceedings in such action
119 or prosecution shall conform with this Ordinance if applicable.
120

121 The provisions in this Ordinance shall not be construed to abolish or impair existing
122 remedies available to New Castle County or its officers or agencies relating to the
123 remediation of any dangerous, unsafe, or unsanitary condition.
124

125 **Section 7.** Severability. It is hereby declared to be the intention of the County
126 Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance
127 are severable, and if any phrase, clause, sentence, paragraph or section of this
128 Ordinance shall be declared unconstitutional or invalid by the valid judgment or decree of
129 a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any
130 of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance.

131 If any provision of this Ordinance is found to be unconstitutional or void, the applicable
132 former ordinance provisions shall become effective and shall be considered as
133 continuations thereof and not as new enactments regardless if severability is possible.
134

135 **Section 8.** Other laws. The provisions of this Ordinance shall not be deemed to
136 nullify any provisions of local, state, or federal law except as stated above.

Adopted by County Council of
New Castle County on:

Karen Hartly-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance enhances security requirements for firearm retailer business establishments by providing additional public safety measures.

FISCAL NOTE: There is no discernible fiscal impact.

Primary Sponsor(s): Mr. Sheldon
Requested by: Executive Office
Date of Introduction: May 28, 2024

ORDINANCE NO. 24-086

**TO AMEND NEW CASTLE COUNTY CODE CHAPTER 2 (“ADMINISTRATION”),
ARTICLE 5 (“DEPARTMENTS AND OFFICES”) TO REGULATE THE POSSESSION
OF FIREARMS, AMMUNITION, COMPONENTS OF FIREARMS AND EXPLOSIVES
FROM COUNTY BUILDINGS AND POLICE STATIONS**

1 **WHEREAS**, New Castle County (“County”) has determined that for the safety and
2 welfare of its employees, certain County buildings require enhanced security measures
3 to protect its employees and visitors from potential harm; and
4

5 **WHEREAS**, as part of the implementation of these enhanced security measures,
6 the County hereby prohibits possession of firearms, ammunition, components of firearms
7 and explosives from all police stations and County buildings as defined herein; and
8

9 **WHEREAS**, Title 9 § 330 of the Delaware Code provides the County with the
10 authority to adopt an ordinance regulating the possession of firearms, ammunition,
11 components of firearms and explosives from all County buildings, subject to certain
12 exceptions and requirements; and
13

14 **WHEREAS**, any County ordinance regulating possession of firearms, ammunition,
15 components of firearms, or explosives in police stations or county buildings shall require
16 all areas where possession is restricted to be clearly identified by a conspicuous sign
17 posted at each entrance to the restricted areas and that persons in violation may be
18 denied entrance to the building or be ordered to leave the building.
19

20 **WHEREAS**, any County ordinance regulating the possession of firearms,
21 ammunition, components of firearms and explosives in County buildings shall also state
22 that any person who immediately foregoes entry or immediately exits any clearly
23 restricted County building or police station due to the possession of a firearm,
24 ammunition, components of firearms, or explosives shall not be guilty of violating the
25 ordinance.
26

27 **WHEREAS**, the County may establish penalties for any intentional violation of this
28 ordinance as deemed necessary to protect public safety”; and
29

30 **WHEREAS**, County Council has determined that the provisions of this Ordinance
31 substantially advance, and are reasonably and rationally related to, legitimate
32 government interests (i.e., promoting the health, safety, morals, convenience, order,
33 prosperity and/or welfare of the present and future inhabitants of this State).
34
35

36 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
37

38 Section 1. *New Castle County Code* Chapter 22 ("Offenses and Miscellaneous
39 Provisions"), Article 3 ("Weapons"), is hereby amended by adding the underscored
40 material set forth below:
41

42 **Sec. 22.03.011 Possession of firearms, ammunition, components of firearms or**
43 **explosives in county buildings and police stations prohibited.**
44

- 45 A. Prohibition. Except as set forth in subsection (e) below, possession of firearms,
46 ammunition, components of firearms, or explosives is prohibited in all County
47 buildings and police stations.
- 48 B. County building defined. For the purposes of this section, "county buildings" are
49 defined as:
50 1. any County-owned or leased building where the County meets in its official
51 capacity, or any building containing the offices of elected officials and of public
52 employees actively engaged in performing governmental business but excludes
53 any parking facility; and
54 2. Any non-County owned or leased building when the County is meeting in or
55 occupying such building.
- 56 C. Required signs. In all County buildings and police stations, a conspicuous sign shall
57 be posted at each entrance stating that the possession of firearms, ammunition,
58 components of firearms, or explosives are prohibited. Such sign shall also state that
59 persons in violation may be denied entrance to the building or be ordered to leave
60 the building.
- 61 D. Immediate departure. Any person who immediately foregoes entry or immediately
62 exits any County building or police station due to the possession of a firearm,
63 ammunition, components of firearms, or explosives shall not be guilty of violating
64 this section.
- 65 E. Exemptions. Nothing in this section shall be deemed to prevent the following in
66 County buildings or police stations:
67 1. Possession of firearms, components of firearms, and ammunition or
68 explosives by law enforcement officers;
69 2. Law enforcement agencies receiving shipments or delivery of firearms,
70 components of firearms, ammunition, or explosives;
71 3. Law enforcement agencies conducting firearms safety and training programs;
72 4. Law enforcement agencies conducting firearm or ammunition public safety
73 programs, donation, amnesty, or any other similar programs in police stations
74 or County buildings;
75 5. Compliance by persons subject to protection from abuse court orders;
76 6. Carrying firearms and ammunition by persons who hold a valid license
77 pursuant to either § 1441 or § 1441A of Title 11 of the Delaware Code so long
78 as the firearm remains concealed except for inadvertent display or for self-
79 defense or defense of others;
80 7. Carrying firearms and ammunition by officers or employees of the United
81 States duly authorized to carry a concealed firearm; or

82 8. Carrying firearms and ammunition by agents, messengers and other
83 employees of common carriers, banks, or business firms, whose duties
84 require them to protect money, valuables and other property and are engaged
85 in the lawful execution of such duties.

86 F. Penalties. Any person who violates this section shall be subject to a fine of at least
87 \$250.00 but not more than \$500.00, or imprisonment for not more than one year, or
88 shall be subject to both fine and imprisonment.
89

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: For the safety of County employees, this Ordinance, if approved, prohibits possession of firearms, ammunition, components of firearms or explosives in county buildings and police stations, with certain exemptions required by state law.

FISCAL NOTE: This Ordinance, if approved, will have a one-time fiscal impact of \$2,500-\$5,000. There are currently funds in the Public Works Department budget to cover the cost of this expenditure. No additional costs would be anticipated in future fiscal years.

Prime Sponsor(s): Mr. Hollins
Requested by: Land Use
Date of introduction: May 28, 2024

ORDINANCE NO. 24-087

TO AMEND NEW CASTLE COUNTY CODE CHAPTER 40 (“UNIFIED DEVELOPMENT CODE” OR “UDC”), ARTICLE 3 (“USE REGULATIONS”), ARTICLE 4 (“DISTRICT AND BULK STANDARDS”), ARTICLE 33 (“DEFINITIONS”), AND APPENDIX 7 (“GUIDING PRINCIPLES FOR DEVELOPMENT”) , REGARDING EXPANDING THE ACCESSORY DWELLING UNIT REGULATIONS TO PROVIDE EQUITABLE AFFORDABLE HOUSING OPPORTUNITIES AND THE ABILITY TO AGE IN PLACE, AND UPDATING THE GUIDING PRINCIPLES TO BE CONSISTENT WITH THE COMPREHENSIVE PLAN

1 **WHEREAS**, County Council adopted Substitute No. 2 to Ordinance No. 22-024 as
2 Amended by Floor Amendment No. 1 (“New Castle County Comprehensive Plan 2050”
3 or “Comprehensive Plan”), on July 26, 2022, and the County Executive approved the
4 Ordinance on August 4, 2022; and
5

6 **WHEREAS**, in April of 2007, County Council adopted Substitute No. 1 to
7 Ordinance No. 07-001 creating the Accessory Dwelling Unit (“ADU”) provisions to:
8

- 9 • Provide senior homeowners with a means of obtaining rental income,
10 companionship, security, and services, thereby enabling them to stay more
11 comfortably in homes and neighborhoods they might otherwise be forced to leave;
12
- 13 • Create additional housing units in areas where infrastructure is already in place;
14
- 15 • Provide housing units for persons with special needs facilitate the supply of
16 housing available to households with moderate incomes; and
17

18 **WHEREAS**, in March of 2017, County Council adopted Ordinance No. 16-117 to
19 increase the cap on ADUs from 0.2 percent single family detached homes to 0.4 percent
20 of single family detached homes; and
21

22 **WHEREAS**, in the seventeen years since adoption of the ADU provisions, fewer
23 than 400 accessory dwelling unit permits have been issued, about one quarter of which
24 were for detached ADUs; and
25

26 **WHEREAS**, the Delaware Housing Needs Assessment 2015-2022, issued by the
27 Delaware State Housing Authority, indicates an existing need for affordable housing in
28 New Castle County; and
29

30 **WHEREAS**, the New Castle County Comprehensive Plan directs the County to
31 increase the variety and range of safe, quality housing options for all, in a diversity of
32 locations; focus on revitalizing and preserving areas already developed, while responsibly
33 guiding future development in a manner that is consistent with adjacent communities; and
34

35 **WHEREAS**, the New Castle County Comprehensive Plan identified ADUs as a
36 method for addressing the affordable housing needs in the County; and
37

38 **WHEREAS**, the County recognizes the importance of updating its development
39 regulations to be consistent with, and implement, the New Castle County Comprehensive
40 Plan; and
41

42 **WHEREAS**, County Council has determined that the provisions of this Ordinance
43 substantially advance, and are reasonably and rationally related to, legitimate
44 government interests (i.e., promoting the health, safety, morals, convenience, order,
45 prosperity and/or welfare of the present and future inhabitants of this State).
46

47 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
48

49 **Section 1.** *New Castle County Code* Chapter 40 (“Unified Development Code”
50 or “UDC”), Article 3 (“Use Regulations”), Division 40.03.100 (“Use Regulations”), is
51 hereby amended by adding the material that is underscored and deleting the material
52 that is bracketed and stricken, as set forth below:

Table 40.03.110A. General Use Table									Table 40.03.110B. General Use Table							Table 40.03.110C. General Use Table	
Zoning District (Urban and Suburban-Transition Character) Y=permitted, N=prohibited, L=limited review, S=special use review, A=accessory									Zoning District (Suburban and Special Character)							Additional Standards (all districts)	
Land Use	TN*	ST	MM	ON	OR	CR	BP	I	CN	S***	SE	NC**	HI	EX	SR	Parking	Limited & Special Use Standards
... Residential									Residential							Residential	
...Manufactured home park	N	N	L	N	N	N	N	N	N	N	N	L	N	N	N	2.25/du.	Section 40.03.306
Small single-family <u>detached dwelling</u>	L	L	N	N	N	[L]N	N	N	[L]N	L	N	L	N	N	N	2.0/du.	[---]Only permitted as an ADU (Section 40.03.410) ...

Section 2. *New Castle County Code* Chapter 40 (“Unified Development Code” or “UDC”), Article 3 (“Use Regulations”), Division 40.03.400 (“Individual Use Standards”), is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

Sec. 40.03.410. Accessory uses, residential.

Residential uses may have accessory buildings and accessory uses provided they conform to the following standards...

I. *Accessory dwelling unit (ADU).*

1. Only one (1) ADU is permitted per single-family ...
7. On any lot ~~[greater than two (2)]~~ one half (1/2) of an acre or more, one (1) freestanding accessory structure may be constructed or used as an ADU ~~[-The freestanding-]~~ provided that the dwelling unit [may be located in any yard, provided that it] meets the same front, street, side and rear yard setbacks as required for the principal dwelling. ...
12. ~~[The total number of building permits issued for ADUs in unincorporated New Castle County shall not exceed four tenths (0.4) percent of the total of single family detached homes in the County based an assessment records.]~~ A detached ADU may be either a Small Single-Family or Single-Family Detached dwelling.
13. An ADU is the only detached accessory residential structure that may provide quarters for sleeping.
14. Ardens exception for existing ADUs. ...
- ~~[14. The Department of Land Use shall advise New Castle Council in writing ADUs are reaching the cap; the Department at that time will render a recommendation to Council on whether the cap should be raised and if so, by how much.]~~

Section 3. *New Castle County Code* Chapter 40 (“Unified Development Code” or “UDC”), Article 4 (“District and Bulk Standards”), Division 40.04.100 (“District performance standards”), is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

97 **Sec. 40.04.110. District and bulk standards.**

98
99 This Section contains the basic district standards applicable to all uses. Table 40.04.110
100 contains intensity, lot, bulk and exterior storage standards. These standards may be
101 modified by the Department pursuant to Article 26.

102
103 A. *Minimum open space ratio.* ...

104
105 B. ~~[Minimum-s]~~Site area. ~~[Minimum-s]~~Site area is the [minimum] area required
106 ~~[before]~~for any new uses recognized by this Chapter ~~[may]~~to be permitted in the
107 zoning district. The number identified is the minimum site area unless otherwise
108 specified.

109 No land shall be rezoned unless the proposed zoning district meets minimum site
110 area requirements. In determining minimum site area requirements for rezoning
111 applications, contiguous parcels of the same zoning shall be considered in the
112 calculation.

113
114 C. Maximum building height. ...

115
116 D. Minimum lot area. ...

Table 40.04.110A. DISTRICT AND BULK STANDARDS								Table 40.04.110B. DISTRICT AND BULK STANDARDS								Table 40.04.110C. DISTRICT AND BULK STANDARDS	
District Standards								Lot, and Building Standards								Storage and Comments	
		Density		Floor Area Ratio				Minimum							Max.	Exterior Storage	Notes
Zoning District & Type	Min. OSR/LSR	Max. Gross	Max Net	Max. Gross	Max Net	Utilities (on-site, public)	[Min.] Site Area	Lot Area	Lot Width (feet)	Front and Street Yards (feet)	Side Yard (feet)	Rear Yard (feet)	Paving street yard/ other yard (feet)	Unit Mix (%)	Build-ing Height (feet)	Percent of Lot Area	
Suburban Reserve (SR)...								Suburban Reserve (SR)...								Suburban Reserve (SR)...	

Section 4. New Castle County Code Chapter 40 (“Unified Development Code” or “UDC”), Article 33 (“Definitions”), Division 40.33.200 (“Use definitions”), is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

Sec. 40.33.220. Residential uses.

A. *Single-family detached*. These are detached dwelling...

K. *Manufactured home park*. A development designed...

L. *Small single-family*. The small single-family house is an affordable unit specially designed and built to serve the needs of individuals or small households who need small, compact, affordable housing. It is not intended to meet the needs of large families. ~~[Three (3)]~~ Two (2) types of housing are provided: single-family detached one (1) story~~[,] and single-family detached two (2) story[, and single-story attached]~~. The small scale of these units permits them to fit into existing neighborhoods without threatening the neighborhood character.

M. *Accessory dwelling unit (ADU)*. This is a second, subordinate...

Section 5. New Castle County Code Chapter 40 (“Unified Development Code” or “UDC”), Article 33 (“Definitions”), Division 40.33.300 (“General definitions”), is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

Division 40.33.300. General definitions.

This Division contains the definition of words used in this Chapter ...

Dwelling, single-family detached. A dwelling unit, including a manufactured home, designed for and occupied by not more than one (1) family and having no roof, wall or floor in common with any other dwelling unit. ~~[With the exception of small single-family housing (Section 40.07.340), the following shall apply]:~~

A. It has a minimum of seven hundred fifty (750) square feet of gross floor area.

B. It has a minimum width along any exterior front, side and rear elevation of twenty (20) feet, exclusive of any garage area. If applicable, it ~~[shall]~~ must be multiple transportation sections at least ten (10) feet wide unless transportable in three (3) or more sections, in which case only one (1) section need be ten (10) feet wide.

C. It is permanently ...

Dwelling, small single-family detached. A one (1) or two (2) story dwelling unit, designed for and occupied by not more than one (1) family and having no roof, wall or floor in common with any other dwelling unit. The following applies:

- A. It has a minimum of four hundred (400) square feet of gross floor area and less than seven hundred fifty (750) square feet of gross floor area.
- B. It is of light-frame or masonry construction and permanently mounted on a solid foundation or pier foundation system in accordance with Chapter 6.
- C. All utilities must be permanently connected in accordance with the County plumbing and mechanical codes.
- D. The dwelling must have a weather-resistant exterior covering material comparable in appearance, quality and durability to brick, stone, treated lumber, masonry, or masonry veneer, which shall extend to the foundation.
- E. The siding of all dwellings must be continuous so as to enclose any joining of two (2) or more sections.
- F. It complies with all other pertinent sections of the building and housing codes of the County, and the fire and health codes of the State.

Dwelling unit. One (1) or more rooms physically...

Lot, flag. ...

Lot line. A property line dividing one (1) lot from another or from a street or other public place. A lease line shall not be interpreted to be a lot line. There are basically four (4) types of lot lines—front, rear, side, and street. See Figure 40.33.312.

- A. Front lot line.* The street lot line from which the unit takes access[; or w]. Where more than one (1) street yard could safely provide [this] access, the street serving the smallest traffic volume unless otherwise determined by the Department. For parcels with no street frontage the front lot line must be determined by the Department.
- B. Rear lot line.* The lot line opposite or nearly opposite the front lot line. In the case of a lot without a clearly identified rear lot line, that line shall be construed to be a ten (10) foot long line drawn parallel with the front street line.
- C. Side lot line.* The lot line that runs generally perpendicular or at angles to the street or any line that is not a front, street or rear lot line.
- D. Street lot line.* Any lot line that is also a street right-of-way line.

Lot-line house....

209
210 *Yard. ...*

211
212 *Yard, front.* A yard extending the full width of the lot between the front lot line and the
213 parts of the principal building erected thereon.

214
215 *Yard, rear.* A yard extending the full width of the lot between the rear lot line and the
216 parts of the principal building erected thereon. For a corner lot, the rear yard shall not
217 extend beyond the building setback line on the side street.

218
219 *Yard, side.* A yard between the parts of the principal building and the adjacent side lot
220 line [ef the lot] and extending from the front yard to the rear yard.

221
222 *Yard, street.* A yard extending the full width of the lot between the street lot line and
223 the parts of the principal building erected thereon setting back from and nearest such
224 street line.

225
226 *Zero (0) lot line. ...*

227
228 **Section 6. New Castle County Code** Chapter 40 (“Unified Development Code
229 or “UDC”), Appendix 7 (“Guiding Principles for Development”), is hereby amended by
230 adding the material that is underscored and deleting the material that is bracketed and
231 stricken, as set forth below:

232
233 **APPENDIX 7: GUIDING PRINCIPLES FOR DEVELOPMENT**

234
235 **1. Purpose and Applicability. ...**

236
237 **2. Character Areas.**

238
239 A. The Comprehensive Development Plan ...

240
241 B. The Guiding Principles achieve the foregoing through dividing the County into
242 [five (5)]six (6) Character Areas, consistent with the [eight (8) future land use
243 categories designated by the Comprehensive Development Plan: Residential
244 Neighborhood, Mixed Residential Neighborhood, Corridor, Center, and New
245 Community Development]Future Land Use Designations and policies in the New
246 Castle County Comprehensive Development Plan. For additional clarity, the
247 relationship between zoning districts, future land use categories, and their
248 corresponding character area designations, are shown below:
249

250
251
252
253

Table 1
Character Area Relationships

Zoning Districts	Strategies for State Policies and Spending Areas	Comprehensive Development Plan Future Land Use Categories	General Description	Guiding Principles Character Areas
<u>S, ST, TN</u>	<u>Levels 1 & 2</u>	<u>Hamlets & Villages/ Residential Developed/ Residential Developed</u>	<u>Moderate to High Density/Mix of Dwelling Unit Types/Neighborhood Scale Commercial and Office Uses Areas providing walkable, transit-supportive, community centers that transition to surrounding suburban areas</u>	<u>Traditional Community Development</u>
<u>S</u>	<u>Levels 1 & 2</u>	<u>Residential/Residential Developed</u>	<u>Low to Moderate Density Residential/Mix of Dwelling Unit Types</u>	<u>Suburban Community Development</u>
<u>S, SE, SR, NC</u>	<u>Levels 1,2,3, & 4</u>	<u>Residential/Residential Developed</u>	<u>Very Low to Moderate Density Residential/Mix of Dwelling Unit Types</u>	<u>Residential Neighborhood</u>
<u>All</u>	<u>Levels 1,2,3, & 4</u>	<u>Resource Preservation</u>	<u>Discourage New Development/Protect natural resources and preserve green fields</u>	<u>Resource Preservation</u>
[SE, SR, S, applicable NC districts]	[Levels 1, 2 & 3]	[Very Low Density Residential]	☐ [0-1 dwelling units/acre] ☐ [Protect natural resources and preserve green fields]	[Residential Neighborhood]
[S, ST applicable NC districts]	[Levels 1 & 2]	[Low Density Residential]	☐ [1-3 dwelling units/acre-] ☐ [Minimize new development until population and employment growth justifies expansion of the public sewer system] ☐ [Protect natural resources and preserve green fields]	[Residential Neighborhood]
[ST, TN, applicable NC districts]	[Levels 1 & 2]	[Medium Density Residential]	[2-8 dwelling units/acre]	[Residential Mixed Neighborhood]

[ST, TN, applicable NC districts]	[Levels 1 & 2]	[High Density Residential]	[> 8 dwelling units/acre]	[Residential Mixed Neighborhood]
CN, CR, ON, OR, BP, I, applicable NC Districts	Levels 1 & 2	Type 1 (Commercial Corridor Development)/Type 2 (Employment-based Corridor Development)/Community Development Areas	- Higher densities - Redevelopment or mixed-use centers - Transit supportive	Corridor
CN, CR, ON, OR, BP, I, and HI	Levels 1 & 2	Business Flex and Manufacturing	- High intensity commercial and employment-based uses permitting integrated residential - Redevelopment or mixed-use centers - Transit supportive	Commercial and Employment Centers
[CN, CR, ON, OR, BP]	[Levels 1 & 2]	[New Community Development Area]	[Density goal 3-5 dwelling units per acre] [Areas providing walkable, transit-supportive, community centers that transition to surrounding suburban areas]	[New Community Development]
[SE, SR]	[Levels 2, 3 & 4]	[Resource & Rural Preservation]	☐ [Minimize new development] ☐ [Protect natural resources and preserve green fields]	[Not addressed — regulated by existing UDC standards]

C. The Comprehensive Development Plan has ...

3. Guiding Principles and Character Areas.

A. ~~[The Guiding Principles align]~~ This Appendix provides specific guidance on four (4) of the six (6) ~~[five (5)]~~ character areas ~~[to the future land use categories in the Comprehensive Development Plan:]~~; Residential Neighborhood, ~~[Mixed Residential Neighborhood]~~ Suburban Community Development, Commercial and Employment Centers, and Corridors, and New Community Development. This ~~[e]~~ Appendix does not address ~~[Heavy Industrial and]~~ Resource ~~[& Rural]~~ Preservation category ~~[ies are not addressed here because they are regulated by the UDC, and do not require the kind of design and amenity regulations established in these Guiding Principles]~~ since land use policy set by the Comprehensive Development Plan is to encourage preservation efforts in

268 Resource Preservation Areas. Design standards for Traditional Community
269 Development are in Article 25 Design.

270
271 B. The following table summarizes the Guiding Principles for each character area:

272
273

Table 2
Summary of Design Principles

	Residential Neighborhood	[Mixed Residential Neighborhood] Suburban Community Development	Corridors	Commercial and Employment Centers	[New] Traditional Community Development
Vision	[Primarily Single-Family detached, low densities] <u>Very Low to Moderate Density Residential/Mix of Dwelling Unit Types</u>	[Mix of residential types, from high density single family to apartments, with small scale commercial] <u>Low to Moderate Density Residential/Mix of Dwelling Unit Types</u>	Mix of commercial and employment-based uses with supportive residential higher densities Redevelopment or mixed-use centers transit supportive	High intensity commercial and employment-based uses permitting integrated residential Redevelopment or mixed-use centers Transit supportive	Mix of <u>residential and institutional uses may include supportive commercial or employment-based uses</u> [; may include supportive residential]
Building:					
Facade Design	No special considerations except in Home Town or Neighborhood Preservation districts	Highly articulated facade with a high level of transparency	Highly articulated facade with a high level of transparency, with more flexible standards away from the corridor	Moderately to highly articulated facade with a high level of transparency, with flexible standards for designated “B” streets	Moderately articulated facade with transparency, with flexible standards for designated “B” streets
Orientation	No special considerations except in Home Town or	Front-facing entry element (porch, stoop, etc.)	High level of ground floor pedestrian interest and transparency	High level of ground floor pedestrian interest and transparency	Accessible by vehicles with ground floor pedestrian

	Residential Neighborhood	[Mixed Residential Neighborhood] Suburban Community Development	Corridors	Commercial and Employment Centers	[New] Traditional Community Development
	Neighborhood Preservation districts		with front-facing entries (canopy, courtyard, etc.)	with front-facing entries (canopy, courtyard, etc.)	interest and transparency internal to the development
Transition Adjacent to Single-Family	No special considerations	Lower scale adjacent to Residential Neighborhoods	Lower scale adjacent to Residential Neighborhoods	Lower scale adjacent to Residential Neighborhoods	Lower scale adjacent to Residential Neighborhoods
Site:					
Building Placement	Buildings located to allow for front and rear yards	Buildings located near the sidewalk edge or set back	Buildings located near the sidewalk edge	Buildings set back from the sidewalk edge or along sidewalks at exterior	Buildings set back from the sidewalk edge or along sidewalks at exterior
Parking	No special considerations	Parking dispersed in small modules / [Quantity limited]	Parking located to the rear or side of buildings in small modules	Parking located to the rear of buildings in small modules or Parking set back from the sidewalk edge in landscaped lots	Parking set back from the sidewalk edge in landscaped lots / Sufficient quantity
Pedestrian & Bicycle Circulation	Sidewalks and paths provide multi-modal connections	Sidewalks and paths provide multi-modal connections	Buildings are connected to the street & transit / sidewalks, bike lanes and multi-	Buildings are connected to the street & transit / sidewalks, bike lanes and multi-	Multi-modal paths and sidewalks connect buildings and parking

	Residential Neighborhood	[Mixed Residential Neighborhood] Suburban Community Development	Corridors	Commercial and Employment Centers	[New] Traditional Community Development
			modal paths connect to greenways and neighborhoods	modal; paths connect to greenways & neighborhoods	
Vehicular Circulation	Streets provide sufficient connectivity / narrow drive lanes for new subdivisions	Narrow drive lanes / street provide sufficient connectivity	Narrow drive lanes / limited curb cuts / off-street connections between parcels	Narrow drive lanes / limited curb cuts / off-street connections between parcels	Narrow drive lanes / limited curb cuts / off- street connections between parcels
Stormwater Management	Stormwater management practices should be integrated into site features such as rooftops, landscape islands, and paved areas, to intercept and retain rainfall runoff throughout the site in order to mimic pre-developed hydrology and reduce overall development costs associated with high land value.				
Amenities:					
Open / Civic Spaces	High level of passive open space oriented around natural features	Open space primarily provided as patios and courtyards limited urban landscaping to promote pedestrian orientation and reduce visual impacts of parking	Some open space provided as patios and courtyards significant landscaping to reduce visual impacts of parking and enhance community image	Significant perimeter landscaping to enhance community image or transition in scale where adjoining other uses.	Significant perimeter landscaping or transition in scale where adjoining other uses

4. Residential Neighborhood.

A. *Vision.*

1. The Residential Neighborhood designation [~~is for New Castle County's predominantly single-family neighborhoods. The designation~~] applies to areas primarily identified as Residential Developed in the Comprehensive Development Plan~~[consisting primarily of single-family dwellings on individual lots and is intended to preserve and protect the existing character of the residential neighborhood. Typical uses include single family housing, parks, and compatible uses such as schools and daycare centers]~~.
2. The vision is to protect the residential neighborhoods from encroaching commercial uses and incompatible development that would compromise the quality of life and character of these areas. This directs incompatible development away from the neighborhoods to Corridor[, and Center[, and New Community Development] character areas [and] providing[es] a broad array of neighborhood conservation measures to control the pace and type of change within existing residential areas.
3. At an appropriate scale and design, [~~however,~~]neighborhood-serving retail, service, and institutional uses [~~should~~]may be located close to these neighborhoods.

- B. *Building Design.* Height and maximum allowable density are as set out in the UDC for the Suburban (S), Suburban Estate (SE), Suburban Reserve (SR) and applicable Neighborhood Conservation (NC) [~~and Suburban Transition (ST)~~] districts. Building design generally is not regulated in these districts unless specifically mentioned in the UDC.

C. *Site Design...*

5. ~~[Mixed Residential Neighborhood]~~Suburban Community Development.

A. *Vision.*

1. [~~This category~~]The Suburban Community Development applies to undeveloped areas primarily identified as Residential ~~the high (9-plus dwelling units per acre) and medium (3-9 dwelling units per acre) density residential land use categories. These are identified as existing communities]~~ in the Comprehensive Development Plan and are primarily located north of the Canal. [~~While t~~]The Comprehensive Development Plan [identifies few policies specific to these land use categories, they do]encourages a diverse range of housing near employment and commercial areas, [and]transit services, and affordable housing.

- 321
- 322 2. This designation is applied primarily to areas with a mix of housing types,
- 323 including multi-family housing. It is intended to preserve and protect the
- 324 existing character and state of the residential neighborhood. ~~[Typical uses~~
- 325 ~~include low and medium-scale apartments, semi-detached, twin, atrium,~~
- 326 ~~weak-link and townhouse types and quadraplexes. Pedestrian-oriented~~
- 327 ~~retail, institutional and commercial amenities are permitted only in TN-~~
- 328 ~~zoned parcels.]~~
- 329
- 330 3. New development ~~[will]~~should transition in mass and scale to adjacent
- 331 ~~[structures in]~~residential neighborhoods ~~[in a way that]~~to protect[s] the
- 332 neighborhood's aesthetic quality and livability~~[- New development will]~~
- 333 while providing[e] open space or recreational amenities for residents.
- 334
- 335 4. The development may include both "A" and "B" streets to offer design
- 336 flexibility while ensuring that the development provides high design quality
- 337 along streets with both vehicular and pedestrian traffic.
- 338

339 B. *Building Design.*

340

- 341 1. ~~[Make the building visually and architecturally pleasing by]~~Buildings should
- 342 ~~vary[ing the]~~ in height, color, setbacks, materials, texture, landscaping,
- 343 trim and roof shape.
- 344
- 345 2. Orientation...
- 346

347 C. Frontage

		<u>“A” Streets</u>	<u>“B” Streets</u>
<u>Awning/Canopy</u>	<u>Use of an awning or canopy above transparent glass windows or other ground floor pedestrian interest areas.</u>	■	■
<u>Balcony</u>	<u>An unenclosed platform that projects from the wall of a building a minimum of 6’ and is surrounded by a railing, balustrade, or parapet.</u>	■	■
<u>Courtyard</u>	<u>A court, patio or other indentation in the building facade at least 6’ deep – building entry doors may face onto the patio from any direction.</u>	■	■
<u>Gallery/Arcade</u>	<u>Roofed (or partially roofed), arcade, gallery, veranda or pergola elements that are not enclosed on more than two sides.</u>	■	■
<u>Front porch</u>	<u>A roofed but unenclosed entry element with a minimum depth of 8’.</u>	■	■
<u>Stoop</u>	<u>A raised and unenclosed (may be roofed) landing and stairway.</u>	■	■
<u>Projected entry</u>	<u>An entry that extends exterior from the front of the building plane, and has a height and width in scale to the dimensions of the building, such that its presence clearly indicates a primary entrance.</u>		■
<u>Recessed entry</u>	<u>An entry that recesses into the front of the building plane, and has a height and width in scale to the dimensions of the building, such that its presence clearly indicates a primary entrance. A Recessed Entry can be integrated with the building’s roof plane.</u>		■

[D]E.Amenities...

6. Corridor. ...

7. Commercial and Employment Centers. ...

8. [New]Traditional Community Development.

A. Vision.

1. [New]Traditional Community Development is the character area [of new growth south of the C & D Canal, and] that includes [those] areas currently served by sewer and [the proposed first phase expansion of the Southern Sewer Service Area] designated by the Future Land Use Map as either Residential or Hamlets & Villages and developed as either an Affordable Housing Planned Development, Hamlet or Village. Directing growth to these areas avoids land consumption and provides a fiscally responsible, compact development pattern. Accommodating development in a smaller geographic area reduces the size of the area that must be served by infrastructure, thereby decreasing development expenditures that are reflected in the cost of living for residents.

2. The development may include both "A" and "B" streets...

B. Building Design. ...

C. Site Design. ...

D. Amenities. ...

9. General Concepts....

10. Amenities....

Section 7. Consistent with Comprehensive Development Plan. New Castle County Council finds that the provisions of this Ordinance are consistent with the spirit and intent of the New Castle County Comprehensive Development Plan.

Section 8. Inconsistent Ordinances and Resolutions Repealed. All ordinances or parts of ordinances and all resolutions or parts of resolutions that may be in conflict herewith are hereby repealed except to the extent they remain applicable to land use matters reviewed under previous Code provisions as provided in Chapter 40 of the *New Castle County Code*.

392 **Section 9. Severability.** The provisions of this Ordinance shall be severable. If
393 any provision of this Ordinance is found by any court of competent jurisdiction to be
394 unconstitutional or void, the remaining provisions of this Ordinance shall remain valid,
395 unless the court finds that that the valid provisions of this Ordinance are so essentially
396 and inseparably connected with, and so dependent upon, the unconstitutional or void
397 provision that it cannot be presumed that County Council would have enacted the
398 remaining valid provisions, without the unconstitutional or void one, or unless the court
399 finds that the remaining valid provisions, standing alone, are incomplete and incapable
400 of being executed in accordance with the County Council's intent. If any provision of this
401 Ordinance or any zoning map or portion thereof is found to be unconstitutional or void,
402 all applicable former ordinances, resolutions, zoning maps or portions thereof shall
403 become applicable and shall be considered as continuations thereof as not as new
404 enactments regardless if severability is possible.
405

406 **Section 10. Effective Date.** This Ordinance shall become effective immediately
407 upon its adoption by County Council and approval by the County Executive or as
408 otherwise provided in 9 *Del. C.* § 1156 and shall not apply to any land use application
409 filed prior to the adoption date of this Ordinance.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS:

Sec. 40.03.110. This amendment removes small single-family from the Commercial Neighborhood (CN) and Commercial Regional (CR) zoning districts. This amendment also permits small single-family as an ADU.

Sec. 40.03.410. This amendment permits detached ADUs on lots one half (1/2) of an acre or larger. Removes cap on ADUs and requirement for the Department to provide an annual report. This amendment also clarifies that detached ADUs can be either single-family detached or small single-family detached dwelling units and that ADUs are the only permissible detached accessory structure providing quarters for sleeping.

Sec. 40.04.110. This amendment changes minimum site area to site area since this column has a maximum acreage as well as a minimum acreage. This amendment also provides front yard setback requirements.

Sec. 40.33.220. This amendment reduces the number of housing types available as small single family dwellings from three to two.

Div. 40.33.300. This amendment defines small single-family detached dwellings differentiating them from mobile homes. This amendment also defines front yard and requires that for lots that have no street frontage that the Department determines the front lot line.

Appendix 7. This amendment modifies the Guiding Principles for Development to be consistent with changes in the 2022 Update to the Comprehensive Development Plan.

FISCAL NOTE: This Ordinance will have no discernible fiscal impact.

ORDINANCE NO. 24-088

**TO APPROPRIATE \$500,000 IN THE NEW CASTLE COUNTY HOUSING TRUST FUND
TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES**

1 **WHEREAS**, the New Castle County Housing Trust Fund was created with the support of
2 County Council for the “purpose of dedicating public funds and revenues from other sources to
3 address the housing needs of very low income households earning less than 50% of median
4 income, low income households earning 50 to 80% of median income, and moderate income
5 households earning 80% to 120% of median income” (see Resolution No. 07-176 as amended
6 by Amendment No. 1); and
7

8 **WHEREAS**, the Housing Trust Fund will be used to promote the preservation and
9 development of affordable housing within New Castle County with priorities recommended by
10 the Housing Advisory Board; and
11

12 **WHEREAS**, the Housing Trust Fund has a balance of \$1,854,737.26 as of April 30, 2024
13 and the appropriation of \$500,000 will be used for 24/7 contractual security services at the HOPE
14 Center; and
15

16 **WHEREAS**, the Housing Trust Fund is a separate fund from the Affordable Housing
17 Fund, and the Housing Trust Fund can only be expended for projects within unincorporated
18 areas of New Castle County and there are no Affordable Housing Funds included in the
19 funding of this Ordinance; and
20

21 **WHEREAS**, the revenue measures heretofore adopted by County Council are necessary
22 to preserve and development affordable housing within New Castle County; and
23

24 **WHEREAS**, each contract or purchase order funded through this Housing Trust Fund
25 appropriation will be submitted on a Resolution for Council’s consideration as required by *New*
26 *Castle County Code* § 2.02.004.
27

28 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
29

30 Section 1. To promote the preservation and development of affordable housing within
31 New Castle County, \$500,000 in the New Castle County Housing Trust Fund is hereby
32 appropriated to be administered by the Department of Community Services.
33

34 Section 2. This Ordinance shall become effective immediately upon its adoption by
35 County Council and approval by the County Executive, or as otherwise provided in 9 *Del. C.* §
36 1156.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, appropriates \$500,000 in the New Castle County Housing Trust Fund for 24/7 contractual security services at the HOPE Center. There are no Affordable Housing Funds included in the funding of this Ordinance. The funds will be administered by the Department of Community Services to fund housing projects in New Castle County.

FISCAL NOTE: This Ordinance, if approved, will appropriate \$500,000 in the New Castle County Housing Trust Fund for 24/7 contractual security services at the HOPE Center. There is no discernible impact to the Operating Budget since this is an appropriation in the Housing Trust Fund. The intent is to appropriate funds in the Contractual Services Budget Line Item.

Primary Sponsor(s): Ms. Hartley-Nagle
Requested by: Administration/HR
Date of Introduction: May 28, 2024

ORDINANCE NO. 24-089

**AMEND THE PAY PLAN AND RATES OF PAY FOR CLASSIFIED SERVICE EMPLOYEES
AND THE PAY PLAN AND RATES OF PAY FOR CLASSIFIED SERVICE 40 HOUR WORK
WEEK EMPLOYEES REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES
COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607**

1 **WHEREAS**, the County Executive has recommended amendments to the Pay Plans and
2 Rates of Pay for Classified Service Employees and Classified Service 40-hour Work Week
3 Employees represented by Local 1607 of Council 81, AFSCME (hereinafter "Local 1607") to
4 reflect wage increases agreed to during contract negotiations.

5
6 **NOW, THEREFORE, THE NEW CASTLE COUNTY COUNCIL HEREBY ORDAINS:**

7
8 Section 1. The Pay Plan and Rates of Pay for Classified Service Employees represented
9 by Local 1607, for the period July 1, 2023 through June 30, 2024 as set forth in Exhibit "A", all
10 of which shall be considered underscored, is hereby adopted in its entirety retroactive to July 1,
11 2023.

12
13 Section 2. The Pay Plan and Rates of Pay for Classified Service Employees represented
14 by Local 1607, for the period July 1, 2024 through June 30, 2025 as set forth in Exhibit "B", all
15 of which shall be considered underscored, is hereby adopted in its entirety.

16
17 Section 3. The Pay Plan and Rates of Pay for Classified Service Employees represented
18 by Local 1607, effective July 1, 2025 through June 30, 2026 as set forth in Exhibit "C", all of
19 which shall be considered underscored, is hereby adopted in its entirety.

20
21 Section 4. The Pay Plan and Rates of Pay for Classified Service Employees represented
22 by Local 1607, effective July 1, 2026 as set forth in Exhibit "D", all of which shall be considered
23 underscored, is hereby adopted in its entirety.

24
25 Section 5. The Pay Plan and Rates of Pay for Classified Service 40-hour Work Week
26 Employees represented by Local 1607, for the period July 1, 2023 through May 27, 2024 as set
27 forth in Exhibit "A1", all of which shall be considered underscored, is hereby adopted in its
28 entirety retroactive to July 1, 2023.

29
30 Section 6. The Pay Plan and Rates of Pay for Classified Service 40-hour Work Week
31 Employees represented by Local 1607, for the period May 28, 2024 through June 30, 2024 as
32 set forth in Exhibit "B1", all of which shall be considered underscored, is hereby adopted in its
33 entirety.

34
35 Section 7. The Pay Plan and Rates of Pay for Classified Service 40-hour Work Week
36 Employees represented by Local 1607, effective July 1, 2024 through June 30, 2025 as set forth
37 in Exhibit "C1", all of which shall be considered underscored, is hereby adopted in its entirety.

38 Section 8. The Pay Plan and Rates of Pay for Classified Service 40-hour Work Week
39 employees represented by Local 1607, effective July 1, 2025 through June 30, 2026 as set forth
40 in Exhibit "D1", all of which shall be considered underscored, is hereby adopted in its entirety.

41
42 Section 9. The Pay Plan and Rates of Pay for Classified Service 40-hour Work Week
43 employees represented by Local 1607, effective July 1, 2026 as set forth in Exhibit "E1", all of
44 which shall be considered underscored, is hereby adopted in its entirety.

45
46 Section 10. This Ordinance shall be effective upon adoption by New Castle County
47 Council and approval of the County Executive, or as otherwise provided in 9 Del. C. § 1156.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
New Castle County

Approved on:

Matthew Meyer
County Executive

SYNOPSIS: This Ordinance, if approved, amends the Pay Plan and Rates of Pay to implement the wage increases resulting from the County’s collective bargaining negotiations with Local 1607.

This four-year agreement defines the wages and other terms of employment for the bargaining unit retroactive to July 1, 2023. The agreement provides for a 2.5% wage increase for the period July 1, 2023 through June 30, 2024; a 2.5% wage increase for the period July 1, 2024 through June 30, 2025; a 2.5% wage increase for the period July 1, 2025 through June 30, 2026; and a 2.5% wage increase effective July 1, 2026. Additionally, effective July 1, 2023, a new Step 11 is added to the Pay Plans.

FISCAL NOTE: This Ordinance approves and adopts a new pay plan and rates of pay for the Classified Employees represented by Union Local 1607.

The estimated fiscal impacts (Salaries/Wages and Employee Benefits) of the Collective Bargaining agreement for the period of July 1, 2023 through June 30, 2027 are as follows:

FY2024	\$3,764,029
FY2025	\$3,075,641
FY2026	\$3,897,989
FY2027	\$4,740,845

**PAY PLANS AND RATES OF PAY FOR CLASSIFIED SERVICE 35-HOUR WORKWEEK EMPLOYEES
REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607**

24-089
EXHIBIT A

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
CLERK	12	28,038	29,439	30,911	32,456	34,076	35,781	37,570	39,448	41,421	43,493	45,668
SURVEYOR ASSISTANT	12											
ADMINISTRATIVE SERVICES TECHNICIAN	14	30,911	32,456	34,076	35,781	37,570	39,448	41,421	43,493	45,667	47,950	50,348
AUTOMOTIVE PARTS CLERK	14											
CLERK TYPIST	14											
COMPUTER OPERATOR I	14											
JUNIOR ADMINISTRATIVE AIDE	14											
KEY OPERATOR	14											
MICROFILM TECHNICIAN	14											
PUBLIC SAFETY AIDE	14											
ACCOUNT CLERK I	15	32,456	34,076	35,781	37,570	39,448	41,421	43,493	45,667	47,950	50,349	52,866
CUSTOMER SERVICES COORDINATOR	15											
DRAFTING TECHNICIAN I	15											
INTERLIBRARY LOAN ASSISTANT	15											
LIBRARY ASSISTANT	15											
COMPUTER OPERATOR II	16	34,076	35,781	37,570	39,448	41,421	43,493	45,667	47,950	50,349	52,867	55,510
SURVEY INSTRUMENT OPERATOR	16											
ACCOUNT CLERK II	17	35,781	37,570	39,448	41,421	43,493	45,667	47,950	50,349	52,867	55,511	58,287
COURT CLERK	17											
DEPUTY I	17											
PRINCIPAL LIBRARY ASSISTANT	17											
SECRETARY	17											
STOREKEEPER	17											
PUBLIC WORKS DATA TECHNICIAN	17											
DISPATCHER	18	37,570	39,448	41,421	43,493	45,667	47,950	50,349	52,867	55,511	58,286	61,200
GRAPHIC ARTS DESIGNER	18											
MAINTENANCE PROGRAM TECHNICIAN	18											
RADIO COMMUNICATOR	18											
SANITARY MAINTENANCE TECHNICIAN	18											
TREASURY CUSTOMER SERVICE REPRESENTATIVE	18											
ACCOUNT CLERK III	19	39,448	41,421	43,493	45,667	47,950	50,349	52,867	55,511	58,286	61,200	64,260
ADMINISTRATIVE AIDE	19											
ASSESSMENT TECHNICIAN	19											
ASSESSOR I	19											
BUDGET OFFICE ASSISTANT	19											
LIBRARY SPECIALIST	19											
PARTY CHIEF	19											
PERMIT PROCESS TECHNICIAN	19											
BUILDING AND SITE INSPECTOR	20	41,421	43,493	45,667	47,950	50,349	52,867	55,511	58,286	61,200	64,261	67,474
CERTIFIED ASSESSOR I	20											
COMMUNITY DEVELOPMENT HOUSING INSPECTOR	20											
CUSTOMER INFORMATION & ASSISTANCE SPECIALIST	20											
CUSTOMER SERVICE AND INFORMATION TECHNICIAN	20											
DELINQUENT ACCOUNT COLLECTOR	20											
DEPUTY II	20											
DRAFTING TECHNICIAN II	20											
GRAPHIC ARTS DESIGNER II	20											
HOUSING PROGRAM ASSISTANT	20											
MAINTENANCE OFFICE ADMINISTRATOR	20											
PAYROLL ASSISTANT I	20											
PLAN EXAMINER	20											
PUBLIC WORKS INSPECTOR	20											
SANITARY SEWER INFORMATION SPECIALIST	20											
SENIOR OFFICE ASSISTANT	20											
SENIOR SANITARY MAINTENANCE TECHNICIAN	20											
VICTIM'S ASSISTANCE OFFICER	20											

**PAY PLANS AND RATES OF PAY FOR CLASSIFIED SERVICE 35-HOUR WORKWEEK EMPLOYEES
REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607**

24-089
EXHIBIT A

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
ASSISTANT PROCUREMENT AGENT	21	43,493	45,667	47,950	50,349	52,867	55,511	58,286	61,200	64,261	67,474	70,848
CERTIFIED PERMIT PROCESS TECHNICIAN	21											
CODE ENFORCEMENT OFFICER	21											
CONSTRUCTION INSPECTOR	21											
DRAFTING TECHNICIAN III	21											
ENVIRONMENTAL ANALYST	21											
PLUMBING AND MECHANICAL CODE SUPERVISOR	21											
RIGHT-OF-WAY AGENT	21											
ACCOUNTANT I	22	45,667	47,950	50,349	52,867	55,511	58,286	61,200	64,261	67,474	70,850	74,393
ASSESSOR II	22											
GEOGRAPHIC INFORMATION SYSTEMS TECHNICIAN	22											
HOUSING REHABILITATION SPECIALIST I	22											
OPERATIONS SPECIALIST	22											
ACCOUNTING OPERATIONS ASSISTANT	23	47,950	50,349	52,867	55,511	58,286	61,200	64,261	67,474	70,850	74,391	78,111
CENTRAL RECEIVING SUPERVISOR	23											
CENTRAL SERVICES TECHNICIAN	23											
CERTIFIED ASSESSOR II	23											
CERTIFIED BUILDING AND SITE INSPECTOR	23											
CERTIFIED PLAN EXAMINER	23											
CERTIFIED PLUMBING & MECHANICAL PLAN EXAMINER	23											
CERTIFIED PROPERTY MAINTENANCE & HOUSING INSPECT	23											
COMPLAINTS SPECIALIST	23											
CONSTRUCTION INSPECTION SUPERVISOR	23											
EQUESTRIAN PROGRAM COORDINATOR	23											
HOUSING REHABILITATION SPECIALIST II	23											
SURVEY PARTIES SUPERVISOR	23											
TREASURY ASSOCIATE	23											
CHIEF RIGHT-OF-WAY AGENT	24	50,349	52,867	55,511	58,286	61,200	64,261	67,474	70,850	74,391	78,111	82,017
CUSTOMER SERVICES SPECIALIST	24											
GEOGRAPHIC INFORMATION SYSTEMS SPECIALIST	24											
PUBLIC WORKS CONTRACTS OFFICER	24											
SCHOOL CROSSING GUARD SUPERVISOR	24											
SITE INSPECTIONS SUPERVISOR	24											
STAFF ENGINEER	24											
ACCOUNTANT II	25	52,867	55,511	58,286	61,200	64,261	67,474	70,850	74,391	78,111	82,015	86,116
CHIEF CONSTRUCTION INSPECTOR	25											
CHIEF FIELD SUPERVISOR	25											
EQUESTRIAN PROGRAM SUPERVISOR	25											
PROCUREMENT AGENT	25											
SUPERINTENDENT OF WASTEWATER TREATMENT	25											
CIVIL ENGINEER I	26	55,511	58,286	61,200	64,261	67,474	70,850	74,391	78,111	82,015	86,117	90,423
DRAFTING AND DESIGN SUPERVISOR	26											
ENVIRONMENTAL PROGRAM MANAGER I	26											
GEOGRAPHIC INFORMATION SYSTEMS ANALYST	26											
PAYROLL ASSISTANT II	26											
PROGRAMMER ANALYST	26											
ARCHITECT	28	61,200	64,261	67,474	70,850	74,391	78,111	82,015	86,117	90,422	94,943	99,690
CIVIL ENGINEER II	28											
ENVIRONMENTAL PROGRAM MANAGER II	28											
SENIOR PROCUREMENT AGENT	28											
SEWER MANAGEMENT ENGINEER	28											
SENIOR APPLICATION ENGINEER	28											
CHIEF OF FACILITY MAINTENANCE	30	67,474	70,850	74,391	78,111	82,015	86,117	90,422	94,943	99,692	104,678	109,912
CHIEF OF PROJECT MANAGEMENT	30											
CIVIL ENGINEER III	30											
ENVIRONMENTAL PROGRAM MANAGER III	30											
PUBLIC WORKS PROJECT ADMINISTRATOR	30											
CHIEF OF DRAINAGE OPERATIONS	32	74,391	78,111	82,015	86,117	90,422	94,943	99,692	104,678	109,912	115,407	121,177
CHIEF OF SITE MANAGEMENT	32											

Effective: 07/01/2023 (Ordinance 24-xxx)

**PAY PLANS AND RATES OF PAY FOR CLASSIFIED SERVICE 35-HOUR WORKWEEK EMPLOYEES
REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607**

24-089
EXHIBIT B

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
CLERK	12	28,739	30,175	31,684	33,267	34,928	36,676	38,509	40,434	42,457	44,580	46,810
SURVEYOR ASSISTANT	12											
ADMINISTRATIVE SERVICES TECHNICIAN	14	31,684	33,267	34,928	36,676	38,509	40,434	42,457	44,580	46,809	49,149	51,607
AUTOMOTIVE PARTS CLERK	14											
CLERK TYPIST	14											
COMPUTER OPERATOR I	14											
JUNIOR ADMINISTRATIVE AIDE	14											
KEY OPERATOR	14											
MICROFILM TECHNICIAN	14											
PUBLIC SAFETY AIDE	14											
ACCOUNT CLERK I	15	33,267	34,928	36,676	38,509	40,434	42,457	44,580	46,809	49,149	51,608	54,188
CUSTOMER SERVICES COORDINATOR	15											
DRAFTING TECHNICIAN I	15											
INTERLIBRARY LOAN ASSISTANT	15											
LIBRARY ASSISTANT	15											
COMPUTER OPERATOR II	16	34,928	36,676	38,509	40,434	42,457	44,580	46,809	49,149	51,608	54,189	56,898
SURVEY INSTRUMENT OPERATOR	16											
ACCOUNT CLERK II	17	36,676	38,509	40,434	42,457	44,580	46,809	49,149	51,608	54,189	56,899	59,744
COURT CLERK	17											
DEPUTY I	17											
PRINCIPAL LIBRARY ASSISTANT	17											
SECRETARY	17											
STOREKEEPER	17											
PUBLIC WORKS DATA TECHNICIAN	17											
DISPATCHER	18	38,509	40,434	42,457	44,580	46,809	49,149	51,608	54,189	56,899	59,743	62,730
GRAPHIC ARTS DESIGNER	18											
MAINTENANCE PROGRAM TECHNICIAN	18											
RADIO COMMUNICATOR	18											
SANITARY MAINTENANCE TECHNICIAN	18											
TREASURY CUSTOMER SERVICE REPRESENTATIVE	18											
ACCOUNT CLERK III	19	40,434	42,457	44,580	46,809	49,149	51,608	54,189	56,899	59,743	62,730	65,867
ADMINISTRATIVE AIDE	19											
ASSESSMENT TECHNICIAN	19											
ASSESSOR I	19											
BUDGET OFFICE ASSISTANT	19											
LIBRARY SPECIALIST	19											
PARTY CHIEF	19											
PERMIT PROCESS TECHNICIAN	19											
BUILDING AND SITE INSPECTOR	20	42,457	44,580	46,809	49,149	51,608	54,189	56,899	59,743	62,730	65,868	69,161
CERTIFIED ASSESSOR I	20											
COMMUNITY DEVELOPMENT HOUSING INSPECTOR	20											
CUSTOMER INFORMATION & ASSISTANCE SPECIALIST	20											
CUSTOMER SERVICE AND INFORMATION TECHNICIAN	20											
DELINQUENT ACCOUNT COLLECTOR	20											
DEPUTY II	20											
DRAFTING TECHNICIAN II	20											
GRAPHIC ARTS DESIGNER II	20											
HOUSING PROGRAM ASSISTANT	20											
MAINTENANCE OFFICE ADMINISTRATOR	20											
PAYROLL ASSISTANT I	20											
PLAN EXAMINER	20											
PUBLIC WORKS INSPECTOR	20											
SANITARY SEWER INFORMATION SPECIALIST	20											
SENIOR OFFICE ASSISTANT	20											
SENIOR SANITARY MAINTENANCE TECHNICIAN	20											
VICTIM'S ASSISTANCE OFFICER	20											

**PAY PLANS AND RATES OF PAY FOR CLASSIFIED SERVICE 35-HOUR WORKWEEK EMPLOYEES
REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607**

24-089
EXHIBIT B

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
ASSISTANT PROCUREMENT AGENT	21	44,580	46,809	49,149	51,608	54,189	56,899	59,743	62,730	65,868	69,161	72,619
CERTIFIED PERMIT PROCESS TECHNICIAN	21											
CODE ENFORCEMENT OFFICER	21											
CONSTRUCTION INSPECTOR	21											
DRAFTING TECHNICIAN III	21											
ENVIRONMENTAL ANALYST	21											
PLUMBING AND MECHANICAL CODE SUPERVISOR	21											
RIGHT-OF-WAY AGENT	21											
ACCOUNTANT I	22	46,809	49,149	51,608	54,189	56,899	59,743	62,730	65,868	69,161	72,621	76,253
ASSESSOR II	22											
GEOGRAPHIC INFORMATION SYSTEMS TECHNICIAN	22											
HOUSING REHABILITATION SPECIALIST I	22											
OPERATIONS SPECIALIST	22											
ACCOUNTING OPERATIONS ASSISTANT	23	49,149	51,608	54,189	56,899	59,743	62,730	65,868	69,161	72,621	76,251	80,064
CENTRAL RECEIVING SUPERVISOR	23											
CENTRAL SERVICES TECHNICIAN	23											
CERTIFIED ASSESSOR II	23											
CERTIFIED BUILDING AND SITE INSPECTOR	23											
CERTIFIED PLAN EXAMINER	23											
CERTIFIED PLUMBING & MECHANICAL PLAN EXAMINER	23											
CERTIFIED PROPERTY MAINTENANCE & HOUSING INSPECT	23											
COMPLAINTS SPECIALIST	23											
CONSTRUCTION INSPECTION SUPERVISOR	23											
EQUESTRIAN PROGRAM COORDINATOR	23											
HOUSING REHABILITATION SPECIALIST II	23											
SURVEY PARTIES SUPERVISOR	23											
TREASURY ASSOCIATE	23											
CHIEF RIGHT-OF-WAY AGENT	24	51,608	54,189	56,899	59,743	62,730	65,868	69,161	72,621	76,251	80,064	84,067
CUSTOMER SERVICES SPECIALIST	24											
GEOGRAPHIC INFORMATION SYSTEMS SPECIALIST	24											
PUBLIC WORKS CONTRACTS OFFICER	24											
SCHOOL CROSSING GUARD SUPERVISOR	24											
SITE INSPECTIONS SUPERVISOR	24											
STAFF ENGINEER	24											
ACCOUNTANT II	25	54,189	56,899	59,743	62,730	65,868	69,161	72,621	76,251	80,064	84,065	88,269
CHIEF CONSTRUCTION INSPECTOR	25											
CHIEF FIELD SUPERVISOR	25											
EQUESTRIAN PROGRAM SUPERVISOR	25											
PROCUREMENT AGENT	25											
SUPERINTENDENT OF WASTEWATER TREATMENT	25											
CIVIL ENGINEER I	26	56,899	59,743	62,730	65,868	69,161	72,621	76,251	80,064	84,065	88,270	92,684
DRAFTING AND DESIGN SUPERVISOR	26											
ENVIRONMENTAL PROGRAM MANAGER I	26											
GEOGRAPHIC INFORMATION SYSTEMS ANALYST	26											
PAYROLL ASSISTANT II	26											
PROGRAMMER ANALYST	26											
ARCHITECT	28	62,730	65,868	69,161	72,621	76,251	80,064	84,065	88,270	92,683	97,317	102,182
CIVIL ENGINEER II	28											
ENVIRONMENTAL PROGRAM MANAGER II	28											
SENIOR PROCUREMENT AGENT	28											
SEWER MANAGEMENT ENGINEER	28											
SENIOR APPLICATION ENGINEER	28											
CHIEF OF FACILITY MAINTENANCE	30	69,161	72,621	76,251	80,064	84,065	88,270	92,683	97,317	102,184	107,295	112,660
CHIEF OF PROJECT MANAGEMENT	30											
CIVIL ENGINEER III	30											
ENVIRONMENTAL PROGRAM MANAGER III	30											
PUBLIC WORKS PROJECT ADMINISTRATOR	30											
CHIEF OF DRAINAGE OPERATIONS	32	76,251	80,064	84,065	88,270	92,683	97,317	102,184	107,295	112,660	118,292	124,206
CHIEF OF SITE MANAGEMENT	32											

Effective: 07/01/2024 (Ordinance 24-xxx)

**PAY PLANS AND RATES OF PAY FOR CLASSIFIED SERVICE 35-HOUR WORKWEEK EMPLOYEES
REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607**

24-089
EXHIBIT C

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
CLERK	12	29,457	30,929	32,476	34,099	35,801	37,593	39,472	41,445	43,518	45,695	47,980
SURVEYOR ASSISTANT	12											
ADMINISTRATIVE SERVICES TECHNICIAN	14	32,476	34,099	35,801	37,593	39,472	41,445	43,518	45,695	47,979	50,378	52,897
AUTOMOTIVE PARTS CLERK	14											
CLERK TYPIST	14											
COMPUTER OPERATOR I	14											
JUNIOR ADMINISTRATIVE AIDE	14											
KEY OPERATOR	14											
MICROFILM TECHNICIAN	14											
PUBLIC SAFETY AIDE	14											
ACCOUNT CLERK I	15	34,099	35,801	37,593	39,472	41,445	43,518	45,695	47,979	50,378	52,898	55,543
CUSTOMER SERVICES COORDINATOR	15											
DRAFTING TECHNICIAN I	15											
INTERLIBRARY LOAN ASSISTANT	15											
LIBRARY ASSISTANT	15											
COMPUTER OPERATOR II	16	35,801	37,593	39,472	41,445	43,518	45,695	47,979	50,378	52,898	55,544	58,320
SURVEY INSTRUMENT OPERATOR	16											
ACCOUNT CLERK II	17	37,593	39,472	41,445	43,518	45,695	47,979	50,378	52,898	55,544	58,321	61,238
COURT CLERK	17											
DEPUTY I	17											
PRINCIPAL LIBRARY ASSISTANT	17											
SECRETARY	17											
STOREKEEPER	17											
PUBLIC WORKS DATA TECHNICIAN	17											
DISPATCHER	18	39,472	41,445	43,518	45,695	47,979	50,378	52,898	55,544	58,321	61,237	64,298
GRAPHIC ARTS DESIGNER	18											
MAINTENANCE PROGRAM TECHNICIAN	18											
RADIO COMMUNICATOR	18											
SANITARY MAINTENANCE TECHNICIAN	18											
TREASURY CUSTOMER SERVICE REPRESENTATIVE	18											
ACCOUNT CLERK III	19	41,445	43,518	45,695	47,979	50,378	52,898	55,544	58,321	61,237	64,298	67,514
ADMINISTRATIVE AIDE	19											
ASSESSMENT TECHNICIAN	19											
ASSESSOR I	19											
BUDGET OFFICE ASSISTANT	19											
LIBRARY SPECIALIST	19											
PARTY CHIEF	19											
PERMIT PROCESS TECHNICIAN	19											
BUILDING AND SITE INSPECTOR	20	43,518	45,695	47,979	50,378	52,898	55,544	58,321	61,237	64,298	67,515	70,890
CERTIFIED ASSESSOR I	20											
COMMUNITY DEVELOPMENT HOUSING INSPECTOR	20											
CUSTOMER INFORMATION & ASSISTANCE SPECIALIST	20											
CUSTOMER SERVICE AND INFORMATION TECHNICIAN	20											
DELINQUENT ACCOUNT COLLECTOR	20											
DEPUTY II	20											
DRAFTING TECHNICIAN II	20											
GRAPHIC ARTS DESIGNER II	20											
HOUSING PROGRAM ASSISTANT	20											
MAINTENANCE OFFICE ADMINISTRATOR	20											
PAYROLL ASSISTANT I	20											
PLAN EXAMINER	20											
PUBLIC WORKS INSPECTOR	20											
SANITARY SEWER INFORMATION SPECIALIST	20											
SENIOR OFFICE ASSISTANT	20											
SENIOR SANITARY MAINTENANCE TECHNICIAN	20											
VICTIM'S ASSISTANCE OFFICER	20											

**PAY PLANS AND RATES OF PAY FOR CLASSIFIED SERVICE 35-HOUR WORKWEEK EMPLOYEES
REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607**

24-089
EXHIBIT C

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
ASSISTANT PROCUREMENT AGENT	21	45,695	47,979	50,378	52,898	55,544	58,321	61,237	64,298	67,515	70,890	74,434
CERTIFIED PERMIT PROCESS TECHNICIAN	21											
CODE ENFORCEMENT OFFICER	21											
CONSTRUCTION INSPECTOR	21											
DRAFTING TECHNICIAN III	21											
ENVIRONMENTAL ANALYST	21											
PLUMBING AND MECHANICAL CODE SUPERVISOR	21											
RIGHT-OF-WAY AGENT	21											
ACCOUNTANT I	22	47,979	50,378	52,898	55,544	58,321	61,237	64,298	67,515	70,890	74,437	78,159
ASSESSOR II	22											
GEOGRAPHIC INFORMATION SYSTEMS TECHNICIAN	22											
HOUSING REHABILITATION SPECIALIST I	22											
OPERATIONS SPECIALIST	22											
ACCOUNTING OPERATIONS ASSISTANT	23	50,378	52,898	55,544	58,321	61,237	64,298	67,515	70,890	74,437	78,157	82,066
CENTRAL RECEIVING SUPERVISOR	23											
CENTRAL SERVICES TECHNICIAN	23											
CERTIFIED ASSESSOR II	23											
CERTIFIED BUILDING AND SITE INSPECTOR	23											
CERTIFIED PLAN EXAMINER	23											
CERTIFIED PLUMBING & MECHANICAL PLAN EXAMINER	23											
CERTIFIED PROPERTY MAINTENANCE & HOUSING INSPECT	23											
COMPLAINTS SPECIALIST	23											
CONSTRUCTION INSPECTION SUPERVISOR	23											
EQUESTRIAN PROGRAM COORDINATOR	23											
HOUSING REHABILITATION SPECIALIST II	23											
SURVEY PARTIES SUPERVISOR	23											
TREASURY ASSOCIATE	23											
CHIEF RIGHT-OF-WAY AGENT	24	52,898	55,544	58,321	61,237	64,298	67,515	70,890	74,437	78,157	82,066	86,169
CUSTOMER SERVICES SPECIALIST	24											
GEOGRAPHIC INFORMATION SYSTEMS SPECIALIST	24											
PUBLIC WORKS CONTRACTS OFFICER	24											
SCHOOL CROSSING GUARD SUPERVISOR	24											
SITE INSPECTIONS SUPERVISOR	24											
STAFF ENGINEER	24											
ACCOUNTANT II	25	55,544	58,321	61,237	64,298	67,515	70,890	74,437	78,157	82,066	86,167	90,476
CHIEF CONSTRUCTION INSPECTOR	25											
CHIEF FIELD SUPERVISOR	25											
EQUESTRIAN PROGRAM SUPERVISOR	25											
PROCUREMENT AGENT	25											
SUPERINTENDENT OF WASTEWATER TREATMENT	25											
CIVIL ENGINEER I	26	58,321	61,237	64,298	67,515	70,890	74,437	78,157	82,066	86,167	90,477	95,001
DRAFTING AND DESIGN SUPERVISOR	26											
ENVIRONMENTAL PROGRAM MANAGER I	26											
GEOGRAPHIC INFORMATION SYSTEMS ANALYST	26											
PAYROLL ASSISTANT II	26											
PROGRAMMER ANALYST	26											
ARCHITECT	28	64,298	67,515	70,890	74,437	78,157	82,066	86,167	90,477	95,000	99,750	104,737
CIVIL ENGINEER II	28											
ENVIRONMENTAL PROGRAM MANAGER II	28											
SENIOR PROCUREMENT AGENT	28											
SEWER MANAGEMENT ENGINEER	28											
SENIOR APPLICATION ENGINEER	28											
CHIEF OF FACILITY MAINTENANCE	30	70,890	74,437	78,157	82,066	86,167	90,477	95,000	99,750	104,739	109,977	115,477
CHIEF OF PROJECT MANAGEMENT	30											
CIVIL ENGINEER III	30											
ENVIRONMENTAL PROGRAM MANAGER III	30											
PUBLIC WORKS PROJECT ADMINISTRATOR	30											
CHIEF OF DRAINAGE OPERATIONS	32	78,157	82,066	86,167	90,477	95,000	99,750	104,739	109,977	115,477	121,249	127,311
CHIEF OF SITE MANAGEMENT	32											

Effective: 07/01/2025 (Ordinance 24-xxx)

**PAY PLANS AND RATES OF PAY FOR CLASSIFIED SERVICE 35-HOUR WORKWEEK EMPLOYEES
REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607**

24-089
EXHIBIT D

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
CLERK	12	30,193	31,702	33,288	34,951	36,696	38,533	40,459	42,481	44,606	46,837	49,180
SURVEYOR ASSISTANT	12											
ADMINISTRATIVE SERVICES TECHNICIAN	14	33,288	34,951	36,696	38,533	40,459	42,481	44,606	46,837	49,178	51,637	54,219
AUTOMOTIVE PARTS CLERK	14											
CLERK TYPIST	14											
COMPUTER OPERATOR I	14											
JUNIOR ADMINISTRATIVE AIDE	14											
KEY OPERATOR	14											
MICROFILM TECHNICIAN	14											
PUBLIC SAFETY AIDE	14											
ACCOUNT CLERK I	15	34,951	36,696	38,533	40,459	42,481	44,606	46,837	49,178	51,637	54,220	56,932
CUSTOMER SERVICES COORDINATOR	15											
DRAFTING TECHNICIAN I	15											
INTERLIBRARY LOAN ASSISTANT	15											
LIBRARY ASSISTANT	15											
COMPUTER OPERATOR II	16	36,696	38,533	40,459	42,481	44,606	46,837	49,178	51,637	54,220	56,933	59,778
SURVEY INSTRUMENT OPERATOR	16											
ACCOUNT CLERK II	17	38,533	40,459	42,481	44,606	46,837	49,178	51,637	54,220	56,933	59,779	62,769
COURT CLERK	17											
DEPUTY I	17											
PRINCIPAL LIBRARY ASSISTANT	17											
SECRETARY	17											
STOREKEEPER	17											
PUBLIC WORKS DATA TECHNICIAN	17											
DISPATCHER	18	40,459	42,481	44,606	46,837	49,178	51,637	54,220	56,933	59,779	62,768	65,905
GRAPHIC ARTS DESIGNER	18											
MAINTENANCE PROGRAM TECHNICIAN	18											
RADIO COMMUNICATOR	18											
SANITARY MAINTENANCE TECHNICIAN	18											
TREASURY CUSTOMER SERVICE REPRESENTATIVE	18											
ACCOUNT CLERK III	19	42,481	44,606	46,837	49,178	51,637	54,220	56,933	59,779	62,768	65,905	69,202
ADMINISTRATIVE AIDE	19											
ASSESSMENT TECHNICIAN	19											
ASSESSOR I	19											
BUDGET OFFICE ASSISTANT	19											
LIBRARY SPECIALIST	19											
PARTY CHIEF	19											
PERMIT PROCESS TECHNICIAN	19											
BUILDING AND SITE INSPECTOR	20	44,606	46,837	49,178	51,637	54,220	56,933	59,779	62,768	65,905	69,203	72,662
CERTIFIED ASSESSOR I	20											
COMMUNITY DEVELOPMENT HOUSING INSPECTOR	20											
CUSTOMER INFORMATION & ASSISTANCE SPECIALIST	20											
CUSTOMER SERVICE AND INFORMATION TECHNICIAN	20											
DELINQUENT ACCOUNT COLLECTOR	20											
DEPUTY II	20											
DRAFTING TECHNICIAN II	20											
GRAPHIC ARTS DESIGNER II	20											
HOUSING PROGRAM ASSISTANT	20											
MAINTENANCE OFFICE ADMINISTRATOR	20											
PAYROLL ASSISTANT I	20											
PLAN EXAMINER	20											
PUBLIC WORKS INSPECTOR	20											
SANITARY SEWER INFORMATION SPECIALIST	20											
SENIOR OFFICE ASSISTANT	20											
SENIOR SANITARY MAINTENANCE TECHNICIAN	20											
VICTIM'S ASSISTANCE OFFICER	20											

**PAY PLANS AND RATES OF PAY FOR CLASSIFIED SERVICE 35-HOUR WORKWEEK EMPLOYEES
REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607**

24-089
EXHIBIT D

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
ASSISTANT PROCUREMENT AGENT	21	46,837	49,178	51,637	54,220	56,933	59,779	62,768	65,905	69,203	72,662	76,295
CERTIFIED PERMIT PROCESS TECHNICIAN	21											
CODE ENFORCEMENT OFFICER	21											
CONSTRUCTION INSPECTOR	21											
DRAFTING TECHNICIAN III	21											
ENVIRONMENTAL ANALYST	21											
PLUMBING AND MECHANICAL CODE SUPERVISOR	21											
RIGHT-OF-WAY AGENT	21											
ACCOUNTANT I	22	49,178	51,637	54,220	56,933	59,779	62,768	65,905	69,203	72,662	76,298	80,113
ASSESSOR II	22											
GEOGRAPHIC INFORMATION SYSTEMS TECHNICIAN	22											
HOUSING REHABILITATION SPECIALIST I	22											
OPERATIONS SPECIALIST	22											
ACCOUNTING OPERATIONS ASSISTANT	23	51,637	54,220	56,933	59,779	62,768	65,905	69,203	72,662	76,298	80,111	84,118
CENTRAL RECEIVING SUPERVISOR	23											
CENTRAL SERVICES TECHNICIAN	23											
CERTIFIED ASSESSOR II	23											
CERTIFIED BUILDING AND SITE INSPECTOR	23											
CERTIFIED PLAN EXAMINER	23											
CERTIFIED PLUMBING & MECHANICAL PLAN EXAMINER	23											
CERTIFIED PROPERTY MAINTENANCE & HOUSING INSPECT	23											
COMPLAINTS SPECIALIST	23											
CONSTRUCTION INSPECTION SUPERVISOR	23											
EQUESTRIAN PROGRAM COORDINATOR	23											
HOUSING REHABILITATION SPECIALIST II	23											
SURVEY PARTIES SUPERVISOR	23											
TREASURY ASSOCIATE	23											
CHIEF RIGHT-OF-WAY AGENT	24	54,220	56,933	59,779	62,768	65,905	69,203	72,662	76,298	80,111	84,118	88,323
CUSTOMER SERVICES SPECIALIST	24											
GEOGRAPHIC INFORMATION SYSTEMS SPECIALIST	24											
PUBLIC WORKS CONTRACTS OFFICER	24											
SCHOOL CROSSING GUARD SUPERVISOR	24											
SITE INSPECTIONS SUPERVISOR	24											
STAFF ENGINEER	24											
ACCOUNTANT II	25	56,933	59,779	62,768	65,905	69,203	72,662	76,298	80,111	84,118	88,321	92,738
CHIEF CONSTRUCTION INSPECTOR	25											
CHIEF FIELD SUPERVISOR	25											
EQUESTRIAN PROGRAM SUPERVISOR	25											
PROCUREMENT AGENT	25											
SUPERINTENDENT OF WASTEWATER TREATMENT	25											
CIVIL ENGINEER I	26	59,779	62,768	65,905	69,203	72,662	76,298	80,111	84,118	88,321	92,739	97,376
DRAFTING AND DESIGN SUPERVISOR	26											
ENVIRONMENTAL PROGRAM MANAGER I	26											
GEOGRAPHIC INFORMATION SYSTEMS ANALYST	26											
PAYROLL ASSISTANT II	26											
PROGRAMMER ANALYST	26											
ARCHITECT	28	65,905	69,203	72,662	76,298	80,111	84,118	88,321	92,739	97,375	102,244	107,355
CIVIL ENGINEER II	28											
ENVIRONMENTAL PROGRAM MANAGER II	28											
SENIOR PROCUREMENT AGENT	28											
SEWER MANAGEMENT ENGINEER	28											
SENIOR APPLICATION ENGINEER	28											
CHIEF OF FACILITY MAINTENANCE	30	72,662	76,298	80,111	84,118	88,321	92,739	97,375	102,244	107,357	112,726	118,364
CHIEF OF PROJECT MANAGEMENT	30											
CIVIL ENGINEER III	30											
ENVIRONMENTAL PROGRAM MANAGER III	30											
PUBLIC WORKS PROJECT ADMINISTRATOR	30											
CHIEF OF DRAINAGE OPERATIONS	32	80,111	84,118	88,321	92,739	97,375	102,244	107,357	112,726	118,364	124,280	130,494
CHIEF OF SITE MANAGEMENT	32											

Effective: 07/01/2026 (Ordinance 24-xxx)

**PAY PLANS AND RATES OF PAY FOR CLASSIFIED SERVICE 40-HOUR WORKWEEK EMPLOYEES
REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607**

24-089
EXHIBIT A1

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
BUILDING MAINTENANCE SUPERVISOR	23	54,802	57,540	60,419	63,441	66,614	69,944	73,441	77,114	80,970	85,019	89,270
GARAGE SUPERVISOR	23											
MASTER MECHANIC	23											
PROPERTY MAINTENANCE TECHNICIAN	23											
BUILDINGS SUPERVISOR	25	60,419	63,441	66,614	69,944	73,441	77,114	80,970	85,019	89,269	93,732	98,419
MASTER ELECTRONICS TECHNICIAN	25											
PARKS FORESTRY TECHNICIAN	25											
PROPERTY SUPERVISOR	25											
PUBLIC WORKS EQUIPMENT COORDINATOR	25											
FACILITY MAINTENANCE SUPERVISOR	28	61,200	64,261	67,474	70,850	74,391	78,111	82,015	86,117	90,422	94,943	99,690
SUPERINTENDENT OF SEWER MAINTENANCE	28											
SUPERVISOR OF CONSTRUCTION SUPPORT	28											

Effective: 07/01/2023 (Ordinance 24-xxx)

**PAY PLANS AND RATES OF PAY FOR CLASSIFIED SERVICE 40-HOUR WORKWEEK EMPLOYEES
REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607**

24-089
EXHIBIT B1

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
BUILDING MAINTENANCE SUPERVISOR	23	54,802	57,540	60,419	63,441	66,614	69,944	73,441	77,114	80,970	85,019	89,270
GARAGE SUPERVISOR	23											
MASTER MECHANIC	23											
PROPERTY MAINTENANCE TECHNICIAN	23											
 BUILDINGS SUPERVISOR	 25	 60,419	 63,441	 66,614	 69,944	 73,441	 77,114	 80,970	 85,019	 89,269	 93,732	 98,419
MASTER ELECTRONICS TECHNICIAN	25											
PARKS FORESTRY TECHNICIAN	25											
PROPERTY SUPERVISOR	25											
PUBLIC WORKS EQUIPMENT COORDINATOR	25											
 FACILITY MAINTENANCE SUPERVISOR	 28	 69,943	 73,441	 77,114	 80,969	 85,017	 89,270	 93,734	 98,421	 103,340	 108,507	 113,932
SUPERINTENDENT OF SEWER MAINTENANCE	28											
SUPERVISOR OF CONSTRUCTION SUPPORT	28											

*Effective: 05/28/2024 (Ordinance 24-xxx)
Amends PG28 to harmonize the pay rates to a 40-hour / week*

**PAY PLANS AND RATES OF PAY FOR CLASSIFIED SERVICE 40-HOUR WORKWEEK EMPLOYEES
REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607**

24-089
EXHIBIT C1

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
BUILDING MAINTENANCE SUPERVISOR	23	56,172	58,979	61,929	65,027	68,279	71,693	75,277	79,042	82,994	87,144	91,502
GARAGE SUPERVISOR	23											
MASTER MECHANIC	23											
PROPERTY MAINTENANCE TECHNICIAN	23											
BUILDINGS SUPERVISOR	25	61,929	65,027	68,279	71,693	75,277	79,042	82,994	87,144	91,501	96,075	100,879
MASTER ELECTRONICS TECHNICIAN	25											
PARKS FORESTRY TECHNICIAN	25											
PROPERTY SUPERVISOR	25											
PUBLIC WORKS EQUIPMENT COORDINATOR	25											
FACILITY MAINTENANCE SUPERVISOR	28	71,692	75,277	79,042	82,993	87,142	91,502	96,077	100,882	105,924	111,220	116,780
SUPERINTENDENT OF SEWER MAINTENANCE	28											
SUPERVISOR OF CONSTRUCTION SUPPORT	28											

Effective: 07/01/2024 (Ordinance 24-xxx)

**PAY PLANS AND RATES OF PAY FOR CLASSIFIED SERVICE 40-HOUR WORKWEEK EMPLOYEES
REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607**

24-089
EXHIBIT D1

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
BUILDING MAINTENANCE SUPERVISOR	23	57,576	60,453	63,477	66,653	69,986	73,485	77,159	81,018	85,069	89,323	93,790
GARAGE SUPERVISOR	23											
MASTER MECHANIC	23											
PROPERTY MAINTENANCE TECHNICIAN	23											
BUILDINGS SUPERVISOR	25	63,477	66,653	69,986	73,485	77,159	81,018	85,069	89,323	93,789	98,477	103,401
MASTER ELECTRONICS TECHNICIAN	25											
PARKS FORESTRY TECHNICIAN	25											
PROPERTY SUPERVISOR	25											
PUBLIC WORKS EQUIPMENT COORDINATOR	25											
FACILITY MAINTENANCE SUPERVISOR	28	73,484	77,159	81,018	85,068	89,321	93,790	98,479	103,404	108,572	114,001	119,700
SUPERINTENDENT OF SEWER MAINTENANCE	28											
SUPERVISOR OF CONSTRUCTION SUPPORT	28											

Effective: 07/01/2025 (Ordinance 24-xxx)

**PAY PLANS AND RATES OF PAY FOR CLASSIFIED SERVICE 40-HOUR WORKWEEK EMPLOYEES
REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607**

24-089
EXHIBIT E1

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
BUILDING MAINTENANCE SUPERVISOR	23	59,015	61,964	65,064	68,319	71,736	75,322	79,088	83,043	87,196	91,556	96,135
GARAGE SUPERVISOR	23											
MASTER MECHANIC	23											
PROPERTY MAINTENANCE TECHNICIAN	23											
BUILDINGS SUPERVISOR	25	65,064	68,319	71,736	75,322	79,088	83,043	87,196	91,556	96,134	100,939	105,986
MASTER ELECTRONICS TECHNICIAN	25											
PARKS FORESTRY TECHNICIAN	25											
PROPERTY SUPERVISOR	25											
PUBLIC WORKS EQUIPMENT COORDINATOR	25											
FACILITY MAINTENANCE SUPERVISOR	28	75,321	79,088	83,043	87,195	91,554	96,135	100,941	105,989	111,286	116,851	122,693
SUPERINTENDENT OF SEWER MAINTENANCE	28											
SUPERVISOR OF CONSTRUCTION SUPPORT	28											

Effective: 07/01/2026 (Ordinance 24-xxx)

Prime Sponsor(s): Mr. Tackett
Requested by: County Council
Date of introduction: May 28, 2024

ORDINANCE NO. 24-090

AMEND THE GRANTS BUDGET:

**APPROPRIATE FUNDING FROM THE NEW CASTLE COUNTY COUNCIL FY2024
APPROVED OPERATING BUDGET TO THE SENIOR HOME REPAIR PROGRAM GRANT,
WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES**

1 **WHEREAS**, the Senior Home Repair Program Grant is designed to provide minor
2 housing repair assistance to eligible senior homeowners age 60 and older with a maximum grant
3 amount of \$2,500.00; and
4

5 **WHEREAS**, the home must be located in New Castle County, outside the boundaries of
6 Wilmington and Newark; and
7

8 **WHEREAS**, there are currently over 129 seniors on the waiting list for this program; and
9

10 **WHEREAS**, New Castle County Council has determined that there will be unspent
11 funding available in the Grants and Fixed Charges Budget Line Item at the end of FY2024; and
12

13 **WHEREAS**, New Castle County Council wishes to provide \$5,000 to the Senior Home
14 Repair Program Grant from their Grants and Fixed Charges Budget Line Item within the FY2024
15 Approved Operating Budget; and
16

17 **WHEREAS**, Council has determined that the provisions of this Ordinance substantially
18 advance, and are reasonably and rationally related to, legitimate government interests (i.e.,
19 promoting the health, safety, morals, convenience, order, prosperity and/or welfare of the
20 present and future inhabitants of this State).
21

22 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
23

24 Section 1. The Grants Budget as adopted by Ordinance No. 75-173 is hereby amended
25 by adding the material underscored and deleting the material bracketed and stricken on the
26 attached "Exhibit A."
27

28 Section 2. This Ordinance shall become effective immediately upon its adoption by
29 County Council and approval by the County Executive, or as otherwise provided by 9 *Del. C. §*
30 1156.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will appropriate \$5,000 from the County Council – Grants and Fixed Charges Budget Line Item within the FY2024 Approved Operating Budget to the Senior Home Repair Program Grant. In order to complete this transaction, **Ordinance No. 24-093 must be passed by County Council to complete this transaction.**

The Senior Home Repair Program Grant is designed to provide minor housing repair assistance to eligible senior homeowners age 60 and older, who own and reside in their home as their primary residence, have assets under the asset limit and have homeowners insurance. The maximum grant amount is \$2,500. The home must be located in New Castle County, outside the boundaries of Wilmington and Newark. There are currently over 129 seniors on the waiting list for this program. Funding for the program is from the Community Development Block Grant Program.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by appropriating \$5,000 in funding to the Senior Home Repair Program Grant, which is administered by the Department of Community Services. Partial funding for this program will be provided from the County Council – Grants and Fixed Charges Budget Line Item in the FY2024 Approved Operating Budget.

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget by \$5,000. This increase will affect FY2024 and beyond since this program is ongoing, without an expiration date, until all funds have been expended.

DEPARTMENT:	Community Services	EXHIBIT:	"A"
GRANT TITLE:	Senior Home Repair Program	Ordinance No.	24-090
PROGRAM TITLE:	Senior Home Repair Program		

Revenue	Current	Change	Revised
Federal	\$ -	\$ -	\$ -
State	\$ -	\$ -	\$ -
County	\$ 617,894.51	\$ 5,000.00	\$ 622,894.51
Program Income	\$ -	\$ -	\$ -
Other	\$ -	\$ -	\$ -
Total	\$ 617,894.51	\$ 5,000.00	\$ 622,894.51

Expense	Current	Change	Revised
Salaries and Wages	\$ -	\$ -	\$ -
Benefits	\$ -	\$ -	\$ -
Training/Civic Affairs	\$ -	\$ -	\$ -
Communication/Utilities	\$ -	\$ -	\$ -
Materials/Supplies	\$ -	\$ -	\$ -
Contractual Services	\$ 60,205.50	\$ -	\$ 60,205.50
Equipment	\$ -	\$ -	\$ -
Grants/Fixed Charges	\$ 557,689.01	\$ 5,000.00	\$ 562,689.01
Land and Structures	\$ -	\$ -	\$ -
Contingency	\$ -	\$ -	\$ -
Operating Transfer Charges	\$ -	\$ -	\$ -
Operating Transfer Credits	\$ -	\$ -	\$ -
Total	\$ 617,894.51	\$ 5,000.00	\$ 622,894.51

SUPPLEMENTAL INFORMATION

Estimated Program Initiation: 7/1/2012

Estimated Program Completion: ongoing

The Local Match: **Found in (ORG):**

Ordinance Passed:	Date Revised:
12-043 4/24/2012	21-106 9/30/2021
18-072 7/16/2018	22-068 5/24/2022
19-065 7/3/2019	<u>23-064 5/23/2023</u>
20-060 6/9/2020	
21-075 Floor Amend 1 6/16/2021	

PROGRAM DESCRIPTION:

The Senior Home Repair Program is designed to provide minor housing repair assistance to eligible senior homeowners age 60 and older, who own and reside in their home as their primary residence, have assets under the asset limit and have homeowners insurance. The maximum grant amount is \$2,500. The home must be located in New Castle County, outside the boundaries of Wilmington and Newark. There are currently over 129 seniors on the waiting list for this program. Funding for the program is from the Sheriff's Office, Program Income and the General Fund.

~~5/23/2023~~

5/28/2024

Prime Sponsor(s): Mr. Street
Requested by: County Council
Date of introduction: May 28, 2024

ORDINANCE NO. 24-091

AMEND THE GRANTS BUDGET:

**APPROPRIATE FUNDING FROM NEW CASTLE COUNTY COUNCIL FY2024 APPROVED
OPERATING BUDGET TO THE 2023 NEW CASTLE COUNTY YOUTH EMPLOYMENT
GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES,
DIVISION OF COMMUNITY RESOURCES**

1 **WHEREAS**, New Castle County Council received funds from the State of Delaware
2 Department of Labor – Delaware Workforce Investment Board to fund the 2023 New Castle
3 County Summer Youth Employment Grants; and

4
5 **WHEREAS**, the New Castle County Youth Employment Program provides employment
6 experiences for youths between the ages of 14 and 20 that will promote responsibility, teamwork,
7 and a work ethic; and

8
9 **WHEREAS**, New Castle County Council has previously contributed funds to the 2023
10 New Castle County Youth Employment Grant in the amount of \$100,000 via Ordinance 23-035,
11 \$5,110 via Ordinance 23-065 and \$110,020 via Ordinance 24-061; and

12
13 **WHEREAS**, New Castle County Council has determined that there will be unspent
14 funding available in the Grants and Fixed Charges Budget Line Item at the end of FY2024; and

15
16 **WHEREAS**, New Castle County Council wishes to provide \$4,500 to the 2023 New Castle
17 County Youth Employment Grant from their Grants and Fixed Charges Budget Line Item within
18 the FY2024 Approved Operating Budget; and

19
20 **WHEREAS**, the revenue measures heretofore adopted by the County Council are, in the
21 opinion of the County Executive, estimated to yield sums at least sufficient to balance the
22 proposed expenditures as set forth in the Annual Operating Budget as hereinafter amended.

