



NEW CASTLE COUNTY COUNCIL COUNCIL MEETING

March 11, 2025
6:30 PM

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

AGENDA

A. Call to Order

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

B. Approval of Minutes

C. Announcements

D. Introduction of Ordinances

°25-021: AMEND THE GRANTS BUDGET: APPROPRIATE \$100,000 FROM THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION THROUGH THE STATE OF DELAWARE, DELAWARE DEPARTMENT OF HEALTH AND SOCIAL SERVICES, DIVISION OF SUBSTANCE ABUSE AND MENTAL HEALTH TO THE WASTEWATER GRANT DHSS 2025 FOR THE DEPARTMENT OF PUBLIC WORKS

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

°25-022: AMEND THE FY2025 CAPITAL PROGRAM AND BUDGET: APPROPRIATE \$29,600 IN FUNDING RECEIVED FROM THE STATE OF DELAWARE, DEPARTMENT OF TRANSPORTATION THROUGH THE COMMUNITY TRANSPORTATION FUND TO THE DEPARTMENT OF PUBLIC WORKS, GREENWAY SYSTEMS CAPITAL PROJECT

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

°25-023: TO PROVIDE FOR THE INSTALLATION OF TRADITIONAIRE STREET LIGHTS WITH LIGHT EMITTING DIODE (LED) BULBS (100 WATT EQUIVALENT) IN THE OVERLOOK AT BAYBERRY SUBDIVISION LOCATED IN ST. GEORGES HUNDRED AND FOR A LIGHT TAX BASED ON THE COST OF STREET LIGHTS

Prime Sponsor(s): Mr. Carter

°25-024: AMEND THE GRANTS BUDGET: APPROPRIATE INTEREST INCOME \$6,390.25 AND PROGRAM INCOME \$163,310.29 TO THE FY2024 HOME INVESTMENT PARTNERSHIP PROGRAM (HOME), WHICH IS ADMINISTERED BY THE DEPARTMENT OF

COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING
Prime Sponsor(s): Mr. Hollins, Mr. Street

E. Reports from Select and Special Committees

F. Consent Calendar

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

R25-043: APPROVING THE REFUND OF A DUPLICATE TAX PAYMENT ON TAX
PARCEL NUMBER 06-064.002-41
Prime Sponsor(s): Mr. Smiley, Mr. Cartier

R25-044: APPROVING THE REFUND OF TAX PAYMENT AND SEWER FEES PAID IN
ERROR ON TAX PARCEL NUMBER 07-034.203-41
Prime Sponsor(s): Mr. Smiley, Mr. Cartier

R25-045: APPROVING THE REFUND OF A DUPLICATE TAX PAYMENT ON TAX
PARCEL NUMBER 10-006.000-32
Prime Sponsor(s): Mr. Smiley, Mr. Cartier

R25-046: APPROVING THE REFUND OF A DUPLICATE TAX PAYMENT ON TAX
PARCEL NUMBER 11-022.000-15
Prime Sponsor(s): Mr. Smiley, Mr. Cartier

R25-047: TO AMEND NEW CASTLE COUNTY COUNCIL PROCEDURAL RULE 5
REGARDING COUNTY COUNCIL COMMITTEE CO-CHAIRS
Prime Sponsor(s): Mr. Smiley

I. Consideration of Ordinances

°25-019: AMENDING *NEW CASTLE COUNTY CODE* CHAPTER 2 ("ADMINISTRATION"),
SECTION 2.02.110 ("COUNTY COUNCIL COMMITTEE CO-CHAIRS") REGARDING COUNCIL
COMMITTEES AND CHAIRS THEREOF
Prime Sponsor(s): Mr. Smiley

J. Time Sensitive Congratulatory/Honorary Resolutions

K. Introduction/Consideration of Emergency Ordinances

L. Public Comment/Other

M. Motion to Adjourn

AGENDA POSTED: March 4, 2025

*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.nccde.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.

ORDINANCE NO. 25-021

**AMEND THE GRANTS BUDGET:
APPROPRIATE \$100,000 FROM THE U.S. DEPARTMENT OF HEALTH AND
HUMAN SERVICES, SUBSTANCE ABUSE AND MENTAL HEALTH
SERVICES ADMINISTRATION THROUGH THE STATE OF DELAWARE,
DELAWARE DEPARTMENT OF HEALTH AND SOCIAL SERVICES, DIVISION OF
SUBSTANCE ABUSE AND MENTAL HEALTH TO THE WASTEWATER GRANT
DHSS 2025 FOR THE DEPARTMENT OF PUBLIC WORKS**

1 **WHEREAS**, funding has been awarded from the U.S. Department of Health and Human
2 Services, Substance Abuse and Mental Health Services Administration through the State of
3 Delaware, Department of Health and Social Services, Division of Substance Abuse and Mental
4 Health to the Wastewater Grant DHSS 2025 Grant; and

5
6 **WHEREAS**, funding shall be used to collect samples from the sanitary sewer system to
7 be analyzed and will be shared with the State of Delaware, Department of Health and Social
8 Services and the New Castle County Police Department to track known overdoses with high-
9 risk substance data to observe trends; and

10
11 **WHEREAS**, the County Executive has determined that funds received are sufficient
12 to cover the increase in the Grants Budget as hereinafter amended; and

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

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

20
21 Section 1. The Grants Budget, as adopted by Ordinance No. 75-173, is hereby
22 amended by adding the material on the attached "Exhibit A," which is considered to be
23 underscored in its entirety.

24
25 Section 2. 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 3. It is the intent of the County Council that the provisions of this Ordinance
30 shall be effective retroactive to December 13, 2024.

Adopted by County Council of
New Castle County on:

Monique Williams-Johns
President of County Council

Approved on:

Marcus Henry
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will appropriate \$100,000 from the U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration through the State of Delaware, Department of Health and Social Services, Division of Substance Abuse and Mental Health to the Wastewater Grant DHSS 2025 Grant. Funding shall be used to collect samples from the sanitary sewer system to be analyzed and will be shared with the State of Delaware, Department of Health and Social Services and the New Castle County Police Department to track known overdoses with high-risk substance data to observe trends.

It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to December 13, 2024.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by appropriating \$100,000 from the U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration through the State of Delaware, Department of Health and Social Services, Division of Substance Abuse and Mental Health to the Wastewater Grant DHSS 2025 Grant.

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget of \$100,000. This increase will impact FY2025 and FY2026, since the targeted program completion date of this award is September 29, 2025.

Acknowledged by the Chief Financial Officer February 19, 2025.

DEPARTMENT:	Public Works	EXHIBIT:	"A"
GRANT TITLE:	Wastewater DHSS 2025	Ordinance No.	25-021
PROGRAM TITLE:	Wastewater DHSS 2025		

Revenue	Current	Change	Revised
Federal	\$ 100,000.00	\$ -	\$ 100,000.00
State	\$ -	\$ -	\$ -
County	\$ -	\$ -	\$ -
Program Income	\$ -	\$ -	\$ -
Other	\$ -	\$ -	\$ -
Total	\$ 100,000.00	\$ -	\$ 100,000.00

Expense	Current	Change	Revised
Salaries and Wages	\$ -	\$ -	\$ -
Benefits	\$ -	\$ -	\$ -
Training/Civic Affairs	\$ -	\$ -	\$ -
Communication/Utilities	\$ -	\$ -	\$ -
Materials/Supplies	\$ -	\$ -	\$ -
Contractual Services	\$ 100,000.00	\$ -	\$ 100,000.00
Equipment	\$ -	\$ -	\$ -
Grants/Fixed Charges	\$ -	\$ -	\$ -
Land and Structures	\$ -	\$ -	\$ -
Contingency	\$ -	\$ -	\$ -
Operating Transfer Charges	\$ -	\$ -	\$ -
Operating Transfer Credits	\$ -	\$ -	\$ -
Total	\$ 100,000.00	\$ -	\$ 100,000.00

SUPPLEMENTAL INFORMATION

Estimated Program Initiation:	12/13/2024
Estimated Program Completion:	9/29/2025
The Local Match:	Found in (ORG):
Ordinance Passed:	Date Revised:

PROGRAM DESCRIPTION:

New Castle County will collect samples from the sanitary sewer system. The samples will be analyzed and shared with the State of Delaware, Department of Health and Social Services and NCC Police Departments. NCC will track known overdoses with high-risk substance data to observe trends.

