

**MAYOR AND COUNCIL OF NEW CASTLE
REGULAR MONTHLY COUNCIL MEETING
TOWN HALL – 201 DELAWARE STREET – NEW CASTLE, DE
TUESDAY – OCTOBER 8, 2002 – 7:00 P.M.**

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL

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

Also Present: John Klingmeyer, Mayor; Janet Carlin, Treasurer; Robert Martin, City Administrator.

Mr. Castagno – Review of Protocol – Requested no profanity. Remind of times when citizens can comment; three minute time limit and please use the microphone.

APPROVED BY DATE OF COMMITTEE REPORTS

Police Department Report	September 2002
Building Official Report	September 2002
Finance Department Report	September 2002
Public Works Report	September 2002

Mr. Reese moved to accept reports as submitted. It was seconded by Dr. Miller. Passed unanimously.

TREASURER'S REPORT

Treasurer's report read by Janet Carlin, Treasurer.

Mr. Reese moved to approve Treasurer's report as presented. It was seconded by Dr. Miller. Motion passed unanimously.

APPROVAL OF MINUTES

Regular Council Meeting – September 10, 2002

Mr. Reese motioned to approve the minutes. It was seconded by Mr. D'Angelo. Motion passed unanimously.

COMMUNICATIONS

Mr. Casagno received a letter from Gordon, Fournaris, and Mammarella office, attorneys for BJ's, they are applying for a license to expand liquor store and relocate store. Protest must be filed by October 21, 2002 with the Commissioner's office of Alcoholic Beverage Control in writing.

BUSINESS FROM THE FLOOR

None

BUSINESS FOR THE COUNCIL PRESIDENT

Steve Truitt from Del Dot met with Council and some concerned residents concerning traffic light at Moore's Lane and New Castle Avenue. Mr. Truitt will reevaluate the intersection and get back to City in about six to eight weeks.

Mr. Castagno attended the last Trustee meeting. Property Development Chair proposed discussion on a park in Washington Park area. The meeting will be held on November 3, 2002.

New Castle City Police and Municipal Services Building groundbreaking ceremony will be at noon on Wednesday, October 9, 2002.

Meeting previously held with Richard Apex and Council members will be repeated at next Planning Commission meeting. Will be opened to the public after News-Journal article of October 28, 2002.

Mr. Castagno reiterated that Delaware City railing is coming.

Mr. Castagno introduced Bob Briggs, Insurance Agent, for the City. Our insurance carrier has claimed the Wharf is a liability. This was first identified as a problem in 1997. Carrier is happy with temporary fix. New railing may reduce insurance. The railing will stop people from sitting of the edge of the Wharf. Also, if we do not comply we are in danger of being dropped. Our carrier is Zurich America.

Ned Hutchison – Concerned about sidewalk in New Castle.

Bob Briggs – Sidewalks are homeowners responsibility.

BUSINESS FROM THE MAYOR

Attended the meeting with Richard Apex. There was a presentation from the City and Planner. Council should be transparent, no clandestine meeting. This was clearly an illegal meeting. Sunshine law prohibits such gatherings to enlist support from City officials.

BUSINESS FROM THE CITY ADMINISTRATOR

Professional Underwrites and the City met on September 5, 2002 to look at City wide issues.

Department of Transportation from Nathan Hayward advising of transportation enhancement project. The City will work on a program and make an application.

Del Dot will hold a public workshop on Wednesday, October 16, 2002, from 4 to 7:00 p.m., regarding sidewalks and cross walks on Washington Street and 7th Street.

New Castle Conservative District sent a letter about financing projection on 3rd Street Dyke. City has sent a letter to Trustee requesting funds. Formerly, this was a Trustee project.

Lou Indellini – Request further explanation of this project.

Mr. Martin – Sluice gates damaged from Hurricane Floyd has never been completely repaired. This is the completion of the project started by Trustees.

