

**City of New Castle Delaware  
Regular City Council Meeting at Town Hall  
201 Delaware Street - New Castle  
Tuesday, July 11, 2017 - 7:00 p.m.**

Agenda

Roll Call

Councilperson Valarie W. Leary  
Councilperson Michael J. Quaranta  
Council President Linda Ratchford  
Councilperson Michael M. Platt  
Councilperson John A. Di Mondì

Also present:

William Barthel, City Administrator  
Janet Carlin, City Treasurer  
Jamie Rogers, Police Chief  
Daniel Losco, City Solicitor

**Minutes:** May 9, 2017 - Regular Council Meeting (Approved with Amendments); May 25, 2017 - Special Meeting/Budget Workshop (Approved with Amendments)

A motion was **passed unanimously** to approve the minutes as amended.

**Staff Reports**

Approval of Treasurer's Report

City Treasurer Janet Carlin reported on the balances of the City's accounts as of June 30, 2017. The total cash on hand in all accounts is \$ 3,188,296.50.

A motion was **passed unanimously** to approve the Treasurer's Report as presented.

Report from the City Administrator & Staff

At this point, William Barthel, City Administrator was called on by Council President Ratchford. Mr. Barthel stated that he had four items for council, and that the first item was that the municipal street aid was approved by the State and that \$103,097 was received. Mr. Barthel stated the Separation Day budget had been cut by 20, which is \$6,600, and takes their commitment to the city to \$26,400.

Mr. Barthel also mentioned that contact had been made with Niantic in regards to 'The Pokémon' situation and that an agreement was made to limit operation of the game at the Battery Park and the wharf from 7am to 9pm on a daily basis, and that the time could be changed during the

winter. Mr. Barthel indicated his pleasure with Niantic's response, and that the changes took effect a couple of weeks ago.

Finally, Mr. Barthel drew attention to a situation from a year ago, and that St. Anthony's had paved a portion of School Street, which is a City owned property. The late Councilperson Vannucci had suggested that vs. the city paying for the paving at cost, that the city remove two trees that were and are still of concern to the people at St. Anthony's.

Due to the loss of a Council person and an illness with St. Anthony's personnel, nothing had been done in this matter, and that the city had received quotes from \$2,100 to \$3,800 to remove the trees. Councilperson John A. Di Mondì inquired as to why the trees were being removed, to which Mr. Barthel stated that St. Anthony's had stated that they would accept the removal of the trees vs. the \$4,200 owed in paving.

At this time, Councilperson Di Mondì inquired as to why the City should be paying anyone when not required to by contract, Mr. Barthel stated that the removal of the trees was requested by St. Anthony's and that they would carry out the repaving of the street in return. Mr. Di Mondì further inquired as to who the street belongs to, who had contracted and paid for the work and whether Councilperson Vannucci had the authority to ok the work on his own, Mr. Barthel stated that he did not, and that the street belongs to the City but had been paved by St. Anthony's having been given the go-ahead by Councilperson Vannucci; asked whether the street had been scheduled to be repaved, Mr. Barthel stated that it had not been although it was in significant need of repairs at the time. Councilperson Di Mondì inquired who uses the property to which Mr. Barthel responded that both St. Anthony's and private residences make use of it. Mr. Barthel agreed that other than Councilperson Vannucci's personal agreement and the fact that the work had been done, there were no further obligations.

Council person Di Mondì inquired as to whose land the trees are on and why they should be cut down, to which Mr. Barthel responded that one is on City property, the other is on St. Anthony's property and both are considered by St. Anthony's to be potentially hazardous. At this point, Mr. Losco stated that although the City was not bound by law to the agreement, either the trees could be cut down as a compromise or the matter could be left open and any litigation dealt with in the future. Mr. Barthel stated that both trees require attention and declarations could be gathered from neighbors. The matter was slated to be brought up again in a months' time.

Police Chief Roberts gave the police statistics for the month of June, 34 criminal arrests during the month, 110 traffic arrests, 61 traffic warnings, 17 crime prevention checks, 80 crime reports were written.

