



NEW CASTLE COUNTY COUNCIL ADMINISTRATIVE-FINANCE COMMITTEE MEETING

Co-Chair George Smiley, Seventh District
Co-Chair John Cartier, Eighth District

February 3, 2026
5:00 PM

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

MEETING RESCHEDULED TO FEBRUARY 3, 2026
REVISED AGENDA II

A. Call To Order/Roll Call

B. Approval of Minutes - January 13, 2026

C. Review/Discussion of Resolution(s)

R26-019: APOLOGIZING TO THE PUBLIC FOR CONDUCT UNBECOMING A COUNCIL
Prime Sponsor(s): Ms. Kilpatrick
Co-sponsor(s): Ms. George, Mr. Hollins, Mr. Sheldon, Mr. Smiley, Mr. Street

D. Review/Discussion of Ordinance(s)

°26-005: 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 2026 DHSS GRANT FOR THE DEPARTMENT OF PUBLIC WORKS

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

°26-007: TRANSFERRING THE LOCAL SERVICE FUNCTION OF RECREATION TO THE TOWN OF ELSMERE

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

E. New Castle County Grant Requests/Community Events

- 2/3/26 Grant Matrix

F. Expense and Revenue Round Table

G. Other

- FY 2025 Annual Comprehensive Financial Report (ACFR) - Bob Wasserbach
- Discussion of Council submitted FY2027 Annual Budget

H. Public Comment**I. Council Member Comment****J. Adjournment****RESCHEDULED MEETING TO FEBRUARY 3, 2026 DUE TO COUNTY CLOSURE: POSTED
JANUARY 26, 2026****REVISED AGENDA II POSTED: Thursday, January 22, 2026**

REVISED AGENDA POSTED: Wednesday, January 21, 2026

AGENDA POSTED: Tuesday, January 20, 2026

* The revised agenda II was posted less than (7) seven days in advance of the meeting to include the addition of R26-019, which resulted from discussion during the 1/20/26 Personnel Sub-committee meeting, was not known at the original time of posting and was deemed time sensitive. The revised agenda was posted less than (7) seven days in advance of the meeting to remove R26-018, which was placed on the Executive Committee meeting held the same day. 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.

Prime Sponsor(s): Ms. Kilpatrick
Co-sponsor(s): Ms. George, Mr. Hollins
Mr. Sheldon, Mr. Smiley
Mr. Street
Date of introduction: January 26, 2026

RESOLUTION NO. 26-019

APOLOGIZING TO THE PUBLIC FOR CONDUCT UNBECOMING A COUNCIL

1 **WHEREAS**, the New Castle County Council provides each Councilmember the
2 rules and protocols regarding conduct and decorum during public meetings; and

3 **WHEREAS**, In the event that New Castle County Council does not have a rule in
4 place, Roberts Rules of Order are the default; and

5 **WHEREAS**, all members have equal rights, privileges, and obligations during
6 discussions and must proceed in accordance with 8.1.4. of the Council Rules, which
7 states that Council members shall conduct themselves in a professional manner at all
8 times and avoid characterizing another member's personal intent or motives; and
9

10 **WHEREAS**, Council members shall refrain from speaking disrespectfully of the
11 presiding officer or other members, engaging in personal attacks, and from using
12 profane or vulgar language; and

13 **WHEREAS**, a Council member may only be interrupted when speaking by a 'Call
14 to Order'; and

15 **WHEREAS**, 8.1.5. of the Council Rules states that If a Council member shall
16 transgress the rules, the presiding officer, or a Council member through the presiding
17 officer, shall 'Call to Order' the Council member at which point the Council member shall
18 not proceed absent a motion that he or she be allowed to proceed. A motion to proceed
19 shall be non-debatable (second, yes-no required); and

20 **WHEREAS**, there have been progressively noticeable breaches of meeting
21 protocol, in violation of our Rules of Order; and

22 **WHEREAS**, repeated interruptions, use of disrespectful language, or failure to
23 follow recognized meeting procedures, such as those that occurred in the Personnel
24 Committee meeting of January 20, 2026, continue to disrupt the orderly conduct of
25 Council business and have violated the standards of decorum expected of members of
26 this body.

27 **NOW, THEREFORE, BE IT RESOLVED** by and for the County Council of New
28 Castle County that the sponsoring members of this Resolution rebuke the pattern of
29 constant breaches of orderly conduct, repeated interruptions, use of disrespectful
30 language, disparagement of other Councilmembers and general failure to follow
31 recognized meeting procedures; and

32 **NOW, THEREFORE, BE IT FURTHER RESOLVED** that the sponsoring
33 members of this Council Resolution profusely apologize to the public for the disturbing
34 and perpetual unacceptable behavior shown in New Castle County Council meetings –
35 a behavior that continues to break public trust.

Adopted by County Council
of New Castle County on:

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

SYNOPSIS: Same as title.