3/11/2025

Prime Sponsor(s): Mr. Sheldon, Mr. Carter
Requested by: Public Works
Date of introduction: March 11, 2025

ORDINANCE NO. 25-022

**AMEND THE FY2025 CAPITAL PROGRAM AND BUDGET: APPROPRIATE \$29,600
IN FUNDING RECEIVED FROM THE STATE OF DELAWARE, DEPARTMENT OF
TRANSPORTATION THROUGH THE COMMUNITY TRANSPORTATION FUND TO
THE DEPARTMENT OF PUBLIC WORKS, GREENWAY SYSTEMS CAPITAL
PROJECT**

1 **WHEREAS**, the Department of Public Works has received documentation
2 certifying that the State of Delaware Fiscal Year has appropriated \$29,600 to New Castle
3 County – Public Works from the State of Delaware, Department of Transportation
4 (DelDOT) through the Community Transportation Fund (CTF); and
5

6 **WHEREAS**, the funding is for the installation of a sidewalk along Route 141 in New
7 Castle County, Delaware.
8

9 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
10

11 Section 1. The Capital Budget Ordinance for the fiscal year beginning July 1, 2024
12 is hereby amended by deleting the material that is stricken and adding the material that
13 is underscored on the attached Exhibit “A.”
14

15 Section 2. The Capital Program Resolution for the fiscal year beginning July 1,
16 2024 is hereby amended by adding the material on the attached Exhibit “B,” which shall
17 be considered underscored in its entirety.
18

19 Section 3. State funding in the amount of \$29,600 is appropriated to the
20 Department of Public Works, Capital Project for Greenway Systems, for the installation
21 of a sidewalk along Route 141 in New Castle County, Delaware.
22

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

Adopted by County Council of
New Castle County on:

Monique Williams-Johns
President of County Council
of New Castle County

Approved on:

Marcus Henry
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will appropriate \$29,600 in funding received from the State of Delaware, Department of Transportation (DelDOT) through the Community Transportation Fund (CTF) to the Department of Public Works, Greenway Systems Capital Project for the installation of a sidewalk along Route 141 in New Castle County, Delaware.

FISCAL NOTE: This Ordinance, if approved, will amend the FY2025 Capital Budget by appropriating \$29,600 in funding received from the State of Delaware, Department of Transportation (DelDOT) through the Community Transportation Fund (CTF) to the Department of Public Works, Greenway Systems Capital Project.

The revised FY2025 Capital Budget amount for the Greenway Systems Capital Project will be \$1,029,600.

The revised FY2025 New Castle County Capital Budget grand total will be \$82,516,005.

Acknowledged by the Chief Financial Officer February 25, 2025.

EXHIBIT "A"
NEW CASTLE COUNTY
CAPITAL BUDGET - FY2025

25-022

DEPARTMENT OF ADMINISTRATION

Firewall Replacement	\$	425,000
Reassessment 2024		5,000,000
Subtotal	\$	5,425,000

DEPARTMENT OF COMMUNITY SERVICES

Appoquinimink Library	\$	236,482
Glasgow Library		150,000
Newark Library		8,200,000
Rockwood Museum		175,000
Surratte Pool Renovations		50,000
Subtotal	\$	8,811,482

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	\$	1,616,398
Fleet Equipment 2022		(450,000)
Fleet Equipment 2023		(1,900,000)
Fleet Equipment 2024		49,590
Fleet Equipment 2025		6,510,906
Subtotal	\$	5,826,894

EXHIBIT "A"
NEW CASTLE COUNTY
CAPITAL BUDGET - FY2025

25-022

DEPARTMENT OF PUBLIC WORKS (Continued)

Parks

Agricultural Preservation		\$	1,000,000
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		<u>1,029,600</u>
Open Space Preservation			1,500,000
Southern Regional Park			<u>4,400,000</u>
Subtotal	10,975,000	\$	<u>11,004,600</u>

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			41,000,000
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			<u>4,100,000</u>
Subtotal		\$	51,047,515

CAPITAL BUDGET TOTAL

82,486,405 **\$** **82,516,005**

EXHIBIT B**PROJECT PROFILES
PUBLIC WORKS - PARKS (continued)**

Project Name (Number): Greenway Systems (C300515)					
Description: Cross county pathway connector system for multi-use walking and biking.			Council Districts: All		
Funding Schedule					
	Bonds	Federal	State	Other	Total
Prior Authorizations	\$ 4,532,676	\$ 822,800	\$ 2,093,554	\$ 225,805	\$ 7,674,835
FY2025	1,000,000	-			1,000,000
			29,600		1,029,600
FY2026	2,000,000	-		-	2,000,000
FY2027	1,000,000	-	-	-	1,000,000
FY2028	1,000,000	-	-	-	1,000,000
FY2029	1,000,000	-	-	-	1,000,000
FY2030	1,000,000	-	-	-	1,000,000
Future Years	1,000,000	-	-	-	1,000,000
Total	\$ 12,532,676	\$ 822,800	\$ 2,093,554	\$ 225,805	\$ 15,674,835
			\$ 2,123,154		\$ 15,704,435
Available Authorizations:		\$ 2,626,616			
Available Funding:		\$ (751,771)			
Operating Budget Impact:		\$ 2,200			

*Available Authorizations / Funding as of February 29, 2024, net of obligations.

FY2025 Activity:

Millcreek, Commons Boulevard Phase 2, EAA work. Sidewalk installation project along Route 141.

Future Activity:

Construction for Iron Hill to Glasgow, and/or Newport to Wilmington. Work is done on segments at a time, very large in total.

ORDINANCE NO. 25-023

**TO PROVIDE FOR THE INSTALLATION OF TRADITIONAIRE STREET LIGHTS WITH
LIGHT EMITTING DIODE (LED) BULBS (100 WATT EQUIVALENT) IN THE OVERLOOK
AT BAYBERRY SUBDIVISION LOCATED IN ST. GEORGES HUNDRED AND FOR A
LIGHT TAX BASED ON THE COST OF STREET LIGHTS**

1 **WHEREAS**, a petition has been filed with the Clerk of New Castle County Council for
2 the establishment of a street light tax district in the OVERLOOK AT BAYBERRY SUBDIVISION
3 and for the installation of TRADITIONAIRE street lights with 100 watt light emitting diode (LED)
4 bulbs, therein.

5
6 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
7

8 Section 1. The County Executive is hereby authorized to enter a contract, in accordance
9 with 9 *Del. C.* Chapter 21, to provide for the installation of TRADITIONAIRE street lights with
10 100 watt light emitting diode (LED) bulbs, according to the standards established by the New
11 Castle County Department of Land Use, to be erected along ALBERTI PL, EMMANUEL TRL,
12 MACLAREN LN, OVERLOOK PL, ROSLER WAY, S THALES DR, N THALES DR, TURMBULL
13 CT as set forth in the petition.
14

15 Section 2. The properties set forth in the petition shall continue to be subject to an
16 annual tax based on the full annual cost of the street lighting in an amount to be provided for
17 in the Annual Revenue Ordinance.
18

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

Adopted by County Council of
New Castle County on:

Monique Williams-Johns
President of Council
of New Castle County

Approved on:

Marcus Henry
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will allow for the installation of TRADITIONAIRE street lights with 100 watt light emitting diode (LED) bulbs in the OVERLOOK AT BAYBERRY SUBDIVISION.

FISCAL NOTE: This Ordinance, if approved, provides for the installation of TRADITIONAIRE street lights with 100 watt light emitting diode (LED) bulbs and the assessment of a light tax based on the rates set in the Annual Revenue Ordinance.

The light tax assessed on these OVERLOOK AT BAYBERRY 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.

Acknowledged by the Chief Financial Officer February 25, 2025.