Councilperson Quaranta inquired into the effectiveness of seasonal police officers, Chief Roberts responded that 3 seasonal officers had observed a drug violation resulting in an arrest, had responded to and defused a large fight, other criminal matters that resulted in an arrest, and had responded to a mentally disturbed individual with a handgun who had been disarmed and taken into care.

## **Council Communications**

Council person Quaranta personally thanked Gene and Caroline Dempsey for their contributions to Delaware Street upon hearing of the closure of their restaurant. Mr. Dempsey thanked the city in return.

Councilperson Leary gave an update on the National Night Out, stating that the police and Good Will Fire Department would be there along with the Presbyterian, Freewill Baptist and Methodist churches and many others.

## **Business from the Mayor**

Council President Ratchford read out a letter from the mayor dated July 12th 2017 declaring his resignation due to ill health and thanking the Council and City.

Praise was given to the Mayor for his 20 years of service as a councilman and as mayor, especially working for National Park designation.

It was stated that the vacancy left by the resignation required council to elect a new mayor to fill the vacancy until the next election in April 2019. Council person Di Mondì suggested the nomination of Dr. Somasunderam Padmalingam and Mr. Losco added that as nominations were not a point of order, the nomination and any others should be submitted to the city administrator and the vacancy should be advertised to the public. Councilperson Leary suggested some form of proclamation of recognition for the outgoing mayor at the next council meeting.

## **Business from the Council President - None**

Business from the Floor (concerning agenda items only)

Council President Ratchford listed items on the agenda: a Resolution in memory of Jerome Pinkett; a Proclamation to "Turn The Towns Teal"; a **motion**, discussion and vote approving the Mayor's appointment of Brenda Antonio; a **motion**, discussion and vote approving the Mayor's appointment of Marco Boyce to the Planning Commission; reading of Ordinance 511; a **motion**, discussion and vote on a Resolution to set minimum wage for full-time City employees; a **motion**, discussion and vote on a Resolution to place a Stop Sign on the Northeast corner of School Street; a Council discussion on newly installed curbs on 12th Street and the impact on parking.

Ms. Janet Wurtzel requested clarification on ordinance 511 regarding what is defined as "telecommunications facilities" and whether they would be permitted in Battery Park. Ms. Janet Wurtzel- also requested clarification as to whether the need for the Planning Commission's recommendation was a change in policy; her questions were deferred until later in the meeting.

## **"First State National Historical Park Updates" Presentation by First State National Historical Park Superintendent Ethan McKinley.**

Mr. Ethan McKinley, Park Superintendent for the First State National Historical Park was

invited by Ms. Ratchford to take the floor. He began by praising New Castle's residents' passion for history before announcing that the park's budget had risen from just over \$300,000 to over \$700,000. Mr. McKinley also announced a foundation document, an environmental assessment of the Sheriff s House with a view to rehabilitating it from late 2017 into 2018, and a wayside sign with information on the site, directions and historical information on the Sheriff s House.

An orientation video for the Park with an overview of the park was unveiled by Mr. McKinley before he thanked the New Castle Historical Society and the Division of Historical and Cultural Affairs for a warm welcome.

After Mr. McKinley's talk, Mr. Quaranta asked if the sign to be put up by the Sheriffs House would fit stylistically with other similar signs recently put up, Mr. McKinley reassured him that any new signs will be designed to be complimentary to existing signage.

The floor was opened up to questions for Mr McKinley from the public and Mr. Phil Gross inquired what the time line was for plans for the Sheriffs House being completed and construction beginning. Mr McKinley explained that 2 years had been spent researching the house and its use and that it would be some time before that knowledge could be used to draw up plans and eventually begin construction.

## **New Business**

**Motion, Discussion and Vote on Resolution 2017-24;** A Resolution in memory of Mr. Jerome Pinkett.

The Motion to consider Resolution No. 2017-24 was made by Councilperson Leary and seconded by Councilperson Quaranta.

The Resolution was read.

Council President Ratchford read Mr. Pinkett's achievements

Resolution No. 2017-15 passed 4 to 0 and Councilperson Platt was absent.

