

**MAYOR AND COUNCIL OF NEW CASTLE  
REGULAR MONTHLY COUNCIL MEETING  
TOWN HALL – 201 DELAWARE STREET – NEW CASTLE, DE  
TUESDAY – NOVEMBER 12, 2002 – 7:00 P.M.**

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**ROLL CALL**

**Present:** Council President Castagno  
Councilman DiAngelo  
Councilman Reese  
Councilman Balascio

**Also Present:** Janet Carlin, Treasurer; Robert Martin, City Administrator.

**Absent:** Councilwoman, Dr. Miller; John Klingmeyer, Mayor.

**APPROVED BY DATE OF COMMITTEE REPORTS**

Mr. Reese has just been informed that a New Castle Police Officer is being sued. The City of Elsmere is suing the officer for \$17,000.00. They are saying he has not fulfilled his contract. Officer has been with New Castle for two and a half years. Recommend we support the officer.

Chief McDerby has a letter from Delaware Police Chiefs Council saying that they do not honor Elsmere's five year contract. State law requires the candidate to contract for two years. Elsmere contends it has a five year contract with Officer Ruiz which is in violation of State and Federal Law.

Mr. Castagno asked what is the next step?

Chief McDerby says the officer has spent \$1,500.00 to acquire a defense. This can be dismissed by Judge presiding over case. May cost \$6,000.00 to \$10,000.00 to defend himself.

Mr. Reese also wants to note police are very pro-active giving back to Community in many different ways.

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

Mr. Balascio wants Mr. Bergstrom to list the number of informal inspections done. Also, there were 550 formal inspections. How does this relate to open permits.

Mr. Castagno wants to see some figures by next month.

Mr. Reese moved to accept reports as submitted. It was seconded by Mr. DiAngelo. Motion 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 Mr. DiAngelo. Motion passed unanimously.

### **APPROVAL OF MINUTES**

Regular Council Meeting – October 8, 2002

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

### **COMMUNICATIONS**

Mr. Reese received a letter from Mrs. Cobb commending City Police for helping hand. Also received an e-mail from Mr. Fleck which has 80 individual pictures of New Castle on the internet. Some are spinning pictures which are very nice.

Mr. Castagno said that the meeting of New Castle Economic Development Council Meeting is at 4:00 p.m. at Artesian Water on November 14, 2002. This is a joint venture between New Castle County Chamber of Commerce and New Castle County Executive Branch.

### **BUSINESS FROM THE FLOOR**

None.

### **BUSINESS FOR THE COUNCIL PRESIDENT**

Fed Ex Box Placement. Seems to be a big white elephant. Wants a spot which is less prominent.

City Calendar for 2003 have included a message from City Council. Any adjustment needs to be made immediately.

Spoke with Paul Morrill about timing on railing arriving in New Castle. Anticipate arrival in April. Mr. Martin said it will not be installed immediately in that it will need to be painted.

Discussion with City Solicitor concerning Mayor's Court. Looking at ways of making J.P. Court more effective. Mayor's Court will be delayed until we analyze this possibility.

### **BUSINESS FROM THE MAYOR**

Not present at meeting.

### **BUSINESS FROM THE CITY ADMINISTRATOR**

2002 Urban and Community Forestry Grant has been awarded to City of New Castle in the amount of \$2,000.00. Tree planting contract must be completed by April 1, 2003 for the park at 9<sup>th</sup> & Young Streets.

Minute of the New Castle Flower Beautification Committee from October 16, 2002.

Division of Soil and Water Conservation advised that a Grant for Conservation Design and Open Space Management. We are fairly well along with comprehensive plan. Will look into applying for Grant.

Mr. Balascio said property just annexed. There is open space and coastal property. Need 50/50 matching funds. Will rethink. Need to apply by December 16, 2002.

Division of Park and Recreation announced preliminary approval of Grant request to Delaware Land and Water Conservation. \$10,000.00 for 9<sup>th</sup> and Young Streets park. 35,000 for Community Trail Planning.

Arasapha Garden Club thanked Mayor and Council for Grant. That will help fund Town's holiday decorations.

The Department of Natural Resources and Environmental Control announced "Recycling Assistance Grant Program". Application due by January 31, 2003.

Update on timing with the Comprehensive Plan, November 26, 2002. Task force will meet with second draft. Plan will be submitted (State, County, & City) for review on December 6, 2002. Comments should be received by January 3, 2003. In mid January, it will be incorporated at Planning Commission Meeting. Late January, it will be submitted to Council for approval.

DNREC has a plan through the Division of Fish and Wildlife for a fishing pier. City has applied before but never funded. Considering site at Gambacorta Marsh or Dobbinsville. Next step is to submit a letter notifying we are interested (75% Federal money, 25% Local money). Low water of at least five feet.

Spirit of Christmas will be held on December 14, 2002 from 10:00 a.m. to 5:30 p.m. Sponsored by Presbyterian Church and Visitors Bureau. Looking for a large Christmas Tree.

Mr. Reese had a discussion with Mayor. Anyone interested in being on Election Committee should let the Mayor know of their interest.

Presentation by Kirsten Almquist of the City Beautification Committee.

Kirsten Almquist submitted plans for 9<sup>th</sup> and Young Streets Park. Agenda for the year will be right plants that would be best for the City.

