

City of New Castle Delaware
Regular City Council Meeting
New Castle Senior Center – 400 South Street
Meeting Held in Person and via Zoom
Tuesday, April 14, 2026
7:00 p.m.

Call to Order: 7:00 PM

Roll Call

Present: Council President, Suzanne M. Souder
Councilperson Andrew Zeltt
Councilperson Nermin Zubaca
Councilperson Joseph F. Day
Councilperson Brian M. Mattaway

Also present: Antonina Tantillo, City Administrator
Mayor Valarie Leary
Michael Hoffman, Esq., City Solicitor
James Whisman, City Treasurer
Christopher Rogers, City Planner
City Building Official/Fire Marshal Jeffrey Bergstrom
Police Chief Richard McCabe
Fire Chief David Majewski

Council President Souder called the April 14, 2026, City Council meeting to order at 7:00 p.m. The assembly stood for the Pledge of Allegiance. Roll call followed and a quorum to conduct business was declared.

Minutes

Minutes of March 10, 2026

A motion to approve the minutes of the March 10, 2026, regular City Council meeting as amended was made by Councilperson Zubaca. The motion was seconded by Councilperson Day and was unanimously passed.

Minutes of March 24, 2026, Special Meeting

A motion to approve the minutes of the March 24, 2026, special meeting as amended was made by Councilperson Day. The motion was seconded by Councilperson Zeltt and was approved with a vote of four (4) in favor and one (1) abstaining (Councilperson Zubaca).

Minutes of March 31, 2026, Special Meeting

A motion to approve the minutes of the March 31, 2026, special meeting as amended was made by Councilperson Day. The motion was seconded by Councilperson Zeltt and was unanimously passed.

Treasurer's Report

Mr. Whisman presented the unaudited Treasurer's Report as of March 31, 2026:

Total unrestricted funds	\$ 6,768,035.64
Total restricted funds	\$ 6,038,487.61
Total cash	\$12,806,523.25

Mr. Whisman stated that the City is in excellent health. He reported that:

- Total Budget: \$7,598,646
- Income: \$7,714,526 (*102% of the Budget*)
- Expenses \$4,754,421 (*64% of the Budget*)

Councilperson Zubaca noted that the change of Total Restricted Funds from the March 31, 2026 Ending Balance vs Prior Period shows as negative \$4,167.87 on the Treasurer's Report and it should show positive \$7,499.59. The Treasurer's Report will be corrected to reflect the correct amount.

In response to a question from Councilperson Zubaca, Ms. Tantillo explained that she is working on opening a Budget Stabilization Fund.

A motion to approve the Treasurer's Report subject to audit was made by Councilperson Zubaca. The motion was seconded by Councilperson Day and was unanimously passed.

Reports from the City Administrator and Staff

Report From the City Administrator

- New Castle was honored to have a visit from Senator Blunt-Rochester and her team on April 1, 2026, to discuss flood concerns in New Castle. She met with Ms. Tantillo, Council President Souder, Councilperson Mattaway, Flood Resiliency Committee Chair Fred Gallagher, Flood Resilience Committee Member Tish Gallagher, and City Planner Chris Rogers. Items discussed included flood mitigation via dike elevation and extension along the Delaware River and in the Delaware River Trail Project.
- Ferry Cut-Off – The DelDOT Ferry Cut-Off project is continuing to progress. They are working to finalize and address Norfolk Southern's final comments. They are about 90% done completing those comments. It is hoped that portion of the project will be completed in August. Discussions will continue regarding landscaping on the Delaware Street portion of the project.
- Grants Update:
 - The State Historic Preservation Grant Application for the Historic Designation for the Buttonwood School and Dobbinsville is still pending.
 - There is an extension for the second State Historic Preservation Grant Application for recognition of America 250.
 - Senator McBride's office informed Ms. Tantillo that the New Castle's application for the Congressionally Directed Spending Grant for the Delaware River Trail project was not accepted due to the large number of applications received.

- Notification on the AARP Community Grant Application for the Delaware River Trail and the Dog Park is still pending.
- The Delaware Community Foundation Healthy Communities Grant Letter of Interest for the Delaware River Trail has been accepted and the Application is due at the end of the month.
- A Highmark BluePrints for the Community Grant Application was submitted last week for the Delaware River Trail.
- A Congressionally Directed Spending Grant was applied for through Senators Coons' and Blunt-Rochester's offices for flood mitigation for dike elevation and extension of the Delaware River Trail.
- Ms. Tantillo will submit an application for the TAP Grant for the Delaware River Trail and other road improvements this week.
- The Bond Bill Application will be submitted by the end of the month to include projects for street and curb improvements throughout the city, matching requests for the ORPT Delaware River Trail Project and the Safe Streets for All project, as well as some other Capital Improvements.
- The ADA Curbing and Street Repair projects are ongoing, and it is hoped they will be completed in the next two (2) months.
- Ms. Tantillo is still waiting for the date of the Dobbinsville basketball court installation.
- Ms. Tantillo is working with the contractor to get equipment in for the Playground. Due to delays on their part, installation is expected in the fall.

In response to questions from Councilperson Mattaway, Ms. Tantillo stated that:

- She will look into the scope of work for the median on Buttonwood Avenue to ensure the yellow striping is done correctly.
- Communications will be made to businesses and residents in the area of the Ferry Cut-Off project.

Report from Chief McCabe

Chief McCabe reported that:

- The Department will participate in Police, Fire and EMS Active Assailant Integration Response Training to teach how to respond as a unit and to have a unified command. The first class will be held at St. Peter's Catholic Church on April 17th from 8:00 a.m. to 4:00 p.m. There will be a significant police, fire and EMS presence during the training period. Signage will be placed around the perimeter of the training area. Most of the training will be held indoors. Blank rounds may be fired within the building.
- The Department will partner with Good Will to host a National DEA Take Back Initiative to accept old/un-needed prescriptions from residents on April 25th from 10:00 a.m. to 2:00 p.m. Information will be posted on the Department Facebook page and in The Weekly.
- There was a significant traffic enforcement presence the week of April 9-12 for an OHS state-wide initiative. New Castle was one (1) of 40 agencies invited to participate and was

assigned 16 4-hour block segments of funded patrol designed to target aggressive driving behavior in the following categories:

- Speed, passing on the shoulder, reckless and aggressive driving, unsafe passing, and following too closely; and
- Distracted driving, occupant protection violations, DUIs, and other crash-risk violations.

