

Mayor and City Council of New Castle
Regular Council Meeting
New Castle Town Hall—Delaware Street—New Castle
Tuesday, April 13, 2004—7:00 PM

Roll Call

Present: President Castagno Councilperson DiAngelo
 Councilperson Miller Councilperson Padmalingam
 Councilperson Reese

Others Present: Treasurer Janet Carlin, Finance/Human Resources Manager Marian Delaney, City Administrator Bob Martin, Police Chief Kevin Mc Derby, City Health Officer Herb Swanson

President Castagno convened the meeting at 7:00 PM and led those assembled in the pledge of allegiance. He asked attendees to sign in and to take a copy of the agenda.

Councilperson Reese reported that a patrolman had stopped a young person on Ferry Cutoff and discovered that she was a runaway. As a result, the officer also arrested a Washington Park fugitive wanted in four different states for carjacking, kidnapping, and traffic violations.

Approval of Committee Reports

President Castagno called for approval of committee reports as presented. These reports describe the activities and accomplishments of the Finance, Human Resources, and Public Safety Departments. They are available for public perusal at the City Offices.

Councilperson Reese moved to accept the committee reports as written. Councilperson DiAngelo seconded the motion. Councilpersons DiAngelo, Miller, Padmalingam, and Reese all voted to accept the committee reports. The motion carried unanimously.

Approval of Minutes by Date

President Castagno called for approval of the March 9, 2004, minutes. Councilperson DiAngelo noted that the item on page 5 related to the letter from Mario DiAngelo, Jr., should be amended to remove the statement that the fence has been there for 25 years. The fence has only been there for one year. Councilperson Miller moved to accept the minutes as amended. Councilperson Reese seconded the motion. Councilpersons DiAngelo, Miller, Padmalingam, and Reese all voted to accept the March minutes as amended. The motion carried unanimously.

Approval of Treasurer's Report

Treasurer Carlin reported that as of March 31, 2004, petty cash totaled \$270.00; monthly deposits totaled \$319,803.42. Cash in Wilmington Trust accounts totaled \$234,650.50. Cash in Certificates of Deposit and the Government Investment Pool totaled \$185,474.69. Total cash on hand equaled \$420,125.19. Councilperson Reese moved to accept the treasurer's report as presented. Councilperson Miller seconded the motion. Councilpersons DiAngelo, Miller, Padmalingam, and Reese all voted to accept the Treasurer's report. The motion carried unanimously. President Castagno announced that copies of the report are on file at the City Offices.

Communications

President Castagno read a letter from Bill Fick, Government Affairs Manager of Adjulent Technologies, inviting residents to the grand opening of their new 100,000-foot facility in Twin Spans Business Park. The opening, to be held on Friday, April 23, 2004, from 10:30 AM to noon, will feature a display of made-in-Delaware scientific instruments. Governor Ruth Ann Minner will be the guest of honor.

He also read a letter from **Dr. Thomas Weir** of Dolby Alley. Dr. Weir complained that five ugly trash containers, situated in an unpaved, unsightly parking area, are visible from his front porch. He reminded the Council that three years ago he refurbished his house and replaced his sidewalk with brick. At the same time, the City installed some much-needed curbing and paved the badly deteriorated street surface. The parking lot was not paved. Now, he, his wife, and a neighbor plant flowers along the alley and keep the area clean, but he fears that the parking area will degenerate into a slum-like condition because of the location of the trash containers. The area is related to 112 Delaware Street. He called the owner, who did not return his call. He wants the City to alleviate the problem. He emphasized that the City would probably not have to pay to clean up the area. President Castagno promised to refer Dr. Weir's complaint to the Public Service Department.

Comments from the Floor

President Castagno asked that comments be limited to agenda items and that other concerns be voiced at agenda item 9.

Charlotte Houben of Washington Park objected to installing a fence with spikes at Battery Park because of the danger to children. President Castagno noted that the fence was not an item on the current agenda. Councilperson DiAngelo suggested that the Council deal with the fence immediately rather than having the contractors sit through the entire Council meeting.

Business from the Mayor

There was no business from the Mayor.

Business from the Council President

There was no business from the Council President.

Business from the City Administrator

City Administrator Martin reported on the following.