Mr. Martin said Beautification Committee plans will be reviewed by Century Engineering who will be the Trailway Consultants.

Kirsten Almquist talked about flower beautification. Many volunteers devoted to planning. Eleven gardens in the City. Planning for next year right plants that will do best for the City. Challenge because of drought.

Mr. DiAngelo suggested raising post of the City welcome signs to accommodate flowers.

Kirsten Almquist said the Committee received a donation. Used funds to hire Todd Dempsey for the summer to aide them.

Tom Maddux said next year there will be thirteen gardens which effect the entire City. Would like to acknowledge all volunteers.

Kirsten Almquist	Darcy Fiske	Darcy Mozer
Judy Bigsby	Bob Galford	Dorothy Miscovich
Kitty Burris	Diane Heath	Jane Powell
Ellie Cleveland	Paul Hirshman	Barbara Quillen
Carolyn Dempsey	Tina Kelly	Arlene Stockwell
Phoebe Dell	Lynn McKeown	Dorothy Valtman
Penny Fields	Midge McGraw	Norma Wier

Mr. Martin said the dirt for this project will start as soon as the weather gets better.

Mr. Castagno asked can we get granite for proposed project.

Kirsten Almquist suggested that parked be called Station Park.

Mr. Castagno thanked Beautification Committee for their work.

### **UNFINISHED BUSINESS**

#### **Discussion of fence realignment at Gray Street Water Tower.**

Mr. DiAngelo said the fence realignment has been discussed with residents. Recommendation is to leave as is. Take no action at this time.

Mr. Castagno said look at eventual redesign for this area. This would be an investment in the area. Review again in Spring.

Mr. Reese said this belongs to Municipal Service Commission and let them decide.

### **NEW BUSINESS**

#### **Approval of City Holidays for year 2003.**

Mr. Reese moved to approve City Holidays for 2003. It was seconded by Mr. DiAngelo. Motion passed unanimously.

#### **Authorization for Mayor to sign Del Dot Agreement #03-P-PROG-33 Suburban Street Aid.**

Mr. Reese authorized Mayor to sign Del Dot Agreement. It was seconded by Mr. DiAngelo. Motion passed unanimously.

#### **Consideration of a Resolution to provide a one (1) time lump sum pension benefit for four (4) Retirees of the City of New Castle.**

Mr. Reese explained reason for resolution. State provides three-fourths of funds.

Mr. DiAngelo moved to adopt Resolution 2002-17. It was seconded by Mr. Reese. Motion passed unanimously.

#### **Discussion on Election procedures as follows:**

- a. **Revise Absentee Ballot Ordinance to allow "mail-in" affidavit for absentee request request per Chapter 78 of City Code.**
- b. **Appoint Absentee Clerk**
- c. **Appoint Chairperson**

Mr. Castagno read City Election Board. Need to replace most of Board.

Mr. Martin said Chairperson has been elected by Board. Previously, absentee ballots had to be brought to City Office.

Suggestion to follow Counties Absentee Ballot Procedure. Turn over to the City Solicitor to get proper Ordinance or Resolution.

**Action on Easement Agreement #NC-26 between Delaware Transit Corporation, Mayor, and Council of New Castle.**

Mr. Castagno highlighted Easement Agreement #NC-26.

Mr. Reese said Westend Railroad track from 9<sup>th</sup> and Young Streets to Delaware Street.

Mr. Martin said City Solicitor has no problem with agreement but should get a new map.

Mr. Castagno said let City Solicitor review and work out final details.

Mr. Reese accepted Easement Agreement #NC-26 pending Mr. Kavanaugh's review. It was seconded by Mr. DiAngelo. Motion passed unanimously.

**SALLE and EIDE Grants**

EIDE Grant – half used for drug enforcement salaries  
half equipment for drug enforcement

SALLE Grant – Equipment for new police station. Work Station, three computers.  
Inkless finger printing. Mugshot camera. Community relation  
kit. (DNA Samples). Stranger danger.

Mr. Reese said at Goodwill many children are getting mugshots.

Mr. Reese moved to have the Mayor sign EIDE Grant and SALLE Grant. It was seconded by Mr. DiAngelo. Motion passed unanimously.

**COMMENTS FROM THE FLOOR**

David June – There is a lot of traffic on Washington Street, 13<sup>th</sup> Street, and 6<sup>th</sup> Street. Concerned about large number of out of state cars. Need more vigilance in monitoring traffic. Crime moving out of Wilmington into other areas.

Regular Meeting Minutes  
November 12, 2002  
Page 7

Chief McDerby – 58 drug arrest (2001). 72 drug arrest (2002). Are enforcing drug laws. State did not allow any overtime for drug investigation. Each year better than previous year.

Mr. Castagno – Police grid shows where police enforcement.

David June – Criminals are getting smarter. Anticipate police arrival. Disappear when police arrive.

Mr. Balascio – A Mercedes and BMW, every time you call police they leave. Can criminal record police calls.

Chief McDerby – No scanner can intercept 800 megabit police calls. Response time (six minutes).

Tom Maddux – Does not like Federal Express Box. Fence could be covered with roses and it would improve the view.

Mr. Reese motioned to adjourn to the Executive Session. It was seconded by Mr. DiAngelo. Motion passed unanimously.

Respectfully submitted,

Kate Toner  
City Clerk