Bayberry East-West LLC
220 Continental Drive, Ste. 410
Newark, DE 19713
(302) 254-0100
sminner@blenheimhomes.com

November 12, 2024

Mr. John Avera
Finance Operations Supervisor - Treasury
New Castle County
87 Reads Way
New Castle, DE 19720

RE: **Builder's Petition for street lights for The Overlook at Bayberry, App. No. 2021-0504**

Dear Mr. Avera:

Enclosed you will find the following for your use and approval:

- 1) Completed Builder's Petition for The Overlook at Bayberry.
- 2) 2 copies of the deed for The Overlook at Bayberry for the underlying subdivision parcel.
- 3) 2 reduced copies of the recorded Record Major Land Development Plan.
- 4) Contact Person: Shane Minner, please see above for contact information
- 5) The subdivision has 175 lots.

The tax parcel number prior to subdivision was 13-013.00-002 which was previously Lot 1 of an overall Bayberry Town Center plan, App. No 2007-0940 recorded November 10, 2011 at Instrument No. 20111110-0068304.

Should you have any questions or require further information, please email or call me at 254-0100, extension 214.

Sincerely,

A handwritten signature in blue ink that reads "M. Shane Minner".

M. Shane Minner, P.E.
Land Resources Manager
Enclosures

BLenheim MANAGEMENT COMPANY
220 Continental Drive, Suite 410 · Christiana Executive Campus · Newark, DE 19713
Office: (302) 254-0100 · FAX: (302) 254-0101



OFFICE OF FINANCE

BUILDERS PETITION FOR STREET LIGHTING

STATE OF DELAWARE :

SS :

NEW CASTLE COUNTY :

TO: The Honorable President and Members of County Council of New Castle County, Delaware

BE IT KNOWN, that on this 11th Day of November, A.D. 2024 personally appeared before me, the undersigned Notary Public, of the State of Delaware, known to me as such, and being first duly sworn by me according to law, stated and said as follows:

1. BAYBERRY EAST-WEST LLC holds record title to THE OVERLOOK AT BAYBERRY a subdivision located in ST. GEORGES HUNDRED, New Castle County, Delaware, the metes and bounds for which are set forth in the Deed dated OCTOBER 18, 2022, between BAYBERRY TOWN CENTER LLC as grantors, and BAYBERRY EAST-WEST LLC as grantee, recorded in the Office for the Recorder of Deeds in and for New Castle County at Wilmington, Delaware, in Deed Instrument Number 20221019-0100085, a copy of which is attached hereto and made a part hereof as EXHIBIT A. A substantially reduced copy of the record subdivision plan for the portion of the lands known as THE OVERLOOK AT BAYBERRY New Castle County, Delaware, being known as Subdivision Instrument No. 20240410-0022476, is attached hereto and made a part hereof as EXHIBIT B.

2. BAYBERRY EAST-WEST LLC as sole owner of THE OVERLOOK AT BAYBERRY an unincorporated community in ST. GEORGES HUNDRED, New Castle County, Delaware, hereby petitions New Castle County pursuant to 9 Del. C. 2101 et seq. (Rev. 1974) to enter into a contract for the purpose of providing light for the streets running through and within THE OVERLOOK AT BAYBERRY, the boundary lines of which are set forth on EXHIBIT A attached hereto and made part hereof, and more visually represented in EXHIBIT B attached hereto and made part hereof.

3. The type of streetlight and wattage being requested – Select one...

- ☐ Colonial / Traditionaire LED (70 watt HPS equivalent)
- ☒ Colonial / Traditionaire LED (100 watt HPS equivalent)
- ☐ Arlington LED (70 watt HPS equivalent)
- ☐ Arlington LED (100 watt HPS equivalent)

4. List names of all streets you wish to have lights installed on OVERLOOK PLACE, ROSLER WAY, MacLAREN LANE, TRUMBULL COURT, ALBERTI PLACE, EMMANUEL TRAIL, SOUTH THALES DRIVE AND NORTH THALES DRIVE.

BY Jay N. Sarracino
Managing Member

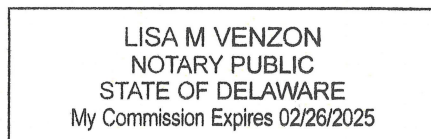
BY _____

SWORN TO AND SUBSCRIBED before me the day and year aforesaid.

Lisa M. Venzon
Notary Public

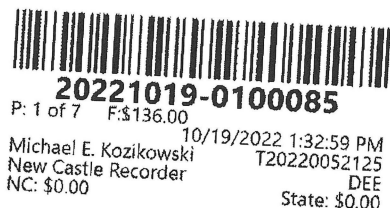
My commission expires: 2/26/25

(Seal)



COPY

25-023



TAX PARCEL NOS.: 13-013.00-002
13-013.00-067
13-013.00-248

PREPARED BY AND RETURN TO:
John H. Newcomer, Jr.
Morris James LLP
500 Delaware Avenue, Suite 1500
Wilmington, DE 19801
File No.: 126305-0001

**NO SURVEY OR TITLE SEARCH
WAS REQUESTED OR PERFORMED**

DEED

THIS DEED made this 18th day of October, 2022,

Between:

BAYBERRY TOWN CENTER LLC, a Delaware limited liability company, party of the first part,

AND

BAYBERRY EAST-WEST LLC, a Delaware limited liability company, party of the second part,

WITNESSETH, that the said party of the first part, for and in consideration of the sum of **TEN AND 00/100 DOLLARS (\$10.00)**, lawful money of the United States of America, and other good and valuable consideration, the receipt of which is hereby acknowledged, hereby grants and conveys unto the party of the second part, its successors and assigns, in fee, the following described parcel of real estate:

See Exhibit "A" attached hereto and a part hereof.

TOGETHER WITH all trees and landscaping, street and paving and utility systems (subject to rights of third parties therein, if any) easements, rights, interests and claims of the party of the first part which in any way appertain to or benefit the land hereby conveyed, all timber, topsoil, gravel, mineral, subaqueous, riparian and air rights connected with such land; and together with all permits, approvals, plans, engineering work and records related to the land, all of which are hereby assigned to the party of the second part.

EXCEPTING, HOWEVER, any buildings foundations or slabs on which no building is presently erected, equipment, fences, cess pools, underground and above ground storage tanks, animal carcasses and buried or surface refuse.

SUBJECT TO AND WITH THE BENEFIT OF ALL covenants, conditions, restrictions, plans and easements of record with respect to the property described above, this reference to which shall not be construed to re-impose any such covenants, conditions, restrictions, plans and easements which have otherwise lapsed, expired or have otherwise been terminated in accordance with their terms or otherwise, as applicable.

BEING, the same lands and premises which Bayberry Town Center LLC, a Delaware limited liability company (formerly BTCR LLC, a Delaware limited liability), by Deed dated October 24, 2013 and recorded on October 25, 2013, in the Office of the Recorder of Deeds in and for New Castle County, Delaware in Instrument No. 20131025-0068171, did grant and convey unto Bayberry Town Center LLC, a Delaware limited liability company, party of the first part, in fee.

ALSO, BEING the same lands and premises which Bayberry Town Center LLC, a Delaware limited liability company (formerly Farmland Holdings III LLC, a Delaware limited liability), by Deed dated October 24, 2013 and recorded on October 25, 2013, in the Office of the Recorder of Deeds in and for New Castle County, Delaware in Instrument No. 20131025-0068174, did grant and convey Bayberry Town Center LLC, a Delaware limited liability company, party of the first part, in fee.

[signature page follows]

IN WITNESS WHEREOF, the said party of the first has caused this Instrument to be executed, delivered and sealed by its duly authorized representatives as of the date and year aforesaid.

BAYBERRY TOWN CENTER LLC,
a Delaware limited liability company

Dana A. Adlesic
WITNESS

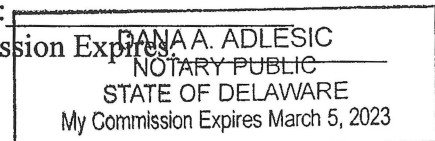
By: *Jay N. Sorensen* (Seal)
Name: *Jay N. Sorensen*
Title: *Authorized Member*

STATE OF DELAWARE)
): S.S.
COUNTY OF NEW CASTLE)

BE IT REMEMBERED, that on this *18th* day of October, 2022, came before me, the Subscriber, a Notary Public in and for the State of County aforesaid, *Jay N. Sorensen*, the *Auth Member* of BAYBERRY TOWN CENTER LLC, a Delaware limited liability company, party to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his act and deed and the act and deed of the limited liability company.