23
24 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**

25
26 Section 1. The Grants Budget as adopted by Ordinance No. 75-173 is hereby amended
27 by deleting the material stricken and adding the material underscored on the attached Exhibit
28 “A.”

29
30 Section 2. This Ordinance shall become effective immediately upon its adoption by
31 County Council and approval by the County Executive, or as otherwise provided by 9 *Del. C.* §
32 1156.

33
34 Section 3. It is the intent of the County Council that the provisions of this Ordinance
35 shall be effective retroactive to June 13, 2023.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will appropriate \$4,500 from the County Council – Grants and Fixed Charges Budget Line Item within the FY2024 Approved Operating Budget to the 2023 New Castle County Youth Employment Grant. **Ordinance No. 24-093 must be passed by County Council to complete this transaction.**

The New Castle County Youth Employment Program provides employment experiences for youths between the ages of 14 and 20 that will promote responsibility, teamwork, and a work ethic.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by appropriating \$4,500 in funding to the 2023 New Castle County Youth Employment Program Grant, which is administered by the Department of Community Services, Division of Community Resources. Funding for this program will be provided from the County Council – Grants and Fixed Charges Budget Line Item within the FY2024 Approved Operating Budget.

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget by \$4,500. There is no discernible fiscal impact on the current operating budget.

DEPARTMENT:	Community Services	EXHIBIT:	"A"
GRANT TITLE:	NCC Youth Employment 2023	Ordinance No.	24-091
PROGRAM TITLE:	NCC Youth Employment 2023		

Revenue	Current	Change	Revised
Federal	\$ -	\$ -	\$ -
State	\$ -	\$ -	\$ -
County	\$ <u>215,130.00</u>	\$ <u>4,500.00</u>	\$ <u>219,630.00</u>
Program Income	\$ -	\$ -	\$ -
Other	\$ -	\$ -	\$ -
Total	\$ <u>215,130.00</u>	\$ <u>4,500.00</u>	\$ <u>219,630.00</u>

Expense	Current	Change	Revised
Salaries and Wages	\$ <u>193,210.65</u>	\$ <u>4,132.00</u>	\$ <u>197,342.65</u>
Benefits	\$ <u>21,919.35</u>	\$ <u>368.00</u>	\$ <u>22,287.35</u>
Training/Civic Affairs	\$ -	\$ -	\$ -
Communication/Utilities	\$ -	\$ -	\$ -
Materials/Supplies	\$ -	\$ -	\$ -
Contractual Services	\$ -	\$ -	\$ -
Equipment	\$ -	\$ -	\$ -
Grants/Fixed Charges	\$ -	\$ -	\$ -
Land and Structures	\$ -	\$ -	\$ -
Contingency	\$ -	\$ -	\$ -
Operating Transfer Charges	\$ -	\$ -	\$ -
Operating Transfer Credits	\$ -	\$ -	\$ -
Total	\$ <u>215,130.00</u>	\$ <u>4,500.00</u>	\$ <u>219,630.00</u>

SUPPLEMENTAL INFORMATION

Estimated Program Initiation: 6/13/2023

Estimated Program Completion: 6/7/2024

The Local Match: **Found in (ORG):**

Ordinance Passed:	Date Revised:
23-035	4/14/2023
23-065	6/16/2023
<u>24-061</u>	<u>4/23/2024</u>

PROGRAM DESCRIPTION:

The New Castle County Youth Employment Program provides employment experiences for youths between the ages of 14 and 20 that will promote responsibility, teamwork and a work ethic.

4/23/2024

5/28/2024

Prime Sponsor(s): Mr. Street
Requested by: County Council
Date of introduction: May 28, 2024

ORDINANCE NO. 24-092

AMEND THE GRANTS BUDGET:

**APPROPRIATE FUNDING FROM NEW CASTLE COUNTY COUNCIL FY2024 APPROVED
OPERATING BUDGET TO THE NEW CASTLE COUNTY EMERGENCY HOUSING – HOPE
CENTER GRANT, WHICH WILL BE ADMINISTERED BY THE DEPARTMENT OF
COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING**

1 **WHEREAS**, New Castle County Council has determined that there will be unspent
2 funding available in the Grants and Fixed Charges Budget Line Item at the end of FY2024; and
3

4 **WHEREAS**, New Castle County Council wishes to provide \$4,500 to the New Castle
5 County Emergency Housing – HOPE Center Grant from their Grants and Fixed Charges
6 Budget Line Item within the FY2024 Approved Operating Budget; and
7

8 **WHEREAS**, funding will be used to provide emergency housing for up to a 90 day stay
9 at the HOPE Center; and
10

11 **WHEREAS**, Council has determined that the provisions of this Ordinance substantially
12 advance, and are reasonably and rationally related to, legitimate government interests (i.e.,
13 promoting the health, safety, morals, convenience, order prosperity and/or welfare of the
14 present and future inhabitants of this State).
15

16 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
17

18 Section 1. The Grants Budget, as adopted by Ordinance No. 75-173, is hereby
19 amended by adding the material in Exhibit “A,” which is considered to be underscored in its
20 entirety, which is attached hereto and made a part hereof.
21

22 Section 2. This Ordinance shall become effective immediately upon its adoption by
23 New Castle County Council and approval by the County Executive, or as otherwise provided
24 by 9 Del. C. § 1156.
25

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will appropriate \$4,500 from the County Council – Grants and Fixed Charges Budget Line Item within the FY2024 Approved Operating Budget to the New Castle County Emergency Housing – HOPE Center Grant. Funding will be used to provide emergency housing for up to a 90 day stay at the HOPE Center. **Ordinance No. 24-093 must be passed by County Council to complete this transaction.**

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by appropriating \$4,500 in funding to the New Castle County Emergency Housing – HOPE Center Grant, which will be administered by the Department of Community Services, Division of Development and Housing. Funding for this program will be provided from the County Council – Grants and Fixed Charges Budget Line Item within the FY2024 Approved Operating Budget.

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget by \$4,500. There is no discernible fiscal impact on the current operating budget.

DEPARTMENT:	Community Services	EXHIBIT:	"A"
GRANT TITLE:	NCC Emergency Housing - HOPE Center	Ordinance No.	24-092
PROGRAM TITLE:	NCC Emergency Housing - HOPE Center		

Revenue	Current		Change		Revised
Federal	\$	-	\$	-	\$ -
State	\$	-	\$	-	\$ -
County	\$	4,500.00	\$	-	\$ 4,500.00
Program Income	\$	-	\$	-	\$ -
Other	\$	-	\$	-	\$ -
Total	\$	4,500.00	\$	-	\$ 4,500.00

Expense	Current		Change		Revised
Salaries and Wages	\$	-	\$	-	\$ -
Benefits	\$	-	\$	-	\$ -
Training/Civic Affairs	\$	-	\$	-	\$ -
Communication/Utilities	\$	-	\$	-	\$ -
Materials/Supplies	\$	-	\$	-	\$ -
Contractual Services	\$	-	\$	-	\$ -
Equipment	\$	-	\$	-	\$ -
Grants/Fixed Charges	\$	4,500.00	\$	-	\$ 4,500.00
Land and Structures	\$	-	\$	-	\$ -
Contingency	\$	-	\$	-	\$ -
Operating Transfer Charges	\$	-	\$	-	\$ -
Operating Transfer Credits	\$	-	\$	-	\$ -
Total	\$	4,500.00	\$	-	\$ 4,500.00

SUPPLEMENTAL INFORMATION

Estimated Program Initiation: 5/15/2024

Estimated Program Completion: 9/30/2050

The Local Match: **Found in (ORG):**

Ordinance Passed: **Date Revised:**

PROGRAM DESCRIPTION:

Funding is provided by New Castle County Council to provide emergency housing for up to a 90 day stay at the HOPE Center.

5/28/2024

Prime Sponsor(s): Mr. Tackett, Mr. Street
Requested by: County Council
Date of introduction: May 28, 2024

ORDINANCE NO. 24-093

**AMEND THE FY2024 APPROVED OPERATING BUDGET:
REDUCE THE GRANTS AND FIXED CHARGES BUDGET LINE ITEM OF COUNTY
COUNCIL TO PROVIDE FUNDING FOR NEW CASTLE COUNTY GRANTS**

1 **WHEREAS**, County Council has budgeted funding available in the Grants and Fixed
2 Charges Budget Line Item; and

3
4 **WHEREAS**, New Castle County Council wishes to provide funding to the Senior Home
5 Repair Program Grant, 2023 New Castle County Youth Employment Grant and New Castle
6 County Emergency Housing – HOPE Center Grant; and

7
8 **WHEREAS**, the revenue measures heretofore adopted by the County Council are, in the
9 opinion of the County Executive, estimated to yield sums at least sufficient to balance the
10 proposed expenditures as set forth in the Annual Operating Budget as hereinafter amended.

11
12 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**

13
14 Section 1. The Annual Operating Budget Ordinance for the fiscal year beginning July 1,
15 2023, is hereby amended by deleting the material that is stricken and adding the material that is
16 underscored on the attached Exhibit “A.”

17
18 Section 2. The foregoing amendment shall be considered a part of the Annual Operating
19 Budget for the fiscal year beginning July 1, 2023 and shall be effective as though incorporated
20 initially in the Annual Operating Budget Ordinance.

21
22 Section 3. This Ordinance shall become effective immediately upon its adoption by
23 County Council and approval by the County Executive, or as otherwise provided in 9 *Del. C.* §
24 1156.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will transfer \$14,000 from the County Council – Grants and Fixed Charges Budget Line Item within the FY2024 Approved Operating Budget and appropriate \$5,000 to the Senior Home Repair Program Grant, \$4,500 to the 2023 New Castle County Youth Employment Grant and \$4,500 to the New Castle County Emergency Housing – HOPE Center Grant. **Ordinance No. 24-090, No. 24-091 and No. 24-092 must first be passed by County Council in order to amend the existing grants.**

FISCAL NOTE: This Ordinance, if approved, will amend the FY2024 Approved Operating Budget by reducing the County Council – Grants and Fixed Charges Budget Line Item by \$14,000 and appropriating \$5,000 to the Senior Home Repair Program Grant, \$4,500 to the 2023 New Castle County Youth Employment Grant and \$4,500 to the New Castle County Emergency Housing – HOPE Center Grant.

There will be no net fiscal impact if this Ordinance and its companion Ordinance are approved. The resulting effect will be the transfer of \$14,000 of FY2024 Approved Operating Budget spending authority to the Grants Budget. There is no fiscal impact beyond FY2024.

COUNTY COUNCIL

Salaries and Wages		\$	2,428,665
Benefits			1,428,590
Training and Civic Affairs			79,749
Communication and Utilities			19,649
Materials and Supplies			60,806
Contractual Services			247,171
Equipment			1,600
Grants and Fixed Charges	416,684		<u>402,684</u>
Operating Transfer Charges			162,309
Total	4,845,223	\$	<u>4,831,223</u>
Total Authorized Full-Time Positions	35		

COUNTY EXECUTIVE

Salaries and Wages		\$	1,777,524
Benefits			1,045,578
Training and Civic Affairs			33,904
Communication and Utilities			18,399
Materials and Supplies			15,535
Contractual Services			529,065
Equipment			1,000
Grants and Fixed Charges			1,140,000
Contingency			9,500
Operating Transfer Charges			82,016
Total		\$	<u>4,652,521</u>
Total Authorized Full-Time Positions	16		

DEPARTMENT OF ADMINISTRATION

Salaries and Wages		\$	12,203,612
Benefits			8,338,475
Training and Civic Affairs			125,275
Communication and Utilities			8,314,086
Materials and Supplies			147,505
Contractual Services			6,862,362
Equipment			380,684
Grants and Fixed Charges			3,925,350
Operating Transfer Charges			1,163,553
Operating Transfer Credits			(12,098,321)
Total		\$	<u>27,454,926</u>
Total Authorized Full-Time Positions	172		

DEPARTMENT OF PUBLIC WORKS

Salaries and Wages	\$	24,597,539
Benefits		14,348,323
Training and Civic Affairs		52,527
Communication and Utilities		27,018,724
Materials and Supplies		4,971,210
Contractual Services		10,588,055
Equipment		475,133
Grants and Fixed Charges		1,193,757
Land and Structures		35,000
Operating Transfer Charges		4,845,206
Operating Transfer Credits		(7,438,785)
Total	\$	80,686,689
Total Authorized Full-Time Positions		384

DEPARTMENT OF LAND USE

Salaries and Wages	\$	8,375,178
Benefits		4,899,879
Training and Civic Affairs		69,415
Communication and Utilities		111,337
Materials and Supplies		107,807
Contractual Services		1,585,618
Equipment		53,790
Grants and Fixed Charges		56,500
Operating Transfer Charges		1,136,835
Operating Transfer Credits		(803,217)
Total	\$	15,593,142
Total Authorized Full-Time Positions		118

DEPARTMENT OF COMMUNITY SERVICES

Salaries and Wages	\$	11,791,052
Benefits		5,322,217
Training and Civic Affairs		25,392
Communication and Utilities		1,037,676
Materials and Supplies		1,412,563
Contractual Services		2,212,956
Equipment		37,867
Grants and Fixed Charges		3,110,149
Operating Transfer Charges		1,232,337
Operating Transfer Credits		(190,829)
Total	\$	25,991,380
Total Authorized Full-Time Positions		160

DEPARTMENT OF PUBLIC SAFETY

Salaries and Wages	\$	67,203,955
Benefits		39,141,888
Training and Civic Affairs		181,191
Communication and Utilities		1,032,702
Materials and Supplies		1,059,997
Contractual Services		2,181,732
Equipment		1,450,572
Grants and Fixed Charges		6,791,770
Operating Transfer Charges		7,298,634
Total	\$	126,342,441
Total Authorized Full-Time Positions		711

REGISTER OF WILLS

Salaries and Wages	\$	1,111,172
Benefits		634,647
Training and Civic Affairs		40,275
Communication and Utilities		12,374
Materials and Supplies		9,925
Contractual Services		56,175
Equipment		4,143
Operating Transfer Charges		85,180
Total	\$	1,953,891
Total Authorized Full-Time Positions		20

RECORDER OF DEEDS

Salaries and Wages	\$	1,232,844
Benefits		712,707
Training and Civic Affairs		36,970
Communication and Utilities		30,977
Materials and Supplies		9,315
Contractual Services		97,001
Equipment		1,150
Grants and Fixed Charges		18,350
Operating Transfer Charges		148,002
Total	\$	2,287,316
Total Authorized Full-Time Positions	23	

SHERIFF

Salaries and Wages	\$	1,260,692
Benefits		737,678
Training and Civic Affairs		29,452
Communication and Utilities		16,189
Materials and Supplies		21,259
Contractual Services		55,999
Equipment		5,000
Operating Transfer Charges		144,938
Total	\$	2,271,207
Total Authorized Full-Time Positions	21	

CLERK OF THE PEACE

Salaries and Wages	\$	474,736
Benefits		279,250
Training and Civic Affairs		14,130
Communication and Utilities		5,168
Materials and Supplies		5,424
Contractual Services		30,043
Equipment Replacement		6,000
Operating Transfer Charges		31,776
Total	\$	846,527
Total Authorized Full-Time Positions	7	

DEBT SERVICE

Debt Service	\$	45,540,069
Land and Structures		
Contingency		
Intragovernmental Service Charges		
Intragovernmental Service Credits		
Total	\$	45,540,069
Total Authorized Full-Time Positions		

ETHICS COMMISSION

Salaries and Wages	\$	38,000
Benefits		3,385
Training and Civic Affairs		10,500
Communication and Utilities		1,922
Materials and Supplies		2,450
Contractual Services		290,642
Equipment		500
Operating Transfer Charges		6,699
Total	\$	354,098
Total Authorized Full-Time Positions	0	

COUNCIL CONTINGENCY

Contingency	\$	250,000
Total	\$	250,000
Total Authorized Full-Time Positions		

EXECUTIVE CONTINGENCY

Contingency	\$	0
Total	\$	0
Total Authorized Full-Time Positions		

PERSONNEL CONTINGENCY

Contingency	\$	455,000
Total	\$	455,000
Total Authorized Full-Time Positions		

ATTRITION CONTINGENCY

Personal Services - Salaries and Wages	\$	(4,293,340)
Personal Services - Employee Benefits	\$	(2,525,429)
Total	\$	(6,818,769)
Total Authorized Full-Time Positions		

ONE-TIME CONTINGENCY

Contingency	\$	1,202,655
Total	\$	1,202,655

NEW CASTLE COUNTY

Salaries and Wages		\$	128,201,629
Benefits			74,367,188
Training and Civic Affairs			698,780
Communication and Utilities			37,619,203
Materials and Supplies			7,823,796
Contractual Services			24,736,819
Equipment			2,417,439
Grants and Fixed Charges	16,652,560		<u>16,638,560</u>
Debt Service			45,540,069
Land and Structures			35,000
Contingency			1,917,155
Operating Transfer Charges			16,337,485
Operating Transfer Credits			(20,531,152)
<i>Sub-Total New Castle County</i>	335,815,971	\$	<u>335,801,971</u>
<i>Total Authorized Full-Time Positions</i>	1,667		

RESERVE ACCOUNTS AS OF APRIL 23, 2024

Tax Stabilization Reserve Account (Unaudited)	72,059,107
Sewer Rate Stabilization Reserve Account (Unaudited)	6,261,142
General Fund Budget Reserve Account	44,592,418
Sewer Fund Budget Reserve Account	18,872,304
<i>Total Reserves:</i>	<u>141,784,971</u>

RESOLUTION NO. 24-114

**CONSENTING TO THE REAPPOINTMENT OF KAREN ANDERSON TO THE
NEW CASTLE COUNTY HISTORIC REVIEW BOARD**

1 **WHEREAS**, Pursuant to *New Castle County Code* Section 40.30.330, the Historic
2 Review Board is vested with the responsibility to make recommendations for historic
3 district boundaries, maintain a survey of historic properties, review permits relative to
4 historic properties, and to make recommendations to the County Executive, County
5 Council, and to the Department of Land Use concerning the use of grants, gifts, and
6 budgeting appropriations to promote the preservation of historic sites, among other
7 duties; and

8
9 **WHEREAS**, the Historic Review Board shall consist of nine (9) members who shall
10 be residents of the County and who shall be appointed by the County Executive with the
11 advice and consent of a majority of the County Council. The terms of office shall be four
12 (4) years, provided that the terms of the members other than the Chairman shall be
13 established in a manner that two (2) shall expire each year. The County Executive shall
14 appoint one (1) member as Chairman who shall serve at the pleasure of the County
15 Executive. One (1) member of the Historic Review Board shall be an architect and one
16 (1) member shall be from the field of historic preservation. Seven (7) members shall be
17 individuals who have demonstrated a concern in the field of historic preservation, have
18 some knowledge of the County's history, or have reasonable knowledge of historic
19 architecture or construction techniques; and

20
21 **WHEREAS**, Ms. Anderson has served on the Historic Review Board since 2015,
22 and is a valued member bringing architectural knowledge, skill, and ability to the New
23 Castle County Historic Review Board; and

24
25 **WHEREAS**, the County Executive has submitted for the advice and consent of
26 County Council the reappointment of Karen Anderson to the Historic Review Board.

27
28 **NOW, THEREFORE, BE IT RESOLVED** by and for the County Council of New
29 Castle County that County Council hereby consents to the reappointment of Karen
30 Anderson to the New Castle County Historic Review Board for a term to begin
31 immediately upon adoption of this resolution and to expire on May 28, 2028.

Adopted by the County Council
of New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

SYNOPSIS: Same as title.

FISCAL NOTE: There will be no discernible fiscal impact upon the adoption of this legislation.

Prime Sponsor(s): Ms. Durham
Requested by: Executive Office
Date of Introduction: May 28, 2024

RESOLUTION NO. 24-115

**CONSENTING TO THE REAPPOINTMENT OF KAY BOWES TO THE
NEW CASTLE COUNTY LIBRARY ADVISORY BOARD**

1 **WHEREAS**, pursuant to 9 *Del. C. § 1352* and *New Castle County Code §*
2 2.05.402(F) the New Castle County Library Advisory Board (“Board”) shall serve as a
3 subcommittee to the Department of Community Services Board; and

4
5 **WHEREAS**, the Board shall consist of thirteen (13) members; and

6
7 **WHEREAS**, the County Executive, with the advice and consent of County Council
8 appoints twelve (12) members of the Board-one (1) from District 1 or 7, one (1) from
9 District 2 or 8, one (1) from District 3 or 9, one (1) from District 4 or 10, one (1) from District
10 5 or 11, one (1) from District 6 or 12, six (6) members from among existing friends groups
11 and one (1) member representing all contractual libraries. All members so appointed
12 serve for a term of three (3) years pursuant to *New Castle County Code § 2.05.403*; and

13
14 **WHEREAS**, the County Executive has submitted for the advice and consent of
15 County Council the reappointment of Kay Bowes as a member of the Board, filling the
16 seat assigned to the Friends of Brandywine Hundred Library; and

17
18 **NOW, THEREFORE, BE IT RESOLVED** by and for the County Council of New
19 Castle County that County Council hereby consents to the reappointment of Kay Bowes
20 as the representative to the New Castle County Library Advisory Board for the Friends of
21 Brandywine Hundred Library for a term to begin immediately upon adoption of this
22 resolution and to expire May 28, 2027.

Adopted by the County Council
of New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

SYNOPSIS: Same as title.

FISCAL NOTE: There will be no discernible fiscal impact upon the adoption of this
legislation.

Prime Sponsor(s): Mr. Sheldon
Requested by: Executive Office
Date of Introduction: May 28, 2024

RESOLUTION NO. 24-116

**CONSENTING TO THE REAPPOINTMENT OF JANET DEAN TO THE
NEW CASTLE COUNTY LIBRARY ADVISORY BOARD**

1 **WHEREAS**, pursuant to 9 *Del. C. § 1352* and *New Castle County Code §*
2 2.05.402(F) the New Castle County Library Advisory Board (“Board”) shall serve as a
3 subcommittee to the Department of Community Services Board; and

4
5 **WHEREAS**, the Board shall consist of thirteen (13) members; and

6
7 **WHEREAS**, the County Executive, with the advice and consent of County Council
8 appoints twelve (12) members of the Board—one (1) from District 1 or 7, one (1) from
9 District 2 or 8, one (1) from District 3 or 9, one (1) from District 4 or 10, one (1) from District
10 5 or 11, one (1) from District 6 or 12, six (6) members from among existing friends groups
11 and one (1) member representing all contractual libraries. All members so appointed
12 serve for a term of three (3) years pursuant to *New Castle County Code § 2.05.403*; and

13
14 **WHEREAS**, the County Executive has submitted for the advice and consent of
15 County Council the reappointment of Janet Dean as a member of the Board, filling the
16 seat assigned to District 3 or 9; and

17
18 **WHEREAS**, Ms. Dean is a resident of New Castle County and works as a Library
19 Media Specialist at Conrad School of Sciences and as an adjunct professor at the
20 University of Delaware, holding relevant affiliations with the International Reading
21 Association and the Delaware Association of School Librarians.

22
23 **NOW, THEREFORE, BE IT RESOLVED** by and for the County Council of New
24 Castle County that County Council hereby consents to the reappointment of Janet Dean
25 as the representative to the New Castle County Library Advisory Board for District 3 or 9
26 for a term to begin immediately upon adoption of this resolution and to expire May 28,
27 2027.

Adopted by the County Council
of New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

SYNOPSIS: Same as title.

FISCAL NOTE: There will be no discernible fiscal impact upon the adoption of this legislation.

RESOLUTION NO. 24-117

**REAPPOINTING LINDA BAILEY TO THE
NEW CASTLE COUNTY COUNCIL AUDIT COMMITTEE**

1 **WHEREAS**, pursuant to *New Castle County Code* Sec. 2.02.403, the Audit
2 Committee (the Committee) is a 5-member public board, mandated by County law that
3 is responsible for: establishing an audit schedule for the coming year; monitoring the
4 progress of ongoing audits; following up on audits previously completed; considering
5 special audit requests or needs expressed by Council, the Executive or the Chief
6 Financial Officer; preparing an annual performance appraisal of the Auditor for
7 consideration by Council in its annual performance review; assisting the Auditor with
8 any problems encountered in the execution of his duties; ensuring maximum
9 cooperation between the work of the Auditor and the auditing needs of the Council,
10 the Executive and external auditors; recommending to Council any staffing,
11 equipment or office needs necessary for improving the operation of the Auditor's office;
12 considering input from, and consulting with, when appropriate, the County Office of
13 Finance; and establishing a peer review of the Office of the County Auditor at least
14 every three (3) years; and

15
16 **WHEREAS**, the members of the Committee will be appointed by County
17 Council for terms of four (4) years, except that original terms shall be established so
18 that two (2) terms expire at four (4) years, two (2) at three (3) years, and one in the
19 second year. When vacancies occur, they shall be filled for the unexpired term. No
20 citizen member of the Committee shall be an employee of the County, be under
21 contract with the County, or enter into a contract with the County during their tenure
22 on the Committee. No citizen member of the Committee shall be a candidate for any
23 public office; and

24
25 **WHEREAS**, the members of the Committee shall consist of five (5) members
26 - all of whom possess the technical skills necessary to oversee the technical and
27 complex financial reporting and audit process; and

28
29 **WHEREAS**, New Castle County has nominated Linda Bailey for reappointment
30 to the Audit Committee; and

31
32 **WHEREAS**, this reappointment fulfills the requirement in Sec. 2.02.402 (A) that
33 all members must possess the necessary technical skills to oversee the technical and
34 complex financial reporting and audit process.

35 **NOW, THEREFORE, BE IT RESOLVED** by and for the County Council of
36 New Castle County that County Council hereby reappoints Linda Bailey as a member
37 of the New Castle County Council Audit Committee for a term to begin from July 25,
38 2024, and to expire on July 25, 2028.

Adopted by the County Council
of New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

SYNOPSIS: Same as title.

FISCAL NOTE: There is no discernible fiscal impact upon the adoption of this legislation.

Prime Sponsor(s): Ms. Durham
Requested by: Executive Office
Date of Introduction: May 28, 2024

RESOLUTION NO. 24-118

**CONSENTING TO THE APPOINTMENT OF TODD T. BRECK TO THE
NEW CASTLE COUNTY CENTREVILLE DESIGN REVIEW ADVISORY COMMITTEE**

1 **WHEREAS**, *New Castle County Code* Section 40.26.420 provides that County
2 Council may establish Hometown (HT) Overlay Zoning Districts that encompass the
3 boundaries of communities and neighborhoods that will be subject to a modification of
4 dimensional standards as set forth herein and by an approved Community
5 Redevelopment Plan; and
6

7 **WHEREAS**, *New Castle County Code* Section 40.26.440 provides that a Design
8 Review Advisory Committee (DRAC) shall be established pursuant to Section 40.30.450
9 for each Hometown Zoning Overlay District created; and
10

11 **WHEREAS**, *New Castle County Code* Section 40.30.450C also provides that “the
12 District Council person(s) in whose Councilmanic district a Hometown Overlay is found,
13 shall make recommendations to the County Executive who shall appoint members subject
14 to County Council consent”; and
15

16 **WHEREAS**, Todd T. Breck is an architect living in New Castle County, in Council
17 District 2. His name was submitted to the County Executive from the District Council
18 member for appointment to the Centreville Design Review Advisory Committee, subject
19 to the advice and consent of Council; and
20

21 **NOW, THEREFORE, BE IT RESOLVED** by and for the County Council of New
22 Castle County that County Council hereby consents to the appointment of Todd T. Breck
23 to the New Castle County Centreville Design Review Advisory Committee for a term to
24 begin immediately upon adoption of this resolution and to expire on May 28, 2027.

Adopted by the County Council
of New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

SYNOPSIS: Same as title.

FISCAL NOTE: There will be no discernible fiscal impact upon the adoption of this legislation.

RESOLUTION NO. 24-119

**RE-APPOINTING DARYL BROWN TO THE NEW CASTLE COUNTY EMPLOYEES'
RETIREMENT SYSTEM BOARD OF TRUSTEES**

1 **WHEREAS**, Daryl Brown's term on the New Castle County Employees' Retirement
2 System Board of Trustees has expired; and

3
4 **WHEREAS**, pursuant to *New Castle County Code* Sec. 2.05.505., the Employees'
5 Retirement System Board of Trustees is vested with the responsibility of directing and operating
6 the County's Employees' Retirement System, among other duties; and

7
8 **WHEREAS**, Section 2.05.505(A)(4). of the *New Castle County Code* states that County
9 Council shall appoint four (4) members to the Board and outlines parameters for three (3) of
10 Council's four (4) Board appointments, but lists no parameters for the fourth appointment; and

11
12 **WHEREAS**, this appointment fulfills one of County Council's four (4) appointments
13 outlined in Section 2.05.505(A)(4).; and

14
15 **WHEREAS**, pursuant to Section 2.05.505(A)(4)., County Council is responsible for
16 appointing a Chairperson; and

17
18 **WHEREAS**, County Council nominates Daryl Brown for re-appointment to the New
19 Castle County Employees' Retirement System Board of Trustees as Chairperson.

20
21 **NOW, THEREFORE, BE IT RESOLVED** by and for the County Council of New Castle
22 County that County Council hereby re-appoints Daryl Brown to the New Castle County
23 Employees' Retirement System Board of Trustees as Chairperson for a term to begin on May
24 28, 2024 and to expire on April 28, 2027.

Adopted by the County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

SYNOPSIS: Same as title.

FISCAL NOTE: There is no discernible fiscal impact upon the adoption of this legislation.

Prime Sponsor(s): Ms. Durham
Requested by: Executive Office
Date of Introduction: May 28, 2024

RESOLUTION NO. 24-120

**CONSENTING TO THE APPOINTMENT OF ANN CANBY TO THE
NEW CASTLE COUNTY CENTREVILLE DESIGN REVIEW ADVISORY COMMITTEE**

1 **WHEREAS**, *New Castle County Code* Section 40.26.420 provides that County
2 Council may establish Hometown (HT) Overlay Zoning Districts that encompass the
3 boundaries of communities and neighborhoods that will be subject to a modification of
4 dimensional standards as set forth herein and by an approved Community
5 Redevelopment Plan; and
6

7 **WHEREAS**, *New Castle County Code* Section 40.26.440 provides that a Design
8 Review Advisory Committee (DRAC) shall be established pursuant to Section 40.30.450
9 for each Hometown Zoning Overlay District created; and
10

11 **WHEREAS**, *New Castle County Code* Section 40.30.450C also provides that “the
12 District Council person(s) in whose Councilmanic district a Hometown Overlay is found,
13 shall make recommendations to the County Executive who shall appoint members subject
14 to County Council consent”; and
15

16 **WHEREAS**, Ann Canby is a resident of Centreville, Delaware who has lead
17 Delaware’s Department of Transportation. Her name was submitted to the County
18 Executive from the District Council member for appointment to the Centreville Design
19 Review Advisory Committee, subject to the advice and consent of Council; and
20

21 **NOW, THEREFORE, BE IT RESOLVED** by and for the County Council of New
22 Castle County that County Council hereby consents to the appointment of Ann Canby to
23 the New Castle County Centreville Design Review Advisory Committee for a term to begin
24 immediately upon adoption of this resolution and to expire on May 28, 2027.

Adopted by the County Council
of New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

SYNOPSIS: Same as title.

FISCAL NOTE: There will be no discernible fiscal impact upon the adoption of this legislation.

Prime Sponsor(s): Ms. Durham
Requested by: Executive Office
Date of Introduction: May 28, 2024

RESOLUTION NO. 24-121

**CONSENTING TO THE APPOINTMENT OF JAMES DALLE PAZZE AS CHAIR TO THE
NEW CASTLE COUNTY CENTREVILLE DESIGN REVIEW ADVISORY COMMITTEE**

1 **WHEREAS**, *New Castle County Code* Section 40.26.420 provides that County Council
2 may establish Hometown (HT) Overlay Zoning Districts that encompass the boundaries of
3 communities and neighborhoods that will be subject to a modification of dimensional standards
4 as set forth herein and by an approved Community Redevelopment Plan; and
5

6 **WHEREAS**, *New Castle County Code* Section 40.26.440 provides that a Design Review
7 Advisory Committee (DRAC) shall be established pursuant to Section 40.30.450 for each
8 Hometown Zoning Overlay District created; and
9

10 **WHEREAS**, *New Castle County Code* Section 40.30.450C also provides that “the
11 District Council person(s) in whose Councilmanic district a Hometown Overlay is found, shall
12 make recommendations to the County Executive who shall appoint members subject to County
13 Council consent”; and
14

15 **WHEREAS**, the position of chair is currently a vacancy on the Centreville Design Review
16 Advisory Committee; and
17

18 **WHEREAS**, the County Executive has submitted the appointment of James Dalle Pazzе
19 as chair to the Centreville Design Advisory Committee for the advice and consent of Council.
20

21 **NOW, THEREFORE, BE IT RESOLVED** by and for the County Council of New Castle
22 County that County Council hereby appoints James Dalle Pazzе as chair to the New Castle
23 County Centreville Design Review Advisory Committee for a term to begin immediately upon
24 adoption of this resolution and to expire on May 28, 2027.

Adopted by the County Council
of New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

SYNOPSIS: Same as title.

FISCAL NOTE: There will be no discernible fiscal impact upon the adoption of this legislation.

RESOLUTION NO. 24-122

**CONSENTING TO THE REAPPOINTMENT OF KIANA DRAKE TO THE NEW
CASTLE COUNTY PLANNING BOARD**

1 **WHEREAS**, the New Castle County Planning Board ("Planning Board") is
2 composed of nine (9) members. Pursuant to *New Castle County Code* § 40.30.210,
3 County Council has the power and duty to confirm, by majority vote, members of the
4 Planning Board appointed by the County Executive; and
5

6 **WHEREAS**, the Planning Board is responsible for reviewing proposed changes to
7 zoning, subdivision regulations, deed restrictions, and the Comprehensive Development
8 Plan; and
9

10 **WHEREAS**, the Planning Board also renders final decisions on subdivision
11 variances and appeals of Land Use Department interpretations of subdivision regulations;
12 and
13

14 **WHEREAS**, Planning Board Members shall be appointed by the County Executive
15 for a term of three years; and
16

17 **WHEREAS**, the County Executive has submitted for the advice and consent of
18 County Council the reappointment of Kiana Drake to the Planning Board; and
19

20 **WHEREAS**, Ms. Drake has served as a valued and active member of New Castle
21 County's Planning Board since 2018.
22

23 **NOW, THEREFORE, BE IT RESOLVED** by and for the County Council of New
24 Castle County that County Council hereby consents to the reappointment of Kiana Drake
25 to the New Castle County Planning Board for a term to expire May 28, 2027.

Adopted by the County Council
of New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

SYNOPSIS: Same as title.

FISCAL NOTE: There will be no discernible fiscal impact upon the adoption of this
legislation.

Prime Sponsor(s):	Mr. Tackett
Requested by:	Executive Office
Date of Introduction:	May 28, 2024

RESOLUTION NO. 24-123

CONSENTING TO THE APPOINTMENT OF KEITH JACKSON TO THE NEW CASTLE COUNTY HISTORIC REVIEW BOARD

1 **WHEREAS**, Pursuant to *New Castle County Code* Section 40.30.330, the Historic
2 Review Board is vested with the responsibility to make recommendations for historic
3 district boundaries, maintain a survey of historic properties, review permits relative to
4 historic properties, and to make recommendations to the County Executive, County
5 Council, and to the Department of Land Use concerning the use of grants, gifts, and
6 budgeting appropriations to promote the preservation of historic sites, among other
7 duties; and

8
9 **WHEREAS**, the Historic Review Board shall consist of nine (9) members who shall
10 be residents of the County and who shall be appointed by the County Executive with the
11 advice and consent of a majority of the County Council. The terms of office shall be four
12 (4) years, provided that the terms of the members other than the Chairman shall be
13 established in a manner that two (2) shall expire each year. The County Executive shall
14 appoint one (1) member as Chairman who shall serve at the pleasure of the County
15 Executive. One (1) member of the Historic Review Board shall be an architect and one
16 (1) member shall be from the field of historic preservation. Seven (7) members shall be
17 individuals who have demonstrated a concern in the field of historic preservation, have
18 some knowledge of the County's history, or have reasonable knowledge of historic
19 architecture or construction techniques; and

20
21 **WHEREAS**, Mr. Jackson is the President of the Pencader Heritage Area
22 Association, where he is responsible for the operations of this historical society and
23 museum, as well as established ongoing and successful history presentations and public
24 events; and

25
26 **WHEREAS**, the County Executive has submitted for the advice and consent of
27 County Council the appointment of Keith Jackson to the Historic Review Board.

28
29 **NOW, THEREFORE, BE IT RESOLVED** by and for the County Council of New
30 Castle County that County Council hereby consents to the appointment of Keith Jackson
31 to the New Castle County Historic Review Board for a term to begin immediately upon
32 adoption of this resolution and to expire on May 28, 2028.

Adopted by the County Council
of New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

SYNOPSIS: Same as title.

FISCAL NOTE: There will be no discernible fiscal impact upon the adoption of this legislation.

Prime Sponsor(s): Ms. Durham
Requested by: Executive Office
Date of Introduction: May 28, 2024

RESOLUTION NO. 24-124

**CONSENTING TO THE APPOINTMENT OF JOHN BILEK TO THE
NEW CASTLE COUNTY CENTREVILLE DESIGN REVIEW ADVISORY COMMITTEE**

1 **WHEREAS**, *New Castle County Code* Section 40.26.420 provides that County
2 Council may establish Hometown (HT) Overlay Zoning Districts that encompass the
3 boundaries of communities and neighborhoods that will be subject to a modification of
4 dimensional standards as set forth herein and by an approved Community
5 Redevelopment Plan; and
6

7 **WHEREAS**, *New Castle County Code* Section 40.26.440 provides that a Design
8 Review Advisory Committee (DRAC) shall be established pursuant to Section 40.30.450
9 for each Hometown Zoning Overlay District created; and
10

11 **WHEREAS**, *New Castle County Code* Section 40.30.450C also provides that “the
12 District Council person(s) in whose Councilmanic district a Hometown Overlay is found,
13 shall make recommendations to the County Executive who shall appoint members subject
14 to County Council consent”; and
15

16 **WHEREAS**, John Bilek lives in the Centreville Hometown Overlay District. He is
17 the national head of sales management for Compass Real Estate. His name was
18 submitted to the County Executive from the District Council member for appointment to
19 the Centreville Design Review Advisory Committee, subject to the advice and consent of
20 Council; and
21

22 **NOW, THEREFORE, BE IT RESOLVED** by and for the County Council of New
23 Castle County that County Council hereby consents to the appointment of John Bilek to
24 the New Castle County Centreville Design Review Advisory Committee for a term to begin
25 immediately upon adoption of this resolution and to expire on May 28, 2027.

Adopted by the County Council
of New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

SYNOPSIS: Same as title.

FISCAL NOTE: There will be no discernible fiscal impact upon the adoption of this legislation.

Prime Sponsor(s): Mr. Sheldon
Date of introduction: May 28, 2024

RESOLUTION NO. 24-125

**REAPPOINTING STEPHEN LARRIMORE TO THE
NEW CASTLE COUNTY BOARD OF ASSESSMENT REVIEW**

1 **WHEREAS**, Stephen Larrimore was appointed by New Castle County Council to
2 the New Castle County Board of Assessment Review, effective October 25, 2011; and
3

4 **WHEREAS**, pursuant to the *Board of Assessment Review of New Castle County*
5 *Rules of Procedure* Article IV ("Board Members"), Sec. 2, any member of the Board,
6 such as Mr. Larrimore, whose term has expired shall hold over and continue in his office
7 he is reappointed or until a successor has been duly appointed; and
8

9 **WHEREAS**, pursuant to 9 *Del. C.* Sec. 1318, the Board of Assessment Review is
10 vested with the responsibility of hearing appeals from property owners regarding
11 improper assessment, following the hearing of any property owner and determining
12 whether the assessment is correct, and reviewing the methods by which the general
13 manager of the Department of Land Use has established the assessments, among
14 other duties; and
15

16 **WHEREAS**, County Council has nominated Mr. Larrimore for reappointment to
17 the Board of Assessment Review; and
18

19 **NOW, THEREFORE, BE IT RESOLVED**, by and for the County Council of New
20 Castle County that County Council hereby reappoints Stephen Larrimore to the New
21 Castle County Board of Assessment Review for a four-year term (as set forth at 9 *Del.*
22 *C. Sec. 1317*), to begin on May 28, 2024 and to expire on May 28, 2028.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council of
New Castle County

SYNOPSIS: Same as title.

FISCAL NOTE: There is no discernible fiscal impact upon the adoption of this Resolution.

RESOLUTION NO. 24-126

**CONSENTING TO THE RE-APPOINTMENT OF DAVID J. MAJEWSKI, SR.
TO THE FIRE AND AMBULANCE ADVISORY BOARD**

1 **WHEREAS**, David J. Majewski, Sr. is a valued member of the Fire and Ambulance
2 Advisory Board who has served on the Board since 2022, and whose membership term
3 has expired; and
4

5 **WHEREAS**, members of the Fire and Ambulance Advisory Board shall be
6 appointed by the County Executive with the advice and consent of County Council. The
7 district members shall be appointed by the County Executive from the nominees from
8 each district as chosen by the active fire chiefs and active presidents of each district,
9 pursuant to *New Castle County* Code Section 2.05.203(A); and
10

11 **WHEREAS**, pursuant to *New Castle County* Code Section 2.05.203(B), the Fire
12 and Ambulance Advisory Board is vested with the responsibility to represent the needs
13 of the County fire, ambulance, and rescue services, to propose equipment changes for
14 the County Emergency Communication Center, to review and make recommendations
15 on the proposed budget of the County Emergency Services Division and to act as a liaison
16 between County government and the volunteer fire and ambulance service, among other
17 duties; and
18

19 **WHEREAS**, Mr. Majewski has served the Goodwill Fire Company in operational
20 positions for more than 40 years, has held the title of Fire Chief and served as a member
21 of the Board of Directors; and
22

23 **WHEREAS**, the County Executive has submitted for the advice and consent of
24 County Council the reappointment of David J. Majewski, Sr. as the 7th Fire District
25 representative to the Fire and Ambulance Advisory Board.
26

27 **NOW, THEREFORE, BE IT RESOLVED** by and for the County Council of New
28 Castle County that County Council hereby consents to the reappointment of David J.
29 Majewski, Sr. to the New Castle County Fire and Ambulance Advisory Board for a term
30 to begin immediately upon the adoption of this resolution and to expire on May 28, 2026.

Adopted by the County Council
of New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

SYNOPSIS: Same as title.

FISCAL NOTE: There will be no discernible fiscal impact upon the adoption of this legislation.

RESOLUTION NO. 24-127

**RE-APPOINTING DANIEL MCFADDEN TO THE NEW CASTLE COUNTY EMPLOYEES'
RETIREMENT SYSTEM BOARD OF TRUSTEES**

1 **WHEREAS**, Daniel McFadden's term on the New Castle County Employees'
2 Retirement System Board of Trustees has expired; and

3
4 **WHEREAS**, pursuant to *New Castle County Code* Sec. 2.05.505., the Employees'
5 Retirement System Board of Trustees is vested with the responsibility of directing and
6 operating the County's Employees' Retirement System, among other duties; and

7
8 **WHEREAS**, Section 2.05.505(A)(4). of the *New Castle County Code* states that County
9 Council shall appoint four (4) members to the Board and outlines parameters for three (3)
10 of Council's four
11 (4) Board appointments, but lists no parameters for the fourth appointment; and

12
13 **WHEREAS**, this appointment fulfills one of County Council's four (4) appointments
14 outlined in Section 2.05.505(A)(4).; and

15
16 **WHEREAS**, pursuant to Section 2.05.505(A)(4)., County Council is responsible for
17 appointing a Chairperson; and

18
19 **WHEREAS**, County Council nominates Daniel McFadden for re-appointment to the
20 New Castle County Employees' Retirement System Board of Trustees as Chairperson.

21
22 **NOW, THEREFORE, BE IT RESOLVED** by and for the County Council of New Castle
23 County that County Council hereby re-appoints Daniel McFadden to the New Castle County
24 Employees' Retirement System Board of Trustees as Chairperson for a term to begin on May
25 28, 2024 and to expire on April 28, 2027.

Adopted by the County Council of
New Castle County on

Karen Hartley-Nagle
President of County Council
of New Castle County

SYNOPSIS: Same as title.

FISCAL NOTE: There is no discernible fiscal impact upon the adoption of this legislation.

RESOLUTION NO. 24- 128

**REAPPOINTING ALLAN ZABACK TO THE NEW
CASTLE COUNTY ETHICS COMMISSION**

1 **WHEREAS**, pursuant to *New Castle County Code* Sections 2.04.101 and
2 2.04.102, the Ethics Commission is vested with the responsibility of ensuring that all
3 County business is conducted ethically and responsibly, the Ethics Commission may
4 compile statements on financial interests, investigate claims, issue findings, hold
5 hearings, make recommendations, and prepare reports regarding ethical concerns
6 within the County; and
7

8 **WHEREAS**, *New Castle County Code* Section 2.04.101 provides that the Ethics
9 Commission shall consist of seven (7) members, of which County Council, with the
10 advice and consent of the County Executive, shall appoint four (4) members, and the
11 County Executive, with the advice and consent of County Council, shall appoint three
12 (3) members, each of whom shall serve for a term of three (3) years; and
13

14 **WHEREAS**, this appointment fulfills the requirement in *New Castle County Code*
15 Section 2.04.101.A that no more than two members appointed by an entity shall be of
16 the same political party and that the appointee may not be employed by New Castle
17 County, hold or campaign for any County office or hold office in any political party,
18 among other criteria; and
19

20 **WHEREAS**, Allan Zaback is the retired director of the Office of Professional
21 Development at the Division of Developmental Disabilities Services. He administered
22 the statewide training program for over 400 staff as well as developed the DDDS'
23 training curriculum. He was the statewide administrator for the College of Direct
24 Support, a national online learning system developed by Elsevier. He works now as an
25 assistant professor at Wilmington University and is also an advisor in the doctoral
26 program there; and,
27

28 **WHEREAS**, County Council has nominated Allan Zaback for appointment to the
29 Ethics Commission with his term expiring on May 28, 2027.
30

31 **NOW, THEREFORE, BE IT RESOLVED** by and for the County Council of New
32 Castle County that County Council, subject to the consent of the County Executive,
33 hereby reappoints Allan Zaback as member of the New Castle County Ethics
34 Commission for a term to begin on May 28, 2024, and to expire on May 28, 2027.

Adopted by County Council of
New Castle County on:

Karen M. Hartley-Nagle
President of County Council
of New Castle County

SYNOPSIS: Same as title

FISCAL IMPACT: There is no discernible fiscal impact with the adoption of this legislation.

RESOLUTION NO. 24-129

**CONSENTING TO THE RE-APPOINTMENT OF BRIAN REEDER
TO THE FIRE AND AMBULANCE ADVISORY BOARD**

1 **WHEREAS**, Brian Reeder is a valued member of the Fire and Ambulance Advisory
2 Board who has served on the Board since 2011, and whose membership term has
3 expired; and
4

5 **WHEREAS**, members of the Fire and Ambulance Advisory Board shall be
6 appointed by the County Executive with the advice and consent of County Council. The
7 district members shall be appointed by the County Executive from the nominees from
8 each district as chosen by the active fire chiefs and active presidents of each district,
9 pursuant to *New Castle County* Code Section 2.05.203(A); and
10

11 **WHEREAS**, pursuant to *New Castle County* Code Section 2.05.203(B), the Fire
12 and Ambulance Advisory Board is vested with the responsibility to represent the needs
13 of the County fire, ambulance, and rescue services, to propose equipment changes for
14 the County Emergency Communication Center, to review and make recommendations
15 on the proposed budget of the County Emergency Services Division and to act as a liaison
16 between County government and the volunteer fire and ambulance service, among other
17 duties; and
18

19 **WHEREAS**, Mr. Reeder has served as a New Castle County Emergency
20 Dispatcher and has served in numerous fire company positions. Additionally, Mr. Reeder
21 has earned national certifications through the National Board on Fire Service Professional
22 Qualifications, and
23

24 **WHEREAS**, the County Executive has submitted for the advice and consent of
25 County Council the re-appointment of Brian Reeder to the Fire and Ambulance Advisory
26 Board.
27

28 **NOW, THEREFORE, BE IT RESOLVED** by and for the County Council of New
29 Castle County that the County Council hereby consents to the re-appointment of Brian
30 Reeder to the New Castle County Fire and Ambulance Advisory Board for a term to begin
31 immediately upon the adoption of this resolution and to expire on May 28, 2026.

Adopted by the County Council
of New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

SYNOPSIS: Same as title.

FISCAL NOTE: There will be no discernible fiscal impact upon the adoption of this
legislation.

RESOLUTION NO. 24-130

**REAPPOINTING CONNIE ROBERTS TO THE
NEW CASTLE COUNTY BOARD OF ASSESSMENT REVIEW**

1 **WHEREAS**, pursuant to 9 *Del. C.* Sec. 1318, the New Castle County Board of
2 Assessment Review is vested with, among other duties, the responsibility of hearing
3 appeals from property owners regarding alleged improper assessments, following the
4 hearing of any property owner and determining whether the assessment is correct, and
5 reviewing the methods by which the General Manager of the New Castle County
6 Department of Land Use has established the assessments; and

7
8 **WHEREAS**, the reappointment of Ms. Roberts is consistent with the requirement
9 in 9 *Del. C.* Sec. 1317 that New Castle County Council appoint members to the board
10 from within New Castle County, Delaware as identified therein; and

11
12 **WHEREAS**, County Council has nominated Ms. Roberts for reappointment to the
13 Board of Assessment Review.

14
15 **NOW, THEREFORE, BE IT RESOLVED by** and for the County Council of New
16 Castle County that County Council hereby reappoints Connie Roberts to the New Castle
17 County Board of Assessment Review for a term of four years (as set forth at 9 *Del. C.*
18 Sec. 1317), to begin immediately upon the adoption of this Resolution and to expire on
19 May 28, 2028.

Adopted by County Council
of New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

SYNOPSIS: Same as title.

FISCAL NOTE: There is no discernible fiscal impact upon the adoption of this resolution.

RESOLUTION NO. 24-131

**CONSENTING TO THE REAPPOINTMENT OF BARBARA CHI HSIAO SILBER TO
THE NEW CASTLE COUNTY HISTORIC REVIEW BOARD**

1 **WHEREAS**, Pursuant to *New Castle County Code* Section 40.30.330, the Historic
2 Review Board is vested with the responsibility to make recommendations for historic
3 district boundaries, maintain a survey of historic properties, review permits relative to
4 historic properties, and to make recommendations to the County Executive, County
5 Council, and to the Department of Land Use concerning the use of grants, gifts, and
6 budgeting appropriations to promote the preservation of historic sites, among other
7 duties; and
8

9 **WHEREAS**, the Historic Review Board shall consist of nine (9) members who shall
10 be residents of the County and who shall be appointed by the County Executive with the
11 advice and consent of a majority of the County Council. The terms of office shall be four
12 (4) years, provided that the terms of the members other than the Chairman shall be
13 established in a manner that two (2) shall expire each year. The County Executive shall
14 appoint one (1) member as Chairman who shall serve at the pleasure of the County
15 Executive. One (1) member of the Historic Review Board shall be an architect and one
16 (1) member shall be from the field of historic preservation. Seven (7) members shall be
17 individuals who have demonstrated a concern in the field of historic preservation, have
18 some knowledge of the County's history, or have reasonable knowledge of historic
19 architecture or construction techniques; and
20

21 **WHEREAS**, Ms. Silber has served on the Historic Review Board since 2016, and
22 is a valued member bringing archaeological knowledge, skill, and ability to the New Castle
23 County Historic Review Board; and
24

25 **WHEREAS**, the County Executive has submitted for the advice and consent of
26 County Council the reappointment of Barbara Chi Hsiao Silber to the Historic Review
27 Board.
28

29 **NOW, THEREFORE, BE IT RESOLVED** by and for the County Council of New
30 Castle County that County Council hereby consents to the reappointment of Barbara Chi
31 Hsiao Silber to the New Castle County Historic Review Board for a term to expire on May
32 28, 2028.

Adopted by the County Council
of New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

SYNOPSIS: Same as title.

FISCAL NOTE: There will be no discernible fiscal impact upon the adoption of this
legislation.

RESOLUTION NO. 24-132

**CONSENTING TO THE REAPPOINTMENT OF SOPHIA SOTILLO TO THE
NEW CASTLE COUNTY LIBRARY ADVISORY BOARD**

1 **WHEREAS**, pursuant to 9 *Del. C. § 1352* and *New Castle County Code §*
2 2.05.402(F) the New Castle County Library Advisory Board (“Board”) shall serve as a
3 subcommittee to the Department of Community Services Board; and
4

5 **WHEREAS**, the Board shall consist of thirteen (13) members; and
6

7 **WHEREAS**, the County Executive, with the advice and consent of County Council
8 appoints twelve (12) members of the Board—one (1) from District 1 or 7, one (1) from
9 District 2 or 8, one (1) from District 3 or 9, one (1) from District 4 or 10, one (1) from District
10 5 or 11, one (1) from District 6 or 12, six (6) members from among existing friends groups
11 and one (1) member representing all contractual libraries. All members so appointed
12 serve for a term of three (3) years pursuant to *New Castle County Code § 2.05.403*; and
13

14 **WHEREAS**, the County Executive has submitted for the advice and consent of
15 County Council the reappointment of Sophia Sotillo as a member of the Board, filling the
16 seat assigned to the Friends of Newark Library; and
17

18 **NOW, THEREFORE, BE IT RESOLVED** by and for the County Council of New
19 Castle County that County Council hereby consents to the reappointment of Sophia
20 Sotillo as the representative to the New Castle County Library Advisory Board for the
21 Friends of Newark Library for a term to begin immediately upon adoption of this resolution
22 and to expire May 28, 2027.

Adopted by the County Council
of New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

SYNOPSIS: Same as title.

FISCAL NOTE: There will be no discernible fiscal impact upon the adoption of this
legislation.

Primary Sponsor(s): Ms. Hartley-Nagle
Requested by: Administration/HR
Date of Introduction: May 28, 2024

RESOLUTION NO. 24-133

AUTHORIZING THE COUNTY EXECUTIVE TO SIGN THE COLLECTIVE BARGAINING AGREEMENT WITH THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME (AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES) (AFL-CIO), AND ITS AFFILIATE LOCAL 1607

1 **WHEREAS**, the County Executive has successfully negotiated a ratified collective
2 bargaining agreement with the Delaware Public Employees Council 81, AFSCME (American
3 Federation of State County, and Municipal Employees) (AFL-CIO), and its affiliate Local 1607,
4 attached as Exhibit "A."

5 **NOW, THEREFORE, BE IT RESOLVED** by and for the County Council of New Castle
6 County that County Council hereby authorizes the County Executive to sign the collective
7 bargaining agreement with the Delaware Public Employees Council 81, AFSCME (American
8 Federation of State County, and Municipal Employees) (AFL-CIO), and its affiliate Local 1607
9 as set forth in Exhibit "A" hereto.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
New Castle County

SYNOPSIS: This Resolution authorizes the County Executive to sign the collective bargaining agreement with the Delaware Public Employees Council 81, AFSCME (American Federation of State, County, and Municipal Employees) (AFL-CIO), and its affiliate Local 1607. This is a four-year agreement retroactive to July 1, 2023 that defines the wages and other terms of employment for the bargaining unit.

This agreement provides for a 2.5% wage increase for the period July 1, 2023 through June 30, 2024; a 2.5% wage increase for the period July 1, 2024 through June 30, 2025; a 2.5% wage increase for the period July 1, 2025 through June 30, 2026; and a 2.5% wage increase effective July 1, 2026. Additionally, effective July 1, 2023, a new Step 11 is added to the Pay Plans.

The agreement removes two paid holidays and converts them to floating holidays and declares Juneteenth an official New Castle County holiday. The agreement provides part-time employees 25 hours of paid personal leave per calendar year. The agreement further eliminates named health insurance benefit providers.

FISCAL NOTE: This Ordinance will approve a four-year contract for the Delaware Public Employees Council 81, AFSCME (American Federation of State, County, and Municipal Employees) (AFL-CIO), and its affiliate Local 1607, retroactive to July 1, 2023.

The estimated fiscal impacts (Salaries/Wages and Employee Benefits) of the Collective Bargaining agreement for the period of July 1, 2023 through June 30, 2027 are as follows:

FY2024	\$3,764,029
FY2025	\$3,075,641
FY2026	\$3,897,989
FY2027	\$4,740,845

2023-2027

AGREEMENT

between

NEW CASTLE COUNTY

and

LOCAL 1607

The American Federation
of
State, County, and Municipal Employees

A.F.L.-C.I.O.



































































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LOCAL 1607**AGREEMENT**

This Agreement was entered into effective July 1, 2023, by and between the Government of New Castle County, hereinafter referred to as the County, and Delaware Public Employees Council 81, AFSCME (American Federation of State, County and Municipal Employees) AFL-CIO and its affiliate Local 1607, hereinafter referred to as Local 1607.

For New Castle County

Honorable Mathew S. Meyer
County Executive

Date

For AFSCME Local 1607

Christopher Shetzler
President
AFSCME, Local 1607

Date

Michael Begatto
Executive Director
AFSCME, Council 81

Date

LOCAL 1607**PURPOSE**

- (1) It is the purpose of this Agreement to promote and ensure harmonious relations, cooperation and understanding between the County and the employees in the bargaining unit covered hereby, to ensure true collective bargaining under state law, to establish wages, hours, working conditions and other terms of employment consistent with the goals and purposes of the Merit System as established by the County ordinance and regulation.

The County and Local 1607 jointly pledge their cooperation to work together in the public interest to secure continued improvement in the services offered to the citizens of New Castle County in accordance with objectives of the Reorganization Act.

UNION OFFICE AND TELEPHONE

- (2) The County shall provide the Union with an office and a telephone. The County shall provide basic monthly telephone service. The Union shall be responsible for the cost of all long-distance calls.

**UNION RECOGNITION, UNION MEMBERSHIP
AND DEDUCTION OF UNION DUES**

- (3) Union Recognition
- (a) The County recognizes the Union as the sole and exclusive collective bargaining agent for all employees covered by this Agreement for the purpose of collective bargaining with respect to wages, rates of pay, hours of employment, and other conditions of employment.
 - (b) The term “employees” as used in this Agreement shall include all County employees stated in specifically numbered certifications made in accordance with The Delaware Public Employment Relations Act (19 *Del. C. § 1301 et seq.*).
- (4) Union Security
- (a) The Union shall accept into membership each employee covered by this agreement who tenders to the Union the periodic dues and initiation fee uniformly required as a condition of acquiring or retaining membership in the Union.
 - (b) All employees in the collective bargaining unit who have completed thirty (30) days of employment who are members of the Union, shall pay to the Union dues upon the completion of a voluntary Authorization for Check-Off of Dues form.
 - (c) Non bargaining unit members filling a limited term position created by an approved leave of absence shall be exempt from all privileges and conditions of the contract.

LOCAL 1607**(5) Deduction of Union Dues**

- (a) The County agrees to deduct the periodic Union membership dues or service fees and initiation fee uniformly required by the Union as a condition of acquiring or retaining membership in accordance with the Constitution and By-Laws of the Union from the pay of employees who certify that they authorize such deductions and who execute the "Authorization for Check-Off of Dues" form.
- (b) Employees who certify that they authorize such deductions and execute the "Authorization for Check-Off of Dues" form, assign to the Union, from any wages earned or to be earned from the County as an employee, the regular periodic dues and initiation fee, or such amounts as may hereafter be established by the Union and become due as membership dues and initiation fee.
- (c) Dues deductions shall be remitted to the designated financial officer of the Local Union not later than the fifteenth (15th) day in the month.
- (d) The term "dues" shall not be deemed to include any fine, assessment, contribution or other form of payment required from members of the American Federation of State, County and Municipal Employees, AFL-CIO.
- (e) In the event the Union changes the amount or the frequency of Union dues or service fees to be deducted from its members, it shall notify the Chief Human Resources Officer in writing at least thirty (30) working days prior to the effective date of such change.
- (f) The Union shall indemnify and hold the employer harmless against any and all claims, demands, suits and other forms of liability that shall arise out of or by reason of any action taken or not taken by the employer for the purpose of complying with any of the provisions of this section on Union Recognition, Union Membership, and Deduction of Union Dues.
- (g) The employer agrees to deduct from the wages of any employee who is a member of the Union a PEOPLE deduction as provided for in a written authorization. Such authorization must be executed by the employee and may be revoked by the employee at any time by giving written notice to both the employer and Council 81. The employer agrees to remit any deductions made pursuant to this provision promptly to Council 81 together with an itemized statement showing the name of each employee from whose pay such deductions have been made and the amount deducted during the period covered by the remittance.

UNION ELECTIONS, UNION REPRESENTATION AND UNION STEWARDS**(6)**

- (a) Local 1607 may hold elections of local officers on County time and property with

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the use of a total of 42 hours of release time for employees without loss of pay. This usage shall be limited to once every two years and shall include runoff elections.

- (b) The employees in the bargaining unit shall be represented for the purpose of grievance adjustment by a Grievance Committee of not more than five (5) employee members which shall consist of the President of the Local, Chairperson of the Grievance Committee, and three (3) employee members.
- (7) The County agrees to recognize stewards in accordance with the following:

Public Works Department

Fleet Facility Maintenance	1 Steward
Property Maintenance / Construction Support	1 Steward
Sewer Maintenance	1 Steward
All other	2 Stewards
Police	1 Steward

Administration Department

Finance	2 Stewards
Purchasing/Information Systems	
Human Resources/Law Executive	

Register of Wills	1 Steward
Register in Chancery	1 Steward
Recorder of Deeds and Clerk of the Peace	1 Steward
Sheriff	1 Steward

Land Use Department

Assessment	1 Steward
Building Inspections and Code Compliance	1 Steward
Planning and Zoning	1 Steward
Subdivision Review	1 Steward

Community Services Department

Recreation and Senior Services	1 Steward
Libraries	1 Steward
Housing	1 Steward

In the event an area steward is not available for the investigation and processing of

LOCAL 1607

grievances as specified in the grievance procedure herein due to being absent from work, an alternate from the steward's area may be appointed by the President of Local 1607 to serve until the area steward shall return. The President of Local 1607 shall notify the Chief Human Resources Officer ("CHRO") of such alternate's appointment and the term thereof, in order that County management personnel involved in the Grievance Procedure will give recognition to the alternate.

Increase or decrease of employment in any department or as additional departments are established shall result in the adjustment of the number of stewards by agreement of the Chief Human Resources Officer ("CHRO") of the County government and Local 1607.

- (8) Local 1607 agrees that new employees in the probationary status of six (6) months shall not be eligible to serve as a member of the Grievance Committee or area steward.
- (9) The Chairperson of the Grievance Committee and area stewards may leave their places of work without loss of pay with the understanding that the time will be devoted to proper investigation and processing of grievances as specified in the grievance procedure herein. The President of Local 1607 shall be exempted from this requirement and may be absent from work without loss of pay for legitimate union business.

The President of Local 1607, employees, area stewards, and members of the Grievance Committee shall, upon leaving and returning to their place of work, report to the General Manager or Division Manager or Immediate Supervisor.

Such employees will continue to work at their assigned job except when required to process grievances as provided herein.

- (10) County employees whose attendance is required at grievance proceedings shall attend hearings or conferences during their regularly scheduled working hours without loss of pay. Request by Local 1607 for attendance of such employees at mediation and Arbitration hearings shall be cleared with the CHRO or designee. Any County employee attending such hearing or conferences outside of regularly scheduled working hours shall not be eligible for pay for attendance at such hearings or conferences.
- (11) Grievance Procedure
 - (a) Any grievance or dispute which may arise between the parties concerning the wages, hours, and working conditions and the application or interpretation of this agreement shall be taken up in accordance with the procedure outlined below.
 - (b) A grievance is expected to state the section(s) of the agreement claimed to be in violation as well as a statement of the issue(s) that gave rise to the suggested violation.
- (12) (a) The Union agrees that it shall represent all members of the bargaining unit.

LOCAL 1607

- (b) It shall be the firm policy of the County to assure every employee in the bargaining unit an unobstructed use of the grievance procedure without fear of reprisal or without prejudice in any manner concerning the employee's job status.
 - (c) Copies of grievance decisions at all steps of the grievance procedure shall be forwarded to the Grievance Chairperson.
- (13) The time limits as set forth herein may be extended, in writing, by agreement of the parties.
 - (14) STEP ONE: (General Manager or Designee)

No later than ten (10) working days after an event or ten (10) working days after an employee becomes aware of an event (provided this is a reasonable period of time) which leads to a grievance, the employee or one designated member of a group having a grievance shall, with or without the area steward, present the grievance to the General Manager or designee, as well as the CHRO or designee. Such grievance shall be reduced to writing on forms provided by the County and signed by the employee(s) involved and the area steward. Similarly, the employer may impose discipline upon an employee within 90 days of the event or events giving rise to the discipline, or 90 days of the employer becoming aware of the event or events. The General Manager or designee will then send for the area steward without any discussion of the grievance, in order that the area steward shall be present at the discussion and adjustment. The County may have in attendance additional management representatives as needed to assist in processing, responding to, or adjusting the grievance, provided the County gives prior notice to Local 1607 as to who will attend. The General Manager or designee shall give their decision in writing within ten (10) working days after the grievance has been submitted with their conclusion clearly stated.

- (15) STEP TWO: (Chief Administrative Officer, Deputy Chief Administrative Officer, or their Designees)

In the event the Union disagrees with the Step One decision, the area steward shall promptly deliver Local 1607's copy to the Chairperson of the Grievance Committee who shall appeal the grievance to the Chief Administrative Officer ("CAO"), Deputy CAO, or their designees, (not to include the CHRO or any of their staff) in writing within ten (10) working days after the Step One decision has been given. The CAO, Deputy CAO, or their designees, (not to include the CHRO or any of their staff) shall schedule a meeting within ten (10) working days with the President of Local 1607, Chairperson of the Grievance Committee, three (3) employee committee persons, the area steward, and the aggrieved employee(s) to discuss the appealed grievance. The County may have in attendance additional management representatives as needed to assist in processing, responding to, or adjusting the grievance, provided the County gives prior notice to Local 1607 as to who will attend. At the sole discretion of Local 1607 this meeting may also be attended by a representative(s) of Council No. 81 of the American Federation of State, County and Municipal Employees, AFL-CIO. At the conclusion of the discussion, the CAO, Deputy CAO, or their designees, (not to include the CHRO or any of their staff) shall submit their decision in writing within ten (10) working days and shall affix their signature thereto.

LOCAL 1607**(16) STEP THREE: Option for Mediation**

At the request of either party, made within ten (10) working days of the Step Two decision, a grievance may be submitted to a mediator with the Federal Mediation and Conciliation Service, with contemporaneous notice to the other party. If one party requests mediation, the other party shall consent to mediation. While the grievance is pending mediation, the time deadlines to file for arbitration shall be held in abeyance. The parties agree that mediation shall be non-binding and shall take place within thirty (30) days of the request for mediation. If there are any costs associated with mediation, the parties shall bear the costs equally.

ARBITRATION**(17) STEP FOUR: (Appeal to Arbitration)**

- (a) In the event the Step Two decision is unsatisfactory it may be appealed to arbitration by either party, provided that a request for arbitration shall be filed with the American Arbitration Association (“AAA”) under the then current Labor Arbitration Rules within thirty (30) working days after the Step Two decision has been given in writing by the Step Two hearing officer. Otherwise, the case shall be considered settled based on the Step Two decision.
- (b) The Arbitrator shall be selected from the membership of the AAA by mutual agreement of the County and Local 1607. In the event the parties cannot agree on a selection within ten (10) working days after receipt of a list of available arbitrators from the AAA, the arbitrator shall be selected under the AAA’s Voluntary Labor Arbitration Rules then in effect.
- (c) The decision of the Arbitrator shall be final and binding on the parties, and the Arbitrator shall be requested to issue a decision within thirty (30) days after the conclusion of testimony and argument.
- (d) The arbitration award shall be in writing and shall set forth the Arbitrator’s opinion and conclusion on the issue(s) submitted. The Arbitrator shall limit the decision strictly to the application and interpretation of the provisions of the agreement. The Arbitrator shall be without power to make any decision contrary to or inconsistent with, or modifying or varying in any way, the terms of this Agreement. The Arbitrator shall have no power to establish or change any salary or the job content of any classification or modification of any wage schedule.
- (e) In the case of a grievance involving any continuing or other money claim against the County, no award shall be made by the Arbitrator which shall allow any alleged accruals prior to the date when such grievance shall have been presented to the County in writing except in a case whereby the employee or the Union due to lack of knowledge could not know prior to that date there were grounds for such a claim. In such cases, retroactive claims shall be limited to a period of thirty (30) calendar

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days prior to the date the claim was first filed in writing.

- (f) The fee for the Arbitrator's service and expenses, the AAA administration fee, and costs of the proceeding shall be borne equally by the County and Local 1607. If either party desires a verbatim record to be made, it shall pay for the record and supply the Arbitrator with a copy. Should the other party desire a copy(s) it can be obtained at the cost of the copy or copies desired.

(18) **Special Rights of the Parties**

Local 1607 has the right to initiate a system-wide grievance at Step Two without necessarily representing a single grievant. Only those employees whose presence is necessary in the judgment of Local 1607 to present such a system-wide grievance shall attend such grievance or arbitration hearings. All employees in the group or class that will be affected by the system-wide grievance shall be bound by any final decision, or by any resolution accepted by Local 1607. The County has the right to submit directly to arbitration those issues which may prevent or halt what is alleged to be a violation or breach of this agreement by Local 1607. The President of Local 1607 shall first be informed of such action by the County. As a courtesy, Local 1607 shall deliver a copy of the system-wide grievance to the General Manager(s) where appropriate.

DISCRIMINATION

- (19) The County shall not interfere with or discriminate in respect to any term or condition of employment against any employee covered by this Agreement because of membership in, or legitimate activity as required in this Agreement on behalf of members of this bargaining unit, nor will the County discourage membership in Local 1607 or encourage membership in any other union.
- (20) The County and Local 1607 will cooperate in providing equal opportunity in employment and promotional opportunities for all persons; in prohibiting discrimination because of age, race, color, religion, gender, national origin, disability, political affiliation, or sexual orientation; and in promoting the realization of equal employment opportunity through a continuing diversity program. This program will be administered for employees and applicants for employment in conformance with all applicable laws, regulations, and policies.

**MANAGEMENT OF THE COUNTY AND
PRESERVATION OF THE MERIT SYSTEM**

- (21) The Union recognizes that an area of responsibility must be reserved to the County Executive, County Council and General Managers, if the County Government is to function effectively. In recognition of this principle, it is agreed that the following responsibilities of management are not subject to collective bargaining unless specifically modified by the Agreement:
 - (a) The determination of the governmental services to be rendered to the citizens of

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New Castle County.

- (b) The determination of the County's financial, budgetary, accounting and organization policies and procedures.
- (c) The continuous overseeing of personnel policies, procedures, and programs by the Human Resources Advisory Board and the CHRO designed to retain and improve the Merit System for New Castle County Government.
- (d) The provisions of any Ordinance of New Castle County, Delaware, establishing an Office of Human Resources and all rules and regulations of the New Castle County Merit System not inconsistent with the terms of this Agreement including the operation and administration of the County pay plan.
- (e) The determination of the duties to be included in job classifications; the administration of the "Pay Plan"; the sole right to make personnel appointments through valid selection techniques; the determination of the number of employees to be employed or retained in employment; the necessity for shift operation and rotation of the work week; overtime and the amount of overtime required; and, the maintenance of discipline and responsibility for performance evaluation.

SENIORITY

- (22) The parties agree that they share a mutual concern for the efficient operation of all departments of New Castle County. Therefore, the County agrees to seniority by occupational classification and occupational groupings with respect to layoffs, recall, transfer, and promotion.
- (23) Notwithstanding Section 22 above, in the event of layoff or bumping, the President, Vice President, Treasurer, Secretary, Executive Board of Local 1607, and Shop Stewards shall be granted seniority such that they shall be the last members to be laid off or subject to bumping, regardless of their years of service.
- (24) Acquiring Seniority

Employees shall be regarded as temporary employees until their names have been placed on the seniority list of the County.

Any full-time employee shall establish seniority by satisfactorily completing the probationary employment period as set forth below and thereafter their names shall be placed on the seniority list of their occupational classification on a County-wide basis in order of their seniority as of the first day of employment. Time spent as a part-time employee shall be used pro rata toward an employee's seniority date, but shall not be considered towards the probationary employment period.

In the event of a tie in seniority, the employee with the highest last three digits of their

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social security number shall be considered the senior employee. If a tie exists when these last three digits have been reviewed, the employee with the highest last four digits in their social security number shall be considered the senior employee. (The last sentence was added).

(25) Probationary Employment Period

All full-time, newly appointed salaried employees shall be subject to a probationary employment period of six (6) months.

(26) During the probationary employment period such employees may be discharged or disciplined by the County, at the County's discretion, without the discharge or discipline causing a breach of this Agreement or constituting a grievance.

(27) Seniority shall govern within the limitations of occupational classification and occupational classification groupings on a County-wide basis to make certain that the County services will be carried on efficiently and without interruption.

(28) Temporary Transfer

(a) A temporary transfer is the movement of an employee to perform work within a job classification to a different building location in the same or different department. The movement of an employee to perform work within a job classification within the department and within the building to which the employee is regularly assigned shall not be considered a transfer. This language is not intended to create a position of permanent floating employee nor to be used as subterfuge from permanently filling vacancies nor to be construed as a requirement to fill any vacancy.

(b) When the County determines a need to temporarily transfer employees, the General Manager or Row Officer may utilize any of the steps below:

(i) An intra-departmental temporary transfer across building locations shall be based upon seniority among the employees within the section from which the transfer occurred. If the senior employees turn down the temporary transfer offer, the junior employee from the section shall be temporarily transferred.

(ii) An inter-departmental temporary transfer across building locations shall be based upon seniority among the employees within the section from which the transfer occurs. If the senior employees turn down the temporary transfer offer, the junior employee from the section shall be temporarily transferred.

(iii) When an inter-department temporary transfer is determined necessary by the County and requires no change in building location, as listed below, the individual to be temporarily transferred shall be selected based on

availability, workload, and least disruption to the County. While seniority shall be considered, it may not be determinative. The building locations are grouped as follows:

- a. Government Center
- b. City/County Building/Public Building
- c. Churchman's Road, Base D
- d. Conner Building
- e. Gilliam Building
- f. Any other County facility

Employees transferred under Paragraph 28 (b)(iii) to a position with hours other than the employee's normal work hours shall have the option of working their normal hours or the hours of the transferred position. If the transferred employee works their normal hours, they may be required to return to their assigned department for non-overlapping hours.

- (c) Any employee temporarily performing the work of an occupational classification lower than their own shall be paid the rate of the position from which they were transferred.
 - (d) Temporary transfers shall be for a period of no longer than thirty (30) working days, except by written agreement between the County and Local 1607. If a temporary transfer is for the purpose of replacing an employee who is absent due to a leave of absence, or extended illness, the temporary transfer may be for a period of up to six (6) months. In such a case, the County shall notify the Union if the temporary transfer will extend beyond thirty (30) days.
 - (e) A temporary transfer must be approved by the CHRO.
- (29) Temporary Promotion
- (a) A temporary promotion is the assignment and performance of duties of a higher rated classification for at least one hour a day, but less than thirty (30) working days, except by agreement between the County and the Union. If the temporary promotion is for the purpose of replacing an employee who is absent due to a leave of absence, or extended illness, "temporary" means for a period of up to six (6) months. In such a case, the County shall notify the Union if the temporary promotion will extend beyond thirty (30) days. During the time any employee is temporarily promoted, the employee shall be paid the higher rate of pay.

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- (b) The County may temporarily assign any employee to perform the duties of a higher-rated classification for a period of two (2) or fewer working days.
 - (c) When the County determines it is necessary to assign an employee to a higher-rated classification for more than two (2) working days, the County will fill the position as follows:
 - (i) Where an eligibility list exists, the County shall assign the highest-ranking available employee from the list in order of section, division, and then department within the building location.
 - (ii) If there is no employee available in accordance with (i) above, or if no eligibility list exists, the County shall temporarily transfer the senior qualified available employee within the section, division, and then the department within the building location.
 - (d) With the exception noted in Paragraph 29(a), temporary promotions shall be for a period of no longer than thirty (30) working days except by written agreement between the County and Local 1607.
 - (e) The County will notify the Local 1607 President of an employee temporarily promoted for an entire payroll period or temporarily transferred under the provisions of Article 28. For purposes of defining a section under Articles 28 and 29, "section" is defined in accordance with the New Castle County seniority list.
- (30) A vacancy created as a result of extended illness or leave of absence is not an open position for the period of such illness or leave of absence, and therefore the County may not, during such periods, permanently fill the vacancy.
- (31) Permanent Transfer
- (a) In order to be considered for filling a vacancy by transfer within the same occupational classification, but in another department, any permanent employee requesting such transfer must have their application in the continuing file in the Office of Human Resources on a form available in the Office of Human Resources.
 - (b) Eligible employees having appropriately filed for a transfer shall be given prior consideration in filling such vacancies, seniority governing, and without written examination, provided the applicant can demonstrate the capability to perform the work required. The applicant will be certified to the appointing authority provided their most recent "Performance Report to Employees" does not have a rating of unsatisfactory.
 - (c) Employees transferred under this Article shall not be eligible for more than one transfer in a one (1) year period from the date of latest transfer.

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- (d) An employee who has been promoted shall not be eligible for transfer for a period of one (1) year from the date of appointment.

(32) Seniority and Reduction in Force

The parties agree that they share a mutual concern for the efficient operation of all departments of New Castle County. Therefore, the County agrees to seniority by occupational classifications and occupational groupings with respect to lay-offs, recall, transfer, and promotion.

The County also agrees that when there is a reduction in work force or lay-off in an occupational classification, employees having the least County seniority shall be laid off first.

When an employee moves from one occupational classification to another, by promotion, demotion, or transfer, their name shall be placed on the seniority list of that occupational classification effective with the first day of employment with the County.

The length of County seniority an employee has with the County shall govern within the limitations of occupational classification groupings on a County-wide basis to make certain that County services will be carried on efficiently and without interruption.

Lay-offs and reductions, when necessary in an occupational classification, shall begin with those employees having the least County-wide seniority in that classification. County seniority shall be defined as the first day of employment with the County. A senior employee may displace the junior employee in a lower classification within the predetermined job classification grouping as set forth in Exhibit H, attached hereto (unless placement can be made by the County to a vacancy in such employee's class) after exhausting their seniority within their own classification. In the exercise of seniority for layoff, due consideration shall be given to the classification of work and the ability of the employee to qualify for the work, meaning that the employee must have the skill, ability, and physical fitness to perform the work required.

- (33) No employee shall be permitted to displace a junior employee in an occupational classification in a higher grade.
- (34) Employees shall be recalled according to seniority in the inverse order of lay-off.
- (35) Loss of Seniority

An employee shall lose seniority standing, including seniority points, for the following reasons:

- (a) Upon voluntary resignation.
- (b) If absent for three (3) consecutive working days without properly notifying the

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County, the employee shall be considered as having voluntarily quit their employment with the County. This provision shall be waived by the CHRO if the employee submits evidence which indicates that it was impossible to give such notification.

- (c) If the employee is discharged for just cause.
 - (d) If the employee fails to report for work at the termination of an authorized leave of absence.
 - (e) If the employee accepts employment from another employer while on authorized leave of absence from the County, except appointment made to serve in public office.
 - (f) Retirement.
 - (g) If the employee is separated from the payroll of the County for more than two (2) years.
- (36) In the event of a reduction in force or the discontinuance of a department, employees affected will be transferred to other departments within their occupational classification exercising their seniority on a County-wide basis. If work in the employee's occupational classification becomes available in their former department within a two (2) year period, the employee shall be given one option of returning before any new employee or employee with less seniority may be placed therein. If the employee elects to remain in the new department, all rights to return are forfeited. The option set forth herein shall also apply to employees transferred to an occupational classification other than their own following such reduction of force or departmental discontinuance.
- (37) The Office of Human Resources shall keep the seniority lists up to date. A copy of County-wide seniority lists containing the dates of hire, occupational classifications, and pay grades shall be provided quarterly to the President of Local 1607, starting January of each year.
- (38) The County shall notify the Union, in writing, each month, of all new hires, terminations, lay-offs, recalls, new occupational classifications, permanent transfers, a list of vacant positions identifying the Department in which each vacancy exists, and persons provided by an independent contractor, as well as proposed occupational classifications upon their placement on the docket of the Human Resources Advisory Board or of Council.

The County shall provide Local 1607 with a list of names of employees, including ranking, each time a new eligibility list is certified. In addition, the Union shall have the right to review eligibility lists at the Office of Human Resources.

JOB CLASSIFICATIONS AND EMPLOYEE REQUIREMENTS

(39) Vacancies - Promotion

When a vacancy becomes available such vacancy will be filled from the certified eligibility lists previously established and on file in the Office of Human Resources. Such an eligibility list is valid for a period of one (1) year.

(40) Examination and Certification

If no current eligibility list is available, an examination shall be held to establish an eligibility list for the classification in which the vacancy exists. To qualify to take an examination, an employee must have a rating of “satisfactory” on their current performance evaluation report. Where applicable, consideration shall also be given to technical competence, qualities of leadership, supervisory ability, and such other established employment requirements.

(41) Applications

- (a) In order to be permitted to take the required qualifying examination for placement on an eligibility list, employees must have their applications in a file in the Office of Human Resources. Promotional application forms are available in the Office of Human Resources for this purpose. Employees must apply electronically.

Where an employee submits a promotional application request, the Office of Human Resources shall provide the employee with written acknowledgment of receipt of the employee’s promotional application. In the event the employee does not receive said written acknowledgment within five (5) working days of submitting this application, it shall be the employee’s responsibility to notify the Office of Human Resources.

- (b) When a vacant position is to be filled, the CHRO will arrange to place an announcement of the vacancy on the bulletin boards in designated locations provided no eligibility list exists. All announcements of positions to be filled shall be posted for seven (7) workdays.

Any employee desiring consideration for the announced vacancy shall have in the Office of Human Resources a properly completed promotional application form no later than 5 p.m. on the workday following removal of the notice. The Office of Human Resources shall evaluate the information provided on the application form and notify the applicant, in writing, if they meet the minimum requirements for the position. The applicant shall also be notified of the time, date, and place of the examination.

- (c) Employees who do not qualify during the probationary period of promotional reassignment shall not be eligible to apply for a promotional opportunity in the same class for a period of six (6) months from the date of return to their former

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position or the date of the next examination for such same class whichever is later.

(42) Seniority Weighting:

Any employee who applies for a vacant or promotional position must meet the minimum requirements for the position and receive a passing score on all required examinations.

In determining the final score, employee seniority with the County will be weighted as set forth below to a total possible seniority allocation of ten (10) points on a scale of 100 points, or such similar percentage. Seniority points will be added to the final passing score.

<u>COMPLETED YEARS OF SERVICE</u>	<u>SENIORITY POINTS</u>
Completion of Probationary Period	.5
1 st	1.0
2 nd	1.5
3 rd	2.0
4 th	2.5
5 th	3.0
6 th	3.5
7 th	4.0
8 th	4.5
9 th	5.0
10 th	5.5
11 th	6.0
12 th	6.5
13 th	7.0
14 th	7.5
15 th	8.0
16 th	8.5
17 th	9.0
18 th	9.5
19 th	10.0

(43) The CHRO shall notify all applicants in writing of the results of their examination. The CHRO shall certify the names of the top five (5) eligible applicants to the appointing

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authority from a valid eligibility register. The appointing authority shall select one of the five applicants so certified for the vacancy.

The Office of Human Resources shall disapprove requests for selective certification that would violate merit principles. When a selective certification is made in which Local 1607 disagrees, the position will not be filled, and a grievance may be filed directly to Step Two of the grievance procedure.

An applicant's examination papers will be available for inspection during normal business hours. An applicant shall have up to ten (10) working days after the date of the letter to the applicant providing test results for inspection of the examination papers. If an employee feels that (1) seniority weighting was omitted or improperly added after scoring the examination, or (2) that the examination was improperly scored, they may resort through the Union to the grievance procedure at Step Two.

- (44) A promotional appointment shall be subject to a six (6) month probationary period.

POSITION CLASSIFICATION

- (45) This section shall not apply to part-time employees within the bargaining unit. Classifications of all full-time employees within the bargaining unit shall be in accordance with the following:

- (a) New classifications or any existing classification in which the class specification of a full-time employee is substantially changed, shall be evaluated by the County and the class allocated and a rate of pay established. The County shall notify Local 1607 of the class allocation of the new or changed class specification and the rate of pay established therefore and shall also provide a copy of the class specification to the Union for informational purposes. If Local 1607 disagrees with the rate of pay established for the new classification, notification of such disagreement shall be sent by Local 1607 to the County within ten (10) days after the classification has been certified to the bargaining unit by the Public Employment Relations Board. If Local 1607 disagrees with the rate of pay for existing classifications where the class specification has been substantially changed, notification of such disagreement shall be sent to the County within ten (10) days after Local 1607 has received notice that the classification has been substantially changed and no new rate established. Notification in the above two cases by Local 1607 to the County that a disagreement exists shall be in writing and shall contain a report which includes a statement of justification for rejection of the allocation of the class to the rate of pay. The parties shall then commence collective bargaining on the rate of pay. The process of bargaining must begin, but not necessarily be completed, immediately upon notification to the Office of Human Resources by Local 1607 that a disagreement exists. If agreement is not reached within ten (10) working days, Local 1607, through the President of the Local, may submit the disputed wage rate to mediation for determination which shall be final and binding on the County and Local 1607.
- (b) A classification review may be initiated by a full-time employee by requesting that

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the CHRO review the employee's classification. Any employee alleging improper classification based upon the duties and responsibilities as set forth in the class specification then effective, if not corrected within two months from the date the Office of Human Resources receives the employee's request for classification review, shall have the right through Local 1607 to submit a grievance that will begin at Step Two of the Grievance Procedure, providing an appeal has not been filed within three (3) months. If an existing classification is substantially changed, or a new classification is established and certified to the bargaining unit, the County and Local 1607 will meet and confer to determine in which occupational grouping the classification is to be placed. The resolution of this matter shall be outlined in a Memorandum of Agreement signed by the parties which shall constitute an addendum to the classification and layoff / recall exhibits attached to this Agreement.

PERFORMANCE REPORT TO EMPLOYEES

(46)

- (a) In the event the performance report of any employee is not rated as "satisfactory or above" precluding such employee from receiving the regularly scheduled merit increment and availability to the promotional register, the employee through Local 1607 shall have the right to appeal the Performance Report at the Second Step of the Grievance Procedure.
- (b) To initiate review of a performance report, an individual employee shall, upon discussion of the performance report with the rating authority, request a meeting with their review officer.
- (c) The performance report of "unsatisfactory" during an employee's promotional probationary status will not affect scheduled merit increments or availability to the promotional register in such employee's permanent classification.

PERSONNEL FILES

(47)

- (a) Although supervisors may maintain working files on employees, there shall be one official personnel file on each employee, and that file shall be maintained in the Office of Human Resources. All files containing personal and confidential information relating to employees shall be kept in a secure file cabinet.
- (b) Any document prepared by a supervisor relating to employee performance shall not be used in any proceeding against the employee unless the document has been placed in the central personnel file on the employee maintained by the Office of Human Resources.
- (c) Anyone who reviews an employee's personnel file, other than staff employed in the Office of Human Resources, shall sign and date a form to be prepared by the Office of Human Resources. This form shall be placed in the employee's personnel file.

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- (d) An employee shall have the right to review their personnel file, except for confidential materials, at a time mutually agreeable to the employee and a representative of the Office of Human Resources. "Confidential material" shall be defined as employment references.
- (e) An employee may have a representative present during such a review. However, the personnel file shall not be taken from the office by the employee and shall be examined in the presence of a representative of the Office of Human Resources.

HOLIDAYS WITH PAY

- (48) The following days shall be holidays with pay for full-time employees within the bargaining unit. Part-time employees within the bargaining unit shall not be entitled to holidays with pay. The dates of observance shall be those specified by the State of Delaware for such holidays:

New Year's Day

Martin Luther King's Birthday

Presidents' Day

Good Friday

Memorial Day

Juneteenth

Independence Day

Labor Day

Election Day

Veterans' Day

Thanksgiving Day

Day after Thanksgiving

Christmas Eve Day (each employee shall be required to work one-half of their shift irrespective of when the shift begins)

Christmas Day

Employees covered by this Agreement shall have two (2) floating holidays each year (January 1 – December 31) that may be used under applicable service and scheduling rules. Floating holidays may not be carried over to the following year.