New Castle Officers filled 13 of the 16 slots. Seventy (70) citations were issued and several arrests were made. There was one (1) minor crash during the 5-day period.

- The two new recruits currently at the Academy are doing well and will graduate at the end of August. Chief McCabe noted that they both have ties to New Castle. Chief McCabe commended the team for doing a fantastic job of recruiting.

Councilperson Zubaca stated he is excited about having two new recruits. He noted that crime numbers were up from last month and asked if Chief McCabe could speak to the Crime Statistics in his report. Chief McCabe stated that some of the trespass arrests were in Battery Park, and noted that he did not track the number of alarms for the month.

Councilperson Mattaway noted that HB133 passed and asked Chief McCabe if he could speak to possible funding decreases. Chief McCabe stated that HB133 passed the House and is scheduled for Senate Committee before the end of the Session. He added that they have gained a lot of traction and feel that they have the ability to counter the Bill. They have engaged the League of Local Governments and have been in contact with State and Local Representatives. Chief McCabe stated that the Governor placed \$5M in the GRB to offset the effects of the Bill; however, their concern is that the GRB is not a line item, and they do not align with that concept. The General Assembly still has to vote on the Bill.

In response to a question from Councilperson Zubaca, Chief McCabe stated the Department receives approximately \$80,000 each year and noted items for which those funds were used. Chief McCabe will provide a breakdown to Council. Chief McCabe added that the impact of the windfall is unknown at this time; noting that the presumptive qualification for waiving the fee creates equity issues, and they are not comfortable with the notion that this particular fee puts folks in debtors prison.

- Chief McCabe addressed the issue in Battery Park on Saturday, April 4th, and provided a time-line of how events developed:
 - At 16:08 the first call for service came in for loud music in Battery Park.
 - The call was dispatched at 16:17.
 - At 16:19 one officer responded to the basketball court where approximately 30-50 individuals were playing basketball. A tent had been set up with speakers. When he arrived no music was playing. The Officer made contact with the people at the table, in the tent, and playing basketball. Most of those playing basketball were 14-15 years old. The Officer remained on site for approximately 10-20 minutes and made contact with some of the individuals; and then made himself available for other calls
 - The second call for service came in at 16:56 for public urination. Two units responded. The suspects identified for public urination were described and the Officers were looking for them specifically; however, they were unable to identify

- them. One of the Officers remained the area and the other Officer made himself available for other calls. It was noted that the crowd had increased.
- At 17:35 the unit that remained on site recognized that the crowd had begun to swell and he requested assistance in disbursing. The Supervisor that cleared on the 1st call, the Officer that cleared on the 2nd call, and an oncoming Supervisor all responded to this call.
 - Between this time and the time when disbursement started more calls began coming in.
 - Officers described the crowd as being very young and very polite, and they were responsive to commands. From the Officers perspective, they were not witnessing criminal conduct and the crowd was doing what they were asked to do.
 - The crowd began to swell more and the Officers on site were unable to control it. At this time they requested more assistance and units from the State, County, Bridge, Elsmere, Delaware City, and Newport police departments responded. As units from the other Agencies began to respond, more calls were received for squealing tires, and there was one call for a shooting in the park.
 - This drew a massive response. Because there was a report of shots fired in the park, some of the Officers responded with long guns.
 - The Department's Supervisors coordinated all the Agencies that responded, and a line was created running parallel to the river and everyone was forced out.
 - The park was cleared relatively quickly; however, most of the crowd was 14-15 year olds that were not driving. Some had arrived in Ubers that had to be called back, and the crowd spread out through the City. Calls came regarding pockets of kids in certain areas and Officers responded to those areas as they could. Officers remained in the park until about 7:30 p.m.
 - It was learned that this was an Event announced on Instagram. The local individual who posted it was an 18-year old senior in high school trying to make a name for himself. He was not aware of the issues that he caused. He is not ultimately responsible for coordinating the event. There are other groups nationally who instigate these events.
 - The same evening similar events were held in Banning Park and in Middletown. It has also happened in Chicago and in Virginia Beach. Chief McCabe stated that the manner in which Officers responded and interacted with the crowd and the way they were able to get the crowd to comply prevented them from dealing with incidents that other cities dealt with.
 - After the crowd cleared out it was discovered that there was some damage to the bathroom in Battery Park, and there was trash. In other cities cars were burned, windows were broken out, fights broke out and police and local residents were hurt. Chief McCabe stated that the low incident rate of the crowd was a combination of having a police department whose Officers knew how to speak to the crowd and a community who responded well to commands and did what they were asked to do.
 - Chief McCabe added that the event was handled very professionally by responders and the attendees reacted to their commands. He added that he is grateful for the assistance provided by other Agencies.

- After the fact, Chief McCabe received one (1) call from a resident about this incident.
- Chief McCabe noted that he saw some responses to the incident on social media about the lack of seasonal officers, and explained that in 2010 that program was instituted very successfully. However, since 2020, due to COVID, and a significant anti-police sentiment, Chief McCabe made the decision to shut the program down because he would not put unarmed teenaged kids with very minimal training in any scenario where they could be harmed. Chief McCabe added that the police are targets, and the Department has been targeted twice in the last three (3) months because they wanted to hurt Police Officers. Other solutions have been put in place instead of bike-cops including directive patrols and increased patrols to address specific quality of life issues.
- Chief McCabe stated that the Department is actively involved in scrubbing social media to try and get ahead of some of these events; and admitted that in this case it was missed.
- Chief McCabe stated that the 18-year old teen who posted the event was not charged because he was not the official organizer of the event. The Department is investigating and if the organizer of the event can be identified they will determine the next steps.
- Chief McCabe stated that the threshold to disburse a crowd is not based on what an individual thinks is right or wrong. It is based on Constitutional Law; and Officers had to balance that.

Chief McCabe stated that he is very proud of how his Officers responded to the event in Battery Park, while understanding that many residents may have witnessed events that they probably should not have had to witness.

Chief McCabe added that the Council meeting is not the time or place to have a resident discussion regarding this incident; however, he is very open to meeting with residents to discuss their concerns.