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

ORDINANCE NO. 26-005

**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 2026
DHSS GRANT 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 2026 DHSS 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 substantially
15 advance, and are reasonably and rationally related to, legitimate government interests (i.e.,
16 promoting the health, safety, morals, convenience, order prosperity and/or welfare of the
17 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 amended
22 by adding the material on the attached "Exhibit A," which is considered to be underscored in its
23 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 shall
30 be effective retroactive to September 30, 2025.

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 \$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 2026 DHSS 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 September 30, 2025.

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 2026 DHSS 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 FY2026 and FY2027, since the targeted program completion date of this award is September 29, 2026.

Acknowledged by the Chief Financial Officer December 29, 2025.

DEPARTMENT:	Public Works	EXHIBIT:	"A"
GRANT TITLE:	Wastewater 2026 DHSS	Ordinance No.	26-005
PROGRAM TITLE:	Wastewater 2026 DHSS		

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:	9/30/2025
Estimated Program Completion:	9/29/2026
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.

1/13/2026

ORDINANCE NO. 26-007

**TRANSFERRING THE LOCAL SERVICE FUNCTION OF RECREATION TO THE
TOWN OF ELSMERE**

1 **WHEREAS**, 9 *Del. C.* § 1102 authorizes New Castle County and any municipality within
2 New Castle County to transfer the performance of a local service function from one jurisdiction
3 to another by concurring ordinances enacted by New Castle County Council and the
4 municipality's governing body; and
5

6 **WHEREAS**, New Castle County has a local service function designated as "Recreation,"
7 which includes, but is not limited to, the planning, development, maintenance, and operation of
8 parks, playgrounds, recreational facilities, programs, and related community events; and
9

10 **WHEREAS**, the Town of Elsmere has submitted an application and supporting
11 documentation to New Castle County pursuant to 9 *Del. C.* § 1128(b)(1) requesting that New
12 Castle County recognize that the Town's "New Castle County service percentage" (as defined
13 by 9 *Del. C.* § 1101A(5)) is less than 100% for the local service function of Recreation based
14 on the Town's degree of performance of that specific local service function; and
15

16 **WHEREAS**, the Town of Elsmere indicated on its application that the Town already fully
17 performs and financially supports the Recreation local service function within the boundaries
18 of the Town; and
19

20 **WHEREAS**, the New Castle County Department of Community Services has reviewed
21 the Town of Elsmere's application and confirmed that the Town fully performs and financially
22 supports the Recreation local service function; and
23

24 **WHEREAS**, it is necessary for both New Castle County and the Town of Elsmere to
25 enact ordinances formally transferring the Recreation local service function from the County to
26 the Town; and
27

28 **WHEREAS**, the transfer of the Recreation local service function will be effective for the
29 upcoming fiscal year beginning July 1, 2026 upon passage and approval of both this Ordinance
30 and corresponding municipal legislation, Ordinance 686, which was adopted by the Town of
31 Elsmere (a copy of which is attached as Exhibit "A"); and
32

33 **WHEREAS**, upon this formal transfer of the Recreation local service function, the New
34 Castle County service percentage as to the Town's local service function of Recreation will be
35 changed to 0% for the fiscal year beginning July 1, 2026; and
36

37 **WHEREAS**, other than as provided in this Ordinance, there are no other legal, financial,
38 or administrative arrangements necessary to effect transfer of this local service function to the
39 Town of Elsmere in an orderly and equitable manner.
40

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

45
46 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
47

48 Section 1. Pursuant to 9 *Del. C.* § 1102(c), New Castle County hereby agrees to the
49 transfer to the Town of Elsmere the local service function of Recreation within the boundaries of
50 the Town of Elsmere, effective as of July 1, 2026.
51

52 Section 2. All fees collected by the Town of Elsmere for the performance of the Recreation
53 local service function shall be retained by the Town of Elsmere in compensation for services
54 rendered. No employees, property, facilities, equipment, or other personal property previously
55 engaged in the performance of the Recreation local service function will be transferred, sold, or
56 treated differently by virtue of this Ordinance.
57

58 Section 3. Ordinance 686, which was passed by the Town of Elsmere on December 11,
59 2025, approving the transfer of the local service function of Recreation from New Castle County
60 to the Town of Elsmere is attached as Exhibit "A."
61

62 Section 4. This Ordinance shall become effective immediately upon its adoption by
63 County Council and approval by the County Executive, or as otherwise provided by
64 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
New Castle County

SYNOPSIS: This Ordinance, if approved, will transfer the responsibility for the Recreation local service function from New Castle County to the Town of Elsmere.

FISCAL NOTE: This Ordinance, if approved, will transfer the responsibility for the local service function of Recreation from New Castle County to the Town of Elsmere. This change will be effective within the FY2027 Local Service Function Budget. There is no discernible fiscal impact upon the adoption of this legislation as there are no changes being made to any level of service currently being provided by New Castle County to the Town of Elsmere.