**Proclamation to "Turn the Towns Teal"** for the month of September through October 8th.

The Motion to consider **Proclamation to "Turn the Towns Teal"** was made by Councilperson Di Mondy and seconded by Councilperson Leary.

The Resolution was read.

**Proclamation to "Turn the Town Teal"** passed 4 to 0 and Councilperson Platt was absent.

The Proclamation was read.

Council President Ratchford added that the event had happened last year and there had been a

request for the teal ribbons to be on structures and not trees. Councilperson Di Mondì noted that the warning signs of ovarian cancer should be published in newspapers. Proclamation passed 4 to 0 and Councilperson Platt was absent.

Motion, Discussion and Vote on Resolution 2017-18; a Resolution Approving the Mayor's Appointment to the Planning Commission of Brenda Antonio.

The Motion to consider Resolution No. 2017-18 was made by Council President Ratchford seconded by Councilperson Leary.

Mrs. Antonio introduced herself and was asked by Council President Ratchford why her background in business would make her suitable for a Planning Commission role. Mrs. Antonio explained that listening to employees in her role at J P Morgan Chase highlighted problems. Councilperson Quaranta noted this as a very useful skill. Councilperson Di Mondì noted that Mrs. Antonio should always bear in mind people who are adversely affected by proposed projects, not just those who benefit.

The motion was passed unanimously.

Motion, Discussion and Vote on Resolution 2017-25; a Resolution Approving the Mayor's Appointment to the Planning Commission of Marco Boyce.

The Resolution was read.

Council President Ratchford cited the candidate's credentials.

Mr. Boyce was absent for unknown reasons. Council President Ratchford confirmed that Mr. Boyce had clearance from the County and Mr. Quaranta read from Mr. Boyce's curriculum vitae including attending Cornell University. The Planning Commission chair, Mr. David Baldini spoke to note both candidates will be well suited to their roles. Mr. Di Mondì regretted he could not question

Mr. Boyce and raised concerns about the Route 9 plan, stating the Southern part of town has been impacted negatively by the concept.

Resolution No. 2017-25, passed 4 to 1.

The Motion passed, with the Council votes recorded as follows:

Councilperson Valarie Leary - Yes  
Councilperson Michael J. Quaranta - Yes  
Council President Linda Ratchford - Yes  
Council person Michael M. Platt - Yes  
Councilperson John A. Di Mondì - No

**First Reading of Ordinance No. 511:** An Ordinance to revise Chapter 230, Article IV, to amend Code Section 230.25.1 in the Zoning Code of the City of New Castle to permit certain telecommunication facilities by special exception from the Board of Adjustment in any zoning district in the City of New Castle other than the Historic Residence District and the Historic Commerce District.

Councilperson Di Mondì questioned why the Historic District receives special treatment over other areas of the City and why the City cannot collect fees from the telecommunications companies. Councilperson Quaranta stated that newer, smaller cell phone antenna are available

to place and could be an alternative to anything larger which should be investigated as an option. Councilperson Quaranta asked Mr. Losco what the problem trying to be solved was. Mr. Losco replied that litigation related to limiting cellular communications was the issue and that such litigation could result in an antenna being placed outside the control of the city.

The Motion to consider the **First Reading of Ordinance No. 511** was made by Councilperson Leary and **seconded** by Councilperson Quaranta.

The Ordinance was read.

**Motion, Discussion and Vote on Resolution 2017-26;** A Resolution to set the minimum wage for all full time City employees, to a minimum of \$15.00 per hour, effective upon the expiration of existing City collective bargaining agreements.

President Ratchford brought up Resolution 2017-26 to set minimum wage for full-time city employees to fifteen dollars per hour. Council Person Di Mondì made a motion but there was no second, the resolution was not acted upon. Councilperson Di Mondì left the meeting.

Motion, Discussion and Vote on Resolution 2017-27; A Resolution to place a stop sign on the northeast corner of School Street at W. 9th Street; to prohibit parking (yellow curbing) on School Street East of W. 9th Street from the corner of 9th Street and extending approximately 20' East on School Street (South side); and to prohibit parking (yellow curbing) on W. 9th Street extending south approximately 10' from School Street (East Side).