- Chief Executive Officer N.C. Vasuki of the Delaware Solid Waste Authority (DSWA) forwarded the organization's annual fiscal report for 2003. He reported that DSWA has expanded its voluntary recycling program "to include electronic goods and white office paper."
- DNREC's Division of Air & Waste Management is offering Delaware municipalities training on collecting municipal solid waste. The training will be held June 7, 8, and 9, 2004 at the Grass Dale Center in Delaware City. Mr. Weldin and Mr. George??? will attend.
- David Robertson of the Delaware Mentoring Council expressed appreciation for permitting him to present information on mentoring. He asked permission to place his organization's brochures at the City Hall Annex and to have information about mentoring placed in employee payroll envelopes.
- The Christina School District is holding its second annual career day on April 26, 2004. The fair's purpose is to introduce students to the community's professionals. Participation can include sharing career experiences, hosting a field trip, offering summer employment or an internship. Mr. Martin has been invited to participate to tell students about opportunities in city government. More information can be obtained by calling 303-429-4146, extension 105 (fax number 302-4920).
- KCI Technologies, the City's planners, have identified the services they intend to provide. The services are divided into *on-call services and project management* and *project-initiation activities*. The services and activities coincide with the Planning Commission's decisions during a recent meeting. President Castagno asked if the agreement had been signed. Mr. Martin revealed that the agreement was signed approximately a month ago. KCI's meeting charge is \$200 per meeting. Other fees were listed in the letter. The fees are estimated on a time basis.
- The Council received a request to rezone 111 Buttonwood Avenue from Open Space and Recreation (OSR) to Residential (R1). The request, which was received late in the afternoon of the April Council meeting, will be forwarded to the Planning Commission. Councilperson DiAngelo asked if the rezoning should be changed to Historic Commercial.
- Kerstin Almquist of the New Castle Flower Beautification Project reported that the group has started work on the City's gardens. She asked the City to hire "a knowledgeable garden person to help care for the gardens." Mr. Martin reported that Senator Connor will use residual funds to help finance plans for the Gateway.
- Mr. Martin asked **Michael Pala** of BackFlips to display a sample of the fencing specified in the contract. Mr. Pala emphasized that the sample fence section showed material and finish only and that the final design would lack pointed finials. He said that the fence's 70-pound per foot weight is as heavy as possible unless the City uses a taller fence. President Castagno asked if the fence color had been specified in the design. Mr. Martin disclosed that Sally

Monigle suggested that the fence color should be less obtrusive. Councilperson DiAngelo asked if the fence would have spiked finials. President Castagno reported that an engineer designed the fence in March and that it meets federal code. **Mr. Pala** distributed a paper copy of the actual fence design. The fence design features balls on top and poles that are no more than four inches apart. **Charlotte Houben** of Washington Park suggested using a cone top. Mr. Martin reiterated that the fence materials are in accord with the contract. President Castagno stated that the City Engineer approved the fence design and materials.

- Connectiv notified the Municipal Services Commission (MSC) that services would be interrupted in the early morning hours of April 17 and 18, 2004.

Unfinished Business

Second Reading of Ordinance 425 for Recycling: President Castagno presented the second reading of Ordinance 425. The ordinance is designed to increase the City's recycling of yard waste, which annually accounts for approximately 700 tons of the City's total waste. The recycling will not only extend the life of the landfill and enhance the quality of life of City residents, but it can be used to create free compost for both the City and its residents. Councilperson Reese moved to accept the second reading of Ordinance 425. Councilperson DiAngelo seconded the motion. Councilpersons DiAngelo, Miller, Padmalingam, and Reese all voted to accept the motion. The motion carried unanimously. President Castagno said that the third reading will occur at the next Council meeting. Copies are available at the City Office.

Barbara Alfree reported that she had read the ordinance without finding any reference to the disposal of clippings from bushes or plants. She wants Mr. Weldin to more precisely define what the ordinance covers. She also objects to the City taking any trash from Newport even if they are willing to pay.

Earl Carpenter said that a report from Mr. Martin states that the cooperative effort between New Castle and Newport mentions a specific area. He asked if both cities would use the same area. President Castagno said that no agreement had been reached and that no contractual requirement exists between New Castle and Newport.

Councilman Reese noted that turning mulch requires the right machinery. President Castagno said that DNREC gave New Castle and Newport the opportunity to purchase a jointly owned piece of equipment. Mr. Carpenter said he just wants to be sure that Newport will not use the aforementioned area for trash disposal. President Castagno assured him that the area has already been developed for the City and that any proposal for the joint use of the area would have to come before the Council.

New Business

Potential Hazards of City Sluice Gates: Councilperson Padmalingam warned that the City's sluice gates represent an attractive nuisance for children, especially the sluice gate at Battery Park. Councilperson Miller said the concrete bunker-type structure has metal pipes with a ladder

leading to the river. A child or an adult can use the ladder to climb down to the river. Councilperson Padmalingam wants a cover applied to discourage anyone from doing so.