Such other days as the Governor and/or the County Executive may designate as holidays with pay shall be considered "special holidays."

- (49) All full-time salaried employees covered by this agreement shall be paid time and one-half in addition to holiday pay for all hours worked on the above holidays including special holidays.
- (50) When a holiday falls on a regularly assigned day off for a full-time employee, such employee shall be compensated by appropriate time off or such time shall be accrued as vacation.

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- (51) Whenever a holiday falls on a Saturday, the preceding Friday shall be considered a holiday, and whenever a holiday falls on a Sunday, the following Monday shall be considered a holiday.
- (52) For a full-time employee who works a seven (7) day operation, New Year's Day, Independence Day, Christmas Eve, and Christmas Day shall always be celebrated on the actual holiday irrespective of the day of the week on which the holiday falls.
- (53) When administratively possible, General Managers will endeavor to schedule time off for employees on as many of the approved holidays provided for herein, considering the services required.
 - (a) In order to receive holiday pay, the employee must have been in paid status for the entire last scheduled workday prior to and the next scheduled workday following the holiday if work is available. Holiday pay shall be granted if absence is due to personal illness which may require a note from the treating health care professional, emergency illness of a member of the immediate family as defined in Article 65(d), death in the immediate family, hospitalization, or injury on the job.
 - (b) An employee shall have the option of receiving their holiday pay in separate semi-annual checks. Such payments would be made on June 30 and December 15. If an employee chooses to exercise this option, it is understood that it would be effective for one (1) year, after which the employee may choose whether to again exercise the option. This option must be exercised prior to January 1 of each year.

Employees who have holiday work assignments and then fail to report and perform such work for any reason other than those set forth in Article 53(a) shall not receive pay for the holiday.

VACATIONS

- (54) This section shall not apply to part-time employees. Permanent, full-time employees of the County covered by the terms of this collective bargaining agreement who meet the eligibility criteria as of December 31 of a given year shall be granted vacation with pay, or a vacation allowance in lieu thereof in accordance with the requirements outlined below. Regarding vacation allowance in lieu of vacation time, it shall be at the County's option and complete discretion whether to provide an employee their request for a vacation allowance in lieu of vacation time off.
 - (a) Full-time employees on the payroll of the County as of December 31 of a given year who shall have not completed 12 months of accumulated service with the County by December 31 shall be eligible in the following year for one (1) day of vacation for each completed month of accumulated service, to a maximum of ten (10) days. (For the purposes of this policy, any employee placed on the County's payroll on the first workday of any month shall be considered to have a full month's

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service in that month.)

New full-time employees hired on or after January 1, 2020, shall receive New Hire Leave days, which shall be earned at the rate of one-half (1/2) working day per completed month of service during the first twelve months of continuous employment (for a possible total of six (6) New Hire Leave days). Leave is to be credited on the first working day of the month following the month in which it is earned. New Hire Leave days may not be taken until the employee has worked at least ninety (90) days. All New Hire Leave days must be taken prior to the end of the second calendar year following the date of hire and may not be carried over. Transfers, other changes in position or assignment, or periods of leave shall not reset the start or period of New Hire Leave eligibility or accrual, or the expiration of New Hire Leave days. The County may impose reasonable restrictions on scheduling New Hire Leave days to ensure adequate staffing, and to avoid incurring or the payment of overtime or compensatory time. Employees who are terminated, voluntarily resign, or retire shall not be paid for any unused New Hire Leave days.

- (b) Full-time employees on the County's payroll who shall have one (1) year of accumulated service with the County on December 31 but less than five (5) years, shall be entitled to ten (10) days of vacation in the following year.
 - (c) Full-time employees on the County's payroll who shall have five (5) years of accumulated service with the County on December 31 but less than ten (10) years, shall be entitled to fifteen (15) days of vacation in the following year.
 - (d) Full-time employees on the County's payroll who shall have ten (10) years of accumulated service with the County on December 31, but less than fifteen (15) years shall be entitled to twenty (20) days of vacation in the following year.
 - (e) Full-time employees on the County's payroll who shall have fifteen (15) years of accumulated service with the County on December 31 shall be entitled to twenty-five (25) days of vacation in the following year.
 - (f) Full-time employees on the County's payroll who have completed more than fifteen (15) years of accumulated service with the County on December 31 shall be eligible for twenty-five (25) days of vacation and one additional day of vacation for each successive year of accumulated service in the following year.
- (55) Any full-time employee completing the fifth (5th) year of accumulated service, or the tenth (10th) year of accumulated service, or the fifteenth (15th) year of accumulated service with the County during the current vacation year shall be entitled to fifteen (15) days of vacation, or twenty (20) days of vacation, or twenty-five (25) days of vacation, as the case may be, in the current vacation year. Any employee completing more than fifteen (15) years of accumulated service shall be entitled to twenty-five (25) days of vacation and one (1) additional day of vacation for each successive year of accumulated service in the current vacation year.

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- (56) A full-time employee who is on an approved leave of absence when vacation is vested on December 31, shall be credited with vacation, upon their return, for each full month of service which was completed before the leave began in the preceding calendar year. The vacation shall be credited during the current calendar year in accordance with the following formula:
- (a) For a full-time employee who would be entitled to ten (10) days of vacation if they had worked until the preceding December 31, one (1) day of vacation for each completed month of accumulated service, to a maximum of ten (10) days.
 - (b) For a full-time employee who would be entitled to fifteen (15) days of vacation if they had worked until the preceding December 31, one and one-half (1.5) days of vacation for each completed month of accumulated service, to a maximum of fifteen (15) days.
 - (c) For a full-time employee who would be entitled to twenty (20) days of vacation if they had worked until the preceding December 31, two (2) days of vacation for each completed month of accumulated service, to a maximum of twenty (20) days.
 - (d) For a full-time employee who would be entitled to twenty-five (25) days of vacation if they had worked until the preceding December 31, two and one-half (2.5) days of vacation for each completed month of service, to a maximum of twenty-five (25) days.
 - (e) For a full-time employee who would be entitled to more than twenty-five (25) days of vacation if they had worked until the preceding December 31 ("the employee's total vacation days"), the employee's total vacation days divided by ten (10), rounded to the nearest one-half day, for each completed month of accumulated service, to a maximum of the employee's total vacation days. For example, if an employee would be entitled to thirty-four (34) vacation days if they had worked until the preceding December 31, such an employee would be credited with three and one-half (3.5) days of vacation for each completed month of accumulated service, to a maximum of thirty-four (34) days.
- (57) A full-time employee who is on an approved leave of absence during the current calendar year but returns to work before December 31 shall vest vacation according to the following formula:
- (a) For a full-time employee who would have been entitled to ten (10) days of vacation if they had worked during the entire calendar year, one (1) day of vacation for each completed month of service in the current calendar year, to a maximum of ten (10) days.
 - (b) For a full-time employee who would have been entitled to fifteen (15) days of vacation if they had worked during the entire calendar year, one and one-half (1.5)

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days of vacation for each completed month of service in the current calendar year to a maximum of fifteen (15) days.

- (c) For a full-time employee who would have been entitled to twenty (20) days of vacation if they had worked during the entire calendar year, two (2) days of vacation for each completed month of service in the current calendar year, to a maximum of twenty (20) days.
- (d) For a full-time employee who would have been entitled to twenty-five (25) days of vacation if they had worked during the entire calendar year, two and one-half (2.5) days of vacation for each completed month of service in the current calendar year to a maximum of twenty-five (25) days
- (e) For a full-time employee who would have been entitled to more than twenty-five (25) days of vacation if they had worked during the entire calendar year (“the employee’s total vacation days”), the employee’s total vacation days divided by ten (10), rounded to the nearest one-half day, for each completed month of service in the current calendar year, to a maximum of the employee’s total vacation days. For example, if an employee would be entitled to 34 vacation days if they had worked during the entire calendar year, such an employee would be credited with three and one-half (3.5) days of vacation for each completed month of service in the current calendar year, to a maximum of thirty-four (34) days.

(58) Vesting

- (a) Vacations with pay shall vest as of December 31 of the calendar year preceding the then current vacation year.
- (b) Employees falling under the scope of this agreement who qualify for a vacation on the vesting date and are terminated from the County’s payroll before taking vacation, shall receive vacation allowance at the time of termination in lieu of vacation time off. However, in the event any employee voluntarily resigns, they shall be required to give two (2) weeks’ notice of such intention in order to be eligible for the benefit accruing under this Paragraph.
- (c) Full-time employees who are terminated, voluntarily resign, or retire shall be paid a vacation allowance in accordance with the schedule outlined below. Employees who voluntarily resign shall be required to give two (2) weeks’ advance notice of such intention in order to be eligible for the benefits accruing under this paragraph.
 - (i) For a full-time employee who would be entitled to ten (10) days of vacation if they worked until the following December 31, one (1) day of vacation for each completed month of accumulated service after the preceding December 31, to a maximum of ten (10) days.
 - (ii) For a full-time employee who would be entitled to fifteen (15) days of

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vacation if they worked until the following December 31, one and one-half (1.5) days of vacation for each completed month of accumulated service after the preceding December 31, to a maximum of fifteen (15) days.

- (iii) For a full-time employee who would be entitled to twenty (20) days of vacation if they worked until the following December 31, two (2) days of vacation for each completed month of accumulated service after the preceding December 31, to a maximum of twenty (20) days.
- (iv) For a full-time employee who would be entitled to twenty-five (25) days of vacation if they worked until the following December 31, two and one-half (2.5) days of vacation for each completed month of service after the preceding December 31, to a maximum of twenty-five (25) days.
- (v) For a full-time employee who would be entitled to more than twenty-five (25) days of vacation if they worked until the following December 31 ("the employee's total vacation days") the employee's total vacation days divided by ten (10), rounded to the nearest one-half day, for each completed month of accumulated service after the preceding December 31, to a maximum of the employee's total vacation days. For example, if an employee would be entitled to thirty-four (34) vacation days if they worked until the following December 31, such an employee would be credited with three and one-half (3.5) days of vacation for each completed month of accumulated service, to a maximum of thirty-four (34) days.
- (d) Where extraordinary circumstances exist, a full-time employee may request through the CHRO the right to use vacation which the employee is accruing during the current calendar year, but which will not vest until the following December 31. The right to grant or deny such a request shall be totally within the County's discretion.

(59) **Vacation Scheduling**

The scheduling of vacation periods shall be subject to the approval of the General Manager and, in an emergency, may be subject to change. Initial vacation requests limited to a maximum of two (2) weeks, or any portion thereof (any one day in a week constitutes one week for these purposes), made prior to February 1, will be selected based on seniority. Any changes made to the initial two-week request may be made prior to February 1 provided the change does not affect any other employee's approved initial two-week request. All other requests on or after February 1 will be selected on a first-made basis.

- (60) The vacation year shall begin January 1 and end on December 31. Vacation must be applied for and taken during this period. A maximum of fifty (50) days of vacation may be accumulated and carried over, provided that at least one (1) week of vacation is taken in each vacation year by an employee carrying over up to thirty (30) vacation days, and at

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least two (2) weeks' vacation are taken in each vacation year by an employee carrying over thirty (30) to fifty (50) days of vacation.

- (61) If a holiday falls within an approved scheduled vacation period, the employee shall be entitled to an additional day of vacation in lieu of holiday pay.
- (62) The County shall provide the payroll check covering the vacation period in advance of scheduled vacation, if requested at least two (2) weeks before the end of the regular payroll period in which the advance check is to be prepared.

PERSONAL LEAVE FOR PART-TIME EMPLOYEES

- (63) Effective upon County Council's approval of this Agreement and prorated for the remainder of the first year (July 1, 2023 – June 30, 2024), part-time employees within the bargaining unit shall receive 25 hours of paid personal leave per calendar year. Requests to utilize personal leave time shall be submitted in writing at least one day in advance for approval by the General Manager. Personal Leave shall be utilized in increments of one hour or more.

SICK LEAVE

- (64) This section shall not apply to part-time employees within the bargaining unit. Each full-time employee is entitled to sick leave with full pay in accordance with the following provisions:
 - (a) Effective on the first day of the month after ratification of this contract, an employee shall be credited with one (1) day of sick leave for each completed month of service. Accumulation of sick leave is unlimited.
 - (b) Upon retirement or involuntary separation (for reasons other than for cause) from employment, an employee hired on or before June 30, 1977, shall be paid for any sick leave time accumulated not to exceed one hundred (100) workdays. Payment shall be paid based on one day paid for each day accrued. Employees in good standing, who resign after giving adequate notice to the department general manager (which in no case shall be less than two weeks), shall be paid accumulated sick leave not to exceed twenty (20) workdays based on one day paid for each day accrued.
 - (c) Upon retirement or involuntary separation (for reasons other than for cause) from employment an employee hired on or after July 1, 1977, shall be paid for sick leave time accumulated not to exceed one hundred (100) workdays. Payment shall be paid based on one day paid for each two days accrued. Employees in good standing, who resign after giving adequate notice to the department general manager (which in no case shall be less than two weeks), shall be paid accumulated sick leave not to exceed twenty (20) workdays based on one day paid for each two days accrued.

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For the purpose of this section, any new employee placed on the County's payroll on or before the first (1st) working day of any month shall be credited, at the completion of the month, with a full month of sick leave credit of one (1) day.

- (65) Sick leave may be used to prevent loss of pay when absent for:
- (a) Personal illness or injury, when not covered by worker's compensation.
 - (b) Medical, dental, or optical appointments which cannot be scheduled in after duty hours after the employee has made every possible attempt to arrange such appointments at a time before or after their regular workday.
 - (c) Quarantine in the home, or when upon the advice of a physician it appears that the presence of an employee would jeopardize the health of fellow employees.
 - (d) Illness requiring intensive care of a member of the immediate family defined as father, mother, brother, sister, son, daughter, husband, wife, parent-in-law, or any relative residing in the same home, or any person with whom the employee has made his or her home. The limit under this paragraph is four (4) working days per illness unless the employee has been approved for FMLA leave. Intensive care shall be defined as an illness or injury which requires the constant presence and attention of the employee for the purpose of maintaining and providing for the immediate family member's needs.
- (66) To receive compensation for sick leave, it is the employee's responsibility to report their inability to be on duty and the reason at as early an hour as is practical, but in any event prior to or within one (1) hour before the time set for the beginning of their daily duties.
- (67) Where an employee has been absent for four (4) days or more due to illness or injury the employee must present a medical certificate issued by their personal physician certifying that the absence was due to illness or injury and that the individual is able to return to work. The County may require the employee to submit the certificate to Risk Management who is responsible for clearing the employee for work. If cleared, the employee shall be paid for that day without charge against sick leave.
- (68) Time off without loss of pay or sick leave shall be granted as follows:
- (a) In the case of the death of a member of the immediate family, defined for purposes of this paragraph as parent, brother, sister, son, daughter, husband, wife, parent-in-law, stepparent, stepchild, stepbrother, stepsister, grandparent, grandparent-in-law, great grandparent, grandchild or any person with whom the employee has made their home, no deduction of hourly rate may be made for absence up to five (5) working days.

These five (5) working days may be taken intermittently and shall be taken from the date of death to the day after the funeral or service.

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- (b) In the case of the death of a near relative, defined as first cousin, aunt, uncle, niece, nephew, brother-in-law or sister-in-law, absence on the day of the funeral shall be allowed.
- (c) Absence necessitated by examination connected with possible Selective Service induction shall be allowed without charge against sick leave.

**SICK LEAVE
(SICK LEAVE EXTENSION)**

- (69) In the case of an employee's extended illness where an employee has exhausted all accumulated sick leave, vacation time, and any other available paid leave, the Union may request that an advancement of unearned sick leave be loaned to the employee. The Union shall bring the matter to the attention of the CHRO who shall determine whether the employee meets the eligibility requirements for a sick leave loan as indicated herein. An employee with two (2) years' service shall be granted a sick leave loan of up to ten (10) days, provided that a written statement from their physician has been submitted which indicates the reason for the extended illness and the employee's most recent "Performance Report to Employees" must be satisfactory or above. Recommendations for a sick leave loan beyond ten (10) days must be approved by the County Executive.

Such advancement of unearned sick leave shall be considered a loan and shall be repayable to the County. When the employee returns from their extended illness and begins to accumulate sick leave, one-half day of sick leave per month shall be deducted from the employee's balance until the entire sick leave loan has been repaid; the employee may elect to repay the sick leave loan at a rate greater than one-half day per month. All such loans must be reimbursed to the County before any request for an additional sick leave loan will be granted.

When an employee who has received an advance loan leaves County service and the loan has not been repaid, the County will be reimbursed for the remaining sick leave balance, except in the case of death or full disability.

- (70) Sick leave shall be certified by each General Manager upon forms prescribed by the Office of Human Resources which shall maintain complete and accurate leave records. Records of sick leave accumulated and taken shall be available to the employee or the Union. Accumulated sick leave of employees shall be credited on their personnel record.
- (71) Title 29, Chapter XIV, Part 1604.10 of the Code of Federal Regulations requires that New Castle County comply with the guidelines on employment policies relating to pregnancy and childbirth which have been set forth therein by the Equal Employment Opportunity Commission. In accordance with these guidelines, the County agrees to the following provisions:
 - (a) An employee shall be permitted to continue working until such time as the employee's physician determines that the employee is no longer physically able to

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perform her regular job duties. It is the employee's responsibility to inform her physician as to the nature of her regular job duties.

- (b) An employee may request a leave of absence without pay, as set forth in Article 79(d) to cover disabilities relating to pregnancy, childbirth, and recovery therefrom. The leave must be for a definite period so that the substitute may know their status. The employee must return at the close of her leave or forfeit her position and seniority.

SICK LEAVE BANK

- (72) The County agrees to establish a Sick Leave Bank ("Bank") for all County full-time employees with one (1) year or more of service. This section shall not apply to part-time employees within the bargaining unit.

- (a) Participation in the Bank is voluntary, and the utilization of benefit is limited to Bank members only.
- (b) The Bank is established to allow eligible employees to donate accrued sick days to other County employees who are members of the Bank, and who are unable to work due to the employee's own catastrophic health condition.
- (c) An eligible employee who is a member of the Bank may withdraw up to a maximum of six (6) months of continuous sick leave in a rolling twelve (12) month period.
- (d) To be eligible to receive donated sick leave, an employee must:
 - (i) have exhausted their own sick, vacation, personal, compensatory and Special Projects time.
 - (ii) be an active member and contributor to the Bank.
 - (iii) require a continued absence due to the employee's own catastrophic health condition.
 - (iv) provide medical documentation substantiating such condition; and
 - (v) have applied for, been granted, and exhausted a two-week sick leave extension as detailed in NCC Personnel Policy 3.02.
- (e) Membership in the Bank will require the employee to:
 - (i) donate at least one (1) day of sick leave every year during the donation period, which shall be January 1 through January 31 of each year. Employees are limited to a maximum donation of twelve (12) days of sick leave per year; and

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- (ii) obtain approval from the CHRO prior to any utilization of benefit.
- (f) The Benefits Committee shall be responsible for monitoring the solvency of the Bank and issuing depletion notices. Quarterly statements of the Bank's available benefits shall be distributed to all members of the Benefits Committee and to each Union President. Once a depletion notice is disseminated to members of the Bank, a one (1) month donation window shall be opened. Donation during this Sick Leave Bank "depletion window" is voluntary and governed by the same limitations outlined in New Castle County Personnel Policy, Sick Leave Bank 4.18.
- (g) The Chief Human Resource Officer shall be responsible for establishing policies and procedures regarding the administration of the Bank, which shall be subject to approval by the members of the Benefits Committee.

MILITARY TRAINING LEAVE

- (73) "Armed Forces" are defined to include the Army, Navy, Marine Corps, Air Force and Coast Guard. "Reserved Components" are defined to include the federally recognized National Guard and Air National Guard of the United States, the Officer Reserve Corps, the Regular Army Reserve, the Enlisted Reserve Corps, the Naval Reserve, the Marine Corps Reserve, the Coast Guard, and the Air Force Reserve.
- (74) This section shall not apply to part-time employees within the bargaining unit. Any permanent employee who leaves the service of the County to join the military forces of the United States, shall be placed on military leave without pay, such leave to extend through a date ninety (90) days after which they are relieved from such service. Such employee shall be entitled to be restored to the position which they vacated, provided they make application to the Office of Human Resources within ninety (90) days of the date of their discharge under honorable conditions and is physically and mentally capable of performing the work of their position. To the extent any term of this Article does not comply with USERRA, the parties agree to amend such term to the minimum amount necessary to comply with USERRA.
- (75) In the event a position vacated by a person entering the armed services no longer exists at the time they qualify to return to work, such person shall be entitled to be reemployed in another position of the same class in the County service, provided such reemployment does not necessitate the laying off of another person who was appointed at an earlier date than such person returning from military leave.
- (76) In addition to their accumulated vacation pay, a permanent employee with ninety (90) days service entering the Armed Forces shall be entitled to be paid one (1) full calendar month's wages.
- (77)
 - (a) Any permanent employee who is a member of the National Guard or an organized

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military reserve of the United States will be entitled to a leave of absence not to exceed a total of ten (10) working days in any single (1) calendar year during which time they shall be paid their regular hourly rate with a maximum use of 80 hours. To receive payment of hourly rate, an employee must file a copy of their orders with the Office of Human Resources prior to the leave. For training periods beyond ten (10) working days, each year, while leave shall be granted, the County shall not be liable for wages.

- (b) Any permanent employee who is a member of the Delaware National Guard and who is ordered to perform emergency duty under the supervision of the United States Government or the State of Delaware, shall be granted a leave of absence during the period of such activity. Any such employee shall receive the pay differential in the amount by which the employee's normal wages, calculated on the basis up to a maximum of forty (40) hours, which the employee has lost by virtue of such absence exceeds any pay received from the State of Delaware.
- (78) In order to ensure uniformity, request for deferment of employees from service in the Armed Forces shall be made only by the County Executive.

LEAVES OF ABSENCE

- (79) Leaves of absence may be granted employees covered by this agreement as follows:

- (a) Civil Leave

Full and part-time employees shall be given leave with full pay when subpoenaed to appear before a court, public body or commission in connection with County business.

- (b) Jury Duty

A leave of absence with full pay shall be granted to a permanent, full-time or a part-time employee who has been subpoenaed to serve on jury duty. Requests for such leave shall be submitted to the department General Manager in advance, with a copy to the CHRO, along with a copy of the subpoena to document the duration of the jury duty. An employee who is granted such leave for jury duty shall be entitled to their regular salary for the hours of their absence and shall not be required to remit jury fees received to the County.

- (c) Educational Leave

This section shall not apply to part-time employees within the bargaining unit. A fulltime, permanent employee may be given educational leave with full or partial pay for the purpose of taking courses directly related to their work as determined by the appropriate general manager and the CHRO. Request for such leave must be approved in advance by the Human Resources Advisory Board and the County

Executive and may not exceed a total of twenty (20) days or one hundred sixty (160) hours in any one calendar year.

Such educational leave with full or partial pay shall not be granted in conjunction with any other leave of absence and is intended to be utilized by County employees needing specific grants of time during normal duty hours to attend educational classes which are not available at any off-duty time. It is specifically prohibited to grant a block of educational leave in conjunction with leave without pay granted for educational purposes.

Educational leave for a longer period may be granted in special cases of unusual merit and of great benefit to the County government. In such cases, the employee must agree in writing to return to work for a minimum period of one year after expiration of the educational leave.

(d) Leave Without Pay

A department head with the approval of the County Executive may grant a permanent full-time employee an unpaid leave of absence for a period not to exceed two (2) years. Failure of any employee to return to duty upon the expiration of their leave without pay shall be interpreted as a resignation. Leave without pay shall be granted only when it will not result in harm to the interest of the County as an employer beyond any benefits to be realized.

(e) Family Medical Leave Act

- (i) Eligible employees are entitled to up to twelve (12) weeks of FMLA leave in a 12-month period, in accordance with County Personnel policy. An employee who qualifies for FMLA leave may be required to use accumulated sick, vacation or other paid leave, in any order chosen by the employee, to run concurrently with FMLA leave, provided, however, that (i) an employee may elect to retain up to two (2) weeks' vacation and two (2) weeks' sick leave, and (ii) an employee utilizing FMLA leave of an increment of one (1) day or less must use accumulated sick, vacation or other paid time concurrently with FMLA leave. In all events, an employee is limited to 12 weeks of FMLA leave in any 12-month period. The 12-month period is a rolling 12-month period measured backward from the date the leave is used.
- (ii) Notwithstanding the provisions of the FMLA, the County shall continue life insurance and healthcare benefits provided for in this Agreement, without cost to the employee, during any period when an employee is taking FMLA leave to which the employee is entitled.
- (iii) Notwithstanding the provisions of the FMLA, an employee who takes the FMLA leave to which he or she is entitled shall accrue seniority for all

purposes during the period of FMLA leave. Such an employee shall not, however, accumulate vacation or sick leave, or pension credit, during unpaid FMLA leave.

- (iv) Certification from a healthcare provider shall be provided directly to the CHRO. The CHRO shall not release information concerning the serious health condition justifying the leave.
- (v) Notwithstanding the provisions of the FMLA, upon returning from leave, an employee is entitled to:
 - a. be restored to the position held when the leave began, unless such an employee is not qualified due to the expiration of a required license or certificate. In such a case, the employee will be placed on the payroll at the rate of pay for the position held when the leave began and be provided a reasonable opportunity to acquire the necessary license or certificate.
 - b. any negotiated pay increases which would have occurred, and the employee would have been eligible for during the leave period.
- (vi) Employees who take leave due to personal illness must provide certification from the health care provider that the employee can return to work.
- (vii) Use of family and medical leave shall have no adverse impact on the employee's evaluation.

(f) Absence Without Leave

An absence of an employee from duty, including any absence for a single day or part of a day, that is not authorized by a specific grant of leave of absence shall be deemed to be an absence without leave. Any such absence shall be without pay and may be subject to disciplinary action. In the absence of such disciplinary action, any employee who absents themselves for three (3) consecutive days without leave shall be deemed to have quit. Such action may be reconciled by a subsequent grant of leave if the conditions warrant.

(g) Disability Leave

This section shall not apply to part-time employees. A permanent or probationary employee who is temporarily disabled in the line of duty shall receive full pay for the period of their disability without charge against their vacation or sick leave, subject to the following conditions:

- (i) Provided that the disability results from an injury or illness sustained directly in the performance of the employee's work, as provided in

Delaware's Workers' Compensation law.

- (ii) If incapacitated for their regular employment, the employee may be given other duties with County government for the period of recuperation. Unwillingness to accept such an assignment as directed by the General Manager or the CHRO will make the employee ineligible for disability leave during the time involved.
- (iii) A physician selected by the County shall determine the physical ability of the employee to continue working or return to work unless the employee's physician determines otherwise, in which case the decision shall be made by a third physician. The cost of the third impartial physician shall be borne by the County.

(h) Union Employment

Any employee elected or appointed as an employee of the Union shall be granted an unpaid leave of absence for a period not to exceed two (2) years which may be extended by agreement of the parties. Such leave shall not be granted to more than one employee for Local 1607.

(i) Union Convention

Leaves of absence with pay to attend and serve as a delegate to conventions of the Union, and organization and training conferences relating to the Union, shall be granted to no more than five (5) employees in Local 1607 in a calendar year, with the extent of leave limited to an accumulation of two (2) work weeks per delegate, for the purpose of training and education in grievance handling, labor-management relations, personnel administration, etc. The Union shall provide five (5) working days' advance notice of intention to attend and names of employees.

(80)

- (a) Seniority shall accumulate during all authorized leaves of absence.
- (b) Should the position of an employee on approved leave without pay be abolished or consolidated then the employment of that individual upon return from leave will be governed by Article 32 of this Agreement.

HOURS OF WORK, PREMIUM RATES AND SHIFT DIFFERENTIAL

(81)

- (a) The payroll period for employees shall cover fourteen (14) consecutive days beginning at 12:01 a.m. on Monday and ending at 12:01 a.m. on Monday, fourteen (14) days later. The regular workday for office employees and salary field employees, other than those listed in Article 82 below, shall consist of seven (7) hours and the regular work week shall consist of thirty-five (35) hours, Monday

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through Friday inclusive. The starting time for these employees will generally be 9:00 a.m. and the quitting time about 5:00 p.m. with one (1) hour for lunch. Employees working a thirty-five (35) hour work week, but who work in a week between thirty-five (35) and forty (40) hours, will be given straight time pay or compensatory time off, at the employee's option, for the hours worked between thirty-five (35) and forty (40). Compensatory time must be authorized and approved by the General Manager. The County reserves its right, with two weeks' notice, to increase the work week up to forty (40) hours at straight time rates if conditions in the government require such action.

Any balance of compensatory time remaining as of December 31 of each year must be taken as time off during the next calendar year (i.e., compensatory time earned in 2008 must be used by December 31, 2009). For employees covered by the FLSA, any balance of compensatory time carried over from one year which is not used by December 31 of the following year must be paid out. For employees exempt from or not covered by the FLSA, any balance of compensatory time carried over from one year which is not used by December 31 of the following year shall be forfeited.

- (b) In determining whether such an employee has worked more than 40 hours in a week, the employee shall receive credit for paid leave time (i.e., paid holiday, sick and vacation time and time spent on union business). For purposes of this paragraph, "Union Business" shall include grievance investigation, grievance hearings, and negotiations. "Union business" shall not include union seminars, conferences, and conventions.
- (c) For members of the bargaining unit during the term of this contract, the County will establish, with input from the bargaining unit, a voluntary flex-time policy which will address alternative start and end working times, and which may include four (4) day work weeks where operationally feasible.

Where new work weeks are planned by the County, they shall be subject to discussion and review by the Union. Any change in special work weeks, not otherwise provided for under this Agreement, now in effect, shall be reviewed by the County and the Union.

(82)

- (a) The regular workday for Public Works dispatchers shall consist of four (4) consecutive days of ten (10) hour shifts and three (3) consecutive days of ten (10) hour shifts in a two-week period for a total of seventy (70) hours per pay period. Daily shifts start at 6:00 a.m. and 2:00 p.m., and there is a two-hour overlap. There will be no two-hour overlap on those days where overtime coverage is required for fill-in of vacation and/or sick leave absences; the coverage will be for eight (8) hours only. For the purposes of vacation and sick leave accrual, Special Services dispatchers shall be treated as bi-weekly, seventy (70) hours per pay period

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employees. The standard or basic shift, for purposes of vacation and sick leave usage shall be ten (10) hours.

- (b) The regular workday for Public Works Inspectors shall consist of an 8:00 a.m. - 4:00 p.m. shift with one (1) unpaid hour for lunch Monday through Friday.
- (83) For office and salary field employees listed in Article 82(a) above, time and one-half shall be paid for hours worked in excess of forty (40) hours per week. Time and one-half shall be paid for work performed on Saturday and Sunday when forty (40) hours have already been worked during the first five (5) working days.
- (84) For Emergency Medical Services employees, Dispatchers and Public Works Inspectors, time and one-half shall be paid after forty (40) hours.
- (85)
 - (a) Effective November 1, 2021, employees who are regularly assigned and work a complete second or third shift shall receive, in addition to their regular rate of pay, a premium of 5% of the employee's regular hourly rate of pay for all such hours worked.
 - (b) Any day shift employee assigned to work overtime shall receive the shift differential set forth in (a) above, provided such employee works the full second shift therefore completing a "double shift."
 - (c) Employees not regularly assigned to a second or third shift who, due to distribution of overtime rotation, receive weekend assignments on either of the night shifts shall be paid night shift differential for such hours worked.
 - (d) The shift premium shall not apply to the first shift that begins about 8:00am. It is agreed and understood that the shifts already in effect at the time of this Agreement which qualify for shift premium are the second shift that regularly begins about 4:00 pm and the third shift that regularly begins about 12:00 midnight.
- (86) Library Hours of Work
 - (a) The regular work week for full-time library service classes shall be 35 hours, Monday through Sunday. Workdays consist of two, seven-hour overlapping work periods with one-hour lunch periods Monday through Friday, and one, seven-hour work period with one hour for lunch on Saturday and Sunday. All employees may be assigned to work on Sunday. All full-time employees will earn one-half (1/2) hour of compensatory time for each full hour worked on Sundays.

The Monday through Friday daily work period shall be generally from 9:00 a.m. to 5:00 p.m., and from 1:00 p.m. to 9:00 p.m., each with one-hour lunch period. The Saturday and Sunday work period shall be 9:00 a.m. to 5:00 p.m., with one hour for lunch.

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- (b) When required by unusual demands for library service, a split workday of 9:00 a.m. to 12:00 p.m. and 5:00 p.m. – 9:00 p.m. may be instituted. In such a situation, the County will ask for volunteers and assign the split shift based on seniority (if there are no volunteers, the split shift shall be assigned to the least senior employee).
 - (c) Employees scheduled to work Saturdays or Sundays shall have a day off during the week. Employees who may be scheduled to work Saturday and Sunday shall have two days off during the week. Schedules for Saturday work shall be posted at least seven days in advance.
 - (d) A library employee assigned to the 1:00 p.m. to 9:00 p.m. shift, or assigned to the split workday of 9:00 a.m. to 12:00 p.m. and 5:00 p.m. to 9:00 p.m. shall receive the shift differential for all hours worked beyond 5:00 p.m.
 - (e) A library employee who works the scheduled holiday will be paid time and one half for all hours worked plus holiday pay regardless of pay grade.
- (87) The first shift is any shift that regularly begins about 8:00 a.m. The second shift is any shift that regularly begins about 4:00 p.m. The third shift is any shift that regularly begins about 12:00 midnight. Overlapping shifts not now in effect will be discussed with Local 1607, as the need arises to implement them.
- (88) Requests for the assignment to shifts shall be evaluated based on seniority and special needs of the employee and the division within the department. Seniority shall be considered in moving employees from other than the regular workweek to the Monday through Friday workweek.

INCLEMENT WEATHER

- 89) When the County closes its offices or the Governor declares a do not travel or modified travel policy due to inclement weather or any emergency for any period, employees will not suffer the loss of any pay or leave including those who are on pre-approved leave. Any non-essential employee who is required to work during one of these periods will receive double-time pay.

Employees will be notified in writing as to their status as non-essential or essential employees upon employment and in writing at least two weeks prior to a change in status. Writing may include email.

DISTRIBUTION OF OVERTIME

- (90) Overtime shall be divided and rotated as equally as possible within the division in the department. In the event a department needs additional employees to perform overtime work, this overtime work shall be divided and rotated as equally as possible among other employees in the bargaining unit qualified to perform this work, in seniority order. Employees improperly missed for an overtime opportunity shall not receive monetary

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reimbursement for missed opportunities but will be provided a like overtime opportunity with a review and resolution of any systemic issues that may have generated the missed opportunity. The -overtime opportunity shall not affect the overtime due to another employee. Each missed overtime opportunity shall be evaluated on a case-by-case basis. Managers who intentionally take action which results in missed overtime opportunities shall be evaluated for possible discipline.

SAFETY AND HEALTH

- (91) Local 1607 agrees that it will insist that its members work safely and fully cooperate with the County in order to eliminate hazardous conditions within its operations. It is in the spirit of safety and cooperation that the Union agrees to random drug testing for their bargaining unit. The County agrees that Local 1607 will be included in drafting the County's random drug testing procedures. The County's drug testing policy will be published as a personnel policy and procedure.
- (92) The County agrees that it will maintain adequate safety and health standards and will cooperate with Local 1607 and with all the County's employees to ensure that all employees are always protected from a safety and health standpoint.
- (93) The departmental safety coordinator shall be appointed by the departmental safety committee and shall serve as chairperson of this committee. Local 1607 shall designate a member of the department to the departmental safety committee.
- (94) Any recommendations pertaining to safety and health made by the Local 1607 steward or any employee to the General Manager or departmental safety coordinator shall be considered by the departmental safety committee promptly.
- (95) The CHRO or their designee will meet with the safety coordinators at least once each month to review the preceding month's accident and health records, and to consider improvement in the safety and health program.
- (96) All Local 1607 represented employees are required to follow County safety and health guidelines, regulations, policies, and procedures and to advise management of any safety and health concerns and/or problems as soon as they become aware of them. The employee who so advises will be provided with written verification of their advisement within forty-eight (48) hours and will be provided with a written response of the corrective action within five (5) working days.
- (97) Local 1607 represented employees shall not be charged any membership or user fees for use of the employee fitness center.

BULLETIN BOARDS

- (98) The County agrees to provide and maintain in each building a separate union local bulletin board where notices of official Union matters may be posted by Local 1607.

HEALTH INSURANCE AND PRESCRIPTION DRUG COVERAGE

- (99) This Article shall not apply to part-time employees within the bargaining unit. The County agrees to assume the full cost of providing a basic indemnity plan for full-time employees' applicable coverage (*i.e.*, employee only, employee and children, employee and spouse, or employee and family). The County will also make available a choice of alternative coverage, including PPO, HMO, EPO, and HSA plans. Plan design, network coverage, premium costs, copays, and deductibles are subject to recommendation by the Benefits Committee (reference Articles 107-111).

Effective January 1, 2021, the County shall pay 90% of each employee's monthly premium for health insurance other than the basic indemnity plan, which shall be paid at 100%. Effective January 1, 2022, the County shall pay 87% of the monthly premium for each employee enrolled in the PPO plan. Employees enrolled in the PPO plan may maintain their premium share at 10% on or after January 1, 2022, if they and their spouses / eligible domestic partners participating in their coverage participate in a Wellness program offered by the County and maintain their participation for the entire calendar year. The County will continue to pay 100% of the premiums for employees enrolled in the basic indemnity plan, and to pay 90% of the premiums for employees enrolled in all other plans, except for the PPO as set forth above.

The County shall deduct employee premium shares through payroll deduction. Health care coverage shall include the employee's domestic partner, if the employee's domestic partner was enrolled in a County plan as of July 1, 2020 and maintains enrollment without any interruption. Domestic partners who meet these criteria may maintain eligibility for health care coverage as provided in this Agreement (and may hereafter be referred to as an "eligible domestic partner" or "eligible domestic partners"). Effective January 1, 2021, coverage for domestic partners for new enrollments will no longer be an option (continuing coverage will only be available for domestic partners who were enrolled as of July 1, 2020).

- (100) Plan administrators may be replaced by the County with the recommendation of the Benefits Committee, only in the event that an administrator: (i) fails to submit a competitive bid to administer the health insurance program offered by the County to its employees; (ii) fails to provide a complete and comprehensive bid in response to the RFP announced by the County for the administration of the County's employee health insurance program; or (iii) fails to fulfill its contractual obligations to the County or violates the terms of its contract with the County.

(101)

- (a) The County has established a spousal coordination of benefits ("COB") program and maintains a separate policy with additional terms and forms for the administration of the program. All employees are subject to the COB program. Employees hired prior to July 1, 2024, shall be subject to the County's spousal COB program. Spouses or eligible domestic partners of County employees whose

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employers provide health insurance coverage must elect their employer's coverage, provided, however, that the spouse or eligible domestic partner shall not be required to elect such coverage if the cost exceeds the cost to the County employee of covering the spouse or eligible domestic partner under the County's health insurance plan. Employees whose spouses or eligible domestic partners are covered by their employer's health insurance coverage may elect either employee and spouse or employee and family coverage with the County to obtain secondary coverage for their spouse or domestic partner under the County's health insurance plan.

- (b) Effective July 1, 2024, employees who are married (or eligible domestic partners) and who are both employed by the County, must elect to be covered under a single plan, *i.e.*, one spouse/eligible domestic partner must be covered by that same plan and may not maintain independent or separate coverage under a County plan.
 - (c) For new employees hired on or after July 1, 2024 and continuing for each plan year thereafter: If a County employee's spouse/eligible domestic partner is eligible to participate in a group health insurance and/or prescription drug insurance plan through their employer (notwithstanding that employer's COB policies), the spouse/eligible domestic partner of the employee must enroll with at least single coverage in said employer's sponsored group insurance coverage(s). If a County employee's spouse/eligible domestic partner is self-employed/self-insured and offers a group health and / or prescription drug plan to their employees, such self-employed spouse/eligible domestic partner must also enroll with at least single coverage in such employer-sponsored group insurance. This requirement shall be waived for any spouse or eligible domestic partner whose employer (self-employed) requires the spouse or eligible domestic partner to pay more than 50% of the single coverage monthly premium and the employee submits proof of such.
 - (d) Upon the spouse or eligible domestic partner's enrollment in any such available group health and/or prescription drug insurance coverage, that coverage will become the primary payer of benefits, and the coverage sponsored by the County will become the secondary payer of benefits, if elected by the County employee. It is the employee's responsibility to advise the County immediately (and not later than 30 days after any change in eligibility), if the employee's spouse or eligible domestic partner becomes eligible to participate in group health insurance and/or prescription drug insurance sponsored by their employer. Upon becoming eligible, the employee's spouse/eligible domestic partner must enroll in any group health insurance and/or prescription drug insurance sponsored by their employer, unless they are exempt from this requirement in accordance with the exemption stated above.
- (102) If an employee presents proof that the employee has health insurance coverage from a source other than health insurance provided by the County, and waives the right to receive health insurance coverage from the County, and that waiver does not cause the County to be in violation of requirements of State or Federal Law, the County will contribute, for the

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benefit of such employee, \$250 per month to a deferred compensation plan established pursuant to Section 457 of the Internal Revenue Code. No payment shall be made pursuant to this provision until the employee has established an account with the County's deferred compensation administrator and has been removed from the applicable County health insurance plan. In addition to exclusion from this payment as a primary insured, employees who have secured health insurance coverage through a County plan, other than as the primary insured, will not be eligible to receive this payment.

- (103) Alternative coverage health care plans offered to employees shall include the following co-pays:

Medical Coverage Copayments

Office visit – Primary Care Physician	\$25
Office Visit – Specialist	\$35
Well child visits / annual checkups / immunizations	\$15
Emergency Room visit*	\$100
Urgent Care Center visit	\$25
Radiology Services (X-Ray, MRI, C/T Scan)**	\$0
Mammogram**	\$0
PAP screening test**	\$0
Other lab work**	\$0

* This copayment will be waived if the patient is admitted to a hospital.

** No copayment will be charged when the service is received from a designated non-copayment provider. Employees will be personally responsible for the difference between the cost for the service the plan covers for a designated non-copayment provider charge and the cost charged by a non-covered provider if the member chooses to use a provider other than a designated non-copayment provider. An exception will be granted in instances of documented medical necessity.

- (104) The County will provide the following three-tier prescription drug copayment system:

Generic Prescription drugs	\$8
Preferred Prescription drugs	\$30
Non-preferred prescription drugs	\$50

When available, employees may fill maintenance medications through a 90-day mail order supply program. Employees will only be charged two (2) 30-day co-pays for the 90-day supply when filled through the mail order supply program.

- (105) Health Insurance During Leaves

County employees will have an opportunity to pay for health insurance coverage during approved leaves of absence.

LOCAL 1607**(106) Retirees**

The County agrees to assume the full cost of providing a basic individual indemnity plan for those employees retiring on or after July 1, 1973, but before April 1, 1997, who are not eligible for Medicare.

For those employees retiring on or after April 1, 1997 (who are not eligible for Medicare), the County agrees to assume the full cost of providing a basic individual indemnity plan. Further the County agrees to issue health insurance credits as outlined below:

Each month, the retiree shall be issued a health insurance credit to be used exclusively to purchase health insurance coverage (through the County) for the retiree's spouse/eligible domestic partner. The value of the monthly credit will be the product of \$10 times the number of years of credited service. The maximum value of the monthly health insurance credit for each retiree shall be \$300 regardless of service of more than 30 years. Credits cannot be banked for future use.

If the cost of the health insurance program selected by the retiree exceeds the amount of the individual retiree's health insurance credit, the retiree will be responsible for contributing the difference. In the event other coverage is available for the spouse/eligible domestic partner, the County will be considered the secondary provider of insurance under coordination of benefits.

Regardless of the date of retirement, when a retiree or their spouse/eligible domestic partner becomes eligible for Medicare, the County's insurance will cease. Upon verification of enrollment in Medicare Parts A and B, the County will pay the full cost of providing the retiree and their spouse/eligible domestic partner with Standard Medifil coverage or its equivalent insurance. In the event of the retiree's death, the County will not assume the cost of providing coverage for the surviving spouse/eligible domestic partner.

BENEFITS COMMITTEE

- (107) The County shall maintain a Labor-Management Health Care Benefits Committee (the "Benefits Committee") which shall consist of a representative designated by each County bargaining unit, or designee, and six (6) representatives designated by the County, one of whom shall be the CHRO or designee and each of whom shall be a participant in the County employee health insurance plan. The CHRO or designee shall chair the Benefits Committee.
- (108) The Benefits Committee shall meet for the purpose of reviewing and determining employee benefits available to County employees for the future enrollment periods and the identity of administrators and carriers.

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- (109) The Benefits Committee shall be involved at all stages of the review process, including the development of bid specifications, the review of bids (including costs of each plan), meetings with bidders, the design of a benefits plan, and the selection or termination of plan administrators/carriers and consultants. One of the objectives of this review and selection process shall be to foster competition among bidders. During this process the union representatives will be granted full and complete access to all information relating to employee benefits.
- (110) The Benefits Committee shall meet as often as possible to fulfill the duties identified in Articles (108) and (109) above, but no less frequently than quarterly. Meeting agendas will be provided in advance and will include quarterly financial updates of the plan. Minutes will be provided after each meeting.
- (111) Any recommendations reached by the Benefits Committee shall be subject to approval by the membership of Local 1607. Committee members shall be provided with adequate time and information regarding the proposed recommendation of the Benefits Committee to allow Local 1607 members to make an informed decision regarding their healthcare benefits. Following a decision by Local 1607 membership regarding the proposed recommendation of the Benefits Committee, the Benefits Committee shall meet to vote on the proposed recommendation, which shall require approval by two-thirds of the members present at the Benefits Committee meeting. With advance notice, Benefits Committee members may designate a proxy to cast their vote.

LIFE INSURANCE

- (112) The County agrees to assume the full cost of life insurance amounting to one and one-half of the full-time employee's annual salary, with a minimum death benefit of \$50,000 and a maximum death benefit of \$200,000. Additionally, the County will provide accidental death and dismemberment benefits for each employee. The County further agrees to administer (through payroll deduction) the voluntary purchase of additional term life insurance coverage at full cost to the employee.
- (113) For part-time employees in the bargaining unit, the County agrees to assume the cost of life insurance with a maximum death benefit of \$10,000. The County further agrees to administer (through payroll deduction) the voluntary purchase of additional term life insurance coverage at full cost to the employee.
- (114) The County agrees to assume the full cost of providing \$10,000 life insurance for those employees retiring from County service on or after October 1, 2005, with accidental death and dismemberment benefits for each employee. Those employees who retired between April 1, 1997, and September 30, 2005, will be provided with \$5,000 life insurance. Those employees who retired between March 31, 1981, and March 31, 1997, will be provided \$2,500 life insurance. If the retiree had voluntary additional life insurance as of the date of retirement, the retiree may elect to continue the voluntary additional life insurance coverage, and the County agrees to assist the retiree in obtaining such coverage, at full cost to the retiree. The County further agrees to deduct from the retiree's monthly pension benefit the premium for any such additional coverage.

LOCAL 1607**EMPLOYEE SPENDING ACCOUNTS**

- (115) The County shall establish and maintain Employee Spending Accounts as permitted by Internal Revenue Code Section 125.

UNEMPLOYMENT COMPENSATION COVERAGE

- (116) The County adheres to the requirements of Chapter 33 (Unemployment Compensation) of Title 19 of the Delaware Code.

THE COUNTY AND MANAGEMENT POLICIES AND RULES

- (117) Local 1607 agrees that the County has complete authority over the policies and administration of all County departments which it exercises under the provisions of law and in fulfilling establishment of rules and regulations not inconsistent with the terms of this Agreement. Any matter involving the management of governmental operations vested by law in the County, and not covered by this Agreement, is the province of the County. Should Local 1607 object to any rule or regulation as being violative of this Agreement, it may resort to the grievance procedure outlined in Article 11. The County shall send a copy of any new departmental or County-wide employer-employee relations policies affecting Local 1607 or its members to the President of Local 1607.

VISITATION

- (118) The County shall permit designated staff members of Council No. 81 (not to exceed two (2)) to visit a department to investigate matters pertaining to the enforcement and administration of the Agreement. Such representatives shall make an appointment through the CHRO prior to the visit. Upon arrival, the General Manager will confer with the Union's representatives to facilitate the purpose of the visit.

WORKING CONDITIONS

- (119) Protective Clothing and Devices
- (a) If any employee is required to wear protective clothing, or any type of protective device as a condition of employment, such protective clothing, or protective device shall be furnished without cost to the employee by the County; the cost of maintaining the protective clothing in proper working condition (including tailoring, dry cleaning, and laundering) shall be paid by the County.
 - (b) Employees required by the County to wear safety glass prescription lenses as established by the department and the General Manager due to recognized eye hazards normal to their work, will have such glasses furnished by the County to a prescription furnished by the employee.

LOCAL 1607**(120) Uniforms**

The County shall continue to furnish uniforms to employees who, in the opinion of the General Manager, require uniforms. The cost of maintaining such uniforms shall be borne by the employee. Should any County issued uniform required to be worn during working hours be soiled with any hazardous material during the performance of any employee's duties, the County will replace or clean the uniform to remove the hazardous material at the County's expense.

(121) Call Time

Full-time employees called in for work outside of their regularly scheduled hours shall be guaranteed a minimum of four (4) hours of work or four (4) hours of pay at their option provided the call-in is less than four (4) hours. The guaranteed pay shall be at the employee's straight time rate or for hours actually worked at the premium rate set forth in Articles (81), (82) and (83) Hours of Work and Premium Rates, whichever is greater.

If the call time work assignment and the employee's regular shift overlap, the employee shall be paid the call time rate of time and one-half until they complete four (4) hours of work. The employee shall then be paid for the balance of their work shift at the appropriate rate. This call time provision shall not apply to persons scheduled to work daily overtime before the regular starting time of any employee's shift.

Employees required to be on call shall be paid one (1) hour of pay for each day they are on call, and, if called in while on call, shall be compensated as set forth above. Departments that utilize on-call assignments shall maintain a policy for the assignment and management of on-call duty. General Managers shall determine which sections and employees shall be assigned to on-call duty and subject to the respective Department's on-call policy.

- (122) The parties agree that the Professional Standards Unit ("PSU") of the Police Department shall have no jurisdiction over members of the bargaining unit. Employees may refuse to be interviewed by the PSU without fear of reprisal. This section has no application in investigations of a criminal nature which shall be handled through regular police procedures.

ALTERATION OF AGREEMENT

- (123) No agreement, alteration, understanding, variation, waiver, or modification of any of the terms or conditions or covenants contained herein shall be made by any employee or group of employees with the County, and in no case shall it be binding upon the parties hereto unless an agreement is made and executed in writing between the parties and same has been ratified by Local 1607.
- (124) The waiver of any breach or condition of this Agreement by either party shall not constitute a precedent in the future enforcement of the term and conditions herein.

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- (125) It is understood and agreed that if any part of this Agreement conflicts with the law, that such part shall be suspended and the appropriate mandatory provision shall prevail, and the remainder of this Agreement shall not be affected thereby.
- (126) This Agreement, ratified by Local 1607, became effective on July 1, 2023, and remains in full force until 12:00 midnight, June 30, 2027. It shall be automatically renewed from year-to-year thereafter, unless either party shall give the other party written notice of desire to terminate, modify, or amend this Agreement. Such notice shall be given to the other party in writing by certified mail on or before December 31, 2026, or any subsequent year.

CLASSIFICATION AND SALARIES

- (127) The County government of New Castle County and Council No. 81 of the American Federation of State, County, and Municipal Employees AFL-CIO and its affiliate Local Union No. 1607 hereby agree that:

The County shall reimburse full-time employees for the costs of certification and license fees that are required for the performance of their duties as set forth in the Class Specification for their position.

- (a) Annual Pay Plans for employees covered by this Agreement shall be as follows:
- (1) Effective July 1, 2023, the pay plan shall include a 2.5% general wage increase, set forth in Exhibits A and A-1, which shall constitute the New Castle County Wage Plan for Annual Salaried Employees for July 1, 2023 through June 30, 2024.
 - (2) Effective July 1, 2024, the pay plan shall include a 2.5% general wage increase, set forth in Exhibits B and B-1, which shall constitute the New Castle County Wage Plan for Annual Salaried Employees for July 1, 2024 through June 30, 2025.
 - (3) Effective July 1, 2025, the pay plan shall include a 2.5% general wage increase, set forth in Exhibits C and C-1, which shall constitute the New Castle County Wage Plan for Annual Salaried Employees for July 1, 2025 through June 30, 2026.
 - (4) Effective July 1, 2026, the pay plan shall include a 2.5% general wage increase, set forth in Exhibits D and D-1, which shall constitute the New Castle County Wage Plan for Annual Salaried Employees for July 1, 2026 through June 30, 2027.
- (b) The County shall provide a \$400 yearly stipend by December 31st for all employees who become certified to speak a second language. The County will establish a policy and procedures to confirm bilingual proficiency and certification, which will include mandatory testing to determine proficiency and procedures to certify the

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provision of translation services; employees may be responsible for testing costs. Employees will be eligible for this stipend if they provide translation services for New Castle County during the course of their regular employment, and they will be required to submit an annual statement confirming that they provided translation services during the preceding year.

MERIT INCREASE COMPENSATION PROCEDURE

New Castle County shall make available for those full-time employees not at the maximum hourly wage rate of their assigned pay grades in the Pay Plan a merit increment one step increase to the next higher wage rate in the employee's pay grade in accordance with the Rules of the Pay Plan. Merit increases shall be effective on the employee's anniversary date. For the purpose of this compensation procedure, the anniversary date for any full-time employee hired by the County before July 1, 1966 shall be July 1 of each year; all other employees shall have the date of hire as the basis for anniversary date.

(128) Union Release Time

Members of the Executive Board shall be granted up to four (4) hours of release time monthly, without loss of pay, to participate in monthly executive Board meetings. Management shall have the right to deny the release request if it will negatively impact operations; however, a request to extend the four (4) hour release time will not be unreasonably denied.

**PAY PLANS AND RATES OF PAY FOR CLASSIFIED SERVICE 35-HOUR WORKWEEK EMPLOYEES
REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607**

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EXHIBIT A

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
CLERK	12	28,038	29,439	30,911	32,456	34,076	35,781	37,570	39,448	41,421	43,493	45,668
SURVEYOR ASSISTANT	12											
ADMINISTRATIVE SERVICES TECHNICIAN	14	30,911	32,456	34,076	35,781	37,570	39,448	41,421	43,493	45,667	47,950	50,348
AUTOMOTIVE PARTS CLERK	14											
CLERK TYPIST	14											
COMPUTER OPERATOR I	14											
JUNIOR ADMINISTRATIVE AIDE	14											
KEY OPERATOR	14											
MICROFILM TECHNICIAN	14											
PUBLIC SAFETY AIDE	14											
ACCOUNT CLERK I	15	32,456	34,076	35,781	37,570	39,448	41,421	43,493	45,667	47,950	50,349	52,866
CUSTOMER SERVICES COORDINATOR	15											
DRAFTING TECHNICIAN I	15											
INTERLIBRARY LOAN ASSISTANT	15											
LIBRARY ASSISTANT	15											
COMPUTER OPERATOR II	16	34,076	35,781	37,570	39,448	41,421	43,493	45,667	47,950	50,349	52,867	55,510
SURVEY INSTRUMENT OPERATOR	16											
ACCOUNT CLERK II	17	35,781	37,570	39,448	41,421	43,493	45,667	47,950	50,349	52,867	55,511	58,287
COURT CLERK	17											
DEPUTY I	17											
PRINCIPAL LIBRARY ASSISTANT	17											
SECRETARY	17											
STOREKEEPER	17											
PUBLIC WORKS DATA TECHNICIAN	17											
DISPATCHER	18	37,570	39,448	41,421	43,493	45,667	47,950	50,349	52,867	55,511	58,286	61,200
GRAPHIC ARTS DESIGNER	18											
MAINTENANCE PROGRAM TECHNICIAN	18											
RADIO COMMUNICATOR	18											
SANITARY MAINTENANCE TECHNICIAN	18											
TREASURY CUSTOMER SERVICE REPRESENTATIVE	18											
ACCOUNT CLERK III	19	39,448	41,421	43,493	45,667	47,950	50,349	52,867	55,511	58,286	61,200	64,260
ADMINISTRATIVE AIDE	19											
ASSESSMENT TECHNICIAN	19											
ASSESSOR I	19											
BUDGET OFFICE ASSISTANT	19											
LIBRARY SPECIALIST	19											
PARTY CHIEF	19											
PERMIT PROCESS TECHNICIAN	19											
BUILDING AND SITE INSPECTOR	20	41,421	43,493	45,667	47,950	50,349	52,867	55,511	58,286	61,200	64,261	67,474
CERTIFIED ASSESSOR I	20											
COMMUNITY DEVELOPMENT HOUSING INSPECTOR	20											
CUSTOMER INFORMATION & ASSISTANCE SPECIALIST	20											
CUSTOMER SERVICE AND INFORMATION TECHNICIAN	20											
DELINQUENT ACCOUNT COLLECTOR	20											
DEPUTY II	20											
DRAFTING TECHNICIAN II	20											
GRAPHIC ARTS DESIGNER II	20											
HOUSING PROGRAM ASSISTANT	20											
MAINTENANCE OFFICE ADMINISTRATOR	20											
PAYROLL ASSISTANT I	20											
PLAN EXAMINER	20											
PUBLIC WORKS INSPECTOR	20											
SANITARY SEWER INFORMATION SPECIALIST	20											
SENIOR OFFICE ASSISTANT	20											
SENIOR SANITARY MAINTENANCE TECHNICIAN	20											
VICTIM'S ASSISTANCE OFFICER	20											

**PAY PLANS AND RATES OF PAY FOR CLASSIFIED SERVICE 35-HOUR WORKWEEK EMPLOYEES
REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607**

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EXHIBIT A

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
ASSISTANT PROCUREMENT AGENT	21	43,493	45,667	47,950	50,349	52,867	55,511	58,286	61,200	64,261	67,474	70,848
CERTIFIED PERMIT PROCESS TECHNICIAN	21											
CODE ENFORCEMENT OFFICER	21											
CONSTRUCTION INSPECTOR	21											
DRAFTING TECHNICIAN III	21											
ENVIRONMENTAL ANALYST	21											
PLUMBING AND MECHANICAL CODE SUPERVISOR	21											
RIGHT-OF-WAY AGENT	21											
ACCOUNTANT I	22	45,667	47,950	50,349	52,867	55,511	58,286	61,200	64,261	67,474	70,850	74,393
ASSESSOR II	22											
GEOGRAPHIC INFORMATION SYSTEMS TECHNICIAN	22											
HOUSING REHABILITATION SPECIALIST I	22											
OPERATIONS SPECIALIST	22											
ACCOUNTING OPERATIONS ASSISTANT	23	47,950	50,349	52,867	55,511	58,286	61,200	64,261	67,474	70,850	74,391	78,111
CENTRAL RECEIVING SUPERVISOR	23											
CENTRAL SERVICES TECHNICIAN	23											
CERTIFIED ASSESSOR II	23											
CERTIFIED BUILDING AND SITE INSPECTOR	23											
CERTIFIED PLAN EXAMINER	23											
CERTIFIED PLUMBING & MECHANICAL PLAN EXAMINER	23											
CERTIFIED PROPERTY MAINTENANCE & HOUSING INSPECT	23											
COMPLAINTS SPECIALIST	23											
CONSTRUCTION INSPECTION SUPERVISOR	23											
EQUESTRIAN PROGRAM COORDINATOR	23											
HOUSING REHABILITATION SPECIALIST II	23											
SURVEY PARTIES SUPERVISOR	23											
TREASURY ASSOCIATE	23											
CHIEF RIGHT-OF-WAY AGENT	24	50,349	52,867	55,511	58,286	61,200	64,261	67,474	70,850	74,391	78,111	82,017
CUSTOMER SERVICES SPECIALIST	24											
GEOGRAPHIC INFORMATION SYSTEMS SPECIALIST	24											
PUBLIC WORKS CONTRACTS OFFICER	24											
SCHOOL CROSSING GUARD SUPERVISOR	24											
SITE INSPECTIONS SUPERVISOR	24											
STAFF ENGINEER	24											
ACCOUNTANT II	25	52,867	55,511	58,286	61,200	64,261	67,474	70,850	74,391	78,111	82,015	86,116
CHIEF CONSTRUCTION INSPECTOR	25											
CHIEF FIELD SUPERVISOR	25											
EQUESTRIAN PROGRAM SUPERVISOR	25											
PROCUREMENT AGENT	25											
SUPERINTENDENT OF WASTEWATER TREATMENT	25											
CIVIL ENGINEER I	26	55,511	58,286	61,200	64,261	67,474	70,850	74,391	78,111	82,015	86,117	90,423
DRAFTING AND DESIGN SUPERVISOR	26											
ENVIRONMENTAL PROGRAM MANAGER I	26											
GEOGRAPHIC INFORMATION SYSTEMS ANALYST	26											
PAYROLL ASSISTANT II	26											
PROGRAMMER ANALYST	26											
ARCHITECT	28	61,200	64,261	67,474	70,850	74,391	78,111	82,015	86,117	90,422	94,943	99,690
CIVIL ENGINEER II	28											
ENVIRONMENTAL PROGRAM MANAGER II	28											
SENIOR PROCUREMENT AGENT	28											
SEWER MANAGEMENT ENGINEER	28											
SENIOR APPLICATION ENGINEER	28											
CHIEF OF FACILITY MAINTENANCE	30	67,474	70,850	74,391	78,111	82,015	86,117	90,422	94,943	99,692	104,678	109,912
CHIEF OF PROJECT MANAGEMENT	30											
CIVIL ENGINEER III	30											
ENVIRONMENTAL PROGRAM MANAGER III	30											
PUBLIC WORKS PROJECT ADMINISTRATOR	30											
CHIEF OF DRAINAGE OPERATIONS	32	74,391	78,111	82,015	86,117	90,422	94,943	99,692	104,678	109,912	115,407	121,177
CHIEF OF SITE MANAGEMENT	32											

Effective: 07/01/2023 (Ordinance 24-xxx)

**PAY PLANS AND RATES OF PAY FOR CLASSIFIED SERVICE 35-HOUR WORKWEEK EMPLOYEES
REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607**

R24-133
EXHIBIT B

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
CLERK	12	28,739	30,175	31,684	33,267	34,928	36,676	38,509	40,434	42,457	44,580	46,810
SURVEYOR ASSISTANT	12											
ADMINISTRATIVE SERVICES TECHNICIAN	14	31,684	33,267	34,928	36,676	38,509	40,434	42,457	44,580	46,809	49,149	51,607
AUTOMOTIVE PARTS CLERK	14											
CLERK TYPIST	14											
COMPUTER OPERATOR I	14											
JUNIOR ADMINISTRATIVE AIDE	14											
KEY OPERATOR	14											
MICROFILM TECHNICIAN	14											
PUBLIC SAFETY AIDE	14											
ACCOUNT CLERK I	15	33,267	34,928	36,676	38,509	40,434	42,457	44,580	46,809	49,149	51,608	54,188
CUSTOMER SERVICES COORDINATOR	15											
DRAFTING TECHNICIAN I	15											
INTERLIBRARY LOAN ASSISTANT	15											
LIBRARY ASSISTANT	15											
COMPUTER OPERATOR II	16	34,928	36,676	38,509	40,434	42,457	44,580	46,809	49,149	51,608	54,189	56,898
SURVEY INSTRUMENT OPERATOR	16											
ACCOUNT CLERK II	17	36,676	38,509	40,434	42,457	44,580	46,809	49,149	51,608	54,189	56,899	59,744
COURT CLERK	17											
DEPUTY I	17											
PRINCIPAL LIBRARY ASSISTANT	17											
SECRETARY	17											
STOREKEEPER	17											
PUBLIC WORKS DATA TECHNICIAN	17											
DISPATCHER	18	38,509	40,434	42,457	44,580	46,809	49,149	51,608	54,189	56,899	59,743	62,730
GRAPHIC ARTS DESIGNER	18											
MAINTENANCE PROGRAM TECHNICIAN	18											
RADIO COMMUNICATOR	18											
SANITARY MAINTENANCE TECHNICIAN	18											
TREASURY CUSTOMER SERVICE REPRESENTATIVE	18											
ACCOUNT CLERK III	19	40,434	42,457	44,580	46,809	49,149	51,608	54,189	56,899	59,743	62,730	65,867
ADMINISTRATIVE AIDE	19											
ASSESSMENT TECHNICIAN	19											
ASSESSOR I	19											
BUDGET OFFICE ASSISTANT	19											
LIBRARY SPECIALIST	19											
PARTY CHIEF	19											
PERMIT PROCESS TECHNICIAN	19											
BUILDING AND SITE INSPECTOR	20	42,457	44,580	46,809	49,149	51,608	54,189	56,899	59,743	62,730	65,868	69,161
CERTIFIED ASSESSOR I	20											
COMMUNITY DEVELOPMENT HOUSING INSPECTOR	20											
CUSTOMER INFORMATION & ASSISTANCE SPECIALIST	20											
CUSTOMER SERVICE AND INFORMATION TECHNICIAN	20											
DELINQUENT ACCOUNT COLLECTOR	20											
DEPUTY II	20											
DRAFTING TECHNICIAN II	20											
GRAPHIC ARTS DESIGNER II	20											
HOUSING PROGRAM ASSISTANT	20											
MAINTENANCE OFFICE ADMINISTRATOR	20											
PAYROLL ASSISTANT I	20											
PLAN EXAMINER	20											
PUBLIC WORKS INSPECTOR	20											
SANITARY SEWER INFORMATION SPECIALIST	20											
SENIOR OFFICE ASSISTANT	20											
SENIOR SANITARY MAINTENANCE TECHNICIAN	20											
VICTIM'S ASSISTANCE OFFICER	20											

**PAY PLANS AND RATES OF PAY FOR CLASSIFIED SERVICE 35-HOUR WORKWEEK EMPLOYEES
REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607**

R24-133
EXHIBIT B

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
ASSISTANT PROCUREMENT AGENT	21	44,580	46,809	49,149	51,608	54,189	56,899	59,743	62,730	65,868	69,161	72,619
CERTIFIED PERMIT PROCESS TECHNICIAN	21											
CODE ENFORCEMENT OFFICER	21											
CONSTRUCTION INSPECTOR	21											
DRAFTING TECHNICIAN III	21											
ENVIRONMENTAL ANALYST	21											
PLUMBING AND MECHANICAL CODE SUPERVISOR	21											
RIGHT-OF-WAY AGENT	21											
ACCOUNTANT I	22	46,809	49,149	51,608	54,189	56,899	59,743	62,730	65,868	69,161	72,621	76,253
ASSESSOR II	22											
GEOGRAPHIC INFORMATION SYSTEMS TECHNICIAN	22											
HOUSING REHABILITATION SPECIALIST I	22											
OPERATIONS SPECIALIST	22											
ACCOUNTING OPERATIONS ASSISTANT	23	49,149	51,608	54,189	56,899	59,743	62,730	65,868	69,161	72,621	76,251	80,064
CENTRAL RECEIVING SUPERVISOR	23											
CENTRAL SERVICES TECHNICIAN	23											
CERTIFIED ASSESSOR II	23											
CERTIFIED BUILDING AND SITE INSPECTOR	23											
CERTIFIED PLAN EXAMINER	23											
CERTIFIED PLUMBING & MECHANICAL PLAN EXAMINER	23											
CERTIFIED PROPERTY MAINTENANCE & HOUSING INSPECT	23											
COMPLAINTS SPECIALIST	23											
CONSTRUCTION INSPECTION SUPERVISOR	23											
EQUESTRIAN PROGRAM COORDINATOR	23											
HOUSING REHABILITATION SPECIALIST II	23											
SURVEY PARTIES SUPERVISOR	23											
TREASURY ASSOCIATE	23											
CHIEF RIGHT-OF-WAY AGENT	24	51,608	54,189	56,899	59,743	62,730	65,868	69,161	72,621	76,251	80,064	84,067
CUSTOMER SERVICES SPECIALIST	24											
GEOGRAPHIC INFORMATION SYSTEMS SPECIALIST	24											
PUBLIC WORKS CONTRACTS OFFICER	24											
SCHOOL CROSSING GUARD SUPERVISOR	24											
SITE INSPECTIONS SUPERVISOR	24											
STAFF ENGINEER	24											
ACCOUNTANT II	25	54,189	56,899	59,743	62,730	65,868	69,161	72,621	76,251	80,064	84,065	88,269
CHIEF CONSTRUCTION INSPECTOR	25											
CHIEF FIELD SUPERVISOR	25											
EQUESTRIAN PROGRAM SUPERVISOR	25											
PROCUREMENT AGENT	25											
SUPERINTENDENT OF WASTEWATER TREATMENT	25											
CIVIL ENGINEER I	26	56,899	59,743	62,730	65,868	69,161	72,621	76,251	80,064	84,065	88,270	92,684
DRAFTING AND DESIGN SUPERVISOR	26											
ENVIRONMENTAL PROGRAM MANAGER I	26											
GEOGRAPHIC INFORMATION SYSTEMS ANALYST	26											
PAYROLL ASSISTANT II	26											
PROGRAMMER ANALYST	26											
ARCHITECT	28	62,730	65,868	69,161	72,621	76,251	80,064	84,065	88,270	92,683	97,317	102,182
CIVIL ENGINEER II	28											
ENVIRONMENTAL PROGRAM MANAGER II	28											
SENIOR PROCUREMENT AGENT	28											
SEWER MANAGEMENT ENGINEER	28											
SENIOR APPLICATION ENGINEER	28											
CHIEF OF FACILITY MAINTENANCE	30	69,161	72,621	76,251	80,064	84,065	88,270	92,683	97,317	102,184	107,295	112,660
CHIEF OF PROJECT MANAGEMENT	30											
CIVIL ENGINEER III	30											
ENVIRONMENTAL PROGRAM MANAGER III	30											
PUBLIC WORKS PROJECT ADMINISTRATOR	30											
CHIEF OF DRAINAGE OPERATIONS	32	76,251	80,064	84,065	88,270	92,683	97,317	102,184	107,295	112,660	118,292	124,206
CHIEF OF SITE MANAGEMENT	32											

Effective: 07/01/2024 (Ordinance 24-xxx)

**PAY PLANS AND RATES OF PAY FOR CLASSIFIED SERVICE 35-HOUR WORKWEEK EMPLOYEES
REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607**

R24-133
EXHIBIT C

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
CLERK	12	29,457	30,929	32,476	34,099	35,801	37,593	39,472	41,445	43,518	45,695	47,980
SURVEYOR ASSISTANT	12											
ADMINISTRATIVE SERVICES TECHNICIAN	14	32,476	34,099	35,801	37,593	39,472	41,445	43,518	45,695	47,979	50,378	52,897
AUTOMOTIVE PARTS CLERK	14											
CLERK TYPIST	14											
COMPUTER OPERATOR I	14											
JUNIOR ADMINISTRATIVE AIDE	14											
KEY OPERATOR	14											
MICROFILM TECHNICIAN	14											
PUBLIC SAFETY AIDE	14											
ACCOUNT CLERK I	15	34,099	35,801	37,593	39,472	41,445	43,518	45,695	47,979	50,378	52,898	55,543
CUSTOMER SERVICES COORDINATOR	15											
DRAFTING TECHNICIAN I	15											
INTERLIBRARY LOAN ASSISTANT	15											
LIBRARY ASSISTANT	15											
COMPUTER OPERATOR II	16	35,801	37,593	39,472	41,445	43,518	45,695	47,979	50,378	52,898	55,544	58,320
SURVEY INSTRUMENT OPERATOR	16											
ACCOUNT CLERK II	17	37,593	39,472	41,445	43,518	45,695	47,979	50,378	52,898	55,544	58,321	61,238
COURT CLERK	17											
DEPUTY I	17											
PRINCIPAL LIBRARY ASSISTANT	17											
SECRETARY	17											
STOREKEEPER	17											
PUBLIC WORKS DATA TECHNICIAN	17											
DISPATCHER	18	39,472	41,445	43,518	45,695	47,979	50,378	52,898	55,544	58,321	61,237	64,298
GRAPHIC ARTS DESIGNER	18											
MAINTENANCE PROGRAM TECHNICIAN	18											
RADIO COMMUNICATOR	18											
SANITARY MAINTENANCE TECHNICIAN	18											
TREASURY CUSTOMER SERVICE REPRESENTATIVE	18											
ACCOUNT CLERK III	19	41,445	43,518	45,695	47,979	50,378	52,898	55,544	58,321	61,237	64,298	67,514
ADMINISTRATIVE AIDE	19											
ASSESSMENT TECHNICIAN	19											
ASSESSOR I	19											
BUDGET OFFICE ASSISTANT	19											
LIBRARY SPECIALIST	19											
PARTY CHIEF	19											
PERMIT PROCESS TECHNICIAN	19											
BUILDING AND SITE INSPECTOR	20	43,518	45,695	47,979	50,378	52,898	55,544	58,321	61,237	64,298	67,515	70,890
CERTIFIED ASSESSOR I	20											
COMMUNITY DEVELOPMENT HOUSING INSPECTOR	20											
CUSTOMER INFORMATION & ASSISTANCE SPECIALIST	20											
CUSTOMER SERVICE AND INFORMATION TECHNICIAN	20											
DELINQUENT ACCOUNT COLLECTOR	20											
DEPUTY II	20											
DRAFTING TECHNICIAN II	20											
GRAPHIC ARTS DESIGNER II	20											
HOUSING PROGRAM ASSISTANT	20											
MAINTENANCE OFFICE ADMINISTRATOR	20											
PAYROLL ASSISTANT I	20											
PLAN EXAMINER	20											
PUBLIC WORKS INSPECTOR	20											
SANITARY SEWER INFORMATION SPECIALIST	20											
SENIOR OFFICE ASSISTANT	20											
SENIOR SANITARY MAINTENANCE TECHNICIAN	20											
VICTIM'S ASSISTANCE OFFICER	20											

**PAY PLANS AND RATES OF PAY FOR CLASSIFIED SERVICE 35-HOUR WORKWEEK EMPLOYEES
REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607**

R24-133
EXHIBIT C

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
ASSISTANT PROCUREMENT AGENT	21	45,695	47,979	50,378	52,898	55,544	58,321	61,237	64,298	67,515	70,890	74,434
CERTIFIED PERMIT PROCESS TECHNICIAN	21											
CODE ENFORCEMENT OFFICER	21											
CONSTRUCTION INSPECTOR	21											
DRAFTING TECHNICIAN III	21											
ENVIRONMENTAL ANALYST	21											
PLUMBING AND MECHANICAL CODE SUPERVISOR	21											
RIGHT-OF-WAY AGENT	21											
ACCOUNTANT I	22	47,979	50,378	52,898	55,544	58,321	61,237	64,298	67,515	70,890	74,437	78,159
ASSESSOR II	22											
GEOGRAPHIC INFORMATION SYSTEMS TECHNICIAN	22											
HOUSING REHABILITATION SPECIALIST I	22											
OPERATIONS SPECIALIST	22											
ACCOUNTING OPERATIONS ASSISTANT	23	50,378	52,898	55,544	58,321	61,237	64,298	67,515	70,890	74,437	78,157	82,066
CENTRAL RECEIVING SUPERVISOR	23											
CENTRAL SERVICES TECHNICIAN	23											
CERTIFIED ASSESSOR II	23											
CERTIFIED BUILDING AND SITE INSPECTOR	23											
CERTIFIED PLAN EXAMINER	23											
CERTIFIED PLUMBING & MECHANICAL PLAN EXAMINER	23											
CERTIFIED PROPERTY MAINTENANCE & HOUSING INSPECT	23											
COMPLAINTS SPECIALIST	23											
CONSTRUCTION INSPECTION SUPERVISOR	23											
EQUESTRIAN PROGRAM COORDINATOR	23											
HOUSING REHABILITATION SPECIALIST II	23											
SURVEY PARTIES SUPERVISOR	23											
TREASURY ASSOCIATE	23											
CHIEF RIGHT-OF-WAY AGENT	24	52,898	55,544	58,321	61,237	64,298	67,515	70,890	74,437	78,157	82,066	86,169
CUSTOMER SERVICES SPECIALIST	24											
GEOGRAPHIC INFORMATION SYSTEMS SPECIALIST	24											
PUBLIC WORKS CONTRACTS OFFICER	24											
SCHOOL CROSSING GUARD SUPERVISOR	24											
SITE INSPECTIONS SUPERVISOR	24											
STAFF ENGINEER	24											
ACCOUNTANT II	25	55,544	58,321	61,237	64,298	67,515	70,890	74,437	78,157	82,066	86,167	90,476
CHIEF CONSTRUCTION INSPECTOR	25											
CHIEF FIELD SUPERVISOR	25											
EQUESTRIAN PROGRAM SUPERVISOR	25											
PROCUREMENT AGENT	25											
SUPERINTENDENT OF WASTEWATER TREATMENT	25											
CIVIL ENGINEER I	26	58,321	61,237	64,298	67,515	70,890	74,437	78,157	82,066	86,167	90,477	95,001
DRAFTING AND DESIGN SUPERVISOR	26											
ENVIRONMENTAL PROGRAM MANAGER I	26											
GEOGRAPHIC INFORMATION SYSTEMS ANALYST	26											
PAYROLL ASSISTANT II	26											
PROGRAMMER ANALYST	26											
ARCHITECT	28	64,298	67,515	70,890	74,437	78,157	82,066	86,167	90,477	95,000	99,750	104,737
CIVIL ENGINEER II	28											
ENVIRONMENTAL PROGRAM MANAGER II	28											
SENIOR PROCUREMENT AGENT	28											
SEWER MANAGEMENT ENGINEER	28											
SENIOR APPLICATION ENGINEER	28											
CHIEF OF FACILITY MAINTENANCE	30	70,890	74,437	78,157	82,066	86,167	90,477	95,000	99,750	104,739	109,977	115,477
CHIEF OF PROJECT MANAGEMENT	30											
CIVIL ENGINEER III	30											
ENVIRONMENTAL PROGRAM MANAGER III	30											
PUBLIC WORKS PROJECT ADMINISTRATOR	30											
CHIEF OF DRAINAGE OPERATIONS	32	78,157	82,066	86,167	90,477	95,000	99,750	104,739	109,977	115,477	121,249	127,311
CHIEF OF SITE MANAGEMENT	32											

Effective: 07/01/2025 (Ordinance 24-xxx)

**PAY PLANS AND RATES OF PAY FOR CLASSIFIED SERVICE 35-HOUR WORKWEEK EMPLOYEES
REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607**

R24-133
EXHIBIT D

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
CLERK	12	30,193	31,702	33,288	34,951	36,696	38,533	40,459	42,481	44,606	46,837	49,180
SURVEYOR ASSISTANT	12											
ADMINISTRATIVE SERVICES TECHNICIAN	14	33,288	34,951	36,696	38,533	40,459	42,481	44,606	46,837	49,178	51,637	54,219
AUTOMOTIVE PARTS CLERK	14											
CLERK TYPIST	14											
COMPUTER OPERATOR I	14											
JUNIOR ADMINISTRATIVE AIDE	14											
KEY OPERATOR	14											
MICROFILM TECHNICIAN	14											
PUBLIC SAFETY AIDE	14											
ACCOUNT CLERK I	15	34,951	36,696	38,533	40,459	42,481	44,606	46,837	49,178	51,637	54,220	56,932
CUSTOMER SERVICES COORDINATOR	15											
DRAFTING TECHNICIAN I	15											
INTERLIBRARY LOAN ASSISTANT	15											
LIBRARY ASSISTANT	15											
COMPUTER OPERATOR II	16	36,696	38,533	40,459	42,481	44,606	46,837	49,178	51,637	54,220	56,933	59,778
SURVEY INSTRUMENT OPERATOR	16											
ACCOUNT CLERK II	17	38,533	40,459	42,481	44,606	46,837	49,178	51,637	54,220	56,933	59,779	62,769
COURT CLERK	17											
DEPUTY I	17											
PRINCIPAL LIBRARY ASSISTANT	17											
SECRETARY	17											
STOREKEEPER	17											
PUBLIC WORKS DATA TECHNICIAN	17											
DISPATCHER	18	40,459	42,481	44,606	46,837	49,178	51,637	54,220	56,933	59,779	62,768	65,905
GRAPHIC ARTS DESIGNER	18											
MAINTENANCE PROGRAM TECHNICIAN	18											
RADIO COMMUNICATOR	18											
SANITARY MAINTENANCE TECHNICIAN	18											
TREASURY CUSTOMER SERVICE REPRESENTATIVE	18											
ACCOUNT CLERK III	19	42,481	44,606	46,837	49,178	51,637	54,220	56,933	59,779	62,768	65,905	69,202
ADMINISTRATIVE AIDE	19											
ASSESSMENT TECHNICIAN	19											
ASSESSOR I	19											
BUDGET OFFICE ASSISTANT	19											
LIBRARY SPECIALIST	19											
PARTY CHIEF	19											
PERMIT PROCESS TECHNICIAN	19											
BUILDING AND SITE INSPECTOR	20	44,606	46,837	49,178	51,637	54,220	56,933	59,779	62,768	65,905	69,203	72,662
CERTIFIED ASSESSOR I	20											
COMMUNITY DEVELOPMENT HOUSING INSPECTOR	20											
CUSTOMER INFORMATION & ASSISTANCE SPECIALIST	20											
CUSTOMER SERVICE AND INFORMATION TECHNICIAN	20											
DELINQUENT ACCOUNT COLLECTOR	20											
DEPUTY II	20											
DRAFTING TECHNICIAN II	20											
GRAPHIC ARTS DESIGNER II	20											
HOUSING PROGRAM ASSISTANT	20											
MAINTENANCE OFFICE ADMINISTRATOR	20											
PAYROLL ASSISTANT I	20											
PLAN EXAMINER	20											
PUBLIC WORKS INSPECTOR	20											
SANITARY SEWER INFORMATION SPECIALIST	20											
SENIOR OFFICE ASSISTANT	20											
SENIOR SANITARY MAINTENANCE TECHNICIAN	20											
VICTIM'S ASSISTANCE OFFICER	20											

**PAY PLANS AND RATES OF PAY FOR CLASSIFIED SERVICE 35-HOUR WORKWEEK EMPLOYEES
REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607**

R24-133
EXHIBIT D

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
ASSISTANT PROCUREMENT AGENT	21	46,837	49,178	51,637	54,220	56,933	59,779	62,768	65,905	69,203	72,662	76,295
CERTIFIED PERMIT PROCESS TECHNICIAN	21											
CODE ENFORCEMENT OFFICER	21											
CONSTRUCTION INSPECTOR	21											
DRAFTING TECHNICIAN III	21											
ENVIRONMENTAL ANALYST	21											
PLUMBING AND MECHANICAL CODE SUPERVISOR	21											
RIGHT-OF-WAY AGENT	21											
ACCOUNTANT I	22	49,178	51,637	54,220	56,933	59,779	62,768	65,905	69,203	72,662	76,298	80,113
ASSESSOR II	22											
GEOGRAPHIC INFORMATION SYSTEMS TECHNICIAN	22											
HOUSING REHABILITATION SPECIALIST I	22											
OPERATIONS SPECIALIST	22											
ACCOUNTING OPERATIONS ASSISTANT	23	51,637	54,220	56,933	59,779	62,768	65,905	69,203	72,662	76,298	80,111	84,118
CENTRAL RECEIVING SUPERVISOR	23											
CENTRAL SERVICES TECHNICIAN	23											
CERTIFIED ASSESSOR II	23											
CERTIFIED BUILDING AND SITE INSPECTOR	23											
CERTIFIED PLAN EXAMINER	23											
CERTIFIED PLUMBING & MECHANICAL PLAN EXAMINER	23											
CERTIFIED PROPERTY MAINTENANCE & HOUSING INSPECT	23											
COMPLAINTS SPECIALIST	23											
CONSTRUCTION INSPECTION SUPERVISOR	23											
EQUESTRIAN PROGRAM COORDINATOR	23											
HOUSING REHABILITATION SPECIALIST II	23											
SURVEY PARTIES SUPERVISOR	23											
TREASURY ASSOCIATE	23											
CHIEF RIGHT-OF-WAY AGENT	24	54,220	56,933	59,779	62,768	65,905	69,203	72,662	76,298	80,111	84,118	88,323
CUSTOMER SERVICES SPECIALIST	24											
GEOGRAPHIC INFORMATION SYSTEMS SPECIALIST	24											
PUBLIC WORKS CONTRACTS OFFICER	24											
SCHOOL CROSSING GUARD SUPERVISOR	24											
SITE INSPECTIONS SUPERVISOR	24											
STAFF ENGINEER	24											
ACCOUNTANT II	25	56,933	59,779	62,768	65,905	69,203	72,662	76,298	80,111	84,118	88,321	92,738
CHIEF CONSTRUCTION INSPECTOR	25											
CHIEF FIELD SUPERVISOR	25											
EQUESTRIAN PROGRAM SUPERVISOR	25											
PROCUREMENT AGENT	25											
SUPERINTENDENT OF WASTEWATER TREATMENT	25											
CIVIL ENGINEER I	26	59,779	62,768	65,905	69,203	72,662	76,298	80,111	84,118	88,321	92,739	97,376
DRAFTING AND DESIGN SUPERVISOR	26											
ENVIRONMENTAL PROGRAM MANAGER I	26											
GEOGRAPHIC INFORMATION SYSTEMS ANALYST	26											
PAYROLL ASSISTANT II	26											
PROGRAMMER ANALYST	26											
ARCHITECT	28	65,905	69,203	72,662	76,298	80,111	84,118	88,321	92,739	97,375	102,244	107,355
CIVIL ENGINEER II	28											
ENVIRONMENTAL PROGRAM MANAGER II	28											
SENIOR PROCUREMENT AGENT	28											
SEWER MANAGEMENT ENGINEER	28											
SENIOR APPLICATION ENGINEER	28											
CHIEF OF FACILITY MAINTENANCE	30	72,662	76,298	80,111	84,118	88,321	92,739	97,375	102,244	107,357	112,726	118,364
CHIEF OF PROJECT MANAGEMENT	30											
CIVIL ENGINEER III	30											
ENVIRONMENTAL PROGRAM MANAGER III	30											
PUBLIC WORKS PROJECT ADMINISTRATOR	30											
CHIEF OF DRAINAGE OPERATIONS	32	80,111	84,118	88,321	92,739	97,375	102,244	107,357	112,726	118,364	124,280	130,494
CHIEF OF SITE MANAGEMENT	32											

Effective: 07/01/2026 (Ordinance 24-xxx)

**PAY PLANS AND RATES OF PAY FOR CLASSIFIED SERVICE 40-HOUR WORKWEEK EMPLOYEES
REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607**

R24-133
EXHIBIT A1

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
BUILDING MAINTENANCE SUPERVISOR	23	54,802	57,540	60,419	63,441	66,614	69,944	73,441	77,114	80,970	85,019	89,270
GARAGE SUPERVISOR	23											
MASTER MECHANIC	23											
PROPERTY MAINTENANCE TECHNICIAN	23											
BUILDINGS SUPERVISOR	25	60,419	63,441	66,614	69,944	73,441	77,114	80,970	85,019	89,269	93,732	98,419
MASTER ELECTRONICS TECHNICIAN	25											
PARKS FORESTRY TECHNICIAN	25											
PROPERTY SUPERVISOR	25											
PUBLIC WORKS EQUIPMENT COORDINATOR	25											
FACILITY MAINTENANCE SUPERVISOR	28	61,200	64,261	67,474	70,850	74,391	78,111	82,015	86,117	90,422	94,943	99,690
SUPERINTENDENT OF SEWER MAINTENANCE	28											
SUPERVISOR OF CONSTRUCTION SUPPORT	28											

Effective: 07/01/2023 (Ordinance 24-xxx)

**PAY PLANS AND RATES OF PAY FOR CLASSIFIED SERVICE 40-HOUR WORKWEEK EMPLOYEES
REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607**

R24-133
EXHIBIT B1

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
BUILDING MAINTENANCE SUPERVISOR	23	54,802	57,540	60,419	63,441	66,614	69,944	73,441	77,114	80,970	85,019	89,270
GARAGE SUPERVISOR	23											
MASTER MECHANIC	23											
PROPERTY MAINTENANCE TECHNICIAN	23											
BUILDINGS SUPERVISOR	25	60,419	63,441	66,614	69,944	73,441	77,114	80,970	85,019	89,269	93,732	98,419
MASTER ELECTRONICS TECHNICIAN	25											
PARKS FORESTRY TECHNICIAN	25											
PROPERTY SUPERVISOR	25											
PUBLIC WORKS EQUIPMENT COORDINATOR	25											
FACILITY MAINTENANCE SUPERVISOR	28	69,943	73,441	77,114	80,969	85,017	89,270	93,734	98,421	103,340	108,507	113,932
SUPERINTENDENT OF SEWER MAINTENANCE	28											
SUPERVISOR OF CONSTRUCTION SUPPORT	28											

