

**MAYOR AND COUNCIL OF NEW CASTLE
PUBLIC HEARING
TOWN HALL – 201 DELAWARE STREET – NEW CASTLE, DE
TUESDAY – JUNE 21, 2002 – 6:30 P.M.**

A Public Hearing was held to consider amending the Zoning Code of New Castle to zone as Industrial Office Park (IOP) and Open Space and Recreation (OS&R) the 155.1 acres of land contiguous to the City known as the Parkway Gravel, Inc. Parcel.

PLEDGE OF ALLEGIANCE TO THE FLAG

Mr. Castagno noted that the meeting was posted in the News Journal on June 7, 2002 in accordance with the Sunshine Law.

Don Isken – To follow up annexation. As terms of annexation the parcel must be zoned (IOP and OS&R). Explained which portions of parcel would be IOP and which are OS&R. On the East side will be zoned Open Space (OS). The total Industrial Property, 70.8 acres, and OS&R, 83 acres. Vandemark and Lynch prepared this plan.

Steve Rosenfeld has developed this plan and is here tonight. He has determined the appropriate guide lines for plan.

Mr. Castagno – No wetlands will touch IOP.

Don Isken – Have not slavishly maintained separation of OS&R and IOP. Setbacks will use OS&R. Have not excluded all wetlands from IOP.

Don Isken – Have observed the spirit and understanding which was required by annexation.

Mr. Castagno – How many acres will be developed?

Nick Ferrara – About 50 to 55 acres for development.

Mr. Balascio – Three parcels. Is this because of setback?

Don Isken – Three parcels because Route 9 splits OS&R. Setbacks are different zoning classification.

Mr. Balascio – What are long term plans for Open Space Property?

Nick Ferrara – Regarding the West side of Route 9 we are working with State Department of Parks. East side of Route 9 as a Corporation we intend to donate as a park in memory of Ferrara Company founder and uncle.

Mr. Balascio – Want use of wetlands explained.

Public Hearing Meeting Minutes
June 21, 2002
Page 2

Jeff Bergstrom – Setbacks are a logical use for wetlands.

Mr. Castagno adjourned the Public Hearing.

Respectfully submitted,

A handwritten signature in cursive script that reads "Kate Toner".

Kate Toner
City Clerk

**MAYOR AND COUNCIL OF NEW CASTLE
SPECIAL COUNCIL MEETING
TOWN HALL – 201 DELAWARE STREET – NEW CASTLE, DE
TUESDAY – JUNE 21, 2002 – 7:00 P.M.**

PLEDGE OF ALLEGIANCE TO THE FLAG

Mr. Castagno – 350 Years of History. This is First Friday Meeting.

ROLL CALL

Present: Council President Castagno
Councilman Balascio
Councilman DiAngelo
Councilwoman Dr. Miller

Absent: Councilman Reese

Also Present: Janet Carlin, Treasurer.

Mr. Castagno read a letter from Councilman Reese stating his views on tonight's issues. Knowing he cannot vote in absents but wanted his opinion on record.

Agenda order is changed.

1st and 2nd reading of Ordinance No. 416 amending the Zoning Code of the City of New Castle to zone as Industrial Office Park (IOP) and Open Space and Recreation (OS&R) the 155.1 acres of land contiguous to the City known as the Parkway Gravel Inc. Parcel.

Mr. Castagno read Ordinance No. 416 1st and 2nd reading.

Mr. Balascio motioned to accept 1st and 2nd reading of Ordinance No. 416. Seconded by Dr. Miller. Motion carries.

3rd and final reading and motion to adopt as an Ordinance of the Municipality Ordinance No. 409 amending the Code of the City of New Castle by zoning a portion of land on West 3rd and Foundry Street designated Historic Commerce District (HC) to Historic Residence (HR).

Mr. Castagno read Ordinance No. 409.

Mr. Balascio motioned to adopt Ordinance No.409 as an Ordinance. It was seconded by Mr. DiAngelo. Motion carries.

3rd and final reading and motion to adopt as an Ordinance No. 408 amending Chapter 102 of the Code and adopting the 2000 edition of the International Building Code.

Mr. Castagno read Ordinance No. 408.

Dr. Miller motioned to accept 3rd and final reading Ordinance No. 408 and adopt as Ordinance of New Castle. Seconded by Mr. Balascio. Motion carries.

3rd and final reading and motion to adopt as an Ordinance of the Municipality Ordinance No. 411 creating Chapter 103 of the Code and adopting the 200 edition of the International Residential Code for one and two family dwellings.

Mr. Castagno read Ordinance No. 411.

Mr. DiAngelo motioned to accept 3rd and final reading Ordinance No.411 and adopt as Ordinance of New Castle. Seconded by Mr. Balascio. Motion carries.

3rd and final reading and motion to adopt as an Ordinance of the Municipality Ordinance No. 412 amending Chapter 181 of the Code and adopting the 2000 edition of the International Plumbing Code.

Mr. Castagno read Ordinance No. 412.

Mr. Balascio motioned to accept 3rd and final reading Ordinance No. 412 and adopt as Ordinance of New Castle. Seconded by Mr. DiAngelo. Motion carries.