GIVEN UNDER MY HAND AND SEAL of office the day and year aforesaid.

Dana A. Adlesic
Notary Public or Notarial Officer
Print Name: _____
My Commission Expires _____



Grantees' Address:
220 Continental Drive, Suite 410
Newark, DE 19713

Exhibit "A"

BAYBERRY TOWN CENTER – LOT 1
TAX PARCEL NO. 13-013.00-002
71.907 ACRES

Description of property situate in St. Georges Hundred, New Castle County, State of Delaware, being Lot 1 as shown on the Proposed Subdivision Record Resubdivision and Land Development Plan for "BAYBERRY TOWN CENTER" prepared by Karins and Associates, Professional Engineers and Land Surveyors, Drawing No. 2226\ACAD\CONST. PLANS\RESUB-2015\A05, Consisting of 12 Sheets, dated June 03, 2015 and recorded August 03, 2015 in the Office of the Recorded or Deeds in and for New Castle County on Instrument No. 20150803-0038901. Being more particularly bounded and described as follows to wit:

BEGINNING at a point on the northeasterly side of Boyds Corner Road (Variable Width R/W), a corner in common for herein described Lot with Lot 4; thence, from said point of Beginning, continuing along the said northeasterly side of Boyds Corner Road by the following three (3) described courses and distances, 1) South 21°-44'-30" West 24.75 feet to a point, 2) North 68°-14'-30" West 785.24 feet to a point of curvature and, 3) Northwesterly, along a 2868.12 feet radius curve to the right, said curve having a chord bearing of North 61°-55'-59" West and a chord distance of 630.34 feet, an arc length of 631.62 feet to a corner in common with lands now or formerly of "Bertha M. Hobson (T.P.# 13-013.00-065)"; thence, leaving the said northeasterly side of Boyds Corner Road, on a line in common with said lands now or formerly of "Bertha M. Hobson (T.P.# 13-013.00-065)", North 13°-36'-47" East 1207.45 feet to a corner in common with lands now or formerly of "Robert L. & Sarah C. Emerson (T.P.# 13.008.00-004)"; thence, on lines in common with said lands now or formerly of "Robert L. & Sarah C. Emerson (T.P.# 13.008.00-004)" by the following four (4) described courses and distances, 1) North 89°-25'-59 East 601.35 feet to a point, 2) South 84°-05'-23" East 334.20 feet to a point, 3) South 06°-09'51" East 86.91 feet to a point and, 4) South 76°-09'-51" East 1461.00 feet to a corner in common with lands now or formerly of "William and Charlotte Goodwin (T.P.# 13-013.00-001)"; thence, on a line in common with said lands now or formerly of "William and Charlotte Goodwin (T.P.# 13-013.00-001)", South 76°-09'-51" East 179.43 feet to a point on the northwesterly side of Jamison Corner Road (122' wide R/W); thence, along the said northwesterly side of Jamison Corner Road by the

following five (5) described courses and distances, 1) South 23°-43'-18" West 39.14 feet to a point of curvature, 2) Southwesterly, along a 777.00 feet radius curve to the right, said curve having a chord bearing of South 33°-32'-18" West and a chord distance of 264.95 feet, an arc length of 266.25 feet to a point of tangency, 3) South 43°-21'-18" West 389.26 feet to a point of curvature, 4) Southwesterly, along a 889.00 feet radius curve to the left, said curve having a chord bearing of South 31°-41'-44" West and a chord distance of 359.32 feet, an arc length of 361.82 feet to a point of tangency and, 5) South 20°-02'-10" West 155.11 feet to a corner in common with Lot 4; thence, on lines in common with said Lot 4, by the following two (2) described courses and distances, 1) North 73°-22'-19" West 707.33 feet to a point and, 2) South 21°-44'-30" West 476.15 feet to the point and place of Beginning.

Containing within said described metes and bounds 71.907 acres of land, be the same more or less.

BAYBERRY TOWN CENTER – LOT 3
TAX PARCEL NO. 13-013.00-067
80.494 ACRES

Description of property situate in St. Georges Hundred, New Castle County, State of Delaware, being Lot 3 as shown on the Proposed Subdivision Record Resubdivision and Land Development Plan for "BAYBERRY TOWN CENTER" prepared by Karins and Associates, Professional Engineers and Land Surveyors, Drawing No. 2226\ACAD\CONST. PLANS\RESUB-2015\A05, Consisting of 12 Sheets, dated June 03, 2015 and recorded August 03, 2015 in the Office of the Recorded or Deeds in and for New Castle County on Instrument No. 20150803-0038901. Being more particularly bounded and described as follows to wit:

BEGINNING at a point on the northeasterly side of Boyds Corner Road (Variable Width R/W), said point being the southwesterly end of a line joining the said northeasterly side of Boyds Corner Road with the northwesterly side of North Bayberry Parkway; thence, from said point of Beginning, continuing along the said northeasterly side of Boyds Corner Road by the following three (3) described courses and distances, 1) North 82°-44'-52" West 20.00 feet to a point, 2) South 07°-15'-08" West 26.18 feet to a point and, 3) North 82°-43'-17" West 1879.03 feet to a point; thence, leaving the said northeasterly side of Boyds Corner Road, on lines in common with lands now or formerly of "Middle Kiddie LLC (T.P.# 13-013.00-066)" by the following three (3)

described courses and distances, 1) North 10°-40'-08" East 498.35 feet to a point, 2) North 81°-06'-41" West 139.07 feet to a point and, 3) South 10°-40'-08" West 488.18 feet to a point on the said northeasterly side of Boyds Corner Road; thence, along the said northeasterly side of Boyds Corner Road, North 82°-43'-08" West 66.86 feet to a corner in common with lands designated, "Proposed Sanitary Sewer Pump Station Site (T.P.# 13-013.00-248)"; thence, on lines in common with said lands designated, "Proposed Sanitary Sewer Pump Station Site (T.P.# 13-013.00-248)" by the following three (3) described courses and distances, 1) North 07°-16'-52" East 82.00 feet to a point, 2) North 82°-43'-08" West 95.00 feet to a point and, 3) South 07°-16'-52" West 82.00 feet to a point on the said northeasterly side of Boyds Corner Road; thence, along the said northeasterly side of Boyds Corner Road North 82°-43'-08" West 369.52 feet to the southeasterly end of a line joining the said northeasterly side of Boyds Corner Road with the southeasterly side of North Bayberry Parkway (90' Wide R/W); thence, along the said line joining the northeasterly side of Boyds Corner Road with the southeasterly side of North Bayberry Parkway (90' Wide R/W), North 34°-31'-14" West 73.16 feet to the northwesterly end of the said line joining the northeasterly side of Boyds Corner Road with the southeasterly side of North Bayberry Parkway (90' Wide R/W); thence, along the said southeasterly side of North Bayberry Parkway (90' Wide R/W), North 13°-40'-41" East 1486.32 feet to a line in common with lands now or formerly of "Robert Lee and Sarah C. Emerson (T.P.# 13-013.00-235 erroneously shown as 13-013.00-004)"; thence, thereby, by the following two (2) described courses and distances, 1) South 72°-53'-20" East 668.75 feet to a point and, 2) South 74°-51'-13" East 1895.24 feet to a corner in common with lands now or formerly of "Farm Land Holdings LLC (T.P.# 13-013.21-209)"; thence, on a line in common with said lands now or formerly of "Farm Land Holdings LLC (T.P.# 13-013.21-209)", South 07°-29'-12" East 498.72 feet to a point on the aforesaid northwesterly side of North Bayberry Parkway; thence, along the said North Bayberry Parkway by the following four (4) described courses and distances, 1) South 40°-10'-58" West 19.51 feet to a point, 2) South 34°-32'-09" West 112.58 feet to a point of curvature, 3) Southwesterly, along a 800.00 feet radius curve to the left, said curve having a chord bearing of South 21°-02'-09" West and a chord distance of 373.51 feet, an arc length of 376.99 feet to a point of tangency and, 4) South 07°-32'-09" West 124.62 feet to the northeasterly end of the aforesaid line joining the northeasterly side of Boyds Corner Road with the northwesterly side of North Bayberry Parkway; thence, along the said line

joining the northeasterly side of Boyds Corner Road with the northwesterly side of North Bayberry Parkway, South 52°-23'-38" West 84.64 feet to the point and place of Beginning.