In response to questions/comments from Council regarding the event in Battery Park, Chief McCabe stated that:

- No one was injured and no one was arrested.
- If the community sees something on social media they can call the non-emergency number (302-573-2800) or they can call the Department directly (302-322-9800). Chief McCabe added that no one should hesitate to call 911.
- Signage will be changed to read that the park is closed “from sunrise to sunset”. Ms. Tantilillo stated that language for signage at the basketball court can be discussed.
- Chief McCabe was uncertain if the first call was received on the non-emergency line or not.
- Two Supervisors within the dispatch center reviewed the calls and it was confirmed that the first call was received at 4:08 p.m.
- Dirt bikes are not allowed in Battery Park, and e-bikes are also a problem. Chief McCabe stated that Officers cannot chase either, and the Department has transitioned to evidenced-based prosecution. He suggested that Council look into an Ordinance that the Department

could enforce. Council President Souder opined riders of regular bicycles are often more dangerous to pedestrians, and also suggested that there must be a balance between pedal-assist e-bikes and regular e-bikes.

Report from Mr. Bergstrom

Mr. Bergstrom stated that he had nothing additional to report.

Council Communications

Councilperson Mattaway

- Councilperson Mattaway presented a letter from the Petty Family in thanks for Council's support during the time of Mrs. Petty's passing.
- Serviceperson Spotlight – Councilperson Mattaway recognized Ernie Brown, Sr., who passed away on March 11th. Mr. Brown was a member of the National Guard.
- Councilperson Mattaway stated he is very regretful of the events that occurred in Battery Park on April 4th. He is committed to providing solutions so everyone feels safe. He encouraged residents to take advantage of the Police Accountability Commission as a venue to raise quality of life issues.
- Councilperson Mattaway recommended that the Good Will Fire Company be given a separate line in the City Budget.
- The Delaware Breast Cancer Coalition will be hosting a 10-week program at the Library starting on Thursday, May 7th that talks about healthy living and eating.
- Councilperson Mattaway stated that there has been a movement to allow plug-in solar. Two states have passed legislation that allows people to generate their own energy and reducing consumption by 20%-30%. Senate Bill 270 addresses this to make provision for solar generation of electricity through small portable solar generation devices. Councilperson Mattaway stated that he will lobby for plug-in solar in New Castle as long as it is safe. He opined that there may come a time when the City may face the reality of significantly reduced MSC appropriations, which represents the second largest revenue inflow for the City. He further opined that visitors and tourists will need to contribute in some way.
- Councilperson Mattaway stated that he would like to table Resolution 2026-22.

Councilperson Zubaca

- Councilperson Zubaca thanked Chief McCabe for his timeline of the Battery Park incident.
- Councilperson Zubaca encouraged residents to enjoy the warm weather.
- Councilperson Zubaca noted his hope that everyone enjoyed their Easter.
- Councilperson Zubaca noted that Bosnia beat Italy to qualify for the World Cup.

Councilperson Zeltt

- Councilperson Zeltt asked the about the impact of solar in the Historic Residential District. Councilperson Mattaway noted that the Bill presents it as a "by-right".

City Council Regular Meeting
April 14, 2026

- May market is May 1-2. Home Treasures donations can be dropped off at the Arsenal on Wednesday, April 27th from 11:00 a.m. to 5:00 p.m. and on April 30th from 8:00 a.m. to Noon.
- The Library Friends Book Sale will be held on May 1st from 10:00 a.m. to 5:00 p.m. and May 2nd from 9:00 a.m. to 1:00 p.m.
- May 16th is A Day in Old New Castle from 10:00 a.m. to 5:00 p.m. Twenty-eight (28) homes and gardens will be open. Tickets are on sale at www.adayinoldnewcastle.org. Pre-orders receive a \$5 discount. **NEW THIS YEAR:** If you dress up in period clothing it is FREE!! Other events/activities include the Plein Air Painting Competition (*Gravesites and Churches*) and reenactments.

Councilperson Day

- The Old New Castle Litter Crew's first event for 2026 will be Sunday, April 26th. Meet in the parking lot at 4th & Chestnut Street. They will be cleaning up Chestnut Street to 6th and north on 6th to Wilmington Road and ending up at Moore's Lane. All are welcome!
- Councilperson Day thanked Mr. Angel Ramos for serving on the Board of Adjustment. A new candidate will be voted in tonight.
- The Saturday Market starts again on May 2nd.
- Councilperson Day stated that the incident in Battery Park was very unfortunate. He read that there were incidents at Banning Park and Canby Park, and he noted his hope that the City can get in front of these incidents in the future. He stated that the police response was incredible. He thanked the Police Department for their work during the incident.

Report from the Council President

- Council President Souder hoped that everyone who celebrated Easter had a wonderful time with family and friends.
- Council President Souder congratulated David Majewski, Jr., for being named the first Career Fire Chief of the Good Will Fire Company.
- A good discussion was held with Senator Blunt-Rochester. Senator Blunt-Rochester knew the situation, she asked good questions, and made good observations.
- Street sweeping begins next month. Council President Souder reminded residents to check the signs or the schedule on the City Website and to move cars on the designated day for their street. Street sweeping keeps the City looking neat, it keeps debris from getting into the storm drains, and it reduces street flooding.
- Next month also kicks off many activities in New Castle, including May Market, the Library Book Sale, and A Day in Old New Castle.

Business From the Mayor

Mayor Leary deferred her report for the sake of time.

Report from Goodwill Fire Company

Chief Majewski reported that:

- There were 189 EMS responses and 99 fire rescue incidents for a total of 288 incidents for the month of March.
- There was a structure fire on East 2nd Street, a motor vehicle accident with a rollover on Centerpoint Boulevard, two (2) gas leak investigations in downtown that were both due to faulty stoves that have subsequently been repaired, and a there was helicopter hoist training with the Army Guard.
- Rescue Boat responses are increasing.
- Good Will took delivery of their refurbished ambulance today. The Department owns two (2) ambulances. Refurbishing the ambulance cost half of a new ambulance and took 1/4 of the delivery time.
- Chief Majewski thanked the community for their support.