3rd and final reading and motion to adopt as an Ordinance of the Municipality Ordinance No. 413 amending Chapter 162 of the Code and adopting the 2000 edition of the International Mechanical Code.

Mr. Castagno read Ordinance No. 413.

Dr. Miller motioned to accept 3rd and final reading Ordinance No. 413 and adopt as Ordinance of New Castle. Seconded by Mr. Balascio. Motion carries.

3rd and final reading and motion to adopt as an Ordinance of the Municipality Ordinance No. 414 creating Chapter 163 of the Code and adopting the 2000 edition of the International Fuel Gas Code.

Mr. Castagno read Ordinance No. 414.

Mr. DiAngelo motioned to accept 3rd and final reading of Ordinance No. 414 and adopt as Ordinance of New Castle. Seconded by Mr. Balascio. Motion carries.

3rd and final reading and motion to adopt as an Ordinance of the Municipality Ordinance No. 415 amending Chapter 195 of the Code and adopting the 2000 edition of the International Property Maintenance Code.

Mr. Castagno read Ordinance No. 415.

Mr. Balascio motioned to accept 3rd and final reading of Ordinance No. 415 and adopt as Ordinance of New Castle. Seconded by Mr. DiAngelo. Motion carries.

3rd and final reading and motion to adopt as an Ordinance of the Municipality Ordinance No. 410 amending Chapter 204 "Solid Waste" of the Code of the City of New Castle providing more specifically for the placement and removal of containers.

Mr. Castagno read Ordinance No. 410 amending Chapter 204.

Mr. Balascio motioned to accept 3rd and final reading of Ordinance No. 410 and adopt as Ordinance of New Castle. Seconded by Dr. Miller. Roll call vote: Mr. Balascio, yes; Mr. DiAngelo, yes; Dr. Miller, yes. Motion carries.

Resolution No. 2002-10 approving the Fiscal Budget for year 2002/2003.

Dr. Miller read Resolution No. 2002-10.

Mr. DiAngelo motioned to accept Resolution No. 2002-10. Seconded by Dr. Miller. Motion carries.

Mr. DiAngelo – Budget is on file at City office.

Mr. Castagno – Council would like to thank City employees (Marion Delaney, Jean Williamson, Sean Hildebrand (Summer Intern), Jeff Bergstrom, Janet Carlin (Treasurer), Bob Martin (City Administrator), and Council members) for their assistance. Note: No increase in taxes for 2002/2003.

Motion to accept and appoint a City Engineer (USR David Athey).

Mr. Castagno explained the process in which the interview team selected this firm. They are also the Engineer for Municipal Service Commission.

Dr. Miller motioned to accept and appoint City Engineer. Seconded by Mr. Balascio. Motion carries.

Bank Resolution in amount of \$30,374.70 to pay Harmony Construction for Contract No. 2001-01 "City Wide Paving" estimate #2 (Final).

Mr. Balascio motioned to accept Bank Resolution No. 2001-01 in amount of \$30,374.70. Seconded by Mr. DiAngelo. Motion carries.

Mr. DiAngelo – Repairs still need to be completed from the Diamond Material project. Take money we are holding and complete repairs.

3rd and final reading and motion to adopt as an Ordinance of the Municipality Ordinance No. 407 amending the Code of the City of New Castle to provide for an exception from the requirement of Chapter 215 “ Lines and Grades” upon the written determination of the City Engineer that such an exemption is appropriate.

Mr. Castagno read Ordinance No.407.

Mr. Balascio motioned to accept 3rd and final reading of Ordinance No. 407 and adopt as Ordinance of New Castle. Seconded by Dr. Miller. Motion carries.

COMMENTS FROM THE FLOOR

David June – Who will enforce International Residential Code?

Mr. Castagno – Present building code official.

David June – Trouble with wild animal and garbage. Who is responsible for animals? 14th Street is filled with water. No proper flow of water off street. We need drain cleaned on 14th Street. He has a problem with annexation of Parkway Gravel concerning use of wetlands. Also, changing hydrant in Washington Park has raised an issue with Municipal Service. Need to flush hydrant before connecting with lines.

Mr. Castagno – Send E-mail to Municipal Service about fire hydrants.

Dr. Padmalingam – Questioned putting trash out at 5:00 p.m. day before.

Mr. DiAngelo – Violation fine is \$100.00 but would not effect such a short time span.

David June – Reference to wetlands backlash through entire County. Believes Council pushed annexation too fast. Concerned about habitat and water control.

Mr. Castagno – Concerns were not all financial. Pick-up 100 acres of OS&R land. Need a clear and comprehensive plan. Council looked at all issues.

David June – Is the annexation cost effective? Constantly paying for more services. Land Projection Act to be considered. Look at issues with open mind. Costal Zone Act is a state issue. It is the law.

Mr. Balascio – Costal Zone Act is a non-issue. It is the law.

Special Council Meeting Minutes
June 21, 2002
Page 5

Dr. Padmalingam – Federal grant with police facility because of brown field

Mr. DiAngelo – Land is not a brown field. Demolition is need for parking space.

Dr. Miller motioned to adjourn meeting. Seconded by Mr. Balascio. Motion carries.

Respectfully submitted,



Kate Toner
City Clerk