Containing within said described metes and bounds 80.494 acres of land, be the same more or less.

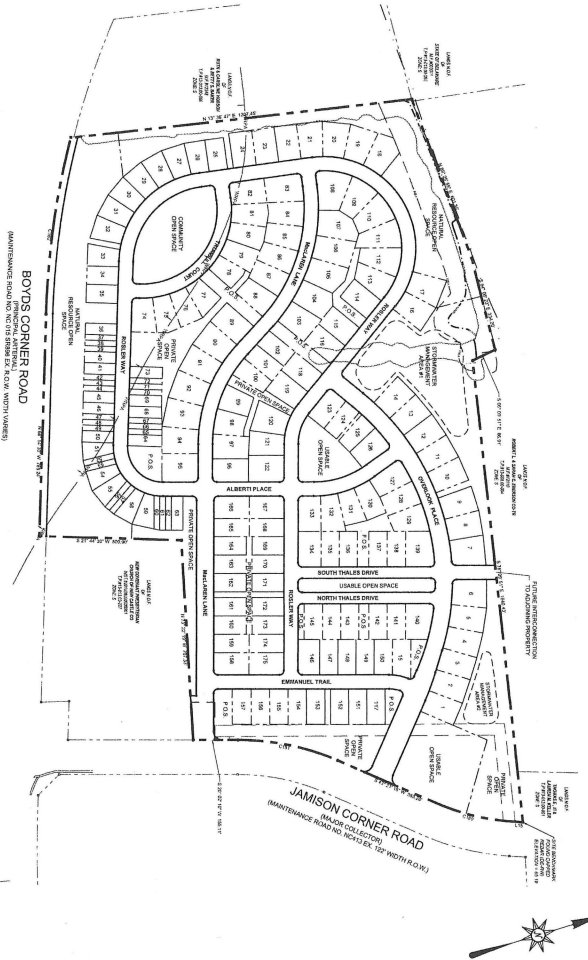
BAYBERRY TOWN CENTER – SANITARY SEWER PUMP STATION
TAX PARCEL NO. 13-013.00-248
0.177 ACRES

Description of property situate in St. Georges Hundred, New Castle County, State of Delaware, being a Sanitary Sewer Pump Station as shown on the Proposed Subdivision Record Resubdivision and Land Development Plan for "BAYBERRY TOWN CENTER" prepared by Karins and Associates, Professional Engineers and Land Surveyors, Drawing No. 2226\ACAD\CONST. PLANS\RESUB-2015\A05, Consisting of 12 Sheets, dated June 03, 2015 and recorded August 03, 2015 in the Office of the Recorded or Deeds in and for New Castle County on Instrument No. 20150803-0038901. Being more particularly bounded and described as follows to wit:

BEGINNING at a point on the northeasterly side of Boyds Corner Road (Variable Width R/W), said point being further located from the southeasterly end of a line joining the said northeasterly side of Boyds Corner Road with the southeasterly side of North Bayberry Parkway (90' wide R/W) by the following described course and distance, North 82°-43'-08" West 369.52 feet to the point and place of Beginning; thence, from said point of Beginning, leaving the said northeasterly side of Boyds Corner Road, on lines in common with Lot 3 by the following three (3) described courses and distances, 1) North 07°-16'-52" East 82.00 to a point, 2) South 82°-43'-08" East 95.00 feet to a point and, 3) South 07°-16'-52" West 82.00 feet to a point on the aforesaid northeasterly side of Boyds Corner Road; thence, along the said northeasterly side of Boyds Corner Road, North 82°-43'-08" West 95.00 feet to the point and place of Beginning.

Containing within said described metes and bounds 0.177 acres of land, be the same more or less.

RECORD MAJOR LAND DEVELOPMENT PLAN
FOR
THE OVERLOOK AT BAYBERRY
ST. GEORGES HUNDRED - NEW CASTLE COUNTY, DELAWARE



BOUNDARY INFORMATION

LINE	ADJACENT	DISTANCE
1	BOYS CORNER ROAD	2.17'
2	BOYS CORNER ROAD	2.17'

CURVE TABLE

CURVE	ANGLE	CHORD	CHORD BEARING
1	112.00	28.56	S 31.27° E 28.56'
2	112.00	28.56	S 31.27° E 28.56'
3	112.00	28.56	S 31.27° E 28.56'
4	112.00	28.56	S 31.27° E 28.56'

CERTIFICATE OF OWNERSHIP

I, the undersigned, being the owner of the above described property, hereby certify that the above described property is the property of the owner of the above described property and that the owner of the above described property is the owner of the above described property.

DATE: _____

UNIT TYPE KEY

NUMBER OF UNITS	SPACES	UNIT TYPE
71 (64%)	70	VALUE LOT (DOC. VALUE)
51 (35%)	50	DETACHED 1,000 S.F.
38 (22%)	70	TOWNHOUSE LOT (DOC. TOWNHOUSE)
175 (100%)		TOTAL

INDEX OF SHEETS

SHEET	INDEX PLAN
SHEET 1	INDEX PLAN
SHEET 2	NOTES & LEGEND
SHEET 3-4	MAJOR LAND DEVELOPMENT PLANS
SHEET 7	LINE AND CURVE DATA

PLAN PURPOSE

THE PURPOSE OF THIS PLAN IS TO:

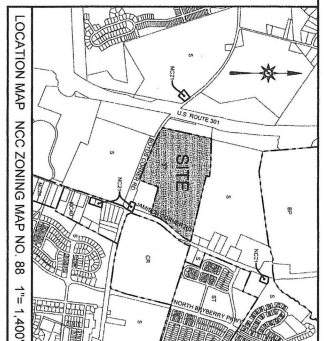
- 1) TO SUBMIT THE PROJECT TO THE BOARD OF ZONING AND PLANNING FOR REVIEW AND APPROVAL.
- 2) TO SUBMIT THE PROJECT TO THE BOARD OF ZONING AND PLANNING FOR REVIEW AND APPROVAL.
- 3) TO SUBMIT THE PROJECT TO THE BOARD OF ZONING AND PLANNING FOR REVIEW AND APPROVAL.

CERTIFICATION OF PLAN APPROVAL

I, the undersigned, being the owner of the above described property, hereby certify that the above described property is the property of the owner of the above described property and that the owner of the above described property is the owner of the above described property.

DATE: 3/28/24

APPROVED: [Signature]



- NOTES:**
1. TAX PARCELS, NUMBERING: 15-01-30-002
 2. ZONING DISTRICT DESIGNATION: 87-00-00-000
 3. SUBDIVISION NAME: BAYBERRY EAST-1
 4. SOURCE OF TITLE: D.E. WINTER & ASSOCIATES, INC.
 5. NUMBER OF BUILDING PERMITS: 18
 6. NUMBER OF BUILDING PERMITS: 18
 7. EXISTING LOTS AND ADJACENT UNITS: 18
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MAJOR LAND DEVELOPMENT PLAN

INDEX PLAN

THE OVERLOOK AT BAYBERRY

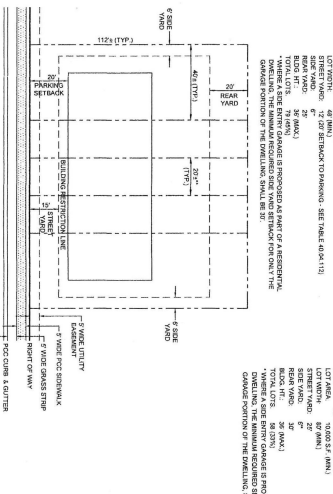
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THE LANDSCAPE SHALL BE CONSISTENT WITH THE REQUIREMENTS SUBMITTED INTO PERMITS.