Mr. Martin revealed that Soil Conservation, which is responsible for the sluice gate at Third Street, considered that gate safe at the final inspection. If more safety measures are employed, the City or the Trustees must pay for them.

Councilperson Padmalingam suggested that the City get estimates of what needs to be done and then address the problem as soon as possible. President Castagno said that the City had approved the contract when the Third Street sluice gate was completed. If further protection is needed, a grant or another kind of funding would be necessary to pay the cost. Councilperson Miller asked if the City could extend Soil Conservation's involvement. Mr. Martin reiterated that the City would have to pay for any further construction.

Excess Property Owned by the Mayor and the City Council: Councilman Reese revealed that the City owns 39 properties, as shown on the tax map in blue. Some of these are:

- five parcels in the Buttonwood area, all off of Buttonwood Avenue
- a landlocked parcel in Penn Valley behind the lower horseshoe
- the City Garage
- the Police Station
- part of the acreage behind Murray Transportation,
- two parcels behind the park in Van Dyke Village, one on each side of the road
- the old Bantam market
- the swamp behind Mimi's where Sixth Street comes out
- the water tower in the west end
- the lot across the street from St Anthony's parking lot
- the fire station
- the park at end of Second Street
- the boat yard and one lot across the street from it on Second Street
- Route 273 and the Ferry Cutoff
- the area next to the tennis courts
- the old bowling alley
- the Board of Water and Light building
- the City Offices
- the walkway that goes into Battery Park
- four lots at the dock
- parking spaces at the bakery
- Battery Park.

Lou Indellini of the Board of Trustees said that the Old Police Station, the Fire Station, and the tennis court property, all belong to the Board of Trustees. Mr. Martin said that properties offered for sale would be taken from the most up to date list. Councilperson Reese advised Mr. Indellini to meet with Mr. Martin to go over list of properties to be sold.

Councilperson Reese asks why the City holds onto buildable properties. President Castagno asked for recommendations of parcels to be offered to the Trustees and proposed giving the Trustees the first right of refusal and. Councilperson DiAngelo suggested providing the Trustees with a copy of the properties to be sold. He observed that in the past marshes have become livable properties and that wetlands disappear over time. He suggested having the properties appraised, then offering them to the Trustees and the Municipal Services Commission. If neither is interested, the properties should be offered to the public. Councilperson Padmalingam advised making the appraisal and sale of the properties a priority.

Councilperson DiAngelo observed that the City had considered selling the properties in 1999 or 2000 but didn't follow through. He advised identifying salable properties and then selling them to bring in tax revenues and improve the area.

Mr. Martin said that the corner property at Sixth and Center has generated some interest. He told the interested party about the process involved in buying property from the City. President Castagno advised giving the Trustees at least a month to respond before selling any properties.

Teel Petty of Buttonwood said that, by law, the five properties in Buttonwood must be offered to MSC before they can be sold. She suggested offering them to MSC and Trustees so that they can put a water well on them.

Resolution to Pay Mike Miklus, III, Inc. \$34,378.24: Councilperson Miller read the resolution to pay the outstanding bill for undercutting and fill at the new police station. In answer to his question, Councilperson Padmalingam learned that the work was performed in September or October. Councilperson Reese moved to accept the resolution. Councilperson Miller seconded the motion. Councilpersons DiAngelo, Miller, Padmalingam, and Reese all voted to accept the resolution. The motion carried unanimously.

Resolution 2004-04, Approving a Minor Subdivision in Twin Spans Business Park: President Castagno read a resolution for approving a subdivision in Twin Spans Business Park. He explained that the resolution basically resolves an ownership issue. The subdivision involves tax parcels 21-007.00-006, 21-007.00-236 and 21-007.00-255. The Planning Commission has reviewed and approved the subdivision plans. **Mark Ziegler** explained that the plan combines two parcels into one to accommodate a building expansion. Another parcel (7A) encompasses the open space area that extends to the wetlands. That parcel will be subdivided into parcels 7A, 7C, and 7D. Councilperson Reese asked if 7D would contain the wetlands. Mr. Ziegler identified the wetland area on the plat. Councilperson Reese asked if the subdivision completes the development. Mr. Zeigler answered that property lines must be reconfigured and that the proposed subdivision encompasses the last large portion of developable land, although smaller areas might be developed.