Public Comment

Rick Reed – Washington Park

Mr. Reed thanked Council for the opportunity to speak. He stated that he has tried multiple times through multiple avenues to speak with representatives from the City and his calls were not accepted and he has not received a call back from anyone. Mr. Reed stated that Washington Park suffers from numerous drug users, drug dealers, code enforcement violations, and drag racing down 11th Street. He added that speed bumps do not slow speeders down, motorcycles with straight pipes have been running up and down the street; and the residents cannot get any consideration from the Police or Council in helping to resolve the problems. Mr. Reed asked for the name of someone who can help restore the community of Washington Park. He stated that he did speak with the Mayor, and asserted her comment was “People’s garbage and junk are gold to other people. There’s nothing we can do.”

Councilperson Mattaway stated that he has never received a communication from Mr. Reed, but that he would come to Washington Park tomorrow and gave Mr. Reed his card.

Phil Gross

Mr. Gross stated that in his experience Chief McCabe has been very open to discussing issues with him. He thanked Chief McCabe and his Officers for the job they did in disbursing the crowd in Battery Park.

Mr. Gross opined that residents do not get results from Council, asserting that the Flood Resiliency Committee has had zero results and overwhelmingly the community does not want the Dog Park.

Mr. Gross asserted that the pier in Dobbinsville is not happening.

Mr. Gross urged Council vote in favor of the Fund recommended by Councilperson Mattaway.

Mr. Gross stated that links to the Agenda were not live yesterday.

Mr. Gross criticized the length of City Council meetings.

Leah Reynolds

Ms. Reynolds spoke about her concerns with the incident in Battery Park and safety and the overall well-being of the community. She asserted that the images she saw and the individuals

she saw on the street did not show polite teenagers. She acknowledged that these situations are complex and noted her appreciation for the work of Council and the Police. She opined that the City leadership and residents should come together to think proactively about how to maintain the safety and character of New Castle. She offered a number of suggestions to accomplish this goal and stated she would welcome the opportunity for continued dialogue to achieve these goals.

James Camac – 22 West 3rd Street

Mr. Camac stated that he is an Uber Driver and drove at least 15 young people who were present at the event in Battery Park, and they were all very, very respectful. He stated that all of them stated they just wanted go to the park so they could do something without their parents and be with their friends. He suggested that there may be ways to find something better for them to do than wreak havoc on the park.

Tracy Keenan – 22 West 3rd Street

Ms. Keenan stated that she loves that people come from all over to Battery Park and to play basketball, and that it is a safe place for teenagers and families to come and play. She stated that if the City Ordinances and Regulations are not enforced they are meaningless. She stated that the teens she met were very polite, but as the crowd grew and got louder and louder she felt that it was trouble waiting to happen. She added that it was remarkable that the crowd disbursed without any injuries. Ms. Keenan also noted that she is glad to see more police presence in the park.

Marianne Pacek – 29 West 4th Street

Ms. Pacek read a letter from Kenneth and Nancy Adamson, 39 West 4th Street, regarding the incident in Battery park, that stated their concern that there are often people in the park after dusk, and the lack of enforcement of people playing basketball and being loud after dark. With respect to the incident in Battery Park on April 4th, they called the non-emergency police number at 2:30 p.m. and the operator said someone would come by. When no one arrived they called 911 again by 4:30 p.m. and at 5:10 p.m. They asserted that the basketball court either needs to be moved or supervised, and it should have been placed next to the tennis courts.

Ms. Pacek noted her concern for the blatant disregard for traffic laws and the response time from law enforcement.

John DiMondi

Mr. DiMondi stated that six townhouses would be approved on a one-house lot just like the Battery was passed to put Section 8 apartments in his neighborhood.

Victoria Wollaston – 119 and 121 East 4th Street

Ms. Wollaston noted that in October a licensed car parked on the street and never moved for five (5) months. She opined that the City should have a policy stating that a car cannot stay in one spot for such a length of time. She noted that the car was towed after five (5) months because a sign was put up for No Parking.

Cecelia Camponelli – 31 West 4th Street

Ms. Camponelli stated her concern for a safety issue that has become increasingly worse. She stated that events happening in the park, in the parking lot, and the streets near her home have made her fearful. She sees an increasing disregard and lack of respect for traffic laws, parking lot issues, and foot traffic that is disrespectful to the residents. Ms. Camponelli related two incidents that occurred recently.

Ms. Camponelli asked that consideration be given to increased police patrols, especially on weekends and evenings. She opined that a security camera should be placed in the parking lot and there should be increased awareness that having too much activity in the area might be detrimental and a breeding ground for problems. Ms. Camponelli noted her understanding that there is another event scheduled for June 12th that has been posted on social media. Ms. Camponelli stated that consideration should be given to forming a committee of impacted residents, police and city officials to review the problems in that area encounter every day.

Andre Jerry – 65 West 5th Street

Mr. Jerry thanked Chief McCabe for his clarity of the events that occurred on April 4th. He noted that what people experienced was real, and we cannot take away from that. He added that whatever response should be from Council should be tempered. Mr. Jerry opined that the teens who attended were not trying to be rebellious and rambunctious. He opined that they trying to do something to keep themselves productive, out of trouble, and with their friends; but unfortunately, they did not follow the rules. He urged Council to take into consideration that they were trying to do what is right.

Guido Camponelli

Mr. Camponelli opined that the incident in Battery Park is an opportunity for better communication and dialogue with elected officials.

Mr. Camponelli noted that after the recent unprecedented tax increase, he asked City Council to work together to look for additional revenue opportunities that will help stave off future tax increases that will seriously affect seniors, fixed income residents, and financial challenged individuals. He opined that another huge tax increase could be forthcoming after contract negotiations are completed.

Mr. Camponelli opined that Council should create a Working Committee to address various quality of life issues facing the taxpayers; adding this would provide a platform for citizens to work with Council and to create a level of accountability and measurable results many taxpayers feel are needed.

Flood Resiliency Committee (FRC) Annual Report – Fred Gallagher, Chair

Mr. Gallagher presented the FRC Annual Report, stating that:

- The Committee lost three (3) members and four (4) members joined.
- The FRC struggled with the news that the Federal funding they thought would be awarded to raise the dikes and fill in the gaps fell through.
- Ms. Tantillo has been extremely helpful in finding and applying for other possible grants. These include the Army Corps of Engineers, the Delaware Sea Grant Committee, AECOM, and DelDOT.