REVISÉD MARCH 21 2019

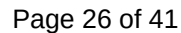
-
- Diagram illustrating the typical village W lot layout. The lot is bounded by a 25' STREET on the left and a 25' REAR YARD on the right. The front yard is 6' wide. The lot is divided into a 125' (TYP.) front section and a 65' (TYP.) rear section. The front section contains a BUILDING SETBACK LINE, a 3' WIDE SIDE SETBACK, and a 3' WIDE FRONT SETBACK. The rear section contains a 3' WIDE FRONT SETBACK. The lot is labeled 'TYPICAL VILLAGE W LOT' and 'SCALE: 1"=20'.



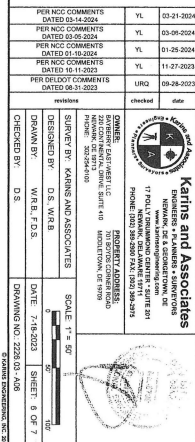
NATURAL RESOURCE	TOTAL AREA	DISTURBED AREA	PROTECTION REQUIRED	PROTECTION PROVIDED
REDUDED BUFFER	2.59 AC. 1	0 AC. 2	100%	100%
WETLAND	12.99 AC. 3	8.92 AC. 3	90%	52%
WOOD FOREST	2.89 AC. 3	1.58 AC. 3	50%	60%

PER HQC COMMENTS DATED 05-14-2004	Y/N	05-21-2004
PER HQC COMMENTS DATED 05-14-2004	Y/N	05-26-2004
PER HQC COMMENTS DATED 05-14-2004	Y/N	01-29-2004
PER HQC COMMENTS DATED 05-14-2004	Y/N	11-27-2004
REMARKS	checked	date
 Karins and Associates 17101 E. 17th Avenue, Suite 200 Denver, CO 80232 Phone: (303) 555-1000 Fax: (303) 555-2977 E-mail: info@karins.com		
DRAWN BY: J.D. WALKER CHECKED BY: J.D. WALKER CARRIED BY: J.D. WALKER	DESIGNED BY: J.D. WALKER SCALE: AS SHOWN DATE: 7/18/03 SHEET: 2 OF 2	DRAWING NO. 22250-1-A02

GENERAL RESOURCE PROTECTION TABLE			
TOTAL AREA	DISTURBED	PROTECTION	PRO



100



[illegible]

THE OVERLOOK AT BAYBERRY
SITUATE IN: ST. GEORGES HUNDRED, NEW CASTLE COUNTY, DELAWARE

Prime Sponsor(s): Mr. Hollins, Mr. Street
Requested by: Community Services
Date of introduction: March 11, 2025

ORDINANCE NO. 25-024

AMEND THE GRANTS BUDGET:

**APPROPRIATE INTEREST INCOME \$6,390.25 AND PROGRAM INCOME \$163,310.29 TO
THE FY2024 HOME INVESTMENT PARTNERSHIP PROGRAM (HOME), WHICH IS
ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF
COMMUNITY DEVELOPMENT AND HOUSING**

1 **WHEREAS**, original allocated funding from the U.S. Department of Housing and Urban
2 Development (HUD) \$1,131,733 and estimated program income \$50,000 was previously
3 approved by County Council and appropriated to the FY2024 Home Investment Partnership
4 Program (HOME) Grant via Ordinance 23-060; and
5

6 **WHEREAS**, HOME programs are funded from the U.S. Department of Housing and
7 Urban Development (HUD) and program income from the rehabilitation and acquisition of
8 housing and the administration of the program; and
9

10 **WHEREAS**, the families served by HOME programs are low to moderate income
11 households in New Castle County – outside the cities of Wilmington and Newark; and
12

13 **WHEREAS**, authorization is being sought for the appropriation of \$6,390.25 in interest
14 income and \$163,310.29 in program income to the FY2024 HOME Grant to be used for future
15 sub-grantee projects; and
16

17 **WHEREAS**, interest and program income received is sufficient to cover the increase in
18 the Grants Budget as hereinafter amended; 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 amended
28 by adding the material on the attached Exhibits "A" through "C," which shall be considered
29 underscored in their entirety.
30

31 Section 2. This Ordinance shall become effective immediately upon its adoption by
32 County Council and approval by the County Executive, or as otherwise provided by 9 *Del. C. §*
33 1156.

Adopted by County Council of
New Castle County on:

Monique Williams-Johns
President of County Council
of New Castle County

Approved on:

Marcus Henry
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will appropriate \$6,390.25 in interest income and \$163,310.29 in program income to the FY2024 Home Investment Partnerships Program (HOME), which will be administered by the Department of Community Services, Division of Community Development and Housing. These funds will be used for future sub-grantee projects.

HOME programs are funded from the U.S. Department of Housing and Urban Development (HUD) and program income for the rehabilitation and acquisition of housing and the administration of the program. Families served are low to moderate income households in New Castle County – outside the cities of Wilmington and Newark. The current budget is to rehabilitate homes, which must be in full code compliance for funding, and for subgrantee programs that support housing, including loans.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by appropriating \$6,390.25 in interest income and \$163,310.29 in program income to the FY2024 Home Investment Partnerships Program (HOME).

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget of \$169,700.54 for FY2024. This increase will affect FY2025 through FY2032, since the targeted program completion date for this grant is June 30, 2032. There is no discernible fiscal impact on the current operating budget.

Acknowledged by the Chief Financial Officer February 25, 2025.

DEPARTMENT:

GRANT TITLE:

PROGRAM TITLE:

Community Services
FY 2024 Home Investment Partnership (HOME)
Program Grant
FY 2024 Home Investment Partnership (HOME)
Program Grant

EXHIBIT:

Ordinance No.

"A"
25-024

Revenue	Current	Change	Revised
Federal	\$ 1,131,733.00	\$ -	\$ 1,131,733.00
State	\$ -	\$ -	\$ -
County	\$ -	\$ -	\$ -
Program Income	\$ 50,000.00	\$ 163,310.29	\$ 213,310.29
Other	\$ -	\$ 6,390.25	\$ 6,390.25
Total	\$ 1,181,733.00	\$ 169,700.54	\$ 1,351,433.54

Expense	Current	Change	Revised
Salaries and Wages	\$ 95,916.39	\$ -	\$ 95,916.39
Benefits	\$ 56,419.16	\$ -	\$ 56,419.16
Training/Civic Affairs	\$ -	\$ -	\$ -
Communication/Utilities	\$ -	\$ -	\$ -
Materials/Supplies	\$ -	\$ -	\$ -
Contractual Services	\$ 13,778.75	\$ -	\$ 13,778.75
Equipment	\$ -	\$ -	\$ -
Grants/Fixed Charges	\$ 1,010,830.00	\$ 169,700.54	\$ 1,180,530.54
Land and Structures	\$ -	\$ -	\$ -
Contingency	\$ -	\$ -	\$ -
Operating Transfer Charges	\$ 4,788.70	\$ -	\$ 4,788.70
Operating Transfer Credits	\$ -	\$ -	\$ -
Total	\$ 1,181,733.00	\$ 169,700.54	\$ 1,351,433.54

SUPPLEMENTAL INFORMATION

Estimated Program Initiation:

7/1/2023

Estimated Program Completion:

9/30/2032

The Local Match:

Found in (ORG):

Ordinance Passed:

Date Revised:

23-060

5/23/2023

PROGRAM DESCRIPTION:

HOME Programs are funded from HUD for housing rehabilitation and acquisition, and administration of the program. Families served are low to moderate income households in New Castle County - outside the cities of Wilmington or Newark. The current budget is to rehabilitate homes to meet code and for subgrantee programs that support housing.