Effective: 05/28/2024 (Ordinance 24-xxx)

Amends PG28 to harmonize the pay rates to a 40-hour / week

**PAY PLANS AND RATES OF PAY FOR CLASSIFIED SERVICE 40-HOUR WORKWEEK EMPLOYEES
REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607**

R24-133
EXHIBIT C1

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
BUILDING MAINTENANCE SUPERVISOR	23	56,172	58,979	61,929	65,027	68,279	71,693	75,277	79,042	82,994	87,144	91,502
GARAGE SUPERVISOR	23											
MASTER MECHANIC	23											
PROPERTY MAINTENANCE TECHNICIAN	23											
BUILDINGS SUPERVISOR	25	61,929	65,027	68,279	71,693	75,277	79,042	82,994	87,144	91,501	96,075	100,879
MASTER ELECTRONICS TECHNICIAN	25											
PARKS FORESTRY TECHNICIAN	25											
PROPERTY SUPERVISOR	25											
PUBLIC WORKS EQUIPMENT COORDINATOR	25											
FACILITY MAINTENANCE SUPERVISOR	28	71,692	75,277	79,042	82,993	87,142	91,502	96,077	100,882	105,924	111,220	116,780
SUPERINTENDENT OF SEWER MAINTENANCE	28											
SUPERVISOR OF CONSTRUCTION SUPPORT	28											

Effective: 07/01/2024 (Ordinance 24-xxx)

**PAY PLANS AND RATES OF PAY FOR CLASSIFIED SERVICE 40-HOUR WORKWEEK EMPLOYEES
REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607**

R24-133
EXHIBIT D1

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
BUILDING MAINTENANCE SUPERVISOR	23	57,576	60,453	63,477	66,653	69,986	73,485	77,159	81,018	85,069	89,323	93,790
GARAGE SUPERVISOR	23											
MASTER MECHANIC	23											
PROPERTY MAINTENANCE TECHNICIAN	23											
BUILDINGS SUPERVISOR	25	63,477	66,653	69,986	73,485	77,159	81,018	85,069	89,323	93,789	98,477	103,401
MASTER ELECTRONICS TECHNICIAN	25											
PARKS FORESTRY TECHNICIAN	25											
PROPERTY SUPERVISOR	25											
PUBLIC WORKS EQUIPMENT COORDINATOR	25											
FACILITY MAINTENANCE SUPERVISOR	28	73,484	77,159	81,018	85,068	89,321	93,790	98,479	103,404	108,572	114,001	119,700
SUPERINTENDENT OF SEWER MAINTENANCE	28											
SUPERVISOR OF CONSTRUCTION SUPPORT	28											

Effective: 07/01/2025 (Ordinance 24-xxx)

**PAY PLANS AND RATES OF PAY FOR CLASSIFIED SERVICE 40-HOUR WORKWEEK EMPLOYEES
REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607**

R24-133
EXHIBIT E1

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
BUILDING MAINTENANCE SUPERVISOR	23	59,015	61,964	65,064	68,319	71,736	75,322	79,088	83,043	87,196	91,556	96,135
GARAGE SUPERVISOR	23											
MASTER MECHANIC	23											
PROPERTY MAINTENANCE TECHNICIAN	23											
BUILDINGS SUPERVISOR	25	65,064	68,319	71,736	75,322	79,088	83,043	87,196	91,556	96,134	100,939	105,986
MASTER ELECTRONICS TECHNICIAN	25											
PARKS FORESTRY TECHNICIAN	25											
PROPERTY SUPERVISOR	25											
PUBLIC WORKS EQUIPMENT COORDINATOR	25											
FACILITY MAINTENANCE SUPERVISOR	28	75,321	79,088	83,043	87,195	91,554	96,135	100,941	105,989	111,286	116,851	122,693
SUPERINTENDENT OF SEWER MAINTENANCE	28											
SUPERVISOR OF CONSTRUCTION SUPPORT	28											

Effective: 07/01/2026 (Ordinance 24-xxx)

LOCAL 1607

EXHIBIT F
ALPHABETICAL LISTING OF
BARGAINING UNIT
OCCUPATIONAL CLASSIFICATIONS

Account Clerk I - 15	Complaints Specialist – 23
Account Clerk II - 17	Computer Operations Assistant - 12
Account Clerk III - 19	Computer Operator I - 14
Accountant I - 22	Computer Operator II – 16
Accountant II - 25	Computer Programmer II – 22
Accounting Operations Assistant - 23	Computer Programmer III – 24
Administrative Aide - 19	Computer Scheduler – 18
Administrative Services Technician – 14	Construction Inspector – 21
Architect - 28	Construction Inspection Supervisor - 23
Architectural Drafting Technician - 21	Court Clerk – 17
Assessment Technician - 19	Customer Information and Assistance Specialist - 20
Assessor I - 19	Customer Services Coordinator - 15
Assessor II - 22	Customer Service and Information Technician - 20
Assessor III – 24	Customer Services Specialist – 24
Assistant Procurement Agent – 20	Data Processing Assistant – 18
Automotive Parts Clerk – 14	Data Processing Librarian - 13
Benefits Technician - 20	Delinquent Account Collector - 20
Budget Office Assistant – 19	Deputy I - 17
Building and Site Inspector – 20	Deputy II - 20
Building Maintenance Supervisor - 23	Dispatcher - 18
Buildings Supervisor – 25	Drafting and Design Supervisor – 26
Cash Manager - 28	Drafting Technician I – 15
Central Receiving Supervisor - 23	Drafting Technician II – 20
Central Services Technician – 23	Drafting Technician III – 21
Certified Assessor I – 20	Duplicating Machine Operator – 12
Certified Assessor II – 23	Duplicating Machine Supervisor – 15
Certified Building and Site Inspector – 23	Electrical Engineer – 28
Certified Plan Examiner – 23	Environmental Analyst – 21
Certified Plumbing & Mechanical Plan Examiner – 23	Environment Program Manager I – 26
Certified Property Maintenance Inspector - 23	Environment Program Manager II – 28
Chief Construction Inspector – 25	Environment Program Manager III – 30
Chief Dispatcher - 17	Equestrian Program Coordinator – 23
Chief Field Supervisor - 24	Equestrian Program Supervisor - 25
Chief of Drainage Operations - 32	Facility Maintenance Supervisor - 28
Chief of Facility Maintenance - 30	Garage Supervisor – 23
Chief of Project Management - 30	Graphic Arts Designer – 18
Chief of Sewer Operations - 30	Graphic Arts Designer II – 20
Chief of Site Management - 32	Geographic Information Systems Analyst – 26
Chief Right-of-Way Agent - 24	Geographic Information Systems Specialist – 24
Civil Engineer I - 26	Graphic Information Technician - 22
Civil Engineer II – 28	Housing Program Assistant – 20
Civil Engineer III - 30	Housing Rehabilitation Specialist I – 22
Clerk - 12	Housing Rehabilitation Specialist II – 23
Clerk Typist - 14	Interlibrary Loan Assistant – 15
Code Enforcement Officer - 21	Junior Administrative Aide – 14
Code Enforcement Technician – 16	
Community Development Housing Inspector - 20	

EXHIBIT F
ALPHABETICAL LISTING OF
BARGAINING UNIT
OCCUPATIONAL CLASSIFICATIONS

Key Operator – 14	Sanitary Maintenance Technician – 18
Library Assistant – 15	Sanitary Sewer Info Specialist - 20
Library Assistant (Part-Time) – 15	Sanitation Control Technician – 15
Library Specialist – 19	School Crossing Guard Supervisor – 24
Library Specialist (Part-Time) – 19	Secretary – 17
Mail Clerk – 10	Senior Application Engineer – 28
Maintenance Office Administrator – 20	Senior Office Assistant – 20
Maintenance Program Technician – 18	Senior Sanitary Maintenance Technician – 20
Master Mechanic – 23	Sewer Management Engineer – 28
Mechanical Engineer – 26	Site Inspections Supervisor – 24
Messenger - 10	Special Services Data Tech - 17
Microfilm Technician – 14	Special Services Equipment Coordinator – 25
Operations Specialist – 22	Special Services Project Administrator – 28
Parks Forestry Technician – 25	Staff Engineer – 24
Party Chief – 19	Storekeeper – 17
Payroll Assistant – 20	Superintendent of Construction Support - 28
Payroll Assistant II – 26	Superintendent of Pump Stations – 22
Permit Process Technician – 19	Superintendent of Sewer Maintenance – 25
Plan Examiner – 20	Superintendent of Wastewater Treatment – 25
Plan Examiner Supervisor – 23	Survey Instrument Operator – 16
Planning Aide – 15	Survey Parties Supervisor – 23
Plumbing and Mechanical Code Supervisor – 21	Surveyor Assistant – 12
Principal Library Assistant – 17	Treasury Associate – 23
Procurement Agent – 25	Treasury Customer Service Rep - 18
Programmer Analyst – 26	Victim's Assistance Officer - 20
Property Maintenance Technician – 23	
Property Supervisor – 25	
Public Safety Aide – 14	
Public Works Contracts Officer – 24	
Public Works Inspector – 20	
Quality Control Clerk – 13	
Radio Communicator – 18	
Receptionist – 13	
Research Aide (Recorder of Deeds –	
Permanent/Full Time) – 8	
Right-of-Way Agent – 21	

LOCAL 1607

EXHIBIT G
BARGAINING UNIT
OCCUPATIONAL CLASSIFICATIONS
BY PAY GRADE

PAY GRADE 8 Research Aide PAY GRADE 10 Mail Clerk Messenger PAY GRADE 12 Clerk Computer Operations Assistant Duplicating Machine Operator Surveyor Assistant PAY GRADE 13 Data Processing Librarian Quality Control Clerk Receptionist PAY GRADE 14 Administrative Services Technician Automotive Parts Clerk Clerk Typist Computer Operator I Junior Administrative Aide Key Operator Microfilm Technician Public Safety Aide PAY GRADE 15 Account Clerk I Customer Services Coordinator Drafting Technician I Duplicating Machine Supervisor Interlibrary Loan Assistant Library Assistant Library Assistant (Part-Time) Planning Aide Sanitation Control Technician PAY GRADE 16 Code Enforcement Technician Computer Operator II Survey Instrument Operator PAY GRADE 17 Account Clerk II Chief Dispatcher Court Clerk Deputy I Principal Library Assistant Secretary Special Services Data Technician Storekeeper	PAY GRADE 18 Computer Scheduler Data Processing Assistant Dispatcher Graphic Arts Designer Maintenance Program Technician Radio Communicator Sanitary Maintenance Technician Treasury Customer Service Rep PAY GRADE 19 Account Clerk III Administrative Aide Assessment Technician Assessor I Budget Office Assistant Library Specialist Library Specialist (Part-Time) Party Chief Permit Process Technician PAY GRADE 20 Benefits Technician Building and Site Inspector Certified Assessor I Community Development Housing Inspector Customer Information and Assistance Specialist Customer Service and Information Technician Delinquent Account Collector Deputy II Drafting Technician II Graphic Arts Designer II Housing Program Assistant Maintenance Office Administrator Payroll Assistant I Plan Examiner Public Works Inspector Sanitary Sewer Information Specialist Senior Office Assistant Senior Sanitary Maintenance Technician Victim's Assistance Officer
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EXHIBIT G
BARGAINING UNIT
OCCUPATIONAL CLASSIFICATIONS
BY PAY GRADE

PAY GRADE 21 - Architectural Drafting Technician - Assistant Procurement Agent - Code Enforcement Officer - Construction Inspector - Drafting Technician III - Environmental Analyst - Plumbing and Mechanical Code Supervisor - Right-of-Way Agent PAY GRADE 22 - Accountant I - Assessor II - Computer Programmer II - Geographic Information Systems Technician - Housing Rehabilitation Specialist I - Operations Specialist - Superintendent of Pump Stations PAY GRADE 23 - Accounting Operations Assistant - Building Maintenance Supervisor - Central Receiving Supervisor - Central Services Technician - Certified Assessor II - Certified Building and Site Inspector - Certified Plan Examiner - Certified Plumbing and Mechanical Plan Examiner - Certified Property Maintenance & Housing Inspector - Complaints Specialist - Construction Inspection Supervisor - Equestrian Program Coordinator - Garage Supervisor - Housing Rehab Specialist II - Master Mechanic - Plan Examiner Supervisor - Property Maintenance Technician - Survey Parties Supervisor - Treasury Associate PAY GRADE 24 - Assessor III - Chief Field Supervisor - Chief Right-of-Way Agent - Computer Programmer III - Customer Services Specialist - Geo Info Systems Specialist - Public Works Contracts Officer - School Crossing Guard Supervisor - Site Inspections Supervisor - Staff Engineer	PAY GRADE 25 - Accountant II - Buildings Supervisor - Chief Construction Inspector - Equestrian Program Supervisor - Parks Forestry Technician - Property Supervisor - Procurement Agent - Special Services Equipment Coordinator - Supt of Wastewater Treatment PAY GRADE 26 - Civil Engineer I - Drafting and Design Supervisor - Environmental Program Manager I - Geo Info Systems Analyst - Mechanical Engineer - Payroll Assistant II - Programmer Analyst PAY GRADE 28 - Architect - Cash Manager - Civil Engineer II - Electrical Engineer - Environmental Program Manager II - Facility Maintenance Supervisor - Senior Application Engineer - Sewer Management Engineer - Special Services Project Administrator - Superintendent of Sewer Maintenance - Supervisor of Construction Support PAY GRADE 30 - Chief of Facility Maintenance - Chief of Project Management - Chief of Sewer Operations - Civil Engineer III - Environmental Program Manager III PAY GRADE 32 - Chief of Drainage Operations - Chief of Site Management
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LOCAL 1607

EXHIBIT H
SENIORITY, LAY-OFF AND RECALL PROCEDURE
INTERCHANGEABLE OCCUPATIONAL
SENIORITY GROUPS

Group 1. Secretary - 17 Clerk Typist - 14 Receptionist - 13 Clerk - 12 Research Aide (Recorder of Deeds Permanent Full-Time) - 8 Group 2. Central Receiving Supervisor - 23 Storekeeper - 17 Automotive Parts Clerk - 14 Group 3. Duplicating Machine Supervisor - 15 Duplicating Machine Operator - 12 Mail Clerk - 10 Group 4. *Benefits Technician - 20 *Senior Office Assistant - 20 *Administrative Aide – 19 *Budget Office Assistant - 19 *Administrative Services Technician - 14 *Junior Administrative Aide - 14 Group 5. Deputy II - 20 *Deputy I - 17 *Court Clerk - 17 Group 6. Cash Manager - 28 Accountant II - 25 *Accounting Operations Assistant - 23 *Treasury Associate - 23 Accountant I – 22 *Payroll Assistant – 20 *Delinquent Account Collector - 20 Account Clerk III – 19 Treasury Customer Service Rep - 18 Account Clerk II - 17 Account Clerk I - 15	Group 7. Geo Info Systems Analyst – 26 Geo Info systems Specialist – 24 Geo Info Technician - 22 Group 8. Customer Services Specialist - 24 Operations Specialist – 22 *Customer Information and Assistance Specialist – 20 *Customer Service and Information Technician - 20 Data Processing Assistant - 18 Customer Services Coordinator – 15 Public Safety Aide - 14 Group 9. Chief Field Supervisor - 24 *Certified Building and Site Inspector – 23 *Certified Plumbing and Mechanical Plan Examiner – 23 *Certified Property Maintenance Inspector – 23 *Housing Rehabilitation Specialist II - 23 Housing Rehabilitation Specialist I – 22 *Plumbing and Mechanical Code Supervisor - 21 *Construction Inspector - 21 *Building and Site Inspector – 20 *Community Dev. Housing Inspector – 20 Group 10. Reserved Group 11. Chief Construction Inspector - 25 Site Inspections Supervisor – 24 Construction Inspection Supervisor - 23 Construction Inspector - 21 *Public Works Inspector - 20 *Senior Sanitary Maintenance Technician - 20 *Maintenance Program Technician - 18 *Sanitary Maintenance Technician - 18 Sanitation Control Technician - 15 Group 12. Survey Parties Supervisor - 23 Party Chief - 19 Survey Instrument Operator - 16 Surveyor Assistant - 12
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RESOLUTION NO. 24-134

PLAN OF BRANDYWINE COUNTRY CLUB; BRANDYWINE HUNDRED; WEST SIDE OF SHIPLEY ROAD, OPPOSITE OF SUMMERSET ROAD AND EAST SIDE OF CONCORD PIKE, OPPOSITE OF RIGHTER PARKWAY; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES TO ELIMINATE AND ESTABLISH LOT LINES, CONSTRUCT 300 APARTMENT UNITS WITH ASSOCIATED IMPROVEMENTS, CONSTRUCT 41 SINGLE FAMILY UNITS AND 24 TOWNHOUSES, DEDICATE 43.86 ACRES TO THE BRANDYWINE SCHOOL DISTRICT, DEMOLISH THE ABANDONED GOLF COURSE AND ASSOCIATED IMPROVEMENTS, DEMOLISH 7,020 SQUARE FEET OF THE EXISTING SHOPPING CENTER AND CONSTRUCT 12,200 SQUARE FEET ON TWO PAD SITES WITHIN THE EXISTING SHOPPING CENTER; ST, S AND CR ZONING; APPLICATION NO. 2020-0566; COUNCIL DISTRICT 2

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County that County Council hereby. approves the following major land development plan, Plan of Brandywine Country Club (Application No. 2020-0566) as heretofore approved by the Land Use Department, and the President of County Council is hereby authorized to endorse her approval upon the following plan.

**PLAN OF BRANDYWINE COUNTRY CLUB
Brandywine Hundred**

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

SYNOPSIS: Same as title

FISCAL IMPACT: This will have no immediately discernible fiscal impact on the county but, if the parcel is developed in accordance with this record plan, there may be one or more fiscal effects on New Castle County government including, but not limited to, an increase in the assessed value of the property with the resultant increase in taxes collectible thereon and an increased demand for County services.

MEMORANDUM

To: Council President
Members of County Council
Council to Council
Clerk of County Council

From: Charuni Patibanda

Re: Application No. 2020-0566
Brandywine Country Club
Record Major Land Development Plan

Date: May 7, 2024

Enclosed for Council's review and consideration of approval are paper prints of the above-referenced plan. The Department has determined that this proposal complies with all applicable requirements of the New Castle County Code.

A suggested title, synopsis, and fiscal note are attached.

cc: Matthew Meyer, County Executive
Vanessa Phillips, Chief Administrative Officer
Brian Boyle, Senior Policy Director

Plan of Brandywine Country Club; Brandywine Hundred; West side of Shipley Road, opposite of Summerset Road and east side of Concord Pike, opposite of Righter Parkway; Major Land Development Plan that proposes to eliminate and establish lot lines, construct 300 apartment units with associated improvements, construct 41 single family units and 24 townhouses, dedicate 43.86 acres to the Brandywine School District, demolish the abandoned golf course and associated improvements, demolish 7,020 SF of the existing shopping center and construct 12,200 SF on two pad sites within the existing shopping center; ST, S and CR zoning.

Synopsis: Same as title

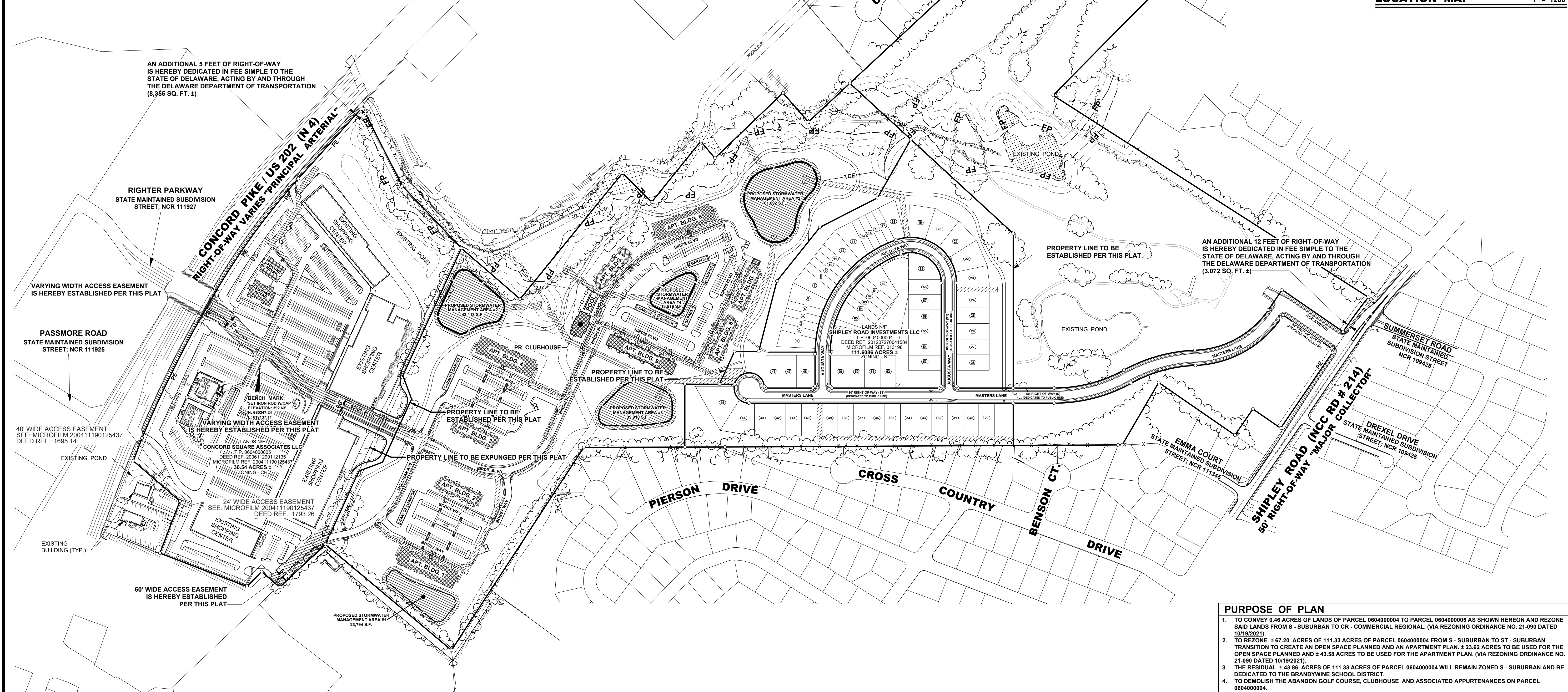
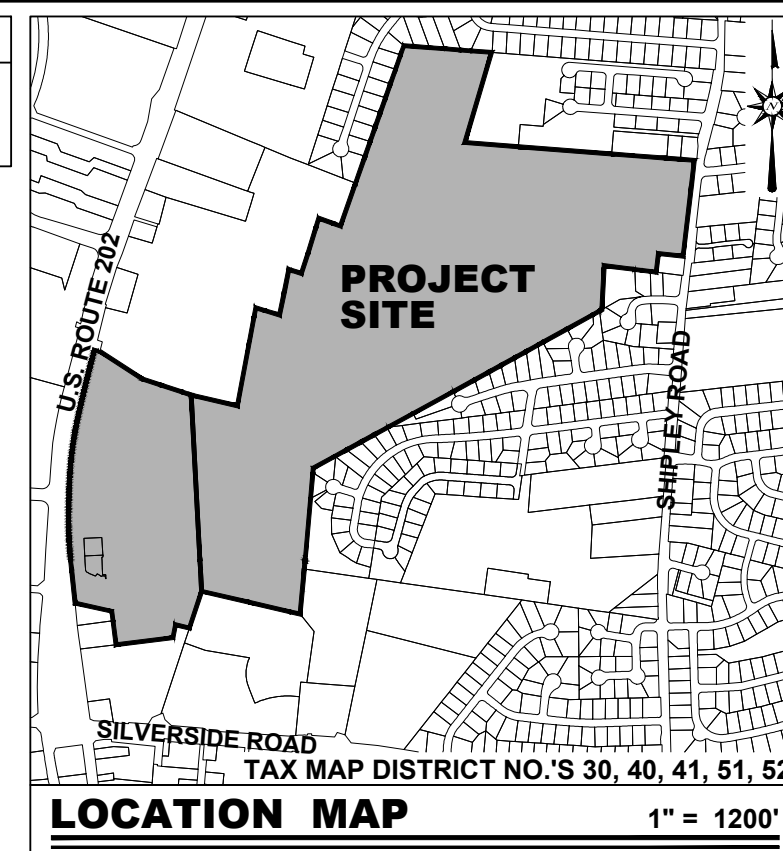
Fiscal Note: This will have no immediately discernible fiscal impact on the county but, if the parcel is developed in accordance with this record plan, there may be one or more fiscal effects on New Castle County government including, but not limited to, an increase in the assessed value of the property with the resultant increase in taxes collectible thereon and an increased demand for County services.

LEGEND					
ITEM	EXISTING	PROPOSED	ITEM	EXISTING	PROPOSED
CONCRETE CURB & GUTTER			SANITARY GRAVITY SEWER LINE, SIZE & FLOW DIRECTION	→ EX. 10" S	→ 10" S
CONCRETE SIDEWALK, SLAB / PAVING			SANITARY SEWER FORCE MAIN, SIZE & FLOW DIRECTION	→ EX. 10" F.M.	→ 12" F.M.
IMPERVIOUS SURFACED ROAD, DRIVE OR LOT			SANITARY SEWER MANHOLE (S.M.H.)		
PAVED MULTI-MODAL PATH			SANITARY SEWER CLEANOUT		
INDIVIDUAL TREE OR BUSH			WATER MAIN & SIZE	EX. 10" W	12" W
WIRE FENCE			FIRE HYDRANT		
CHAINLINK FENCE			WATER VALVE (W.V.) OR METER (W.M.)	W.M. W.V.	W.M. W.V.
STOCKADE FENCE			STORM DRAIN MANHOLE (S.D.M.H.)		
STRUCTURE (CONCRETE, WOOD, METAL, ETC.)			STORM DRAIN LINE (CMP OR RCP)		
DRAINAGE DITCH OR SWALE			CATCH BASIN		
EMBANKMENT SIDESLOPES (DOWN)			UTILITY POLE W/ OVERHEAD SERVICE (TELEPHONE OR ELECTRIC OR BOTH)		
CONTOUR			UNDERGROUND ELECTRIC	~U.E.	U.E.
ELEVATION SPOT SHOT			UNDERGROUND TELEPHONE	~U.T.	U.T.
BENCH MARK			UNDERGROUND GAS MAIN	EX. 2" G	2" G
PROPERTY OR RIGHT-OF-WAY LINE			PAVEMENT TO BE REMOVED		
CENTERLINE					
LIGHT POLE					

SHEET INDEX

1 OF 11
2 OF 11 - 3 OF 11
4 OF 11 - 11 OF 11

COVER SHEET
COVER SHEET & PLAN NOTES
DETAIL SHEETS



PURPOSE OF PLAN

- TO CONVEY 0.46 ACRES OF LANDS OF PARCEL 0604000004 TO PARCEL 0604000005 AS SHOWN HEREON AND REZONE SAID LANDS FROM S - SUBURBAN TO CR - COMMERCIAL REGIONAL, (VIA REZONING ORDINANCE NO. 21-090 DATED 10/19/2021).
- TO REZONE ± 67.20 ACRES OF 111.33 ACRES OF PARCEL 0604000004 FROM S - SUBURBAN TO ST - SUBURBAN TRANSITION TO CREATE AN OPEN SPACE PLANNED AND AN APARTMENT PLAN, ± 23.82 ACRES TO BE USED FOR THE OPEN SPACE PLANNED AND ± 43.58 ACRES TO BE USED FOR THE APARTMENT PLAN, (VIA REZONING ORDINANCE NO. 21-090 DATED 10/19/2021).
- THE RESIDUAL ± 43.66 ACRES OF PARCEL 0604000004 WILL REMAIN ZONED S - SUBURBAN AND BE DEDICATED TO THE BRANDYWINE SCHOOL DISTRICT.
- TO DEMOLISH THE ABANDON GOLF COURSE, CLUBHOUSE AND ASSOCIATED APPURTENANCES ON PARCEL 0604000004.
- TO CONSTRUCT AN OPEN SPACED PLANNED SUBDIVISION CONSISTING OF 41 SINGLE FAMILY HOMES AND 24 TOWN HOMES.
- TO CONSTRUCT 300 PROPOSED APARTMENT UNITS AS A STAND ALONE PROJECT APART FROM THE OPEN SPACE PLANNED PROJECT.
- TO CONSTRUCT A 5,000 S.F. CLUBHOUSE AND POOL AREA WITHIN THE APARTMENT PROJECT AREA.
- TO DEMOLISH A 7,020 S.F. ± PORTION OF THE EXISTING SHOPPING CENTER BUILDING ON PARCEL 0604000005 TO ACCOMMODATE TWO VARYING WIDTH ACCESS EASEMENTS AND PROPOSED PRIVATE ACCESSWAYS CONNECTING THE CONCORD SQUARE SHOPPING CENTER TO PARCEL 0604000004.
- TO CONSTRUCT 12,200 S.F. ON TWO PAD SITES ON PARCEL 0604000005 WITHIN THE EXISTING SHOPPING CENTER PARKING LOT TO REPLACE A PORTION OF THE BUILDING DEMOLISHED FOR THE CONSTRUCTION OF THE ACCESSWAY.

NATURAL RESOURCES DATA TABLE - PARCEL 0604000005

PROTECTED RESOURCE	PROTECTION RATIO PER CODE *	TOTAL AREA ON SITE**	DISTURBED AREA**	PROTECTED AREA RATIO PROVIDED
FLOODPLAIN	1.00	0.27 AC.	0.00 AC.	1.00
WETLANDS	1.00	0.13 AC.	0.00 AC.	1.00
RIPARIAN BUFFER	1.00	0.91 AC.	0.00 AC.	1.00
MATURE FOREST	0.50	0.21 AC.	0.00 AC.	1.00

NATURAL RESOURCES DATA TABLE - PARCEL 0604000004

PROTECTED RESOURCE	PROTECTION RATIO PER CODE *	TOTAL AREA ON SITE**	DISTURBED AREA**	PROTECTED AREA RATIO PROVIDED
FLOODPLAIN	1.00	4.45 AC.	0.00 AC.	1.00
WETLANDS	1.00	0.87 AC.	0.00 AC.	1.00
RIPARIAN BUFFER	1.00	5.90 AC.	0.40 AC.***	0.93
MATURE FOREST	0.70	8.35 AC.	1.68 AC.	0.80

*BASED ON CR DISTRICT FOR SHOPPING CENTER, BASED ON ST DISTRICT FOR OPEN SPACE PLANNED & APARTMENTS
**THIS AREA IS MEASURED WITHOUT OVERLAP WITH OTHER RESOURCES, HIGHER PROTECTION AREA GOVERNS.
***DISTURBANCE IN RESOURCE AREA FOR INSTALLATION OF PAVED TRAILS AND STORMWATER MANAGEMENT PRACTICE OUTFALLS.

CERTIFICATION OF PLAN ACCURACY

I, CHRISTOPHER D. DUKE, HEREBY CERTIFY THAT I AM A REGISTERED ENGINEER WITH A BACKGROUND IN CIVIL ENGINEERING IN THE STATE OF DELAWARE AND THAT ALL OF THE INFORMATION ON THIS PLAN IS TRUE AND CORRECT TO THE ACCURACY REQUIRED BY ACCEPTED STANDARDS AND PRACTICES AND BY THE NEW CASTLE COUNTY UNIFIED DEVELOPMENT CODE.

CHRISTOPHER D. DUKE
No. 16378
P.E. NO. 16378
DATE 04-26-2024

CERTIFICATION OF OWNERSHIP

WE, SHIPLEY ROAD INVESTMENTS, LLC, HEREBY CERTIFY THAT WE ARE THE OWNER OF THE PROPERTY WHICH IS SUBJECT OF THIS PLAN AND THAT THE LAND USE ACTION PROPOSED BY THIS PLAN IS MADE AT OUR DIRECTION AND THAT WE AUTHORIZE THIS PLAN TO BE RECORDED IN ACCORDANCE WITH THE REGULATIONS OF THE NEW CASTLE COUNTY UNIFIED DEVELOPMENT CODE.

WILLIAM J. KRAPP
DATE 04-25-2024

CERTIFICATION OF OWNERSHIP

WE, CONCORD SQUARE ASSOCIATES, LLC, HEREBY CERTIFY THAT WE ARE THE OWNER OF THE PROPERTY WHICH IS SUBJECT OF THIS PLAN AND THAT THE LAND USE ACTION PROPOSED BY THIS PLAN IS MADE AT OUR DIRECTION AND THAT WE AUTHORIZE THIS PLAN TO BE RECORDED IN ACCORDANCE WITH THE REGULATIONS OF THE NEW CASTLE COUNTY UNIFIED DEVELOPMENT CODE.

WILLIAM J. KRAPP
DATE 04-25-2024

CERTIFICATION OF PLAN APPROVAL

APPROVED _____ BY _____ (GENERAL MANAGER)
(DATE) _____
FOR DEPARTMENT OF LAND USE OF NEW CASTLE COUNTY.

APPROVED _____ BY _____ (COUNCIL PRESIDENT)
(DATE) _____
FOR COUNTY COUNCIL OF NEW CASTLE COUNTY.

**BECKER
MORGAN
GROUP**

ARCHITECTURE
ENGINEERING

Delaware

309 South Governors Avenue
Dover, DE 19904
302.734.7950

The Tower at STAR Campus
100 Discovery Boulevard, Suite 102
Newark, DE 19713
302.369.3700

Maryland

312 West Main Street, Suite 300
Salisbury, MD 21801
410.546.9100

North Carolina

3333 Jaeckle Drive, Suite 120
Wilmington, NC 28403
910.341.7600

www.beckermorgan.com

PROJECT TITLE

APPLICATION NO.: 2020-0566-S/Z

**BRANDYWINE
COUNTRY
CLUB
SUBDIVISION**
MAJOR SUBDIVISION PLAN

2822 SHIPLEY ROAD
BRANDYWINE HUNDRED
NEW CASTLE COUNTY

SHEET TITLE

**MAJOR RESIDENTIAL
LAND DEVELOPMENT
RECORD PLAN**

0 100 200 400
SCALE: 1" = 200'

ISSUE BLOCK

ISSUE	DATE	DESCRIPTION
13	1/4/2024	AGENCY SUBMISSION
12	11/27/2023	AGENCY SUBMISSION
11	11/9/2023	AGENCY SUBMISSION
10	11/3/2023	AGENCY SUBMISSION
9	10/4/2023	AGENCY SUBMISSION
8	8/25/2023	AGENCY SUBMISSION
7	8/11/2023	AGENCY SUBMISSION
6	7/7/2023	AGENCY SUBMISSION

MARK DATE DESCRIPTION

LAYER/STATE SHEET 1

PROJECT NO.: 2014059.00

DATE: 2-20-2023

SCALE: 1" = 200'

DRAWN BY: A.P.C. PROJ. MGR.: J.C.D.

SHEET

1 OF 11

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GENERAL NOTES :

- BOUNDARY DATA SHOWN HEREON WAS PREPARED BY VANDEMARK & LYNCH, WILLINGTON, DE IN MAY OF 2012. BOUNDARY WAS PREPARED WITHOUT BENEFIT OF A TITLE SEARCH AND IS SUBJECT TO EASEMENTS.
- AERIAL TOPOGRAPHIC DATA SHOWN HEREON WAS PREPARED BY COOPER AERIAL SURVEYS, CO. DATED DECEMBER 30, 2013. THE INFORMATION UTILIZED TO PREPARE THIS PLAN IS BASED ON DIGITAL INFORMATION SUPPLIED TO BECKER MORGAN GROUP FROM VANDEMARK & LYNCH, INC. ADDITIONAL FIELD TOPOGRAPHY WAS PERFORMED BY BECKER MORGAN GROUP IN JUNE, JULY, AND SEPTEMBER 2016.
- THIS SITE IS NOT LOCATED WITHIN THE ONE HUNDRED YEAR FLOOD PLAIN ZONE, BASED ON FIRM MAP10003C0006K AND 10003C0006K, PAGES 60 & 66 OF 475, DATED JANUARY 22, 2020.
- FLOODPLAIN: THIS SITE CONTAINS NON-DELTED FLOODPLAIN. THE LIMITS OF THESE FLOODPLAIN WERE DOCUMENTED IN A FLOOD STUDY PERFORMED BY KOTI TECHNOLOGIES IN A REPORT DATED APRIL 2017 AND LAST REVISED ON JUNE 2020.
- WETLANDS: A WETLAND DELINEATION WAS PERFORMED IN MAY 2016 FOR THIS PARCEL IN ACCORDANCE WITH THE UDC, BY WATERSHED-ECO, LLC. A REPORT TITLED "WETLAND DELINEATION - BRANDYWINE COUNTRY CLUB DATED JANUARY 16, 2017 WAS ISSUED. BOTH WETLANDS AND WATERS OF THE U.S. WERE FOUND TO EXIST ON THIS SITE AND ARE IDENTIFIED ON THIS PLAN.
- FORESTS: A FOREST STAND DELINEATION WAS PERFORMED IN JUNE 2019 FOR THIS PARCEL IN ACCORDANCE WITH THE UDC, BY WATERSHED-ECO, LLC. A REPORT TITLED "FOREST STAND DELINEATION REPORT - BRANDYWINE COUNTRY CLUB PROPERTY DATED JUNE 15, 2019 WAS ISSUED. A REVISED REPORT WAS ISSUED REFLECTING UPDATED NEW CASTLE COUNTY DELINEATION STANDARDS.
- WRPA AREAS: THIS SITE IS NOT LOCATED WITHIN A WATER RESOURCE PROTECTION AREA (WRPA) BASED ON REVIEW OF WRPA'S MAP FOR NEW CASTLE COUNTY, DE., SHEET 1 OF 3, DATED 1987, REVISED MAY 2001, FEB. 2006, DEC. 2011 AND LAST REVISED MARCH 2022.
- CRITICAL NATURAL AREAS: BASED ON A SEARCH DONE IN MARCH OF 2017 ON THE DELAWARE ENVIRONMENTAL NATURAL REGISTER, THERE ARE NO CRITICAL NATURAL AREAS EFFECTING THE PROPERTY SHOWN.
- THIS PLAN IS SUBJECT TO THE IMPACT FEE PROVISIONS OF CHAPTER 40, ARTICLE 14, OF THE NEW CASTLE COUNTY CODE AS MAY BE AMENDED BY NEW CASTLE COUNTY COUNCIL.
- ANY AREA DESIGNATED FOR PROTECTION AS A NATURAL RESOURCE PURSUANT TO CHAPTER 40, ARTICLE 1 OF THE NEW CASTLE COUNTY UNIFIED DEVELOPMENT CODE IS HEREBY PROTECTED BY CONSERVATION EASEMENT THAT SHALL RUN IN PERPETUITY FOR THE BENEFIT OF NEW CASTLE COUNTY. ANY AREA ON THIS PLAN DELINEATED AS A CONSERVATION EASEMENT SHALL REMAIN IN ITS NATURAL STATE, EXCLUSIVE OF ANY REFORESTATION REQUIRED BY THE COUNTY CODE.
- FOR MAINTENANCE OF THE COMMON FACILITIES WITHIN THE AREA DESIGNATED FOR OPEN SPACE PLANNED (RESIDENTIAL), DEVELOPMENT INCLUDING BUT NOT LIMITED TO PAVED AREAS, SIDEWALKS, CURBING, LANDSCAPING, OPEN SPACE, DRAINAGE AND STORMWATER MANAGEMENT FACILITIES SHOWN ON THIS PLAN SHALL BE KEPT IN GOOD REPAIR AND MAINTAINED IN A SAFE AND SANITARY CONDITION IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE 27 OF THE UNIFIED DEVELOPMENT CODE OF NEW CASTLE COUNTY. SEE THE MAINTENANCE DECLARATION DATED 1-16-2024, AND OF RECORD IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR NEW CASTLE COUNTY, STATE OF DELAWARE, INSTRUMENT NO. 20240115-0016644.
- NEW CASTLE COUNTY HAS THE RIGHT OF ACCESS TO THE SITE FOR THE PURPOSES OF OPERATING, MAINTAINING AND REPAIRING THE SANITARY SEWER LINES CONTAINED WITHIN THE SEWER EASEMENT SHOWN ON THIS PLAN.
- UNLESS OTHERWISE DESCRIBED BY METES AND BOUNDS, OR MATHEMATICAL REFERENCE TO A PROPERTY LINE, A 40 FOOT WIDE PERMANENT EASEMENT, IN FAVOR OF PUBLIC WORKS, 20 FOOT ON EACH SIDE OF THE CENTERLINE OF THE PIPE, SHALL BE CREATED WHERE A SANITARY SEWER OR STORM SEWER PIPE IS DESIGNATED FOR PUBLIC USE IN UNPAVED AREAS AND IS OUTSIDE OF A DEDICATED PUBLIC RIGHT-OF-WAY. A 20 FOOT WIDE PERMANENT EASEMENT, IN FAVOR OF THE DEPARTMENT OF PUBLIC WORKS, 10 FOOT ON EACH SIDE OF THE CENTERLINE OF THE PIPE, SHALL BE CREATED WHERE A SANITARY SEWER OR STORM SEWER PIPE IS DESIGNATED FOR PRIVATELY MAINTAINED PAVED AREAS, SUCH AS PARKING LOTS, PRIVATE STREETS, OR DRIVEWAYS. IF THE CONSTRUCTED HORIZONTAL SEWER MAIN LOCATION DEVIATES BY MORE THAN 2.5 FEET FROM THE DESIGN LOCATION, THE PROJECT MAY BE SUBJECT TO A RESUBDIVISION PLAN OR PIPE LOCATION AS DETERMINED BY THE DEPARTMENT OF PUBLIC WORKS.
- DRAINAGE, EROSION, AND SEDIMENT CONTROL, AND STORMWATER MANAGEMENT SHALL BE PROVIDED IN ACCORDANCE WITH THE NEW CASTLE COUNTY DRAINAGE CODE.
- ALL STORMWATER MANAGEMENT, GRADING AND RELATED INSTALLATIONS SHALL UTILIZE GREEN TECHNOLOGY STORMWATER BEST MANAGEMENT PRACTICES (BMP'S).
- A TRAFFIC IMPACT STUDY (T.I.S.) LAST REVISED APRIL 19, 2022 WAS COMPLETED FOR THIS PLAN BY BECKER MORGAN GROUP, INC. DELDOT REVIEWED AND ACCEPTED THE T.I.S. REVIEW COMMENTS AND RECOMMENDATIONS IN A LETTER DATED MAY 10, 2022. DELDOT'S APPROVAL OF THIS STUDY IS SUBJECT TO THE FOLLOWING IMPROVEMENTS:
- COORDINATE WITH DELDOT TO IMPROVE SHIPLEY ROAD ALONG SITE FRONTAGE TO MEET MAJOR COLLECTOR ROAD STANDARDS, INCLUDING BUT NOT LIMITED TO PROVIDING 12 FOOT FRONTAGE LANES AND 8 FOOT SHOULDER, AS WELL AS AN OVERLAY OF EXISTING PAVEMENT.
- SHIPLEY FRONTAGE IMPROVEMENTS TO EXTEND BEYOND PROPOSED SITE ENTRANCE B, BOTH NORTHBOUND PAST SUMMERSET ROAD AND SOUTHBOUND PAST DREXEL DRIVE. THE PROPOSED BICYCLE, PEDESTRIAN AND TRANSIT IMPROVEMENTS ARE TO INCLUDE FULL UNSIGNALIZED ACCESS FOR ALL TRAFFIC. THE IMPROVEMENTS ARE REFERENCED TO PAGE 6 OF THE 1/13/2016 ENCLOSURE TO THE DELDOT LETTER (PER UDC ARTICLE 11 AND APPENDIX 1, PLAN REQUIREMENTS 30 AND 83).
- EXTEND THE EXISTING RIGHT TURN LANE ON NORTHBOUND US ROUTE 202 AT THE INTERSECTION OF RIGHTER PARKWAY AND CONCORD SQUARE SHOPPING CENTER (PROPOSED SITE ENTRANCE A).
- EXTEND THE EXISTING LEFT TURN LANE ON WESTBOUND NAAMANS ROAD AT THE INTERSECTION OF SHIPLEY ROAD AND BRANDYWINE TOWN CENTER DRIVEWAY.
- COORDINATE WITH DELDOT REGARDING DESIGN OF THE INTERCONNECTION BOULEVARD THROUGH THE CONCORD SQUARE SHOPPING CENTER.
- A 15' WIDE STORM WATER MANAGEMENT ACCESS EASEMENT IN FAVOR OF NEW CASTLE COUNTY, ITS AGENTS AND ASSIGNS IS HEREBY CREATED ON, OVER, UNDER, AND ACROSS THE ENTIRE AREA OF ALL STORM WATER MANAGEMENT FACILITIES INCLUDING, BUT NOT LIMITED TO, FLOOD WALLS, BASINS, AND ALL COMPONENTS THEREOF. IDENTIFIED ON THE PLAN AND ALL WATERCOURSES FOR THE PURPOSE OF INSPECTING, EVALUATING, AND MAINTAINING THE STORM WATER MANAGEMENT FACILITIES AND WATERCOURSES. THE EASEMENT SHALL EXTEND 15 FEET FROM THE OUTER EDGES OF EACH SUCH STORM WATER MANAGEMENT FACILITY. A GENERAL ACCESS EASEMENT IS HEREBY CREATED OVER AND ACROSS THE APARTMENT PROJECT PROJECT SHOWN ON THIS PLAN GRANTING NEW CASTLE COUNTY, ITS AGENTS AND ASSIGNS THE RIGHT, PRIVILEGE AND AUTHORITY TO ENTER UPON AND TRAVEL ACROSS THE PROPERTY TO EACH STORM WATER MANAGEMENT FACILITY. THE EASEMENT HEREIN CREATED SHALL BE FOR PEDESTRIAN, VEHICULAR, AND EQUIPMENT USE. IF NEW CASTLE COUNTY, ITS AGENTS OR ASSIGNS DETERMINES THAT MAINTENANCE IS REQUIRED TO A STORM WATER MANAGEMENT FACILITY, NEW CASTLE COUNTY SHALL PROVIDE AND MAINTAIN THE TIME FRAME IN WHICH SUCH MAINTENANCE SHALL BE COMPLETED TO THE PROPERTY OWNER OR RESPONSIBLE PARTY. NO NOTICE SHALL BE REQUIRED WHERE NEW CASTLE COUNTY PERFORMS MAINTENANCE WHERE THERE IS IMMINENT THREAT TO LIFE, HEALTH OR PROPERTY. IN THE EVENT NEW CASTLE COUNTY ELECTS TO MAINTAIN THE STORM WATER MANAGEMENT FACILITIES, ALL EXPENSES SHALL BE ASSESSED JOINTLY AND SEVERALLY AGAINST THE OWNERS OF THE PROJECT SHOWN ON THIS PLAN.
- A REPORT SHALL BE SUBMITTED TO NEW CASTLE COUNTY ENGINEERING DEPARTMENT FOLLOWING EACH REQUIRED THIRTY DAY INSPECTION. ALL STORM-PIPE SYSTEMS OUTSIDE OF DELDOT RIGHT-OF-WAY SHALL BE VIDEO-TAPED AND AS-BUILT AND SENT TO THE NEW CASTLE COUNTY, ALL DEPARTMENTS, FOR REVIEW. ALL DEPARTMENTS SHALL BE KEPT IN GOOD REPAIR AND MAINTAINED. THE STORMWATER CONVEYANCE PIPES MUST BE CORRECTED OR REPAIRED AND THE PROFESSIONALS SUBMITTING THESE DOCUMENTS MUST CERTIFY THAT THE PIPE INSTALLATIONS ARE CONSISTENT WITH DELDOT REQUIREMENTS.
- A 6 FOOT WIDE EASEMENT ON EACH SIDE OF ALL SIDE, FRONT, AND REAR LOT LINES SHOWN ON THE PLAN, AND ON EACH SIDE OF ALL SIDE, FRONT, AND REAR LOT LINES ESTABLISHED WITHIN THE AREA SHOWN ON THIS PLAN IS HEREBY CREATED. DEDICATED TO BE AVAILABLE FOR ANY UTILITY USE, PROVIDED THAT WHERE ANY LOT LINE IS ELIMINATED, THE EASEMENT ALONG SAID LOT LINE SHALL BE EXTINGUISHED EXCEPT AS TO UTILITIES THEN EXISTING IN SAID EASEMENT.
- NO DEBRIS SHALL BE BURIED ON THE SITE.
- ALL IMPROVEMENTS REQUIRED BY THE APARTMENT PROJECT AND NEW CASTLE COUNTY CODE SHALL BE SUBJECT TO THE LAND DEVELOPMENT IMPROVEMENT AGREEMENT (LDA), AND THE PERFORMANCE GUARANTEE INCORPORATED THEREIN. THE LDA IS RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR NEW CASTLE COUNTY ON 03-13-2024 AT INSTRUMENT NO. 20240313-0016644.
- ALL IMPROVEMENTS REQUIRED BY THE OPEN SPACE PLANNED PROJECT AREA AND NEW CASTLE COUNTY CODE SHALL BE SUBJECT TO THE LAND DEVELOPMENT IMPROVEMENT AGREEMENT (LDA), AND THE PERFORMANCE GUARANTEE INCORPORATED THEREIN. THE LDA IS RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR NEW CASTLE COUNTY ON 03-13-2024 AT INSTRUMENT NO. 20240313-0016644.
- ALL IMPROVEMENTS REQUIRED BY THE SHOPPING CENTER PROJECT AREA AND NEW CASTLE COUNTY CODE SHALL BE SUBJECT TO THE LAND DEVELOPMENT IMPROVEMENT AGREEMENT (LDA), AND THE PERFORMANCE GUARANTEE INCORPORATED THEREIN. THE LDA IS RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR NEW CASTLE COUNTY ON 03-13-2024 AT INSTRUMENT NO. 20240313-0016644.
- A LANDSCAPE PLAN FOR THE OPEN SPACE DEVELOPMENT, PREPARED BY BECKER MORGAN LAST DATED 11-03-2023 OR AS AMENDED AND APPROVED IN WRITING BY THE DEPARTMENT OF LAND USE, IS HEREBY CONSIDERED A PART OF THE RECORD PLAN.
- A LANDSCAPE PLAN FOR THE APARTMENT DEVELOPMENT, PREPARED BY BECKER MORGAN LAST DATED 11-03-2023 OR AMENDED AND APPROVED IN WRITING BY THE DEPARTMENT OF LAND USE, IS HEREBY CONSIDERED A PART OF THE RECORD PLAN.
- A LANDSCAPE PLAN FOR THE SHOPPING CENTER DEVELOPMENT, PREPARED BY BECKER MORGAN LAST DATED 11-03-2023 OR AMENDED AND APPROVED IN WRITING BY THE DEPARTMENT OF LAND USE, IS HEREBY CONSIDERED A PART OF THE RECORD PLAN.
- ALL FIRE LINES, FIRE HYDRANTS, AND FIRE DEPARTMENTS SHALL BE MARKED AND DIMENSIONED AS NEEDED.
- ALL SINGLE-FAMILY ATTACHED UNITS (TOWNHOMES) SHALL BE SEPARATED USING A MINIMUM TWO-HOUR RATED FIRE BARRIER.
- UNLESS OTHERWISE SPECIFIED ON THE PLAN, SIDEWALKS SHALL BE INSTALLED IN THE LOCATIONS SHOWN ON THE RECORD PLAN PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE DWELLING IN FRONT OF WHICH THEY ARE SHOWN. SIDEWALKS SHALL BE A MINIMUM OF FIVE (5) FEET IN WIDTH AND CONSTRUCTED OF PORTLAND CEMENT CONCRETE (SEE PLAN DETAILS FOR SPECIFIC SIDEWALK WIDTHS).
- DELDOT WILL NOT ACCEPT ANY OF THE STREETS INTO THE STATE OF DELAWARE MAINTENANCE SYSTEM UNTIL 75% OF THE HOMES ARE COMPLETELY CONSTRUCTED FOR THIS DEVELOPMENT. IT WILL BE THE RESPONSIBILITY OF THE OWNER/DEVELOPER TO NOTIFY DELDOT WHEN 75% OF 65 HOMES HAVE BEEN COMPLETELY CONSTRUCTED WITH CERTIFICATES OF OCCUPANCY ISSUED BY THE COUNTY.
- THE FINAL OVERLAY OF BITUMINOUS CONCRETE - TYPE C FOR ALL STREET WITHIN THE DEVELOPMENT WILL NOT BE PERMITTED UNTIL 75% OF 65 HOMES ARE COMPLETELY CONSTRUCTED. IF FINAL OVERLAY IS CONDUCTED WITHOUT DELDOT'S KNOWLEDGE AND/OR APPROVAL, THEN DELDOT HAS THE RIGHT TO HAVE THE OWNER/DEVELOPER MILL AND OVERLAY, WITH ALL COST BEING PAID FOR BY THE DEVELOPER.
- NO DRIVEWAYS ARE PERMITTED TO BE PLACED AT DRAINAGE INLET LOCATIONS.
- ALL STREET TREES ARE THE MAINTENANCE RESPONSIBILITY OF THE PRIVATE PROPERTY OWNER. THE STATE ASSUMES NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF THE STREET TREES.
- THE TRAFFIC MITIGATION AGREEMENT, INSTRUMENT NO. 20041015-000053, WITH PARCEL 06-040-00-005 AND 06-051-00-001 RECORDED ON AUGUST 31ST, 2004 HAS THE FOLLOWING RELEVANT PROVISIONS:
- CROSS-EASEMENT DECLARATION EXISTING BETWEEN THE TWO PARCELS ENCOMPASSING THE PREMISES AND IS OF RECORD IN DEED BOOK 1695, PAGE 014.
- TWO EXISTING VEHICULAR INTERCONNECTIONS BETWEEN CONCORD SQUARE AND TALLEYVILLE SHOPPING CENTER, HOWEVER CURRENTLY BLOCKED BY OWNER OF TALLEYVILLE SHOPPING CENTER. OPENING CONNECTIONS WILL FACILITATE IMPROVE TRAFFIC FLOW AND SHUTTLE BUSES.
- AN UNRECORDED TRAFFIC SIGNAL, INSTALLATION AND MAINTENANCE AGREEMENT BETWEEN BC DEVELOPMENT ASSOCIATES AND THE STATE OF DELAWARE, DEPARTMENT OF TRANSPORTATION LOCATED AT THE MAIN ENTRANCE OF CONCORD SQUARE ON ROUTE 202.
- DECLARANT WILL ALLOW SHUTTLE BUSES TO CIRCULATE THROUGH THE PREMISES.
- CONCORD SQUARE HAS AN EXISTING BICYCLE RACK NEAR THE NORTHEAST CORNER, AND HAVE ADDED ONE NEAR THE SOUTHWEST CORNER AT THE TWO PAD SITES BETWEEN THE TWO ENTRANCES OFF OF US 202.
- CROSS-ACCESS RIGHTS BETWEEN PARCELS 06-051-00-0053, 06-004-00-004, 06-004-00-004, AND 06-051-00-001 ENCOMPASSING THE

GENERAL NOTES CONTINUED :

- PREMISES ARE OF RECORD IN THE CROSS-EASEMENT DECLARATION, IN DEED BOOK 1793, PAGE 0026.
- SUBDIVISION STREETS:
- ALL ENTRANCES SHALL CONFORM TO THE DELAWARE DEPARTMENT OF TRANSPORTATION'S (DELDOT'S) DEVELOPMENT COORDINATION MANUAL (DCA) AND SHALL BE SUBJECT TO ITS APPROVAL.
- ALL RIGHT-OF-WAY ARE INTENDED FOR PUBLIC USE.
- SUBDIVISION STREETS CONSTRUCTED WITHIN THE LIMITS OF THE RIGHT-OF-WAY DEDICATED TO PUBLIC USE SHOWN ON THIS PLAN ARE TO BE MAINTAINED BY THE DELAWARE DEPARTMENT OF TRANSPORTATION (DELDOT) FOLLOWING THE ACCEPTANCE OF THE STREETS. DELDOT ASSUMES NO MAINTENANCE RESPONSIBILITIES WITHIN THE DEDICATED STREET RIGHT-OF-WAY UNLESS THE STREETS HAVE BEEN ACCEPTED BY THE STATE OF DELAWARE.
- FOR ALL PROJECTS WITH STREET INTERCONNECTIONS, A NOTE STATING "FUTURE INTERCONNECTION TO ADJOINING PROPERTY".
- ARCHITECTURAL DESIGN: THE REVIEW SHALL ASCERTAIN COMPLIANCE WITH THE UNIFIED DEVELOPMENT CODE'S DESIGN AND CHARACTER STANDARDS, ANTI-MONOTONY MEASURES AND STANDARDS, AND EXTERIOR MATERIAL REQUIREMENTS. THE ARCHITECTURAL AND DESIGN FEATURES SHALL BE REVIEWED BASED ON THE FOLLOWING: (A) THE EVOLUTION OF BUILDING CODES, MATERIALS, AND INDUSTRY PRACTICES; AND (B) THE SPECIFIC CHARACTERISTICS RESUCH AS ARCHITECTURAL STYLE, DEVELOPMENT MIX (E.G. RESIDENTIAL VS. MIXED USE), AND TOPOGRAPHY. HOWEVER, THE DEPARTMENT'S REVIEW SHALL ENSURE THAT BUILDING DESIGN, CHARACTER STANDARDS, AND USE OF QUALITY EXTERIOR MATERIALS IS ADHERED TO.
- MAINTENANCE EASEMENTS: THE REVIEW SHALL ENSURE THAT THE DESIGN OF THE PROJECT COMPLIES WITH THE UNIFIED DEVELOPMENT CODE'S REQUIREMENTS FOR THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY. THE DEVELOPER SHALL PLACE FUNDS IN AN INTEREST-BEARING ESCROW ACCOUNT EQUIVALENT TO THE COST OF MAINTAINING THE PRIVATE OPEN SPACE AND COMMON FACILITIES FOR THE OPEN SPACE PLANNED PROJECT AREA, FOR A TWO (2) YEAR PERIOD. THE AMOUNT SHALL BE \$57,000.00 (\$876.92 PER LOT) AS SHOWN ON THIS PLAN OR SUBSEQUENT JULIANS.
- LONG TERM STORMWATER MANAGEMENT FEE: THE OWNER / DEVELOPER OF AN APARTMENT PROJECT SHALL PAY, TO NEW CASTLE COUNTY, FUNDS FOR LONG TERM STORMWATER MANAGEMENT FEE PURSUANT TO SECTION 40.27.240 OF THE COUNTY CODE. THE TIME OF THE COUNTY CODE SHALL BE USED FOR THE COSTS ASSOCIATED WITH INSPECTING AND MAINTAINING THE PROJECT. THE FUNDING SHALL BE PRIOR TO RECEIVING THE FIRST CERTIFICATE OF OCCUPANCY. THE DEPARTMENT OF LAND USE SHALL WITHHOLD THE ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY UNTIL SATISFACTORY WRITTEN PROOF THAT THE FUNDS HAVE BEEN PAID TO THE COUNTY OF NEW CASTLE.
- ADDRESSES ARE AS ASSIGNED BY THE NEW CASTLE COUNTY GIS SERVICES.
- TOTAL DISTURBED AREA (LOD) = 82 ACRES.
- PRIOR TO ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY FOR ANY LOT SHOWN ON THE PLAN, THE OWNER/DEVELOPER SHALL PROVIDE A CERTIFICATE OF OCCUPANCY TO THE DEPARTMENT OF EDUCATION THAT THE VOLUNTARY SCHOOL ASSESSMENT FOR THAT LOT HAS BEEN PAID. A VOLUNTARY SCHOOL ASSESSMENT WAS EXECUTED ON 01-16-2024, AND RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR NEW CASTLE COUNTY ON 01-16-2024, AT INSTRUMENT NO. 20240116-0002997.
- STREET TREES AND LANDSCAPING SHALL NOT BE PERMITTED WITHIN THE CURBED ISLANDS ALONG THE BOULEVARD.
- A CONTRIBUTION SHALL BE MADE FOR ALL DWELLING UNITS THAT ARE NOT DESIGNATED AS MPDUS ON ALL TRADITIONAL NEIGHBORHOOD HOUSING PROGRAM PLANS. THE CONTRIBUTION SHALL BE TWENTY (\$12.00) DOLLARS PER ONE THOUSAND (\$12.00) DOLLARS PER ONE THOUSAND DOLLARS OF THE SALE PRICE OF THE DWELLING UNIT. THE CONTRIBUTION SHALL BE PAYABLE AT THE TIME OF ISSUANCE OF A CERTIFICATE OF OCCUPANCY. ALL MONIES SHALL BE DEPOSITED IN THE HOUSING TRUST FUND.
- THIS PLAN SUPERSEDES, IN PART, THE RECORD MINOR LAND DEVELOPMENT PLAN OF BRANDYWINE COUNTRY CLUB DATED MARCH 26, 1986 AND RECORDED ON MAY 23, 1997 IN THE RECORDER OF DEEDS IN AND FOR NEW CASTLE COUNTY, STATE OF DELAWARE, INSTRUMENT NO. 013198.
- THIS PLAN SUPERSEDES, IN PART, THE RECORD MINOR LAND DEVELOPMENT PLAN OF CONCORD SQUARE PHASE II DATED AUGUST 25, 2003 AND RECORDED ON NOVEMBER 19, 2004 IN THE RECORDER OF DEEDS IN AND FOR NEW CASTLE COUNTY, STATE OF DELAWARE, INSTRUMENT NO. 013198.
- PURSUANT TO SECTION 40.07.510 OF THE UDC, AND THAT CERTAIN MASTER DEVELOPMENT AGREEMENT RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR NEW CASTLE COUNTY, STATE OF DELAWARE IN INSTRUMENT NUMBER 20240318-0016644, TWENTY PERCENT (20%) OF THE 363 DWELLING UNITS CREATED BY THIS RECORD MAJOR LAND DEVELOPMENT PLAN, OR 73 DWELLING UNITS, SHALL BE MODERATELY PRICED DWELLING UNITS.
- PURSUANT TO SECTION 40.07.541 OF THE UDC, A STAGING PLAN, DATED 09/11/2023, AS AMENDED, PREPARED BY BECKER MORGAN AND APPROVED BY THE NEW CASTLE COUNTY LAND USE, AS MAY BE AMENDED FROM TIME TO TIME ADMINISTRATIVELY, IS HEREBY CONSIDERED A PART OF THIS RECORD MAJOR LAND DEVELOPMENT PLAN.
- MPDUS:
 - A MPDU SHALL BE MADE AVAILABLE FOR SALE CONCURRENTLY WITH THE MARKET RATE DWELLING UNITS FOR THE PROJECT. THE ISSUANCE OF BUILDING PERMITS FOR MARKET RATE DWELLING UNITS SHALL BE STOPPED AT THE LEVELS INDICATED BELOW:
 - TWENTY (20) PERCENT PENDING THE ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR TWENTY-FIVE (25) PERCENT OF THE MPDUS.
 - FIFTY (50) PERCENT PENDING THE ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR TWENTY-FIVE (25) PERCENT OF THE MPDUS.
 - SIXTY (60) PERCENT PENDING THE ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR TWENTY-FIVE (25) PERCENT OF THE MPDUS.
 - SEVENTY (70) PERCENT PENDING THE ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR TWENTY-FIVE (25) PERCENT OF THE MPDUS.
 - SEVENTY-FIVE (75) PERCENT PENDING THE ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR TWENTY-FIVE (25) PERCENT OF THE MPDUS.
 - SEVENTY-EIGHT (78) PERCENT PENDING THE ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR TWENTY-FIVE (25) PERCENT OF THE MPDUS.
 - SEVENTY-NINE (79) PERCENT PENDING THE ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR TWENTY-FIVE (25) PERCENT OF THE MPDUS.
 - EIGHTY (80) PERCENT PENDING THE ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR TWENTY-FIVE (25) PERCENT OF THE MPDUS.
 - EIGHTY-ONE (81) PERCENT PENDING THE ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR TWENTY-FIVE (25) PERCENT OF THE MPDUS.
 - EIGHTY-TWO (82) PERCENT PENDING THE ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR TWENTY-FIVE (25) PERCENT OF THE MPDUS.
 - EIGHTY-THREE (83) PERCENT PENDING THE ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR TWENTY-FIVE (25) PERCENT OF THE MPDUS.
 - EIGHTY-FOUR (84) PERCENT PENDING THE ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR TWENTY-FIVE (25) PERCENT OF THE MPDUS.
 - EIGHTY-FIVE (85) PERCENT PENDING THE ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR TWENTY-FIVE (25) PERCENT OF THE MPDUS.
 - EIGHTY-SIX (86) PERCENT PENDING THE ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR TWENTY-FIVE (25) PERCENT OF THE MPDUS.
 - EIGHTY-SEVEN (87) PERCENT PENDING THE ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR TWENTY-FIVE (25) PERCENT OF THE MPDUS.
 - EIGHTY-EIGHT (88) PERCENT PENDING THE ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR TWENTY-FIVE (25) PERCENT OF THE MPDUS.
 - EIGHTY-NINE (89) PERCENT PENDING THE ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR TWENTY-FIVE (25) PERCENT OF THE MPDUS.
 - NINETY (90) PERCENT PENDING THE ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR TWENTY-FIVE (25) PERCENT OF THE MPDUS.
 - BYPASSMENT-IN-LIEU FEES SHALL BE PAYABLE AT THE SAME PERCENTAGE AND AT THE SAME TIME MPDUS WOULD HAVE BEEN MADE AVAILABLE. THE ISSUANCE OF BUILDING PERMITS SHALL BE STOPPED AT THE PERCENTAGE DESIGNATED IN SUBSECTION A UNTIL IT IS CONFIRMED THAT PAYMENT IS MADE.
 - THE DEPARTMENT MAY ALLOW A VARIATION TO THE STOP LEVELS LISTED ABOVE AT THE REQUEST OF THE APPLICANT BASED ON GOOD CAUSE AND JUSTIFICATION.
 - IF A PRIVATE, PUBLIC, FOR-PROFIT OR NON-PROFIT ORGANIZATION IS PROVIDING THE MPDUS SUBJECT TO A MEMORANDUM OF AGREEMENT WITH THE DEVELOPER, THE TIMING OF CONSTRUCTION OF THE MPDUS SHALL BE CONTROLLED BY THE MEMORANDUM OF AGREEMENT.
- ALL MPDUS IN THE APARTMENT COMPLEX WILL BE RENTAL MPDUS.
- ALL MPDUS IN THE OPEN SPACE PLANNED SUBDIVISION WILL BE HOMEOWNERSHIP MPDUS.
- A WRITTEN AGREEMENT DELINEATING THE TERMS AND CONDITIONS OF THE SALE OR RENTAL SHALL BE REQUIRED FOR EVERY SALE OR RENTAL OF AN MPDU.
- UNLESS WRITTEN APPROVAL IN WRITING BY NEW CASTLE COUNTY, EACH SALE OR RENTAL AGREEMENT SHALL REFERENCE THAT THE DWELLING UNIT IS AN MPDU AND SUBJECT TO THE AFFORDABILITY CONTROLS CONTAINED IN THIS DIVISION.
- ALL SALES AND RENTAL AGREEMENTS SHALL BE FORWARDED TO THE DEPARTMENT OF COMMUNITY SERVICES WITH THIRTY (30) DAYS OF EXECUTION OF THE AGREEMENT. THE DEPARTMENT SHALL REVIEW THE AGREEMENTS AND APPROVE THEM PRIOR TO THE CONVEYANCE OF A MPDU. THE BUYER SHALL EXECUTE A BUYER AGREEMENT WITH NEW CASTLE COUNTY, ACKNOWLEDGING THE BUYER'S ACCEPTANCE AND UNDERSTANDING OF THE TERMS AND CONDITIONS OF OWNERSHIP SUBJECT TO THE TRADITIONAL NEIGHBORHOOD HOUSING PROGRAM.
- SOIL CONTAMINATION AT THE SITE IS BEING ADDRESSED UNDER THE OVERSIGHT OF THE DNREC SITE INVESTIGATION AND RESTORATION SECTION THROUGH A DNREC-APPROVED REMEDIAL ACTION WORK PLAN.
- APARTMENT GARAGES SHALL ONLY BE USED FOR PARKING VEHICLES NOT STORAGE.
- THE FOLLOWING VARIANCES WERE PERMITTED BY THE NCC BOA AT THE 06/17/2021 MEETING UNDER APPLICATION NO. 2021-0157-A:
 - BUILDING SETBACK 5 FEET FROM THE NORTHERLY SIDE OF A PROPOSED UNNAMED STREET (40-FOOT STREET YARD SETBACK REQUIRED) ON PARCEL 0604000005.
 - BUILDING SETBACK 5 FEET FROM THE SOUTHERLY SIDE OF A PROPOSED UNNAMED STREET (40-FOOT STREET YARD SETBACK REQUIRED) ON PARCEL 0604000005.
 - PAVING SETBACK 4 FEET FROM THE NORTHERLY SIDE OF A PROPOSED UNNAMED STREET (25-FOOT PAVING SETBACK REQUIRED) ON PARCEL 0604000005.
 - PAVING SETBACK 8 FEET FROM THE SOUTHERLY SIDE OF A PROPOSED UNNAMED STREET (25-FOOT PAVING SETBACK REQUIRED) ON PARCEL 0604000005.
 - 0.0 BUFFERYARD CAPACITY ALONG THE NORTHERLY SIDE OF A PROPOSED UNNAMED STREET (0.3 BUFFERYARD CAPACITY REQUIRED).
 - 0.0 BUFFERYARD CAPACITY ALONG THE SOUTHERLY SIDE OF A PROPOSED UNNAMED STREET (0.3 BUFFERYARD CAPACITY REQUIRED).
 - 25 STREET TREES ALONG THE ALONG THE PROPOSED UNNAMED STREET (35 STREET TREES REQUIRED).
 - THE FOLLOWING CONDITIONS WERE INCLUDED IN THE VARIANCES APPROVED BY NCC BOA AT THE 06/17/2021 MEETING UNDER APPLICATION NO. 2021-0157-A:
 - THE DEPARTMENT SHALL PROVIDE A LANDSCAPE PLAN, WITH GUIDANCE FROM THE DEPARTMENT, CONSISTENT WITH THE RENDERINGS SUBMITTED INTO EVIDENCE.
 - THE BUILDING ELEVATIONS SHALL BE CONSISTENT WITH THE RENDERINGS SUBMITTED INTO EVIDENCE.
 - THE APPLICANT SHALL PROVIDE ADDITIONAL LANDSCAPING WITHIN THE CENTER MEDIAN OF THE PORTION OF THE ACCESS ROAD THAT CUTS THROUGH THE CENTER MEDIAN OF THE ROAD.
 - THE ROADWAY LAYOUTS SHALL BE CONSISTENT WITH THE RENDERINGS SUBMITTED INTO EVIDENCE.
 - AT ITS 9/13/21 HEARING, NEW CASTLE COUNTY COUNCIL APPROVED DEED RESTRICTION CHANGES TO ALLOW A TOTAL GROSS FLOOR AREA OF 240,518 S.F. AND 4 PAD SITES ON TAX PARCEL 06-040-00-005. THE NEW RESTRICTIONS WERE RECORDED ON 01/17/2022 AT INSTRUMENT NO. 20220727-0041584.
 - PROPOSED PUBLIC ACCESS EASEMENT, AS SHOWN ON SHEET 4, IS HEREBY ESTABLISHED BY THIS PLAN, PROVIDED HOWEVER THAT ANY INTERCONNECTION AND USE OF THIS EASEMENT TO AND WITH TAX PARCEL 06-051-00-003 AND TAX PARCEL 06-051-00-119 ARE APPROVED IN WRITING BY THE DEPARTMENT OF LAND USE, AS HEREBY CONSIDERED A PART OF THE RECORD PLAN.
 - THE FOLLOWING ITEMS SHALL BE INSTALLED IN ACCORDANCE WITH THE DNREC'S HAZARDOUS SUBSTANCE CLEANUP ACT (HSCA), CHAPTER 91 AND THE DELAWARE REGULATIONS GOVERNING HAZARDOUS SUBSTANCE CLEANUP:
 - LAND DISTURBING ACTIVITY IN OPERABLE UNITS 1 & 2 ASSOCIATED WITH THE LAND DEVELOPMENT PLAN MAY COMMENCE UPON RECEIPT OF DNREC WRITTEN NOTICE THAT ALL ACTIVE ENVIRONMENTAL REMEDIATION ACTIVITIES WITHIN EACH OPERABLE UNIT HAVE BEEN COMPLETED AND THE DNREC HAS ISSUED A LETTER OF ACCEPTABLE RESULTS WITHIN THE RESPECTIVE OPERABLE UNITS (OUs). THESE WRITTEN NOTICES ARE NOT TO BE CONSIDERED THE REMEDIAL ACTION COMPLETION REPORT. CERTIFICATES OF OCCUPANCY SHALL NOT BE ISSUED UNTIL DNREC CERTIFICATION OF COMPLETION OF THE DNREC REMEDIATION IS RECEIVED.
 - LAND DISTURBING ACTIVITY IN OPERABLE UNIT 3 (OU-3) ASSOCIATED WITH THE LAND DEVELOPMENT PLAN MAY COMMENCE UPON ISSUANCE OF DNREC COCR FOR OU-3.
 - EROSION & SEDIMENT CONTROLS FOR REMEDIATION WORK ARE TO BE INITIALLY INSTALLED PER DNREC APPROVED SEDIMENT CONTROL PLAN AND EROSION CONTROL MEASURES WITH THE REMEDIAL ACTION WORK PLANS PER THE DNREC APPROVED FINAL PLAN OF REMEDIAL ACTION DATED 04-03-2024.
 - THE LOCATION OF THE EXISTING PAVEMENT ALONG THE SOUTHERN PROP. LINE OF THE CONCORD SQUARE ASSOC. LLC PARCEL 06-040-00-005, AS SHOWN ON THE RECORD PLAN, IS NOT TO BE CHANGED. ANY CHANGES TO THE PAVEMENT LOCATION MAY OR MAY NOT HAVE NONCONFORMING STATUS UNDER THE PROVISIONS OF CHAPTER 40 OF THE NEW CASTLE COUNTY CODE. RECORDEATION OF THIS PLAN DOES NOT CONSTITUTE VERIFICATION OF NONCONFORMING STATUS.
 - UNLESS OTHERWISE DESCRIBED BY METES AND BOUNDS, OR MATHEMATICAL REFERENCE TO A PROPERTY LINE, A 20 FOOT WIDE PERMANENT EASEMENT, 10 FOOT ON EACH SIDE OF THE CENTERLINE OF THE WATER MAIN, SHALL BE CREATED WHERE A WATER SYSTEM IS DESIGNATED FOR PUBLIC USE IN UNPAVED AREAS OUTSIDE OF A DEDICATED PUBLIC RIGHT-OF-WAY. A 20 FOOT WIDE PERMANENT EASEMENT, 10 FOOT ON EACH SIDE OF THE CENTERLINE OF THE WATER MAIN, SHALL BE CREATED WHERE A WATER SYSTEM IS DESIGNATED FOR PRIVATELY MAINTAINED PAVED AREAS, SUCH AS PARKING LOTS, PRIVATE STREETS, OR DRIVEWAYS. IF THE CONSTRUCTED HORIZONTAL WATER MAIN LOCATION DEVIATES BY MORE THAN 2.5 FEET FROM THE DESIGN LOCATION, THE PROJECT MAY BE SUBJECT TO A RESUBDIVISION PLAN OR PIPE LOCATION AS DETERMINED BY VEOLIA WATER DELAWARE.
 - THE OWNER AND/OR DEVELOPER OF THE PROPERTY IS RESPONSIBLE TO: (1) DESIGN THE TEMPORARY SANITARY SEWER BY-PASS PLAN UTILIZING PEAK SANITARY SEWER FLOW RATES AT THE SUBJECT LOCATION(S) AS PROVIDED BY THE NEW CASTLE COUNTY DEPARTMENT OF PUBLIC WORKS, (2) OBTAINING APPROVAL OF THE PLAN BY NEW CASTLE COUNTY DEPARTMENT OF PUBLIC WORKS, (3) DIRECTING FIELD IMPLEMENTATION OF THE PLAN AND (4) PROVIDING QUALIFIED STAFF TO CONTINUOUSLY OPERATE THE TEMPORARY SANITARY SEWER BY-PASS SYSTEM DURING THE TIME PERIOD REQUIRED BY THE NEW CASTLE COUNTY DEPARTMENT OF PUBLIC WORKS. THE TEMPORARY SANITARY SEWER BY-PASS MUST BE IN-PLACE AND VERIFIED TO BE FUNCTIONING BY REPRESENTATIVES OF THE NEW CASTLE COUNTY DEPARTMENT OF PUBLIC WORKS PRIOR TO UNDERTAKING SANITARY SEWER WITHOUT WRITTEN PERMISSION OF THE NEW CASTLE COUNTY DEPARTMENT OF PUBLIC WORKS CHIEF CONSTRUCTION INSPECTOR.

SITE DATA - PARCEL 0604000004 (OPEN SPACE PLANNED)

- OWNER OF RECORD: SHIPLEY ROAD INVESTMENTS, LLC
- ENGINEER / SURVEYOR: BECKER MORGAN GROUP, INC.
- PROPERTY ADDRESS: 2822 SHIPLEY ROAD, DE 19810 BRANDYWINE HUNDRED, NEW CASTLE COUNTY, DE
- TAX PARCEL NUMBER: 0604000004
- DEED SUMMARY: 20120727-0041584
- USE: EXISTING: FORMER GOLF COURSE/COUNTRY CLUB
PROPOSED: OPEN SPACE PLANNED SUBDIVISION
- ZONING CLASSIFICATION: EXISTING: S - SUBURBAN
PROPOSED: ST - SUBURBAN TRANSITION
- TOTAL EXISTING SITE AREA: 111.6086 ACRES ±
- TOTAL AREA FOR OPEN SPACE PLANNED AREA: 111.0532 ACRES ±
- DENSITY CALCULATIONS: OPEN SPACE PLANNED AREA: ± 23.62 ACRES
AND LOT BREAKDOWN: MAXIMUM GROSS DENSITY = 5.40 DUS / ACRE
PROPOSED GROSS DENSITY = 2.75 DUS / ACRE
TOTAL UNITS ALLOWABLE = 128 TOTAL
SINGLES FAMILY VILLAGE PROPOSED = 41 (63.08 %)
TOWNHOMES PROPOSED = 87 (66.92 %)
TOTAL UNITS PROPOSED = 65 UNITS
- BULK AREA STANDARDS: (OPEN SPACED PLANNED)

	VILLAGE	TOWNHOUSE
STREET YARD (MIN.):	12'	15'
SIDE YARD (MIN.):	6'	0' 6" 6" (End)
REAR YARD (MIN.):	25'	20'
PARKING (MIN.):	20'	20'
LOT AREA (MIN.):	6,000	2,200
LOT WIDTH (MIN.):	60'	22'
BUILDING HEIGHT (MAX.):	36'	40'
- OPEN SPACE: OPEN SPACE PLANNED AREA: 23.62 ACRES
USABLE OPEN SPACE PROVIDED: 8.64 ACRES
TOTAL OPEN SPACE REQUIRED: 8.31 ACRES
8.64 AC. PROVIDED = 8.31 AC. REQUIRED
- TRACT AREA CALCS: OPEN SPACE PLANNED: 8.64 ACRES
BUILDING COVERAGE: 0.00 AC.
IMPERVIOUS - NON BUILDING: 0.70 AC.
LOT AREA: 0.00 AC.
STORMWATER AREA: 0.00 AC.
NON IMPERVIOUS AREA: 23.62 AC.
TOTAL: 23.62 AC.
- PARKING: OPEN SPACE PLANNED: 65 UNITS * 2.25/UNIT = 147 SPACES
SINGLES FAMILY VILLAGE PROVIDED: 41 UNITS * 1.23 SPACES (1 GARAGE + 2 DRIVEWAY) = 50 SPACES
INTERIOR TOWNHOUSE PROVIDED: 16 UNITS * 2.00/UNIT = 32 SPACES
END UNIT TOWNHOUSE PROVIDED: 8 UNITS * 4.00/UNIT = 32 SPACES
OVERLAP PARKING PROVIDED: 1 GARAGE + 2 DRIVEWAY = 185 SPACES
TOTAL PARKING PROVIDED: 185 SPACES
- SURVEY: SAME BENCHMARK AND DATUM AS APARTMENT PLAN
MONUMENTATION: EXISTING: 24 FOUND PROPOSED: 52 TO BE SET
- SOURCE OF WATER: VEOLIA
WATER SUPPLY IS SUBJECT TO THE APPROVAL OF THE DELAWARE STATE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL AND THE DELAWARE DEPARTMENT OF PUBLIC HEALTH
- SANITARY SEWER: GRAVITY - NEW CASTLE COUNTY
SEWERAGE IS SUBJECT TO THE APPROVAL OF THE NEW CASTLE COUNTY DEPARTMENT OF PUBLIC WORKS. AT THE TIME OF APPROVAL OF THIS PLAN, SEWER CAPACITY EXISTED TO ACCOMMODATE THE ANTICIPATED FLOWS GENERATED BY THIS ADDITIONAL DEVELOPMENT. NEW CASTLE COUNTY HAS COMMITTED TO PROVIDE SEWER SERVICE IN ACCORDANCE WITH THE LAND DEVELOPMENT IMPROVEMENT AGREEMENT FOR THIS DEVELOPMENT. THE OWNER OF THIS PROPERTY, HIS SUCCESSORS OR ASSIGNS, SHALL BE RESPONSIBLE FOR EXTENDING SEWER SERVICE TO EACH LOT SHOWN ON OR CREATED BY THIS PLAN.
- SANITARY SEWER FLOW: OPEN SPACE PLANNED: 41 DETACHED DUS * 300 GPD = 12,300 GPD
24 ATTACHED DUS * 250 GPD = 6,000 GPD
TOTAL AVERAGE DAILY FLOW: 18,300 GPD
TOTAL PEAK FLOW: 18,300 GPD (4.0 PK FACTOR) = 73,200 GPD
- LENGTH OF ROAD DEDICATION: 80 FOOT R.O.W. (PUBLIC) 2,220 FEET
- NUMBER OF LOTS: PROPOSED: 68 (65 RESIDENTIAL LOTS, 3 - OPEN SPACE)
- FIRE HYDRANTS: EXISTING: 0
PROPOSED: 3
- INVESTMENT LEVEL: 1

SITE DATA - PARCEL 0604000005 (SHOPPING CENTER)

- OWNER OF RECORD: CONCORD SQUARE ASSOCIATES, L.L.C.
- ENGINEER / SURVEYOR: BECKER MORGAN GROUP, INC.
- PROPERTY ADDRESS: 4137, 4201, 4205, 4209, 4211, 4221, 4231, 4235, 4237, 4243, 4251, 4301, 4325, 4331, 4401, 4407, 4425, 4433, 4445, 4451, 4453, CONCORD PIKE, WILMINGTON, DE 19803 BRANDYWINE HUNDRED, NEW CASTLE COUNTY, DE
- TAX PARCEL NUMBER: 0604000005
- DEED SUMMARY: 20061129-0112135
- USE: EXISTING: SHOPPING CENTER
PROPOSED: SHOPPING CENTER
- ZONING CLASSIFICATION: EXISTING: COMMERCIAL REGIONAL
PROPOSED: CR - COMMERCIAL REGIONAL
- EXISTING SITE AREA: 29,9858 ACRES ±
- AREA TO BE RECEIVED FROM PARCEL 0604000004: 0.5554 ACRES ±
- RIGHT OF WAY TO BE CONVEYED: 0.3918 ACRES ±
- BULK AREA STANDARDS: CR ZONING

	STREET YARD (MIN.):	LOT AREA (MIN.):	LOT WIDTH (MIN.):	BUILDING HEIGHT (MAX.):
STREET YARD (MIN.):	15'			
LOT AREA (MIN.):	20'	1 ACRE		
LOT WIDTH (MIN.):	20'		100'	
BUILDING HEIGHT (MAX.):	20'			50'
- PARKING: COMMERCIAL RETAIL: 4 SPACES/1,000 S.F. G.F.A. 12,200 S.F. * (4/1,000) = 49 SPACES
3 SPACES/1,000 S.F. G.F.A. (GREATER THAN 100,000 S.F.) 215,735 S.F. * (3/1,000) = 648 SPACES
8 SPACES/1,000 S.F. G.F.A. (GREATER THAN 100,000 S.F.) 12,690 S.F. * (8/1,000) = 102 SPACES
TOTAL REQUIRED: 799 SPACES
TOTAL EXISTING: 1,405
TOTAL REQUIRED TO BE REMOVED: 296
PROPOSED: 120
TOTAL AT COMPLETION: 1,208
BICYCLE PARKING: EXISTING: 16 SPACES
PROPOSED: 16 SPACES
TOTAL: 32 SPACES
- TRACT AREA CALCS: EXISTING: 29,9858 ACRES ±
PROPOSED: 30,540 ACRES ±
PARKING & SIDEWALKS: ± 16.36 AC.
STORMWATER AREA: ± 2.87 AC.
OPEN SPACE: ± 5.32 AC.
TOTAL: ± 30.35 AC.
- SURVEY: DATUM: VERTICAL - NAVD 88
MONUMENTATION: HORIZONTAL - NAD 83 (DE, ST. PLANE)
EXISTING: 13 FOUND PROPOSED: 52 TO BE SET
- SOURCE OF WATER: VEOLIA
WATER SUPPLY IS SUBJECT TO THE APPROVAL OF THE DELAWARE STATE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL AND THE DELAWARE DEPARTMENT OF PUBLIC HEALTH
- SANITARY SEWER: GRAVITY - NEW CASTLE COUNTY
SEWERAGE IS SUBJECT TO THE APPROVAL OF THE NEW CASTLE COUNTY DEPARTMENT OF PUBLIC WORKS. AT THE TIME OF APPROVAL OF THIS PLAN, SEWER CAPACITY EXISTED TO ACCOMMODATE THE ANTICIPATED FLOWS GENERATED BY THIS ADDITIONAL DEVELOPMENT. NEW CASTLE COUNTY HAS COMMITTED TO PROVIDE SEWER SERVICE IN ACCORDANCE WITH THE LAND DEVELOPMENT IMPROVEMENT AGREEMENT FOR THIS DEVELOPMENT. THE OWNER OF THIS PROPERTY, HIS SUCCESSORS OR ASSIGNS, SHALL BE RESPONSIBLE FOR EXTENDING SEWER SERVICE TO EACH LOT SHOWN ON OR CREATED BY THIS PLAN.
- SANITARY SEWER FLOW: APARTMENTS: 300 APARTMENTS DUS * 200 GPD = 60,000 GPD
5,000 S.F. CLUBHOUSE * 0.1 GPD/s.f. = 500 GPD
TOTAL AVERAGE DAILY FLOW: 60,500 GPD
TOTAL PEAK FLOW: 60,500 GPD (4.0 PK FACTOR) = 242,000 GPD
- LENGTH OF ROAD DEDICATION: 60 FOOT R.O.W. (PUBLIC) 1,634 FEET
40 FOOT R.O.W. (PUBLIC) 516 FEET
- FIRE HYDRANTS: EXISTING: 0
PROPOSED: 7
- INVESTMENT LEVEL: 1

SITE DATA - PARCEL

Prime Sponsor(s): Mr. Smiley, Mr. Cartier
Requested by: Administration/Finance
Date of introduction: April 9, 2024

RESOLUTION NO. 24-092

**ADOPTING THE NEW CASTLE COUNTY
CAPITAL PROGRAM FOR FISCAL YEAR 2025 THROUGH 2030**

1 **WHEREAS**, the projects listed on Exhibit "A" are submitted for continuance in accordance
2 with Key Financial Policy (KFP) #1 and accordingly are included in the Fiscal Year 2025 Capital
3 Program; and
4

5 **WHEREAS**, the projects listed on Exhibit "B" will sunset in accordance with KFP #1 on
6 June 30, 2024. All such projects will no longer be active projects and accordingly are deleted
7 from the Fiscal Year 2025 Capital Program.
8

9 **NOW, THEREFORE, BE IT RESOLVED**, by and for the County Council of New Castle
10 County that County Council hereby approves the Capital Program for New Castle County for the
11 Fiscal Years 2025 through 2030, beginning July 1, 2024, per the attached capital program and
12 budget book entitled "New Castle County Capital Program and Budget: Fiscal Year 2025-2030."