Councilperson Reese moved to accept Resolution 2004-04 as read. Councilperson DiAngelo seconded the motion. Councilpersons DiAngelo, Miller, Padmalingam, and Reese moved to accept the resolution. The motion carried unanimously.

who said, if sold, the property would be landlocked. He suggested leaving the fence in place until a decision is made about what to do with the property.

Councilperson Miller cited a precedent involving a parking lot on church property on Baker Street. She then advised the Council to send a letter to the owner of the disputed fence specifying that the fence can stay until the City needs the property. Councilman Padmalingam agreed that the fence should stay unless neighbors object.

Lou Indellini stated that although the land under question is not developable, residents in the area must have access to their property. He further contended that the fence does help the area's appearance, and it does eliminate some security problems associated with children. He also said that the fence owner cuts the grass, which the City cannot afford to do.

Fred Welsh asked if the fence owner received the same letter that Van Dyke residents received about the Trustees' land around the marsh area. The letter stated that everything on the marsh had to be removed. People had cut the grass there, put fences up, planted gardens, and placed sheds. They had to remove everything. He protested if the Council permits the fence to remain, the residents of Van Dyke Village should be able to put what they want on the land until the City needs it. President Castagno reminded him that the Trustees own the land, and that the City has nothing to do with managing Trustee property.

Councilperson Reese wants to specify that no permanent structure other than the fence can be placed on the School Street property. President Castagno suggested writing a letter of permission for the fence with the caveat that if the neighbors complain, the fence must be removed. The other caveat is that no structures other than the fence can be placed on the property.

Ninth Street Infrastructure and Street Rebuild Projects: President Castagno initiated a discussion of the developer's responsibility in the Ninth Street infrastructure and rebuild. The developer expects the first building to be ready for occupancy in September. The City Engineer distributed plans for street improvements.

Mr. Martin, who attended three meetings on the issues, reported that the discussion focused on upgrading Ninth Street utilities. The sewer system must be replaced, and some joints in the water line are seriously deteriorated. To replace the waterline and move it over will cost approximately \$100,000. The County will replace most sewer lines on Ninth Street at no cost to the City or the developer. Connectiv will replace the gas line at no cost to the City. Putting the telephone lines underground from Washington Park to Shaw Town will cost approximately \$100,000. Telephone and water utilities are not addressed in any existing documents. The City cannot require Verizon to put conduits underground. He suggested putting conduits underground now and cables in later. The total cost for the two \$100,000 projects and for street work is approximately \$380,000.

The City will assume responsibility for repaving existing streets. Ninth Street will be widened to 36 feet to accommodate three cars. The total estimated cost to the City is approximately \$193,890. The work should start June 1, 2004, at the latest. The one-block area will be closed while the work is in progress. Councilperson DiAngelo asked if the street would be widened

from Washington Street to Gray Street. According to the City charter, homeowners are responsible for curbs and gutters.

Councilperson Reese objected to spending money on discretionary projects when the people in the affected area are totally uncooperative. He observed that even though they don't follow the rules and they don't even cut their grass, they want the City to spend \$380,000 on their area. He especially objected to paying \$100,000 to put telephone lines underground. He recalled that when DeAscanis developed King's Way, the City didn't put in sidewalks or do anything else. The builder did everything. Mr. Martin responded that the City would tell residents what they must pay. Councilperson Reese replied that they should pay all costs. President Castagno reminded him that the City only agreed to repave the street. Mr. Martin urged repairing the culvert because of its deteriorated condition. President Castagno said that the City must consider the cost for the culvert before undertaking to replace it. The new culvert would go through a portion of Ninth Street.

Councilperson DiAngelo believes that property owners will pay for sidewalks and curbs and for special street lighting. He proposed having another meeting with the property owners and applying for grants to fix the culvert and to repave the street. Mr. Martin said that the culvert would cost \$25,000. Councilperson Reese agreed with the need to replace the culvert because it takes storm water from Washington Square to Frenchtown Road, but he disagrees with the other plans. Councilperson Padmalingam believes the project is important because it will save utility costs later. President Castagno reminded him that the City's only responsibility is to pave the road. Mr. Martin reiterated that the City will pay for street repaving. Councilperson Reese asked about the cost for milling and repaving the street. Mr. Martin said that, according to the City Engineer's estimate, the cost of repaving will be \$29,000; the cost for milling, \$16,000, for a total of \$45,000. Councilpersons DiAngelo and Reese think the figure is high.