Bid opening – Contract #2002-02, City Wide Paving – Opened in order received:

Earle Downing -	\$127,150.00 – Lowest
Guardian Construction -	\$215,725.00
Stripe-A-Lot, Inc. -	\$135,040.00
Harmony Construction -	\$160,200.00
Cirillo Brothers, Inc. -	\$140,975.00
Adele Construction -	\$148,700.00
Diamond Materials -	\$200,925.00

City is not obligated to take lowest bid. Will review all bids and make a recommendations later.

UNFINISHED BUSINESS

Motion to consider amendment of August 2002 minutes.

Mr. DiAngelo requested a change in Health and Housing summary in August minutes. 2002-15 should be changed to 2002-25 to identify the original complaints.

Mr. DiAngelo proposed a change in H & H summary to change 2002-15 should be 2002-25. It was seconded by Dr. Miller. Motion passed unanimously.

NEW BUSINESS

Presentation of Planning Project status and update.

Planning Commission, Stan Sykora, also, Ad-Hoc for steering committee. Update of comprehensive plan being done by Kise, Kolander, and Straw. Have vigorously tried to keep public informed. Project is on time and within budget. Presentation of Planning Project status and update at DNREC meeting on Thursday, October 10, 2002.

Mr. DiAngelo – Suppose County is opposed to plan.

Stan Sykora – Will work with County and try to get cooperation.

Mr. Reese – State and County both look at plan.

Stan Sykora – County is a courtesy. State is mandatory. They will review plan.

Lou Indellini – There is no room for parking on West 11th Street area.

Stan Sykora – When plan comes to Council there will be time for discussion. Parking problems City wide. There is a combination of problems.

Ned Hutchison – Historic area under certain restriction and limitation. Tourism and special events, no parking. City has responsibility to repair or enforce ordinances.

Resolution authorizing the Mayor to sign lease-purchase agreement with Caterpillar Financial Service Corporation.

Dr. Miller authorizing resolution to allow Mayor to sign lease-purchase agreement with Caterpillar Financial Service Corporation. It was seconded by Mr. Reese. Motion passed unanimously.

Motion to adopt Resolution No. 2002-16 approving a Minor Subdivision of Property located in Riveredge Park.

Mr. Castagno read Resolution No. 2002-16.

Dr. Miller motioned to adopt Resolution No 2002-16. It was seconded by Mr. Reese. Motion passed unanimously.

Mr. Reese commented how many subdivisions remain to be approved.

Building Department presentation of results of summer intern investment.

Display of results from the interns project. Created picture file on most residence. Create a program to display exhibit from old Library on CDs (Old Library not handicap accessible). This intern has finished the shift from paper to the computer world. Updated files. Computerized permit. Displayed flood plan on zoning. Funded by Trustees. Money well spent.

Dr. Padmalingam – Does intern have credential to do this work.

Jeff Bergstrom – Major in Public Administration at University of Delaware. Must have at least one year in program to be an intern.

Ned Hutchinson – A paranoid question. Were photos taken all over town and what will data be used for.

Jeff Bergstrom – Taken on front view from a defensible position. Intranet use only. All properties were taken (a few photo errors).

Mr. Castagno – For internal use only so the inspectors will know exactly where there is a complaint.

Building Department presentation of new Gov Excel Software.

Jeff Bergstrom – Acquired this program from New Jersey. Automates building permit process and store all information, i.e., if there has ever been a variance on property, contractor who did work on property). Computerization spreading through many States.

Mr. Castagno – Will permits be taken on paper.

Jeff Bergstrom – They can be but will be able to file permits online.

Strategy discussion for addressing the vacant property situation in the City.

Jeff Bergstrom – Should look at other ordinances that address vacant properties. Townsend has an Ordinance that is very good. There are about two dozen vacant properties in New Castle. Most people in New Castle are great stewards of their properties. Fourteen people almost burnt to death in Buttonwood. Herb Swanson and Jeff Bergstrom are developing a rental property ordinance.

Mr. DiAngelo – There are two issues: a.) vacant properties, b.) lease properties.