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle

President of County Council
of New Castle County

SYNOPSIS: This Resolution adopts a six-year capital program for the fiscal period beginning July 1, 2024.

FISCAL NOTE: This Resolution would approve the Capital Program of New Castle County for the six fiscal years from July 1, 2024 through June 30, 2030 as required by the State Code. The "New Castle County Capital Program and Budget – Fiscal Year 2025-2030 – Approved" provides detail for these projects and projects previously authorized.

Additionally, this Resolution would sunset 8 projects with no anticipated savings. These projects will no longer be active projects and accordingly are deleted from the Fiscal Year 2025 Capital Program.

The Capital Program for FY2025 through FY2030 as submitted indicates that planned capital uses/sources of funds for the years FY2025 through FY2030 would be:

USES:	FY2025	\$ 34,207,715
	FY2026	\$ 91,588,643
	FY2027	\$ 83,670,492
	FY2028	\$ 77,382,984
	FY2029	\$ 50,985,753
	FY2030	\$ 50,387,246
	TOTAL	\$388,222,833

SOURCES:	Bonds	\$296,871,546
	State	\$ 5,195,878
	General	\$ 55,453,888
	Sewer	\$ 27,960,166
	Other	\$ 2,741,356
	TOTAL	\$388,222,833

EXHIBIT "A"
NEW CASTLE COUNTY
Projects for Continuance
Fiscal Year 2025

R24-092

PROJECT	PROJECT NUMBER
DEPARTMENT OF ADMINISTRATION	
Firewall Replacement	C122501
DEPARTMENT OF COMMUNITY SERVICES	
Appoquinimink Library	C400329
Glasgow Library	C402501
Newark Library	C402301
Rockwood Museum	C402502
Surratte Pool Renovations II	C402004
DEPARTMENT OF PUBLIC SAFETY	
Public Safety Equipment	C201607
Public Safety Vest Protection Program	C201509
DEPARTMENT OF PUBLIC WORKS	
Facilities/Equipment	
Electric Vehicle Infrastructure	C302421
Fleet Equipment 2022	C302203
Fleet Equipment 2023	C302303
Fleet Equipment 2024	C302403
Fleet Equipment 2025	C302503
Parks	
Agricultural Preservation	C300330
Bechtel Park Improvements	C302424
Game Court Improvements	C300510
Game Court Improvements 2021	C302108
General Parkland Improvements 2024-2025	C302404
Greenway Systems	C300515
Open Space Preservation	C302201
Southern Regional Park	C300336

EXHIBIT "A"
NEW CASTLE COUNTY
Projects for Continuance
Fiscal Year 2025

R24-092

PROJECT	PROJECT NUMBER
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DEPARTMENT OF PUBLIC WORKS (Continued)

Sewer/Stormwater

Airport Road System Rehabilitation	C301702
Brandywine Hundred South Rehab Phase I	C300218
Christiana Pump Station Upgrade	C300615
Christina River Force Main	C300705
Countywide Drainage Problems	C300413
Delaware City Industrial Sewer Expansion	C301716
Delaware City Treatment Plant Rehabilitation	C300004
DelDOT Coordination Project 2021	C302112
General Sewer Improvements	C300622
Glasgow Area Sewer Improvements	C301102
Holloway Terrace Outfall	C301801
Public Works Complex	C300107
Pump Station Rehabilitation 2024-2025	C302414
Septage Receiving Station Upgrade	C300708
Sewer Fleet Equipment 2022	C302213
Sewer Fleet Equipment 2023	C302313
Sewer Fleet Equipment 2025	C302513
Sewer Repairs and Rehabilitation 2024-2025	C302411
Stormwater Basin Renovation II	C301305
Terminal Avenue System Rehabilitation	C301707
Water Farm 1 System Rehabilitation	C301714
Water Quality Improvement Plans	C301903
White Clay System Rehabilitation	C301710

EXHIBIT "B"
NEW CASTLE COUNTY
Projects to Sunset Fiscal Year End 2024

DEPARTMENT OF PUBLIC WORKS

C300616	Electrical Power Distribution Upgrade	Complete
C301403	Middle Run Valley Bicycle Skills	Complete
C302423	Public Safety Parking Lot Lighting	Complete
C300106	Pump Station Rehab Pre2021	Complete
C302114	Pump Station Rehab 2021	Complete
C302113	Sewer Fleet Equipment 2021	Complete
C302213	Sewer Fleet Equipment 2022	Complete
C302111	Sewer Repairs and Rehabilitation 2021	Complete

RESOLUTION NO. 24-094

**TO SET NEW CASTLE COUNTY'S FISCAL YEAR 2025 CONTRIBUTION RATE
FOR THE COUNTY'S PENSION PLANS**

1 **WHEREAS**, *New Castle County Code* Section 26.04.603 ("Actuarial valuations and
2 appropriations") requires that the actuary appointed by the Employees' Retirement System
3 Board of Trustees (hereinafter "Board") determine the normal cost of the Plan required to
4 meet the actuarial cost of current service and the total unfunded accrued liability of the
5 various County pension programs established by *New Castle County Code* Article 4
6 ("Pensions"); and
7

8 **WHEREAS**, the County's contribution to fund the various County pension programs
9 for each fiscal year shall be a percentage of covered payroll approved by the Board and by
10 resolution of County Council; such contributions shall be determined by sound and
11 reasonable actuarial practices and based on the most recent actuarial valuation pursuant
12 to Section 26.04.603; and
13

14 **WHEREAS**, specifically, the recommendation for the four primary County pension
15 plans is 35.10% of covered payroll and \$76,982 for the School crossing guards' pension
16 plan, for a total contribution rate of 37.32%; and
17

18 **WHEREAS**, at its meeting on March 20, 2024, the Board voted to accept the
19 actuary's recommendations; and
20

21 **WHEREAS**, in accordance with Title 11 *Delaware Code* Chapter 88 (Delaware
22 County and Municipal Police/Firefighter Pension Plan) and *New Castle County Code*
23 Section 26.04.501, the State of Delaware estimated that the County's Fiscal Year 2025
24 contribution for police officers in the Delaware County and Municipal Police/Firefighter
25 Pension Plan to be 14.98% of payroll; the estimated County contribution for police officers
26 in the Employees' retirement system is 2.08% of payroll.
27

28 **NOW, THEREFORE, BE IT RESOLVED** by and for the County Council of New
29 Castle County that County Council hereby sets and authorizes the contribution for
30 participants in the Alternate pension plan, the Employees' retirement system, the County
31 employees' pension plan, and the County 2011 pension plan to be 35.10% of covered
32 payroll; the School crossing guards' pension plan to be \$76,982; the estimated contribution
33 to the Delaware County and Municipal Police/Firefighter Pension Plan to be 14.98% of
34 covered payroll; and the estimated contribution to the Employees' retirement system for
35 Police Officers in the pension plan to be 2.08% of covered payroll for Fiscal Year 2025.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council

New Castle County

SYNOPSIS: This Resolution accepts the recommendation of the Employees' Retirement System Board of Trustees for the percentage of covered payroll funding of the County's primary pension plans for Fiscal Year 2025.

FISCAL NOTE: *New Castle County Code* Section 26.04.603 requires that, on the basis of reasonable actuarial assumptions and tables approved by the Board of Trustees, the actuary shall determine the normal cost of the plan required to meet the actuarial cost of current service and the total unfunded accrued liability of the various County pension programs.

This Resolution, if approved, would change the total County Pension Contribution Rate, for the four primary County pension plans and the School Crossing Guards' pension plan from 35.30% to 37.32%. The total cost to the County for all pension plan contributions, including the County's contribution to the Delaware County and Municipal Police/Firefighter Pension Plan is estimated to be \$33,030,390.

The County's contributions to the following plans are as follows:

Delaware County and Municipal Police/Firefighter Pension Plan (State Pension Plan):	\$6,382,084
--	-------------

School Crossing Guards' Pension Plan (County Pension Plan):	76,982
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Employee Retirement System, Alternate Pension Plan, County Employees' Pension Plan, and County 2011 Pension Plan (County Pension Plan):	<u>26,571,324</u>
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Total County Contribution to All Pension Plans:	\$33,030,390
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The overall pension contribution rate of 37.32% for the four primary County pension plans and the School Crossing Guards' pension plan will remain constant for Fiscal Year 2025. However, the rates provided for the Police Pension Plan may vary since the State of Delaware adjusts them accordingly.

Prime Sponsor(s): Mr. Hollins, Mr. Street
Requested by: Community Services
Date of introduction: May 14, 2024

ORDINANCE NO. 24-068

AMEND THE GRANTS BUDGET:

**APPROPRIATE ADDITIONAL FEDERAL FUNDS OF \$57,101.12 AND ANTICIPATED
FEDERAL FUNDS OF \$180,000.00 FROM THE U.S. DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT TO THE EMERGENCY HOUSING CHOICE VOUCHERS GRANT,
WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES,
DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING**

1 **WHEREAS**, original allocated funding in the amount of \$555,756.00 from the U.S.
2 Department of Housing and Urban Development (HUD) was previously approved by County
3 Council and appropriated to the Emergency Housing Choice Vouchers Grant via Ordinance
4 21-092; and

5
6 **WHEREAS**, authorization is being sought to appropriate additional federal funds of
7 \$57,101.12 and anticipated federal funds of \$180,000.00 from the U.S. Department of Housing
8 and Urban Development (HUD) to the Emergency Housing Choice Vouchers Grant; and

9
10 **WHEREAS**, this funding will be used by the Department of Community Services,
11 Division of Community Housing and Development for the administrative expenses of the
12 program and for rental and utility subsidies for very low-income families in New Castle County
13 and, when administering the grant, must follow the applicable Section 8 Housing Choice
14 Voucher program requirements; and

15
16 **WHEREAS**, the County Executive has determined that revenues anticipated to be
17 received shall be sufficient to cover the increase in the Grants Budget as hereinafter amended;
18 and

19
20 **WHEREAS**, Council has determined that the provisions of this Ordinance substantially
21 advance, and are reasonably and rationally related to, legitimate government interests (i.e.,
22 promoting the health, safety, morals, convenience, order prosperity and/or welfare of the
23 present and future inhabitants of this State).

24
25 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**

26
27 Section 1. The Grants Budget, as adopted by Ordinance No. 75-173, is hereby
28 amended by adding the material in Exhibit "A," which is considered to be underscored in its
29 entirety, which is attached hereto and made a part hereof.

30
31 Section 2. This Ordinance shall become effective immediately upon its adoption by
32 New Castle County Council and approval by the County Executive, or as otherwise provided
33 by 9 Del. C. § 1156.

34
35 Section 3. It is the intent of the County Council that the provisions of this Ordinance
36 shall be effective retroactive to June 1, 2021.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will appropriate additional federal funds of \$57,101.12 and anticipated federal funds of \$180,000.00 from the U.S. Department of Housing and Urban Development (HUD) to the Emergency Housing Choice Vouchers Grant which is administered by the Department of Community Services, Division of Community Housing and Development.

It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to June 1, 2021.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by appropriating additional federal funds of \$57,101.12 and anticipated federal funds of \$180,000.00 from the U.S. Department of Housing and Urban Development (HUD) to the Emergency Housing Choice Vouchers Grant.

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget of \$237,101.12. This increase will affect FY2024 and FY2025 since the targeted program completion date is December 31, 2024. There is no local match requirement for this grant award.

DEPARTMENT:	Community Services	EXHIBIT:	"A"
GRANT TITLE:	Emergency Housing Choice Vouchers	Ordinance No.	24-068
PROGRAM TITLE:	Emergency Housing Choice Vouchers		

Revenue	Current	Change	Revised
Federal	\$ 555,756.00	\$ 237,101.12	\$ 792,857.12
State	\$ -	\$ -	\$ -
County	\$ -	\$ -	\$ -
Program Income	\$ -	\$ -	\$ -
Other	\$ -	\$ -	\$ -
Total	\$ 555,756.00	\$ 237,101.12	\$ 792,857.12

Expense	Current	Change	Revised
Salaries and Wages	\$ -	\$ -	\$ -
Benefits	\$ -	\$ -	\$ -
Training/Civic Affairs	\$ -	\$ -	\$ -
Communication/Utilities	\$ -	\$ -	\$ -
Materials/Supplies	\$ -	\$ -	\$ -
Contractual Services	\$ -	\$ -	\$ -
Equipment	\$ -	\$ -	\$ -
Grants/Fixed Charges	\$ 555,756.00	\$ 237,101.12	\$ 792,857.12
Land and Structures	\$ -	\$ -	\$ -
Contingency	\$ -	\$ -	\$ -
Operating Transfer Charges	\$ -	\$ -	\$ -
Operating Transfer Credits	\$ -	\$ -	\$ -
Total	\$ 555,756.00	\$ 237,101.12	\$ 792,857.12

SUPPLEMENTAL INFORMATION

Estimated Program Initiation:	6/1/2021
Estimated Program Completion:	12/31/2024
The Local Match:	N/A
Found in (ORG):	
Ordinance Passed:	Date Revised:
<u>21-092</u>	<u>7/27/2021</u>

PROGRAM DESCRIPTION:

Emergency Housing Vouchers Grant from the U.S. Department of Housing and Urban Development (HUD), authorized by the American Rescue Plan Act (ARPA), for administrative expenses of the program and for rental and utility subsidies for very low-income families in New Castle County.

7/27/2021

5/14/2024

ORDINANCE NO. 24-069

AMEND THE GRANTS BUDGET:

**APPROPRIATE \$94,727.00 IN FUNDING FROM THE STATE OF DELAWARE,
DEPARTMENT OF LABOR WITH FUNDS PROVIDED BY THE DELAWARE WORKFORCE
INVESTMENT BOARD TO THE 2024/2025 STATE YEAR ROUND YOUTH EMPLOYMENT
GRANT, TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES,
DIVISION OF COMMUNITY RESOURCES**

1 **WHEREAS**, the 2024/2025 State Year Round Youth Employment Grant provides
2 employment experiences for socially and economically disadvantaged high school youth in New
3 Castle County that will promote responsibility, teamwork, and a good work ethic; and
4

5 **WHEREAS**, these funds will be used to continue the employment of approximately 20
6 high school youth with worksite partners that support their career path and/or area of interest;
7 and
8

9 **WHEREAS**, these youth will work 12-15 hours per week through the 2024-2025 school
10 year; and
11

12 **WHEREAS**, the County Executive has determined that grants anticipated to be received
13 from the State of Delaware Department of Labor through funding provided by the Delaware
14 Workforce Investment Board, are sufficient to cover the increase in the Grants Budget as
15 hereinafter amended; and
16

17 **WHEREAS**, Council has determined that the provisions of this Ordinance substantially
18 advance, and are reasonably and rationally related to, legitimate government interests (i.e.,
19 promoting the health, safety, morals, convenience, order, prosperity and/or welfare of the
20 present and future inhabitants of this State).
21

22 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
23

24 Section 1. The Grants Budget, as adopted by Ordinance No. 75-173, is hereby amended
25 by adding the material on the attached Exhibit "A," which shall be considered underscored in its
26 entirety.
27

28 Section 2. This Ordinance shall become effective immediately upon its adoption by
29 County Council and approval by the County Executive, or as otherwise provided by 9 *Del. C. §*
30 1156.
31

32 Section 3. The provisions of this Ordinance shall become effective on June 15, 2024.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will appropriate \$94,727.00 in funding from the State of Delaware, Department of Labor with funds provided by the Delaware Workforce Investment Board, to the 2024/2025 State Year Round Youth Employment Grant to be administered by the Department of Community Services, Division of Community Resources.

The 2024/2025 State Year Round Youth Employment Grant will provide employment experiences for socially and economically disadvantaged high school youth in New Castle County that will promote responsibility, teamwork, and a good work ethic. Funds will be used for the employment of approximately 20 youths with worksite partners that support their career path and/or area of interest. This program will run through the 2024-2025 school year.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by appropriating \$94,727.00 in funding from the State of Delaware, Department of Labor with funds provided by the Delaware Workforce Investment Board to the 2024/2025 State Year Round Youth Employment Grant to be administered by the Department of Community Services, Division of Community Resources.

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget by \$94,727.00. The increase will affect FY2025 only since the estimated expiration date of this grant is June 14, 2025.

DEPARTMENT:	Community Services	EXHIBIT:	"A"
GRANT TITLE:	2024/2025 State Year Round Youth Employment	Ordinance No. 24-069	
PROGRAM TITLE:	2024/2025 State Year Round Youth Employment		

Revenue	Current	Change	Revised
Federal	\$ -	\$ -	\$ -
State	\$ 94,727.00	\$ -	\$ 94,727.00
County	\$ -	\$ -	\$ -
Program Income	\$ -	\$ -	\$ -
Other	\$ -	\$ -	\$ -
Total	\$ 94,727.00	\$ -	\$ 94,727.00

Expense	Current	Change	Revised
Salaries and Wages	\$ 84,881.02	\$ -	\$ 84,881.02
Benefits	\$ 9,845.98	\$ -	\$ 9,845.98
Training/Civic Affairs	\$ -	\$ -	\$ -
Communication/Utilities	\$ -	\$ -	\$ -
Materials/Supplies	\$ -	\$ -	\$ -
Contractual Services	\$ -	\$ -	\$ -
Equipment	\$ -	\$ -	\$ -
Grants/Fixed Charges	\$ -	\$ -	\$ -
Land and Structures	\$ -	\$ -	\$ -
Contingency	\$ -	\$ -	\$ -
Operating Transfer Charges	\$ -	\$ -	\$ -
Operating Transfer Credits	\$ -	\$ -	\$ -
Total	\$ 94,727.00	\$ -	\$ 94,727.00

SUPPLEMENTAL INFORMATION

Estimated Program Initiation: 6/15/2024

Estimated Program Completion: 6/14/2025

The Local Match: Found in (ORG):

Ordinance Passed: Date Revised:

PROGRAM DESCRIPTION:

The 2024/2025 State Year-Round Youth Employment Program will provide employment experiences for socially and economically disadvantaged high school youths in New Castle County to promote responsibility, teamwork and a good work ethic. Funds will be used to employ approximately 20 youths with New Castle County worksite partners. This program will run through the 2024-2025 school year.

5/14/2024

ORDINANCE NO. 24-070

AMEND THE GRANTS BUDGET:

**APPROPRIATE \$119,303.00 IN FUNDING FROM THE STATE OF DELAWARE,
DEPARTMENT OF LABOR – DIVISION OF EMPLOYMENT AND TRAINING TO THE 2024
STATE SUMMER YOUTH EMPLOYMENT – SUBURBAN NEW CASTLE COUNTY GRANT
TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION
OF COMMUNITY RESOURCES**

1 **WHEREAS**, the 2024 State Summer Youth Employment Program provides employment
2 experiences for low income youth in the New Castle suburban areas between the ages of 14
3 and 21 that will promote responsibility, teamwork, and a good work ethic; and
4

5 **WHEREAS**, these funds will be used to employ approximately 40-50 youth through the
6 summer of 2024; and
7

8 **WHEREAS**, the County Executive has determined that grants anticipated to be received
9 from the State of Delaware Department of Labor – Division of Employment and Training are
10 sufficient to cover the increase in the Grants Budget as hereinafter amended; and
11

12 **WHEREAS**, Council has determined that the provisions of this Ordinance substantially
13 advance, and are reasonably and rationally related to, legitimate government interests (i.e.,
14 promoting the health, safety, morals, convenience, order, prosperity and/or welfare of the
15 present and future inhabitants of this State).
16

17 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
18

19 Section 1. The Grants Budget, as adopted by Ordinance No. 75-173, is hereby amended
20 by adding the material on the attached Exhibit "A," which shall be considered underscored in its
21 entirety.
22

23 Section 2. This Ordinance shall become effective immediately upon its adoption by
24 County Council and approval by the County Executive, or as otherwise provided by 9 *Del. C. §*
25 1156.
26

27 Section 3. The provisions of this Ordinance shall become effective on June 15, 2024.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Mathew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will appropriate \$119,303.00 in funding from the State of Delaware, Department of Labor – Division of Employment and Training to the 2024 State Summer Youth Employment – Suburban New Castle County Grant to be administered by the Department of Community Services, Division of Community Resources.

The State Youth Employment Program will provide employment experiences for low income youth in the New Castle County suburban areas between the ages of 14 and 21 that will promote responsibility, teamwork, and a good work ethic. Funds will be used to employ approximately 40-50 youth in the summer employment program. This summer youth program will run through the summer of 2024.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by appropriating \$119,303.00 in funding from the State of Delaware, Department of Labor – Division of Employment and Training to the 2024 State Summer Youth Employment – Suburban New Castle County Grant.

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget by \$119,303.00. The increase will affect FY2024 and FY2025, since the estimated expiration date of this grant is September 1, 2024. The Department of Community Services FY2024 Approved Operating Budget includes \$15,588.00 to offset the difference between the reimbursable hourly rate of the grant (summer youth only) and the actual hourly rate paid by the County and the associated part-time benefit rate.

DEPARTMENT:	Community Services	EXHIBIT:	"A"
GRANT TITLE:	2024 State Youth Employment-Suburban	Ordinance No. 24-070	
PROGRAM TITLE:	2024 State Youth Employment-Suburban		

Revenue	Current	Change	Revised
Federal	\$ -	\$ -	\$ -
State	\$ 119,303.00	\$ -	\$ 119,303.00
County	\$ -	\$ -	\$ -
Program Income	\$ -	\$ -	\$ -
Other	\$ -	\$ -	\$ -
Total	\$ 119,303.00	\$ -	\$ 119,303.00

Expense	Current	Change	Revised
Salaries and Wages	\$ 106,903.00	\$ -	\$ 106,903.00
Benefits	\$ 12,400.00	\$ -	\$ 12,400.00
Training/Civic Affairs	\$ -	\$ -	\$ -
Communication/Utilities	\$ -	\$ -	\$ -
Materials/Supplies	\$ -	\$ -	\$ -
Contractual Services	\$ -	\$ -	\$ -
Equipment	\$ -	\$ -	\$ -
Grants/Fixed Charges	\$ -	\$ -	\$ -
Land and Structures	\$ -	\$ -	\$ -
Contingency	\$ -	\$ -	\$ -
Operating Transfer Charges	\$ -	\$ -	\$ -
Operating Transfer Credits	\$ -	\$ -	\$ -
Total	\$ 119,303.00	\$ -	\$ 119,303.00

SUPPLEMENTAL INFORMATION

Estimated Program Initiation:	6/15/2024
Estimated Program Completion:	9/1/2024
County Match:	\$ 15,588.00
Found in (ORG):	10200304
Ordinance Passed:	
Date Revised:	

PROGRAM DESCRIPTION:

The 2024 State Summer Youth Employment Program will provide employment experiences for low income youth in the New Castle County suburban area between the ages of 14 and 20 that will promote responsibility, teamwork and a good work ethic. Funds will be used to employ approximately 40-50 summer youth. This program will run through September 1, 2024.

ORDINANCE NO. 24-071

AMEND THE GRANTS BUDGET:

APPROPRIATE \$107,977.00 FROM THE STATE OF DELAWARE, DEPARTMENT OF LABOR – DIVISION OF EMPLOYMENT AND TRAINING, TO THE 2024 STATE SUMMER YOUTH EMPLOYMENT – CITY OF WILMINGTON GRANT TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY RESOURCES

1 **WHEREAS**, the State Summer Youth Employment Program provides employment
2 experiences for low-income youth in the City of Wilmington between the ages of 14 and 21 to
3 promote responsibility, teamwork, and a work ethic; and
4

5 **WHEREAS**, these funds will be used to employ approximately 40 youth through the
6 summer of 2024; and
7

8 **WHEREAS**, the County Executive has determined that grants anticipated to be received
9 from the State of Delaware, Department of Labor – Division of Employment and Training, are
10 sufficient to cover the increase in the Grants Budget as hereinafter amended; and
11

12 **WHEREAS**, County Council has determined that the provisions of this Ordinance
13 substantially advance, and are reasonably and rationally related to, legitimate government
14 interests (i.e., promoting the health, safety, morals, convenience, order, prosperity and/or
15 welfare of the present and future inhabitants of this State).
16

17 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
18

19 Section 1. The Grants Budget as adopted by Ordinance No. 75-173 is hereby amended
20 by adding the material on the attached Exhibit "A," which shall be considered underscored in its
21 entirety.
22

23 Section 2. This Ordinance shall become effective immediately upon its adoption by
24 County Council and approval by the County Executive, or as otherwise provided by 9 *Del. C.* §
25 1156.
26

27 Section 3. The provisions of this Ordinance shall be effective June 15, 2024.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will appropriate \$107,977.00 in funding from the State of Delaware, Department of Labor – Division of Employment and Training to the 2024 State Summer Youth Employment – City of Wilmington Grant to be administered by the Department of Community Services, Division of Community Resources.

The State Summer Youth Employment Program will provide employment experiences for low-income youth in the City of Wilmington between the ages of 14 and 21 that will promote responsibility, teamwork, and a good work ethic. Funds will be used to employ approximately 40 youths. This program will run through the summer of 2024.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by appropriating \$107,977.00 in funding from the State of Delaware, Department of Labor – Division of Employment and Training to the 2024 State Summer Youth Employment – City of Wilmington Grant.

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget by \$107,977.00. The increase will affect FY2024 and FY2025, since the estimated expiration date of this grant is September 1, 2024. The Department of Community Services FY2024 Approved Operating Budget includes \$14,103.00 to offset the difference between the reimbursable hourly rate of the grant and the actual hourly rate paid by the County and the associated part-time wage benefit rate.

DEPARTMENT:	Community Services	EXHIBIT:	"A"
GRANT TITLE:	2024 State Youth Employment - Wilmington	Ordinance No. 24-071	
PROGRAM TITLE:	2024 State Youth Employment - Wilmington		

Revenue	Current	Change	Revised
Federal	\$ -	\$ -	\$ -
State	\$ 107,977.00	\$ -	\$ 107,977.00
County	\$ -	\$ -	\$ -
Program Income	\$ -	\$ -	\$ -
Other	\$ -	\$ -	\$ -
Total	\$ 107,977.00	\$ -	\$ 107,977.00

Expense	Current	Change	Revised
Salaries and Wages	\$ 96,754.00	\$ -	\$ 96,754.00
Benefits	\$ 11,223.00	\$ -	\$ 11,223.00
Training/Civic Affairs	\$ -	\$ -	\$ -
Communication/Utilities	\$ -	\$ -	\$ -
Materials/Supplies	\$ -	\$ -	\$ -
Contractual Services	\$ -	\$ -	\$ -
Equipment	\$ -	\$ -	\$ -
Grants/Fixed Charges	\$ -	\$ -	\$ -
Land and Structures	\$ -	\$ -	\$ -
Contingency	\$ -	\$ -	\$ -
Operating Transfer Charges	\$ -	\$ -	\$ -
Operating Transfer Credits	\$ -	\$ -	\$ -
Total	\$ 107,977.00	\$ -	\$ 107,977.00

SUPPLEMENTAL INFORMATION

Estimated Program Initiation:	6/15/2024
Estimated Program Completion:	9/1/2024
County Match:	\$ 14,103.00
Found in (ORG):	10400304
Ordinance Passed:	
Date Revised:	

PROGRAM DESCRIPTION:

The State Summer Youth Employment Program will provide employee experiences for low income youth in the City of Wilmington between the ages of 14 and 20 that will promote responsibility, teamwork and a good work ethic. Funds will be uses to employ approximately 40 youths. This program will run through September 1, 2024.

ORDINANCE NO. 24-072

**AMEND THE GRANTS BUDGET:
APPROPRIATE \$50,000.00 FROM THE STATE OF DELAWARE, DELAWARE
DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO
THE DWIAC SEWER PLANNING GRANT FOR THE DEPARTMENT OF
PUBLIC WORKS**

1 **WHEREAS**, funding has been awarded from the State of Delaware, Delaware
2 Department of Natural Resources and Environmental Control in consultation with the Water
3 Infrastructure Advisory Council (WIAC) to the DWIAC Sewer Planning Grant; and

4
5 **WHEREAS**, funding awarded is under the Wastewater Matching Planning Grant
6 (WWMPG) Program, in an amount not the exceed \$50,000.00; and

7
8 **WHEREAS**, funding shall be used to conduct a Sanitary Sewer Planning and Capacity
9 Model Study to identify potential updates and optimization in the utilization, technology and
10 sewer planning in New Castle County's service to existing and future customers; and

11
12 **WHEREAS**, the County Executive has determined that funds received are sufficient
13 to cover the increase in the Grants Budget as hereinafter amended; and

14
15 **WHEREAS**, Council has determined that the provisions of this Ordinance
16 substantially advance, and are reasonably and rationally related to, legitimate government
17 interests (i.e., promoting the health, safety, morals, convenience, order prosperity and/or
18 welfare of the present and future inhabitants of this State).

19
20 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**

21
22 Section 1. The Grants Budget, as adopted by Ordinance No. 75-173, is hereby
23 amended by adding the material on the attached "Exhibit A," which is considered to be
24 underscored in its entirety.

25
26 Section 2. This Ordinance shall become effective immediately upon its adoption by
27 County Council and approval by the County Executive, or as otherwise provided by 9 *Del. C. §*
28 1156.

29
30 Section 3. It is the intent of the County Council that the provisions of this Ordinance
31 shall be effective retroactive to February 16, 2024.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will appropriate \$50,000.00 from the State of Delaware, Delaware Department of Natural Resources and Environmental Control in consultation with the Water Infrastructure Advisory Council (WIAC) to the DWIAC Sewer Planning Grant. Funding shall be used to conduct a Sanitary Sewer Planning and Capacity Model Study to identify potential updates and optimization in the utilization, technology and sewer planning in New Castle County's service to existing and future customers.

It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to February 16, 2024.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by appropriating \$50,000.00 from the State of Delaware, Delaware Department of Natural Resources and Environmental Control in consultation with the Water Infrastructure Advisory Council (WIAC) to the DWIAC Sewer Planning Grant.

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget of \$50,000.00. This increase will impact FY2024 through FY2026, since the targeted program completion date of this award is February 15, 2026.

There is a County Match of \$50,000.00 which will be funded by the Asset Management Capital Project. New Castle County will be reimbursed one dollar for every two spent on the approved project up to the \$50,000.00 grant amount. Anything over \$100,000.00 will be incurred solely by New Castle County.

There will be no fiscal impact beyond FY2026 as a result of this grant award.

DEPARTMENT:	Public Works	EXHIBIT:	"A"
GRANT TITLE:	DWIAC Sewer Planning	Ordinance No.	24-072
PROGRAM TITLE:	DWIAC Sewer Planning		

Revenue	Current	Change	Revised
Federal	\$ -	\$ -	\$ -
State	\$ 50,000.00	\$ -	\$ 50,000.00
County	\$ -	\$ -	\$ -
Program Income	\$ -	\$ -	\$ -
Other	\$ -	\$ -	\$ -
Total	\$ 50,000.00	\$ -	\$ 50,000.00

Expense	Current	Change	Revised
Salaries and Wages	\$ -	\$ -	\$ -
Benefits	\$ -	\$ -	\$ -
Training/Civic Affairs	\$ -	\$ -	\$ -
Communication/Utilities	\$ -	\$ -	\$ -
Materials/Supplies	\$ -	\$ -	\$ -
Contractual Services	\$ 50,000.00	\$ -	\$ 50,000.00
Equipment	\$ -	\$ -	\$ -
Grants/Fixed Charges	\$ -	\$ -	\$ -
Land and Structures	\$ -	\$ -	\$ -
Contingency	\$ -	\$ -	\$ -
Operating Transfer Charges	\$ -	\$ -	\$ -
Operating Transfer Credits	\$ -	\$ -	\$ -
Total	\$ 50,000.00	\$ -	\$ 50,000.00

SUPPLEMENTAL INFORMATION

Estimated Program Initiation:	2/16/2024
Estimated Program Completion:	2/15/2026
County Match:	\$50,000
Found in (ORG):	51301201 (C300220)
Ordinance Passed:	
Date Revised:	

PROGRAM DESCRIPTION:

The DWIAC Sewer Planning Grant will help to fund a Sanitary Sewer Planning and Capacity Model Study. The purpose is to identify potential updates and optimization in the utilization, technology and sewer planning in New Castle County's service to existing and future customers.

ORDINANCE NO. 24-073

AMEND THE GRANTS BUDGET:

**APPROPRIATE THE MONETARY VALUE OF 400 DONATED LAPTOPS \$458,000 TO THE
LOCAL LAW ENFORCEMENT (LLE) 400 LAPTOP COMPUTERS 2024 GRANT
FOR THE DEPARTMENT OF PUBLIC SAFETY**

1 **WHEREAS**, the County Executive has determined that equipment anticipated to be
2 received is sufficient to cover the increase in the Grants Budget as hereinafter amended;
3

4 **WHEREAS**, the Delaware Police Chiefs' Council, through the State of Delaware Local
5 Law Enforcement Program, will provide 400 new laptops that will replace the current laptops
6 within the New Castle County, Division of Police fleet vehicles; and
7

8 **WHEREAS**, the State of Delaware will lease the laptops for five years and will purchase
9 them at the end of the lease for term for one dollar each; and
10

11 **WHEREAS**, funding for the laptops is provided through the State of Delaware Fiscal
12 Year 2024 Bond and Capital Improvements Act (152nd General Assembly, Senate Bill 160,
13 signed into law June 30, 2023); and
14

15 **WHEREAS**, the laptops will remain with New Castle County at the end of the lease
16 term; and
17

18 **WHEREAS**, Council has determined that the provisions of this Ordinance substantially
19 advance, and are reasonably and rationally related to, legitimate government interests (i.e.,
20 promoting the health, safety, morals, convenience, order prosperity and/or welfare of the
21 present and future inhabitants of this State).
22

23 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
24

25 Section 1. The Grants Budget, as adopted by Ordinance No. 75-173, is hereby
26 amended by adding the material on the attached "Exhibit A," which is considered to be
27 underscored in its entirety.
28

29 Section 2. This Ordinance shall become effective immediately upon its adoption by
30 County Council and approval by the County Executive, or as otherwise provided by 9 *Del. C.* §
31 1156.
32

33 Section 3. It is the intent of the County Council that the provisions of this Ordinance
34 shall be effective retroactive to July 1, 2023.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: To appropriate the monetary value of equipment received \$458,000 from the Delaware Police Chiefs' Council, through the State of Delaware Local Law Enforcement Program to the Local Law Enforcement (LLE) 400 Laptop Computers 2024 Grant. The program will provide 400 new laptops that will replace the current laptops within the New Castle County, Division of Police fleet vehicles.

It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to July 1, 2023.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by appropriating \$458,000 to the Local Law Enforcement (LLE) 400 Laptop Computers 2024 Grant in order to recognize the monetary value of 400 laptops. The Delaware Police Chiefs' Council, through the State of Delaware Local Law Enforcement Program, is providing the New Castle County, Division of Police (NCCPD) 400 new laptops to replace the current laptops within the NCCPD's fleet vehicles. The State of Delaware will lease the laptops for five years and will purchase them at the end of the lease term for one dollar each. The laptops will remain with New Castle County at the end of the lease term. Funding for the laptops is provided through the State of Delaware Fiscal Year 2024 Bond and Capital Improvements Act (152nd General Assembly, Senate Bill 160, signed into law June 30, 2023).

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget of \$458,000 in order to recognize the monetary value of the 400 laptops. This increase will affect FY2024 only since the targeted program completion date of this award is June 30, 2024. There will be no fiscal impact beyond FY2024 as a result of this grant award. There is no local match requirement for this grant award.

DEPARTMENT:	Public Safety	EXHIBIT:	"A"
GRANT TITLE:	Local Law Enforcement 400 Laptop Computers	Ordinance No.	24-073
PROGRAM TITLE:	Local Law Enforcement 400 Laptop Computers		

Revenue	Current	Change	Revised
Federal	\$ -	\$ -	\$ -
State	\$ 458,000.00	\$ -	\$ 458,000.00
County	\$ -	\$ -	\$ -
Program Income	\$ -	\$ -	\$ -
Other	\$ -	\$ -	\$ -
Total	\$ 458,000.00	\$ -	\$ 458,000.00

Expense	Current	Change	Revised
Salaries and Wages	\$ -	\$ -	\$ -
Benefits	\$ -	\$ -	\$ -
Training/Civic Affairs	\$ -	\$ -	\$ -
Communication/Utilities	\$ -	\$ -	\$ -
Materials/Supplies	\$ -	\$ -	\$ -
Contractual Services	\$ -	\$ -	\$ -
Equipment	\$ 458,000.00	\$ -	\$ 458,000.00
Grants/Fixed Charges	\$ -	\$ -	\$ -
Land and Structures	\$ -	\$ -	\$ -
Contingency	\$ -	\$ -	\$ -
Operating Transfer Charges	\$ -	\$ -	\$ -
Operating Transfer Credits	\$ -	\$ -	\$ -
Total	\$ 458,000.00	\$ -	\$ 458,000.00

SUPPLEMENTAL INFORMATION

Estimated Program Initiation:	7/1/2023
Estimated Program Completion:	6/30/2024
The Local Match:	N/A
Found in (ORG):	
Ordinance Passed:	
Date Revised:	

PROGRAM DESCRIPTION:

The Delaware Police Chiefs' Council, through the State of Delaware Local Law Enforcement Program, is providing the New Castle County Police (NCCPD) 400 new laptops in order to replace the current laptops within the NCCPD's fleet.

5/14/2024

ORDINANCE NO. 24-074

**AMEND THE GRANTS BUDGET:
REALIGN \$555,850.04 IN FEDERAL FUNDS WITHIN THE BEHAVIORAL HEALTH UNIT
EXPANSION GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF
PUBLIC SAFETY, DIVISION OF POLICE**

1 **WHEREAS**, the New Castle County Police Department (NCCPD) created the Behavioral
2 Health Unit, previously known as the Addiction and Behavioral Health (ABH) Unit in FY2018 and
3 there is an addiction and behavioral health component to the unit; and

4
5 **WHEREAS**, original allocated funding in the amount of \$749,000 from the U.S.
6 Department of Justice was previously approved by County Council and appropriated to the
7 Behavioral Health Unit Expansion Grant via Ordinance 22-129; and

8
9 **WHEREAS**, authorization is being sought for the realignment of \$555,850.04 within the
10 Behavioral Health Unit Expansion Grant from Contractual Services to Grants/Fixed Charges to
11 accurately reflect anticipated expenditures for Subawards; and

12
13 **WHEREAS**, the County Executive has determined that funds received are sufficient to
14 cover the increase in the Grants Budget as hereinafter amended; and

15
16 **WHEREAS**, Council has determined that the provisions of this Ordinance substantially
17 advance, and are reasonably and rationally related to, legitimate government interests (i.e.,
18 promoting the health, safety, morals, convenience, order, prosperity and/or welfare of the
19 present and future inhabitants of this State).

20
21 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**

22
23 Section 1. The Grants Budget, as adopted by Ordinance No. 75-173, is hereby amended
24 by adding the material on the attached "Exhibit A," which shall be considered underscored in its
25 entirety, attached hereto and made a part thereof.

26
27 Section 2. This Ordinance shall become effective immediately upon its adoption by
28 County Council and approval by the County Executive, or as otherwise provided by 9 *Del. C. §*
29 1156.

30
31 Section 3. It is the intent of the County Council that the provisions of this Ordinance shall
32 be effective retroactive to March 15, 2022.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will realign \$555,850.04 in Federal funds within the Behavioral Health Unit Expansion Grant. The realignment of funds will accurately reflect anticipated expenditures for Subawards.

It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to March 15, 2022.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by realigning \$555,850.04 in Federal funds within the Behavioral Health Unit Expansion Grant.

This Ordinance, if approved, will have no fiscal impact. The realignment will affect FY2024 and FY2025 since the targeted program completion date is March 31, 2025.

DEPARTMENT:	Public Safety	EXHIBIT:	"A"
GRANT TITLE:	Behavioral Health Unit Expansion	Ordinance No.	24-074
PROGRAM TITLE:	Behavioral Health Unit Expansion		

Revenue	Current	Change	Revised
Federal	\$ 749,000.00	\$ -	\$ 749,000.00
State	\$ -	\$ -	\$ -
County	\$ -	\$ -	\$ -
Program Income	\$ -	\$ -	\$ -
Other	\$ -	\$ -	\$ -
Total	\$ 749,000.00	\$ -	\$ 749,000.00

Expense	Current	Change	Revised
Salaries and Wages	\$ 92,820.00	\$ -	\$ 92,820.00
Benefits	\$ 9,171.17	\$ -	\$ 9,171.17
Training/Civic Affairs	\$ 14,088.00	\$ -	\$ 14,088.00
Communication/Utilities	\$ -	\$ -	\$ -
Materials/Supplies	\$ -	\$ -	\$ -
Contractual Services	\$ 563,053.18	\$ (555,850.04)	\$ 7,203.14
Equipment	\$ 69,867.65	\$ -	\$ 69,867.65
Grants/Fixed Charges	\$ 	\$ 555,850.04	\$ 555,850.04
Land and Structures	\$ -	\$ -	\$ -
Contingency	\$ -	\$ -	\$ -
Operating Transfer Charges	\$ -	\$ -	\$ -
Operating Transfer Credits	\$ -	\$ -	\$ -
Total	\$ 749,000.00	\$ -	\$ 749,000.00

SUPPLEMENTAL INFORMATION

Estimated Program Initiation:	3/15/2022
Estimated Program Completion:	3/31/2025
The Local Match:	\$ 45,713.03
Found in (ORG):	Police Patrol (10200305)
Ordinance Passed:	Date Revised:
<u>22-129</u>	<u>10/25/2022</u>

PROGRAM DESCRIPTION:

Funding will provide expansion of the NCCPD Hero Help Addiction and Behavioral Health Unit to improve outreach to those individuals dealing with Substance Use Disorder (SUD) by adding two contractual positions, intending to increase enrollment in the program; to create a third co-responder team to increase 911 crisis response time by adding one contractual clinician; to fund overtime for officers assigned to the unit; to purchase laptops and a vehicle for the Unit.

ORDINANCE NO. 24-075

AMEND THE GRANTS BUDGET:

**REALIGN \$353,829 IN FEDERAL FUNDS WITHIN THE CONNECT AND PROTECT 911
JMHCP GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY,
DIVISION OF POLICE**

1 **WHEREAS**, original allocated funding in the amount of \$550,000 from the United States
2 Department of Justice, Office of Justice Programs was previously approved by County Council
3 and appropriated to the Connect and Protect 911 JMHCP Grant via Ordinance 23-144; and
4

5 **WHEREAS**, the project places two contractual mental health professionals (MHP) into
6 the 911 Operations Center to assist with calls that are identified as being mental health related;
7 and
8

9 **WHEREAS**, the MHP connects those in need to the mental health treatment system as
10 opposed to the Criminal Justice system, freeing up critical emergency services; and
11

12 **WHEREAS**, authorization is being sought for the realignment of \$353,829 within the
13 Connect and Protect 911 JMHCP Grant from Contractual Services to Grants/Fixed Charges to
14 accurately reflect anticipated expenditures for Subawards; and
15

16 **WHEREAS**, the County Executive has determined that grants received will be sufficient
17 to cover the increase in the Grants Budget as hereinafter amended; and
18

19 **WHEREAS**, Council has determined that the provisions of this Ordinance substantially
20 advance, and are reasonably and rationally related to, legitimate government interests (i.e.,
21 promoting the health, safety, morals, convenience, order, prosperity and/or welfare of the
22 present and future inhabitants of this State).
23

24 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
25

26 Section 1. The Grants Budget as adopted by Ordinance No. 75-173 is hereby amended
27 by adding the material on the attached Exhibits "A" which shall be considered underscored in
28 their entirety.
29

30 Section 2. This Ordinance shall become effective immediately upon its adoption by
31 County Council and approval by the County Executive, or as otherwise provided in 9 *Del. C.* §
32 1156.
33

34 Section 3. It is the intent of the County Council that the provisions of this Ordinance
35 shall be effective retroactive to October 1, 2023.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will realign \$353,829 in Federal funds within the Connect and Protect 911 JMHCP Grant. The realignment of funds will accurately reflect anticipated expenditures for Subawards.

It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to October 1, 2023.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by realigning \$353,829 in Federal funds within the Connect and Protect 911 JMHCP Grant.

This Ordinance, if approved, will have no fiscal impact. The realignment will affect FY2024, FY2025, FY2026 and FY2027, since the targeted program completion date of this award is September 30, 2026.

DEPARTMENT:	Public Safety	EXHIBIT:	"A"
GRANT TITLE:	Connect and Protect 911 JMHCP	Ordinance No.	24-075
PROGRAM TITLE:	Connect and Protect 911 JMHCP		

Revenue	Current	Change	Revised
Federal	\$ 550,000.00	\$ -	\$ 550,000.00
State	\$ -	\$ -	\$ -
County	\$ -	\$ -	\$ -
Program Income	\$ -	\$ -	\$ -
Other	\$ -	\$ -	\$ -
Total	\$ 550,000.00	\$ -	\$ 550,000.00

Expense	Current	Change	Revised
Salaries and Wages	\$ 40,049.00	\$ -	\$ 40,049.00
Benefits	\$ 23,665.00	\$ -	\$ 23,665.00
Training/Civic Affairs	\$ 30,858.00	\$ -	\$ 30,858.00
Communication/Utilities	\$ 1,200.00	\$ -	\$ 1,200.00
Materials/Supplies	\$ 399.00	\$ -	\$ 399.00
Contractual Services	\$ 453,829.00	\$ (353,829.00)	\$ 100,000.00
Equipment	\$ -	\$ -	\$ -
Grants/Fixed Charges	\$ 	\$ 353,829.00	\$ 353,829.00
Land and Structures	\$ -	\$ -	\$ -
Contingency	\$ -	\$ -	\$ -
Operating Transfer Charges	\$ -	\$ -	\$ -
Operating Transfer Credits	\$ -	\$ -	\$ -
Total	\$ 550,000.00	\$ -	\$ 550,000.00

SUPPLEMENTAL INFORMATION

Estimated Program Initiation: 10/1/2023

Estimated Program Completion: 9/30/2026

The Local Match:	\$ 231,250.00	Found in (ORG):	Emergency Comm Admin (10200501)
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Ordinance Passed: <u>23-144</u>	Date Revised: <u>10/24/2023</u>
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PROGRAM DESCRIPTION:

The project will place two mental health professionals (MHP) into the 911 Operations Center to redirect calls that are identified as being mental health related. The MHP will connect those in need to the mental health treatment system as opposed to the Criminal Justice System, freeing up critical emergency resources. The call takers answering these emergency calls will make the critical assessment of the health and safety of those involved in each call. They will determine whether help is needed, and if it should be led by law enforcement officers, emergency medical services or a mental health professional.

10/24/2023

5/14/2024

Prime Sponsor(s): Mr. Sheldon, Mr. Carter
Requested by: Public Works
Date of introduction: May 14, 2024

ORDINANCE NO. 24-076

**AMEND THE FY2024 APPROVED OPERATING BUDGET:
REALIGN \$142,000 FROM SEWER FUND DEBT SERVICE TO THE DEPARTMENT
OF PUBLIC WORKS, DIVISION OF PLANT OPERATIONS COMMUNICATIONS AND
UTILITIES BUDGET LINE ITEM TO FUND PUMP STATION ELECTRIC SERVICE**

1 **WHEREAS**, additional funding is needed for pump station electric service for the
2 remainder of FY2024 in the amount of \$142,000; and
3

4 **WHEREAS**, this is mainly due to the extreme wet weather requiring the pumps to
5 run more than anticipated resulting in higher electric costs; and
6

7 **WHEREAS**, the revenue measures heretofore adopted by the County Council,
8 are, in the opinion of the County Executive, estimated to yield sums at least sufficient to
9 balance the proposed expenditures as set forth in the Approved Sewer Fund Annual
10 Operating Budget as hereinafter amended.
11

12 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
13

14 Section 1. The Annual Operating Budget for the fiscal year beginning July 1,
15 2023, is hereby amended by deleting the material stricken and adding the material
16 underscored on the attached "Exhibit A."
17

18 Section 2. The foregoing amendment shall be considered a part of the Annual
19 Operating Budget for the fiscal year beginning July 1, 2023, and shall be effective
20 retroactively as though incorporated initially in the Annual Operating Budget.
21

22 Section 3. This Ordinance shall become effective immediately upon its adoption
23 by County Council and approval by the County Executive, or as otherwise provided in 9
24 *Del. C. § 1156.*

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, amends the FY2024 Approved Operating Budget by realigning \$142,000 from Sewer Fund Debt Service to the Department of Public Works, Division of Plant Operations Communications and Utilities Budget Line Item. These funds are needed for pump station electric service.

FISCAL NOTE: This Ordinance, if approved, will amend the FY2024 Approved Operating Budget by realigning \$142,000 from Sewer Fund Debt Service to the Department of Public Works, Division of Plant Operations Communications and Utilities Budget Line Item.

This realignment of funding will result in no increase to the FY2024 Approved Operating Budget as the legislation is a transfer of funds between Departments and within the same fund.

COUNTY COUNCIL

Salaries and Wages	\$	2,428,665
Benefits		1,428,590
Training and Civic Affairs		79,749
Communication and Utilities		19,649
Materials and Supplies		60,806
Contractual Services		247,171
Equipment		1,600
Grants and Fixed Charges		416,684
Operating Transfer Charges		162,309
Total	\$	4,845,223
Total Authorized Full-Time Positions		35

COUNTY EXECUTIVE

Salaries and Wages	\$	1,777,524
Benefits		1,045,578
Training and Civic Affairs		33,904
Communication and Utilities		18,399
Materials and Supplies		15,535
Contractual Services		529,065
Equipment		1,000
Grants and Fixed Charges		1,140,000
Contingency		9,500
Operating Transfer Charges		82,016
Total	\$	4,652,521
Total Authorized Full-Time Positions		16

DEPARTMENT OF ADMINISTRATION

Salaries and Wages	\$	12,203,612
Benefits		8,338,475
Training and Civic Affairs		125,275
Communication and Utilities		8,314,086
Materials and Supplies		147,505
Contractual Services		6,862,362
Equipment		380,684
Grants and Fixed Charges		3,925,350
Operating Transfer Charges		1,163,553
Operating Transfer Credits		(12,098,321)
Total	\$	27,454,926
Total Authorized Full-Time Positions		172

DEPARTMENT OF PUBLIC WORKS

Salaries and Wages		\$	24,597,539
Benefits			14,348,323
Training and Civic Affairs			52,527
Communication and Utilities	27,018,724		<u>27,160,724</u>
Materials and Supplies			4,971,210
Contractual Services			10,588,055
Equipment			475,133
Grants and Fixed Charges			1,193,757
Land and Structures			35,000
Operating Transfer Charges			4,845,206
Operating Transfer Credits			(7,438,785)
Total	80,686,689	\$	<u>80,828,689</u>
Total Authorized Full-Time Positions	384		

DEPARTMENT OF LAND USE

Salaries and Wages		\$	8,375,178
Benefits			4,899,879
Training and Civic Affairs			69,415
Communication and Utilities			111,337
Materials and Supplies			107,807
Contractual Services			1,585,618
Equipment			53,790
Grants and Fixed Charges			56,500
Operating Transfer Charges			1,136,835
Operating Transfer Credits			(803,217)
Total		\$	<u>15,593,142</u>
Total Authorized Full-Time Positions	118		

DEPARTMENT OF COMMUNITY SERVICES

Salaries and Wages		\$	11,791,052
Benefits			5,322,217
Training and Civic Affairs			25,392
Communication and Utilities			1,037,676
Materials and Supplies			1,412,563
Contractual Services			2,212,956
Equipment			37,867
Grants and Fixed Charges			3,110,149
Operating Transfer Charges			1,232,337
Operating Transfer Credits			(190,829)
Total		\$	<u>25,991,380</u>
Total Authorized Full-Time Positions	160		

DEPARTMENT OF PUBLIC SAFETY

Salaries and Wages	\$	67,203,955
Benefits		39,141,888
Training and Civic Affairs		181,191
Communication and Utilities		1,032,702
Materials and Supplies		1,059,997
Contractual Services		2,181,732
Equipment		1,450,572
Grants and Fixed Charges		6,791,770
Operating Transfer Charges		7,298,634
Total	\$	126,342,441
Total Authorized Full-Time Positions		711

REGISTER OF WILLS

Salaries and Wages	\$	1,111,172
Benefits		634,647
Training and Civic Affairs		40,275
Communication and Utilities		12,374
Materials and Supplies		9,925
Contractual Services		56,175
Equipment		4,143
Operating Transfer Charges		85,180
Total	\$	1,953,891
Total Authorized Full-Time Positions		20

RECORDER OF DEEDS

Salaries and Wages		\$	1,232,844
Benefits			712,707
Training and Civic Affairs			36,970
Communication and Utilities			30,977
Materials and Supplies			9,315
Contractual Services			97,001
Equipment			1,150
Grants and Fixed Charges			18,350
Operating Transfer Charges			148,002
Total		\$	2,287,316
Total Authorized Full-Time Positions	23		

SHERIFF

Salaries and Wages		\$	1,260,692
Benefits			737,678
Training and Civic Affairs			29,452
Communication and Utilities			16,189
Materials and Supplies			21,259
Contractual Services			55,999
Equipment			5,000
Operating Transfer Charges			144,938
Total		\$	2,271,207
Total Authorized Full-Time Positions	21		

CLERK OF THE PEACE

Salaries and Wages		\$	474,736
Benefits			279,250
Training and Civic Affairs			14,130
Communication and Utilities			5,168
Materials and Supplies			5,424
Contractual Services			30,043
Equipment Replacement			6,000
Operating Transfer Charges			31,776
Total		\$	846,527
Total Authorized Full-Time Positions	7		

DEBT SERVICE

Debt Service	45,540,069	\$	<u>45,398,069</u>
Land and Structures			
Contingency			
Intragovernmental Service Charges			
Intragovernmental Service Credits			
Total	45,540,069	\$	<u>45,398,069</u>
Total Authorized Full-Time Positions			

ETHICS COMMISSION

Salaries and Wages	\$	38,000
Benefits		3,385
Training and Civic Affairs		10,500
Communication and Utilities		1,922
Materials and Supplies		2,450
Contractual Services		290,642
Equipment		500
Operating Transfer Charges		6,699
Total	\$	354,098
Total Authorized Full-Time Positions		0

COUNCIL CONTINGENCY

Contingency	\$	250,000
Total	\$	250,000
Total Authorized Full-Time Positions		

EXECUTIVE CONTINGENCY

Contingency	\$	0
Total	\$	0
Total Authorized Full-Time Positions		

PERSONNEL CONTINGENCY

Contingency	\$	455,000
Total	\$	455,000
Total Authorized Full-Time Positions		

ATTRITION CONTINGENCY

Personal Services - Salaries and Wages	\$	(4,293,340)
Personal Services - Employee Benefits	\$	(2,525,429)
Total	\$	(6,818,769)
Total Authorized Full-Time Positions		

ONE-TIME CONTINGENCY

Contingency	\$	1,202,655
Total	\$	1,202,655

NEW CASTLE COUNTY

Salaries and Wages		\$ 128,201,629
Benefits		74,367,188
Training and Civic Affairs		698,780
Communication and Utilities	37,619,203	<u>37,761,203</u>
Materials and Supplies		7,823,796
Contractual Services		24,736,819
Equipment		2,417,439
Grants and Fixed Charges		16,652,560
Debt Service	45,540,069	<u>45,398,069</u>
Land and Structures		35,000
Contingency		1,917,155
Operating Transfer Charges		16,337,485
Operating Transfer Credits		(20,531,152)
<i>Sub-Total New Castle County</i>		\$ 335,815,971
<i>Total Authorized Full-Time Positions</i>	1,667	

RESERVE ACCOUNTS AS OF APRIL 23, 2024

Tax Stabilization Reserve Account (Unaudited)	72,059,107
Sewer Rate Stabilization Reserve Account (Unaudited)	6,261,142
General Fund Budget Reserve Account	44,592,418
Sewer Fund Budget Reserve Account	18,872,304
<i>Total Reserves:</i>	141,784,971

ORDINANCE NO. 24-077

TO PROVIDE FOR THE INSTALLATION OF DARK SKIES COMPLIANT HOLOPHANE ARE3 ARLINGTON POSTTOP STREET LIGHTS WITH LIGHT EMITTING DIODE (LED) BULBS AND THE OPTIONAL WADSWORTH 12' POLE IN THE DELAWARE NATIONAL SUBDIVISION LOCATED IN THE CHRISTIANA HUNDRED AND FOR A LIGHT TAX BASED ON THE COST OF STREET LIGHTS

1 **WHEREAS**, the installation of Dark Skies compliant GRANVILLE street lights with 150
2 watt light emitting diode (LED) bulbs and the option Wadsworth 12' pole in the DELAWARE
3 NATIONAL SUBDIVISION was previously approved by County Council via Substitute No. 1 to
4 Ordinance 23-161; and

5
6 **WHEREAS**, when Delmarva Power was advised of the new light type they informed
7 New Castle County the light type was not accurate; and

8
9 **WHEREAS**, a petition has been filed with the Clerk of New Castle County Council for
10 the establishment of a street light tax district in the DELAWARE NATIONAL SUBDIVISION and
11 for the installation of Dark Skies compliant Holophane ARE3 Arlington Posttop street lights with
12 150 watt light emitting diode (LED) bulbs and the optional Wadsworth 12' pole, therein.

13
14 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**

15
16 Section 1. The County Executive is hereby authorized to execute a contract, in
17 accordance with 9 *Del. C.* Chapter 21, to provide Dark Skies compliant Holophane ARE3
18 Arlington Posttop street lights with 150 watt light emitting diode (LED) bulbs and the optional
19 Wadsworth 12' pole, according to the standards established by the New Castle County
20 Department of Land Use, to be erected along MERION DRIVE, COBBS CREEK WAY,
21 MUIRFIELD WAY, SPYGLASS HILL WAY, PHALEN COURT, ROLLING OAKS WAY,
22 SHINNECOCK DRIVE, PRAIRIE DUNES DRIVE, BETHPAGE DRIVE and SAWGRASS
23 COURT as set forth in the petition.

24
25 Section 2. The properties set forth in the petition shall be subject to an annual tax based
26 on the full annual cost of the street lighting in an amount to be provided for in the Annual
27 Revenue Ordinance.

28
29 Section 3. This Ordinance shall become effective immediately upon its adoption by
30 County Council and approval by the County Executive, or as otherwise provided in 9 *Del. C.* §
31 1156.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance approves the installation of Dark Skies compliant Holophane ARE3 Arlington Posttop street lights with 150 watt light emitting diode (LED) bulbs and the optional Wadsworth 12' pole in the DELAWARE NATIONAL SUBDIVISION.

FISCAL NOTE: This Ordinance provides for the installation of Dark Skies compliant Holophane ARE3 Arlington Posttop street lights with 150 watt light emitting diode (LED) bulbs and the optional Wadsworth 12' pole and the assessment of a light tax based on the rates set in the Annual Revenue Ordinance.

The light tax assessed on these DELAWARE NATIONAL SUBDIVISION properties set forth in the petition filed with the Clerk of County Council will be billed in conjunction with the annual property tax billing. The increased expenditure to the County resulting from the installation and maintenance will be offset by the increased revenues realized from the light tax assessment.

Prime Sponsor(s): Mr. Hollins, Mr. Street
Requested by: Community Services
Date of Introduction: May 14, 2024

ORDINANCE NO. 24-078

**TO AUTHORIZE THE COUNTY EXECUTIVE TO EXECUTE AN AGREEMENT CONTAINING
AN EVERGREEN PROVISION IN ORDER TO PROVIDE DOOR LOCK SERVICES TO THE
NEW CASTLE COUNTY HOPE CENTER**

1 **WHEREAS**, ASSA ABLOY Global Solutions, Inc. ("AAGS") is the current vendor providing
2 door lock services at the New Castle County Hope Center ("Hope Center"), and was retained by
3 the previous manager of the Hope Center, Hersha Hospitality Management L.P. ("HHM"); and
4

5 **WHEREAS**, the Department of Community Services ("Community Services") desires to
6 retain AAGS to continue providing door lock services in order to ensure the continuity of services
7 through the transition of the Hope Center's management from HHM to the County; and
8

9 **WHEREAS**, in furtherance thereof, AAGS has provided the agreement attached hereto as
10 Exhibit A; and
11

12 **WHEREAS**, AAGS provides services globally, and has stated that the terms in their
13 agreements are non-negotiable; and
14

15 **WHEREAS**, one term of the agreement does not comport with *New Castle County Code*;
16 it provides for automatic renewal of the agreement if neither party issues a notice of termination,
17 and is also known as an "evergreen" provision (*see New Castle County Code § 2.02.004(D)*);
18 and
19

20 **WHEREAS**, the door lock services provided by the agreement are essential during the
21 transition of management of the Hope Center from HHM to the County; and
22

23 **WHEREAS**, County Council believes it is in the public's best interest to permit the County
24 Executive to execute the agreement with AAGS despite the evergreen provision; and
25

26 **WHEREAS**, County Council has determined that the purpose of providing for this
27 exception to *New Castle County Code § 2.02.004(D)* is to advance, and is reasonably and
28 rationally related to, legitimate government interests (i.e., promoting the health, safety, morals,
29 convenience, order, prosperity and/or welfare of the present and future inhabitants of this
30 County); and
31

32 **WHEREAS**, by way of this Ordinance, County Council will allow the evergreen provision
33 for this and only this specific agreement.

34 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
35

36 Section 1. The County Executive is authorized to sign the services agreement providing
37 New Castle County with door lock services and support for the New Castle County Hope Center
38 substantially in the form as attached, which has been approved by the Office of Law, the Office
39 of Finance and the Chief Administrative Officer.
40

41 Section 2. *New Castle County Code* Sec. 2.02.004(D)'s prohibition on the County entering
42 into any contractual agreement with an evergreen provision is lifted as to only this services
43 agreement with AAGS.
44

45 Section 3. This Ordinance shall become effective immediately upon its adoption by County
46 Council and approval by the County Executive, or as otherwise provided in 9 *Del. C.* § 1156.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will authorize the County Executive to execute a services agreement providing the New Castle County Hope Center with door lock services and support for all rooms that contains an evergreen provision.

FISCAL IMPACT: Funding for this contract is included in the FY2024 Approved Operating Budget pending passage of Ordinance 24-060.

Contract Number : CNTR0056363

Property Name	New Castle County Hope Center	Account Number	51975
Street Address	365 Airport Rd	Guest Room Count	
City	New Castle	Total Lock Count	240
State / Zip:	DE / 19720	Install Date	02-29-2016
Beginning Date	[2024-05-01] until canceled		

Support Agreement

Service Agreement Content	
Hotel unique access to web support portal	√
Support ticket system – Knowledgebase and Incident / Cases	Full Portal Access 24/7
Phone Support - Priority Phone Number (local)	Ext office hours(7-19) #
Chat Support – (Portal)	24/7 English Only
Remote Support - System updates, Troubleshooting	Office hours -alternatively scheduled 24/7
Adjustments of system setup (max 1 day/year)	Scheduled 24/7 (remote)
Subscription information on system news and security updates	√ (Automated through portal)
Mobile access backend system status and notifications	Included in the mobile access agreement
Decode services (if safes are selected)	√
On-line Training , How to videos – (Portal)	Recorded / web based (English)
Call outs & unscheduled service (T&E Applies)	Priority
Free updates of software with same version	√

☐ Service Agreement Pricing Locks	Cost per lock (\$/Year)		
	0-200 locks	201-499 locks	500+ locks
Service Agreement (as above)	\$10 USD	\$8 USD	\$6 USD

☐ Service Agreement Pricing Safes	Cost per Safe (\$/Year)		
	0-200 Safes	201-499 Safes	500+ Safes
Service Agreement (as above)	\$3 USD	\$2 USD	\$1.5 USD

Extended Warranty

Extended Warranty		24,078 Select
Extended warranty, all locks / front desk equipment	Per lock/year	☐
Extended Warranty Pricing	Cost per lock (\$/year)	
Lock/Front Desk warranty years 3-6	\$13.50 USD	
Lock/Front Desk warranty years 7-9	\$17.00 USD	
Lock/Front Desk warranty year 10	\$18.00 USD	

*Reference Exhibit A for extended product warranty.

SOFTWARE ASSURANCE

Software Assurance Agreement	Select
Upgrade of license to higher versions (eg 1.21.2 to 1.22), Maintain compliance with security updates and OS upgrades	☐
Free upgrade of license to higher versions (eg. 1.15 to 1.21)	√
Maintain compliance with security updates and OS upgrades	√
Software Assurance Pricing	\$2.50 USD Per Lock (\$/year)

Our Software Assurance package is based on a yearly invoiced amount calculated per lock. It covers Server software, Client software and firmware related to locks and its components where that is applicable. Assistance of installing the software is provided by remote assistance under a service agreement. In case on-site is needed, that is extra. Choosing not to be covered, future upgrades are subject to separate order.

MAINTENANCE SERVICES

Onsite Service – Optional

Visit will be coordinated by customer with 1 week minimum notice. 2 days Technician onsite maximum. Reasonable incurred expenses not included and billed separately

Onsite Service Options	Select
One Annual visit	☐
Two Annual visits	☐
Four Annual visits	☐
Onsite Service Visits Per Year	Annual Cost
One	\$1,800.00*
Two	\$3,600.00*
Four	\$7,200.00*

*Additional onsite service requests beyond selected quantity are available at the contract rate of \$1390 per day. Reasonable incurred expenses not included and billed separately.

MAINTENANCE SERVICES – Included with Onsite Service	Frequency
Audit front desk equipment	Each Visit - Scheduled
Check system functionality and PMS operation	Each visit - Scheduled
Check date and times in system & locks	Each visit - Scheduled
Ensure Power Down cards are remade / valid	Each visit - Scheduled
Check daylight savings dates	Each visit - Scheduled
Audit system back up	Each visit - Scheduled
Provide employee printout and access with system controller	Each visit - Scheduled
Check Customer has sufficient spare locks& parts	Each visit - Scheduled
Audit log and error statistics to prevent future errors	Each visit - Scheduled
Check location has correct contact information and update Service Portal	Each visit - Scheduled
Audit of Lock Hardware including firmware	Every second year - Scheduled
Change lock batteries (batteries are extra)	Every second year - Scheduled
System Software – Upgrade to latest version if applicable	Every second year - Scheduled

Price dependent upon country, travel distance and hotel size

Service Agreement Order Summary

Contract Model : Get Quotes Payment Frequency : Annually				
Description	No. of Units	Cost per Unit	Total	Select
Software Assurance (Optional)	240	\$2.50 (per Lock per year)	\$600.00	☐
Service Agreement Locks	240	\$8.00 (per Lock per year)	\$1,920.00	X
Onsite Service - One Visit (Optional)	240	\$1,800.00 (fixed cost per year)	\$1,800.00	☐
Extended Warranty (Optional)	240	\$17.00 (per Lock per year)	\$4,080.00	☐
Grand Total			TBD	

..... Support Agreement Terms and Conditions – Exhibit A

Services performed under this Support Agreement (the "Agreement") are provided through ASSA ABLOY Global Solutions, Inc. ("AAGS"). As used herein, "Services" shall mean those services set forth in the attached Support Agreement that are mutually agreed to be provided by AAGS to Customer. The execution of the Services may be assigned to a qualified, authorized service agent in the sole discretion of AAGS. Customer hereby agrees to the terms and conditions set forth above and that follow.

1. CUSTOMER RESPONSIBILITIES

Customer agrees to comply with following obligations during the terms of this Agreement. Non-compliance with these obligations may prevent and/or delay the ability of AAGS to provide the services in this Agreement.

- Materially comply with AAGS's operation and maintenance instructions, and documentation provided by AAGS regarding its products and software;
- Provide the proper environment and electrical and telecommunications connections as specified by AAGS;
- Provide access to the equipment and software with adequate communications, facilities, and workspace to enable AAGS to perform the Services;
- Have a representative at the equipment location during any AAGS service activity on the Customer's premises;
- Promptly notify AAGS if the product and/or software does not operate in accordance with AAGS's specifications or documentation accompanying the Products and Software; and
- Maintain an external, backup to software program(s) and data.

2. EXCLUSIONS FROM SERVICES

AAGS has only agreed to provide those Services set forth in the Support Agreement above. Additional requested services from AAGS not set forth in this Agreement shall be charged at the then applicable rates. The following services are excluded from this Agreement, and Customer shall be charged by AAGS at the then applicable rates if AAGS agrees to provide such additional services:

- Support or maintenance of any error to the extent caused by PC's, service cables, contact cards, discontinued or end of life products or software, and any non AAGS products or software including 2800 / Service Terminals/ Extra Model Elsafe;
- Remote programming changes to database files to meet requirements not specified in installation site survey;
- Remote resolution of problems resulting from changes to the database performed by, or an agent of the Customer;
- Over-the-phone training;
- Training services outside the scope of this Agreement;
- Remote support for database migration or database rebuilds;
- Installation of new options or modules not set forth in an applicable order;
- The cost of operating system version upgrades, patches, or release supplements unless Software Assurance Subscription is purchased by Customer;
- Issues corrected in later software updates, patch releases, or release supplements that can be implemented by the Customer
- User account management and password maintenance;
- Assistance with loading operation system upgrades, patches, or release supplements;
- Assistance with configuration, installation, or addition of new hardware or peripherals;
- Assistance loading and supporting third party applications not sold by AAGS;
- Resolution of problems directly related to a Customer's network not directly related to the AAGS products or software;
- Resolution of problems or issues related to non-supported third party applications;

- Pre or Post-installation network consolation or configuration including network support, design, or evaluation of cost of those services;
- Resolution of network problems caused by addition of or changes in network configuration or hardware that are not approved or recommended by AAGS;
- Reinstallation of operating system from scratch when a full system backup is not available; or
- Assistance with Anti-virus software, either to install, configure or update such software.

3. ADDITIONAL TERMS AND CONDITIONS

3.1 AAGS General Terms and Conditions. Attached as Exhibit C are AAGS's General Terms and Conditions (the "General Terms"). The General Terms are herein incorporated by reference in their entirety and applicable to all Services and Products ordered by Customer. Capitalized terms not defined herein shall have the meanings set forth in the General Terms.

3.2 Term. This Agreement is effective upon mutual execution of this Agreement and when payment is received by AAGS and continues for one (1) year. This Agreement shall auto-renew every year thereafter for another one-year period, unless either party cancels this agreement by providing sixty (60) days' written notice prior to such renewal date. Additionally, either party may terminate this agreement any time by providing 60 days written notice to the other party. AAGS does not prorate cost of the Agreement for early termination or offer refunds. In the event Customer requests services from AAGS and this Agreement is either expired or has been terminated, Customer will be billed for such services at the then current hourly rates for labor and the then current prices for Products and/or components.

For notice of termination:

If to AAGS:

ASSA ABLOY Global Solutions Inc.

631 International Parkway, Ste. 100

Richardson, Texas 75081

Attn: Legal

If to the Customer: the Customer's address set forth on page one of the Agreement.

EXHIBIT B**EXTENDED WARRANTY PROGRAM IF PURCHASED BY PUCHASER****Extended Product Warranty**

If Customer has not purchased the Extended Product Warranty, the terms of this Exhibit are null and void. Capitalized terms not defined in this Exhibit shall have the same meaning defined in the attached Agreement.

1. **Limited Extended Warranty for Products.** Any and all warranties set forth herein are null and void if Customer has failed to pay the entire purchase price for all amounts payable under this Agreement that are not the subject of a good faith dispute. Subject to the limitations contained in this Agreement, AAGS warrants for One year after the date the initial Limited Warranty of Products purchased expires (the "Warranty Period") that (a) the Products will materially conform to the specifications set forth in AAGS's published specifications in effect as of the date of shipment of such Product, and (b) the Products shall be free from material defects or workmanship flaws (collectively, the "Extended Warranty"). Please note that use of keycards or any components which do not conform to AAGS's published specifications shall void the Extended Warranty for such Products incorporating these nonconforming items. Third-party products sold or licensed separately by AAGS (as opposed to being incorporated into the Products themselves) are only warranted to the extent provided by the original manufacturer's warranty; provided, however, AAGS will provide Purchaser a copy of all warranty and other documentation with respect to all third-party products if requested to do so. It is Customer's sole responsibility to make all warranty claims with third parties. Customer's failure to notify AAGS in writing of a defect within the Warranty Period shall be a waiver of Customer's right to have the defect remedied. If a warranty claim is made within the Warranty Period by Customer, and AAGS determines in its reasonable discretion that such claim is valid, AAGS will (in its reasonable discretion) either repair, exchange, or replace Product so long as the Customer follows the specified RMA authorization procedure to return the malfunctioning Product. This Extended Warranty is conditioned upon (i) the product being repaired or altered only by personnel authorized by AAGS, (ii) no unauthorized components having been incorporated into the Product, (iii) no Force Majeure Event having occurred causing, in whole or in part, a failure of the Product (iv) the Product being operated and maintained in material accordance with its specifications, (v) the Product having been originally installed only by AAGS authorized personnel, and (vi) all updates and upgrades communicated as being available from AAGS have been incorporated into the Product.
2. EXCEPT FOR THE EXTENDED WARRANTY SET FORTH IN THIS EXHIBIT AND THE TERMS, AAGS MAKES NO IMPLIED WARRANTY WHATSOEVER WITH RESPECT TO THE PRODUCTS, INCLUDING ANY (1) IMPLIED WARRANTY OF MERCHANTABILITY, (2) IMPLIED WARRANTY OF FITNESS FOR PARTICULAR PURPOSE, OR (3) IMPLIED WARRANTY AGAINST INFRINGEMENT OF INTELLECTUAL PROPERTY RIGHTS OF A THIRD PARTY, OR ANY IMPLIED WARRANTY OF COURSE OF DEALING, COURSE OF PERFORMANCE, USAGE OF TRADE OR OTHERWISE. To the extent any warranties cannot be disclaimed, the implied warranties are limited to the Warranty Period.
3. Also specifically excluded from AAGS's warranty is Customer's negligence; normal wear and tear from use, misuse; use of parts or components not approved by AAGS (including but not limited to keys and keycards); Force Majeure Events; repairs or alternations carried out by anyone other than AAGS authorized personnel; improper installation, operation and maintenance; vandalism or physical abuse; faulty or defective Product operation caused by fire or fire-fighting appliances; and any other causes other than Customer's normal use of the Product in material accordance with the Agreement and the Terms.
4. This Extended Warranty is only available to the original Customer of the Products.
5. **Warranty Repairs.** AAGS shall not be required to perform any warranty repairs of the Products at a specific Site. Customer shall be responsible for removing all the parts or components of the Products returned to AAGS for repair under the applicable warranty.

EXHIBIT C

GENERAL TERMS AND CONDITIONS

THESE GENERAL TERMS AND CONDITIONS govern the provision of Software as a Service, Seos Credential Services, Hardware, Installation Services and Training Services from the ASSA ABLOY Group company specified in the Agreement ("**ASSA ABLOY**") and the customer named in the Agreement ("**Customer**"). Support services are subject to the execution of a separate support agreement. Each of ASSA ABLOY and Customer shall also be referred to as a "**Party**" or, in the collective, the "**Parties**."

NOW THEREFORE, in consideration of the premises and the terms and conditions set forth herein, the Parties agree as follows:

1.DEFENITIONS

CAPITALIZED TERMS IN THESE GENERAL TERMS AND CONDITIONS HAVE THE FOLLOWING MEANINGS:

- 1.1. "**Affiliate**" means a legal entity that directly or indirectly through one or more intermediaries is controlled by or under common control with a Party's ultimate parent company. For the purposes of this definition, the term "control" shall be understood as the possession, directly or indirectly, of the power to direct or cause the direction of the management and policies of a legal entity, whether through the ownership of voting stock, by contract, or otherwise.
- 1.2. "**Agreement**" means the Quote which refers to these General Terms and Conditions, and any schedules (including these General Terms and Conditions), addendums or other attachments thereto (including any specific terms and conditions for the Service).
- 1.3. "**APIs**" means application programming interfaces.
- 1.4. "**Application**" means a software application, developed and owned by the ASSA ABLOY Group, intended for smart phones and other mobile communications devices, and being required for an End User to be able to use the Mobile Access Services (such software application being licensed to End Users under a separate end user license agreement).
- 1.5. "**ASSA ABLOY Group**" means the group of companies of which ASSA ABLOY AB, corporate registration number 556059-3575, is the ultimate controlling entity.
- 1.6. "**Business Day**" means a day (other than a Saturday, Sunday or public holiday) on which commercial banks are open for general banking business (other than for Internet banking services only) in the jurisdiction where ASSA ABLOY is incorporated.
- 1.7. "**CCPA**" means the California Consumer Privacy Act of 2018, as amended (Cal. Civ. Code §§ 1798.100 to 1798.199), and any related regulations or guidance provided by the California Attorney General.
- 1.8. "**Confidential Information**" means the Documentation, and the following information of ASSA ABLOY or its Affiliates: data, drawings, benchmark tests, specifications, trade secrets, algorithms, source code, object code, know-how, formulas, processes, ideas, inventions (whether patentable or not), customer lists, schematics and other technical, business, financial, marketing and product development plans, forecasts, strategies and information, and any information disclosed by ASSA ABLOY under an Agreement. The terms and conditions of an Agreement shall be treated as Confidential Information.
- 1.9. "**Contracted Business Purposes**" means for purposes of providing the Services and as set forth in Exhibit C.
- 1.10. "**Customer Content**" means End User Data and other information and data used or submitted by Customer and End Users in connection with licensed Services.
- 1.11. "**Documentation**" means the Specifications and, in the event the provision of which is required for use of the Hardware or any of the Services, any proprietary information or documentation made available to Customer by ASSA ABLOY for use in conjunction with the Hardware or Service, including any information available online through the Service.
- 1.12. "**Effective Date**" means, if the Agreement is executed by both Parties within the first fourteen days of a calendar month, the first day of that calendar month, and otherwise the first day of the next subsequent calendar month.
- 1.13. "**Embedded Software**" means any software component embedded in the Hardware.
- 1.14. "**End User**" means Customer's employee, contractor, guest or other individual that is authorized by Customer to use or benefit from the Hardware or Services as an end user.

1.15. **"End User Data"** means information and Personal Data of an End User submitted, provided or collected in connection with the use of Hardware or Services.

1.16. **"Force Majeure"** means an event beyond a Party's reasonable control including, without limitation, strikes, lock-outs or other labour disturbances or disturbances by fire, flood, war, embargo, blockade, riot, epidemic, governmental interference, delay or shortage in transportation or inability to obtain necessary labour, materials or facilities from usual sources or from defect or delay in the performance of any of its suppliers or subcontractors if caused by any circumstance referred to in the foregoing.

1.17. **"GDPR"** means Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of Personal Data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation).

1.18. **"Hardware"** means hardware (or parts) including Embedded Software (as applicable) sold by ASSA ABLOY to Customer, as set forth in the Agreement.

1.19. **"Installation Services"** means (i) installation services purchased by Customer or (ii) implementation services comprising upgrading of the current software and Hardware used by Customer to the latest version of such software and locking systems that has support for RFID locksets and additionally supports the Mobile Access System if purchased by Customer as identified in the applicable Agreement and provided subject to the Installation and Training Terms and Conditions set forth in Exhibit B;

1.20. **"Intellectual Property Rights"** means common law and statutory rights associated with (a) patents and patent applications; (b) works of authorship, including mask work rights, copyrights, copyright applications, copyright registrations and "moral" rights; (c) the protection of trade and industrial secrets and confidential information; (d) all rights to registered and common law trademarks, trade names, trade dress, and service marks; (e) other proprietary rights relating to intangible intellectual property (including but not limited to designs, design rights, source codes, proprietary material, Know-How, ideas, concepts, methods, techniques, rights in databases and all other intellectual property rights and rights of a similar character whether registered or capable of registration); (f) analogous rights to those set forth above; and (g) divisions, continuations, renewals, reissuances and extensions of the foregoing (as applicable) now existing or hereafter filed, issued or acquired.

1.21. **"Initial Subscription Period"** means an initial Subscription period of 12 months from the Effective Date, or such other initial Subscription period specified in the Agreement.

1.22. **"Know-how"** means unpatented technical information (including, without limitation, information relating to inventions, discoveries, concepts, methodologies, models, research, development and testing procedures, the results of tests and trials, processes, techniques and specifications, quality control data, analyses report and submissions) that is not in the public domain.

1.23. **"License"** means a non-exclusive, non-transferable, non-sublicenseable right to use the Software Product for purchased Hardware or Services during the License Term based on the license model specified in the Agreement, e.g., based on the number of users, doors, locks that are Bluetooth enabled and designated to interoperate as part of the system, or other peripherals. For the Mobile Access System, the License includes upgrades of software and firmware as needed to maintain access and use the Mobile Keys System or components thereof during the License Term, subject to payment of the applicable License fees.

1.24. **"License Term"** shall have the meaning set forth in Section 9.1.

1.25. **"Mobile Access System"** means Hardware and software (excluding the Application(s)) together forming a system for use with certain wireless communication devices, which enable such devices to function as door opening and/or access solutions, comprising ASSA ABLOY's Bluetooth enabled (BLE) communication board and reader for use with ASSA ABLOY's Hardware; Hardware as specified in the Agreement; and ASSA ABLOY's software and firmware to enable the operation of the Mobile Access System, including interoperability with Seos Credential Services, but excluding APIs needed for Bluetooth wireless communication devices, smart phones or mobile devices used by End Users to interoperate with the Mobile Access System.

1.26. **"Personal Data"** means any information relating to an identified or identifiable natural person and shall be construed in accordance with applicable data protection law.

1.27. **"Quote"** means a quote or other agreement in writing by ASSA ABLOY for provision of Services (and any changes to previously ordered Services) and/or Hardware, duly executed by each of ASSA ABLOY and Customer.

1.28. **"Renewal Subscription Period"** shall have the meaning set forth in Section 9.1.y

1.29. **"Seos Credential Services"** means the service provided by ASSA ABLOY and its Affiliates in connection with the operation of the Mobile Access System by Customer and End Users, to create and package Mobile IDs with End User reservation data, encrypt Mobile IDs and reservation data, and transmit in real time the encrypted Mobile IDs and End User data to the End User's Bluetooth wireless device, smart phone or mobile device and a Customer property management server over a Wi-Fi or wireless connectivity enabling the End User's Bluetooth wireless communication devices to function as a door opening and/or access solution when such devices have downloaded and registered the Application.

1.30. **"Services"** shall mean SaaS, Seos Credential Services, Training Services or Installation Services as specified in an Agreement.

1.31. **"Software as a Service (or SaaS)"** shall mean remote access to the Software Product installed and run on a single-tenant or multi-tenant computing platform managed by ASSA ABLOY.

1.32. **"Software Product"** means ASSA ABLOY's standard version of its proprietary software applications, API and modules, including Embedded Software, as further identified in the Agreement and specified in the Specification.

1.33. **"Specification"** means the functional, technical and commercial specifications and terms and conditions of the Hardware or Software Product, which may include, without limitation, product sheets, service descriptions, statement of works

1.34. **"Subscription"** means the non-exclusive and non-transferable right for Customer to use the SaaS, Seos Credential Services, or Embedded Software in accordance with the applicable Agreement.

1.35. **"Taxes"** shall have the meaning set forth in Section 5.6.

1.36. **"Training Services"** shall mean training services purchased by Customer as identified in the applicable Agreement and provided subject to the Installation and Training Terms and Conditions set forth in Exhibit B.

2. LICENSES, OWNERSHIP, AND RESTRICTIONS

2.1. **Scope.** These General Terms and Conditions set forth the general terms and conditions under which ASSA ABLOY sells and provides Hardware and Services. Each Agreement will be deemed to incorporate and be subject to all the terms and conditions of these General Terms and Conditions, except to the extent the Agreement expressly modifies specific terms.

2.2. **Grant of Rights.** In consideration of Customer's payment of the applicable fees to ASSA ABLOY, and, subject to the terms and conditions of the Agreement, ASSA ABLOY grants to Customer a License to use the SaaS, Seos Credential Services and/or Embedded Software as specified in the Agreement in accordance with the Documentation solely for its own internal operations. The foregoing license rights shall be restricted to the number and type of Licenses specified in the applicable Agreement. Customer shall not have the right under the Agreement to use the names ASSA ABLOY, Seos or any of the corporate or trade names, trademarks, logos services marks, symbols, insignia, or other distinguishing marks of any ASSA ABLOY Affiliate for any reason other than as provided for herein, including but not limited to advertising, publicity releases, or promotional or marketing publications, without the express prior written consent of ASSA ABLOY in each instance.

2.3. **Ownership.** The License granted under the Agreement does not constitute a sale of the Software Product, Embedded Software, the Application or any portion of it. ASSA ABLOY and its licensors retain all right, title and interest in the Software Product, the Embedded Software, the Application, the Services and associated Documentation, and all translations and derivative works thereof, including any materials, inventions, or works developed through ASSA ABLOY's performance of Services, and all Intellectual Property Rights embodied therein or relating thereto. All rights not expressly granted under the Agreement are reserved by ASSA ABLOY and its licensors. There are no implied rights.

2.4. **Restrictions on Use.** Customer's rights to use SaaS and Embedded Software (as applicable) are subject to the following restrictions and Customer shall not, and shall not cause or permit any third party to: (a) modify or create any derivative work of SaaS or Embedded Software, or its associated Documentation, or any portion thereof or incorporate other services, software or products in SaaS or Embedded Software; (b) except to the extent such activities cannot be lawfully restricted, decompile, reverse engineer or otherwise attempt to derive the underlying ideas, algorithms, structure or organization from SaaS or Embedded Software; (c) sell, license, sublicense, lease, rent, or otherwise transfer rights to SaaS or Embedded Software to any third party; (d) use SaaS or Embedded Software to submit any content that infringes or misappropriates third party rights, including intellectual property rights or to submit any content that is obscene, defamatory, offensive or malicious, (e) to intentionally distribute spam, viruses, worms, Trojan horses, corrupted files, or other items of a destructive or disruptive nature; (f) to engage in, promote, or encourage illegal activity; (g) to disable, interfere with or circumvent any aspect of SaaS or Embedded Software; or (h) disclose or publish the results of any performance, functional, or other evaluation or benchmarking of SaaS or Embedded Software to any third party without written consent from ASSA ABLOY.

2.5. **Customer's Grant of Rights.** Customer grants ASSA ABLOY the right to host, use, process, display and transmit Customer Content pursuant to and in accordance with the Agreement. Customer has the sole responsibility for the accuracy, quality, integrity, legality, reliability, and appropriateness of Customer Content and for obtaining all rights related to each of the foregoing required by ASSA ABLOY to provide Services. Customer represents and warrants that none of the Customer Content infringes any third party rights.

2.6. **Third Party Applications.** SaaS, Seos Credential Services and Embedded Software may contain or include functionality and software provided or licensed by third parties ("**Third Party Functionality**"). For any Third Party Functionality, such components shall be licensed as part of the SaaS, Seos Credential Services or Embedded Software in accordance with the terms and conditions of the Agreement. Notwithstanding the foregoing, all open source software provided by ASSA ABLOY is outside the scope of the Agreement and is not included in the definition of SaaS, Seos Credential Services or Embedded Software and such open source software is instead subject to the applicable open source software licenses.

2.7. **Beta Services.** From time to time, ASSA ABLOY may make Beta SaaS services available to Customer at no charge. Customer may choose to try such Beta services. Beta services are intended for evaluation purposes and not for production use, are not supported, and may be subject to additional terms. Beta services are not considered "SaaS" under the Agreement, however, all restrictions, ASSA ABLOY's rights and Customer's obligations concerning the SaaS shall apply equally to Customer's use of Beta services. Unless otherwise stated, any Beta services trial period will expire upon the earlier of one year from the trial start date or the date that a version of the Beta services becomes generally available without the applicable Beta services designation. ASSA ABLOY may discontinue Beta services at any time in ASSA ABLOY's sole discretion and may never make them generally available. ASSA ABLOY will have no liability for any harm or damage arising out of or in connection with a Beta service.

2.8. **Modifications, Updates and Upgrades.** ASSA ABLOY reserves the right to, at any time, modify, update and/or upgrade, temporarily or permanently, the Services (or any part thereof) ASSA ABLOY shall have no liability in any manner whatsoever for modifying, replacing, or supporting discontinued Hardware.