- The FRC contacted an individual involved in flood resiliency in The Netherlands who provided information on their flood mitigation programs, as well as programs across the globe.
- Locally, the FRC met with DNREC Director Greg Patterson to make him aware of our concerns and Mr. Patterson suggested that the FRC prioritize smaller projects that would not take significant funding.
- Members contacted the Watershed Stewardship Team at the Delaware Nature Society, the City of Newark, and New Castle County regarding the Rain Barrel Initiative. It was decided to work independently to purchase rain barrels and sell them to residents at a reduced cost with the funding assistance from Council and the Trustees Grant process. It is hoped that this will encourage residents to actively help in the process of flood resiliency and to raise the visibility of the issue.
- FRC will continue with education through seminars and other learning opportunities when they arise to help members understand more about flood resiliency.
- Members of the FRC went to Hoboken, New Jersey, to tour their facility and learn how they are handling flood mitigation; which they felt was a worth-while trip.
- FRC interacts with AECOM when they need the assistance of a Professional Engineer to answer questions and help them understand the process.
- Some complaints and concerns have been received from citizens; particularly in the areas of Buttonwood, Jacquette Square, and William Penn. Ms. Tantillo and City staff have looked into these issues and have tried to mitigate the problems.
- The goals for 2026 are:
 - Initiate the Rain Barrel Project.
 - Continue to make New Castle visible to State and Federal officials and agencies involved in or interested in flood mitigation to ensure that if funding becomes available they will know that New Castle is looking for it.
 - Continue educating members regarding inland and riverine flooding via seminars when available.

Councilperson Mattaway thanked Mr. Gallagher and FRC members for their work, noting that their work is very much appreciated. He suggested that the committee consider going to Dover to speak with legislative committees to tell them about New Castle's concerns. Mr. Gallagher concurred, noting that Ms. Tantillo has been extremely helpful in getting the FRC in front of a number of different politicians. He added that funding for the full project is about \$30M, and that will have to come from the Federal Government; noting that the State has approximately \$2M for the entire state. Mr. Gallagher stated he would be happy to speak with anyone about the situation in New Castle, but for the immediate future FRC is focusing on small projects to keep visibility on New Castle.

Ms. Tantillo stated that the Brick Grant funding was rescinded last year, and she recently received an announcement that it is coming back in July. She will be discussing this during Budget review, and will work on an application in the coming months and through the next year. The promotional information for the Rain Barrel initiative will be available on the City website soon.

Mr. Gallagher thanked Ms. Tantillo for her assistance, noting that she has applied for every grant possible.

Councilperson Zubaca concurred that the FRC's work is vital to the City and will be critical to its future. He echoed Councilperson Mattaway's suggestion that the FRC go to Dover and speak with the Governor and Senators who may have influence over Federal funding. Councilperson Zubaca encouraged FRC to apply for every grant possible, noting that there is grant writing assistance available. Mr. Gallagher explained that Ms. Tantillo is finding the grants and writing the grant applications for them. Ms. Tantillo added that the UD Grant Assistance Program had been planning to help with grants.

Historic Area Commission (HAC) Annual Report – Tera Hayward-Olivas Chair

Ms. Hayward-Olivas presented the Historic Area Commission (HAC) Annual Report, stating that:

- 199 Applications and Consultations for Historic Review Certificates were reviewed in the past year.
- The key focus of HAC has been to continue improving the efficiency of the Review process. A two-tier system is being used, which allows certain applications to be reviewed administratively, while others are brought before the Commission depending on the type and scope of work being done. This streamlines the process while maintaining the standards necessary to safeguard the City's historic resources. The average turnaround time for an administrative review is about five (5) days from the date of submission.
- The Commission also continues to focus on public education to increase awareness of available preservation resources including the Delaware State Historic Preservation Tax Credit Program and the Delaware Preservation Fund Small Grants Program to help reduce financial barriers while supporting appropriate preservation work.
- The Commission developed an informal handout with the input of legal counsel intended to assist existing and new businesses in the Historic Commercial District in understanding the review process and designing signage that is compatible with the Historic District and that meets the Historic Area Commission Design Guidelines and Standards.
- The Historic Preservation Architect has worked with the City Administrator to enhance the HAC page on the City website to improve access to information and to clarify the process. Ms. Hayward-Olivas added that the best place to start is to contact the City Office as they are best positioned to guide residents through the Application process.
- City Solicitor Lisa Hatfield attends HAC meetings regularly and has been instrumental in providing legal guidance and ensuring that Commission procedures are consistent with municipal governance requirements.
- This year the Commission plans to continue strengthening work in several areas, including:
 - Improving public-facing guidance.
 - Holding a governance and procedural training session with HAC members, the City Solicitor and the City Administrator.

- Continuing to support preservation initiatives through the Certified Local Government Program and National Register work.
- The Commission is requesting the establishment of a recurring \$7,000 budget line to support the required local match for the Certifiable Government Grant Program, which will allow the City to leverage a relatively modest local investment to secure Federal Preservation Grant funding for projects that benefit the community and document the City's historic resources. Last year, the City was awarded COG Grant Funds to support the preparation of a National Register of Historic Places nomination for the Buttonwood School and will support preliminary research into the history of the Dobbinsville neighborhood.
- The City of New Castle continues to receive national attention for the integrity and character of its Historic District.
- Ms. Hayward-Olivas also noted that relative to Councilperson Mattaway's mention of plug-in solar, HAC has guidelines for solar panels in the current Guidelines and Standards.

In response to a question from Councilperson Zubaca, Ms. Hayward-Olivas stated that there is a Historic Buildings database available on the website where current and potential residents can look up an address to see if it is in the Historic District. She reiterated her recommendation that they contact the City Office. Ms. Tantillo stated that the City is aware of this issue; adding that it is the responsibility of the new homeowner to do their due diligence when considering purchasing a home in the Historic District. She also noted that she is working with Ms. Hayward-Olivas on holding a Downtown Development District Workshop that would include items such as the Historic Tax Credit.

Councilperson Mattaway opined that there has been a disconnect; adding that he learned that the County handles all deed transfers for the City and that he explored how that communication is handled; noting that the City does not necessarily have the capacity to take on that role exclusively.