RESOLUTION NO. 25-043

**APPROVING THE REFUND OF A DUPLICATE TAX PAYMENT ON TAX PARCEL NUMBER
06-064.002-41**

1 **WHEREAS**, Concord Gallery, Inc. Tax Parcel Number 06-064.002-41 located in Council
2 District 2 has submitted to County Council, through the Chief Financial Officer, an affidavit
3 requesting a refund of taxes which they believe were paid in duplicate and which total more than
4 \$20,000; and
5

6 **WHEREAS**, the Chief Financial Officer has approved the payment of said refund in the
7 amount of \$154,302.10 on the grounds that said amount was a duplicate payment; and
8

9 **WHEREAS**, the Chief Financial Officer shall not, without the express approval of County
10 Council by Resolution, refund any payment as permitted in §14.03.001, received more than five
11 (5) years prior to the date of receipt by the Office of Finance of the refund application, unless the
12 amount of the refund is not more than twenty thousand dollars (\$20,000.00), in which case the
13 Chief Financial Officer may process it in accordance with the procedures set forth in §14.03.001;
14 and
15

16 **NOW, THEREFORE, BE IT RESOLVED** by and for the County Council of New Castle
17 County, that New Castle County Council hereby authorizes the Chief Financial Officer to refund
18 taxes paid in duplicate in the amount of \$154,302.10 to Concord Gallery, Inc.

Adopted by County Council
of New Castle County on:

Monique Williams-Johns
President of County Council of
New Castle County

SYNOPSIS: This Resolution allows for the refund of a duplicate tax payment on Tax Parcel Number 06-064.002-41 totaling \$154,302.10. According to *New Castle County Code* Article 3, §14.03.001.C, the Chief Financial Officer's authority to approve refunds is limited to \$20,000.00 and pursuant to Article 3, §14.03.002.A, the Chief Financial Officer shall not "without the express approval of County Council by resolution, refund any payment as permitted in §14.03.001, received more than five (5) years prior to the date of receipt by the Office of Finance of the refund application, unless the amount of the refund is not more than twenty thousand dollars (\$20,000.00), in which case the Chief Financial Officer may process it in accordance with the procedures set forth in §14.03.001."

FISCAL NOTE: This Resolution, if adopted, will authorize the refund of a duplicate tax payment in the amount of \$154,302.10 paid in duplicate comprised of taxes.

Acknowledged by the Chief Financial Officer February 25, 2025.

RESOLUTION NO. 25-044

**APPROVING THE REFUND OF TAX PAYMENT AND SEWER FEES PAID IN ERROR
ON TAX PARCEL NUMBER 07-034.203-41**

1 **WHEREAS**, Delaware State Housing Authority Tax Parcel Number 07-034.203.41
2 located in Council District 2 has submitted to County Council, through the Chief Financial
3 Officer, an affidavit requesting a refund of taxes and sewer fees which they believe were
4 paid in error and which total more than \$20,000; and
5

6 **WHEREAS**, the Chief Financial Officer has approved the payment of said refund
7 in the amount of \$45,183.19 in taxes and \$1,861.90 in sewer fees on the grounds that
8 Delaware State Housing Authority (DSHA) was misled by the previous property owner
9 regarding the property's primary residence status, which resulted in the property not
10 qualifying under DSHA program guidelines; adjustments have been made to remove the
11 erroneous payments from the accounts and reset the amounts due, which included school
12 taxes previously paid; and
13

14 **WHEREAS**, the Chief Financial Officer shall not, without the express approval of
15 County Council by Resolution, refund any payment as permitted in §14.03.001, received
16 more than five (5) years prior to the date of receipt by the Office of Finance of the refund
17 application, unless the amount of the refund is not more than twenty thousand dollars
18 (\$20,000.00), in which case the Chief Financial Officer may process it in accordance with
19 the procedures set forth in §14.03.001; and
20

21 **NOW, THEREFORE, BE IT RESOLVED** by and for the County Council of New
22 Castle County, that New Castle County Council hereby authorizes the Chief Financial
23 Officer to refund taxes and sewer fees paid in error in the amount of \$47,045.09 to
24 Delaware State Housing Authority.

Adopted by County Council
of New Castle County on:

Monique Williams-Johns
President of County Council of
New Castle County

SYNOPSIS: This Resolution allows for the refund of a tax payment and sewer fees paid in error on Tax Parcel Number 07-034.203-41 totaling \$47,045.09. According to *New Castle County Code* Article 3, §14.03.001.C, the Chief Financial Officer's authority to approve refunds is limited to \$20,000.00 and pursuant to Article 3, §14.03.002.A, the Chief Financial Officer shall not "without the express approval of County Council by resolution, refund any payment as permitted in §14.03.001, received more than five (5) years prior to the date of receipt by the Office of Finance of the refund application, unless the amount of the refund is not more than twenty thousand dollars (\$20,000.00), in which case the Chief Financial Officer may process it in accordance with the procedures set forth in §14.03.001."

FISCAL NOTE: This Resolution, if adopted, will authorize the refund in the amount of \$47,045.09 paid in error comprised of taxes and sewer fees.

Prime Sponsor(s): Mr. Smiley, Mr. Cartier
Requested by: Administration/Finance
Date of introduction: March 11, 2025

RESOLUTION NO. 25-045

**APPROVING THE REFUND OF A DUPLICATE TAX PAYMENT ON
TAX PARCEL NUMBER 10-006.000-32**

1 **WHEREAS**, DRIP 2 LOT 5, LLC Tax Parcel Number 10-006.000-32 located in Council
2 District 10 has submitted to County Council, through the Chief Financial Officer, an affidavit
3 requesting a refund of taxes which they believe were paid in duplicate and which total more than
4 \$20,000; and
5

6 **WHEREAS**, the Chief Financial Officer has approved the payment of said refund in the
7 amount of \$65,256.35 on the grounds that said amount was a duplicate payment; and
8

9 **WHEREAS**, the Chief Financial Officer shall not, without the express approval of County
10 Council by Resolution, refund any payment as permitted in §14.03.001, received more than five
11 (5) years prior to the date of receipt by the Office of Finance of the refund application, unless the
12 amount of the refund is not more than twenty thousand dollars (\$20,000.00), in which case the
13 Chief Financial Officer may process it in accordance with the procedures set forth in §14.03.001;
14 and
15

16 **NOW, THEREFORE, BE IT RESOLVED** by and for the County Council of New Castle
17 County, that New Castle County Council hereby authorizes the Chief Financial Officer to refund
18 taxes paid in duplicate in the amount of \$65,256.35 to DRIP 2 LOT 5, LLC.

Adopted by County Council
of New Castle County on:

Monique Williams-Johns
President of County Council of
New Castle County

SYNOPSIS: This Resolution allows for the refund of a duplicate tax payment on Tax Parcel Number 10-006.000-32 totaling \$65,256.35. According to *New Castle County Code* Article 3, §14.03.001.C, the Chief Financial Officer's authority to approve refunds is limited to \$20,000.00 and pursuant to Article 3, §14.03.002.A, the Chief Financial Officer shall not "without the express approval of County Council by resolution, refund any payment as permitted in §14.03.001, received more than five (5) years prior to the date of receipt by the Office of Finance of the refund application, unless the amount of the refund is not more than twenty thousand dollars (\$20,000.00), in which case the Chief Financial Officer may process it in accordance with the procedures set forth in §14.03.001."

FISCAL NOTE: This Resolution, if adopted, will authorize the refund of a duplicate tax payment in the amount of \$65,256.35 paid in duplicate comprised of taxes.

Acknowledged by the Chief Financial Officer February 25, 2025.

Prime Sponsor(s): Mr. Smiley, Mr. Cartier
Requested by: Administration/Finance
Date of introduction: March 11, 2025

RESOLUTION NO. 25-046

**APPROVING THE REFUND OF A DUPLICATE TAX PAYMENT ON
TAX PARCEL NUMBER 11-022.000-15**

1 **WHEREAS**, LPC First State Holding Company, LP Tax Parcel Number 11-022.000-15
2 located in Council District 11 has submitted to County Council, through the Chief Financial
3 Officer, an affidavit requesting a refund of taxes which they believe were paid in duplicate and
4 which total more than \$20,000; and
5

6 **WHEREAS**, the Chief Financial Officer has approved the payment of said refund in the
7 amount of \$27,963.21 on the grounds that said amount was a duplicate payment; and
8

9 **WHEREAS**, the Chief Financial Officer shall not, without the express approval of County
10 Council by Resolution, refund any payment as permitted in §14.03.001, received more than five
11 (5) years prior to the date of receipt by the Office of Finance of the refund application, unless the
12 amount of the refund is not more than twenty thousand dollars (\$20,000.00), in which case the
13 Chief Financial Officer may process it in accordance with the procedures set forth in §14.03.001;
14 and
15

16 **NOW, THEREFORE, BE IT RESOLVED** by and for the County Council of New Castle
17 County, that New Castle County Council hereby authorizes the Chief Financial Officer to refund
18 taxes paid in duplicate in the amount of \$27,963.21 to LPC First State Holding Company, LP.