Earl Carpenter had two questions: one about supplying electrical power and one about sidewalks and curbs. Mr. Martin responded that electricity for the apartment project would come from Washington Street. Mr. Martin also assured him that there will be sidewalk and curbing on both sides of Washington Street. President Castagno proposed meeting again to discuss the issues.

Councilperson Padmalingam asked why the Council is concerned if the City need not pay a significant part of the cost. President Castagno stated that more information is required on the culvert cost before anything is decided

Resolution to Return \$18,000 Performance Bond: The purpose of the resolution is to authorize the return of an \$18,000 performance bond to Costal Midatlantic Company, LLC. Although Costal Midatlantic maintains that they completed the work for which the bond served as surety, nothing from the City's Code Department shows that the work was completed as specified. President Castagno asked if there is a formal document the Council submits for compliance. Councilperson Miller hasn't seen such a document. Usually the letter comes from the Code Department and the Council approves payment. Councilperson DiAngelo also wants the Building Department to verify that the work was completed as specified. The company was required to give the City the other half of Foundry Street, but has not done so.

Councilperson DiAngelo complained that the street looks like a junk lot. Councilperson Reese protested that clean-up work has not been completed. Councilperson Miller moved to table the resolution. Councilperson DiAngelo seconded the motion. Councilpersons DiAngelo, Miller, Padmalingam, and Reese all moved to accept the resolution. The motion carried unanimously.

Comments from the Floor

Dave Dalky who represents the Buttonwood Civic Association, asked about progress on the Civic Association's rezoning request. Mr. Martin informed him that the request had been forwarded to the Planning and Zoning Commission for their recommendation. They will meet again on April 26, 2004. The Council will act upon the Commission's recommendation at the next regular meeting.

Senator Dori Connor asked about the Ninth Street project. She revealed that when new residential areas within unincorporated areas impact preexisting roads or an intersection, DeIDOT requires the developer to absorb the costs of necessary road upgrades. President Castagno said that a few years ago, the Council investigated establishing an impact fee. He learned that the City can do so. The Council will investigate imposing impact fees so that infrastructure costs are borne 100% without exception.

Senator Connor noted, as per her advice, the Council had asked for \$50,000 rather than \$40,000 from both her and Senator Mulrooney. She suggested applying the extra \$10,000 to help pay for the culvert. She informed the Council that Councilperson DiAngelo will represent the Council on Friday afternoon at 4:00 PM when drainage problems are discussed. President Castagno will also attend, as will the President of the Conservation District. Jeff Bergstrom will be out of town for the meeting.

In addition, she has invited representatives from the Carrie Downey School because they also have water problems. President Castagno said that the meeting will consider the ever-present plumbing problems associated with condos. The City is trying to work with DeIDOT to find a reasonable solution. Senator Connor said that Carrie Downey has somewhat the same problem.

Michael Alfree reported that drainage on the other side of Washington Square seems to collect at Deemer Lane. Councilperson Reese reported that his inspection of the culvert there revealed that the area has been well cleaned.

Senator Connor observed that water also collects at the small shopping center where Domino's is located and that an underground spring may be source of the problem. She wondered if the area should have an additional drain. Councilperson Reese learned that the culvert from Domino's to the Deemer property was cleaned approximately two years ago. He noted that he lives nearby and that when the area floods, it becomes a natural swale. Mr. Martin will try to convince the County to address the problem.

Mr. Martin stated that Soil Conservation studied drainage problems on Route 273, and that they received a cost estimate for eliminating the problem. DeIDOT will take steps to improve drainage on the Deemer property.

A resident asked Senator Connor about the progress of work on Route 141. She reported that work is scheduled to be finished in May, weather permitting. Bad weather is responsible for missing the original October completion date.

He also asked about the presence of survey stakes on the Green. The Senator replied that the Green is a State property with water problems. She will keep the Council informed when the State reports on the situation at the next Senate session. **Mr. Carpenter** disclosed that the Director of the Court House Museum explained that the State must establish property rights in order to repair the brick sidewalks.

Senator Connor reported that she totaled her car when she collided with a deer on Route 9. She advised driving with extreme caution on that route.

Fred Welsh asked the name of the Code Enforcement Officer. Mr. Martin named Bob Chambers and advised calling Mr. Chambers at 323-9813 to report problems. Mr. Welsh then asked if Mr. Chambers would also enforce statutes against parking on yards. President Castagno said the same person should be contacted.

He also asked the reason for a traffic study on Route 9. Mr. Martin revealed that the traffic study supports an engineering project for improvements to the intersections at Sixth and Chestnut, Seventh and Washington, Delaware Avenue, and Ferry Cutoff.