Old Business

Second Reading, Discussion, and Possible Vote of Ordinance 563 – An Ordinance to address dumpsters in the City of New Castle.

Council President Souder introduced the Ordinance and explained the impetus behind its introduction for consideration by Council. Councilpersons Zubaca and Mattaway stated that they are in favor of the Ordinance.

A motion was made by Councilperson Day to approve Ordinance 563. The motion was seconded by Councilperson Zeltt and a roll call vote was taken:

Councilperson Day – Yes
Councilperson Zubaca – Yes
Councilperson Zeltt – Yes
Councilperson Mattaway – Yes
Council President Souder – Yes

The motion passed unanimously.

New Business

Council Discussion, Possible Motion, and Vote on Resolution 2026-20 – A Resolution to appoint Dennis Anuszewski to the Board of Adjustment.

Dennis Anuszewski – Board of Adjustment - Term Ending: April 12, 2027

Council President noted a typographical error in the Resolution that will be corrected. The City Solicitor confirmed that a separate motion to make that correction is not needed.

A motion to approve Resolution 2026-20 was made by Councilperson Day. The motion was seconded by Councilperson Zubaca and was unanimously passed.

Council Discussion regarding Letter from the Planning Commission on the topic of Accessory Dwelling Units.

Council President Souder read a letter from the Planning Commission (PC) regarding Accessory Dwelling Units (ADU), in which the PC suggests drafting a survey to gauge the level of public interest in ADUs and if that interest warrants changing the City Code.

Councilperson Zubaca stated he is in favor of the PC proceeding with the survey. He opined that it would be sound to hear from residents regarding their level of interest in ADUs. He added that affordable housing is a critical issue for the State, for New Castle, and for the country; however, he stated he is struggling with the fact that 1,500 units have been added to New Castle in the last 5-10 years and when everything is finished there will be more rental units than single family homes in the City. Councilperson Zubaca said ADUs could potentially become rental units, and asked if the survey will reflect the purpose of the ADU. He also noted his concern with the size of homes and lots in the Historic District and asked whether there will be a size limitation for ADUs. Councilperson Zubaca further opined that New Castle is ahead of the curve in respect to affordable housing.

Councilperson Zeltt noted his concern that the lots in the Historic District are very small, and recommended that a restriction be set for size, especially in the Historic District. He also asked that Council review the survey before it goes out.

Councilperson Day commended the PC for suggesting the survey and stated that he fully supports the recommendation.

Ms. Reign, Chair of the Planning Commission, explained that they were thinking that the ADUs would be used as in-law suites. She referenced a report that stated 30% of adults between 20-35 years of age are still living at home because the cost of housing is so high; noting that the report states that ADUs are becoming an option for some of those families. She added that once the survey is returned and the level of interest is determined more details can be discussed, such as restrictions on size and use.

Councilperson Zubaca stated that based on Ms. Reign's explanation of the proposed use, he can see a need for ADUs and is in favor of sending out a survey.

Councilperson Mattaway stated that he is in favor of the PC's request and he commended the PC for bringing this matter before Council.

Mr. Hoffman stated that a formal motion would not be required. Council President Souder stated that the consensus of Council is to approve having the Planning Commission draft a survey to determine the interest for ADUs in the City.

Council Discussion, Possible Motion, and Vote on Resolution 2026-21 – A Resolution to approve the Gray St. Subdivision.

Mr. Rogers explained the proposed subdivision along 10th Street between Gray Street and Young Street is to combine two (2) existing parcels to create six (6) lots and to build six (6) semi-detached units. The property is zoned R-3. The project involves:

- The extension of a county sewer line approximately 300 linear feet within 10th Street. The County has signed off on those plans.
- The connection of the proposed units to an existing water line in 10th Street. Municipal Services has been involved with the project and is satisfied with the proposal.
- The applicant received stormwater management approval from the Conservation District.
- The preliminary plat was approved by the Planning Commission in November 2025. The final plat was approved in March 2026.
- Besides public improvements noted above, the project also involves the reconstruction of the sidewalk where there is existing sidewalk, new sidewalk along 10th Street, new curbing, and full pavement restoration of the full width of 10th Street. AECOM reviewed the plans and the City Engineer signed off on them.
- The curbing, sidewalks, and pavement restoration must be complete to the City's satisfaction prior to the issuance of a CO for any of the proposed units.
- Before the project came to the Planning Commission, it also received several variances from the Board of Adjustment.

In response to questions from Council, Mr. Rogers stated that:

- There were six (6) variances.
- The proposed units are consistent with dwellings in the neighborhood. Councilperson Day noted that the proposed units include a garage.

Councilperson Mattaway noted that positive feedback in support of the project was stated during Planning Commission meetings from neighbors.

A motion to approve Resolution 2026-21 as presented was made by Councilperson Day. The motion was seconded by Councilperson Zeltt and was unanimously passed.

Council Discussion, Possible Motion, and Vote on Resolution 2026-22 – A Resolution Requesting a Charter Change to the Delaware General Assembly for Lodging Tax.

A motion to table Resolution 2026-22 was made by Councilperson Day. The motion was seconded by Councilperson Zeltt and was unanimously passed.

Council Discussion, Possible Motion and Vote on Resolution 2026-23 – A Resolution to Approve Vendor Permit Application for Sweet Bites.

Council President Souder stated that all required documentation is attached to the Application. Ms. Tantillo stated that the vendor will operate during Saturday Market.

In response to a question from Councilperson Zubaca, a discussion of whether the Board of Health should be part of the approval process ensued. Council President Souder opined that the Board of Health involvement is limited to whether they maintain the necessary sanitary requirements to keep the food safe. Ms. Tantillo stated that the City must be cautious of restraining commerce, and at this time, the vendor applications that have been approved are quite diverse.

A motion to approve Resolution 2023-23 was made by Councilperson Day. The motion was seconded by Councilperson Zeltt and was unanimously passed.

Council Discussion, Possible Motion, and Vote on Resolution 2026-24 – A Resolution Adopting the New Castle County Multi-Jurisdictional All Hazard Mitigation Plan 2026 Update as Approved By FEMA.