2.9. **Trial Access.** ASSA ABLOY may provide to Customer a free trial access to and/or a demonstration version of the SaaS and/or Hardware for a maximum period of 90 days in order to enable Customer to evaluate the SaaS and/or Hardware before executing an Agreement. Customer acknowledges and agrees that Customer's access to and use of the SaaS and Hardware on such a free basis shall solely be on Customer's own risk and responsibility, on an "as is" basis, and shall at all times be in

accordance with the terms and conditions of these General Terms and Conditions and any instructions or materials provided in connection with the provision of the free trial access. ASSA ABLOY hereby disclaims any and all of its obligations and liabilities under the Agreement or otherwise, to the fullest extent permitted by applicable law, arising out of Customer's access to and use of the SaaS and/or Hardware in accordance with this Section 2.9 Customer acknowledges and agrees that (a) ASSA ABLOY will be under no obligation or liability to retain Customer Content generated during the free trial access period, unless Customer executes an Agreement within 180 days from the date hereof; (b) ASSA ABLOY may change the contents of the bundle of SaaS features during the free trial access period, in which case Customer may not be able to retain settings used by or Customer Content generated during the free trial access period; (c) Customer may decide to execute an Agreement for a bundle of SaaS features which encompass different or less features than those available to Customer during the free trial access period, in which case Customer may not be able to retain settings used by or Customer Content generated during the free trial access period; (d) ASSA ABLOY may, in its sole discretion, limit the number of users, doors or other peripherals connected to the SaaS, as well as the number of or specifics of the messages, reports, API calls or other features of the service; and (e) ASSA ABLOY may, in its sole discretion, terminate Customer's access to and use of the SaaS in accordance with this Section 2.9 at any time.

2.10. Disabling of Service or part thereof. ASSA ABLOY may disable the functionality of the SaaS, Seos Credential Services, or part thereof: (a) immediately upon written notice to Customer, if ASSA ABLOY reasonably believes that there has been a material breach in security (in which case ASSA ABLOY shall reactivate the functionality of the licensed Service when such breach has been eliminated, (b) immediately upon written notice to Customer in the event of a third party claim of infringement, violation or misappropriation of intellectual property rights, (c) in the circumstances set forth in Section 9.2, and (d) otherwise upon termination or expiry of the Agreement.

3. PURCHASE AND DELIVERY

3.1. Shipping, Delivery and Storage. ASSA ABLOY reserves the right to make, and Customer agrees to accept, multiple shipments to fulfill an Agreement. All shipments and delivery terms are EXW (Incoterms 2010). ASSA ABLOY's warehouse, facility, or port of entry in the United States, with Freight Prepaid Add & Handling (Shipping Costs). Title and risk in and to Hardware included in a shipment transfers to Customer at the time the carrier signs the bill of lading. All freight and shipping costs are the responsibility of Customer, are estimates only and subject to change. If Customer fails to accept delivery from ASSA ABLOY at the scheduled time, the remaining purchase price owed by Customer shall still be due and payable in accordance to the original payment schedule, and any and all risks associated with the Hardware (or parts) to be delivered, shall be solely borne by Customer. All shipping and storage costs incurred by ASSA ABLOY due to Customer's delay or failure to accept delivery shall be fully reimbursed by Customer. Customer is solely responsible for providing a safe and secure storage location for the Hardware at all times is the sole responsibility of Customer. Hardware should be stored in a secure area near an elevator to assist with installation, if possible. Delivery of SaaS shall be deemed to occur upon the provision of a link to enable Customer to access SaaS and an account login for SaaS.

3.2. Cancellations. Any request to cancel an order made in an Agreement must be received no later than thirty (30) days prior to the initial scheduled Hardware shipment. All cancellations of Hardware products are subject to a restocking charge equal to fifteen percent (15%) of the invoiced price of the Hardware products cancelled.

4. SCOPE OF INSTALLATION AND TRAINING SERVICES

4.1. Installation and Training Services. ASSA ABLOY shall provide the Installation Services and Training Services as set forth in the Agreement, and on and subject to the Installation and Training Services Terms and Conditions in Exhibit B

5. PAYMENTS, FEES, RECORDS AND TAXES

5.1. Payments Generally. Customer is required to pay a deposit of up to fifty percent (50%) of the estimated total price of an Agreement upon accepting an Agreement. All unpaid balances are due to ASSA ABLOY net thirty (30) days from the date on an invoice. ASSA ABLOY does NOT accept any "pay when paid" clauses or conditions, and payment is due to ASSA ABLOY regardless of any receipt of monies from a third party. Customer shall be responsible for all costs and expenses (including attorney fees and court costs) incurred by ASSA ABLOY in connection with any overdue balance. Customer agrees to pay ASSA ABLOY the balance of fees and expenses in the amounts and times as set forth in the Agreement, without retention, set-off, withholding or counterclaim. All payments are due and payable in full within 30 days from the date of ASSA ABLOY's invoice, unless otherwise stated in the Agreement. All payments shall be invoiced and paid in US Dollars and are non-refundable and non-creditable. Customer agrees to accept invoices without requiring a separate purchase order. In no event shall any purchase order, invoice, or any other documentation provided by Customer modify or supersede the terms of payment pursuant to the Agreement, including without limitation, the timing of when all fees are due for payment according to terms of the Agreement.

5.2. Travel Expenses. Travel and other expenses directly related to the Services will be invoiced at actual cost.

5.3. Late Payments; Default Interest. Any amount by Customer hereunder which remain unpaid after the due date shall be subject to default interest equal to 1.8% per month which interest will be immediately due and payable from the due date

for payment until the date of actual receipt in cleared funds by ASSA ABLOY and a late fee in the amount of ten percent (10%) of the total price set forth in the applicable Agreement. 24078

5.4. **Suspension of Service.** If any amount owing by Customer under the Agreement is 30 or more days overdue, or if Customer violates the Restrictions on Use set forth in Section 2.4, ASSA ABLOY may, without limiting ASSA ABLOY's other rights and remedies, suspend Services to Customer until such amount is paid in full or, as applicable, Customer remedies its violation of Section 2.4.

5.5. **Records and Audit Rights.** ASSA ABLOY reserves the right to run usage reports against Customer's system for the sole purpose of determining Customer's number of active users, Hardware items or other peripherals for which Customer needs a License ("Required Licenses"). Where the number of Required Licenses exceed the purchased Licenses set forth in the Agreement, ASSA ABLOY shall either notify Customer who shall within 10 business days reduce the Required Licenses to be consistent with the purchased Licenses or ASSA ABLOY may charge Customer for payment for the excess retroactively.

5.6. **Taxes.** Prices do not include, and Customer shall pay, any national, state, local, or international property, license, privilege, sales, use, excise, gross receipts, VAT, ad valorem, use, duty, withholding or other like taxes relating to the sale, delivery, receipt, payment for or use of Hardware and Services including any interest, penalty and additional tax or other charge related to delay or failure to pay such amount ("Taxes"). If ASSA ABLOY is required to collect any Taxes, such Taxes will be itemized separately on the invoice and paid by Customer. ASSA ABLOY will accept a valid Tax exemption certificate from Customer, if applicable. If an exemption certificate previously accepted by Customer is not recognized by the relevant governmental taxing authority, Customer agrees to promptly reimburse ASSA ABLOY for any Taxes covered by such exemption certificate which ASSA ABLOY is required to pay.

6. DATA PROTECTION AND PRIVACY; INFORMATION SECURITY

6.1. **End User Data Privacy.** Both parties will comply with all applicable requirements of applicable data protection laws when collecting, using, retaining, or disclosing personal information. Customer will have and abide by an appropriate privacy policy and will comply with all applicable laws, policies, and regulations relating to the collection of information from End Users and processing of Personal Data. Customer must post a privacy policy and that privacy policy must provide notice of Customer's use of cookies, identifiers for mobile devices or similar technology used to collect data. Customer must disclose how ASSA ABLOY collects and processes Personal Data within the Services or as part of improving the Hardware and Services. ASSA ABLOY'S processing of Personal Data is described in Exhibit C. Customer will ensure that each End User is provided with clear and comprehensive information about, and consents to, the processing of their Personal Data when such activity occurs in connection with the Services and where providing such information and obtaining such consent is required by law. When such consent is not required by applicable law, Customer shall ensure that it has another appropriate and required legal basis for the processing of End User Data in accordance with the Agreement and for Customer's intended purposes as may be necessary under applicable law. In connection with the Services, Customer shall only use or process End User Data, pursuant to all applicable laws, rules, regulations and orders of any governmental authority having relevant jurisdiction. Except as permitted under applicable laws, rules, regulations and orders of any governmental authority having relevant jurisdiction, Customer shall not share, distribute, transfer, publish, sell, trade, give away, or in any other way use, disseminate or disclose Personal Data received from any End Users.

6.2. **Data Processing.** Customer shall promptly inform ASSA ABLOY if the CCPA is applicable to ASSA ABLOY's processing of Personal Data on behalf of Customer hereunder, in which case – and only in such a case – the provisions set forth in **Clauses Error! Reference source not found.** – 6.6 below shall apply.

6.3. **Purposes.** ASSA ABLOY will only collect, use, retain, or disclose Personal Data in accordance for the Contracted Business Purposes. ASSA ABLOY will not collect, use, retain, disclose, sell, or otherwise make Personal Data available for ASSA ABLOY's own commercial purposes or in a way that does not comply with the CCPA. If a law requires ASSA ABLOY to disclose Personal Data for a purpose unrelated to the Contracted Business Purpose, ASSA ABLOY must first inform Customer of the legal requirement and give Customer an opportunity to object or challenge the requirement, if reasonably practicable and unless the law prohibits such notice. ASSA ABLOY will limit Personal Data collection, use, retention, and disclosure to activities reasonably necessary and proportionate to achieve the Contracted Business Purposes or another compatible operational purpose. Customer acknowledges that ASSA ABLOY, its Affiliates and third parties may process Personal Data of the same data subjects in their operations outside the context of this Agreement, for which the provisions of this Agreement do not apply.

6.4. ASSA ABLOY will promptly take reasonable steps to comply with any Customer request or instruction requiring ASSA ABLOY to provide, amend, transfer, or delete the Personal Data, or to stop, mitigate, or remedy any unauthorized processing.

6.5. **Pseudonymization.** To the extent permitted under applicable data protection laws, ASSA ABLOY may aggregate, deidentify, or anonymize personal information so it no longer meets the Personal Data definition, and may use such aggregated, deidentified, or anonymized data for its own research and development purposes. ASSA ABLOY will not attempt to or actually re-identify any previously aggregated, deidentified, or anonymized data and will contractually prohibit downstream data recipients from attempting to or actually re-identifying such data.

6.6. **Assistance with Customer's CCPA Obligations.** ASSA ABLOY will reasonably cooperate and assist Customer with meeting the Customer's CCPA compliance obligations and responding to CCPA-related inquiries, including responding to verifiable consumer requests, taking into account the nature of ASSA ABLOY's processing and the information available to ASSA ABLOY. ASSA ABLOY will notify Customer without undue delay if it receives any complaint, notice, or communication that directly or indirectly relates either party's compliance with the CCPA.

6.7. **Information Security.** ASSA ABLOY will implement and maintain commercially reasonable security measures designed to meet the following objectives: (i) ensure the security of Customer Content in the custody and under the control of ASSA ABLOY; (ii) protect against unauthorized use or access to such Customer Content, and (iii) protect against any anticipated threats or hazards to the security or integrity of such Customer Content. Customer acknowledges and agrees that ASSA ABLOY

may rely upon the security processes and measures utilized by ASSA ABLOY's cloud infrastructure providers. Each Party shall notify the other without undue delay upon becoming aware of a breach of security leading to the accidental or unlawful destruction, loss alteration, unauthorised disclosure or, or access to, Personal Data.

7. LIMITED WARRANTY, DISCLAIMERS AND LIMITATION OF LIABILITY

7.1. Authority. ASSA ABLOY represents and warrants that ASSA ABLOY has the right and power to enter into the Agreement and grant the licenses set forth herein.

7.2. Installation Services. Subject to the conditions and limitations of liability stated herein, ASSA ABLOY warrants for a period of 30 days from performance of service that Installation Services shall be performed in accordance with generally accepted industry standards.

7.3. Hardware: Subject to the conditions and limitations of liability stated herein, ASSA ABLOY warrants that the Hardware products will be free from material defects in materials and workmanship and will substantially conform to the applicable Documentation in effect as of the date of manufacture for a period of one (1) year from the date of shipment. No credits or refunds will be given for Hardware products that are returned incomplete or damaged. ASSA ABLOY shall not be required to perform any warranty repairs of the Hardware at a specific site. Customer shall be responsible for removing and reinstalling all the parts or components of the Hardware returned to ASSA ABLOY for repair under the warranty. Customer shall bear all risk of loss during the shipment of items and Hardware products returned to ASSA ABLOY. Customer shall be solely responsible for obtaining insurance on any and all items and Hardware products that are returned to ASSA ABLOY.

7.4. All Hardware and systems must be installed by ASSA ABLOY certified technicians/installers for the type of product being installed, or all warranties are voided. Systems that require online commissioning must be commissioned by an ASSA ABLOY certified technician/installer to be covered under ASSA ABLOY's warranty.

7.5. The warranty does not apply to (a) consumable parts, such as batteries or protective coatings that are designed to diminish over time, unless failure has occurred due to a defect in materials or workmanship. Customer is solely responsible under the Agreement to ensure that batteries powering Hardware are properly charged and timely exchanged. (b) to cosmetic damage, unless failure has occurred due to a defect in materials or workmanship; (c) to damage caused by use with a third party component or product; (d) to damage caused by accident, abuse, misuse, fire, liquid contact, earthquake or other external cause; (e) to damage caused by service (including upgrades and expansions) performed by anyone who is not a representative of ASSA ABLOY or an ASSA ABLOY authorized technician; (f) to defects caused by normal wear and tear or otherwise due to the normal aging of the Hardware.

7.6. Remedies. Subject to the conditions and limitations of liability set forth herein:

7.6.1. ASSA ABLOY's sole and exclusive obligation and Customer's sole and exclusive remedy for a breach of the foregoing limited Installation Services warranty shall be ASSA ABLOY's commercially reasonable effort to reperform the non-conforming part of the Services. ASSA ABLOY will, at ASSA ABLOY's expense, take such actions it determines in its sole discretion are required to conform;

7.6.2. ASSA ABLOY's sole and exclusive obligation and Customer's sole and exclusive remedy if the SaaS or Seos Credential Service does not conform to ASSA ABLOY's then current Specifications shall be ASSA ABLOY's commercially reasonable effort after receiving written notice describing in reasonable detail the specific nature of the defect or non-conformity to repair or replace the functionality of the non-conforming part of the SaaS or Seos Credential Service to make it perform substantially in accordance with the Documentation. In the event ASSA ABLOY is unable to remedy the non-conformity and such non-conformity materially affects the functionality of the SaaS or Seos Credential Service, Customer will have the right to terminate the applicable service, in which case ASSA ABLOY must refund to Customer a pro rata portion of any fees pre-paid by Customer for the applicable remainder of the Initial Subscription Period or Renewal Subscription Period;

7.6.3. ASSA ABLOY's sole and exclusive obligation and Customer's sole and exclusive remedy for breach of the foregoing limited warranties applicable to the sale of the Hardware shall be that ASSA ABLOY will either repair, replace or provide a reasonable workaround for the defective and/or nonconforming part of the Hardware after receiving written notice (such notice being received before the expiry of the warranty period) of the breach of warranty describing in reasonable detail the specific nature of the defect or non-conformity, or refund all amounts paid for such defective and/or non-conforming Hardware.

7.7. Third Party IPR Claims. In the event that Hardware or a Service becomes subject to a claim by a third party that it infringes a third party copyright, patent or other intellectual property right, or ASSA ABLOY anticipates that such a third party claim may be raised, ASSA ABLOY shall have at its option and expense the right to (a) obtain for Customer a license to continue using that Hardware; or (b) substitute the Hardware with other substantially similar hardware. THIS SECTION 7.7 SETS FORTH ASSA ABLOY'S SOLE LIABILITY AND CUSTOMER'S SOLE AND EXCLUSIVE REMEDY WITH RESPECT TO ANY CLAIM OF INTELLECTUAL PROPERTY INFRINGEMENT.

7.8. Disclaimer of Warranties. Customer expressly acknowledges and agrees that the use of each of the Services is at Customer's sole risk. EXCEPT FOR THE LIMITED WARRANTY SET FORTH IN SECTION 7.6 ABOVE TO THE MAXIMUM EXTENT PERMITTED UNDER APPLICABLE LAWS, ASSA ABLOY EXPRESSLY DISCLAIMS ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING, BUT NOT LIMITED TO THE IMPLIED WARRANTIES OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, AND NON-INFRINGEMENT. ASSA ABLOY DOES NOT WARRANT THAT THE FUNCTIONS MEET CUSTOMER'S REQUIREMENTS, THAT THE OPERATION OF ANY OF THE SERVICES WILL BE UNINTERRUPTED, ERROR-FREE, WITHOUT DOWNTIME, OR THAT DEFECTS IN THE SERVICES WILL BE CORRECTED. THE ABOVE WARRANTIES DO NOT APPLY TO ANY DEFECTS, DAMAGES, FAILURES OR MALFUNCTIONS TO ANY PART OF THE HARDWARE OR SERVICES RESULTING FROM (A) NEGLIGENCE, ABUSE, OR MISAPPLICATION (B) USE OF THE HARDWARE OR SERVICES OTHER THAN AS SPECIFIED IN THE DOCUMENTATION THEREOF OR OTHERWISE IN OTHER THAN ITS NORMAL AND CUSTOMARY MANNER (C) ANY ALTERATIONS, MODIFICATIONS OR ADAPTATIONS OF THE PRODUCTS PERFORMED BY ANYONE OTHER THAN ASSA ABLOY, OR ANY UNAUTHORIZED

COMBINATION OR INTERFACING OF THE HARDWARE WITH OTHER HARDWARE OR SOFTWARE. FURTHERMORE, ASSA ABLOY DOES NOT WARRANT OR MAKE ANY REPRESENTATION REGARDING THE PERFORMANCE OR THE RESULTS OF THE USE OF THE SERVICES OR DOCUMENTATION IN TERMS OF THEIR CORRECTNESS, ACCURACY, RELIABILITY, OR OTHERWISE. NO ORAL OR WRITTEN INFORMATION OR ADVICE GIVEN BY ASSA ABLOY OR ITS AUTHORIZED REPRESENTATIVE SHALL CREATE A WARRANTY OR IN ANY WAY INCREASE THE SCOPE OF A WARRANTY. The foregoing limitations and exclusions apply to the extent permitted by applicable law in customer's jurisdiction. If applicable law limits the application of the provisions of this Section 7, ASSA ABLOY's liability will be limited to the maximum extent permissible.

7.9. In the event that Hardware or a Service becomes subject to a claim by a third party that it infringes a third party copyright, patent or other intellectual property right, or ASSA ABLOY anticipates that such a third party claim may be raised, ASSA ABLOY shall have at its option and expense the right to (a) obtain for Customer a license to continue using that Hardware or Service; (b) substitute the Hardware or Service with other substantially similar hardware or service; or (c) terminate the license for the infringing portion of the Hardware or Service. THIS SECTION 7.9 SETS FORTH ASSA ABLOY'S SOLE LIABILITY AND CUSTOMER'S SOLE AND EXCLUSIVE REMEDY WITH RESPECT TO ANY CLAIM OF INTELLECTUAL PROPERTY INFRINGEMENT.

7.10. **LIMITATION OF LIABILITY.** IN NO EVENT SHALL ASSA ABLOY OR ITS AFFILIATES OR THIRD PARTY LICENSORS OR THEIR RESPECTIVE DIRECTORS, OFFICERS, EMPLOYEES OR AGENTS BE LIABLE TO CUSTOMER FOR LOSS OF PROFIT OR REVENUES, COSTS OF DELAY, BUSINESS INTERRUPTION, LOSS OF USE OF PRODUCT OR OTHER PRODUCT SOFTWARE, SYSTEM, OR FACILITY, LOSS OF DATA OR INFORMATION, LOSS OF PRODUCTIVITY, INTEREST CHARGES, COSTS OF SUBSTITUTE PRODUCTS, SOFTWARE, SYSTEMS, OR SERVICES, COST OF PURCHASES OR REPLACEMENT POWER, DOWNTIME COSTS, DAMAGE TO PROPERTY OR PERSON, NOR FOR ANY INCIDENTAL, SPECIAL, EXEMPLARY, INDIRECT, CONSEQUENTIAL OR PUNITIVE DAMAGES ARISING OUT OF OR IN CONNECTION WITH THE USE OR PERFORMANCE OF HARDWARE OR SERVICES PROVIDED HEREUNDER REGARDLESS OF WHETHER THE CLAIM GIVING RISE TO SUCH DAMAGES IS BASED UPON BREACH OF ANY REPRESENTATION OR WARRANTY, BREACH OF CONTRACT, TORT (INCLUDING NEGLIGENCE OR STRICT LIABILITY), OR OTHERWISE), EVEN IF ASSA ABLOY OR ITS AUTHORIZED REPRESENTATIVE HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES. IN NO EVENT WILL ASSA ABLOY'S AGGREGATE LIABILITY FOR DAMAGES OR LOSSES (WHETHER IN ONE INSTANCE OR A SERIES OF INSTANCES) UNDER THE AGREEMENT EXCEED THE AMOUNT PAID BY CUSTOMER PURSUANT TO THE APPLICABLE AGREEMENT (OR, IN THE CASE OF PROVISION OF SERVICES, PAID BY CUSTOMER PURSUANT TO THE APPLICABLE AGREEMENT DURING THE TWELVE MONTHS IMMEDIATELY PRECEDING THE CLAIM).

7.11. Nothing in this agreement excludes the liability of ASSA ABLOY for death or personal injury caused by ASSA ABLOY's negligence; nor for fraud or fraudulent misrepresentation.

7.12. The limitations and exclusions set forth in this Agreement apply to the fullest extent permitted by applicable law. If applicable law limits the application of the provisions of this Clause 7, ASSA ABLOY's liability will be limited to the maximum extent permissible.

8. INDEMNIFICATION

8.1. Customer shall indemnify and hold ASSA ABLOY, its Affiliates, officers, directors, third party licensors, and employees, harmless from and against any and all claims, damages, losses, costs or other expenses (including reasonable attorneys' fees) that arise directly or indirectly out of (a) alterations or modifications to the SaaS, Embedded Software or Hardware made by or on behalf of Customer (b) combinations of using the SaaS, Embedded Software or Hardware with products, services, or materials not provided by ASSA ABLOY where the infringement would not have occurred but for Customer's combination of such products, services, or materials; (c) Customer's wilful misconduct or unauthorized use of SaaS, Embedded Software or Hardware; (d) any violation by Customer of third party rights including but not limited to privacy and data protection rights or breach of Clause 7.1; (e) from Customer's use of or submission of Customer Content through a Service; or (f) Customer's access to and use of a Service in accordance with Clause 2.9.

9. TERM AND TERMINATION

9.1. **Term.** The term of Agreement shall commence on the Effective Date of the Agreement and shall remain in force during the Initial Subscription Period and any Renewal Subscription Period or until terminated in accordance with the terms hereof ("License Term"). Following expiry of the Initial Subscription Period, and any Renewal Subscription Period, the Subscription period will automatically renew at ASSA ABLOY's prices in effect at the time of such renewal, for an additional period of 12 months years at a time (each a "**Renewal Subscription Period**") following the end of the Initial Subscription Period and any subsequent Renewal Subscription Period, unless terminated in writing by either Party by giving three months' notice of such party's intent not to renew prior to the end of the Initial Subscription period or the then applicable Renewal Subscription Period. Any such notice of intent not to renew shall be given in accordance with the terms hereof. No such automatic renewal shall occur at any time following the termination of the Agreement in accordance with the terms hereof.

9.2. **Termination of Agreement by ASSA ABLOY.** ASSA ABLOY may terminate the Agreement by written notice to Customer in the event that (i) Customer fails to make any payment required within ten (10) days after receiving a written notice that such payment is past due, provided that such failure does not relate to a good faith dispute between the parties regarding the amount due; (ii) Customer breaches any of its obligations under the Agreement, and has been given written notice of such default, and has not corrected the default within thirty (30) days of the date of the notice; or (iii) immediately upon registered letter if Customer commences bankruptcy proceedings, makes composition with its creditors, is subject to the appointment of an administrator or is subject to any other similar proceedings or otherwise proceedings that have the same or similar effects or if the other Party could reasonably be deemed to be insolvent. Without limiting ASSA ABLOY's other rights in

the Agreement, if ASSA ABLOY terminates the Agreement pursuant to this Section, Customer will pay any unpaid fees covering the remainder of the License Term. 24078

9.3. Termination of Agreement by Customer. Customer may terminate the Agreement by written notice in the event that ASSA ABLOY materially breaches any of its obligations under the Agreement, has been given written notice of such default, and has not corrected the default within thirty (30) days of the date of the notice.

9.4. Effect of Termination. Upon any expiry or termination of the Agreement, all rights granted to Customer in relation to the Services will immediately cease and Customer shall cease using the licensed Service, or if Customer should otherwise discontinue using the licensed Service, Customer shall destroy all copies of the Documentation and any related materials in any form.

9.5. Handling of Customer Content in the event of Termination. Upon request by Customer made within 30 days after the effective date of termination or expiration of the Agreement, ASSA ABLOY will make Customer Content available to Customer for export or download as provided in the Documentation. After such 30-day period, ASSA ABLOY will have no obligation to maintain or provide any Customer Content.

10.CONFIDENTIALITY

10.1. Confidentiality. Customer agrees to maintain and protect all Confidential Information and keep it confidential using the same degree of care that it exercises with respect to its own information of like importance but in no event less than reasonable care, and may use it only for the purposes for which it was provided under the Agreement. Except as expressly provided in the Agreement, Confidential Information may be disclosed only to Customer's employees or contractors obligated to Customer under similar confidentiality restrictions and only for the purposes for which it was provided. These obligations do not apply to information which: (a) is rightfully obtained by Customer without breach of any obligation to maintain its confidentiality; (b) is or becomes known to the public through no act or omission of Customer; (c) Customer develops independently without using Confidential Information of ASSA ABLOY; or (d) only to the extent and for the purpose of disclosing such Confidential Information in response to a valid court or governmental order, and if Customer has given the ASSA ABLOY prior written notice and provides reasonable assistance so as to afford it the opportunity to object or obtain a suitable protective order.

10.2. Remedy for Breach. Because of the unique nature of the Confidential Information, each Party agrees that the disclosing Party may suffer irreparable harm in the event the recipient fails to comply with its confidentiality obligations under the Agreement, and that monetary damages will be inadequate to compensate the disclosing Party for such breach. Accordingly, the recipient agrees, notwithstanding Clause 7.6, that the disclosing Party will, in addition to any other remedies available to it at law or in equity for breach of this Clause 10, be entitled to seek injunctive relief in any court of competent jurisdiction to enforce such confidentiality obligations.

11.MISCELLANEOUS

11.1. Compliance with Law. Each party shall comply with all applicable laws, ordinances, rules and regulations, and shall obtain any and all permits, licenses, authorization, and/or certificates that may be required in any jurisdiction or any regulatory or administrative agency in connection with the sale, use and/or operations of Hardware or Services. Without limiting the generality of the foregoing, Customer shall comply with all laws and regulations on anti-corruption, sanctions and export control, data protection, international communications, and the exportation of technical or Personal Data.

11.2. Export and Import Controls. The SaaS, Hardware, Embedded Software or other technology ASSA ABLOY makes available hereunder may be subject to export laws and regulations of the European Union, the United States and other jurisdictions. Customer agrees to comply strictly with all export laws and regulations. Customer shall not permit End Users to access or use any licensed Service or Customer Content in or via an embargoed country, which would prohibit such access or in any violation of any export law or regulation. Proscribed countries are set forth in the applicable export regulations and are subject to change without notice, and Customer must comply with the list as it exists in fact. Customer certifies, represents, warrants and undertakes that Customer is not targeted under the sanctions or export controls of the United Nations, the United States, the European Union or any other relevant government, or are listed on the U.S. Department of Commerce's Denied Persons List or affiliated lists, on the U.S. Department of Treasury's Specially Designated Nationals List or any list maintained by the United Nations, the European Union or other relevant government.

11.3. Independent Contractor. Nothing in the Agreement is intended to create a partnership, franchise, joint venture, agency, or a fiduciary or employment relationship. Neither Party may bind the other party or act in a manner which expresses or implies a relationship other than that of independent contractor. Except as otherwise set forth herein, each Party shall bear its own costs and expenses in performing the Agreement.

11.4. Third Party Rights. This agreement does not confer any rights on any person or party other than the parties to this agreement and, where applicable, their successors and permitted assigns.

11.5. U.S. Government Rights. If Customer is a U.S. Government agency and subject to the regulations of FAR or DFARS, the SaaS are provided with "Restricted Rights." Use, duplication or disclosure by the U.S. Government is subject to restrictions as set forth in subparagraph (c)(1)(ii) of the Rights in Technical Data and Computer Software clause at DFARS 252.227-7013 or subparagraphs (c)(1) and (2) of the Commercial Computer Software-Restricted Rights at 48 CFR 52.227-19, as applicable (and the successor clauses to any of the foregoing). The contractor/manufacturer is ASSA ABLOY. Subject to any applicable regulations set out in the FAR or DFARS (and any superseding regulations), SaaS are provided with the commercial license

rights and restrictions described elsewhere in the Agreement. For Department of Defense agencies, the restrictions set forth in the "Technical Data - Commercial items" clause at DFARS 252.227-7015 (Nov 1995) shall also apply. 24978

11.6. Governing Law and Venue. This Agreement, and all disputes, claims, or causes of action (whether in contract, tort, statute, or constitution) that may be based upon, arise out of, or relate to this Agreement, or the negotiation, execution, or performance of this Agreement (including any claim or cause of action arising out of or related to any representation or warranty made in connection with this Agreement) (collectively, the "Agreement Dispute"), shall be governed by the laws of the State of Texas, without giving effect to its provisions of choice of law. The provisions of the United Nations Convention on Contracts for the International Sale of Goods will not apply to this Agreement or any Quote or transaction hereunder.

11.7. Any action, proceeding, mediation, or arbitration shall be brought in the State of Texas, County of Dallas. The parties hereby irrevocably submit to the subject matter and personal jurisdiction of such courts, and waive the defense of inconvenient forum to the maintenance of any such action or proceeding in such venue.

11.8. Dispute Resolution. In the event of an Agreement Dispute, the party claiming such Agreement Dispute shall give written notice to the other party with a description of the Agreement Dispute (a "**Dispute Notice**") to the other party. Following delivery of a Dispute Notice, the parties shall negotiate in good faith for a reasonable period of time to settle such Agreement Dispute; provided that such reasonable period shall not, unless otherwise agreed by the parties in writing, exceed forty-five (45) calendar days from the time of receipt by a party of a Dispute Notice. If, within forty-five (45) calendar days (or such longer period as may be agreed in writing between the parties) after receipt of a Dispute Notice, the parties have not succeeded in resolving of the Agreement Dispute, the parties agree to submit the Agreement Dispute, at the earliest possible date, to mediation conducted in accordance with the Commercial Mediation Rules of the American Arbitration Association ("**AAA**"), and to bear equally the costs of the mediation. The parties agree to participate in good faith in the mediation and negotiations related thereto, for a period of thirty (30) days, or such longer period as they may mutually agree, following the initial mediation session (the "**Mediation Period**"). If the Agreement Dispute has not been resolved for any reason after the Mediation Period, then such Agreement Dispute shall be determined exclusively by arbitration before and in accordance with the then-existing Commercial Arbitration Rules of the AAA, except as modified herein (the "**Rules**"). There shall be one arbitrator mutually agreed upon by both parties within twenty (20) days after the Mediation Period. If an arbitrator cannot be timely appointed by the parties, AAA shall appoint an arbitrator in accordance with the Rules, and in any such procedure, each Party shall be given two strike, excluding strikes for cause. In resolving any Agreement Dispute, the parties intend that the arbitrators shall apply the substantive laws of the State of Texas, without regard to any choice of law principles thereof that would mandate the application of the laws of another jurisdiction. The parties intend that any award rendered by the arbitrators shall be final and binding on the parties. The arbitrators shall be entitled, if appropriate, to award any remedy in such proceedings, including monetary damages, specific performance, and all other forms of legal and equitable relief; provided, however, the arbitrators shall not be entitled to award indirect, consequential, punitive, exemplary, treble, or any other form of non-compensatory damages, excluding attorneys' fees. Any arbitration proceeding shall be concluded in a maximum of six (6) months from the commencement of the arbitration, unless agreed to otherwise by the parties in writing.

11.9. Assignment. The Agreement will be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns; provided, however, that neither party shall assign any of its rights, obligations, or privileges (by operation of law or otherwise) hereunder without the prior written consent of the other party. Notwithstanding the foregoing, however, (i) ASSA ABLOY may assign the Agreement to a successor in interest (or its equivalent) of all or substantially all of its relevant assets, whether by sale, merger, or otherwise; (ii) ASSA ABLOY may assign the Agreement to any of its Affiliates; and (iii) ASSA ABLOY may use subcontractors in the performance of its obligations hereunder. Any attempted assignment in violation of what is set forth above in this Section 11.9 will be void. If subcontractors are used by ASSA ABLOY for the processing of Personal Data on Customer's behalf, the obligations set forth in these General Terms and Conditions with respect to Personal Data shall be imposed on those subcontractors, and ASSA ABLOY shall inform Customer of any intended changes concerning the addition or replacement of other processors, thereby giving the controller the opportunity to object to such changes, in each case if required under applicable data protection laws.

11.10. Delays and Force Majeure. ASSA ABLOY shall notify Customer as soon as reasonably possible of any delays in the scheduled delivery, and Customer agrees that ASSA ABLOY cannot be held liable in any manner whatsoever for such delays. Neither party shall be liable for failure to fulfil its obligations (other than payment obligations) under the Agreement issued hereunder or for delays in delivery due to Force Majeure. The time for performance of any such obligation shall be extended for the period lost because of the event of Force Majeure.

11.11. Notices. Notices concerning the Agreement shall be in writing and shall be given or made by means of certified or registered mail, express mail or other overnight delivery service, or hand delivery, proper postage or other charges paid and addressed or directed to the respective parties to their respective addresses.

11.12. Severability. If any provision of the Agreement shall be held by a court of competent jurisdiction to be wholly or partly invalid or contrary to law or public policy, the validity of the Agreement as a whole shall not be affected and the remaining provisions shall remain in full force and effect. To the extent that such invalidity materially affects a Party's benefit from, or performance under, the Agreement, it shall be reasonably amended.

11.13. Survival. Terms and conditions which by their nature extend beyond the License Term shall survive the termination or expiry of the Agreement, including Customer's obligations under Sections 2.3, 6, 7, 8.1, 9, 9 and 10. Customer's obligations to pay fees or charges due and payable at the time of expiry or termination, or which become due and payable thereafter, shall survive the termination of the Agreement or any addenda hereto.

11.14. Waiver. No term or provision hereof shall be deemed waived and no breach consented to or excused, unless such waiver, consent or excuse shall be in writing and signed by the party claimed to have waived or consented. Should either party consent, waive, or excuse a breach by the other party, such shall not constitute consent to, waiver of, or excuse of any other different or subsequent breach whether or not of the same kind as the original breach. Notwithstanding the foregoing, provisions on complaints and limitation periods, such as in Section 7 hereof, shall apply.

11.15. Entire Agreement. The Agreement including all schedules constitute the entire understanding and agreement between the parties hereto with respect to the subject matter of the Agreement and merges and supersedes all prior communications, understanding and agreements, written or oral, and no amendments shall become effective without written

agreement signed by the parties hereto. Each party acknowledges that in entering into this agreement it does not rely on any statement, representation, assurance or warranty (whether made innocently or negligently) that is not set out in this agreement. Each party agrees that it shall have no claim for innocent or negligent misrepresentation based on any statement in this agreement.

By executing below, Purchaser and AAGS agree to all of the terms and conditions set forth in these Terms.

PURCHASER

AAGS

By: _____
Its: _____
Date: _____

By: _____
Its: _____
Date: _____

ORDINANCE NO. 24-079

**AUTHORIZING THE ISSUANCE OF UP TO \$33,000,000 IN A GENERAL OBLIGATION
BOND THROUGH THE DELAWARE WATER POLLUTION CONTROL REVOLVING FUND
FOR THE DEPARTMENT OF PUBLIC WORKS, CHRISTINA RIVER FORCE MAIN
REHABILITATION PROJECT**

1 **WHEREAS**, Chapter 22 of Title 9 of the *Delaware Code*, as amended, authorizes New
2 Castle County to plan, acquire, purchase, construct, reconstruct, improve, better and extend,
3 and maintain and operate sewerage systems therein defined, and the County Council of New
4 Castle County has determined to repair, replace, and provide redundancy to the existing
5 Christina River Force Main system now maintained by the County over an extended period; and
6

7 **WHEREAS**, it has been deemed necessary to appropriate up to \$33,000,000 for the
8 installation of (i) approximately 2,000 linear feet ("LF") of new 84-inch force main piping to serve
9 as permanent bypass piping around the Heald Street Bridge, (ii) approximately 5,700 LF of 84-
10 inch force main piping to serve as permanent bypass piping around the Market Street Bridge,
11 and (iii) approximately 2,000 LF of a new 36-inch force main extending from the Market Street
12 Pump Station (collectively, the "Project"); and
13

14 **WHEREAS**, the Project is part of the ongoing rehabilitation of the Christina River Force
15 Main to prevent sanitary sewer incidents that decrease water quality and have negative
16 environmental and public health impacts on wildlife, residents, and commercial entities; and
17

18 **WHEREAS**, this Ordinance corresponds to Resolution 24-xxx authorizing the County
19 Executive to execute a financing agreement in connection with the funding of the Project, for up
20 to \$33,000,000 with the Delaware Water Pollution Control Revolving Fund, acting by and through
21 the Delaware Department of Natural Resources and Environmental Control.
22

23 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS** (10 of 13
24 of the members elected to the County Council concurring therein):
25

26 Section 1. New Castle County shall authorize the issuance of its negotiable bond in the
27 maximum aggregate principal amount of up to \$33,000,000 for the Project.
28

29 Section 2. The funds raised by the issuance of the bond hereby authorized, after the
30 payment of the charges and expenses connected with the preparation, sale, and issuance
31 thereof, shall be expended only for the purposes for which said bond has been authorized, or
32 for the payment of the principal of, and interest on, loans made in anticipation of the sale of such
33 bond.
34

35 Section 3. The effect of the bonded indebtedness hereby authorized upon the total
36 bonded indebtedness of New Castle County is as shown on the attached Exhibit "A."
37

38 Section 4. It is hereby determined and declared that the normal life of said improvements
39 is not less than three (3) years (9 *Del. C.* § 1163(a)(1)).
40
41

42 Section 5. This Ordinance shall become effective immediately upon its adoption by
43 County Council and approval by the County Executive, or as otherwise provided in 9 *Del. C.* §
44 1156.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: Authorize the issuance of up to \$33,000,000 of a general obligation bond through the Delaware Water Pollution Control Revolving Fund, acting by and through the Delaware Department of Natural Resources and Environmental Control, to the Department of Public Works, Christina River Force Main Rehabilitation Project.

FISCAL NOTE: This Ordinance, if approved, will authorize the issuance of up to \$33,000,000 of general obligation bond funds through the Delaware Water Pollution Control Revolving Fund, acting by and through the Delaware Department of Natural Resources and Environmental Control, to the Department of Public Works, Christina River Force Main Rehabilitation Project.

The fiscal impact of issuing a County Bond with the maximum aggregate principal amount of up to \$33,000,000 assuming a term of thirty (30) years with a constant principal amount, is demonstrated in the attached Exhibit "A."

EXHIBIT "A"

FISCAL NOTE: This Ordinance will authorize County Bonds in the maximum aggregate principal amount (net of issuance costs) of up to \$33,000,000.

The fiscal impact of this Ordinance, if approved, is demonstrated on a pro-forma basis below:

<u>Previous Authorizations</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
Authorized and Issued Bonds ⁽¹⁾ (4/30/2024)	\$504,120,000	\$150,805,997	\$654,925,997
Authorized and Unissued Bonds (4/30/2024)	<u>131,383,970</u>	<u>55,181,267</u> ⁽²⁾	<u>186,565,237</u>
Total Previous Authorizations	<u>\$635,503,970</u>	<u>\$205,987,264</u>	<u>\$841,491,234</u>

The following State Revolving Fund loans are not included in the above totals:

Authorized and Issued Bonds ⁽⁵⁾ (4/30/2024)	\$24,369,577	\$ 4,214,409 ⁽⁶⁾	\$28,583,986
Authorized and Unissued Bonds ⁽⁵⁾ (4/30/2024)	31,077,761	10,355,007 ⁽⁶⁾	41,432,768
Total Previous Authorizations	<u>55,447,337</u>	<u>14,569,416</u>	<u>70,016,753</u>
Proposed Net Authorizations ⁽⁴⁾ by the Ordinance	33,000,000	10,230,000 ⁽³⁾	43,230,000
Total Previous Authorizations and Proposed Net Authorizations	<u>\$88,447,337</u>	<u>\$24,799,416</u>	<u>\$113,246,753</u>

(1) These amounts have been adjusted to reflect retired principal and interest through 4/30/2024.

(2) Interest is computed at 4.0 percent.

(3) Interest is computed at 2.0 percent.

(4) Assuming a constant principal amount of \$1,100,000.00 over a term of thirty years, total debt service interest for the \$33,000,000 would be \$10,230,000.

(5) Future draws on these loans will decrease the unissued bonds amount and increase the issued bonds amount.

(6) Interest is from DNREC's estimated future repayment schedule. Interest rates for various loans are 0, 2.00, 2.394 and 2.601 percent.

ORDINANCE NO. 24-080

**AMEND THE FY2024 CAPITAL PROGRAM AND BUDGET:
TRANSFER AUTHORIZATIONS FROM THE SOUTHERN SEWER SERVICE AREA
CAPITAL PROJECT AND RICHARDSON PARK PUMP STATION UPGRADE CAPITAL
PROJECT TO THE CHRISTINA RIVER FORCE MAIN REHABILITATION CAPITAL
PROJECT AND DEAUTHORIZE FUNDING FROM THE RICHARDSON PARK PUMP
STATION UPGRADE**

1 **WHEREAS**, Chapter 22 of Title 9 of the *Delaware Code*, as amended, authorizes New
2 Castle County to plan, acquire, purchase, construct, reconstruct, improve, better and extend,
3 and maintain and operate sewerage systems therein defined, and the County Council of New
4 Castle County has determined to repair, replace, and provide redundancy to the existing
5 Christina River Force Main system now maintained by the County over an extended period; and
6

7 **WHEREAS**, it has been deemed necessary to appropriate up to \$33,000,000 for the
8 installation of (i) approximately 2,000 linear feet ("LF") of new 84-inch force main piping to serve
9 as permanent bypass piping around the Heald Street Bridge, (ii) approximately 5,700 LF of 84-
10 inch force main piping to serve as permanent bypass piping around the Market Street Bridge,
11 and (iii) approximately 2,000 LF of a new 36-inch force main extending from the Market Street
12 Pump Station (collectively, the "Project"); and
13

14 **WHEREAS**, the Project is part of the ongoing rehabilitation of the Christina River Force
15 Main to prevent sanitary sewer incidents that decrease water quality and have negative
16 environmental and public health impacts on wildlife, residents, and commercial entities; and
17

18 **WHEREAS**, this Ordinance corresponds to Resolution 24-xxx authorizing the County
19 Executive to execute a financing agreement in connection with the funding of the Project, for up
20 to \$33,000,000 with the Delaware Water Pollution Control Revolving Fund, acting by and through
21 the Delaware Department of Natural Resources and Environmental Control; and
22

23 **WHEREAS**, this Ordinance will enable the transfer of previously authorized bond funding
24 in the amount of \$32,966,984 from the Southern Sewer Service Area Capital Project to the
25 Christina River Force Main Capital Project and \$33,016 from the Richardson Park Pump Station
26 Upgrade Capital Project; and
27

28 **WHEREAS**, this Ordinance also deauthorizes \$9,966,984 from the Richardson Park
29 Pump Station Upgrade Capital Project due to the loan from the Delaware Water Pollution Control
30 Revolving Fund not being approved at this point in time; and
31

32 **WHEREAS**, additional authorizations from the Delaware Water Pollution Control
33 Revolving Fund for the Southern Sewer Service Area Capital Project and Richardson Park Pump
34 Station Upgrade Capital Project will be requested at the time of approval of the loan application.
35

36 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
37
38
39

40 Section 1. The Capital Budget Ordinance for the fiscal year beginning July 1, 2023 is
41 hereby amended by deleting the material that is stricken and adding the material that is
42 underscored on the attached Exhibit "A."

43
44 Section 2. The Capital Program Resolution for the fiscal year beginning July 1, 2023 is
45 hereby amended by deleting the material stricken and adding the material underscored on the
46 attached Exhibit "B."

47
48 Section 3. Authorized bond funding will be transferred from the Southern Sewer Service
49 Area Capital Project and Richardson Park Pump Station Upgrade Capital Project to the Christina
50 River Force Main Capital Project totaling \$33,000,000.

51
52 Section 4. Authorizations in the amount of \$9,966,984 will be deauthorized from the
53 Richardson Park Pump Station Upgrade Capital Project.

54
55 Section 5. This Ordinance shall become effective immediately upon its adoption by
56 County Council and approval by the County Executive, or as otherwise provided in 9 *Del. C.* §
57 1156.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will transfer funding from the Southern Sewer Service Area Capital Project and Richardson Park Pump Station Upgrade Capital Project to the Christina River Force Main Capital Project, totaling \$33,000,000. Additionally, \$9,966,984 will be deauthorized from the Richardson Park Pump Station Upgrade Capital Project. This funded is needed as part of the ongoing rehabilitation of the Christina River Force Main to prevent sanitary sewer incidents that decrease water quality and have negative environmental and public health impacts on wildlife, residents, and commercial entities.

FISCAL NOTE: This Ordinance, if approved, will amend the FY2024 Capital Budget by transferring funding from the Southern Sewer Service Area Capital Project and Richardson Park Pump Station Upgrade Capital Project to the Christina River Force Main Capital Project, totaling \$33,000,000. Additionally, \$9,966,984 will be deauthorized from the Richardson Park Pump Station Upgrade Capital Project.

The revised FY2024 Capital Budget amount for the Southern Sewer Service Capital Project will be (\$32,966,984). The revised FY2024 Capital Budget amount for the Richardson Park Pump Station Upgrade Capital Project will be (\$10,000,000). The revised FY2024 Capital Budget amount for the Christina River Force Main Capital Project will be \$37,400,000.

This transfer of funding will have no fiscal impact on the FY2024 Capital Budget. The FY2024 New Castle County Capital Budget grand total will remain \$70,646,212.

EXHIBIT "A"
NEW CASTLE COUNTY
CAPITAL BUDGET - FY2024

24-080

DEPARTMENT OF ADMINISTRATION

Human Resources Scanning	\$	135,800
Land Use Information System		3,000,000
Recorder of Deeds HOA Portal		129,000
Register of Wills System		250,000
Subtotal	\$	3,514,800

DEPARTMENT OF COUNTY EXECUTIVE

Executive GF Capital Contingency	\$	500,000
Executive SF Capital Contingency		250,000
Subtotal	\$	750,000

DEPARTMENT OF COMMUNITY SERVICES

Absalom Jones Senior Center Kiln	\$	85,000
Appoquinimink Library		7,000
Newark Library		19,200,000
Surratte Pool Renovations		125,000
Subtotal	\$	19,417,000

DEPARTMENT OF PUBLIC SAFETY

800MgHZ Communications Equipment	\$	950,000
Cardiac Monitor 2023		945,148
Communications Upgrade		550,000
EMS Stations		500,000
Police Range / EVOC		2,350,000
Public Safety Building Renovations		300,000
Public Safety Equipment		291,000
Public Safety Vest Protection Program		201,840
Subtotal	\$	6,087,988

DEPARTMENT OF PUBLIC WORKS

Facilities/Equipment

Building Rehabilitation 2021	\$	3,000,000
Electric Vehicle Infrastructure		1,800,000
Fleet Equipment 2021		(3,340)
Fleet Equipment 2022		(1,000,000)
Fleet Equipment 2024		6,179,272
General Roof Renovations		1,250,000
Government Center Electrical Upgrade		600,000
HVAC Replacement		2,400,000
Public Safety Parking Lot Lighting		-
Subtotal	\$	14,225,932

EXHIBIT "A"
NEW CASTLE COUNTY
CAPITAL BUDGET - FY2024

24-080

DEPARTMENT OF PUBLIC WORKS (Continued)

Parks

Agricultural Preservation		\$	1,500,000
Banning Park Improvements			500,000
Bechtel Park Improvements			2,000,000
Brandywine Springs Park Rehabilitation			440,000
Carousel Park			276,120
Delcastle Park Improvements			1,100,000
Game Court Improvements 2021			100,000
General Parkland Improvements 2021			100,000
General Parkland Improvements 2024-2025			2,950,000
Historic Structure Rehabilitation			3,000,000
Middle Run Valley Reforestation			300,000
Open Space Preservation			1,000,000
Park Bridge Replacements			300,000
Pavilion Renovations			100,000
Play Area Improvements 2024-2025			2,000,000
Rockwood Park			1,800,000
Weiss Park Improvements			700,000
Subtotal		\$	18,166,120

Sewer/Stormwater

Asset Management		\$	100,000
Backwater Valve Improvement			50,000
<u>Christina River Force Main</u>	<u>4,400,000</u>		<u>37,400,000</u>
Countywide Drainage			500,000
DelDOT Coordination Project 2021			2,000,000
Edgemoor System Rehabilitation			600,000
General Sewer Improvements			750,000
General Stormwater Improvements			358,954
North Delaware Interceptor System			650,000
Pump Station Rehabilitation 2024-2025			2,000,000
<u>Richardson Park Pump Station Upgrade</u>	<u> </u>		<u>(10,000,000)</u>
Sewer Fleet Equipment 2022			(650,000)
Sewer Fleet Equipment 2024			2,162,169
Sewer Repairs and Rehabilitation 2024-2025			1,000,000
<u>Southern Sewer Service Area</u>	<u> </u>		<u>(32,966,984)</u>
Stoney Creek Basin			500,000
Stormwater Basin Renovation			725,000
Terminal Avenue System Rehabilitation			275,000
Water Quality Improvement Plan			230,233
White Clay System Rehabilitation			2,800,000
Subtotal	<u>18,451,356</u>	\$	<u>8,484,372</u>

CAPITAL BUDGET TOTAL

80,613,196 \$ 70,646,212

EXHIBIT B**PROJECT PROFILES
PUBLIC WORKS - SEWER/STORMWATER (continued)**

Project Name (Number): Southern Sewer Service Area (C309603)					
Description: Construction of sanitary sewer system south of the C&D Canal to include treatment plant, pump stations, force mains and interceptor sewer lines.			Council Districts: 6, 12		
Funding Schedule					
	Bonds	Federal	State	Other	Total
Prior Authorizations	\$ 68,123,844	\$ -	\$ 60,446,641	\$ 7,299,515	\$ 135,870,000
FY2024	(1,500,000)	-		1,500,000	
			(32,966,984)	-	(32,966,984)
FY2025	-	-	-	-	-
FY2026	1,000,000	-	-	-	1,000,000
FY2027	14,000,000	-	-	-	14,000,000
FY2028	6,000,000	-	-	-	6,000,000
FY2029	1,000,000	-	-	-	1,000,000
Future Years	11,000,000	-	-	-	11,000,000
Total	\$ 99,623,844	\$ -	\$ 60,446,641	\$ 8,799,515	\$ 168,870,000
			\$ 27,479,657		\$ 135,903,016
Available Authorizations:		\$ 65,287,414			
Available Funding:		\$ 3,824,548			
Operating Budget Impact:		\$ (3,300)			

*Available Authorizations / Funding as of February 28, 2023, net of obligations.

FY2024 Activity:

Construct the SSSA treatment and disposal improvements and construct the West Wing sanitary sewer infrastructure.

Future Activity:

Continue construction of the SSSA treatment and disposal improvements and construct the West Wing sanitary sewer infrastructure.

EXHIBIT B**PROJECT PROFILES
PUBLIC WORKS - SEWER/STORMWATER (continued)**

Project Name (Number): Richardson Park Pump Station Upgrade (C300618)					
Description: Upgrade/replacement of the pumps, generators, electrical motor control center and power distribution equipment.				Council Districts: 1	
Funding Schedule					
	Bonds	Federal	State	Other	Total
Prior Authorizations	\$ 7,998,310	\$ -	\$ 10,000,000	\$ 1,001,690	\$ 19,000,000
FY2024	-	-		-	
			(10,000,000)	-	(10,000,000)
FY2025	-	-	-	-	-
FY2026	-	-	-	-	-
FY2027	-	-	-	-	-
FY2028	-	-	-	-	-
FY2029	-	-	-	-	-
Future Years	-	-	-	-	-
Total	\$ 7,998,310	\$ -	\$ 10,000,000	\$ 1,001,690	\$ 19,000,000
			\$ -		\$ 9,000,000
Available Authorizations:		\$ 10,438,135			
Available Funding:		\$ 2,785			
Operating Budget Impact:		\$ -			

*Available Authorizations / Funding as of February 28, 2023, net of obligations.

FY2024 Activity:

Bid and award rehabilitation project.

Future Activity:

Activity as needed.

EXHIBIT B**PROJECT PROFILES
PUBLIC WORKS - SEWER/STORMWATER (continued)**

Project Name (Number): Christina River Force Main (C300705)					
Description: Evaluation of the Christina River Force Main (CRFM) to determine present condition and develop a long-term plan.					
Council Districts: 6, 12					
Funding Schedule					
	Bonds	Federal	State	Other	Total
Prior Authorizations	\$ 15,525,000	\$ -	\$ 16,659,005	\$ -	\$ 32,184,005
FY2024	56,576	-		4,343,424	4,400,000
			33,000,000	-	37,400,000
FY2025	20,000,000	-	-	-	20,000,000
FY2026	-	-	-	-	-
FY2027	-	-	-	-	-
FY2028	-	-	-	-	-
FY2029	25,000,000	-	-	-	25,000,000
Future Years	345,000,000	-	-	-	345,000,000
Total	\$405,581,576	\$ -	\$ 16,659,005	\$ 4,343,424	\$426,584,005
			\$ 49,659,005		\$459,584,005
Available Authorizations:		\$ 4,244,536			
Available Funding:		\$ 298,955			
Operating Budget Impact:		\$ 124			

*Available Authorizations / Funding as of February 28, 2023, net of obligations.

FY2024 Activity:

Design of new CRFM redundant system, continued assessment and protection of existing CRFM. Installation of approximately 2,000 linear feet ("LF") of new 84-inch force main piping to serve as permanent bypass piping around the Heald Street Bridge, approximately 5,700 LF of 84-inch force main piping to serve as permanent bypass piping around the Market Street Bridge, and approximately 2,000 LF of a new 36-inch force main extending from the Market Street Pump Station.

Future Activity:

Construction of phased CRFM redundant system, continued assessment and protection of existing CRFM.

Prime Sponsor(s): Mr. Smiley, Mr. Cartier
Requested by: Administration/Finance
Date of introduction: May 14, 2024

ORDINANCE NO. 24-081

**AMEND THE FY2024 APPROVED OPERATING BUDGET:
APPROPRIATE \$127,000 FROM THE CROSSING GUARD RESERVE ACCOUNT TO THE
DEPARTMENT OF PUBLIC SAFETY, DIVISION OF CROSSING GUARDS SALARIES AND
WAGES AND BENEFITS BUDGET LINE ITEMS**

1 **WHEREAS**, additional funding is required for the Department of Public Safety, Division
2 of Crossing Guard salaries and wages and benefits for the remainder of FY2024 in the amount
3 of \$127,000; and
4

5 **WHEREAS**, funding will be appropriated in the amount of \$127,000 from the Crossing
6 Guard Reserve Account to the Department of Public Safety, Division of Crossing Guards; and
7

8 **WHEREAS**, the revenue measures heretofore adopted by the County Council, are, in
9 the opinion of the County Executive, estimated to yield sums at least sufficient to balance the
10 proposed expenditures as set forth in the Annual Operating Budget as hereinafter amended.
11

12 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
13

14 Section 1. The Annual Operating Budget for the fiscal year beginning July 1, 2023 is
15 hereby amended by deleting the matter stricken and adding the matter underscored on the
16 attached Exhibit "A."
17

18 Section 2. The foregoing amendment shall be considered a part of the Annual
19 Operating Budget for the fiscal year beginning July 1, 2023 and shall be effective as though
20 incorporated initially in the Annual Operating Budget.
21

22 Section 3. This Ordinance shall become effective immediately upon its adoption by
23 County Council and approval by the County Executive, or as otherwise provided in 9 *Del. C.* §
24 1156.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will amend the FY2024 Approved Operating Budget by appropriating \$127,000 from the Crossing Guard Reserve Account to the Department of Public Safety, Division of Crossing Guards Salaries and Wages and Benefits Budget Line Items. These funds are needed to cover salaries and wages for the remainder of FY2024.

FISCAL NOTE: This Ordinance, if approved, will amend the FY2024 Approved Budget by appropriating \$127,000 from the Crossing Guard Reserve Account to the Department of Public Safety, Division of Crossing Guards Salaries and Wages and Benefits Budget Line Items.

The revised FY2024 Approved Operating Budget will be \$335,942,971. Fiscal impact for future years will be determined on an as needed basis. The Crossing Guard Reserve Account balance upon passage of this Ordinance will be \$541,665.

COUNTY COUNCIL

Salaries and Wages	\$	2,428,665
Benefits		1,428,590
Training and Civic Affairs		79,749
Communication and Utilities		19,649
Materials and Supplies		60,806
Contractual Services		247,171
Equipment		1,600
Grants and Fixed Charges		416,684
Operating Transfer Charges		162,309
Total	\$	4,845,223
Total Authorized Full-Time Positions		35

COUNTY EXECUTIVE

Salaries and Wages	\$	1,777,524
Benefits		1,045,578
Training and Civic Affairs		33,904
Communication and Utilities		18,399
Materials and Supplies		15,535
Contractual Services		529,065
Equipment		1,000
Grants and Fixed Charges		1,140,000
Contingency		9,500
Operating Transfer Charges		82,016
Total	\$	4,652,521
Total Authorized Full-Time Positions		16

DEPARTMENT OF ADMINISTRATION

Salaries and Wages	\$	12,203,612
Benefits		8,338,475
Training and Civic Affairs		125,275
Communication and Utilities		8,314,086
Materials and Supplies		147,505
Contractual Services		6,862,362
Equipment		380,684
Grants and Fixed Charges		3,925,350
Operating Transfer Charges		1,163,553
Operating Transfer Credits		(12,098,321)
Total	\$	27,454,926
Total Authorized Full-Time Positions		172

DEPARTMENT OF PUBLIC WORKS

Salaries and Wages	\$	24,597,539
Benefits		14,348,323
Training and Civic Affairs		52,527
Communication and Utilities		27,018,724
Materials and Supplies		4,971,210
Contractual Services		10,588,055
Equipment		475,133
Grants and Fixed Charges		1,193,757
Land and Structures		35,000
Operating Transfer Charges		4,845,206
Operating Transfer Credits		(7,438,785)
Total	\$	80,686,689
Total Authorized Full-Time Positions		384

DEPARTMENT OF LAND USE

Salaries and Wages	\$	8,375,178
Benefits		4,899,879
Training and Civic Affairs		69,415
Communication and Utilities		111,337
Materials and Supplies		107,807
Contractual Services		1,585,618
Equipment		53,790
Grants and Fixed Charges		56,500
Operating Transfer Charges		1,136,835
Operating Transfer Credits		(803,217)
Total	\$	15,593,142
Total Authorized Full-Time Positions		118

DEPARTMENT OF COMMUNITY SERVICES

Salaries and Wages	\$	11,791,052
Benefits		5,322,217
Training and Civic Affairs		25,392
Communication and Utilities		1,037,676
Materials and Supplies		1,412,563
Contractual Services		2,212,956
Equipment		37,867
Grants and Fixed Charges		3,110,149
Operating Transfer Charges		1,232,337
Operating Transfer Credits		(190,829)
Total	\$	25,991,380
Total Authorized Full-Time Positions		160

DEPARTMENT OF PUBLIC SAFETY

Salaries and Wages	67,203,955	\$	<u>67,293,955</u>
Benefits	39,141,888		<u>39,178,888</u>
Training and Civic Affairs			181,191
Communication and Utilities			1,032,702
Materials and Supplies			1,059,997
Contractual Services			2,181,732
Equipment			1,450,572
Grants and Fixed Charges			6,791,770
Operating Transfer Charges			7,298,634
Total	126,342,441	\$	<u>126,469,441</u>
Total Authorized Full-Time Positions	711		

REGISTER OF WILLS

Salaries and Wages		\$	1,111,172
Benefits			634,647
Training and Civic Affairs			40,275
Communication and Utilities			12,374
Materials and Supplies			9,925
Contractual Services			56,175
Equipment			4,143
Operating Transfer Charges			85,180
Total		\$	<u>1,953,891</u>
Total Authorized Full-Time Positions	20		

RECORDER OF DEEDS

Salaries and Wages	\$	1,232,844
Benefits		712,707
Training and Civic Affairs		36,970
Communication and Utilities		30,977
Materials and Supplies		9,315
Contractual Services		97,001
Equipment		1,150
Grants and Fixed Charges		18,350
Operating Transfer Charges		148,002
Total	\$	2,287,316
Total Authorized Full-Time Positions		23

SHERIFF

Salaries and Wages	\$	1,260,692
Benefits		737,678
Training and Civic Affairs		29,452
Communication and Utilities		16,189
Materials and Supplies		21,259
Contractual Services		55,999
Equipment		5,000
Operating Transfer Charges		144,938
Total	\$	2,271,207
Total Authorized Full-Time Positions		21

CLERK OF THE PEACE

Salaries and Wages	\$	474,736
Benefits		279,250
Training and Civic Affairs		14,130
Communication and Utilities		5,168
Materials and Supplies		5,424
Contractual Services		30,043
Equipment Replacement		6,000
Operating Transfer Charges		31,776
Total	\$	846,527
Total Authorized Full-Time Positions		7

DEBT SERVICE

Debt Service	\$	45,540,069
Land and Structures		
Contingency		
Intragovernmental Service Charges		
Intragovernmental Service Credits		
Total	\$	45,540,069
Total Authorized Full-Time Positions		

ETHICS COMMISSION

Salaries and Wages	\$	38,000
Benefits		3,385
Training and Civic Affairs		10,500
Communication and Utilities		1,922
Materials and Supplies		2,450
Contractual Services		290,642
Equipment		500
Operating Transfer Charges		6,699
Total	\$	354,098
Total Authorized Full-Time Positions		0

COUNCIL CONTINGENCY

Contingency	\$	250,000
Total	\$	250,000
Total Authorized Full-Time Positions		

EXECUTIVE CONTINGENCY

Contingency	\$	0
Total	\$	0
Total Authorized Full-Time Positions		

PERSONNEL CONTINGENCY

Contingency	\$	455,000
Total	\$	455,000
Total Authorized Full-Time Positions		

ATTRITION CONTINGENCY

Personal Services - Salaries and Wages	\$	(4,293,340)
Personal Services - Employee Benefits	\$	(2,525,429)
Total	\$	(6,818,769)
Total Authorized Full-Time Positions		

ONE-TIME CONTINGENCY

Contingency	\$	1,202,655
Total	\$	1,202,655

NEW CASTLE COUNTY

Salaries and Wages	128,201,629	\$	128,291,629
Benefits	74,367,188		<u>74,404,188</u>
Training and Civic Affairs			698,780
Communication and Utilities			37,619,203
Materials and Supplies			7,823,796
Contractual Services			24,736,819
Equipment			2,417,439
Grants and Fixed Charges			16,652,560
Debt Service			45,540,069
Land and Structures			35,000
Contingency			1,917,155
Operating Transfer Charges			16,337,485
Operating Transfer Credits			(20,531,152)
<i>Sub-Total New Castle County</i>	<i>335,815,971</i>	\$	<u>335,942,971</u>
<i>Total Authorized Full-Time Positions</i>	<i>1,667</i>		

RESERVE ACCOUNTS AS OF APRIL 23, 2024

Tax Stabilization Reserve Account (Unaudited)	72,059,107
Sewer Rate Stabilization Reserve Account (Unaudited)	6,261,142
General Fund Budget Reserve Account	44,592,418
Sewer Fund Budget Reserve Account	18,872,304
<i>Total Reserves:</i>	<u>141,784,971</u>

Prime Sponsor(s): Mr. Smiley, Mr. Carter
Date of introduction: May 14, 2024

ORDINANCE NO. 24-082

TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 22 (“OFFENSES AND MISCELLANEOUS PROVISIONS”), SECTION 22.02.008 (“NOISE CONTROL”) RELATING TO DOG AND ANIMAL NOISES

WHEREAS, Noise, which has many sources including household pets, degrades the quality of life of New Castle County neighborhoods and its residents; moreover, if not addressed promptly and consistently, noise levels often reach such a degree as to endanger health, safety, and welfare of our residents, jeopardize property values, and erode the overall integrity of the County; and

WHEREAS, further to the above, responding to ordinary barking noises and control of animals and the enforcement of dog and animal laws are best addressed by the highly trained professionals of the Delaware Office of Animal Welfare (“OAW”); and

WHEREAS, the animal control officers of the OAW are specially trained to determine the care and treatment that should be provided to dogs and other animals, as well as to verify that a dog or other animal is properly licensed and vaccinated in compliance with Delaware laws, and to provide for the well-being of animals; and

WHEREAS, the OAW has agreed to address complaints relating to barking dogs and noisy animals; and

WHEREAS, County Council has determined that the provisions of this Ordinance substantially advance and are reasonably and rationally related to legitimate government interests, including, but not limited to, promoting the public health, safety, welfare, and quality of life of the present and future inhabitants of the County.

NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:

Section 1. *New Castle County Code* Chapter 22 (“Offenses and Miscellaneous Provisions”), Section 22.02.008 (“Noise Control”) is hereby amended by adding the underlined language and deleting the language with strikethroughs, as set forth below.

Sec. 22.02.008. Noise control.

A. *Definitions.* The following words, terms and phrases, when used in this Section, shall have the meanings ascribed to them in this Subsection...

~~*Animal noise control agency* means a State or County administrative agency, a humane society, or other entity which is authorized by statute, ordinance or contract to enforce any animal noise control laws or regulations of the State or County.~~

38 ...

39 B. *Noise disturbances prohibited.*

40 ...

41 2. *Specific prohibitions.* It shall be unlawful for any person to make, continue or cause
42 to be made or continued any noise disturbances in the County in any of the
43 following manners:

44 ...

45 d. *Animals.* A noise disturbance caused by an animal, including a dog, shall be
46 addressed as provided for under 16 Del. C. Ch. 30F and 7 Del. C. Ch. 71. For
47 purposes of this Section, the term "animal" does not include livestock or poultry
48 which are raised or kept as part of a farm operation which is actively devoted
49 to the production for sale of plants and animals useful to people. Owning,
50 possessing, harboring or controlling any animal or bird which causes a noise
51 disturbance by barking, baying, crying, squawking or by making any other
52 noise continuously or incessantly for a period of ten (10) minutes or which
53 makes such noises intermittently for one-half (½) hour or more; provided,
54 however, that at the time the animal or bird is making such noise no person is
55 trespassing or threatening to trespass upon private property in or upon which
56 the animal or bird is situated or that no person other than the owner, controller
57 or possessor of the animal was teasing or provoking the animal or bird at the
58 time it made such noise. For purposes of this Section the term "animals and
59 birds" shall not include livestock or poultry which are raised or kept as part of
60 a farm operation which is actively devoted to the production for sale of plants
61 and animals useful to people.

62 ...

63 C. *Enforcement and penalties.*

64 1. Except as otherwise specified in this Section, any person who fails to comply with
65 the regulations as established in this Section shall be subject to the penalties
66 provided in Section 1.01.009.

67 2. Enforcement. This Section shall be enforced by the Police Department, provided,
68 however, that the provisions of Subsection B.2.d may also be enforced by an
69 animal noise control agency as defined in this Section. The County Executive may
70 appoint the animal noise control officers, contingent on funds available, responsible
71 for the enforcement of this section as code enforcement constables or officers for
72 the limited purpose of issuing summons for violations of this Chapter. An animal
73 noise control agency other than a State or County administrative agency,
74 authorized by ordinance to enforce this Section, shall be designated an
75 instrumentality of the County created pursuant to 9 Del. C. § 101 et seq. (Counties),
76 only for purposes of the immunities conferred on such agency and its employees
77 pursuant to 10 Del. C. § 4001 et seq. (Tort Claims Act), unless otherwise provided
78 by such authorizing ordinance. The County shall not be obliged to indemnify, hold
79 harmless, defend or insure such agency if the immunity is ever determined to be
80 inapplicable.

81 3.—~~Noise Disturbances, and Animal Noise Penalties.~~ Any person convicted of a
82 violation of Subsection B.1,~~B.2.d~~ or Subsection E, which shall be classified a
83 misdemeanor, shall pay a fine for each offense as follows:

84 a. A fine of not less than ~~two hundred fifty dollars (\$250.00)~~ \$250 nor more than
85 ~~one thousand dollars (\$1,000.00)~~ \$1,000 for the first offense, and a fine of not
86 less than ~~five hundred dollars (\$500.00)~~ \$500 nor more than ~~two thousand five~~
87 ~~hundred dollars (\$2,500.00)~~ \$2,500 for the second offense, and a fine of not
88 less than ~~one thousand dollars (\$1,000.00)~~ \$1,000 nor more than ~~five thousand~~
89 ~~dollars (\$5,000.00)~~ \$5,000 for each subsequent offense.

90 b. Each day any violation of such subsection ~~shall continues~~ shall constitute a
91 separate offense for which a separate conviction may be obtained and a
92 separate penalty for each day shall be imposed.

93 c.—~~Any summons issued for any violation of Subsection B.2.d may provide that in~~
94 ~~lieu of appearing in court, the offender may remit a voluntary assessment of~~
95 ~~up to two hundred dollars (\$200.00) for each offense. The summons may~~
96 ~~provide that each day any violation shall continue shall constitute a separate~~
97 ~~offense.~~

98
99 Section 2. This Ordinance shall become effective on July 1, 2024, after its adoption
100 by County Council and approval by the County Executive, or as otherwise provided in 9 *Del.*
101 C. § 1156.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
of New Castle County

SYNOPSIS: The Office of Animal Welfare has agreed to address noise complaints involving animals, including barking dogs. Accordingly, this Ordinance revises the relevant *New Castle County Code* sections to clarify that noise disturbances caused by barking dogs and other noisy animals, not including livestock or poultry which are raised or kept as part of a farm operation, are addressed consistent with 16 *Del. C. Ch. 30F* and 7 *Del. C. Ch. 71*. Finally, this Ordinance will take effect on July 1, 2024.

FISCAL NOTE: There is no discernible fiscal impact.

ORDINANCE NO. 24-018

**REVISE ZONING MAP; ST. GEORGES HUNDRED, EAST SIDE OF DUPONT
HIGHWAY, 2320 FEET NORTH OF POLE BRIDGE ROAD; REZONE AN 8.23 ACRE
PORTION OF TAX PARCEL 13-008.00-027 (235.21 ACRES), AND ALL OF TAX
PARCEL 13-013.00-083 (1.99 ACRES) FROM “S” (SUBURBAN) TO “CN”
(COMMERCIAL NEIGHBORHOOD)**

1 (The purpose of this County Initiated Rezoning is to rezone an 8.23 acre portion of
2 tax parcel 13-008.00-027 (235.21 acres), and all of tax parcel 13-013.00-083 (1.99 acres)
3 from “S” (Suburban) to “CN” (Commercial Neighborhood) to permit commercial, retail and
4 service uses consistent with the Future Land Use Map in the 2022 Update to the New
5 Castle County Comprehensive Development Plan.)
6

7 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
8

9 Section 1. The Zoning Map of St. Georges Hundred, as amended, is hereby further
10 amended by changing the zoning classification of the land shown on attached Exhibits
11 “A” and “L” dated February 2, 2024, as set forth therein.
12

13 Section 2. This Ordinance shall become effective immediately upon passage by
14 New Castle County Council and approval of the County Executive, or as otherwise
15 provided in 9 *Del. C.* § 1156.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

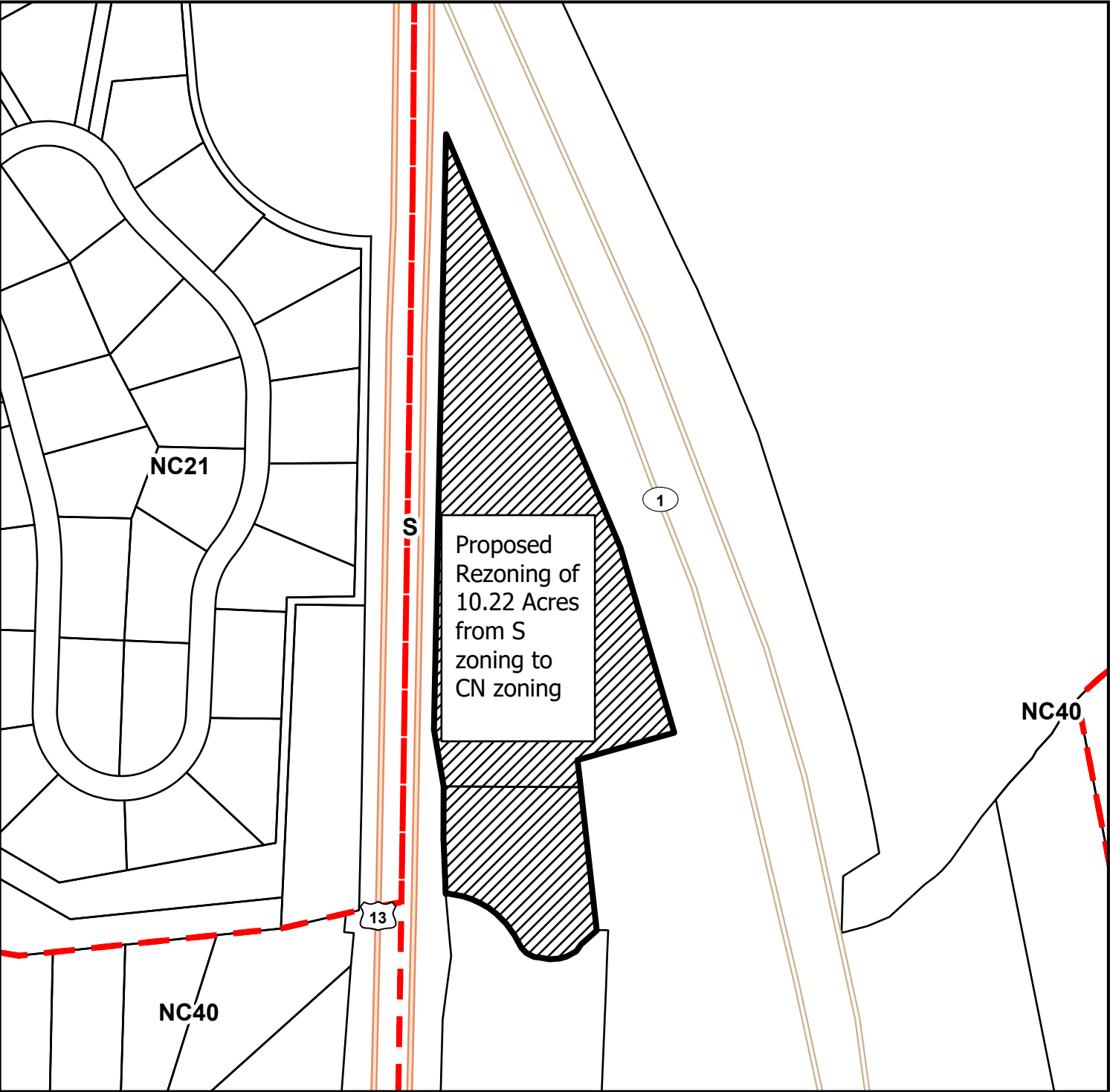
Matthew Meyer
County Executive
New Castle County

SYNOPSIS: Same as Title.

FISCAL NOTE: This rezoning ordinance will have no immediate discernable fiscal impact on the County, but if the parcel rezoned is developed in accordance with the new rezoning, there may be one or more indirect fiscal effects on New Castle County government, including, but not limited to, an increase in the assessed value of the property with a resultant increase in taxes collectible thereon, and an increased demand for county services.

APPLICANT: New Castle County
PROPOSED REZONING: EXISTING S ZONING TO CN ZONING

Tax Parcel NO. P.O. 13-008.00-027;
13-013.00-083



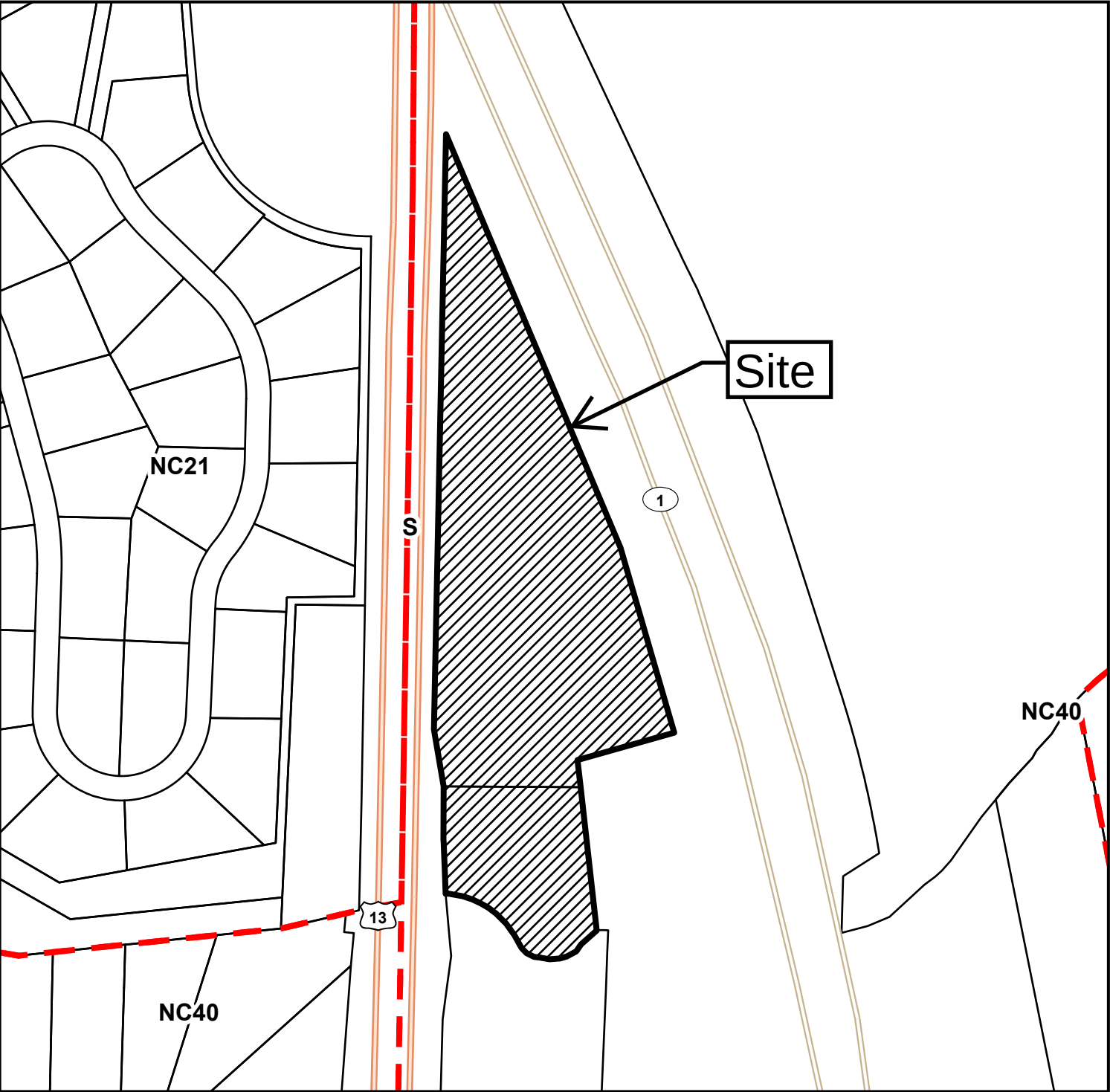
HUNDRED: ST GEORGES HUNDRED
NEW CASTLE COUNTY, DELAWARE
Scale: 1:3,500
Prepared by: mtrogers
Date: 2/2/2024



PERMANENT ORDINANCE NO. 24-018
Date Adopted by County Council _____
Date Approved by County Executive _____

APPLICANT: New Castle County
PROPOSED REZONING: EXISTING S ZONING TO CN ZONING

Tax Parcel NO. P.O. 13-008.00-027;
13-013.00-083



HUNDRED: ST GEORGES HUNDRED
NEW CASTLE COUNTY, DELAWARE
Scale: 1:3,500
Prepared by: mtrogers
Date: 2/2/2024



PERMANENT ORDINANCE NO. 24-018
Date Adopted by County Council _____
Date Approved by County Executive _____



Department of Land Use

**JOINT DEPARTMENT OF LAND USE & PLANNING BOARD
RECOMMENDATION**

**Ordinance 24-018
Application 2024-0051-Z
2256 DuPont Parkway**

April 30, 2024

Location: East side of DuPont Highway, 2320 feet north of Pole Bridge Road

Sponsor: Councilman Bill Bell, Council District 12

Description: County initiated rezoning to rezone an 8.23-acre portion of tax parcel 13-008.00-027 (235.21 acres), and all of tax parcel 13-013.00-083 (1.99 acres) from Suburban (S) to Commercial Neighborhood (CN)

Applicant: New Castle County (County-Initiated)

EXECUTIVE SUMMARY

Situated between the east side of DuPont Highway (US Rt 13) and Delaware State Route 1 (DE SR 1), the area proposed for rezoning is comprised of approximately 10.22 acres of vacant farmland that was previously identified during the most recent Comprehensive Plan update as an appropriate location for nonresidential uses. The proposed application is a County-initiated rezoning that will rezone the 10.22 acres from Suburban (S) to Commercial Neighborhood (CN), bringing the site into compliance with the existing Future Land Use map. Currently there is an active land development plan application proposing that the site be rezoned, to permit the site to be developed for a convenience store with gas station. The Department of Land Use has considered the Standards for Zoning Map Amendment in Section 40.31.410, A through E of the *Unified Development Code*, the comments received from outside agencies, and the supportive comments received by the public. Based on this analysis, the Department is of the opinion that the standards are met by this proposal and recommends **APPROVAL** of the proposed rezoning application.

DESCRIPTION

The subject site is situated on the eastern edge of the central core of southern New Castle County, bound on the east and west by two major, north to south, thoroughfares (US Rt. 13 and DE Rt. 1). The overall property is currently zoned Suburban (S). The County-initiated rezoning proposes to rezone the subject site to the Commercial Neighborhood (CN) zoning district consistent with the Business Flex designation in the 2022 Comprehensive Plan.

ZONING & DEVELOPMENT PATTERN

The 10.22± acre site is centrally located between DuPont Highway (US Rt 13) to the east and DE SR 1 to the west, the two most major north to south thoroughfares in southern New Castle County. As a result of the configuration of these two thoroughfares south of the C&D Canal, the land development pattern is largely

comprised of medium density residential uses to the east of DuPont Highway and a mix of agricultural lands and medium to low density residential uses to the west of DE SR 1. The lands that are uniquely situated between the DuPont Highway and DE SR 1, such as the subject site, are largely comprised of undeveloped lands or low-density, nonresidential uses such as the Shoppes of St. Georges to the south.

Dating back to the adoption of the Zoning Code in 1954, the subject site has had a residential zoning designation (R-2). With the adoption of the Unified Development Code in 1997, the property was zoned Suburban (S) consistent with the prior R-2 zoning designation. The present zoning pattern in the surrounding area largely reflects the land development pattern and uses in the surrounding area, with a mix of Suburban (S), Neighborhood Conservation (NC-21) and Neighborhood Conservation (NC-40) districts to the east of DuPont Highway and Suburban (S) zoned lands to the west of the site across DE SR1. Further south of the site at the intersection of DuPont Highway and Pole Bridge Road, there is existing Commercial Regional (CR) lands that provide for the Shoppes of St. Georges and the businesses located further south of the site.

BACKGROUND

Ordinance 24-018 was introduced at County Council on February 13, 2024, at the request of the Councilman Bell. The County-initiated rezoning is predicated by a land development application originally filed in 2019 (Application 2019-0698-S)¹ which proposes the development of the 10.22± acre site as a convenience store with gas station, as well as other retail shops and uses. At the time of application, the Department of Land Use was initiating the update of the Comprehensive Plan and evaluating existing zoning of nearly every parcel within the County. During the Comprehensive Plan process, the site was identified as an area where the existing zoning is not conducive to the type of development appropriate for the location. For these reasons, the updated Future Land Use Map (FLUM)² identified the subject site as Business Flex, which are areas where there is existing or potential for nonresidential development.

The rezoning of the subject site from Suburban (S) to Commercial Neighborhood (CN) was initially considered and recommended for approval, by the Planning Board during their review of Ordinance 23-083 (Comprehensive Rezoning Ordinance) in the fall of 2023. Ordinance 23-083 was, however, subsequently withdrawn by County Council, and therefore the rezoning of the site is now being considered under the separate Ordinance 24-018.

At the March 3, 2024, public hearing, the Planning Board heard several individuals and the district councilperson give testimony regarding the support and need for the rezoning to provide for nonresidential development to support the nearby residential communities. If adopted, Ordinance 24-018 would allow for the uses proposed under Application 2019-0698-S.

PRELIMINARY LAND USE SERVICE (PLUS) REVIEW

The rezoning of the site, as noted above, was initially incorporated into Ordinance 23-083 and as such has already been considered at the State of Delaware PLUS review on August 23, 2023. The Office of State

¹ <https://www3.newcastlede.gov/Project/Details/Default.aspx?ProjectKey=663488>

² The 2022 New Castle County Comprehensive Plan and associated Future Land Use Map was adopted on July 26, 2022.

Planning, in communication with the Department of Land Use, indicated that rezonings originally proposed by Ordinance 23-083 do not require additional consideration by PLUS.

The PLUS Report, dated August 23, 2023, contains comments from several State agencies. The Office of State Planning Coordination reiterated their support for the 2022 New Castle County Comprehensive Plan and its goals and strategies as well as for the rezonings proposed by Ordinance 23-083. No other State agencies had any comments.

PLANNING BOARD PUBLIC HEARING – March 3, 2024

*Please note, the below is a summary. A recording and transcripts of the public hearing are available at the Department of Land Use.

Betsy Hatch, Planner III with the Department of Land Use, spoke on behalf of the County-initiated rezoning application. She provided a brief description of the proposed rezoning, noting that the application seeks to rezone approximately 10.33+ acres from Suburban (S) to Commercial Neighborhood (CN). She spoke to the background of the rezoning and noted that the site was identified during the comprehensive plan process as an area that would be appropriate for nonresidential uses and the Business Flex designation. She stated that the rezoning meets the goals and objectives of the 2022 Comprehensive Plan and is part of the overall implementation of the plan. The Board had no questions for Ms. Hatch.

Councilman Bill Bell, the district councilperson, spoke in favor of the application. He noted his support of the rezoning, noting that the area is in need of supporting infrastructure. He stated that the rezoning of the site had gotten caught up in the comprehensive plan process and stated that the rezoning was long overdue and had been vetted through the community over the past four years. He stated that the community in the surrounding area desperately needed the proposed plan for a gas station, As the surrounding area had grown with residential development. Councilman Bell stated that many of the people in the surrounding area have to drive several miles in order to fill up their vehicle with gas. He stated that based on the location, it was a good use of the land to have a gas station and convenience store on the site.

Dale Swain, Dutch Neck Farms residents, spoke in favor of the application. He stated that he was in favor of the rezoning and the development of the site. Mr. Swain noted his support that Ordinance 24-018 was being considered separately from the rest of the parcels that were included in Ordinance 23-083. He stated that he did have questions regarding traffic studies and environmental impacts, as well as the overall land development process.

Donna Casey, President of Asbury Chase HOA, spoke in favor of the application. Ms. Casey noted that the community had been working with the developer on the plan for over four years. She stated that the developer has provided the community with all the answers to their questions and stated that the community was satisfied with the development. She noted her disappointment in the process that has occurred that has seemed to delay the construction of needed infrastructure and services. She encouraged the Planning Board to consider approving the rezoning and noted the importance of the project to the community.

Gale Costello, Asbury Chase resident, spoke in support of the rezoning application. She stated that the community had worked with the developer for over four years on the proposed project for the site. She echoed many of the statements made by Ms. Casey and stated that the area was in need of supporting infrastructure such as gas stations and retail.