A motion was made to read Resolution 2017-27 to place a stop sign on the Northeast corner of School Street.

The Resolution was read.

Council President Ratchford asked for reports from the City Administrator Barthel and police Chief Rogers with their recommendations. Chief Rogers stated the stop sign was needed to prevent accidents and that yellow curbing was necessary for emergency services vehicles to have access. It was mentioned that someone and Council person Di Mondì had been to the location and he agreed that it was necessary.

The Resolution was passed unanimously and Councilperson Di Mondì was absent.

**Council Discussion on newly installed curbs on 12th Street and impact on parking and vehicle traffic.**

The last item on the agenda was a council discussion on the newly installed curbs on 12th street and the impact on parking, posted by Councilperson Platt. Councilperson Platt stated that the new curbing made the street too narrow and posited that the street should be one-way or parking should be limited to one side only. A member of the public, Mr. Emory, confirmed that the street is too narrow, with two vehicles unable to pass side-by-side and access for emergency services potentially blocked. Ms. Ratchford confirmed that Mr. Platt will work with the City Administrator and police chief to make a Resolution for the August council meeting with their recommendations.

## **Comments from the floor.**

Mr. Emory asked about the state of the traffic light at 6th Street and Delaware, to which someone had responded that no new information has been forthcoming and Mr. Barthel added that studies had not been carried out during summer traffic and that he expected not to hear back until the fall. Mr. Quaranta noted that fresh pedestrian crosswalks had been painted after a previous council meeting, which had been badly needed.

Mr. Emory next brought up the river wall apartment building on Washington Street and Route 9, questioning whether a traffic study had been carried into how the complex would affect traffic. Mr. Quaranta stated it was part of the state plus project and that it will have been through various studies before the project was given the go-ahead.

With regards to the discussion of the trees at St. Anthony's, Mr. Emory stated that the city should not be paving any ground that is not its own while other areas still require repaving. He added that the trees should not be cut down at the council's cost.

Lastly, Mr. Emory stated it was a disgrace that resolution 2017-26 had not been seconded, to which Councilperson Quaranta responded that the minimum wage for city employees was a matter for discussion between the union and the council and that discussing it publicly could potentially harm negotiations for the council.

Karen Whalden thanked the Council for their work regarding Niantic, inquired into the exact nature of the building project at Washington Street and Route 9 and expressed her concern at the impact the project had on traffic in the area in conjunction with a potential parking lot on West 3rd Street. Councilperson Quaranta stated that publicly available documentation relating to the development could be gathered for Public Speaker #2 to view and stated that Ordinance 510 was only the starting point of the discussion on the potential parking lot.

Mr. Gross thanked Mr. Quaranta for earlier clarifying the Council's position on Resolution 2017-26 and asked that the Council support it. Mr. Gross opined that the tree at St. Anthony's which resides on private property should not be dealt with by the city.

Mr. Clark stated concerns about how Ordinance 510 had been written with regards to the definition of the Historic District and stated that all organizations should share one definition.

Bishop Gordon requested use of the disused Police Station in Dobbinsville for his No Double Jeopardy Job Program to help citizens with a criminal record in that area and Shawtown who have trouble securing employment. He stated he needs the building for three to five days, four to five hours a day and hopes helping these people could address drug problems in those areas. Councilperson Leary mentioned that Dobbinsville and Shawtown should not be singled out as exclusively suffering from drug problems, as her personal experience as a paramedic has taught her otherwise. Mr. Quaranta reinforced this idea with a map of police activity, Bishop Gordon responded that the building itself was the reason for his choice of location.

Mr. Bryson stated that the Police Station building in Dobbinsville had been for the use of children in the area but that they no longer used it. Mr. Bryson complained of the number of ministries in the area and asked that the Police Station not be used as such. Mr. Bryson stated

that lit basketball courts supposed to keep children off the street no longer had any light and he opined that crime and drug use is low in Dobbinsville.

A **motion** to adjourn the session was passed unanimously.

Respectfully Submitted,

Brian G. Whitaker

City Clerk of New Castle, Delaware