Mr. Welsh noted that separate counters were used for counting incoming and outgoing traffic. He postulated that the counters were used to determine the volume and the direction of traffic in and out of the City. He learned that the City had not requested the count. He asked why the State is monitoring traffic. Mr. Martin responded that a study four years identified the streets needing improvements to their intersections. The costs for repairs are now in DeIDOT's capital improvements budget. DeIDOT is performing a preliminary analysis before implementing the improvements. Councilperson DiAngelo confirmed that Sixth Street is a State road.

Mr. Welsh also asked why part of Battery Park is still torn up from Isabelle. He complained that although City workers have cleaned the area, trash is strewn everywhere. President Castagno reminded him that two weeks ago, many City residents took part in a beach clean up. Mr. Welsh then asked if the City had taken advantage of the money set aside to clean up after Hurricane Isabelle. Mr. Martin said that the City used the money to pay for some of the clean up, but that a storm coming through the morning after a thorough clean up deposits enough trash to more than replace the trash that was removed. Mr. Welsh next asked how the City will manage the Greenway if it cannot keep its park clean. He further stated that the area is especially filthy past the City's property. He reported the area where the marsh's underbrush is gone is filthy, and fallen trees there are full of termites and hornets' nests.

Another of Mr. Welsh's concerns is who to contact about marshlands behind homes. His property has a 12-foot easement that dumps surface water from 12 or 14 sewers into his back yard. His back yard now has two feet of water in it, because the pipe is lower than the marsh. Several

years ago the City cleaned out the pipe, but last year the pipe cracked, creating a hole in his yard. He learned in a letter from the County that the City had received a tax break to maintain those sewers. President Castagno promised to investigate the matter.

Mr. Welsh was also concerned because he missed the meeting on the \$425,000 deficit. He asked if the City gives tax breaks to industries and suggested increasing taxes on industries in Twin Spans to help reduce the deficit. He questioned why the City doesn't foreclose on the properties of tax delinquents. He objects to having his taxes raised because of people who don't pay taxes. He also objected to giving tax breaks to industries. President Castagno revealed that some agreements dating back 10 or 15 years gave tax incentives to attract industries. President Castagno said that most such agreements are ten-year tax holidays. He emphasized that recent contracts do not provide tax breaks. The few still in effect are due to expire soon. Marian Delaney reported that of the several remaining; one in Twin Spans dates back to 1995. President Castagno emphasized that during his tenure and that of the previous Council's tenure, no such tax holidays were negotiated.

Councilperson DiAngelo observed that although the City charges both homeowners and industry 87 cents a hundred, commercial organizations pay more taxes in dollars because of their higher property values. President Castagno also pointed out the industries receive fewer City services. Mr. Welsh reminded the Council that the City has the expense of providing more police to patrol those areas.

Councilperson Miller protested that no one has said the City is not collecting taxes. Councilperson Reese reported that the City collected \$26,000 last month in this year's taxes, \$7700 in penalties, and \$12,800 in taxes more than a year old. President Castagno assured Mr. Welsh that every effort is made to collect back taxes.

Mr. Welsh also asked who determines what happens to owners of properties cited for violations. President Castagno stated that the City conforms to the International Property Maintenance Code. The Code Enforcement Officer explains the violation and how to eliminate it. Violators who do not comply are cited, and eventually fined. Councilperson Reese cited on-site inspection, when the Code Enforcement Officer photographed the offending property and then sent copies of the photographs and a letter identifying the required repairs to the out-of-state owner. One such investigation revealed that a vacant house required cosmetic work, that the grounds needed to be cleaned, and that water was running from the basement.

If not corrected, these cases could come before the Board of Housing Appeals. Mr. Welsh noted that an elderly couple who need repairs or yard work could appeal to a church group. However, a misleading statement in the paper reads as if the couple would be evicted.

Meeting Adjourned

Councilperson DiAngelo moved to adjourn the meeting and to go into an executive session. Councilperson Miller seconded the motion. Councilpersons DiAngelo, Miller, Padmalingam, and Reese all voted to accept the motion. The motion carried unanimously. The meeting adjourned at 8:35 PM.

Next Meeting

The next regular meeting will be held at 7:00 PM on April 13, 2004, in the Town Hall.

Respectfully submitted,

Darcy Mozer, City Clerk

Executive Session

Council voted unanimously to authorize the Council President to sign a Sick Time Buy Out agreement on behalf of the Council between the City Administrator and the Council of the City of New Castle.