Mr. Balascio – Look at vacant properties then revisit rental ordinance.

Dr. Miller – This is a very sensitive issue.

Mr. Balascio – Must address some properties from both directions or issues.

Mr. Castagno – Number of vacant properties.

Mr. DiAngelo – There are a lot of rental properties.

Charlotte Houben – A ranch house changed into three rental properties. We are expecting 144 apartments on Washington Street. They need to be inspected and a fee charged.

Flo Russell – This is a touchy subject. She has been a rental agent for 30 years. There are vacant houses on 11th Street. They bring property values down. Abide by City rules. Need an ordinance for the protection of City for property values and quality of life.

Charles Cobb – Rental properties should get a business license. Elsmere has a rental property ordinance.

Ned Hutchinson – Rental properties on 5th Street are well maintained. Business tax will drive people out of town.

Resolution honoring Mr. Frederick J. Gallagher.

Mr. Castagno read resolution.

Dr. Miller – Great gentleman in New Castle.

Mr. Reese – A real good guy.

Mayor Klingmeyer – Has served City in many capacities. Always a great ambassador.

Authorization to allow the continuance of an encroachment at 221 East 2nd Street.

Dr. Miller moved to authorized the encroachment. It was seconded by Mr. Balascio. Motion passed unanimously.

Disposition of Surplus Property (police cars).

Mr. Reese motioned to dispose of surplus property. It was seconded by Dr. Miller. Motion passed unanimously.

Presentation and discussion of proposed new park and gateway sign graphics.

Mr. Castagno explored the interest in sign and graphics for new gateway. Also took the time to inquire about cost. At this time, price would be \$800.00 per sign.

Discussion of fence realignment at Gray Street Water Tower.

Mr. DiAngelo – Don't see need for removal.

Mr. Balascio – Fence is easy to climb.

Lou Indellini – See no purpose to remove. Residents feel removal would invite trouble.

Mr. Castagno – Present no safety issue.

Mr. Reese – This is a Municipal Service issue. Why is Council getting involved?

Mr. Balascio – Esthetic reasons.

COMMENTS FROM THE FLOOR

Lou Indellini – Concerned that walkway will not be good for West End area (rails to trails).
Who will maintain and police. Listen to the citizens as much as the developer.

Dr. Padmalingam – Our senior center needs recreation for senior citizens. An inside exercise plan should be addresses as soon as possible.

Flo Russell – Washington Park has a problem with loose dogs. People walk dogs without a leash.

Herb Swanson – Call police or animal control.

Flo Russell – Some residents are carrying bats.

Mr. Martin – Call SPCA.

Mr. Balascio – Call police.

Herb Swanson – Try to get Mayor's court back in City. Then there would be a forum for this type of grievance.

Mr. Balascio – Call police. They can issue a ticket. Need to become proactive residents.

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Flo Russell – Red light on Washington Street and bus stop, problems are getting worse.

Mr. Martin – You should attend Public Workshop on October 16, 2002 from 4 to 7:00 p.m.

Charlotte Houben – Discussion on the way New Castle handles complaints. Five other cities handle complaints anonymously.

Wilford Fletcher – Why are we considering annexation?

Mr. DiAngelo – We are not considering annexation at this time. When annexation comes to Council there will be a public hearing.

Mr. Balascio – There is always an Annexation Committee that makes recommendations to Council that Council usually follows.

Charlotte Houben – I would love to be appointed to that Committee.

Wilford Fletcher – All annexations must be petitioned. Wants to do something about annexations.

Ned Hutchinson – Committee is designed to divide neighbor against neighbor. You pass ordinance after ordinance. Give Planning Commission some authority. get all committees together.

Stan Sykora – All committees are being reviewed.

Charlotte Houben – Just try to get an Annexation Committee. Do you think that is fair?

Dr. Miller moved to Executive Session. It was seconded by Mr. Reese. Motion passed unanimously.

Respectfully submitted,

Kate Toner

Kate Toner
City Clerk