Acknowledged by the Chief Financial Officer December 29, 2025.



Ordinance 686

AN ORDINANCE TRANSFERRING THE LOCAL SERVICE FUNCTION OF RECREATION FROM NEW CASTLE COUNTY TO THE TOWN OF ELSMERE

Sponsored By: Mayor and Council

First and Second Reading: November 13, 2025

Results: **Passed** 7 In Favor, 0 Opposed

Third and Final Reading: December 11, 2025

Results: **Passed** 7 In Favor, 0 Opposed

ORDINANCE 686

AN ORDINANCE TRANSFERRING THE LOCAL SERVICE FUNCTION OF RECREATION FROM NEW CASTLE COUNTY TO THE TOWN OF ELSMERE

WHEREAS, Title 9 of the Delaware Code, Section 1102, authorizes New Castle County and any incorporated municipality within New Castle County to transfer the performance of a local service function from one jurisdiction to another by ordinance; and

WHEREAS, Title 9, Section 1128(c)(1) further provides that New Castle County shall determine the percentage of services performed by the County and by each municipality for purposes of calculating property tax rates; and

WHEREAS, the Town of Elsmere has submitted an application to New Castle County requesting credit for certain local service functions currently performed by the Town; and

WHEREAS, the New Castle County Department of Community Services has reviewed and confirmed that the Town of Elsmere performs the local service function of Recreation; and

WHEREAS, it is necessary for both New Castle County and the Town of Elsmere to formally enact ordinances transferring the Recreation local service function from the County to the Town in order to adjust the corresponding service credit; and

WHEREAS, this transfer will allow the Town of Elsmere to receive proper recognition and credit for the provision of recreational services within the municipal boundaries, to be reflected in the calculation of the property tax rate for Fiscal Year 2027.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF ELSMERE, AS FOLLOWS:

1. Transfer of Local Service Function.

Pursuant to Title 9 of the Delaware Code, Section 1102, the local service function of Recreation is hereby transferred from New Castle County to the Town of Elsmere.

2. Scope of Function.

The local service function of Recreation shall include, but not be limited to, the planning, development, maintenance, and operation of parks, playgrounds, recreational facilities, programs, and related community events within the corporate limits of the Town of Elsmere.

3. Effective Date of Transfer.

The transfer of the Recreation local service function shall take effect upon adoption of a corresponding ordinance by the New Castle County Council, and shall be effective for purposes of calculating the Fiscal Year 2027 property tax rate.

4. Notification.

A certified copy of this Ordinance shall be transmitted to the New Castle County Department of Finance and the New Castle County Department of Community Services upon adoption.

5. Severability.

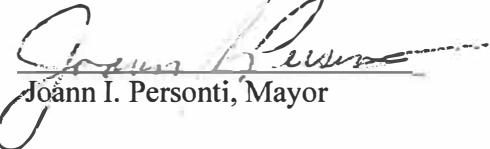
If any section, clause, or provision of this Ordinance shall be declared invalid, the remainder shall remain in full force and effect.

6. Effective Date.

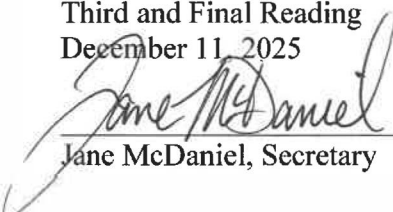
This Ordinance shall take effect immediately upon its passage and approval in accordance with the Town Charter.

**ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF ELSMERE,
THIS 11th DAY OF DECEMBER 2025.**

First and Second Reading
November 13, 2025,


Joann I. Personti, Mayor

Third and Final Reading
December 11, 2025


Jane McDaniel, Secretary

Approved as to form:


Town Solicitor

SYNOPSIS

This Ordinance transfers the Recreation local service function from New Castle County to the Town of Elsmere, in compliance with Title 9 of the Delaware Code, Sections 1102 and 1128(c)(1).

FISCAL IMPACT

The transfer of the Recreation local service function from New Castle County to the Town of Elsmere will not result in new expenditures or revenues for the Town, as the Town already provides and funds its own recreational programs and facilities. However, the transfer will allow Elsmere to receive an increased credit toward its property tax rate under Title 9, §1128(c)(1), beginning in Fiscal Year 2027, thereby ensuring that Town taxpayers are not charged twice for the same service.

Grant Matrix

2/3/26

GRANT APPLICANT	AMOUNT REQUESTED / AMOUNT PROPOSED	INTENDED USE OF GRANT	Standard Accounting Practices/ Non- Discrimination Policy	PRIOR COUNCIL GRANTS IN CURRENT FISCAL YEAR	COUNCIL MEMBER
Police Athletic League of Wilmington	\$3000/\$3000	Funds will be used to for their I.M.P.A.C.T. Program to help improve their Refresh Station.	Yes/Yes	No	Hollins