Council President Souder stated that Council previously adopted the 2020 version of the Plan, and the resolution is to adopt the update. She reviewed pertinent portions of the Resolution. Ms. Tantillo stated that she worked with the County to identify items that were previously in the Plan. Council President Souder noted that the adoption of the plan is required by the City in order to maintain eligibility for certain pre- and post-disaster mitigation funding programs.

A motion to approve adopting Resolution 2026-24 was made by Councilperson Zubaca.

Councilperson Zubaca stated he is in support of the Resolution. He reviewed statistics relative to the City in the Plan; noting that much of the City is impacted, and its exposure is almost \$200M. Councilperson Zubaca commended local fire and EMS organizations for being best ranked in technical, physical, and administrative ability.

In response to a question from Councilperson Zubaca, Ms. Tantillo stated she is working on an Emergency Operations Plan, which would include Disaster Recovery. She added that the Committee is working on this and many of the matters are discussed in executive session. Ms. Tantillo stated that she did not have a timeline as yet.

Councilperson Zubaca asked for an update on railroad arms at railroad crossings.

Mr. Hoffman noted a point of order, stating that the discussion could continue; but there is a motion on the floor that requires a second before the discussion continues.

The motion was seconded by Councilperson Day.

Ms. Tantillo referenced page 174 of the Plan regarding railroad crossings. Councilperson Zubaca referred to pages 264-265. Ms. Tantillo stated that page 174 referred to major highways and DelDOT is working on that. Within the City, they would have to look at how to make the area safe; and one of the recommendations is to implement arms. During discussion it was noted that the only railroad crossing with arms in the City is Washington Street.

The motion on the floor was unanimously passed.

Council Discussion, Possible Motion, and Vote on Resolution 2026-25 – A Resolution regarding Public Services Vehicles for FY 2026.

Ms. Tantillo explained that last fiscal year \$14,000 was budgeted for two public services vehicles for the building department. Those vehicles are out of warranty, and during the budget cycle there was discussion as to whether it would be best to buy out the lease or get new vehicles. Since that time, the City has worked with Enterprise and after considering all options the decision was made to lease two new vehicles rather than buy out the existing vehicles.

In response to a question from Councilperson Zubaca, Ms. Tantillo explained she has not looked into Electrifying Fleet Grants yet, but she can. A brief discussion of the City vehicles ensued.

A motion to approve Resolution 2026-25 was made by Councilperson Day. The motion was seconded by Councilperson Zeltt and was unanimously passed.

Council Discussion, Possible Motion, and Vote on Resolution 2026-26 – A Resolution to Nominate a Census Tract to be designated as a Federal Opportunity Zone to be effective 1/1/2027.

Councilperson Mattaway explained the benefits of nominating a Census Tract to be designated as a Federal Opportunity Zone, stating that:

- The census tract is along the Rt. 9 border. It is part of the federally designated Byway and Harriet Tubman Freedom Trail. It has been deemed worthy of protection and has also been identified for attention by New Castle County and the State of Delaware.
- Areas of Buttonwood have been underserved for decades, and the Lukens Drive Industrial Park presently has a total of 131,500 square feet of corporate and industrial space lying empty; and it would behoove the City and MSC if that space were filled.
- It includes an area where a major housing development has been approved in an area of the City that traverses the visionary trail.
- This would help supercharge the connectivity of the Buttonwood Mansion, Ft. Casimir, and New Castle's downtown businesses.
- Benefits available at the Federal level to individuals and businesses include Bonus Depreciation.

- There would be minimal work at the City administration level. Ms. Tantillo would complete and submit the form to be nominated, and then Council would work with the City's Legislators to help lobby for consideration by the Governor.
- The Governor has the ability to identify 25 rural and urban Census Tracts throughout the state.

Ms. Tantillo stated this is an opportunity for the City. It has been identified that there are some lower socio economic disadvantages in that area and this would help address some of those concerns. It would also help the City to prioritize the area on a larger level.

Ms. Tantillo stated that for the present her involvement in the process would be manageable.

Councilperson Zubaca thanked Councilperson Mattaway for bringing this opportunity before Council. He opined that New Castle has a strong case with the subject area, and the prospect of having this area turn into a walkable community is exciting.

A motion to approve Resolution 2026-26 was made by Councilperson Zubaca. The motion was seconded by Councilperson Mattaway and was unanimously passed.

Council Discussion, Possible Motion, and Vote on Resolution 2026-27 – A Resolution to Amend the Fiscal Year 2026 Budget for The City of New Castle, Delaware, for the Twelve (12) Months Beginning July 1, 2025, and ending June 30, 2026, Appropriating Money for Each Item of Expenditure Therein Provided for; and for Other Purposes.

Ms. Tantillo explained the proposal, noting the budget lines would be reduced and increased:

Additional Expenses	Reduce	Increase
<u>Section 1, Lines 1-3:</u> \$10,000 for training and uniforms for two new Police Officers	Public Safety Salaries	\$3,000 – Training & Development \$7,000 – Uniforms
<u>Section 1, Lines 4-9:</u> \$50,270 for Impact Fee Study	Building Code Enforcement Salaries Temp Labor Consultant–HR Computer, Hardware & IT Services Sea Level Rise Task Force Expenses	\$50,270 – Special Projects and Grants

An in-depth discussion of Impact Fees ensued during which it was debated if any of the current pending developments would qualify. Mr. Hoffman stated if the plan is recorded and approvals are in place, the project would not qualify for Impact Fees. He added that if the Impact Fee

applies at all and how it applies to projects in the pipeline is very fact dependent. He cautioned Council from anticipating that any project in the pipeline would qualify.

Council President Souder opined that if the projects in the pipeline would not qualify, there did not seem to be much point in moving forward with the Study. Councilperson Mattaway presented his argument in favor of Council moving forward with the Impact Fee Study, noting that Council President Souder stated that she would be in favor of Impact Fees in the April 2025 Council Meeting.