Thomas Price, Asbury resident, spoke in favor of the application. He stated that he agreed with the Ms. Costello and Ms. Casey that the community is in need of additional infrastructure. Mr. Price stated that there are no convenient gas stations for the surrounding community to access and that the community desired to have a WaWa constructed on the site.

John Purcell spoke in favor of the application. He stated that the neighborhood needs the proposed development and that the community has to travel significant distances to get gas or a gallon of milk.

There was no further comment on the application.

ANALYSIS

Dating back to the mid-twentieth century, the site has retained a residential zoning designation which was carried forth with the adoption of the Unified Development Code. The lands, have remained undeveloped and utilized for agricultural purposes, were further impacted with the construction of DE SR1 in the early 2000's which resulted in the split of the site from the rest of the farmland to the east. The existing size, layout, and configuration of the lands between DuPont Highway and DE SR1 are not conducive for residential development but rather remain appropriate in size for nonresidential developments to support the established residential developments to the east and west of the two thoroughfares. Ordinance 24-018 will bring the site into conformity with the Comprehensive Plan, which identifies the site as Business Flex for the reasons stated above. The proposed rezoning has received significant community support, with members of the community expressing their desire for more convenient access to essential nonresidential services such as gas and small convenience stores.

Standards for Zoning Map Amendment – Section 40.31.410 of the New Castle County Code

Applications for rezonings must be evaluated against the criteria for zoning map amendments that is listed in Section 40.31.410 of the Unified Development Code.

A. Consistency with the Comprehensive Development Plan and the purposes of this Chapter.

The New Castle County Comprehensive Plan identifies the subject site as “Business Flex”, which are areas where there is existing or potential for nonresidential development. The rezoning of the subject site from Suburban (S) to Commercial Neighborhood (CN) is consistent with the New Castle County Comprehensive Plan and will not result in a change of the future land use designation.

B. Consistency with the character of the neighborhood.

The character of the neighborhood surrounding the subject site is characterized by a mix of medium density residential uses, agricultural uses, and nonresidential uses. The site is, centrally located between DuPont Highway and DE SR 1 and lends itself to nonresidential uses that would serve and supporting the neighboring communities. The rezoning of the site and use of the property for nonresidential is thereby consistent with the established character of the surrounding neighborhood.

C. Consistency with zoning and use of nearby properties.

Based on the existing zoning pattern and uses of nearby properties, the rezoning of the subject site from Suburban (S) to Commercial Neighborhood (CN) would be consistent with the other nonresidential uses and Commercial Regional (CR) zoning to the south of the site.

D. Suitability of the property for the uses for which it has been proposed or restricted.

The subject site is currently utilized for agricultural purposes and is unimproved. Due to the property's location fronting a major thoroughfare, the site is suitable for the uses permitted under the Commercial Neighborhood (CN) zoning district.

E. Effect on nearby properties.

The rezoning on the subject site from Suburban (S) to Commercial Neighborhood (CN) would have little to no impact on nearby properties, as the subject site is bordered by DE SR 1 to the east and DuPont Highway to west, providing a permanent barrier between nearby uses.

DEPARTMENT OF LAND USE RECOMMENDATION

The Department of Land Use has considered the Standards for Zoning Map Amendment in Section 40.31.410, A through E *of the Unified Development Code*, the comments received from outside agencies, and the comments received by the public.

Based on this analysis, the Department is of the opinion that the standards are met by this proposal and recommends **APPROVAL** of the proposed rezoning application.

PLANNING BOARD RECOMMENDATION

At a business meeting held on April 30, 2024, the Planning Board considered the recommendation provided by the Department of Land Use as well as comments from outside agencies and the public.

On a motion made by Ms. Cahill-Krout and seconded by Mr. Snowden, the Board voted to recommend **APPROVAL** of the County-initiated rezoning (Ord. 24-018) as recommended by the Department of Land Use.

The motion was adopted by a vote of 6-0-0-3 (In Favor: Peterson, Visvardis, Snowden, Daigle, Cahill-Krout, Cantrell; In Opposition: None; Abstention: None; Absent: Gray, Drake, Cochran).³

Prior to the vote the following discussion occurred:

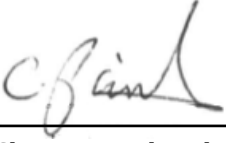
Ms. Hatch read the Department of Land Use recommendation into the record. Mary Jacobson, the Board's attorney, inquired about the procedures County-initiated rezonings, since typically the Board sees zoning

³ Prior to the vote, Mr. Cantrell stated for the record that he had reviewed the record and all meeting materials from the March 3, 2024 Planning Board public hearing.

requests from applicants as part of the land development process. Antoni Sekowski, Assistant General Manager, noted that because the subject rezoning was tied into the Future Land Use Map changes and the previous 23-083 (Comprehensive Rezoning), the district councilperson asked that the rezoning move forward separately to avoid any future delays of other applications. Char Patibanda, General Manager, noted that the rezoning is considered a County-initiated rezoning and therefore the minor land development plan would not be considered by the Planning Board. Ms. Cahill-Krout noted that it should be clarified for the record that the Board is only considering the rezoning and for future County-initiated rezonings, the Board should refrain from addressing unassociated land development plans for clarity.

STATUTORY GUIDELINES

In the phraseology of 9 Delaware Code Section 2603 (a), the Department of Land Use finds that this rezoning would promote the convenience, order, and welfare of the present and future inhabitants of this state.

 05/02/2024

Charuni Patibanda date
General Manager
Department of Land Use

 05/02/2024

Karen Peterson date
Chair
Planning Board

ORDINANCE NO. 24-048

TO AMEND NEW CASTLE COUNTY CODE CHAPTER 22 (“OFFENSES AND MISCELLANEOUS PROVISIONS”), SECTION 22.02.008 (“NOISE CONTROL”) RELATING TO REFUSE

1 **WHEREAS**, limiting noise disturbances within New Castle County is vitally
2 important to maintaining a high quality of life in our neighborhoods; and

3
4 **WHEREAS**, it is important that New Castle County adopt and robustly enforce
5 noise regulations in residential areas in the County to ensure the safety and welfare of its
6 residents; and

7
8 **WHEREAS**, given the noise that is produced when garbage and rubbish (*i.e.*,
9 refuse) are collected, it is important that regulations related thereto are thoughtful and
10 consistent; and

11
12 **WHEREAS**, the permissible time frame for garbage and rubbish collection in
13 residential neighborhoods currently allowed under *County Code* is inconsistent with the
14 time frame established under State law; and

15
16 **WHEREAS**, it is important that the provisions of *County Code* be consistent with,
17 and not conflict with, the *Delaware Code* and related regulations which govern garbage
18 and rubbish collection; and

19
20 **WHEREAS**, it is in the best interests of New Castle County and its residents that
21 the County consistently regulate noise disturbances in residential areas in a manner that
22 preserves the welfare, safety, and integrity of neighborhoods in New Castle County.

23
24 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**

25
26 Section 1. *New Castle County Code* Chapter 22 (“Offenses and Miscellaneous
27 Provisions”), Section 22.02.008 (“Noise Control”) is hereby amended by adding the
28 material that is underlined and deleting the material with strikethroughs, as set forth below.

29
30 **Sec. 22.02.008. - Noise Control.**

31 ...

32 B. *Noise disturbances prohibited.*

33
34 2. *Specific prohibitions.* It shall be unlawful for any person to make, continue or
35 cause to be made or continued any noise disturbances in the County in any of
36 the following manners:

- 37 i. Refuse *compacting vehicles*. Operating or permitting to be operated any
38 motor vehicle which can compact refuse and which creates, during the
39 compacting cycle, a sound pressure level in excess of ~~ninety-four (94)~~ 94
40 dB(A) when measured at ~~fifty (50) feet~~ 50' from any point of the vehicle or
41 operating such a vehicle between the hours of ~~8:30~~ 10:00 p.m. and ~~6:00~~
42 7:00 a.m. the following day in residential districts.

43
44 Section 2. This Ordinance shall become effective immediately upon its adoption by
45 County Council and approval by the County Executive, or as otherwise provided in 9 *Del.*
46 C. § 1156.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
of New Castle County

SYNOPSIS: This Ordinance amends *New Castle County Code* Section 22.02.008, Noise Control, regarding refuse collection and the permissible time period for such collection to ensure that the provisions in the *New Castle County Code* are consistent with the provisions mandated in the *Delaware Code* and related regulations.

FISCAL NOTE: There is no discernible fiscal impact with the adoption of this Ordinance.

ORDINANCE NO. 24-050

**THE ANNUAL REVENUE ORDINANCE OF NEW CASTLE COUNTY
FOR FISCAL YEAR 2025 BEGINNING JULY 1, 2024**

WHEREAS, it has been certified to the County Council that the total value of all real property in the County which has been assessed and is subject to taxation is \$20,222,702,917 net of tax abatements.

NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:

Section 1. A tax upon all of the real property in New Castle County is hereby established and levied at the rate of 25.23 cents for each one hundred dollars of assessed valuation (based on 100 percent of July 1, 1983 fair market value) for the fiscal year beginning July 1, 2024, and ending June 30, 2025, to pay the costs of the General Operating Budget.

Section 2. A tax upon the real property in the following listed areas of New Castle County at the following listed rates for each one hundred dollars of assessed valuation is hereby established and levied for the fiscal year beginning July 1, 2024, and ending June 30, 2025, to pay costs under the Local Service Function Budget.

<u>Location</u>	<u>Tax Rate in Cents Per \$100 of Assessed Valuation</u>
Arden	48.55
Ardencroft	49.07
Ardentown	49.67
Bellefonte	53.87
Delaware City	24.15
Elsmere	13.82
Middletown	5.18
Newark	0.00
New Castle	8.85
Newport	11.13
Odessa	11.13
Townsend	7.38
Wilmington	0.00
Those portions of New Castle County not within any of the following incorporated municipalities	55.31

Section 3. A tax upon the real property in the light districts in New Castle County established pursuant to 9 Del. C. c. 21, is hereby established and levied for light districts at the following rates for each one hundred dollars of assessed valuation for the fiscal year beginning July 1, 2024, and ending June 30, 2025 to pay the cost of street and highway illumination:

<u>Light Code</u>	<u>Light District Installations</u>	<u>Tax Rate in Cents Per \$100 of Assessed Valuation</u>
<i>High Pressure Sodium (HPS) Units</i>		
TRL1	Cobra (formerly Incandescent)	1.230
TRLA	Cobra (formerly Mercury)	9.830
TRLQ	Metal Pole	17.320
TRLC	Traditionaire	13.640
TRLT	Limited Installation	6.700
TRLU	Turn of the Century	14.290
<i>Light Emitting Diode (LED) Units</i>		
TRLO	Cobra	10.980
TRLM	Traditionaire	18.300
TRLN	Granville	20.840

Section 4. A tax upon the full annual cost established pursuant to 9 Del. C. § 1339, is hereby established and levied for crossing guards by school district at the following rates for the fiscal year beginning July 1, 2024, and ending June 30, 2025.

<u>Crossing Guard Rates</u>	<u>Tax Rates in Cents Per \$100 of Assessed Valuation</u>
Appoquinimink School District	2.402
Brandywine (Area I)	2.180
Christina (Area III)	1.874
Colonial (Area IV)	2.345
Red Clay (Area II)	2.148

Section 5. Fees and charges not specified in this Ordinance shall be heretofore or hereafter established.

Section 6. Fees, fines, forfeitures, penalties, assessments, charges, receipts and income, together with needed reserves and available cash balances, shall be included in the receipts of New Castle County as collected during the fiscal year beginning July 1, 202, and ending June 30, 2025.

86 Section 7. The effective date for the provisions in this Ordinance shall be July 1,
87 2024.

88
89 Section 8. This Ordinance shall become effective immediately upon its adoption
90 by County Council and approval by the County Executive, or as otherwise provided by 9
91 *Del. C. § 1156*.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance is the Annual Revenue Ordinance for Fiscal Year 2025.

Section 1 establishes a General Operating property tax rate in New Castle County.

Section 2 establishes the Local Service Function property tax rates in the listed areas of New Castle County.

Section 3 establishes the tax rates in the light districts of New Castle County.

Section 4 establishes the tax rates for school crossing guards.

Section 5 provides that fees and charges not specifically addressed in this Ordinance can be established at some future time.

Section 6 provides that other receipts and funding sources shall be included in the revenue of New Castle County collected during Fiscal Year 2025 to be used in accordance with the budget Ordinance.

FISCAL NOTE: This Ordinance proposes Fiscal Year 2025 tax rates which in conjunction with other anticipated sources of revenue are estimated to yield sufficient revenue to balance the proposed Fiscal Year 2025 Operating Budget.

These proposed real property tax rates applied to estimated taxable assessments and estimated quarterly additions (net of exemptions) are anticipated to yield approximately \$138,830,997.

The proposed light district tax rates, as cited in Section 3, are anticipated to yield revenues of \$7,877,485. These revenues, together with prior year tax collections and the use of available cash balances, are estimated to support direct street lighting expenses plus overhead.

The proposed school crossing guard tax rates, as set forth in Section 4, are anticipated to yield revenues of \$3,868,690. These revenues, together with prior year tax collections and the use of available cash balances, are estimated to support direct crossing guard expenses plus overhead.

This Ordinance, as proposed, has no explicit fiscal impact upon the next two fiscal years as the rates are legislated annually by County Council.

ORDINANCE NO. 24-051

**CALCULATION OF SEWER SERVICE CHARGES EFFECTIVE JULY 1, 2024
FOR FISCAL YEAR 2025**

WHEREAS, in accordance with *New Castle County Code* Chapter 38 ("Utilities"), Article 2 ("Sewers and Sewage Disposal"), Division 38.02.500 ("Sewer services charges"), Section 38.02.503 ("Schedule generally"), County Council must adopt applicable unit charges for sewer service.

NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:

Section 1. County Council adopts the following sewer unit charges for Fiscal Year 2025:

The following unit charges shall be effective other than for certain contract users:

\$5.034399/1000 gallons flow rate	(q)	
\$0.416813/lb. BOD		(b)
\$0.566035/lb. SS	(s)	

The rates for certain contract users shall be as follows:

\$3.422731/1000 gallons flow rate	(q)	
\$0.416813/lb. BOD		(b)
\$0.566035/lb. SS	(s)	

The Equivalent Dwelling Unit (EDU) rates shall be as follows:

Meter Size	EDU	Fixed Charge @ \$100 / EDU
1/2" or 5/8"	1.0	\$25*
3/4"	1.5	\$150
1"	2.5	\$250
1 1/2"	5.0	\$500
2.0	8.0	\$800
3.0	15.0	\$1,500
4.0	25.0	\$2,500
6.0	50.0	\$5,000
8.0	80.0	\$8,000
10.0	115.0	\$11,500
* For Fiscal Year 2025, the base rate of \$100/EDU has been discounted by 75% for meters up to 5/8".		

Section 2. Pursuant to Section 38.02.503.F., the annual minimum charge for sewer service shall be fifty-six dollars (\$56.00).

26
27
28
29
30
31

Section 3. The effective date for the provisions in this Ordinance shall be July 1, 2024.

Section 4. This Ordinance shall become effective immediately upon its adoption by County Council and approval by the County Executive, or as otherwise provided by 9 Del. C. § 1156.

Adopted by Council of
New Castle County on:

Karen Hartley-Nagle
President of Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance establishes sewer service charges effective July 1, 2024, for Fiscal Year 2025.

FISCAL NOTE: This Ordinance proposes the adoption of the Fiscal Year 2025 sewer user rates which, in conjunction with other related sources of revenue, are estimated to yield sufficient revenue to balance the Fiscal Year 2025 sewer fund budget.

If adopted, this Ordinance would establish a Fiscal Year 2025 composite (flow \$5.034399 + (BOD \$0.416813 X 1.2510 (flow factor) = \$0.5214325) + (SS \$0.566035 X 1.5429 (flow factor) = \$0.8733356)) residential flow rate of \$6.42917 per 1,000 billable gallons. The composite rate remains unchanged from the FY2023 composite rate.

The rates contained in this Ordinance would, if adopted, be applied to all user classes, including \$7,400,000 for EDU as follows:

User Classification	Number of Users	Gross Billing
Residential	126,374	\$36,595,282
Industrial	21	\$10,500,000
Commercial	3,787	\$15,600,052
Apartment	227	\$9,000,000
Contract	5	\$6,200,000
Gross Billing	129,967	\$77,895,334
Less Allowance for Delinquent Accounts		(\$3,149,589)
Net Billing		\$74,745,745

Prime Sponsor(s): Mr. Smiley, Mr. Cartier
Requested by: Administration/Finance
Date of introduction: April 9, 2024

ORDINANCE NO. 24-052

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF
NEW CASTLE COUNTY FOR THE PURPOSE OF FINANCING CERTAIN CAPITAL
PROJECTS APPROVED IN THE FISCAL YEAR 2025 CAPITAL BUDGET**

WHEREAS, Chapter 22 of Title 9 of the *Delaware Code*, as amended, authorizes New Castle County to plan, acquire, purchase, construct, reconstruct, improve, better, extend, maintain and operate sewerage systems therein defined, and the County Council of New Castle County has determined to extend existing sewerage systems now maintained by the County by rehabilitating and constructing local sewer projects and to improve existing sewer systems, pump stations, treatment plant sites, and facilities; and,

WHEREAS, Chapter 39 of Title 7 of the *Delaware Code*, as amended, authorizes New Castle County to carry out preventive and control measures and works of improvement for the prevention of erosion, floodwater, and sediment damages, and the County Council of New Castle County determines to construct, improve, and develop stormwater courses and facilities; and,

WHEREAS, Section 1163 of Title 9 of the *Delaware Code* authorizes New Castle County to issue bonds to finance the cost of any object, program or purpose for which New Castle County may raise, appropriate or expend money, and the County Council of New Castle County determines to expend money for various facilities and services; and,

WHEREAS, Subchapter III, of Chapter 13 of Title 9 of the *Delaware Code*, as amended, authorizes New Castle County to develop plans for buildings/facilities, parks, open spaces, natural areas and greenways within the County. Said plans provide for the acquisition of land for the development of parks and recreation facilities and the improvement and development of existing parks and buildings/facilities. The County has deemed it necessary to implement such plans for development and improvements.

NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS: (10/13^{ths} of all the members elected to the County Council concurring therein):

Section 1. New Castle County shall authorize the issuance of its negotiable bonds in the maximum aggregate net principal amount of \$21,461,546 to finance projects approved in the FY2025 Capital Budget (the maximum aggregate principal amount of the bonds to be issued for each purpose is set out in the following schedule):

BOND AUTHORIZATIONS	
MAXIMUM AGGREGATE	
<u>PURPOSE</u>	<u>PRINCIPAL AMOUNT</u>
(A) Sanitary Facilities/Stormwater	\$ 9,366,878
(B) Facilities/Equipment	2,019,708
(C) Parks	7,725,000
(D) Community Services	1,925,000
(E) Administration	425,000
TOTAL BOND AUTHORIZATIONS	<u>\$21,461,546</u>

Section 2. The monies raised by the issuance of the bonds hereby authorized after the payment of the charges and expenses connected with the preparation, sale, and issuance thereof shall be held in separate accounts and shall be expended only for the purposes for which said bonds have been authorized, or for the payment of the principal of, and interest on, temporary loans made in anticipation of the sale of such bonds.

Section 3. The effect of the bonded indebtedness hereby authorized upon the total bonded indebtedness of New Castle County is as shown on the attached fiscal note, Exhibit "A".

Section 4. It is hereby determined and declared that the normal life of said improvements is not less than three (3) years (§ 1163 of Title 9 of the *Delaware Code*).

Section 5. In accordance with Treasury Reg. § 1.150-2, the County hereby states its intentions that a portion of the proceeds of the bonds authorized hereunder will be used to reimburse itself for expenditures paid prior to the date of issuance of the bonds. All capitalized terms used herein and not otherwise defined have the same meaning as ascribed to them in Treasury Reg. § 1.150-2.

All original expenditures to be reimbursed will be capital expenditures (as defined in Treasury Reg. Sec. 1.150-1(b)) and other amounts permitted to be reimbursed pursuant to Treasury Reg. Sec. 1.150-2(d)(3) and (f). The County intends to reimburse the original expenditures through the County's incurrence of debt to be evidenced by the bonds. The description of the type and use of the property for which the original expenditure to be fully or partially reimbursed is to be paid is: costs relating to the projects as defined in Section 3 hereof. The maximum principal amount of the bonds to be issued to reimburse the costs of said projects paid prior to their issuance and to complete said projects is a net \$21,461,546 including the costs of issuance of the bonds.

Once the bonds are issued, the County shall allocate bond proceeds to reimburse a prior expenditure by making the allocation on its books and records maintained with respect to the bonds; provided that such costs to be reimbursed were paid not more than 60 days prior to the date hereof. Such allocations shall specifically identify the actual original expenditure to be reimbursed. Such allocations shall occur not later than 18 months after the later of (i) the date on which the original expenditure is paid, or (ii) the date the project is placed in service or abandoned, but in no event more than 3 years after the original expenditure is paid. If the bonds are issued before the expiration of the period prescribed in the preceding sentence, then the reimbursement allocation shall occur not later than the date of bonds are issued.

The bond proceeds used to reimburse the County for original expenditures will not be used within 1 year after the allocation in a manner that results in the creation of replacement proceeds (as defined in Treasury Reg. § 1.148-1) for the bonds authorized hereunder or for other bonds. The County will not use the proceeds of bonds to reimburse, refinance or refund an original expenditure paid by another obligation (either tax-exempt or taxable).

Section 6. Continuing Disclosure. The County covenants for the benefit of holders of any bonds that it issues in the public markets, whether pursuant to this Ordinance or otherwise, that, so long as any such bonds are outstanding, it will file, or cause to be filed, all financial information, operating data and notices of events, actions or failure to act, with such persons and entities and at such times as may be necessary to comply with the requirements of Rule 15c2-12(b) (5) of the Securities Exchange Act of 1934 with respect to such bonds. The Chief Financial Officer shall by Resolution adopted in connection with the issuance of such bonds specify the specific actions that the County shall be obligated to undertake to comply with this Section. Upon approval of the

95 County Executive, the Chief Financial Officer is hereby authorized to take such other actions, by
96 contract with a fiscal agent or otherwise, as such official shall deem appropriate to cause the
97 County to comply with this Section.
98

99 Section 7. The effective date for the provisions in this Ordinance shall be July 1, 2024.
100

101 Section 8. This Ordinance shall become effective immediately upon its adoption by County
102 Council and approval by the County Executive, or as otherwise provided by 9 *Del. C.* § 1156.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance will authorize New Castle County to issue bonds in the net amount of \$21,461,546 to finance projects approved in the Fiscal Year 2025 Capital Budget.

FISCAL NOTE: See attached Exhibit "A" for fiscal impact of this Ordinance.

EXHIBIT "A"

FISCAL NOTE: This Ordinance will authorize County Bonds in the maximum aggregate principal amount (net of issuance costs) of \$21,461,546.

The fiscal impact of this Ordinance, if approved, is demonstrated on a pro-forma basis below:

<u>Previous Authorizations</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
Authorized and Issued Bonds ⁽¹⁾ (2/28/2024)	\$504,120,000	\$150,805,997	\$654,925,997
Authorized and Unissued Bonds (2/28/2024)	<u>131,383,970</u>	<u>55,181,267⁽²⁾</u>	<u>186,565,237</u>
Total Previous Authorizations	635,503,970	205,987,264	841,491,234
Proposed Net Authorizations ⁽³⁾ by the Ordinance	21,461,546	9,013,849 ⁽²⁾	30,475,395
Total Previous Authorizations and Proposed Net Authorizations	<u>\$656,965,516</u>	<u>\$215,001,113</u>	<u>\$871,966,629</u>

The following State Revolving Fund loans are not included in the above totals:

Authorized and Issued Bonds (2/28/2024)	\$24,418,970	\$4,242,573 ⁽⁴⁾	\$28,661,543
Authorized and Unissued Bonds (2/28/2024)	31,084,630	10,504,253 ⁽⁴⁾	41,588,883
Total Previous Authorizations	<u>\$55,503,600</u>	<u>\$14,746,826</u>	<u>\$70,250,426</u>

⁽¹⁾ These amounts have been adjusted to reflect retired principal and interest through 4/30/24.

⁽²⁾ Interest is computed at 4.0 percent.

⁽³⁾ Assuming a constant principal amount of \$1,073,077 over a term of twenty years, total debt service for the \$21,461,546 would be \$30,475,395.

⁽⁴⁾ Interest is based on estimated future repayment schedules. Interest rates for various loans are 2.00, 2.394 and 2.601 percent.

ORDINANCE NO. 24-053

**THE CAPITAL BUDGET ORDINANCE OF NEW CASTLE COUNTY
FOR THE FISCAL YEAR BEGINNING JULY 1, 2024**

1 **WHEREAS**, Chapter 22 of Title 9 of the *Delaware Code*, as amended, authorizes New
2 Castle County to plan, acquire, purchase, construct, reconstruct, improve, better and extend,
3 and maintain and operate sewerage systems therein defined, and the County Council of New
4 Castle County has determined to extend existing sewerage systems now maintained by the
5 County by rehabilitating and constructing local sewer projects and to improve existing sewer
6 systems, pump stations, treatment plant sites, and facilities; and

7
8 **WHEREAS**, Chapter 39 of Title 7 of the *Delaware Code*, as amended, authorizes New
9 Castle County to carry out preventive and control measures and works of improvement for the
10 prevention of erosion, floodwater, and sediment damages, and the County Council of New
11 Castle County determines to construct, improve, and develop stormwater courses and
12 facilities; and

13
14 **WHEREAS**, Section 1163 of Title 9 of the *Delaware Code* authorizes New Castle
15 County to issue bonds to finance the cost of any object, program or purpose for which New
16 Castle County may raise, appropriate or expend money, and the County Council of New Castle
17 County determines to expend money for various facilities and services; and

18
19 **WHEREAS**, Subchapter III, Chapter 13 of Title 9 of the *Delaware Code*, as amended,
20 authorizes New Castle County to develop plans for buildings/facilities, parks, open spaces,
21 natural areas and greenways within the County. Said plans provide for the acquisition of land
22 for the development of parks and recreation facilities and the improvements and development
23 of existing parks and buildings/facilities. The County has deemed it necessary to implement
24 such plans for development and improvements.

25
26 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**

27
28 Section 1. Exhibit "A", entitled "Capital Budget – FY2025" consisting of two (2) pages,
29 dated March 31, 2024, attached hereto and made a part hereof, is hereby adopted as the
30 Capital Budget of New Castle County for the fiscal year beginning July 1, 2024, and ending
31 June 30, 2025.

32
33 Section 2. The projects listed on Exhibit "B," entitled "Projects to Sunset Fiscal Year
34 End 2024" will sunset in accordance with Key Financial Policy (KFP) #1 on June 30, 2024. All
35 unexpended appropriations and bond authorizations on June 30, 2024, will be deauthorized.
36 Any encumbrances will remain open until liquidated.

37
38 Section 3. This Ordinance shall become effective immediately upon its adoption by
39 County Council and approval by the County Executive, or as otherwise provided by 9 *Del. C.* §
40 1156.

41
42 Section 4. The effective date for the provisions in this Ordinance shall be July 1, 2024.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance is the Capital Budget Ordinance for the Fiscal Year 2025, authorizing capital spending of \$34,207,715 for 46 County projects. This Ordinance also will deauthorize the projects on Exhibit "B" and the corresponding available appropriations and bond authorizations on June 30, 2024.

FISCAL NOTE: The Capital Budget Ordinance for Fiscal Year 2025 authorizes capital spending of \$34,207,715 for various projects. A companion Ordinance authorizing the issuance of General Obligation Bonds of \$21,461,546 to fund the Capital Budget must be adopted.

In addition, this Ordinance sunsets 8 capital projects, effective June 30, 2024. Projects are listed on Exhibit "B".

EXHIBIT "A"
NEW CASTLE COUNTY
CAPITAL BUDGET - FY2025

24-053

DEPARTMENT OF ADMINISTRATION

Firewall Replacement	\$	425,000
Subtotal	\$	425,000

DEPARTMENT OF COMMUNITY SERVICES

Appoquinimink Library	\$	54,482
Glasgow Library		150,000
Newark Library		4,700,000
Rockwood Museum		175,000
Surratte Pool Renovations		50,000
Subtotal	\$	5,129,482

DEPARTMENT OF PUBLIC SAFETY

Public Safety Equipment	\$	136,000
Public Safety Vest Protection Program		264,515
Subtotal	\$	400,515

DEPARTMENT OF PUBLIC WORKS

Facilities/Equipment

Electric Vehicle Infrastructure	\$	2,019,708
Fleet Equipment 2022		(450,000)
Fleet Equipment 2023		(1,900,000)
Fleet Equipment 2024		49,590
Fleet Equipment 2025		6,510,906
Subtotal	\$	6,230,204

EXHIBIT "A"
NEW CASTLE COUNTY
CAPITAL BUDGET - FY2025

24-053

DEPARTMENT OF PUBLIC WORKS (Continued)

Parks

Agricultural Preservation	\$	1,500,000
Bechtel Park Improvements		2,250,000
Game Court Improvements Pre-2021		(106,744)
Game Court Improvements 2021		181,744
General Parkland Improvements 2024-2025		750,000
Greenway Systems		1,000,000
Open Space Preservation		1,000,000
Southern Regional Park		4,400,000
Subtotal	\$	10,975,000

Sewer/Stormwater

Airport Road System Rehabilitation	\$	2,500,000
Brandywine Hundred South Rehabilitation Phase I		(450,000)
Christiana Pump Station Upgrade		(500,000)
Christina River Force Main		1,000,000
Countywide Drainage Problems		(500,000)
Delaware City Industrial Sewer Expansion		(2,500,000)
Delaware City Treatment Plant Rehab		(500,000)
DelDOT Coordination Project 2021		(500,000)
General Sewer Improvements		1,000,000
Glasgow Area Sewer Improvements		(400,000)
Holloway Terrace Outfall Replace		(1,000,000)
Public Works Complex		400,000
Pump Station Rehab 2024-2025		500,000
Septage Receiving Station Upgrade		300,000
Sewer Fleet Equipment 2022		(3,051)
Sewer Fleet Equipment 2023		(764,800)
Sewer Fleet Equipment 2025		2,665,366
Sewer Repairs and Rehabilitation 2024-2025		2,000,000
Stormwater Basin Renovation II		1,500,000
Terminal Avenue System Rehabilitation		(500,000)
Water Farm #1 System Rehabilitation		300,000
Water Quality Improvement Plans		2,400,000
White Clay System Rehabilitation		4,100,000
Subtotal	\$	11,047,515

CAPITAL BUDGET TOTAL

\$	34,207,715
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ORDINANCE NO. 24-054

**ADOPT THE ANNUAL OPERATING BUDGET OF NEW CASTLE COUNTY
FOR THE FISCAL YEAR BEGINNING JULY 1, 2024**

1 **WHEREAS**, County Council has adopted revenue measures which together with
2 any reserves and available cash balances shall, in the opinion of the County Executive, be
3 estimated to yield sums at least sufficient to balance the proposed expenditures as set forth
4 herein.
5

6 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
7

8 Section 1. County Council hereby ordains that the taxes and other revenue
9 measures which the County Executive has certified as yielding sufficient revenue, together
10 with any reserves and available cash balances, serve to balance the Annual Operating
11 Budget of New Castle County for the fiscal year beginning July 1, 2024, and ending June
12 30, 2025.
13

14 Section 2. Exhibit "A," entitled "Departmental Operating Budget," consisting of six
15 (6) pages, attached hereto and made a part hereof, is adopted as the Annual Operating
16 Budget of Appropriations to the respective departments, offices, reserves and services for
17 the fiscal year beginning July 1, 2024, and ending June 30, 2025.
18

19 Section 3. Exhibit "B," entitled "Operating Budget Components," consisting of one
20 (1) page, attached hereto and made a part hereof, representing the component budgets
21 encompassed by the "Departmental Operating Budget" for the fiscal year beginning July 1,
22 2024, and ending June 30, 2025.
23

24 Section 4. As the County Council has done in all past years, by and through the
25 budget hearing, review, and adoption process undertaken for the FY2025 budget, the
26 County Council hereby confirms its review and approves the schedule of fees established
27 by the Department of Land Use set forth in, *inter alia*, Appendix 2 of Chapter 40 of the *New*
28 *Castle County Code* ("the UDC"). The County Council also confirms and clarifies that
29 through the budget hearing, review, and adoption process, it has reviewed and approved
30 the schedule of fees established by the Department of Land Use in all prior budget years,
31 and the County hereby confirms, clarifies, and ratifies its previous approvals of the fee
32 schedules heretofore established by the Department of Land Use.
33

34 Section 5. This Ordinance shall become effective immediately upon its adoption by
35 County Council and approval by the County Executive, or as otherwise provided by 9 *Del.*
36 *C. § 1156*.
37

38 Section 6. The effective date for the provisions in this Ordinance shall be July 1,
39 2024.

Adopted by Council of
New Castle County on:

Karen Hartley-Nagle
President of Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance authorizes the Annual Operating Budget of New Castle County for the fiscal year beginning July 1, 2024 and ending June 30, 2025.

Exhibit "A" provides a summary of appropriations to departments, row offices, reserves and non-departmental operating budgets.

Exhibit "B" provides the component budgets (i.e. General Operating, Local Service Function, Sewer, Crossing Guard and Street Lighting) encompassed by Exhibit "A."

FISCAL NOTE: This Ordinance embodies, by detailed appropriation, by object of expenditure for each department and office (Exhibit "A") as required by State Law, and, by component budgets supported by various revenue measures (Exhibit "B"), the County's Annual Operating Budget for Fiscal Year 2025.

The fiscal impact of this Ordinance is the authorization to expend \$342,427,908 in Fiscal Year 2025 and to legislate the amounts within New Castle County's reserve accounts.

This Ordinance has no explicit impact on subsequent fiscal years, as the Operating Budget is legislated annually by County Council.

EXHIBIT "A"
DEPARTMENTAL OPERATING BUDGET

COUNTY COUNCIL

Salaries and Wages	\$	2,552,351
Benefits		1,493,866
Training and Civic Affairs		70,388
Communication and Utilities		17,483
Materials and Supplies		62,776
Contractual Services		256,588
Equipment		1,600
Grants and Fixed Charges		440,233
Operating Transfer Charges		175,627
Total	\$	5,070,912
Total Authorized Full-Time Positions	35	

COUNTY EXECUTIVE

Salaries and Wages	\$	2,033,684
Benefits		1,190,296
Training and Civic Affairs		31,904
Communication and Utilities		16,798
Materials and Supplies		22,236
Contractual Services		148,565
Equipment		1,000
Grants and Fixed Charges		43,000
Contingency		55,000
Operating Transfer Charges		105,264
Total	\$	3,647,747
Total Authorized Full-Time Positions	17	

DEPARTMENT OF ADMINISTRATION

Salaries and Wages	\$	12,986,061
Benefits		7,506,461
Training and Civic Affairs		132,825
Communication and Utilities		8,258,220
Materials and Supplies		162,673
Contractual Services		6,855,976
Equipment		392,900
Grants and Fixed Charges		3,932,350
Operating Transfer Charges		1,142,324
Operating Transfer Credits		(12,812,422)
Total	\$	28,557,368
Total Authorized Full-Time Positions	168	

DEPARTMENT OF PUBLIC WORKS

Salaries and Wages	\$	27,135,440
Benefits		15,765,968
Training and Civic Affairs		45,445
Communication and Utilities		26,068,271
Materials and Supplies		4,565,701
Contractual Services		10,843,698
Equipment		483,333
Grants and Fixed Charges		1,192,757
Land and Structures		35,000
Operating Transfer Charges		4,574,405
Operating Transfer Credits		(7,722,122)
Total	\$	82,987,896
Total Authorized Full-Time Positions		389

DEPARTMENT OF LAND USE

Salaries and Wages	\$	8,156,971
Benefits		4,742,077
Training and Civic Affairs		66,975
Communication and Utilities		111,242
Materials and Supplies		101,727
Contractual Services		1,447,909
Equipment		44,940
Grants and Fixed Charges		56,500
Operating Transfer Charges		1,061,595
Total	\$	15,789,936
Total Authorized Full-Time Positions		112

DEPARTMENT OF COMMUNITY SERVICES

Salaries and Wages	\$	12,519,168
Benefits		5,565,327
Training and Civic Affairs		18,560
Communication and Utilities		1,069,498
Materials and Supplies		1,429,039
Contractual Services		2,214,606
Equipment		18,900
Grants and Fixed Charges		3,235,149
Operating Transfer Charges		1,175,272
Operating Transfer Credits		(225,977)
Total	\$	27,019,542
Total Authorized Full-Time Positions		162

DEPARTMENT OF PUBLIC SAFETY

Salaries and Wages	\$	71,332,068
Benefits		40,954,368
Training and Civic Affairs		206,456
Communication and Utilities		1,008,304
Materials and Supplies		1,069,526
Contractual Services		2,251,228
Equipment		1,660,283
Grants and Fixed Charges		7,278,357
Operating Transfer Charges		7,843,655
Total	\$	133,604,245
Total Authorized Full-Time Positions		728

REGISTER OF WILLS

Salaries and Wages	\$	1,159,211
Benefits		660,186
Training and Civic Affairs		34,950
Communication and Utilities		12,209
Materials and Supplies		10,053
Contractual Services		62,715
Equipment		2,800
Operating Transfer Charges		82,214
Total	\$	2,024,338
Total Authorized Full-Time Positions		20

RECORDER OF DEEDS

Salaries and Wages		\$	1,256,525
Benefits			723,402
Training and Civic Affairs			40,170
Communication and Utilities			33,689
Materials and Supplies			12,398
Contractual Services			82,718
Equipment			6,150
Grants and Fixed Charges			18,350
Operating Transfer Charges			162,265
Total		\$	2,335,667
Total Authorized Full-Time Positions	23		

SHERIFF

Salaries and Wages		\$	1,380,772
Benefits			804,406
Training and Civic Affairs			29,452
Communication and Utilities			14,993
Materials and Supplies			21,259
Contractual Services			55,999
Equipment			5,000
Operating Transfer Charges			142,020
Total		\$	2,453,901
Total Authorized Full-Time Positions	21		

CLERK OF THE PEACE

Salaries and Wages		\$	483,477
Benefits			282,975
Training and Civic Affairs			9,600
Communication and Utilities			5,484
Materials and Supplies			8,754
Contractual Services			18,268
Equipment Replacement			6,000
Operating Transfer Charges			30,824
Total		\$	845,382
Total Authorized Full-Time Positions	7		

DEBT SERVICE

Debt Service		\$	45,778,427
Total		\$	45,778,427
Total Authorized Full-Time Positions			

ETHICS COMMISSION

Salaries and Wages	\$	40,200
Benefits		4,181
Training and Civic Affairs		10,500
Communication and Utilities		1,898
Materials and Supplies		2,450
Contractual Services		235,747
Equipment		500
Operating Transfer Charges		6,360
Total	\$	301,836
Total Authorized Full-Time Positions	0	

COUNCIL CONTINGENCY

Contingency	\$	250,000
Total	\$	250,000
Total Authorized Full-Time Positions		

EXECUTIVE CONTINGENCY

Contingency	\$	600,000
Total	\$	600,000
Total Authorized Full-Time Positions		

PERSONNEL CONTINGENCY

Contingency	\$	455,000
Total	\$	455,000
Total Authorized Full-Time Positions		

ATTRITION CONTINGENCY

Personal Services - Salaries and Wages	\$	(6,164,693)
Personal Services - Employee Benefits	\$	(3,608,135)
Total	\$	(9,772,828)
Total Authorized Full-Time Positions		

ONE-TIME CONTINGENCY

Contingency	\$	478,539
Total	\$	478,539

NEW CASTLE COUNTY

Salaries and Wages	\$	134,871,235
Benefits		76,085,378
Training and Civic Affairs		697,225
Communication and Utilities		36,618,089
Materials and Supplies		7,468,592
Contractual Services		24,474,017
Equipment		2,623,406
Grants and Fixed Charges		16,196,696
Debt Service		45,778,427
Land and Structures		35,000
Contingency		1,838,539
Operating Transfer Charges		16,501,825
Operating Transfer Credits		(20,760,521)
<i>Sub-Total New Castle County</i>	\$	342,427,908
<i>Total Authorized Full-Time Positions</i>		1,682

RESERVE ACCOUNTS ANTICIPATED BALANCES AS OF JUNE 30, 2024

Tax Stabilization Reserve Account	63,193,549
Sewer Rate Stabilization Reserve Account	7,482,353
General Fund Budget Reserve Account	44,592,418
Sewer Fund Budget Reserve Account	18,872,304
<i>Total Reserves:</i>	134,140,624

**OPERATING BUDGET COMPONENTS
FISCAL YEAR 2025**

General Operating Budget	\$	106,039,101
Local Service Function Budget		135,070,632
Sewer Fund		88,915,956
Street Light Fund		8,496,529
Crossing Guard Fund		3,905,690
Recommended Operating Budget	\$	342,427,908

AMENDMENT NO. 1 TO ORDINANCE NO. 24-054

**ADOPT THE ANNUAL OPERATING BUDGET OF NEW CASTLE COUNTY
FOR THE FISCAL YEAR BEGINNING JULY 1, 2024**

1 Section 1. Section 2 to Ordinance No. 24-054 listed as Exhibit "A," entitled
2 "Departmental Operating Budget," consisting of six (6) pages, attached hereto which is
3 dated ~~April 9, 2024~~ May 28, 2024 and made a part hereof, is hereby amended by deleting
4 the matter that is stricken and adding the matter underscored.

5
6 Section 2. Section 3 to Ordinance No. 24-054 listed as Exhibit "B," entitled
7 "Operating Budget Components," consisting of one (1) page, attached hereto which is
8 dated ~~April 9, 2024~~ May 28, 2024 and made a part hereof, is hereby amendment by
9 deleting the matter that is stricken and adding the matter underscored.

10
11 Section 3. This Ordinance shall become effective immediately upon its adoption by
12 County Council and approval by the County Executive, or as otherwise provided by 9 *Del.*
13 *C. § 1156.*

14
15 Section 4. The effective date for the provisions in this Ordinance shall be July 1,
16 2024.

Adopted by Council of
New Castle County on:

Karen Hartley-Nagle
President of Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: Amendment No. 1 to the Fiscal Year 2025 Recommended Annual Operating Budget Ordinance removes all funding totaling \$421,727 for Project Seed.

FISCAL NOTE: Amendment No. 1, if adopted, will amend the Fiscal Year 2025 Recommended Annual Operating Budget by decreasing the budget line items of the Department of Public Safety, Division of Administration as follows:

Character	Amount
Salaries and Wages	\$247,141
Benefits	\$145,814
Training and Civic Affairs	\$27,272
Materials and Supplies	\$1,500
Total	\$421,727

The revised budget for the Department of Public Safety will be \$133,182,518. The revised Fiscal Year 2025 Recommended Annual Operating Budget will be \$342,006,181. The General Fund Tax Stabilization Reserve balance (unaudited) upon passage of this Ordinance will be \$63,615,276.

This amendment has no explicit impact on subsequent fiscal years, as the Operating Budget is legislated annually by County Council.

EXHIBIT "A"
DEPARTMENTAL OPERATING BUDGET

EXHIBIT A1

COUNTY COUNCIL

Salaries and Wages		\$	2,552,351
Benefits			1,493,866
Training and Civic Affairs			70,388
Communication and Utilities			17,483
Materials and Supplies			62,776
Contractual Services			256,588
Equipment			1,600
Grants and Fixed Charges			440,233
Operating Transfer Charges			175,627
Total		\$	5,070,912
Total Authorized Full-Time Positions	35		

COUNTY EXECUTIVE

Salaries and Wages		\$	2,033,684
Benefits			1,190,296
Training and Civic Affairs			31,904
Communication and Utilities			16,798
Materials and Supplies			22,236
Contractual Services			148,565
Equipment			1,000
Grants and Fixed Charges			43,000
Contingency			55,000
Operating Transfer Charges			105,264
Total		\$	3,647,747
Total Authorized Full-Time Positions	17		

DEPARTMENT OF ADMINISTRATION

Salaries and Wages		\$	12,986,061
Benefits			7,506,461
Training and Civic Affairs			132,825
Communication and Utilities			8,258,220
Materials and Supplies			162,673
Contractual Services			6,855,976
Equipment			392,900
Grants and Fixed Charges			3,932,350
Operating Transfer Charges			1,142,324
Operating Transfer Credits			(12,812,422)
Total		\$	28,557,368
Total Authorized Full-Time Positions	168		

EXHIBIT A2

DEPARTMENT OF PUBLIC WORKS

Salaries and Wages		\$	27,135,440
Benefits			15,765,968
Training and Civic Affairs			45,445
Communication and Utilities			26,068,271
Materials and Supplies			4,565,701
Contractual Services			10,843,698
Equipment			483,333
Grants and Fixed Charges			1,192,757
Land and Structures			35,000
Operating Transfer Charges			4,574,405
Operating Transfer Credits			(7,722,122)
Total		\$	82,987,896
Total Authorized Full-Time Positions	389		

DEPARTMENT OF LAND USE

Salaries and Wages		\$	8,156,971
Benefits			4,742,077
Training and Civic Affairs			66,975
Communication and Utilities			111,242
Materials and Supplies			101,727
Contractual Services			1,447,909
Equipment			44,940
Grants and Fixed Charges			56,500
Operating Transfer Charges			1,061,595
Total		\$	15,789,936
Total Authorized Full-Time Positions	112		

DEPARTMENT OF COMMUNITY SERVICES

Salaries and Wages		\$	12,519,168
Benefits			5,565,327
Training and Civic Affairs			18,560
Communication and Utilities			1,069,498
Materials and Supplies			1,429,039
Contractual Services			2,214,606
Equipment			18,900
Grants and Fixed Charges			3,235,149
Operating Transfer Charges			1,175,272
Operating Transfer Credits			(225,977)
Total		\$	27,019,542
Total Authorized Full-Time Positions	162		

EXHIBIT A3

DEPARTMENT OF PUBLIC SAFETY

Salaries and Wages	71,332,068	\$	<u>71,084,927</u>
Benefits	40,954,368		<u>40,808,554</u>
Training and Civic Affairs	206,546		<u>179,184</u>
Communication and Utilities			1,008,304
Materials and Supplies	1,069,526		<u>1,068,026</u>
Contractual Services			2,251,228
Equipment			1,660,283
Grants and Fixed Charges			7,278,357
Operating Transfer Charges			7,843,655
Total	<i>133,604,245</i>	\$	<u>133,182,518</u>
Total Authorized Full-Time Positions	728		

REGISTER OF WILLS

Salaries and Wages		\$	1,159,211
Benefits			660,186
Training and Civic Affairs			34,950
Communication and Utilities			12,209
Materials and Supplies			10,053
Contractual Services			62,715
Equipment			2,800
Operating Transfer Charges			82,214
Total		\$	<u>2,024,338</u>
Total Authorized Full-Time Positions	20		

EXHIBIT A4

RECORDER OF DEEDS

Salaries and Wages		\$	1,256,525
Benefits			723,402
Training and Civic Affairs			40,170
Communication and Utilities			33,689
Materials and Supplies			12,398
Contractual Services			82,718
Equipment			6,150
Grants and Fixed Charges			18,350
Operating Transfer Charges			162,265
Total		\$	2,335,667
Total Authorized Full-Time Positions	23		

SHERIFF

Salaries and Wages		\$	1,380,772
Benefits			804,406
Training and Civic Affairs			29,452
Communication and Utilities			14,993
Materials and Supplies			21,259
Contractual Services			55,999
Equipment			5,000
Operating Transfer Charges			142,020
Total		\$	2,453,901
Total Authorized Full-Time Positions	21		

CLERK OF THE PEACE

Salaries and Wages		\$	483,477
Benefits			282,975
Training and Civic Affairs			9,600
Communication and Utilities			5,484
Materials and Supplies			8,754
Contractual Services			18,268
Equipment Replacement			6,000
Operating Transfer Charges			30,824
Total		\$	845,382
Total Authorized Full-Time Positions	7		

DEBT SERVICE

Debt Service		\$	45,778,427
Total		\$	45,778,427
Total Authorized Full-Time Positions			

EXHIBIT A5

ETHICS COMMISSION

Salaries and Wages	\$	40,200
Benefits		4,181
Training and Civic Affairs		10,500
Communication and Utilities		1,898
Materials and Supplies		2,450
Contractual Services		235,747
Equipment		500
Operating Transfer Charges		6,360
Total	\$	301,836
Total Authorized Full-Time Positions	0	

COUNCIL CONTINGENCY

Contingency	\$	250,000
Total	\$	250,000
Total Authorized Full-Time Positions		

EXECUTIVE CONTINGENCY

Contingency	\$	600,000
Total	\$	600,000
Total Authorized Full-Time Positions		

PERSONNEL CONTINGENCY

Contingency	\$	455,000
Total	\$	455,000
Total Authorized Full-Time Positions		

ATTRITION CONTINGENCY

Personal Services - Salaries and Wages	\$	(6,164,693)
Personal Services - Employee Benefits	\$	(3,608,135)
Total	\$	(9,772,828)
Total Authorized Full-Time Positions		

ONE-TIME CONTINGENCY

Contingency	\$	478,539
Total	\$	478,539

EXHIBIT A6

NEW CASTLE COUNTY

Salaries and Wages	134,871,235	\$	<u>134,624,094</u>
Benefits	76,085,378		<u>75,939,564</u>
Training and Civic Affairs	697,225		<u>669,953</u>
Communication and Utilities			36,618,089
Materials and Supplies	7,468,592		<u>7,467,092</u>
Contractual Services			24,474,017
Equipment			2,623,406
Grants and Fixed Charges			16,196,696
Debt Service			45,778,427
Land and Structures			35,000
Contingency			1,838,539
Operating Transfer Charges			16,501,825
Operating Transfer Credits			(20,760,521)
Sub-Total New Castle County	342,427,908	\$	<u>342,006,181</u>
Total Authorized Full-Time Positions	1,682		

RESERVE ACCOUNTS ANTICIPATED BALANCES AS OF JUNE 30, 2024

Tax Stabilization Reserve Account	63,193,549	<u>63,615,276</u>
Sewer Rate Stabilization Reserve Account		7,482,353
General Fund Budget Reserve Account		44,592,418
Sewer Fund Budget Reserve Account		18,872,304
Total Reserves:	134,140,624	<u>134,562,351</u>

EXHIBIT "B"

OPERATING BUDGET COMPONENTS FISCAL YEAR 2025

General Operating Budget	—106,039,101	\$	<u>105,617,374</u>
Local Service Function Budget			135,070,632
Sewer Fund			88,915,956
Street Light Fund			8,496,529
Crossing Guard Fund			3,905,690
Recommended Operating Budget	—342,427,908	\$	<u>342,006,181</u>

AMENDMENT NO. 2 TO ORDINANCE NO. 24-054

**ADOPT THE ANNUAL OPERATING BUDGET OF NEW CASTLE COUNTY
FOR THE FISCAL YEAR BEGINNING JULY 1, 2024**

1 Section 1. Section 2 to Ordinance No. 24-054 listed as Exhibit "A," entitled
2 "Departmental Operating Budget," consisting of six (6) pages, attached hereto which is
3 dated ~~April 9, 2024~~ May 28, 2024 and made a part hereof, is hereby amended by deleting
4 the matter that is stricken and adding the matter underscored.
5

6 Section 2. Section 3 to Ordinance No. 24-054 listed as Exhibit "B," entitled
7 "Operating Budget Components," consisting of one (1) page, attached hereto which is
8 dated ~~April 9, 2024~~ May 28, 2024 and made a part hereof, is hereby amendment by
9 deleting the matter that is stricken and adding the matter underscored.
10

11 Section 3. This Ordinance shall become effective immediately upon its adoption by
12 County Council and approval by the County Executive, or as otherwise provided by 9 *Del.*
13 *C. § 1156.*
14

15 Section 4. The effective date for the provisions in this Ordinance shall be July 1,
16 2024.

Adopted by Council of
New Castle County on:

Karen Hartley-Nagle
President of Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: Amendment No. 2 to the Fiscal Year 2025 Recommended Annual Operating Budget Ordinance removes all funding totaling \$103,800 for one Small Business Enterprise (SBE) Coordinator.

FISCAL NOTE: Amendment No. 2, if adopted, will amend the Fiscal Year 2025 Recommended Annual Operating Budget by decreasing the budget line items of the Department of County Executive as follows:

Character	Amount
Salaries and Wages	\$65,458
Benefits	\$38,342
Total	\$103,800

The revised budget for the Department of County Executive will be \$3,543,947. The revised Fiscal Year 2025 Recommended Annual Operating Budget will be \$342,324,108. The General Fund Tax Stabilization Reserve balance (unaudited) upon passage of this Ordinance will be \$63,297,349.

This amendment has no explicit impact on subsequent fiscal years, as the Operating Budget is legislated annually by County Council.

EXHIBIT "A"
DEPARTMENTAL OPERATING BUDGET

EXHIBIT A1

COUNTY COUNCIL

Salaries and Wages		\$	2,552,351
Benefits			1,493,866
Training and Civic Affairs			70,388
Communication and Utilities			17,483
Materials and Supplies			62,776
Contractual Services			256,588
Equipment			1,600
Grants and Fixed Charges			440,233
Operating Transfer Charges			175,627
Total		\$	5,070,912
Total Authorized Full-Time Positions	35		

COUNTY EXECUTIVE

Salaries and Wages	2,033,684	\$	1,968,226
Benefits	1,190,296		1,151,954
Training and Civic Affairs			31,904
Communication and Utilities			16,798
Materials and Supplies			22,236
Contractual Services			148,565
Equipment			1,000
Grants and Fixed Charges			43,000
Contingency			55,000
Operating Transfer Charges			105,264
Total	3,647,747	\$	3,543,947
Total Authorized Full-Time Positions	17		

DEPARTMENT OF ADMINISTRATION

Salaries and Wages		\$	12,986,061
Benefits			7,506,461
Training and Civic Affairs			132,825
Communication and Utilities			8,258,220
Materials and Supplies			162,673
Contractual Services			6,855,976
Equipment			392,900
Grants and Fixed Charges			3,932,350
Operating Transfer Charges			1,142,324
Operating Transfer Credits			(12,812,422)
Total		\$	28,557,368
Total Authorized Full-Time Positions	168		

EXHIBIT A2

DEPARTMENT OF PUBLIC WORKS

Salaries and Wages		\$	27,135,440
Benefits			15,765,968
Training and Civic Affairs			45,445
Communication and Utilities			26,068,271
Materials and Supplies			4,565,701
Contractual Services			10,843,698
Equipment			483,333
Grants and Fixed Charges			1,192,757
Land and Structures			35,000
Operating Transfer Charges			4,574,405
Operating Transfer Credits			(7,722,122)
Total		\$	82,987,896
Total Authorized Full-Time Positions	389		

DEPARTMENT OF LAND USE

Salaries and Wages		\$	8,156,971
Benefits			4,742,077
Training and Civic Affairs			66,975
Communication and Utilities			111,242
Materials and Supplies			101,727
Contractual Services			1,447,909
Equipment			44,940
Grants and Fixed Charges			56,500
Operating Transfer Charges			1,061,595
Total		\$	15,789,936
Total Authorized Full-Time Positions	112		

DEPARTMENT OF COMMUNITY SERVICES

Salaries and Wages		\$	12,519,168
Benefits			5,565,327
Training and Civic Affairs			18,560
Communication and Utilities			1,069,498
Materials and Supplies			1,429,039
Contractual Services			2,214,606
Equipment			18,900
Grants and Fixed Charges			3,235,149
Operating Transfer Charges			1,175,272
Operating Transfer Credits			(225,977)
Total		\$	27,019,542
Total Authorized Full-Time Positions	162		

EXHIBIT A3

DEPARTMENT OF PUBLIC SAFETY

Salaries and Wages		\$	71,332,068
Benefits			40,954,368
Training and Civic Affairs			206,456
Communication and Utilities			1,008,304
Materials and Supplies			1,069,526
Contractual Services			2,251,228
Equipment			1,660,283
Grants and Fixed Charges			7,278,357
Operating Transfer Charges			7,843,655
Total		\$	133,604,245
Total Authorized Full-Time Positions	728		

REGISTER OF WILLS

Salaries and Wages		\$	1,159,211
Benefits			660,186
Training and Civic Affairs			34,950
Communication and Utilities			12,209
Materials and Supplies			10,053
Contractual Services			62,715
Equipment			2,800
Operating Transfer Charges			82,214
Total		\$	2,024,338
Total Authorized Full-Time Positions	20		

EXHIBIT A4

RECORDER OF DEEDS

Salaries and Wages		\$	1,256,525
Benefits			723,402
Training and Civic Affairs			40,170
Communication and Utilities			33,689
Materials and Supplies			12,398
Contractual Services			82,718
Equipment			6,150
Grants and Fixed Charges			18,350
Operating Transfer Charges			162,265
Total		\$	2,335,667
Total Authorized Full-Time Positions	23		

SHERIFF

Salaries and Wages		\$	1,380,772
Benefits			804,406
Training and Civic Affairs			29,452
Communication and Utilities			14,993
Materials and Supplies			21,259
Contractual Services			55,999
Equipment			5,000
Operating Transfer Charges			142,020
Total		\$	2,453,901
Total Authorized Full-Time Positions	21		

CLERK OF THE PEACE

Salaries and Wages		\$	483,477
Benefits			282,975
Training and Civic Affairs			9,600
Communication and Utilities			5,484
Materials and Supplies			8,754
Contractual Services			18,268
Equipment Replacement			6,000
Operating Transfer Charges			30,824
Total		\$	845,382
Total Authorized Full-Time Positions	7		

DEBT SERVICE

Debt Service		\$	45,778,427
Total		\$	45,778,427
Total Authorized Full-Time Positions			

EXHIBIT A5

ETHICS COMMISSION

Salaries and Wages	\$	40,200
Benefits		4,181
Training and Civic Affairs		10,500
Communication and Utilities		1,898
Materials and Supplies		2,450
Contractual Services		235,747
Equipment		500
Operating Transfer Charges		6,360
Total	\$	301,836
Total Authorized Full-Time Positions	0	

COUNCIL CONTINGENCY

Contingency	\$	250,000
Total	\$	250,000
Total Authorized Full-Time Positions		

EXECUTIVE CONTINGENCY

Contingency	\$	600,000
Total	\$	600,000
Total Authorized Full-Time Positions		

PERSONNEL CONTINGENCY

Contingency	\$	455,000
Total	\$	455,000
Total Authorized Full-Time Positions		

ATTRITION CONTINGENCY

Personal Services - Salaries and Wages	\$	(6,164,693)
Personal Services - Employee Benefits	\$	(3,608,135)
Total	\$	(9,772,828)
Total Authorized Full-Time Positions		

ONE-TIME CONTINGENCY

Contingency	\$	478,539
Total	\$	478,539

EXHIBIT A6

NEW CASTLE COUNTY

Salaries and Wages	134,871,235	\$	<u>134,805,777</u>
Benefits	76,085,378		<u>76,047,036</u>
Training and Civic Affairs			697,225
Communication and Utilities			36,618,089
Materials and Supplies			7,468,592
Contractual Services			24,474,017
Equipment			2,623,406
Grants and Fixed Charges			16,196,696
Debt Service			45,778,427
Land and Structures			35,000
Contingency			1,838,539
Operating Transfer Charges			16,501,825
Operating Transfer Credits			(20,760,521)
<i>Sub-Total New Castle County</i>	<i>342,427,908</i>	<i>\$</i>	<i><u>342,324,108</u></i>
<i>Total Authorized Full-Time Positions</i>	<i>1,682</i>		

RESERVE ACCOUNTS ANTICIPATED BALANCES AS OF JUNE 30, 2024

Tax Stabilization Reserve Account	63,193,549	<u>63,297,349</u>
Sewer Rate Stabilization Reserve Account		7,482,353
General Fund Budget Reserve Account		44,592,418
Sewer Fund Budget Reserve Account		18,872,304
<i>Total Reserves:</i>	<i>134,140,624</i>	<i><u>134,244,424</u></i>

EXHIBIT "B"

OPERATING BUDGET COMPONENTS FISCAL YEAR 2025

General Operating Budget	—106,039,101	\$ <u>105,935,301</u>
Local Service Function Budget		135,070,632
Sewer Fund		88,915,956
Street Light Fund		8,496,529
Crossing Guard Fund		3,905,690
Recommended Operating Budget	—342,427,908	\$ <u>342,324,108</u>

Prime Sponsor(s): Mr. Toole
Requested by: County Council
Date of introduction: May 28, 2024

AMENDMENT NO. 3 TO ORDINANCE NO. 24-054

**ADOPT THE ANNUAL OPERATING BUDGET OF NEW CASTLE COUNTY
FOR THE FISCAL YEAR BEGINNING JULY 1, 2024**

1 Section 1. Section 2 to Ordinance No. 24-054 listed as Exhibit "A," entitled
2 "Departmental Operating Budget," consisting of six (6) pages, attached hereto which is
3 dated ~~April 9, 2024~~ May 28, 2024 and made a part hereof, is hereby amended by deleting
4 the matter that is stricken and adding the matter underscored.

5
6 Section 2. Section 3 to Ordinance No. 24-054 listed as Exhibit "B," entitled
7 "Operating Budget Components," consisting of one (1) page, attached hereto which is
8 dated ~~April 9, 2024~~ May 28, 2024 and made a part hereof, is hereby amendment by
9 deleting the matter that is stricken and adding the matter underscored.

10
11 Section 3. This Ordinance shall become effective immediately upon its adoption by
12 County Council and approval by the County Executive, or as otherwise provided by 9 *Del.*
13 *C. § 1156.*

14
15 Section 4. The effective date for the provisions in this Ordinance shall be July 1,
16 2024.

Adopted by Council of
New Castle County on:

Karen Hartley-Nagle
President of Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: Amendment No. 3 to the Fiscal Year 2025 Recommended Annual Operating Budget Ordinance removes all funding totaling \$202,880 (5) Parks positions: (1) Crew Chief I, (2) Motor Equipment Operator I and (2) Maintenance and Construction Workers.

FISCAL NOTE: Amendment No. 3, if adopted, will amend the Fiscal Year 2025 Recommended Annual Operating Budget by decreasing the budget line items of the Department of Public Works as follows:

Character	Amount
Salaries and Wages	\$127,598
Benefits	\$75,282
Total	\$202,880

The revised budget for the Department of Public Works will be \$82,785,016. The revised Fiscal Year 2025 Recommended Annual Operating Budget will be \$342,225,028. The General Fund Tax Stabilization Reserve balance (unaudited) upon passage of this Ordinance will be \$63,396,429.

This amendment has no explicit impact on subsequent fiscal years, as the Operating Budget is legislated annually by County Council.

EXHIBIT "A"
DEPARTMENTAL OPERATING BUDGET

EXHIBIT A1**COUNTY COUNCIL**

Salaries and Wages		\$	2,552,351
Benefits			1,493,866
Training and Civic Affairs			70,388
Communication and Utilities			17,483
Materials and Supplies			62,776
Contractual Services			256,588
Equipment			1,600
Grants and Fixed Charges			440,233
Operating Transfer Charges			175,627
Total		\$	5,070,912
Total Authorized Full-Time Positions	35		

COUNTY EXECUTIVE

Salaries and Wages		\$	2,033,684
Benefits			1,190,296
Training and Civic Affairs			31,904
Communication and Utilities			16,798
Materials and Supplies			22,236
Contractual Services			148,565
Equipment			1,000
Grants and Fixed Charges			43,000
Contingency			55,000
Operating Transfer Charges			105,264
Total		\$	3,647,747
Total Authorized Full-Time Positions	17		

DEPARTMENT OF ADMINISTRATION

Salaries and Wages		\$	12,986,061
Benefits			7,506,461
Training and Civic Affairs			132,825
Communication and Utilities			8,258,220
Materials and Supplies			162,673
Contractual Services			6,855,976
Equipment			392,900
Grants and Fixed Charges			3,932,350
Operating Transfer Charges			1,142,324
Operating Transfer Credits			(12,812,422)
Total		\$	28,557,368
Total Authorized Full-Time Positions	168		

EXHIBIT A2

DEPARTMENT OF PUBLIC WORKS

Salaries and Wages	27,135,440	\$	27,007,842
Benefits	15,765,968		15,690,686
Training and Civic Affairs			45,445
Communication and Utilities			26,068,271
Materials and Supplies			4,565,701
Contractual Services			10,843,698
Equipment			483,333
Grants and Fixed Charges			1,192,757
Land and Structures			35,000
Operating Transfer Charges			4,574,405
Operating Transfer Credits			(7,722,122)
Total	82,987,896	\$	82,785,016
Total Authorized Full-Time Positions	389		

DEPARTMENT OF LAND USE

Salaries and Wages		\$	8,156,971
Benefits			4,742,077
Training and Civic Affairs			66,975
Communication and Utilities			111,242
Materials and Supplies			101,727
Contractual Services			1,447,909
Equipment			44,940
Grants and Fixed Charges			56,500
Operating Transfer Charges			1,061,595
Total		\$	15,789,936
Total Authorized Full-Time Positions	112		

DEPARTMENT OF COMMUNITY SERVICES

Salaries and Wages		\$	12,519,168
Benefits			5,565,327
Training and Civic Affairs			18,560
Communication and Utilities			1,069,498
Materials and Supplies			1,429,039
Contractual Services			2,214,606
Equipment			18,900
Grants and Fixed Charges			3,235,149
Operating Transfer Charges			1,175,272
Operating Transfer Credits			(225,977)
Total		\$	27,019,542
Total Authorized Full-Time Positions	162		

EXHIBIT A3

DEPARTMENT OF PUBLIC SAFETY

Salaries and Wages		\$	71,332,068
Benefits			40,954,368
Training and Civic Affairs			206,456
Communication and Utilities			1,008,304
Materials and Supplies			1,069,526
Contractual Services			2,251,228
Equipment			1,660,283
Grants and Fixed Charges			7,278,357
Operating Transfer Charges			7,843,655
Total		\$	133,604,245
Total Authorized Full-Time Positions	728		

REGISTER OF WILLS

Salaries and Wages		\$	1,159,211
Benefits			660,186
Training and Civic Affairs			34,950
Communication and Utilities			12,209
Materials and Supplies			10,053
Contractual Services			62,715
Equipment			2,800
Operating Transfer Charges			82,214
Total		\$	2,024,338
Total Authorized Full-Time Positions	20		

EXHIBIT A4

RECORDER OF DEEDS

Salaries and Wages		\$	1,256,525
Benefits			723,402
Training and Civic Affairs			40,170
Communication and Utilities			33,689
Materials and Supplies			12,398
Contractual Services			82,718
Equipment			6,150
Grants and Fixed Charges			18,350
Operating Transfer Charges			162,265
Total		\$	2,335,667
Total Authorized Full-Time Positions	23		

SHERIFF

Salaries and Wages		\$	1,380,772
Benefits			804,406
Training and Civic Affairs			29,452
Communication and Utilities			14,993
Materials and Supplies			21,259
Contractual Services			55,999
Equipment			5,000
Operating Transfer Charges			142,020
Total		\$	2,453,901
Total Authorized Full-Time Positions	21		

CLERK OF THE PEACE

Salaries and Wages		\$	483,477
Benefits			282,975
Training and Civic Affairs			9,600
Communication and Utilities			5,484
Materials and Supplies			8,754
Contractual Services			18,268
Equipment Replacement			6,000
Operating Transfer Charges			30,824
Total		\$	845,382
Total Authorized Full-Time Positions	7		

DEBT SERVICE

Debt Service		\$	45,778,427
Total		\$	45,778,427
Total Authorized Full-Time Positions			

EXHIBIT A5

ETHICS COMMISSION

Salaries and Wages	\$	40,200
Benefits		4,181
Training and Civic Affairs		10,500
Communication and Utilities		1,898
Materials and Supplies		2,450
Contractual Services		235,747
Equipment		500
Operating Transfer Charges		6,360
Total	\$	301,836
Total Authorized Full-Time Positions	0	

COUNCIL CONTINGENCY

Contingency	\$	250,000
Total	\$	250,000
Total Authorized Full-Time Positions		

EXECUTIVE CONTINGENCY

Contingency	\$	600,000
Total	\$	600,000
Total Authorized Full-Time Positions		

PERSONNEL CONTINGENCY

Contingency	\$	455,000
Total	\$	455,000
Total Authorized Full-Time Positions		

ATTRITION CONTINGENCY

Personal Services - Salaries and Wages	\$	(6,164,693)
Personal Services - Employee Benefits	\$	(3,608,135)
Total	\$	(9,772,828)
Total Authorized Full-Time Positions		

ONE-TIME CONTINGENCY

Contingency	\$	478,539
Total	\$	478,539

EXHIBIT A6

NEW CASTLE COUNTY

Salaries and Wages	134,871,235	\$	<u>134,743,637</u>
Benefits	76,085,378		<u>76,010,096</u>
Training and Civic Affairs			697,225
Communication and Utilities			36,618,089
Materials and Supplies			7,468,592
Contractual Services			24,474,017
Equipment			2,623,406
Grants and Fixed Charges			16,196,696
Debt Service			45,778,427
Land and Structures			35,000
Contingency			1,838,539
Operating Transfer Charges			16,501,825
Operating Transfer Credits			(20,760,521)
Sub-Total New Castle County	342,427,908	\$	<u>342,225,028</u>
Total Authorized Full-Time Positions	1,682		

RESERVE ACCOUNTS ANTICIPATED BALANCES AS OF JUNE 30, 2024

Tax Stabilization Reserve Account	63,193,549	<u>63,396,429</u>
Sewer Rate Stabilization Reserve Account		7,482,353
General Fund Budget Reserve Account		44,592,418
Sewer Fund Budget Reserve Account		18,872,304
Total Reserves:	134,140,624	<u>134,343,504</u>

EXHIBIT "B"

OPERATING BUDGET COMPONENTS FISCAL YEAR 2025

General Operating Budget	—106,039,101	\$ <u>105,836,221</u>
Local Service Function Budget		135,070,632
Sewer Fund		88,915,956
Street Light Fund		8,496,529
Crossing Guard Fund		3,905,690
Recommended Operating Budget	—342,427,908	\$ <u>342,225,028</u>

Prime Sponsor(s): Mr. Toole
Requested by: County Council
Date of introduction: May 28, 2024

AMENDMENT NO. 4 TO ORDINANCE NO. 24-054

**ADOPT THE ANNUAL OPERATING BUDGET OF NEW CASTLE COUNTY
FOR THE FISCAL YEAR BEGINNING JULY 1, 2024**

1 Section 1. Section 2 to Ordinance No. 24-054 listed as Exhibit "A," entitled
2 "Departmental Operating Budget," consisting of six (6) pages, attached hereto which is
3 dated ~~April 9, 2024~~ May 28, 2024 and made a part hereof, is hereby amended by deleting
4 the matter that is stricken and adding the matter underscored.

5
6 Section 2. Section 3 to Ordinance No. 24-054 listed as Exhibit "B," entitled
7 "Operating Budget Components," consisting of one (1) page, attached hereto which is
8 dated ~~April 9, 2024~~ May 28, 2024 and made a part hereof, is hereby amendment by
9 deleting the matter that is stricken and adding the matter underscored.

10
11 Section 3. This Ordinance shall become effective immediately upon its adoption by
12 County Council and approval by the County Executive, or as otherwise provided by 9 *Del.*
13 *C. § 1156.*

14
15 Section 4. The effective date for the provisions in this Ordinance shall be July 1,
16 2024.

Adopted by Council of
New Castle County on:

Karen Hartley-Nagle
President of Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: Amendment No. 4 to the Fiscal Year 2025 Recommended Annual Operating Budget Ordinance removes all funding totaling \$80,444 for one Hope Center Assistant Manager.

FISCAL NOTE: Amendment No. 4, if adopted, will amend the Fiscal Year 2025 Recommended Annual Operating Budget by decreasing the budget line items of the Department of Community Services as follows:

Character	Amount
Salaries and Wages	\$50,729
Benefits	\$29,715
Total	\$80,444

The revised budget for the Department of Community Services will be \$26,939,098. The revised Fiscal Year 2025 Recommended Annual Operating Budget will be \$342,347,464. The General Fund Tax Stabilization Reserve balance (unaudited) upon passage of this Ordinance will be \$63,273,993.

This amendment has no explicit impact on subsequent fiscal years, as the Operating Budget is legislated annually by County Council.

EXHIBIT "A"
DEPARTMENTAL OPERATING BUDGET

EXHIBIT A1

COUNTY COUNCIL

Salaries and Wages		\$ 2,552,351
Benefits		1,493,866
Training and Civic Affairs		70,388
Communication and Utilities		17,483
Materials and Supplies		62,776
Contractual Services		256,588
Equipment		1,600
Grants and Fixed Charges		440,233
Operating Transfer Charges		175,627
Total		\$ 5,070,912
Total Authorized Full-Time Positions	35	

COUNTY EXECUTIVE

Salaries and Wages		\$ 2,033,684
Benefits		1,190,296
Training and Civic Affairs		31,904
Communication and Utilities		16,798
Materials and Supplies		22,236
Contractual Services		148,565
Equipment		1,000
Grants and Fixed Charges		43,000
Contingency		55,000
Operating Transfer Charges		105,264
Total		\$ 3,647,747
Total Authorized Full-Time Positions	17	

DEPARTMENT OF ADMINISTRATION

Salaries and Wages		\$ 12,986,061
Benefits		7,506,461
Training and Civic Affairs		132,825
Communication and Utilities		8,258,220
Materials and Supplies		162,673
Contractual Services		6,855,976
Equipment		392,900
Grants and Fixed Charges		3,932,350
Operating Transfer Charges		1,142,324
Operating Transfer Credits		(12,812,422)
Total		\$ 28,557,368
Total Authorized Full-Time Positions	168	

EXHIBIT A2

DEPARTMENT OF PUBLIC WORKS

Salaries and Wages		\$	27,135,440
Benefits			15,765,968
Training and Civic Affairs			45,445
Communication and Utilities			26,068,271
Materials and Supplies			4,565,701
Contractual Services			10,843,698
Equipment			483,333
Grants and Fixed Charges			1,192,757
Land and Structures			35,000
Operating Transfer Charges			4,574,405
Operating Transfer Credits			(7,722,122)
Total		\$	82,987,896
Total Authorized Full-Time Positions	389		

DEPARTMENT OF LAND USE

Salaries and Wages		\$	8,156,971
Benefits			4,742,077
Training and Civic Affairs			66,975
Communication and Utilities			111,242
Materials and Supplies			101,727
Contractual Services			1,447,909
Equipment			44,940
Grants and Fixed Charges			56,500
Operating Transfer Charges			1,061,595
Total		\$	15,789,936
Total Authorized Full-Time Positions	112		

DEPARTMENT OF COMMUNITY SERVICES

Salaries and Wages	12,519,168	\$	<u>12,468,439</u>
Benefits	5,565,327		<u>5,535,612</u>
Training and Civic Affairs			18,560
Communication and Utilities			1,069,498
Materials and Supplies			1,429,039
Contractual Services			2,214,606
Equipment			18,900
Grants and Fixed Charges			3,235,149
Operating Transfer Charges			1,175,272
Operating Transfer Credits			(225,977)
Total	<u>27,019,542</u>	\$	<u>26,939,098</u>
Total Authorized Full-Time Positions	162		

EXHIBIT A3

DEPARTMENT OF PUBLIC SAFETY

Salaries and Wages		\$	71,332,068
Benefits			40,954,368
Training and Civic Affairs			206,456
Communication and Utilities			1,008,304
Materials and Supplies			1,069,526
Contractual Services			2,251,228
Equipment			1,660,283
Grants and Fixed Charges			7,278,357
Operating Transfer Charges			7,843,655
Total		\$	133,604,245
Total Authorized Full-Time Positions	728		

REGISTER OF WILLS

Salaries and Wages		\$	1,159,211
Benefits			660,186
Training and Civic Affairs			34,950
Communication and Utilities			12,209
Materials and Supplies			10,053
Contractual Services			62,715
Equipment			2,800
Operating Transfer Charges			82,214
Total		\$	2,024,338
Total Authorized Full-Time Positions	20		

EXHIBIT A4

RECORDER OF DEEDS

Salaries and Wages		\$	1,256,525
Benefits			723,402
Training and Civic Affairs			40,170
Communication and Utilities			33,689
Materials and Supplies			12,398
Contractual Services			82,718
Equipment			6,150
Grants and Fixed Charges			18,350
Operating Transfer Charges			162,265
Total		\$	2,335,667
Total Authorized Full-Time Positions	23		

SHERIFF

Salaries and Wages		\$	1,380,772
Benefits			804,406
Training and Civic Affairs			29,452
Communication and Utilities			14,993
Materials and Supplies			21,259
Contractual Services			55,999
Equipment			5,000
Operating Transfer Charges			142,020
Total		\$	2,453,901
Total Authorized Full-Time Positions	21		

CLERK OF THE PEACE

Salaries and Wages		\$	483,477
Benefits			282,975
Training and Civic Affairs			9,600
Communication and Utilities			5,484
Materials and Supplies			8,754
Contractual Services			18,268
Equipment Replacement			6,000
Operating Transfer Charges			30,824
Total		\$	845,382
Total Authorized Full-Time Positions	7		

DEBT SERVICE

Debt Service		\$	45,778,427
Total		\$	45,778,427
Total Authorized Full-Time Positions			

EXHIBIT A5

ETHICS COMMISSION

Salaries and Wages	\$	40,200
Benefits		4,181
Training and Civic Affairs		10,500
Communication and Utilities		1,898
Materials and Supplies		2,450
Contractual Services		235,747
Equipment		500
Operating Transfer Charges		6,360
Total	\$	301,836
Total Authorized Full-Time Positions	0	

COUNCIL CONTINGENCY

Contingency	\$	250,000
Total	\$	250,000
Total Authorized Full-Time Positions		

EXECUTIVE CONTINGENCY

Contingency	\$	600,000
Total	\$	600,000
Total Authorized Full-Time Positions		

PERSONNEL CONTINGENCY

Contingency	\$	455,000
Total	\$	455,000
Total Authorized Full-Time Positions		

ATTRITION CONTINGENCY

Personal Services - Salaries and Wages	\$	(6,164,693)
Personal Services - Employee Benefits	\$	(3,608,135)
Total	\$	(9,772,828)
Total Authorized Full-Time Positions		

ONE-TIME CONTINGENCY

Contingency	\$	478,539
Total	\$	478,539

EXHIBIT A6

NEW CASTLE COUNTY

Salaries and Wages	134,871,235	\$	<u>134,820,506</u>
Benefits	76,085,378		<u>76,055,663</u>
Training and Civic Affairs			697,225
Communication and Utilities			36,618,089
Materials and Supplies			7,468,592
Contractual Services			24,474,017
Equipment			2,623,406
Grants and Fixed Charges			16,196,696
Debt Service			45,778,427
Land and Structures			35,000
Contingency			1,838,539
Operating Transfer Charges			16,501,825
Operating Transfer Credits			(20,760,521)
<i>Sub-Total New Castle County</i>	<i>342,427,908</i>	<i>\$</i>	<i><u>342,347,464</u></i>
<i>Total Authorized Full-Time Positions</i>	<i>1,682</i>		

RESERVE ACCOUNTS ANTICIPATED BALANCES AS OF JUNE 30, 2024

Tax Stabilization Reserve Account	63,193,549	<u>63,273,993</u>
Sewer Rate Stabilization Reserve Account		7,482,353
General Fund Budget Reserve Account		44,592,418
Sewer Fund Budget Reserve Account		18,872,304
<i>Total Reserves:</i>	<i>134,140,624</i>	<i><u>134,221,068</u></i>

EXHIBIT "B"

OPERATING BUDGET COMPONENTS FISCAL YEAR 2025

General Operating Budget	—106,039,101	\$ <u>105,958,657</u>
Local Service Function Budget		135,070,632
Sewer Fund		88,915,956
Street Light Fund		8,496,529
Crossing Guard Fund		3,905,690
Recommended Operating Budget	—342,427,908	\$ <u>342,347,464</u>

AMENDMENT NO. 5 TO ORDINANCE NO. 24-054

**ADOPT THE ANNUAL OPERATING BUDGET OF NEW CASTLE COUNTY
FOR THE FISCAL YEAR BEGINNING JULY 1, 2024**

1 Section 1. Section 2 to Ordinance No. 24-054 listed as Exhibit "A," entitled
2 "Departmental Operating Budget," consisting of six (6) pages, attached hereto which is
3 dated ~~April 9, 2024~~ May 28, 2024 and made a part hereof, is hereby amended by deleting
4 the matter that is stricken and adding the matter underscored.

5
6 Section 2. Section 3 to Ordinance No. 24-054 listed as Exhibit "B," entitled
7 "Operating Budget Components," consisting of one (1) page, attached hereto which is
8 dated ~~April 9, 2024~~ May 28, 2024 and made a part hereof, is hereby amendment by
9 deleting the matter that is stricken and adding the matter underscored.

10
11 Section 3. This Ordinance shall become effective immediately upon its adoption by
12 County Council and approval by the County Executive, or as otherwise provided by 9 *Del.*
13 *C. § 1156.*

14
15 Section 4. The effective date for the provisions in this Ordinance shall be July 1,
16 2024.

Adopted by Council of
New Castle County on:

Karen Hartley-Nagle
President of Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: Amendment No. 5 to the Fiscal Year 2025 Recommended Annual Operating Budget Ordinance removes all funding totaling \$60,379 for one Reader's Café Chef.

FISCAL NOTE: Amendment No. 5, if adopted, will amend the Fiscal Year 2025 Recommended Annual Operating Budget by decreasing the budget line items of the Department of Community Services as follows:

Character	Amount
Salaries and Wages	\$38,076
Benefits	\$22,303
Total	\$60,379

The revised budget for the Department of Community Services will be \$26,959,163. The revised Fiscal Year 2025 Recommended Annual Operating Budget will be \$342,367,529. The General Fund Tax Stabilization Reserve balance (unaudited) upon passage of this Ordinance will be \$63,253,928.

This amendment has no explicit impact on subsequent fiscal years, as the Operating Budget is legislated annually by County Council.

EXHIBIT "A"
DEPARTMENTAL OPERATING BUDGET

EXHIBIT A1

COUNTY COUNCIL

Salaries and Wages		\$	2,552,351
Benefits			1,493,866
Training and Civic Affairs			70,388
Communication and Utilities			17,483
Materials and Supplies			62,776
Contractual Services			256,588
Equipment			1,600
Grants and Fixed Charges			440,233
Operating Transfer Charges			175,627
Total		\$	5,070,912
Total Authorized Full-Time Positions	35		

COUNTY EXECUTIVE

Salaries and Wages		\$	2,033,684
Benefits			1,190,296
Training and Civic Affairs			31,904
Communication and Utilities			16,798
Materials and Supplies			22,236
Contractual Services			148,565
Equipment			1,000
Grants and Fixed Charges			43,000
Contingency			55,000
Operating Transfer Charges			105,264
Total		\$	3,647,747
Total Authorized Full-Time Positions	17		

DEPARTMENT OF ADMINISTRATION

Salaries and Wages		\$	12,986,061
Benefits			7,506,461
Training and Civic Affairs			132,825
Communication and Utilities			8,258,220
Materials and Supplies			162,673
Contractual Services			6,855,976
Equipment			392,900
Grants and Fixed Charges			3,932,350
Operating Transfer Charges			1,142,324
Operating Transfer Credits			(12,812,422)
Total		\$	28,557,368
Total Authorized Full-Time Positions	168		

EXHIBIT A2

DEPARTMENT OF PUBLIC WORKS

Salaries and Wages		\$	27,135,440
Benefits			15,765,968
Training and Civic Affairs			45,445
Communication and Utilities			26,068,271
Materials and Supplies			4,565,701
Contractual Services			10,843,698
Equipment			483,333
Grants and Fixed Charges			1,192,757
Land and Structures			35,000
Operating Transfer Charges			4,574,405
Operating Transfer Credits			(7,722,122)
Total		\$	82,987,896
Total Authorized Full-Time Positions	389		

DEPARTMENT OF LAND USE

Salaries and Wages		\$	8,156,971
Benefits			4,742,077
Training and Civic Affairs			66,975
Communication and Utilities			111,242
Materials and Supplies			101,727
Contractual Services			1,447,909
Equipment			44,940
Grants and Fixed Charges			56,500
Operating Transfer Charges			1,061,595
Total		\$	15,789,936
Total Authorized Full-Time Positions	112		

DEPARTMENT OF COMMUNITY SERVICES

Salaries and Wages	12,519,168	\$	12,481,092
Benefits	5,565,327		5,543,024
Training and Civic Affairs			18,560
Communication and Utilities			1,069,498
Materials and Supplies			1,429,039
Contractual Services			2,214,606
Equipment			18,900
Grants and Fixed Charges			3,235,149
Operating Transfer Charges			1,175,272
Operating Transfer Credits			(225,977)
Total	27,019,542	\$	<u>26,959,163</u>
Total Authorized Full-Time Positions	162		

EXHIBIT A3

DEPARTMENT OF PUBLIC SAFETY

Salaries and Wages		\$	71,332,068
Benefits			40,954,368
Training and Civic Affairs			206,456
Communication and Utilities			1,008,304
Materials and Supplies			1,069,526
Contractual Services			2,251,228
Equipment			1,660,283
Grants and Fixed Charges			7,278,357
Operating Transfer Charges			7,843,655
Total		\$	133,604,245
Total Authorized Full-Time Positions	728		

REGISTER OF WILLS

Salaries and Wages		\$	1,159,211
Benefits			660,186
Training and Civic Affairs			34,950
Communication and Utilities			12,209
Materials and Supplies			10,053
Contractual Services			62,715
Equipment			2,800
Operating Transfer Charges			82,214
Total		\$	2,024,338
Total Authorized Full-Time Positions	20		

EXHIBIT A4

RECORDER OF DEEDS

Salaries and Wages		\$	1,256,525
Benefits			723,402
Training and Civic Affairs			40,170
Communication and Utilities			33,689
Materials and Supplies			12,398
Contractual Services			82,718
Equipment			6,150
Grants and Fixed Charges			18,350
Operating Transfer Charges			162,265
Total		\$	2,335,667
Total Authorized Full-Time Positions	23		

SHERIFF

Salaries and Wages		\$	1,380,772
Benefits			804,406
Training and Civic Affairs			29,452
Communication and Utilities			14,993
Materials and Supplies			21,259
Contractual Services			55,999
Equipment			5,000
Operating Transfer Charges			142,020
Total		\$	2,453,901
Total Authorized Full-Time Positions	21		

CLERK OF THE PEACE

Salaries and Wages		\$	483,477
Benefits			282,975
Training and Civic Affairs			9,600
Communication and Utilities			5,484
Materials and Supplies			8,754
Contractual Services			18,268
Equipment Replacement			6,000
Operating Transfer Charges			30,824
Total		\$	845,382
Total Authorized Full-Time Positions	7		

DEBT SERVICE

Debt Service		\$	45,778,427
Total		\$	45,778,427
Total Authorized Full-Time Positions			

EXHIBIT A5

ETHICS COMMISSION

Salaries and Wages	\$	40,200
Benefits		4,181
Training and Civic Affairs		10,500
Communication and Utilities		1,898
Materials and Supplies		2,450
Contractual Services		235,747
Equipment		500
Operating Transfer Charges		6,360
Total	\$	301,836
Total Authorized Full-Time Positions		0

COUNCIL CONTINGENCY

Contingency	\$	250,000
Total	\$	250,000
Total Authorized Full-Time Positions		

EXECUTIVE CONTINGENCY

Contingency	\$	600,000
Total	\$	600,000
Total Authorized Full-Time Positions		

PERSONNEL CONTINGENCY

Contingency	\$	455,000
Total	\$	455,000
Total Authorized Full-Time Positions		

ATTRITION CONTINGENCY

Personal Services - Salaries and Wages	\$	(6,164,693)
Personal Services - Employee Benefits	\$	(3,608,135)
Total	\$	(9,772,828)
Total Authorized Full-Time Positions		

ONE-TIME CONTINGENCY

Contingency	\$	478,539
Total	\$	478,539

EXHIBIT A6

NEW CASTLE COUNTY

Salaries and Wages	134,871,235	\$	<u>134,833,159</u>
Benefits	76,085,378		<u>76,063,075</u>
Training and Civic Affairs			697,225
Communication and Utilities			36,618,089
Materials and Supplies			7,468,592
Contractual Services			24,474,017
Equipment			2,623,406
Grants and Fixed Charges			16,196,696
Debt Service			45,778,427
Land and Structures			35,000
Contingency			1,838,539
Operating Transfer Charges			16,501,825
Operating Transfer Credits			(20,760,521)
<i>Sub-Total New Castle County</i>	342,427,908	\$	<u>342,367,529</u>
<i>Total Authorized Full-Time Positions</i>	1,682		

RESERVE ACCOUNTS ANTICIPATED BALANCES AS OF JUNE 30, 2024

Tax Stabilization Reserve Account	63,193,549	<u>63,253,928</u>
Sewer Rate Stabilization Reserve Account		7,482,353
General Fund Budget Reserve Account		44,592,418
Sewer Fund Budget Reserve Account		18,872,304
<i>Total Reserves:</i>	134,140,624	<u>134,201,003</u>

EXHIBIT "B"

OPERATING BUDGET COMPONENTS FISCAL YEAR 2025

General Operating Budget	—106,039,101	\$ <u>105,978,722</u>
Local Service Function Budget		135,070,632
Sewer Fund		88,915,956
Street Light Fund		8,496,529
Crossing Guard Fund		3,905,690
Recommended Operating Budget	—342,427,908	\$ <u>342,367,529</u>

AMENDMENT NO. 6 TO ORDINANCE NO. 24-054

**ADOPT THE ANNUAL OPERATING BUDGET OF NEW CASTLE COUNTY
FOR THE FISCAL YEAR BEGINNING JULY 1, 2024**

1 Section 1. Section 2 to Ordinance No. 24-054 listed as Exhibit "A," entitled
2 "Departmental Operating Budget," consisting of six (6) pages, attached hereto which is
3 dated ~~April 9, 2024~~ May 28, 2024 and made a part hereof, is hereby amended by deleting
4 the matter that is stricken and adding the matter underscored.
5

6 Section 2. Section 3 to Ordinance No. 24-054 listed as Exhibit "B," entitled
7 "Operating Budget Components," consisting of one (1) page, attached hereto which is
8 dated ~~April 9, 2024~~ May 28, 2024 and made a part hereof, is hereby amendment by
9 deleting the matter that is stricken and adding the matter underscored.
10

11 Section 3. This Ordinance shall become effective immediately upon its adoption by
12 County Council and approval by the County Executive, or as otherwise provided by 9 *Del.*
13 *C. § 1156.*
14

15 Section 4. The effective date for the provisions in this Ordinance shall be July 1,
16 2024.

Adopted by Council of
New Castle County on:

Karen Hartley-Nagle
President of Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: Amendment No. 6 to the Fiscal Year 2025 Recommended Annual Operating Budget Ordinance reduces the Ethics Commission Contractual Services Budget Line Item by \$32,785.