Adopted by County Council
of New Castle County on:

Monique Williams-Johns
President of County Council of
New Castle County

SYNOPSIS: This Resolution allows for the refund of a duplicate tax payment on Tax Parcel Number 11-022.000-15 totaling \$27,963.21. According to *New Castle County Code* Article 3, §14.03.001.C, the Chief Financial Officer's authority to approve refunds is limited to \$20,000.00 and pursuant to Article 3, §14.03.002.A, the Chief Financial Officer shall not "without the express approval of County Council by resolution, refund any payment as permitted in §14.03.001, received more than five (5) years prior to the date of receipt by the Office of Finance of the refund application, unless the amount of the refund is not more than twenty thousand dollars (\$20,000.00), in which case the Chief Financial Officer may process it in accordance with the procedures set forth in §14.03.001."

FISCAL NOTE: This Resolution, if adopted, will authorize the refund of a duplicate tax payment in the amount of \$27,963.21 paid in duplicate comprised of taxes.

Acknowledged by the Chief Financial Officer February 25, 2025.

RESOLUTION NO. 25-047

**TO AMEND NEW CASTLE COUNTY COUNCIL PROCEDURAL RULE 5
REGARDING COUNTY COUNCIL COMMITTEE CO-CHAIRS**

1 **WHEREAS**, from time to time, it becomes necessary to update and/or revise
2 County Council's Procedural Rules; and

3
4 **WHEREAS**, New Castle County Code Section 2.02.110 was recently enacted,
5 necessitating certain proposed updates to County Council's Procedural Rules.

6
7 **NOW, THEREFORE, BE IT RESOLVED** by and for the County Council of
8 New Castle County that County Council hereby amends County Council
9 Procedural Rule 5 by adding the material that is underscored and deleting the
10 material that is stricken, as set forth below.

11
12 **RULE NO. 5. COUNCIL COMMITTEE MEETINGS.**

13
14 **5.1. Composition.**

15 ...

16 5.1.2. Committee Chairpersons are appointed in accordance with the
17 procedures established at *New Castle County Code* Section 2.02.110 by
18 the President subject to Council approval and shall . Thereafter, the
19 chairpersons are to be identified in writing to Council and the
20 Administration. The Council President and Committee Chairpersons shall
21 work together to determine when the Committee will meet.

Adopted by County Council
of New Castle County on:

Monique Williams-Johns
President of County Council
of New Castle County

SYNOPSIS: The proposed revision aligns Council Rule 5.1.2 consistent with the
procedure to elect chairpersons as set forth in *New Castle County Council Code*
Section 2.02.110.

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

Prime Sponsor(s): Mr. Smiley
Date of introduction: February 25, 2025

ORDINANCE NO. 25-019

**AMENDING NEW CASTLE COUNTY CODE CHAPTER 2 (“ADMINISTRATION”),
SECTION 2.02.110 (“COUNTY COUNCIL COMMITTEE CO-CHAIRS”) REGARDING
COUNCIL COMMITTEES AND CHAIRS THEREOF**

1 **WHEREAS**, New Castle County Council recently enacted *New Castle County*
2 *Code* Section 2.02.110 to provide greater clarity to the process for selecting Council
3 committee co-chairs; and

4
5 **WHEREAS**, the proposed refinements to Section 2.02.110 will provide an even
6 further responsive process to even better suit Council’s needs; and

7
8 **WHEREAS**, County Council has determined that the provisions of this Ordinance
9 substantially advance and are reasonably and rationally related to legitimate government
10 interests, including promoting the health, safety, and welfare of present and future
11 inhabitants of New Castle County.

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

14
15 Section 1. *New Castle County Code* Chapter 2 (“Administration”), Section 2.02.110
16 (“County Council Committee Co-chairs”) is hereby amended by adding the material that
17 is underscored and deleting the material with strikethroughs, as set forth below.

18
19 **Sec. 2.02.110. - County Council committee co-chairs.**

20
21 Committees, which includes subcommittees, of County Council shall include ~~two (2)~~
22 2 positions which are reserved for ~~two (2)~~ 2 chairs, known as co-chairs, who shall be
23 elected by a majority vote of Council. County Council shall elect the co-chairs for each
24 Council committee under the following procedures:

- 25
26 A. Subject to the limitations that follow, committee co-chair positions are to be
27 considered by Council following each general election, excepting a vacancy that
28 may arise for any reason which, dependent on the timing the vacancy is created,
29 may require a co-chair position to be filled prior to the next general election.
30 Notwithstanding the above, Council may consider an appointment to a co-chair
31 position prior to the next general election regardless of whether the basis for
32 consideration is a challenge or a vacancy.
- 33 B. Within ~~sixty (60)~~ 20 calendar days following a general election, a vacancy arising
34 or a challenge to a co-chair position, the Council President shall email all Council
35 members providing at least ~~thirty (30)~~ 14 calendar days notice prior to the public
36 meeting which is to be scheduled for purposes of Council considering committee
37 co-chairs.

- 38 C. Council members interested in being considered for a committee co-chair
39 position must submit their name and the committee they seek to co-chair via
40 email to the Council President and all Council members at least ~~fourteen (14)~~ 10
41 calendar days prior to the meeting scheduled under subsection B. Each
42 submission must be acknowledged via email by the Council President within ~~two~~
43 ~~(2)~~ 2 calendar days of receipt of each member's submission; failure to timely
44 confirm receipt of an applicant's submission does not impact the validity of the
45 application.
- 46 D. In situations where existing co-chairs of a committee have timely indicated via
47 email to the Council President and all Council members their wishes to continue
48 presiding over the committee and the co-chair positions have not been timely
49 sought by another Council member, the Council President will confirm to all
50 Council members via email that the co-chair positions have gone unchallenged.
51 The Council President will thereafter prepare an independent ballot for these
52 committee co-chair positions to be voted on by Council at the meeting scheduled
53 under subsection B.
- 54 E. In addition to any ballot prepared pursuant to subsection D, for any committee
55 where the number of candidates does not exceed the number of "open" co-chair
56 positions, the Council President will prepare a ballot that, at minimum, identifies
57 the name of each Council member who has timely indicated their interest to be
58 a co-chair and the name of the applicable committee. A ballot may be prepared
59 per individual committee or, as a matter of convenience, a single, omnibus ballot
60 reflecting all applicable committees may be considered, at the discretion of
61 Council. Notwithstanding the above, where a committee has more candidates
62 than "open" co-chair positions, then that committee may not be included as part
63 of an omnibus ballot and, instead, the co-chairs must be determined in a manner
64 decided by Council pursuant to a single, stand-alone ballot for that specific
65 committee.
- 66 F. The Council President shall email to all Council members a ballot or ballots, either
67 omnibus or single, consistent with this Section, that identifies each Council
68 member and the committee co-chair position they seek by no later than ~~seven~~
69 ~~(7)~~ 7 calendar days prior to the meeting at which the co-chair candidates will be
70 considered by County Council. Ballots that are provided at this juncture are for
71 notice purposes only, and will not be voted on until the public meeting.
- 72 G. Council will consider the candidates for committee co-chairs at the meeting
73 scheduled under subsection B, subject to continuance to a later date at the
74 discretion of Council, and may consider any necessary Rules of Procedure of
75 Council not inconsistent with the above process.

76
77 Section 2. This Ordinance shall become effective immediately upon its adoption
78 by County Council and approval by the County Executive, or as otherwise provided in
79 9 Del. C. § 1156.

Adopted by County Council of
New Castle County on:

Monique Williams-Johns
President of County Council
of New Castle County

Approved on

Marcus Henry
County Executive
of New Castle County

SYNOPSIS: This Ordinance further streamlines the process for election of committee co-chairs, including subcommittees, of New Castle County Council.

FISCAL NOTE: This Ordinance, if approved, will have no fiscal impact.