- In April 2025 a meeting was held with the contractor and the subject matter expert.
- The Comprehensive Plan (CP) it states:
 - Page 49: “To ensure land development is paying associated costs and not supplemented by the City.”
 - Page 49, SS4, #6: “reviewing Delaware jurisdictions with increased land development activity and recently updated regulations for customization and consideration as to legislation within the City Code.”
 - Section S6: “Conduct a Fee Analysis for applications based on the process to ensure land development is paying associated costs and not supplemented by the City.
- The City Code §21 (3) speaks to Impact Fees, and states that the Mayor and Council have the ability to impose Impact Fees.
- Chapter 1 of the CP speaks about the purpose of the CP being tri-fold:
 1. The Plan serves as an official statement about the future of the City;
 2. The Plan is an informational document for the public; and
 3. The Plan is a legal document.
- Municipalities in the associated documentation who have implemented Impact Fees are very compatible to New Castle.
- The Analysis will take approximately 2-4 months and it effectively pays for the next one.

Councilperson Day stated that Impact Fees cannot be used for operating funds. He stated that he is in favor of the proposal; however, he is opposed to the proposal being presented outside the Budget Season. He opined that it appears to favor whichever Councilperson gets their request in first gets the money. He stated that the proposal should be done in the Budget Cycle.

Councilperson Mattaway stated the proposal was not presented with any mal intent. He added that the movement of funds nets out to a savings of approximately \$3,500. Councilperson Day stated he did not believe the proposal was made with ill intent; however, he strongly feels that it should have been presented during the Budget Cycle.

Council President Souder stated that she is not opposed to Impact Fees in principal; however, with the cost of the Study and knowing that the projects in the pipeline will quite likely not be subject to any Impact Fees that may be imposed, she was unsure if it would benefit the City.

Councilperson Mattaway noted that there is a Bill in Dover that essentially makes ADUs “by right”; and this is another type of housing development that will come to the City of New Castle.

Council President Souder suggested that if the Impact Fee part of the Resolution is tabled to the Budget Cycle, Council could still address the movement of funds for the Police Recruit's training and uniforms.

In response to a question from Councilperson Zubaca regarding ADUs, Mr. Hoffman stated that Councilperson Mattaway's comments regarding ADUs are germane to the discussion of Resolution 2026-27 because they were made solely to express his position that there may be future developments subject to an Impact Fee. He added that he would be happy to discuss Councilperson Zubaca's concerns offline; however, that discussion is not germane to Resolution 2026-27.

In response to Councilperson Zubaca's further questions, Mr. Hoffman stated that the City can set its regulations through "discretionary zoning", and if the Bill is passed it would prohibit municipalities from prohibiting ADUs; adding that it would not prohibit municipalities from setting parameters. Mr. Hoffman cautioned Council from making too many assumptions in terms of the impact as the Bill has not yet been adopted.

A motion was made by Councilperson Day to adopt Resolution 2026-27 as amended, striking the third and fourth WHEREAS clauses and striking Items 4 through 9 in Section 1. The motion was seconded by Councilperson Zeltt.

Councilperson Zubaca noted a correction in Section 1 to change "FY 2025" to "FY 2026" and changing "July 1, 2024, and ending June 30, 2025" to "July 1, 2025, and ending June 30, 2026".

Mr. Hoffman stated that the Resolution could be approved as amended.

The motion on the floor as amended was passed with a vote of four (4) in favor and one (1) abstaining (*Councilperson Zubaca*).

Ms. Tantillo stated she would add that discussion of an Impact Fee Study to the next Budget Agenda, and will send out some dates to Council. Ms. Tantillo will also research the history of how many municipalities the vendor has worked with and the outcome of those studies.

Mr. Hoffman stated that there is a legal component to Impact Fees, and it is very important to keep in mind that there is a difference between "Fees", which is cost of service, "Impact Fees", which is recovering capital expenses, and "Revenue". He stated he would be happy to prepare a Legal Memo outlining the differences, outlining the the considerations of Impact Fees, and outlining what the Charter provides, authorizes, and requires. Council President concurred that would be very helpful for their discussion. She asked if he could include some general guidelines of what "in the pipeline" means and whether projects already in the pipeline can have subsequently adopted Impact Fees imposed on them.

Council Discussion and Possible Motion and Possible Vote regarding the Transfer Tax from the Sale of Deemer's Landing and The Helm.

Council President Souder stated that the City received \$844,498 in transfer fees from the sale of The Helm and Deemer's Landing apartments. Council President Souder proposed putting the funds into an interest bearing account. A discussion of whether the funds can be put into the Budget Stabilization Fund ensued. Ms. Tantillo stated that it would not be best practice to move the funds into the Budget Stabilization Fund. She recommended that Council look into revising the terms of what Council can do with the accounts going forward. Councilperson Day opined that Council should have the ability to sweep excess funds into an interest bearing account without audit.

Mr. Hoffman stated that Council has the authority on the Agenda to direct where the money goes; however, he cautioned Council from going outside the Ordinance.

Councilperson Zubaca clarified his understanding that Councilperson Day suggested that Council discuss how funds get deposited during the Budget Cycle. Councilperson Day stated that he is open to having that discussion; however he does not want to sweep these funds into the Budget Stabilization Fund and not have the ability to touch the funds. Council President opined that this discussion could be done during a regular Council meeting.

A motion was made by Councilperson Zubaca to move money into the Budget Stabilization Fund now with the intent of getting the maximum possible interest on it, but also with the understanding that Council will include it in discussions of the Fiscal 2027 Budget, even though it is understood it will require a vote to exceed the 5%. The motion was seconded by Council person Day and was unanimously passed.

A motion was made by Councilperson Day to adjourn to executive session for discussion of the following topics:

- a. Pursuant to 29 Del. C. §§10004 (b)(4) &(6) Strategy sessions, including those involving legal advice or opinion from an attorney-at-law, with respect to collective bargaining or pending or potential litigation, but only when an open meeting would have an adverse effect on the bargaining or litigation position of the public body; and discussion of the content of documents, excluded from the definition of "public record" in §10002 of this title where such discussion may disclose the contents of such documents 12.**

The motion was seconded by Councilperson Zeltt and the meeting adjourned to executive session at 11:00 p.m.

Council resumed the regular meeting at 11:41 p.m. There being no further business to discuss, Council President Souder called for a motion to adjourn.

A motion was made by Councilperson Day to adjourn. The motion was seconded by Councilperson Zeltt and the meeting adjourned at 11:42 p.m.

Respectfully submitted,
Kathleen R. Weirich
City Stenographer

Next Regular Meeting Date: May 12, 2026