FISCAL NOTE: Amendment No. 6, if adopted, will amend the Fiscal Year 2025 Recommended Annual Operating Budget by decreasing the budget line items of the Ethics Commission as follows:

Character	Amount
Contractual Services	\$32,785
Total	\$32,785

The revised budget for the Ethics Commission will be \$269,051. The revised Fiscal Year 2025 Recommended Annual Operating Budget will be \$342,395.123. The General Fund Tax Stabilization Reserve balance (unaudited) upon passage of this Ordinance will be \$63,226,334.

This amendment has no explicit impact on subsequent fiscal years, as the Operating Budget is legislated annually by County Council.

EXHIBIT "A"
DEPARTMENTAL OPERATING BUDGET

EXHIBIT A1

COUNTY COUNCIL

Salaries and Wages		\$	2,552,351
Benefits			1,493,866
Training and Civic Affairs			70,388
Communication and Utilities			17,483
Materials and Supplies			62,776
Contractual Services			256,588
Equipment			1,600
Grants and Fixed Charges			440,233
Operating Transfer Charges			175,627
Total		\$	5,070,912
Total Authorized Full-Time Positions	35		

COUNTY EXECUTIVE

Salaries and Wages		\$	2,033,684
Benefits			1,190,296
Training and Civic Affairs			31,904
Communication and Utilities			16,798
Materials and Supplies			22,236
Contractual Services			148,565
Equipment			1,000
Grants and Fixed Charges			43,000
Contingency			55,000
Operating Transfer Charges			105,264
Total		\$	3,647,747
Total Authorized Full-Time Positions	17		

DEPARTMENT OF ADMINISTRATION

Salaries and Wages		\$	12,986,061
Benefits			7,506,461
Training and Civic Affairs			132,825
Communication and Utilities			8,258,220
Materials and Supplies			162,673
Contractual Services			6,855,976
Equipment			392,900
Grants and Fixed Charges			3,932,350
Operating Transfer Charges			1,142,324
Operating Transfer Credits			(12,812,422)
Total		\$	28,557,368
Total Authorized Full-Time Positions	168		

EXHIBIT A2

DEPARTMENT OF PUBLIC WORKS

Salaries and Wages		\$	27,135,440
Benefits			15,765,968
Training and Civic Affairs			45,445
Communication and Utilities			26,068,271
Materials and Supplies			4,565,701
Contractual Services			10,843,698
Equipment			483,333
Grants and Fixed Charges			1,192,757
Land and Structures			35,000
Operating Transfer Charges			4,574,405
Operating Transfer Credits			(7,722,122)
Total		\$	82,987,896
Total Authorized Full-Time Positions	389		

DEPARTMENT OF LAND USE

Salaries and Wages		\$	8,156,971
Benefits			4,742,077
Training and Civic Affairs			66,975
Communication and Utilities			111,242
Materials and Supplies			101,727
Contractual Services			1,447,909
Equipment			44,940
Grants and Fixed Charges			56,500
Operating Transfer Charges			1,061,595
Total		\$	15,789,936
Total Authorized Full-Time Positions	112		

DEPARTMENT OF COMMUNITY SERVICES

Salaries and Wages		\$	12,519,168
Benefits			5,565,327
Training and Civic Affairs			18,560
Communication and Utilities			1,069,498
Materials and Supplies			1,429,039
Contractual Services			2,214,606
Equipment			18,900
Grants and Fixed Charges			3,235,149
Operating Transfer Charges			1,175,272
Operating Transfer Credits			(225,977)
Total		\$	27,019,542
Total Authorized Full-Time Positions	162		

EXHIBIT A3

DEPARTMENT OF PUBLIC SAFETY

Salaries and Wages		\$	71,332,068
Benefits			40,954,368
Training and Civic Affairs			206,456
Communication and Utilities			1,008,304
Materials and Supplies			1,069,526
Contractual Services			2,251,228
Equipment			1,660,283
Grants and Fixed Charges			7,278,357
Operating Transfer Charges			7,843,655
Total		\$	133,604,245
Total Authorized Full-Time Positions	728		

REGISTER OF WILLS

Salaries and Wages		\$	1,159,211
Benefits			660,186
Training and Civic Affairs			34,950
Communication and Utilities			12,209
Materials and Supplies			10,053
Contractual Services			62,715
Equipment			2,800
Operating Transfer Charges			82,214
Total		\$	2,024,338
Total Authorized Full-Time Positions	20		

EXHIBIT A4

RECORDER OF DEEDS

Salaries and Wages		\$	1,256,525
Benefits			723,402
Training and Civic Affairs			40,170
Communication and Utilities			33,689
Materials and Supplies			12,398
Contractual Services			82,718
Equipment			6,150
Grants and Fixed Charges			18,350
Operating Transfer Charges			162,265
Total		\$	2,335,667
Total Authorized Full-Time Positions	23		

SHERIFF

Salaries and Wages		\$	1,380,772
Benefits			804,406
Training and Civic Affairs			29,452
Communication and Utilities			14,993
Materials and Supplies			21,259
Contractual Services			55,999
Equipment			5,000
Operating Transfer Charges			142,020
Total		\$	2,453,901
Total Authorized Full-Time Positions	21		

CLERK OF THE PEACE

Salaries and Wages		\$	483,477
Benefits			282,975
Training and Civic Affairs			9,600
Communication and Utilities			5,484
Materials and Supplies			8,754
Contractual Services			18,268
Equipment Replacement			6,000
Operating Transfer Charges			30,824
Total		\$	845,382
Total Authorized Full-Time Positions	7		

DEBT SERVICE

Debt Service		\$	45,778,427
Total		\$	45,778,427
Total Authorized Full-Time Positions			

EXHIBIT A5

ETHICS COMMISSION

Salaries and Wages		\$	40,200
Benefits			4,181
Training and Civic Affairs			10,500
Communication and Utilities			1,898
Materials and Supplies			2,450
Contractual Services	<u>235,747</u>		<u>202,962</u>
Equipment			500
Operating Transfer Charges			6,360
Total	<u>301,836</u>	\$	<u>269,051</u>
Total Authorized Full-Time Positions	0		

COUNCIL CONTINGENCY

Contingency		\$	250,000
Total		\$	250,000
Total Authorized Full-Time Positions			

EXECUTIVE CONTINGENCY

Contingency		\$	600,000
Total		\$	600,000
Total Authorized Full-Time Positions			

PERSONNEL CONTINGENCY

Contingency		\$	455,000
Total		\$	455,000
Total Authorized Full-Time Positions			

ATTRITION CONTINGENCY

Personal Services - Salaries and Wages		\$	(6,164,693)
Personal Services - Employee Benefits		\$	(3,608,135)
Total		\$	(9,772,828)
Total Authorized Full-Time Positions			

ONE-TIME CONTINGENCY

Contingency		\$	478,539
Total		\$	478,539

EXHIBIT A6

NEW CASTLE COUNTY

Salaries and Wages		\$	134,871,235
Benefits			76,085,378
Training and Civic Affairs			697,225
Communication and Utilities			36,618,089
Materials and Supplies			7,468,592
Contractual Services	24,474,017		<u>24,441,232</u>
Equipment			2,623,406
Grants and Fixed Charges			16,196,696
Debt Service			45,778,427
Land and Structures			35,000
Contingency			1,838,539
Operating Transfer Charges			16,501,825
Operating Transfer Credits			(20,760,521)
Sub-Total New Castle County	342,427,908	\$	<u>342,395,123</u>
Total Authorized Full-Time Positions	1,682		

RESERVE ACCOUNTS ANTICIPATED BALANCES AS OF JUNE 30, 2024

Tax Stabilization Reserve Account	63,193,549		<u>63,226,334</u>
Sewer Rate Stabilization Reserve Account			7,482,353
General Fund Budget Reserve Account			44,592,418
Sewer Fund Budget Reserve Account			18,872,304
Total Reserves:	134,140,624		<u>134,173,409</u>

EXHIBIT "B"

**OPERATING BUDGET COMPONENTS
FISCAL YEAR 2025**

General Operating Budget	—106,039,101	\$ <u>106,006,316</u>
Local Service Function Budget		135,070,632
Sewer Fund		88,915,956
Street Light Fund		8,496,529
Crossing Guard Fund		3,905,690
Recommended Operating Budget	—342,427,908	\$ <u>342,395,123</u>

EXHIBIT A1

COUNTY COUNCIL

Salaries and Wages	\$	2,552,351
Benefits		1,493,866
Training and Civic Affairs		70,388
Communication and Utilities		17,483
Materials and Supplies		62,776
Contractual Services		256,588
Equipment		1,600
Grants and Fixed Charges		440,233
Operating Transfer Charges		175,627
Total	\$	5,070,912
Total Authorized Full-Time Positions	35	

COUNTY EXECUTIVE

Salaries and Wages	\$	2,033,684
Benefits		1,190,296
Training and Civic Affairs		31,904
Communication and Utilities		16,798
Materials and Supplies		22,236
Contractual Services		148,565
Equipment		1,000
Grants and Fixed Charges		43,000
Contingency		55,000
Operating Transfer Charges		105,264
Total	\$	3,647,747
Total Authorized Full-Time Positions	17	

DEPARTMENT OF ADMINISTRATION

Salaries and Wages	\$	12,986,061
Benefits		7,506,461
Training and Civic Affairs		132,825
Communication and Utilities		8,258,220
Materials and Supplies		162,673
Contractual Services		6,855,976
Equipment		392,900
Grants and Fixed Charges		3,932,350
Operating Transfer Charges		1,142,324
Operating Transfer Credits		(12,812,422)
Total	\$	28,557,368
Total Authorized Full-Time Positions	168	

EXHIBIT A2

DEPARTMENT OF PUBLIC WORKS

Salaries and Wages	\$	27,135,440
Benefits		15,765,968
Training and Civic Affairs		45,445
Communication and Utilities		26,068,271
Materials and Supplies		4,565,701
Contractual Services		10,843,698
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Land and Structures		35,000
Operating Transfer Charges		4,574,405
Operating Transfer Credits		(7,722,122)
Total	\$	82,987,896
Total Authorized Full-Time Positions		389

DEPARTMENT OF LAND USE

Salaries and Wages	\$	8,156,971
Benefits		4,742,077
Training and Civic Affairs		66,975
Communication and Utilities		111,242
Materials and Supplies		101,727
Contractual Services		1,447,909
Equipment		44,940
Grants and Fixed Charges		56,500
Operating Transfer Charges		1,061,595
Total	\$	15,789,936
Total Authorized Full-Time Positions		112

DEPARTMENT OF COMMUNITY SERVICES

Salaries and Wages	\$	12,519,168
Benefits		5,565,327
Training and Civic Affairs		18,560
Communication and Utilities		1,069,498
Materials and Supplies		1,429,039
Contractual Services		2,214,606
Equipment		18,900
Grants and Fixed Charges		3,235,149
Operating Transfer Charges		1,175,272
Operating Transfer Credits		(225,977)
Total	\$	27,019,542
Total Authorized Full-Time Positions		162

EXHIBIT A3

DEPARTMENT OF PUBLIC SAFETY

Salaries and Wages		\$	71,332,068
Benefits			40,954,368
Training and Civic Affairs			206,456
Communication and Utilities			1,008,304
Materials and Supplies			1,069,526
Contractual Services			2,251,228
Equipment			1,660,283
Grants and Fixed Charges	7,278,357		14,028,357
Operating Transfer Charges			7,843,655
Total	133,604,245	\$	<u>140,354,245</u>
Total Authorized Full-Time Positions	728		

REGISTER OF WILLS

Salaries and Wages		\$	1,159,211
Benefits			660,186
Training and Civic Affairs			34,950
Communication and Utilities			12,209
Materials and Supplies			10,053
Contractual Services			62,715
Equipment			2,800
Operating Transfer Charges			82,214
Total		\$	<u>2,024,338</u>
Total Authorized Full-Time Positions	20		

EXHIBIT A4

RECORDER OF DEEDS

Salaries and Wages	\$	1,256,525
Benefits		723,402
Training and Civic Affairs		40,170
Communication and Utilities		33,689
Materials and Supplies		12,398
Contractual Services		82,718
Equipment		6,150
Grants and Fixed Charges		18,350
Operating Transfer Charges		162,265
Total	\$	2,335,667
Total Authorized Full-Time Positions	23	

SHERIFF

Salaries and Wages	\$	1,380,772
Benefits		804,406
Training and Civic Affairs		29,452
Communication and Utilities		14,993
Materials and Supplies		21,259
Contractual Services		55,999
Equipment		5,000
Operating Transfer Charges		142,020
Total	\$	2,453,901
Total Authorized Full-Time Positions	21	

CLERK OF THE PEACE

Salaries and Wages	\$	483,477
Benefits		282,975
Training and Civic Affairs		9,600
Communication and Utilities		5,484
Materials and Supplies		8,754
Contractual Services		18,268
Equipment Replacement		6,000
Operating Transfer Charges		30,824
Total	\$	845,382
Total Authorized Full-Time Positions	7	

DEBT SERVICE

Debt Service	\$	45,778,427
Total	\$	45,778,427
Total Authorized Full-Time Positions		

EXHIBIT A5

ETHICS COMMISSION

Salaries and Wages	\$	40,200
Benefits		4,181
Training and Civic Affairs		10,500
Communication and Utilities		1,898
Materials and Supplies		2,450
Contractual Services		235,747
Equipment		500
Operating Transfer Charges		6,360
Total	\$	301,836
Total Authorized Full-Time Positions	0	

COUNCIL CONTINGENCY

Contingency	\$	250,000
Total	\$	250,000
Total Authorized Full-Time Positions		

EXECUTIVE CONTINGENCY

Contingency	\$	600,000
Total	\$	600,000
Total Authorized Full-Time Positions		

PERSONNEL CONTINGENCY

Contingency	\$	455,000
Total	\$	455,000
Total Authorized Full-Time Positions		

ATTRITION CONTINGENCY

Personal Services - Salaries and Wages	\$	(6,164,693)
Personal Services - Employee Benefits	\$	(3,608,135)
Total	\$	(9,772,828)
Total Authorized Full-Time Positions		

ONE-TIME CONTINGENCY

Contingency	\$	478,539
Total	\$	478,539

EXHIBIT A6

NEW CASTLE COUNTY

Salaries and Wages		\$	134,871,235
Benefits			76,085,378
Training and Civic Affairs			697,225
Communication and Utilities			36,618,089
Materials and Supplies			7,468,592
Contractual Services			24,474,017
Equipment			2,623,406
Grants and Fixed Charges	16,196,696		<u>22,946,696</u>
Debt Service			45,778,427
Land and Structures			35,000
Contingency			1,838,539
Operating Transfer Charges			16,501,825
Operating Transfer Credits			(20,760,521)
Sub-Total New Castle County	342,427,908	\$	<u>349,177,908</u>
Total Authorized Full-Time Positions	1,682		

RESERVE ACCOUNTS ANTICIPATED BALANCES AS OF JUNE 30, 2024

Tax Stabilization Reserve Account	63,193,549		<u>56,443,549</u>
Sewer Rate Stabilization Reserve Account			7,482,353
General Fund Budget Reserve Account			44,592,418
Sewer Fund Budget Reserve Account			18,872,304
Total Reserves:	134,140,624		<u>127,390,624</u>

EXHIBIT "B"

**OPERATING BUDGET COMPONENTS
FISCAL YEAR 2025**

General Operating Budget		\$	106,039,101
Local Service Function Budget	—135,070,632		<u>141,820,632</u>
Sewer Fund			88,915,956
Street Light Fund			8,496,529
Crossing Guard Fund			3,905,690
Recommended Operating Budget	—342,427,908	\$	<u>349,177,908</u>

AMENDMENT NO. 7 TO ORDINANCE NO. 24-054

**ADOPT THE ANNUAL OPERATING BUDGET OF NEW CASTLE COUNTY
FOR THE FISCAL YEAR BEGINNING JULY 1, 2024**

1 **WHEREAS**, New Castle County wishes to increase the appropriation to the Department
2 of Public Safety Grants and Fixed Charges Budget Line Item reflected in the proposed FY2025
3 Operating Budget in the amount of an *additional* \$6,750,000 (in addition to the *original*
4 recommendation of \$5,218,054), a *combined amount* of \$11,968,054 in total, and \$100,000 for
5 county-wide Special Operations. The additional appropriation of \$6,750,000 shall come from the
6 General Fund Tax Stabilization Reserve Account to the Department of Public Safety Grants and
7 Fixed Charges Budget Line.

8
9 Accordingly, Ordinance No. 24-054, the proposed FY2025 Annual Operating Budget for
10 the fiscal year beginning July 1, 2024, is hereby amended as indicated above and as more
11 specifically identified on Exhibit A hereto by adding the material that is underlined and by deleting
12 the material with strikethroughs as reflected on Exhibit A.

13
14 Section 1. Section 2 to Ordinance No. 24-054 listed as Exhibit "A," entitled "Departmental
15 Operating Budget," consisting of six (6) pages, attached hereto which is dated ~~April 9, 2024~~ May
16 28, 2024 and made a part hereof, is hereby amended by deleting the matter that is stricken and
17 adding the matter underscored.

18
19 Section 2. Section 3 to Ordinance No. 24-054 listed as Exhibit "B," entitled "Operating
20 Budget Components," consisting of one (1) page, attached hereto which is dated ~~April 9, 2024~~
21 May 28, 2024 and made a part hereof, is hereby amendment by deleting the matter that is
22 stricken and adding the matter underscored.

23
24 Section 3. This Ordinance shall become effective immediately upon its adoption by
25 County Council and approval by the County Executive, or as otherwise provided by 9 Del. C. §
26 1156.

27
28 Section 4. The effective date for the provisions in this Ordinance shall be July 1, 2024.

Adopted by Council of
New Castle County on:

Karen Hartley-Nagle
President of Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: Amendment No. 7 to the Fiscal Year 2025 Recommended Annual Operating Budget Ordinance increases the Department of Public Safety, Grants to Fire Companies Grants and Fixed Charges Budget Line Item by \$6,750,000.

FISCAL NOTE: Amendment No. 7, if adopted, will amend the Fiscal Year 2025 Recommended Annual Operating Budget by increasing the budget line item of the Department of Public Safety, Grants to Fire Companies as follows:

Character	Amount
Grants and Fixed Charges	\$6,750,000
Total	\$6,750,000

The revised budget for the Department of Public Safety will be \$140,354,245. The revised Fiscal Year 2025 Recommended Annual Operating Budget will be \$349,177,908. The General Fund Tax Stabilization Reserve balance (unaudited) upon passage of this Ordinance will be \$56,443,549.

This amendment has no explicit impact on subsequent fiscal years, as the Operating Budget is legislated annually by County Council.

EXHIBIT A1

COUNTY COUNCIL

Salaries and Wages	\$	2,552,351
Benefits		1,493,866
Training and Civic Affairs		70,388
Communication and Utilities		17,483
Materials and Supplies		62,776
Contractual Services		256,588
Equipment		1,600
Grants and Fixed Charges		440,233
Operating Transfer Charges		175,627
Total	\$	5,070,912
Total Authorized Full-Time Positions	35	

COUNTY EXECUTIVE

Salaries and Wages	\$	2,033,684
Benefits		1,190,296
Training and Civic Affairs		31,904
Communication and Utilities		16,798
Materials and Supplies		22,236
Contractual Services		148,565
Equipment		1,000
Grants and Fixed Charges		43,000
Contingency		55,000
Operating Transfer Charges		105,264
Total	\$	3,647,747
Total Authorized Full-Time Positions	17	

DEPARTMENT OF ADMINISTRATION

Salaries and Wages	\$	12,986,061
Benefits		7,506,461
Training and Civic Affairs		132,825
Communication and Utilities		8,258,220
Materials and Supplies		162,673
Contractual Services		6,855,976
Equipment		392,900
Grants and Fixed Charges		3,932,350
Operating Transfer Charges		1,142,324
Operating Transfer Credits		(12,812,422)
Total	\$	28,557,368
Total Authorized Full-Time Positions	168	

EXHIBIT A2

DEPARTMENT OF PUBLIC WORKS

Salaries and Wages	\$	27,135,440
Benefits		15,765,968
Training and Civic Affairs		45,445
Communication and Utilities		26,068,271
Materials and Supplies		4,565,701
Contractual Services		10,843,698
Equipment		483,333
Grants and Fixed Charges		1,192,757
Land and Structures		35,000
Operating Transfer Charges		4,574,405
Operating Transfer Credits		(7,722,122)
Total	\$	82,987,896
Total Authorized Full-Time Positions		389

DEPARTMENT OF LAND USE

Salaries and Wages	\$	8,156,971
Benefits		4,742,077
Training and Civic Affairs		66,975
Communication and Utilities		111,242
Materials and Supplies		101,727
Contractual Services		1,447,909
Equipment		44,940
Grants and Fixed Charges		56,500
Operating Transfer Charges		1,061,595
Total	\$	15,789,936
Total Authorized Full-Time Positions		112

DEPARTMENT OF COMMUNITY SERVICES

Salaries and Wages	\$	12,519,168
Benefits		5,565,327
Training and Civic Affairs		18,560
Communication and Utilities		1,069,498
Materials and Supplies		1,429,039
Contractual Services		2,214,606
Equipment		18,900
Grants and Fixed Charges		3,235,149
Operating Transfer Charges		1,175,272
Operating Transfer Credits		(225,977)
Total	\$	27,019,542
Total Authorized Full-Time Positions		162

EXHIBIT A3

DEPARTMENT OF PUBLIC SAFETY

Salaries and Wages		\$	71,332,068
Benefits			40,954,368
Training and Civic Affairs			206,456
Communication and Utilities			1,008,304
Materials and Supplies			1,069,526
Contractual Services			2,251,228
Equipment			1,660,283
Grants and Fixed Charges	7,278,357		8,345,222
Operating Transfer Charges			7,843,655
Total	133,604,245	\$	<u>134,671,110</u>
Total Authorized Full-Time Positions	728		

REGISTER OF WILLS

Salaries and Wages		\$	1,159,211
Benefits			660,186
Training and Civic Affairs			34,950
Communication and Utilities			12,209
Materials and Supplies			10,053
Contractual Services			62,715
Equipment			2,800
Operating Transfer Charges			82,214
Total		\$	2,024,338
Total Authorized Full-Time Positions	20		

EXHIBIT A4

RECORDER OF DEEDS

Salaries and Wages	\$	1,256,525
Benefits		723,402
Training and Civic Affairs		40,170
Communication and Utilities		33,689
Materials and Supplies		12,398
Contractual Services		82,718
Equipment		6,150
Grants and Fixed Charges		18,350
Operating Transfer Charges		162,265
Total	\$	2,335,667
Total Authorized Full-Time Positions	23	

SHERIFF

Salaries and Wages	\$	1,380,772
Benefits		804,406
Training and Civic Affairs		29,452
Communication and Utilities		14,993
Materials and Supplies		21,259
Contractual Services		55,999
Equipment		5,000
Operating Transfer Charges		142,020
Total	\$	2,453,901
Total Authorized Full-Time Positions	21	

CLERK OF THE PEACE

Salaries and Wages	\$	483,477
Benefits		282,975
Training and Civic Affairs		9,600
Communication and Utilities		5,484
Materials and Supplies		8,754
Contractual Services		18,268
Equipment Replacement		6,000
Operating Transfer Charges		30,824
Total	\$	845,382
Total Authorized Full-Time Positions	7	

DEBT SERVICE

Debt Service	\$	45,778,427
Total	\$	45,778,427
Total Authorized Full-Time Positions		

EXHIBIT A5

ETHICS COMMISSION

Salaries and Wages	\$	40,200
Benefits		4,181
Training and Civic Affairs		10,500
Communication and Utilities		1,898
Materials and Supplies		2,450
Contractual Services		235,747
Equipment		500
Operating Transfer Charges		6,360
Total	\$	301,836
Total Authorized Full-Time Positions	0	

COUNCIL CONTINGENCY

Contingency	\$	250,000
Total	\$	250,000
Total Authorized Full-Time Positions		

EXECUTIVE CONTINGENCY

Contingency	\$	600,000
Total	\$	600,000
Total Authorized Full-Time Positions		

PERSONNEL CONTINGENCY

Contingency	\$	455,000
Total	\$	455,000
Total Authorized Full-Time Positions		

ATTRITION CONTINGENCY

Personal Services - Salaries and Wages	\$	(6,164,693)
Personal Services - Employee Benefits	\$	(3,608,135)
Total	\$	(9,772,828)
Total Authorized Full-Time Positions		

ONE-TIME CONTINGENCY

Contingency	\$	478,539
Total	\$	478,539

EXHIBIT A6

NEW CASTLE COUNTY

Salaries and Wages		\$	134,871,235
Benefits			76,085,378
Training and Civic Affairs			697,225
Communication and Utilities			36,618,089
Materials and Supplies			7,468,592
Contractual Services			24,474,017
Equipment			2,623,406
Grants and Fixed Charges	16,196,696		<u>17,263,561</u>
Debt Service			45,778,427
Land and Structures			35,000
Contingency			1,838,539
Operating Transfer Charges			16,501,825
Operating Transfer Credits			(20,760,521)
Sub-Total New Castle County	342,427,908	\$	<u>343,494,773</u>
Total Authorized Full-Time Positions	1,682		

RESERVE ACCOUNTS ANTICIPATED BALANCES AS OF JUNE 30, 2024

Tax Stabilization Reserve Account	63,193,549		<u>62,126,684</u>
Sewer Rate Stabilization Reserve Account			7,482,353
General Fund Budget Reserve Account			44,592,418
Sewer Fund Budget Reserve Account			18,872,304
Total Reserves:	134,140,624		<u>133,073,759</u>

EXHIBIT "B"

OPERATING BUDGET COMPONENTS FISCAL YEAR 2025

General Operating Budget		\$	106,039,101
Local Service Function Budget	—135,070,632		<u>136,137,497</u>
Sewer Fund			88,915,956
Street Light Fund			8,496,529
Crossing Guard Fund			3,905,690
Recommended Operating Budget	—342,427,908	\$	<u>343,494,773</u>

AMENDMENT NO. 8 TO ORDINANCE NO. 24-054

**ADOPT THE ANNUAL OPERATING BUDGET OF NEW CASTLE COUNTY
FOR THE FISCAL YEAR BEGINNING JULY 1, 2024**

1 **WHEREAS**, New Castle County wishes to increase the appropriation to the Department
2 of Public Safety Grants and Fixed Charges Budget Line Item reflected in the proposed FY2025
3 Operating Budget in the amount of an *additional* \$1,066,865 (in addition to the *original*
4 recommendation of \$5,218,054), a *combined amount* of \$6,299,918 in total. The intent is for
5 each fire company to receive 50% more, or \$48,907 additional for the ambulance operations;
6 and for the Special Operations Rescue Team to have an annual appropriation of \$100,000. The
7 additional appropriation of \$1,066,865 shall come from the General Fund Tax Stabilization
8 Reserve Account to the Department of Public Safety Grants and Fixed Charges Budget Line.

9
10 Accordingly, Ordinance No. 24-054, the proposed FY2025 Annual Operating Budget for
11 the fiscal year beginning July 1, 2024, is hereby amended as indicated above and as more
12 specifically identified on Exhibit A hereto by adding the material that is underlined and by deleting
13 the material with strikethroughs as reflected on Exhibit A.

14
15 Section 1. Section 2 to Ordinance No. 24-054 listed as Exhibit "A," entitled "Departmental
16 Operating Budget," consisting of six (6) pages, attached hereto which is dated ~~April 9, 2024~~ May
17 28, 2024 and made a part hereof, is hereby amended by deleting the matter that is stricken and
18 adding the matter underscored.

19
20 Section 2. Section 3 to Ordinance No. 24-054 listed as Exhibit "B," entitled "Operating
21 Budget Components," consisting of one (1) page, attached hereto which is dated ~~April 9, 2024~~
22 May 28, 2024 and made a part hereof, is hereby amendment by deleting the matter that is
23 stricken and adding the matter underscored.

24
25 Section 3. This Ordinance shall become effective immediately upon its adoption by
26 County Council and approval by the County Executive, or as otherwise provided by 9 Del. C. §
27 1156.

28
29 Section 4. The effective date for the provisions in this Ordinance shall be July 1, 2024.

Adopted by Council of
New Castle County on:

Karen Hartley-Nagle
President of Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: Amendment No. 8 to the Fiscal Year 2025 Recommended Annual Operating Budget Ordinance increases the Department of Public Safety, Grants to Fire Companies Grants and Fixed Charges Budget Line Item by \$1,066,865. The intent is for each fire company to receive 50% more, or \$48,907 additional for the ambulance operations; and for the Special Operations Rescue Team to have an annual appropriation of \$100,000.

FISCAL NOTE: Amendment No. 8, if adopted, will amend the Fiscal Year 2025 Recommended Annual Operating Budget by increasing the budget line item of the Department of Public Safety, Grants to Fire Companies as follows:

Character	Amount
Grants and Fixed Charges	\$1,066,865
Total	\$1,066,865

The revised budget for the Department of Public Safety will be \$134,671,110. The revised Fiscal Year 2025 Recommended Annual Operating Budget will be \$343,494,773. The General Fund Tax Stabilization Reserve balance (unaudited) upon passage of this Ordinance will be \$62,126,684.

This amendment has no explicit impact on subsequent fiscal years, as the Operating Budget is legislated annually by County Council.

**AMENDMENT NO. 1 TO AMENDMENT NO. 8
TO ORDINANCE NO. 24-054**

**ADOPT THE ANNUAL OPERATING BUDGET OF NEW CASTLE COUNTY
FOR THE FISCAL YEAR BEGINNING JULY 1, 2024**

1 **WHEREAS**, New Castle County wishes to increase the appropriation to the Department
2 of Public Safety Grants and Fixed Charges Budget Line Item reflected in the proposed FY2025
3 Operating Budget in the amount of \$39,819 (in addition to the original recommendation of
4 \$5,218,054), a combined total amount of \$5,257,873. Additionally, New Castle County wishes
5 to increase the appropriation of the One-Time Contingency reflected in the proposed FY2025
6 Operating Budget by \$1,027,047.

7
8 **WHEREAS**, the intent of the additional \$39,819 to the Department of Public Safety Grants
9 and Fixed Charges Budget Line Item is for Fire Service Special Operations. This additional
10 funding will bring the total annual allocation for Fire Service Special Operations to \$100,000.

11
12 **WHEREAS**, the allocation of the \$1,027,047 to the One-Time Contingency will be
13 \$48,907 to each of the 21 fire companies. The intent of distribution for the \$1,027,047 in the
14 One-Time Contingency will be based on critical need with criteria determined by Office of
15 Finance and concurrence by County Council.

16
17 **WHEREAS**, the additional appropriation of \$1,066,866 shall come from the General Fund
18 Tax Stabilization Reserve Account. Any unused funds at the end of Fiscal Year 2025, shall be
19 reverted to the General Fund Tax Stabilization Reserve Account.

20
21 Accordingly, Ordinance No. 24-054, the proposed FY2025 Annual Operating Budget for
22 the fiscal year beginning July 1, 2024, is hereby amended as indicated above and as more
23 specifically identified on Exhibit A hereto by adding the material that is underlined and by deleting
24 the material with strikethroughs as reflected on Exhibit A.

25
26 Section 1. Section 2 to Ordinance No. 24-054 listed as Exhibit "A," entitled "Departmental
27 Operating Budget," consisting of six (6) pages, attached hereto which is dated ~~April 9, 2024~~ May
28 28, 2024 and made a part hereof, is hereby amended by deleting the matter that is stricken and
29 adding the matter underscored.

30
31 Section 2. Section 3 to Ordinance No. 24-054 listed as Exhibit "B," entitled "Operating
32 Budget Components," consisting of one (1) page, attached hereto which is dated ~~April 9, 2024~~
33 May 28, 2024 and made a part hereof, is hereby amendment by deleting the matter that is
34 stricken and adding the matter underscored.

35
36 Section 3. This Ordinance shall become effective immediately upon its adoption by
37 County Council and approval by the County Executive, or as otherwise provided by 9 Del. C. §
38 1156.

39
40 Section 4. The effective date for the provisions in this Ordinance shall be July 1, 2024.

Adopted by Council of
New Castle County on:

Karen Hartley-Nagle
President of Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: Amendment No. 1 to Amendment No. 8 to the Fiscal Year 2025 Recommended Annual Operating Budget Ordinance increases the Department of Public Safety Grants and Fixed Charges Budget Line Item by \$39,819 and the One-Time Contingency by \$1,027,047.

The intent of the additional \$39,819 to the Department of Public Safety Grants and Fixed Charges Budget Line Item is for Fire Service Special Operations. This additional funding will bring the total annual allocation for Fire Service Special Operations to \$100,000.

The allocation of the \$1,027,047 to the One-Time Contingency will be \$48,907 to each of the 21 fire companies. The intent for distribution of the \$1,027,047 in the One-Time Contingency will be based on critical need with criteria determined by Office of Finance with concurrence by County Council.

FISCAL NOTE: Amendment No. 1 to Amendment No. 8, if adopted, will amend the Fiscal Year 2025 Recommended Annual Operating Budget by increasing the Department of Public Safety Grants and Fixed Charges Budget Line Item by \$39,819 and the One-Time Contingency by \$1,027,047 as follows:

Character	Amount
Grants and Fixed Charges	\$39,819
Contingency	\$1,027,047
Total	\$1,066,866

The revised budget for the Department of Public Safety will be \$133,644,064 and the revised budget for the One-Time Contingency will be \$1,505,586. The revised Fiscal Year 2025 Recommended Annual Operating Budget will be \$343,494,774. The General Fund Tax Stabilization Reserve balance (unaudited) upon passage of this Ordinance will be \$62,126,683. Any unused funds at the end of Fiscal Year 2025, shall be reverted to the General Fund Tax Stabilization Reserve Account.

This amendment has no explicit impact on subsequent fiscal years, as the Operating Budget is legislated annually by County Council.

EXHIBIT A1**COUNTY COUNCIL**

Salaries and Wages	\$	2,552,351
Benefits		1,493,866
Training and Civic Affairs		70,388
Communication and Utilities		17,483
Materials and Supplies		62,776
Contractual Services		256,588
Equipment		1,600
Grants and Fixed Charges		440,233
Operating Transfer Charges		175,627
Total	\$	5,070,912
Total Authorized Full-Time Positions	35	

COUNTY EXECUTIVE

Salaries and Wages	\$	2,033,684
Benefits		1,190,296
Training and Civic Affairs		31,904
Communication and Utilities		16,798
Materials and Supplies		22,236
Contractual Services		148,565
Equipment		1,000
Grants and Fixed Charges		43,000
Contingency		55,000
Operating Transfer Charges		105,264
Total	\$	3,647,747
Total Authorized Full-Time Positions	17	

DEPARTMENT OF ADMINISTRATION

Salaries and Wages	\$	12,986,061
Benefits		7,506,461
Training and Civic Affairs		132,825
Communication and Utilities		8,258,220
Materials and Supplies		162,673
Contractual Services		6,855,976
Equipment		392,900
Grants and Fixed Charges		3,932,350
Operating Transfer Charges		1,142,324
Operating Transfer Credits		(12,812,422)
Total	\$	28,557,368
Total Authorized Full-Time Positions	168	

EXHIBIT A2

DEPARTMENT OF PUBLIC WORKS

Salaries and Wages	\$	27,135,440
Benefits		15,765,968
Training and Civic Affairs		45,445
Communication and Utilities		26,068,271
Materials and Supplies		4,565,701
Contractual Services		10,843,698
Equipment		483,333
Grants and Fixed Charges		1,192,757
Land and Structures		35,000
Operating Transfer Charges		4,574,405
Operating Transfer Credits		(7,722,122)
Total	\$	82,987,896
Total Authorized Full-Time Positions		389

DEPARTMENT OF LAND USE

Salaries and Wages	\$	8,156,971
Benefits		4,742,077
Training and Civic Affairs		66,975
Communication and Utilities		111,242
Materials and Supplies		101,727
Contractual Services		1,447,909
Equipment		44,940
Grants and Fixed Charges		56,500
Operating Transfer Charges		1,061,595
Total	\$	15,789,936
Total Authorized Full-Time Positions		112

DEPARTMENT OF COMMUNITY SERVICES

Salaries and Wages	\$	12,519,168
Benefits		5,565,327
Training and Civic Affairs		18,560
Communication and Utilities		1,069,498
Materials and Supplies		1,429,039
Contractual Services		2,214,606
Equipment		18,900
Grants and Fixed Charges		3,235,149
Operating Transfer Charges		1,175,272
Operating Transfer Credits		(225,977)
Total	\$	27,019,542
Total Authorized Full-Time Positions		162

EXHIBIT A3

DEPARTMENT OF PUBLIC SAFETY

Salaries and Wages		\$	71,332,068
Benefits			40,954,368
Training and Civic Affairs			206,456
Communication and Utilities			1,008,304
Materials and Supplies			1,069,526
Contractual Services			2,251,228
Equipment			1,660,283
Grants and Fixed Charges	7,278,357		<u>7,318,176</u>
Operating Transfer Charges			7,843,655
Total		\$	<u>133,644,064</u>
Total Authorized Full-Time Positions	728		

REGISTER OF WILLS

Salaries and Wages		\$	1,159,211
Benefits			660,186
Training and Civic Affairs			34,950
Communication and Utilities			12,209
Materials and Supplies			10,053
Contractual Services			62,715
Equipment			2,800
Operating Transfer Charges			82,214
Total		\$	<u>2,024,338</u>
Total Authorized Full-Time Positions	20		

EXHIBIT A4

RECORDER OF DEEDS

Salaries and Wages		\$	1,256,525
Benefits			723,402
Training and Civic Affairs			40,170
Communication and Utilities			33,689
Materials and Supplies			12,398
Contractual Services			82,718
Equipment			6,150
Grants and Fixed Charges			18,350
Operating Transfer Charges			162,265
Total		\$	2,335,667
Total Authorized Full-Time Positions	23		

SHERIFF

Salaries and Wages		\$	1,380,772
Benefits			804,406
Training and Civic Affairs			29,452
Communication and Utilities			14,993
Materials and Supplies			21,259
Contractual Services			55,999
Equipment			5,000
Operating Transfer Charges			142,020
Total		\$	2,453,901
Total Authorized Full-Time Positions	21		

CLERK OF THE PEACE

Salaries and Wages		\$	483,477
Benefits			282,975
Training and Civic Affairs			9,600
Communication and Utilities			5,484
Materials and Supplies			8,754
Contractual Services			18,268
Equipment Replacement			6,000
Operating Transfer Charges			30,824
Total		\$	845,382
Total Authorized Full-Time Positions	7		

DEBT SERVICE

Debt Service		\$	45,778,427
Total		\$	45,778,427
Total Authorized Full-Time Positions			

EXHIBIT A5

ETHICS COMMISSION

Salaries and Wages		\$	40,200
Benefits			4,181
Training and Civic Affairs			10,500
Communication and Utilities			1,898
Materials and Supplies			2,450
Contractual Services			235,747
Equipment			500
Operating Transfer Charges			6,360
Total		\$	301,836
Total Authorized Full-Time Positions	0		

COUNCIL CONTINGENCY

Contingency		\$	250,000
Total		\$	250,000
Total Authorized Full-Time Positions			

EXECUTIVE CONTINGENCY

Contingency		\$	600,000
Total		\$	600,000
Total Authorized Full-Time Positions			

PERSONNEL CONTINGENCY

Contingency		\$	455,000
Total		\$	455,000
Total Authorized Full-Time Positions			

ATTRITION CONTINGENCY

Personal Services - Salaries and Wages		\$	(6,164,693)
Personal Services - Employee Benefits		\$	(3,608,135)
Total		\$	(9,772,828)
Total Authorized Full-Time Positions			

ONE-TIME CONTINGENCY

Contingency	478,539	\$	1,505,586
Total		\$	<u>1,505,586</u>

EXHIBIT A6

NEW CASTLE COUNTY

Salaries and Wages		\$	134,871,235
Benefits			76,085,378
Training and Civic Affairs			697,225
Communication and Utilities			36,618,089
Materials and Supplies			7,468,592
Contractual Services			24,474,017
Equipment			2,623,406
Grants and Fixed Charges			16,236,515
Debt Service			45,778,427
Land and Structures			35,000
Contingency	1,838,539		<u>2,865,586</u>
Operating Transfer Charges			16,501,825
Operating Transfer Credits			(20,760,521)
<i>Sub-Total New Castle County</i>	<i>342,427,908</i>	\$	<u>343,494,774</u>
<i>Total Authorized Full-Time Positions</i>	<i>1,682</i>		

RESERVE ACCOUNTS ANTICIPATED BALANCES AS OF JUNE 30, 2024

Tax Stabilization Reserve Account	63,193,549		<u>62,126,683</u>
Sewer Rate Stabilization Reserve Account			7,482,353
General Fund Budget Reserve Account			44,592,418
Sewer Fund Budget Reserve Account			18,872,304
<i>Total Reserves:</i>	<i>134,140,624</i>		<u>133,073,758</u>

EXHIBIT "B"

**OPERATING BUDGET COMPONENTS
FISCAL YEAR 2025**

General Operating Budget		\$	106,039,101
Local Service Function Budget	—135,070,632		<u>136,137,498</u>
Sewer Fund			88,915,956
Street Light Fund			8,496,529
Crossing Guard Fund			3,905,690
Recommended Operating Budget	—342,427,908	\$	<u>343,494,774</u>

ORDINANCE NO. 24-055

**AMEND THE FY2025 APPROVED OPERATING BUDGET:
REALLOCATE \$8,000,000 FROM THE REASSESSMENT RESERVE ACCOUNT TO
THE GENERAL FUND TAX STABILIZATION RESERVE ACCOUNT AND
APPROPRIATE FUNDING FOR PAY PLAN INCREASES FOR ALL CERTIFIED
POLICE CLASSIFICATIONS**

1 **WHEREAS**, County Council established the Reassessment Reserve Account via
2 Ordinance 19-016 on March 14, 2019; and

3
4 **WHEREAS**, County Council approved the transfer of \$26,640,000 from the
5 General Fund Tax Stabilization Reserve Account to the Reassessment Reserve
6 Account via Ordinance 21-014 on March 16, 2021; and

7
8 **WHEREAS**, the estimated balance of the Reassessment Reserve Account will
9 be \$10,000,000 upon completion of the current reassessment project, including the
10 appeal process; and

11
12 **WHEREAS**, approval is requested to transfer \$8,000,000 from the
13 Reassessment Reserve Account to the General Fund Tax Stabilization Reserve
14 Account; and

15
16 **WHEREAS**, approval is also requested to appropriate \$8,000,000 from the
17 General Fund Tax Stabilization Reserve Account to fund pay plan increases for all
18 certified police classifications effective July 1, 2024; and

19
20 **WHEREAS**, the revenue measures heretofore adopted by the County Council,
21 are, in the opinion of the County Executive, estimated to yield sums at least sufficient to
22 balance the proposed expenditures as set forth in the Approved FY2025 Annual
23 Operating Budget as hereinafter amended.

24
25 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
26 (10/13^{ths} of all the members elected to the County Council concurring therein):

27
28 Section 1. The Annual Operating Budget for the fiscal year beginning July 1,
29 2024, is hereby amended by deleting the material stricken and adding the material
30 underscored on the attached "Exhibit A."

31
32 Section 2. The foregoing amendment shall be considered a part of the Annual
33 Operating Budget for the fiscal year beginning July 1, 2024, and shall be effective
34 retroactively as though incorporated initially in the Annual Operating Budget.

35
36 Section 3. This Ordinance shall become effective immediately upon its adoption
37 by County Council and approval by the County Executive, or as otherwise provided in 9
38 *Del. C. § 1156*.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, reallocates \$8,000,000 from the Reassessment Reserve Account to the General Fund Tax Stabilization Reserve Account. This Ordinance further amends the FY2025 Approved Operating Budget by appropriating \$8,000,000 from the General Fund Tax Stabilization Reserve Account to the Department of Public Safety, Division of Police Salaries and Benefits Budget Line Items. These funds are needed to fund pay plan increases for all certified police classifications.

FISCAL NOTE: This Ordinance, if approved, reallocates \$8,000,000 from the Reassessment Reserve Account to the General Fund Tax Stabilization Reserve Account. This Ordinance further amends the FY2025 Approved Operating Budget by appropriating \$8,000,000 from the General Fund Tax Stabilization Reserve Account to the Department of Public Safety, Division of Police Salaries and Benefits Budget Line Items. These funds are needed to fund pay plan increases for all certified police classifications.

The revised FY2025 Approved Operating Budget will be \$350,427,908. The Reassessment Reserve Account balance upon passage of this Ordinance will be \$2,000,000. The General Fund Tax Stabilization Reserve balance upon passage of this Ordinance will be \$63,193,549.

COUNTY COUNCIL

Salaries and Wages	\$	2,552,351
Benefits		1,493,866
Training and Civic Affairs		70,388
Communication and Utilities		17,483
Materials and Supplies		62,776
Contractual Services		256,588
Equipment		1,600
Grants and Fixed Charges		440,233
Operating Transfer Charges		175,627
Total	\$	5,070,912
Total Authorized Full-Time Positions	35	

COUNTY EXECUTIVE

Salaries and Wages	\$	2,033,684
Benefits		1,190,296
Training and Civic Affairs		31,904
Communication and Utilities		16,798
Materials and Supplies		22,236
Contractual Services		148,565
Equipment		1,000
Grants and Fixed Charges		43,000
Contingency		55,000
Operating Transfer Charges		105,264
Total	\$	3,647,747
Total Authorized Full-Time Positions	17	

DEPARTMENT OF ADMINISTRATION

Salaries and Wages	\$	12,986,061
Benefits		7,506,461
Training and Civic Affairs		132,825
Communication and Utilities		8,258,220
Materials and Supplies		162,673
Contractual Services		6,855,976
Equipment		392,900
Grants and Fixed Charges		3,932,350
Operating Transfer Charges		1,142,324
Operating Transfer Credits		(12,812,422)
Total	\$	28,557,368
Total Authorized Full-Time Positions	168	

DEPARTMENT OF PUBLIC WORKS

Salaries and Wages	\$	27,135,440
Benefits		15,765,968
Training and Civic Affairs		45,445
Communication and Utilities		26,068,271
Materials and Supplies		4,565,701
Contractual Services		10,843,698
Equipment		483,333
Grants and Fixed Charges		1,192,757
Land and Structures		35,000
Operating Transfer Charges		4,574,405
Operating Transfer Credits		(7,722,122)
Total	\$	82,987,896
Total Authorized Full-Time Positions	389	

DEPARTMENT OF LAND USE

Salaries and Wages	\$	8,156,971
Benefits		4,742,077
Training and Civic Affairs		66,975
Communication and Utilities		111,242
Materials and Supplies		101,727
Contractual Services		1,447,909
Equipment		44,940
Grants and Fixed Charges		56,500
Operating Transfer Charges		1,061,595
Total	\$	15,789,936
Total Authorized Full-Time Positions	112	

DEPARTMENT OF COMMUNITY SERVICES

Salaries and Wages	\$	12,519,168
Benefits		5,565,327
Training and Civic Affairs		18,560
Communication and Utilities		1,069,498
Materials and Supplies		1,429,039
Contractual Services		2,214,606
Equipment		18,900
Grants and Fixed Charges		3,235,149
Operating Transfer Charges		1,175,272
Operating Transfer Credits		(225,977)
Total	\$	27,019,542
Total Authorized Full-Time Positions	162	

DEPARTMENT OF PUBLIC SAFETY

Salaries and Wages	71,332,068	\$	77,332,068
Benefits	40,954,368		42,954,368
Training and Civic Affairs			206,456
Communication and Utilities			1,008,304
Materials and Supplies			1,069,526
Contractual Services			2,251,228
Equipment			1,660,283
Grants and Fixed Charges			7,278,357
Operating Transfer Charges			7,843,655
Total	133,604,245	\$	<u>141,604,245</u>
Total Authorized Full-Time Positions	728		

REGISTER OF WILLS

Salaries and Wages		\$	1,159,211
Benefits			660,186
Training and Civic Affairs			34,950
Communication and Utilities			12,209
Materials and Supplies			10,053
Contractual Services			62,715
Equipment			2,800
Operating Transfer Charges			82,214
Total		\$	<u>2,024,338</u>
Total Authorized Full-Time Positions	20		

RECORDER OF DEEDS

Salaries and Wages		\$	1,256,525
Benefits			723,402
Training and Civic Affairs			40,170
Communication and Utilities			33,689
Materials and Supplies			12,398
Contractual Services			82,718
Equipment			6,150
Grants and Fixed Charges			18,350
Operating Transfer Charges			162,265
Total		\$	2,335,667
Total Authorized Full-Time Positions	23		

SHERIFF

Salaries and Wages		\$	1,380,772
Benefits			804,406
Training and Civic Affairs			29,452
Communication and Utilities			14,993
Materials and Supplies			21,259
Contractual Services			55,999
Equipment			5,000
Operating Transfer Charges			142,020
Total		\$	2,453,901
Total Authorized Full-Time Positions	21		

CLERK OF THE PEACE

Salaries and Wages		\$	483,477
Benefits			282,975
Training and Civic Affairs			9,600
Communication and Utilities			5,484
Materials and Supplies			8,754
Contractual Services			18,268
Equipment Replacement			6,000
Operating Transfer Charges			30,824
Total		\$	845,382
Total Authorized Full-Time Positions	7		

DEBT SERVICE

Debt Service		\$	45,778,427
Total		\$	45,778,427
Total Authorized Full-Time Positions			

ETHICS COMMISSION

Salaries and Wages	\$	40,200
Benefits		4,181
Training and Civic Affairs		10,500
Communication and Utilities		1,898
Materials and Supplies		2,450
Contractual Services		235,747
Equipment		500
Operating Transfer Charges		6,360
Total	\$	301,836
Total Authorized Full-Time Positions	0	

COUNCIL CONTINGENCY

Contingency	\$	250,000
Total	\$	250,000
Total Authorized Full-Time Positions		

EXECUTIVE CONTINGENCY

Contingency	\$	600,000
Total	\$	600,000
Total Authorized Full-Time Positions		

PERSONNEL CONTINGENCY

Contingency	\$	455,000
Total	\$	455,000
Total Authorized Full-Time Positions		

ATTRITION CONTINGENCY

Personal Services - Salaries and Wages	\$	(6,164,693)
Personal Services - Employee Benefits	\$	(3,608,135)
Total	\$	(9,772,828)
Total Authorized Full-Time Positions		

ONE-TIME CONTINGENCY

Contingency	\$	478,539
Total	\$	478,539

NEW CASTLE COUNTY

Salaries and Wages	134,871,235	\$	<u>140,871,235</u>
Benefits	76,085,378		<u>78,085,378</u>
Training and Civic Affairs			697,225
Communication and Utilities			36,618,089
Materials and Supplies			7,468,592
Contractual Services			24,474,017
Equipment			2,623,406
Grants and Fixed Charges			16,196,696
Debt Service			45,778,427
Land and Structures			35,000
Contingency			1,838,539
Operating Transfer Charges			16,501,825
Operating Transfer Credits			(20,760,521)
<i>Sub-Total New Castle County</i>	<i><u>342,427,908</u></i>	<i>\$</i>	<i><u>350,427,908</u></i>
<i>Total Authorized Full-Time Positions</i>	<i>1,682</i>		

RESERVE ACCOUNTS ANTICIPATED BALANCES AS OF JUNE 30, 2024

Tax Stabilization Reserve Account	63,193,549
Sewer Rate Stabilization Reserve Account	7,482,353
General Fund Budget Reserve Account	44,592,418
Sewer Fund Budget Reserve Account	18,872,304
<i>Total Reserves:</i>	<i>134,140,624</i>

ORDINANCE NO. 24-056

**AMEND THE PAY PLANS AND RATES OF PAY FOR ALL CERTIFIED POLICE
CLASSIFICATIONS**

1 **WHEREAS**, the County Executive has recommended amendments to the Pay
2 Plan and Rates of Pay for Fraternal Order of Police, New Castle County Lodge No. 5 to
3 reflect wage increases for certified police classifications; and
4

5 **WHEREAS**, the County Executive has recommended amendments to the Pay
6 Plan and Rates of Pay for Fraternal Order of Police, New Castle County Lodge No. 5
7 (Police Executive Staff) to reflect wage increases for police executive staff classifications;
8 and
9

10 **WHEREAS**, the County Executive has recommended amendments to the Pay
11 Plan and Rates of Pay for Non-Union Unclassified Service Employees of the Executive
12 Office to reflect wage increases for the Chief of Police classification.
13

14 **NOW, THEREFORE, THE NEW CASTLE COUNTY COUNCIL HEREBY**
15 **ORDAINS:**
16

17 Section 1. The Pay Plan and Rates of Pay for Fraternal Order of Police, New
18 Castle County Lodge No. 5 as set forth in Exhibit "A", amended by adding the material
19 that is underscored and deleting the material that is stricken for Fiscal Years 2024 and
20 2025.
21

22 Section 2. The Pay Plan and Rates of Pay for Fraternal Order of Police, New
23 Castle County Lodge No. 5 (Police Executive Staff) as set forth in Exhibit "B", amended
24 by adding the material that is underscored and deleting the material that is stricken for
25 Fiscal Years 2024 and 2025.
26

27 Section 3. The Pay Plan and Rates of Pay for Non-Union Unclassified Service
28 Employees of the County Executive as set forth in Exhibit "C", effective July 1, 2024, is
29 hereby amended by adding the material that is underscored and deleting the material that
30 is stricken.
31

32 Section 4. The Pay Plan and Rates of Pay for Non-Union Unclassified Service
33 Employees of the County Executive as set forth in Exhibit "D", effective July 1, 2025, is
34 hereby amended by adding the material that is underscored and deleting the material that
35 is stricken.
36

37 Section 5. The Pay Plan and Rates of Pay for Non-Union Unclassified Service
38 Employees of the County Executive as set forth in Exhibit "E", effective July 1, 2026, is
39 hereby amended by adding the material that is underscored and deleting the material that
40 is stricken.
41

42 Section 6. This Ordinance shall be effective upon adoption by New Castle County
43 Council and approval of the County Executive.

44 Section 7. It is the intent of the County Council that the provisions of this Ordinance
45 shall be effective July 1, 2024.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, amends the Pay Plan and Rates of Pay for Fraternal Order of Police, New Castle County Lodge No. 5; the Pay Plan and Rates of Pay for Fraternal Order of Police, New Castle County Lodge No. 5 (Police Executive Staff); and the Pay Plan and Rates of Pay for Non-Union Unclassified Service Employees of the County Executive for the Chief of Police effective July 1, 2024 by providing a 10% increase to all steps.

FISCAL IMPACT: This Ordinance, if approved, amends the Pay Plan and Rates of Pay for Fraternal Order of Police, New Castle County Lodge No. 5; the Pay Plan and Rates of Pay for Fraternal Order of Police, New Castle County Lodge No. 5 (Police Executive Staff); and the Pay Plan and Rates of Pay for Non-Union Unclassified Service Employees of the County Executive for the Chief of Police effective July 1, 2024 by providing a 10% increase to all steps.

The estimated fiscal impact on the Operating Budget for (Salaries/Wages \$6,000,000 and Benefits \$2,000,000) are as follows:

FY2025	\$8,000,000
FY2026	\$8,160,000
FY2027	\$8,160,000

**PAY PLAN AND RATES OF PAY FOR
FRATERNAL ORDER OF POLICE, NEW CASTLE COUNTY LODGE NO. 5**

Effective 7/1/2022												
CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	Completion of Year 18 Year 21
POLICE OFFICER	24	54,169	56,878	59,722	62,711	65,844	69,137	72,594	76,224	80,035	84,036	86,557 89,154
CORPORAL	25	56,878	59,722	62,711	65,844	69,137	72,594	76,224	80,035	84,036	88,239	90,886 93,613
SENIOR CORPORAL	26	59,722	62,711	65,844	69,137	72,594	76,224	80,035	84,036	88,239	92,651	95,430 98,293
MASTER CORPORAL	27	62,711	65,844	69,137	72,594	76,224	80,035	84,036	88,239	92,651	97,284	100,203 103,209
SERGEANT	29	69,137	72,594	76,224	80,035	84,036	88,239	92,651	97,284	102,147	107,254	110,472 113,786
SR. SERGEANT	30	72,594	76,224	80,035	84,036	88,239	92,651	97,284	102,147	107,254	112,618	115,996 119,476
LIEUTENANT	31	76,224	80,035	84,036	88,239	92,651	97,284	102,147	107,254	112,618	123,880	127,596 131,424
SR. LIEUTENANT	32	80,035	84,036	88,239	92,651	97,284	102,147	107,254	112,618	123,880	130,074	133,976 137,996

Effective 7/1/2023												
CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	Completion of Year 18 Year 21
POLICE OFFICER	24	55,524	58,300	61,215	64,278	67,490	70,865	74,409	78,130	82,035	86,137	88,721 91,383
CORPORAL	25	58,300	61,215	64,278	67,490	70,865	74,409	78,130	82,035	86,137	90,445	93,159 95,953
SENIOR CORPORAL	26	61,215	64,278	67,490	70,865	74,409	78,130	82,035	86,137	90,445	94,967	97,816 100,751
MASTER CORPORAL	27	64,278	67,490	70,865	74,409	78,130	82,035	86,137	90,445	94,967	99,716	102,708 105,789
SERGEANT	29	70,865	74,409	78,130	82,035	86,137	90,445	94,967	99,716	104,701	109,936	113,234 116,631
SR. SERGEANT	30	74,409	78,130	82,035	86,137	90,445	94,967	99,716	104,701	109,936	115,433	118,896 122,463
LIEUTENANT	31	78,130	82,035	86,137	90,445	94,967	99,716	104,701	109,936	115,433	126,977	130,786 134,710
SR. LIEUTENANT	32	82,035	86,137	90,445	94,967	99,716	104,701	109,936	115,433	126,977	133,326	137,326 141,446

Effective 7/1/2024												
CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	Completion of Year 18 Year 21
POLICE OFFICER	24	56,942 <u>72,637</u>	59,757 <u>72,637</u>	62,746 <u>72,637</u>	65,885 <u>72,637</u>	69,178 <u>76,269</u>	72,637 <u>80,082</u>	76,269 <u>84,086</u>	80,083 <u>88,291</u>	84,086 <u>92,705</u>	88,294 <u>97,341</u>	90,939 <u>100,261</u> 93,668 <u>103,269</u>
CORPORAL	25	59,757 <u>72,637</u>	62,746 <u>72,637</u>	65,885 <u>72,637</u>	69,178 <u>76,269</u>	72,637 <u>80,082</u>	76,269 <u>84,086</u>	80,083 <u>88,291</u>	84,086 <u>92,705</u>	88,294 <u>97,341</u>	92,706 <u>102,208</u>	95,487 <u>105,274</u> 98,352 <u>108,432</u>
SENIOR CORPORAL	26	62,746 <u>72,637</u>	65,885 <u>72,637</u>	69,178 <u>76,269</u>	72,637 <u>80,082</u>	76,269 <u>84,086</u>	80,083 <u>88,291</u>	84,086 <u>92,705</u>	88,294 <u>97,341</u>	92,706 <u>102,208</u>	97,341 <u>107,318</u>	100,262 <u>110,537</u> 103,269 <u>113,854</u>
MASTER CORPORAL	27	65,885 <u>72,637</u>	69,178 <u>76,269</u>	72,637 <u>80,082</u>	76,269 <u>84,086</u>	80,083 <u>88,291</u>	84,086 <u>92,705</u>	88,294 <u>97,341</u>	92,706 <u>102,208</u>	97,341 <u>107,318</u>	102,209 <u>112,684</u>	105,276 <u>116,064</u> 108,434 <u>119,546</u>
SERGEANT	29	72,637 <u>80,082</u>	76,269 <u>84,086</u>	80,083 <u>88,291</u>	84,086 <u>92,705</u>	88,294 <u>97,341</u>	92,706 <u>102,208</u>	97,341 <u>107,318</u>	102,209 <u>112,684</u>	107,319 <u>118,318</u>	112,684 <u>124,234</u>	116,065 <u>127,961</u> 119,546 <u>131,800</u>
SR. SERGEANT	30	76,269 <u>84,086</u>	80,083 <u>88,291</u>	84,086 <u>92,705</u>	88,294 <u>97,341</u>	92,706 <u>102,208</u>	97,341 <u>107,318</u>	102,209 <u>112,684</u>	107,319 <u>118,318</u>	112,684 <u>124,234</u>	118,319 <u>130,446</u>	121,869 <u>134,359</u> 125,525 <u>138,390</u>
LIEUTENANT	31	80,083 <u>88,291</u>	84,086 <u>92,705</u>	88,294 <u>97,341</u>	92,706 <u>102,208</u>	97,341 <u>107,318</u>	102,209 <u>112,684</u>	107,319 <u>118,318</u>	112,684 <u>124,234</u>	118,319 <u>136,657</u>	124,234 <u>143,490</u>	127,961 <u>147,795</u> 131,800 <u>152,229</u>
SR. LIEUTENANT	32	84,086 <u>92,705</u>	88,294 <u>97,341</u>	92,706 <u>102,208</u>	97,341 <u>107,318</u>	102,209 <u>112,684</u>	107,319 <u>118,318</u>	112,684 <u>124,234</u>	118,319 <u>136,657</u>	124,234 <u>143,490</u>	130,446 <u>150,665</u>	134,359 <u>155,185</u> 138,390 <u>159,840</u>

Effective 7/1/2025												
CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	Completion of Year 18 Year 21
POLICE OFFICER	24	58,334 <u>74,453</u>	61,251 <u>74,453</u>	64,344 <u>74,453</u>	67,532 <u>74,453</u>	70,907 <u>78,176</u>	74,453 <u>82,084</u>	78,176 <u>86,189</u>	82,085 <u>90,498</u>	86,189 <u>95,023</u>	90,498 <u>99,774</u>	93,213 <u>102,767</u> 96,009 <u>105,850</u>
CORPORAL	25	61,251 <u>74,453</u>	64,344 <u>74,453</u>	67,532 <u>74,453</u>	70,907 <u>78,176</u>	74,453 <u>82,084</u>	78,176 <u>86,189</u>	82,085 <u>90,498</u>	86,189 <u>95,023</u>	90,498 <u>99,774</u>	95,024 <u>104,763</u>	97,875 <u>107,906</u> 100,814 <u>111,143</u>
SENIOR CORPORAL	26	64,344 <u>74,453</u>	67,532 <u>74,453</u>	70,907 <u>78,176</u>	74,453 <u>82,084</u>	78,176 <u>86,189</u>	82,085 <u>90,498</u>	86,189 <u>95,023</u>	90,498 <u>99,774</u>	95,024 <u>104,763</u>	99,775 <u>110,001</u>	102,768 <u>113,301</u> 105,851 <u>116,700</u>
MASTER CORPORAL	27	67,532 <u>74,453</u>	70,907 <u>74,453</u>	74,453 <u>82,084</u>	78,176 <u>86,189</u>	82,085 <u>90,498</u>	86,189 <u>95,023</u>	90,498 <u>99,774</u>	95,024 <u>104,763</u>	99,775 <u>110,001</u>	104,765 <u>115,501</u>	107,908 <u>118,966</u> 111,145 <u>122,535</u>
SERGEANT	29	74,453 <u>82,084</u>	78,176 <u>86,189</u>	82,085 <u>90,498</u>	86,189 <u>95,023</u>	90,498 <u>99,774</u>	95,024 <u>104,763</u>	99,775 <u>110,001</u>	104,765 <u>115,501</u>	110,002 <u>121,276</u>	115,501 <u>127,340</u>	118,966 <u>131,160</u> 122,535 <u>135,095</u>
SR. SERGEANT	30	78,176 <u>86,189</u>	82,085 <u>90,498</u>	86,189 <u>95,023</u>	90,498 <u>99,774</u>	95,024 <u>104,763</u>	99,775 <u>110,001</u>	104,765 <u>115,501</u>	110,002 <u>121,276</u>	115,501 <u>127,340</u>	121,277 <u>133,707</u>	124,916 <u>137,718</u> 128,663 <u>141,849</u>
LIEUTENANT	31	82,085 <u>90,498</u>	86,189 <u>95,023</u>	90,498 <u>99,774</u>	95,024 <u>104,763</u>	99,775 <u>110,001</u>	104,765 <u>115,501</u>	110,002 <u>121,276</u>	115,501 <u>127,340</u>	121,277 <u>140,074</u>	127,340 <u>147,077</u>	131,160 <u>151,490</u> 135,095 <u>156,034</u>
SR. LIEUTENANT	32	86,189 <u>95,023</u>	90,498 <u>99,774</u>	95,024 <u>104,763</u>	99,775 <u>110,001</u>	104,765 <u>115,501</u>	110,002 <u>121,276</u>	115,501 <u>127,340</u>	121,277 <u>140,074</u>	127,340 <u>147,077</u>	140,076 <u>154,431</u>	144,278 <u>159,064</u> 148,606 <u>163,836</u>

**PAY PLAN AND RATES OF PAY FOR
FRATERNAL ORDER OF POLICE, NEW CASTLE COUNTY LODGE NO. 5
POLICE EXECUTIVE STAFF**

EXHIBIT B

CLASSIFICATION	PAY GRADE								Completion of	
		1	2	3	4	5	6	7	Year 18	Year 21
POLICE CAPTAIN	1	107,192	117,912	123,807	129,997	136,497	143,323	150,488	155,003	159,653
POLICE MAJOR	2	117,912	123,807	129,997	136,497	143,323	150,488	158,012	162,752	167,635
DEPUTY CHIEF OF POLICE	3	123,807	129,997	136,497	143,323	150,488	158,012	165,913	170,890	176,017

Effective: 07/01/2022 - 6/30/2023

CLASSIFICATION	PAY GRADE								Completion of	
		1	2	3	4	5	6	7	Year 18	Year 21
POLICE CAPTAIN	1	109,872	120,860	126,902	133,247	139,910	146,906	154,251	158,878	163,645
POLICE MAJOR	2	120,860	126,902	133,247	139,910	146,906	154,251	161,962	166,821	171,826
DEPUTY CHIEF OF POLICE	3	126,902	133,247	139,910	146,906	154,251	161,962	170,060	175,162	180,417

Effective: 07/01/2023 - 6/30/2024

CLASSIFICATION	PAY GRADE								Completion of	
		1	2	3	4	5	6	7	Year 18	Year 21
POLICE CAPTAIN	1	112,619	123,881	130,074	136,578	143,407	150,578	158,107	162,850	167,736
		<u>124,163</u>	<u>136,579</u>	<u>143,408</u>	<u>150,579</u>	<u>158,108</u>	<u>166,013</u>	<u>174,314</u>	<u>179,543</u>	<u>184,929</u>
POLICE MAJOR	2	123,881	130,074	136,578	143,407	150,578	158,107	166,011	170,992	176,121
		<u>136,579</u>	<u>143,408</u>	<u>150,579</u>	<u>158,108</u>	<u>166,013</u>	<u>174,314</u>	<u>183,029</u>	<u>188,520</u>	<u>194,176</u>
DEPUTY CHIEF OF POLICE	3	130,074	136,578	143,407	150,578	158,107	166,011	174,312	179,541	184,928
		<u>143,408</u>	<u>150,579</u>	<u>158,108</u>	<u>166,013</u>	<u>174,314</u>	<u>183,029</u>	<u>192,181</u>	<u>197,946</u>	<u>203,885</u>

Effective: 07/01/2024 - 6/30/2025

CLASSIFICATION	PAY GRADE								Completion of	
		1	2	3	4	5	6	7	Year 18	Year 21
POLICE CAPTAIN	1	115,435	126,978	133,326	139,992	146,993	154,343	162,060	166,921	171,929
		<u>127,267</u>	<u>139,994</u>	<u>146,993</u>	<u>154,343</u>	<u>162,060</u>	<u>170,163</u>	<u>178,671</u>	<u>184,032</u>	<u>189,552</u>
POLICE MAJOR	2	126,978	133,326	139,992	146,993	154,343	162,060	170,162	175,266	180,524
		<u>139,994</u>	<u>146,993</u>	<u>154,343</u>	<u>162,060</u>	<u>170,163</u>	<u>178,671</u>	<u>187,605</u>	<u>193,233</u>	<u>199,030</u>
DEPUTY CHIEF OF POLICE	3	133,326	139,992	146,993	154,343	162,060	170,162	178,670	184,030	189,551
		<u>146,993</u>	<u>154,343</u>	<u>162,060</u>	<u>170,163</u>	<u>178,671</u>	<u>187,605</u>	<u>196,985</u>	<u>202,895</u>	<u>208,982</u>

Effective: 07/01/2025

Ordinance 23-003

Ordinance 24-xxx (Effective 7/1/2024)

**PAY PLAN AND RATES OF PAY FOR
NON-UNION UNCLASSIFIED SERVICE EMPLOYEES OF THE EXECUTIVE OFFICE**

EXHIBIT C

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10
LEGAL SECRETARY	17	36,676	38,510	40,436	42,457	44,580	46,809	49,150	51,607	54,188	56,897
ETHICS COMMISSION ADMIN ASST	20	42,458	44,581	46,810	49,151	51,609	54,189	56,898	59,744	62,730	65,867
EXECUTIVE ASSISTANT I	22	46,809	49,150	51,607	54,188	56,897	59,743	62,729	65,866	69,159	72,617
OFFICE OF LAW PARALEGAL	24	51,609	54,189	56,898	59,744	62,730	65,867	69,160	72,618	76,249	80,062
PARALEGAL TO THE COUNTY ATTORNEY	25	54,190	56,899	59,745	62,732	65,868	69,161	72,619	76,250	80,063	84,066
EXECUTIVE ASSISTANT II LAW ENFORCEMENT TECHNICIAN	26 26	56,899	59,745	62,732	65,868	69,161	72,619	76,250	80,063	84,066	88,269
COMPLAINTS OFFICER	27	59,744	62,730	65,867	69,160	72,618	76,249	80,062	84,065	88,268	92,682
EXECUTIVE ASSISTANT III STAFF DIRECTOR	30 30	69,161	72,619	76,250	80,063	84,066	88,269	92,683	97,317	102,183	107,292
ASSISTANT COUNTY ATTORNEY I	32	76,252	80,065	84,068	88,271	92,685	97,319	102,185	107,294	112,658	118,291
ASSISTANT COUNTY ATTORNEY II DIRECTOR OF COMMUNICATIONS EXECUTIVE ASSISTANT IV	34 34 34	84,067	88,270	92,684	97,318	102,184	107,293	112,657	118,290	124,204	130,414
DIRECTOR OF REDEVELOPMENT	36	92,684	97,318	102,184	107,293	112,657	118,290	124,204	130,414	136,934	143,781
CHIEF HUMAN RESOURCES OFFICER CHIEF OF TECHNOLOGY AND ADMIN SERVICES COMMUNITY SERVICES DEPT. GEN. MANAGER	38 38 38	102,185	107,294	112,658	118,291	124,206	130,416	136,937	143,784	150,974	158,523
COUNTY SOLICITOR	39	107,295	112,659	118,293	124,207	130,417	136,938	143,785	150,975	158,524	166,449
CHIEF FINANCIAL OFFICER CHIEF OF STAFF COUNTY ATTORNEY DEPUTY CHIEF ADMINISTRATIVE OFFICER DIRECTOR OF PUBLIC SAFETY LAND USE DEPARTMENT GENERAL MANAGER POLICY DIRECTOR FOR THE COUNTY EXECUTIVE PUBLIC WORKS DEPARTMENT GENERAL MGR.	40 40 40 40 40 40 40	112,658	118,291	124,206	130,416	136,937	143,783	150,973	158,522	166,447	174,769
CHIEF OF POLICE	41	<u>125,167</u> <u>137,997</u>	<u>131,426</u> <u>144,896</u>	<u>137,996</u> <u>152,141</u>	<u>144,896</u> <u>159,748</u>	<u>152,141</u> <u>167,736</u>	<u>159,749</u> <u>176,123</u>	<u>167,736</u> <u>184,929</u>	<u>176,122</u> <u>194,175</u>	<u>184,929</u> <u>203,884</u>	<u>194,175</u> <u>214,078</u>
PART-TIME ATTORNEY (hourly rate)		42.42	44.54	46.77	49.11	51.57	54.15	56.86	59.70	62.69	65.82
EXECUTIVE AND ADMINISTRATIVE RATES OF PAY											
CHIEF ADMINISTRATIVE OFFICER		109,439	123,665	131,085	138,951	154,235	161,946	170,043	178,545	187,472	196,846
BOARD AND COMMISSIONERS RATES OF PAY											
JUDGEMENT COMMISSIONERS		\$9.25 PER HOUR									
MEMBER, BOARD OF ADJUSTMENT		\$100 PER REGULAR MEETING AND \$100 PER SPECIAL MEETING									
MEMBER, BOARD OF ASSESSMENT REVIEW		\$100 PER MEETING FOR ANY MEETING LASTING NOT MORE THAN SIX (6) HOURS PLUS \$25 PER HOUR FOR EVERY HOUR OVER SIX THAT A MEMBER SPENDS HEARING APPEALS IN A SINGLE DAY.									
MEMBER, HISTORIC REVIEW BOARD		\$100 PER REGULAR MEETING AND \$100 PER SPECIAL MEETING									
MEMBER, HUMAN RESOURCES ADVISORY BOARD		\$100 PER MEETING									
MEMBER, PLANNING BOARD		\$100 PER REGULAR MEETING AND \$100 PER SPECIAL MEETING									
MEMBER, POLICE ACCOUNTABILITY BOARD		\$100 PER REGULAR MEETING AND \$100 PER SPECIAL MEETING									

Effective: 07/01/2024 (Ordinance 23-063)

Revised: 07/01/2024 (Ordinance 23-086)

Revised: 07/01/2023 (Ordinance 23-148)

Revised: 07/01/2024 (Ordinance 24-xxx)

**PAY PLAN AND RATES OF PAY FOR
NON-UNION UNCLASSIFIED SERVICE EMPLOYEES OF THE EXECUTIVE OFFICE**

EXHIBIT D

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10
LEGAL SECRETARY	17	37,593	39,473	41,447	43,519	45,695	47,980	50,379	52,898	55,543	58,320
ETHICS COMMISSION ADMIN ASST	20	43,520	45,696	47,981	50,380	52,900	55,544	58,321	61,238	64,299	67,514
EXECUTIVE ASSISTANT I	22	47,980	50,379	52,898	55,543	58,320	61,237	64,298	67,513	70,888	74,433
OFFICE OF LAW PARALEGAL	24	52,900	55,544	58,321	61,238	64,299	67,512	70,889	74,434	78,156	82,064
PARALEGAL TO THE COUNTY ATTORNEY	25	55,545	58,322	61,239	64,301	67,515	70,891	74,435	78,157	82,065	86,168
EXECUTIVE ASSISTANT II LAW ENFORCEMENT TECHNICIAN	26 26	58,322	61,239	64,301	67,515	70,891	74,435	78,157	82,065	86,168	90,476
COMPLAINTS OFFICER	27	61,238	64,299	67,514	70,889	74,434	78,156	82,064	86,167	90,475	95,000
EXECUTIVE ASSISTANT III STAFF DIRECTOR	30 30	70,891	74,435	78,157	82,065	86,168	90,476	95,001	99,750	104,738	109,975
ASSISTANT COUNTY ATTORNEY I	32	78,159	82,067	86,170	90,478	95,003	99,752	104,740	109,977	115,475	121,249
ASSISTANT COUNTY ATTORNEY II DIRECTOR OF COMMUNICATIONS EXECUTIVE ASSISTANT IV	34 34 34	86,169	90,477	95,002	99,751	104,739	109,976	115,474	121,248	127,310	133,675
DIRECTOR OF REDEVELOPMENT	36	95,002	99,751	104,739	109,976	115,474	121,248	127,310	133,675	140,358	147,376
CHIEF HUMAN RESOURCES OFFICER CHIEF OF TECHNOLOGY AND ADMIN SERVICES COMMUNITY SERVICES DEPT. GEN. MANAGER	38 38 38	104,740	109,977	115,475	121,249	127,312	133,677	140,361	147,379	154,749	162,487
COUNTY SOLICITOR	39	109,978	115,476	121,251	127,313	133,678	140,362	147,380	154,750	162,488	170,611
CHIEF FINANCIAL OFFICER CHIEF OF STAFF COUNTY ATTORNEY DEPUTY CHIEF ADMINISTRATIVE OFFICER DIRECTOR OF PUBLIC SAFETY LAND USE DEPARTMENT GENERAL MANAGER POLICY DIRECTOR FOR THE COUNTY EXECUTIVE PUBLIC WORKS DEPARTMENT GENERAL MGR.	40 40 40 40 40 40 40 40	115,475	121,249	127,312	133,677	140,361	147,378	154,748	162,486	170,609	179,139
CHIEF OF POLICE	41	<u>128,297</u> <u>141,447</u>	<u>134,712</u> <u>148,518</u>	<u>141,446</u> <u>155,945</u>	<u>148,519</u> <u>163,742</u>	<u>155,945</u> <u>171,929</u>	<u>163,743</u> <u>180,526</u>	<u>171,930</u> <u>189,552</u>	<u>180,526</u> <u>199,029</u>	<u>189,553</u> <u>208,981</u>	<u>199,030</u> <u>219,430</u>
PART-TIME ATTORNEY (hourly rate)		43.48	45.65	47.93	50.33	52.85	55.49	58.26	61.17	64.23	67.44
EXECUTIVE AND ADMINISTRATIVE RATES OF PAY											
CHIEF ADMINISTRATIVE OFFICER		112,175	126,757	134,363	142,425	158,091	165,995	174,295	183,009	192,159	201,768
BOARD AND COMMISSIONERS RATES OF PAY											
JUDGEMENT COMMISSIONERS		\$9.25 PER HOUR									
MEMBER, BOARD OF ADJUSTMENT		\$100 PER REGULAR MEETING AND \$100 PER SPECIAL MEETING									
MEMBER, BOARD OF ASSESSMENT REVIEW		\$100 PER MEETING FOR ANY MEETING LASTING NOT MORE THAN SIX (6) HOURS PLUS \$25 PER HOUR FOR EVERY HOUR OVER SIX THAT A MEMBER SPENDS HEARING APPEALS IN A SINGLE DAY.									
MEMBER, HISTORIC REVIEW BOARD		\$100 PER REGULAR MEETING AND \$100 PER SPECIAL MEETING									
MEMBER, HUMAN RESOURCES ADVISORY BOARD		\$100 PER MEETING									
MEMBER, PLANNING BOARD		\$100 PER REGULAR MEETING AND \$100 PER SPECIAL MEETING									
MEMBER, POLICE ACCOUNTABILITY BOARD		\$100 PER REGULAR MEETING AND \$100 PER SPECIAL MEETING									

Effective: 07/01/2025 (Ordinance 23-063)

Revised: 07/01/2025 (Ordinance 23-086)

Revised: 07/01/2023 (Ordinance 23-148)

Revised: 07/01/2025 (Ordinance 24-xxx)

**PAY PLAN AND RATES OF PAY FOR
NON-UNION UNCLASSIFIED SERVICE EMPLOYEES OF THE EXECUTIVE OFFICE**

EXHIBIT E

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10
LEGAL SECRETARY	17	38,533	40,460	42,484	44,607	46,838	49,180	51,639	54,221	56,932	59,778
ETHICS COMMISSION ADMIN ASST	20	44,608	46,839	49,181	51,640	54,223	56,933	59,780	62,769	65,907	69,202
EXECUTIVE ASSISTANT I	22	49,180	51,639	54,221	56,932	59,778	62,768	65,906	69,201	72,661	76,294
OFFICE OF LAW PARALEGAL	24	54,223	56,933	59,780	62,769	65,907	69,202	72,662	76,295	80,110	84,116
PARALEGAL TO THE COUNTY ATTORNEY	25	56,934	59,781	62,770	65,909	69,203	72,664	76,296	80,111	84,117	88,323
EXECUTIVE ASSISTANT II LAW ENFORCEMENT TECHNICIAN	26 26	59,781	62,770	65,909	69,203	72,664	76,296	80,111	84,117	88,323	92,738
COMPLAINTS OFFICER	27	62,769	65,907	69,202	72,662	76,295	80,110	84,116	88,322	92,737	97,375
EXECUTIVE ASSISTANT III STAFF DIRECTOR	30 30	72,664	76,296	80,111	84,117	88,323	92,738	97,377	102,244	107,357	112,725
ASSISTANT COUNTY ATTORNEY I	32	80,113	84,119	88,325	92,740	97,379	102,246	107,359	112,727	118,362	124,281
ASSISTANT COUNTY ATTORNEY II DIRECTOR OF COMMUNICATIONS EXECUTIVE ASSISTANT IV	34 34 34	88,324	92,739	97,378	102,245	107,358	112,726	118,361	124,280	130,493	137,017
DIRECTOR OF REDEVELOPMENT	36	97,378	102,245	107,358	112,726	118,361	124,280	130,493	137,017	143,867	151,061
CHIEF HUMAN RESOURCES OFFICER CHIEF OF TECHNOLOGY AND ADMIN SERVICES COMMUNITY SERVICES DEPT. GEN. MANAGER	38 38 38	107,359	112,727	118,362	124,281	130,495	137,019	143,871	151,064	158,618	166,550
COUNTY SOLICITOR	39	112,728	118,363	124,283	130,496	137,020	143,872	151,065	158,619	166,551	174,877
CHIEF FINANCIAL OFFICER CHIEF OF STAFF COUNTY ATTORNEY DEPUTY CHIEF ADMINISTRATIVE OFFICER DIRECTOR OF PUBLIC SAFETY LAND USE DEPARTMENT GENERAL MANAGER POLICY DIRECTOR FOR THE COUNTY EXECUTIVE PUBLIC WORKS DEPARTMENT GENERAL MGR.	40 40 40 40 40 40 40 40	118,362	124,281	130,495	137,019	143,871	151,063	158,617	166,549	174,875	183,618
CHIEF OF POLICE	41	128,297 <u>141,447</u>	134,712 <u>148,518</u>	141,448 <u>155,945</u>	148,520 <u>163,742</u>	155,946 <u>171,929</u>	163,743 <u>180,526</u>	171,930 <u>189,552</u>	180,527 <u>199,029</u>	189,553 <u>208,981</u>	199,031 <u>219,430</u>
PART-TIME ATTORNEY (hourly rate)		44.57	46.80	49.14	51.60	54.18	56.89	59.73	62.72	65.86	69.15
EXECUTIVE AND ADMINISTRATIVE RATES OF PAY											
CHIEF ADMINISTRATIVE OFFICER		114,980	129,926	137,723	145,986	162,044	170,145	178,653	187,585	196,963	206,813
BOARD AND COMMISSIONERS RATES OF PAY											
JUDGEMENT COMMISSIONERS		\$9.25 PER HOUR									
MEMBER, BOARD OF ADJUSTMENT		\$100 PER REGULAR MEETING AND \$100 PER SPECIAL MEETING									
MEMBER, BOARD OF ASSESSMENT REVIEW		\$100 PER MEETING FOR ANY MEETING LASTING NOT MORE THAN SIX (6) HOURS PLUS \$25 PER HOUR FOR EVERY HOUR OVER SIX THAT A MEMBER SPENDS HEARING APPEALS IN A SINGLE DAY.									
MEMBER, HISTORIC REVIEW BOARD		\$100 PER REGULAR MEETING AND \$100 PER SPECIAL MEETING									
MEMBER, HUMAN RESOURCES ADVISORY BOARD		\$100 PER MEETING									
MEMBER, PLANNING BOARD		\$100 PER REGULAR MEETING AND \$100 PER SPECIAL MEETING									
MEMBER, POLICE ACCOUNTABILITY BOARD		\$100 PER REGULAR MEETING AND \$100 PER SPECIAL MEETING									

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Revised: 07/01/2026 (Ordinance 23-086)

Revised: 07/01/2023 (Ordinance 23-148)

Revised: 07/01/2026 (Ordinance 24-xxx)

RESOLUTION NO. 24-135

CELEBRATING AND HONORING THE LIFE OF REV. DR. WILLIAM W. ELKINS AND EXPRESSING CONDOLENCES TO HIS FAMILY AND FRIENDS

1 **WHEREAS**, The Rev. Dr. William Wesley Elkins, age 76, of Wilmington, DE
2 passed away at home on May 14, 2024. His life was formed around the spiritual advice
3 of St. Augustine: "Take up the book and read"; and

4 **WHEREAS**, He was born on January 10, 1948, in Rocky River, OH, the son of
5 the late Charles W. and Dorothy Smith Elkins. He spent his childhood in Tucson, AZ,
6 taught on the Navajo Reservation, and in West Virginia and served in the ministry for
7 many years in New Jersey before moving to Delaware in 2020; and

8 **WHEREAS**, William earned his undergraduate degree from the University of
9 Arizona. He went on to complete his MPhil degree at Duke University in Durham, NC,
10 his MDiv degree from Methodist Theological School in Ohio. He also earned a teaching
11 certification in education for the gifted at Marshal University, an MA in counseling at
12 West Virginia University in Morgantown, WV, and his PhD from Drew University in
13 Madison, NJ; and

14 **WHEREAS**, He spent his career as a United Methodist pastor and educator. He
15 taught as an adjunct professor in pastoral theology at Drew University, and Methodist
16 Theological University in Seoul, South Korea until his retirement; and

17 **WHEREAS**, William's memberships included the Bellefonte Lions Club, the
18 Greater New Jersey United Methodist Conference, the American Philosophical Society,
19 and the Josiah Royce Society. He was also an associate member of the Church of the
20 Redeemer in Morristown, NJ; and

21 **WHEREAS**, an accomplished scholar, he served as the first editor of the Journal
22 of Scriptural Reasoning and wrote various essays, specifically on scripture, the Civil
23 War and pragmatism. His final publication was a paper on Abraham Lincoln and was
24 working on a manuscript titled "The Lion's Dream: A philosophical theology of the
25 gospel of Mark" before his passing.

26 **WHEREAS**, He is survived by his wife, Rev. Dr. Heather Murray Elkins; son
27 Daniel Marney Elkins and his wife, Jessica Graham of Wilmington, DE; two siblings,
28 Charles W. Elkins Jr. and his wife Andi of Tucson, AZ and James B. Elkins and his wife
29 Lisa of Denver, CO.

30 **NOW, THEREFORE, BE IT RESOLVED** by and for the County Council of New
31 Castle County that County Council hereby express their deepest condolences to the
32 family and friends of Rev. Dr. William Wesley Elkins.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

SYNOPSIS: Same as title

FISCAL IMPACT: There is no discernible fiscal impact with the adoption of this resolution.