

City of New Castle Delaware  
Regular City Council Meeting  
Meeting Held in Person and via Zoom  
Tuesday, October 11, 2022  
7:00 p.m.

**Call to Order: 7:00PM**

**Roll Call**

**Present:** Council President Michael M. Platt  
Councilperson Suzanne M. Souder  
Councilperson Joseph F. Day, III

**Absent:** Councilperson Russell P. Smith  
Councilperson Valarie W. Leary

**Also present:** William J. Barthel, City Administrator  
Mayor Michael J. Quaranta  
Daniel R. Losco, Esquire, City Solicitor  
Richard P. McCabe, Chief of Police  
Jeff Bergstrom, City Building Inspector  
Janet E. Carlin, City Treasurer

Council President Platt called the October 11, 2022, Regular City Council meeting to order at 7:00 p.m. The assembly stood for the Pledge of Allegiance.

**Approval of the Minutes by Date**

A Motion to approve the Minutes of the September 14, 2022, City Council regular meeting as amended and the September 29, 2022 City Council special meeting as presented was made, seconded, and unanimously passed.

**Approval of the Treasurer's Report**

Ms. Carlin presented the unaudited Treasurer's Report as of September 30, 2022:

Total unrestricted funds	\$ 7,585,310.02
Total restricted funds	\$ 4,483,410.28
Total cash	\$12,068,711.30

In response to a question from Councilperson Souder, Ms. Carlin stated that the City is on schedule with last year. Current tax monies are coming in slowly, but percentage-wise the City is on target.

A Motion to approve the Unaudited Treasurer's Report as of September 30, 2022, was made, seconded and unanimously carried.

## **Reports from the City Administrator and Staff**

### City Administrator:

Ferry Cut-Off Railroad Improvement Project – DelDOT has moved the start of the project to July 2025. Plans will be completed in the fall of 2023.

Washington Street Railroad Crossing Repair – Norfolk Southern maintenance crews identified a section of rail that needs to be replaced at the Washington Street Crossing. Washington Street will need to be closed for three days. The final date has not yet been determined; however, it is expected to be done in late November, hopefully prior to Thanksgiving. Mr. Barthel will keep Council updated.

South Street Railroad Crossing – DelDOT has identified the South Street Railroad Crossing as a location to perform milling and overlay and minor sidewalk upgrades. This work will be done in spring 2023. Mr. Barthel will keep Council updated.

Mr. Barthel asked Jonathan Hermes of Century Engineering if crossing gates and alarms could be installed during the railroad crossing work. Mr. Hermes indicated there is no funding for crossing gates and alarms and Norfolk Southern may not do the upgrade; however, that is not yet final. Mr. Barthel is obtaining an estimate for crossing gates and alarms in the event Norfolk Southern does not install them.

Quiet Zones – Mr. Barthel also discussed Quiet Zones with Mr. Hermes. Mr. Barthel's understanding is that if all railroad crossings in the City have a security gate and alarms installed, the City can request a Quiet Zone. DelDOT does not support Quiet Zones and Mr. Hermes will follow-up with Mr. Barthel as to whether the City can override that. Mr. Barthel opined that based on information he has received the City will not be able to pursue Quiet Zones; however, he will continue to investigate and will keep Council updated.

November City Council Meeting – Mr. Barthel reminded Council that the November meeting will be held on Wednesday, November 9<sup>th</sup>.

### Report from Chief McCabe

Chief McCabe reported on the following:

- The Department website has been updated and now includes the Monthly Report and a live feed to the Department's Facebook page.
- Chief McCabe noted that the State and Federal investigation into the Red Flag Bandits is on-going and he was able to report that a search warrant was executed this month that uncovered significant evidence. He stated it was a small part of a larger national conspiracy. Chief McCabe also noted that the investigation has revealed that postal workers are being robbed at gunpoint of their keys to on-street postal boxes.

## **Business From the Council President**

Council President Platt stated that he filed a Complaint with the Attorney General's Office regarding the actions of certain Council people. He will keep the public abreast of the matter when further information is received from the Attorney General's Office.

**Public Comment**

Bill Emory – Baldton

Regarding vehicles ignoring the 3<sup>rd</sup> Street stop sign, Mr. Emory was told that Chief McCabe allegedly made a comment that the Police Department will not do anything about issues at the 3<sup>rd</sup> Street stop sign because there have not been any accidents at the intersection.

Mr. Emory stated that he had Halloween decorations stolen from his front porch this year and noted that when this has happened last year the Police Department did not do anything about it, and that no paperwork was filed on the complaint.

Mr. Emory stated that neighbors have reported drug activity in front of their house and the Police did not respond. Mr. Emory added that when the Police do respond to reports of people in their vehicles smoking drugs, no action is taken.

Mr. Emory opined that if the laws are not going to be enforced they should be removed from the books.

Phil Gross – 1301 13<sup>th</sup> Street

Mr. Gross asked for a status update on the \$30,000 that was set aside by the City and MSC for the next stage of plans for the proposed municipal campus.

Council President Platt explained that Council was not required to engage in a dialogue during Public Comment.

David Connell - Dobbinsville

Mr. Connell commended the Police Department for its work on the Red Flat Bandits investigation.

Mr. Connell stated that he had wanted to ask Council questions during Public Comment regarding the residents of Center Street, and added that if necessary he will take the matter to Civil Court.

Captain Tim Moore – Goodwill Fire Company

Captain Moore noted that there would be an Open House at the Goodwill Fire House on Saturday, October 29<sup>th</sup> from 12-3, and invited everyone to attend.

Council President Platt congratulated Captain Moore on his promotion.

Karen Igou – 621 Cherry Street

Ms. Igou wanted to bring to Council's attention the drinking water contamination issue. She noted that MSC reported at its last Board meeting that one of the filters has been reduced in capacity by about 25% and encouraged the City to work with MSC to ensure that New Castle's drinking water is safe.

Chief Richard McCabe

Chief McCabe received permission from Council President Platt to respond to Mr. Emory's allegations.

Chief McCabe stated that the Department has implemented numerous tools to facilitate reporting issues with the Department. Chief McCabe added that if someone has evidence that one of his Officers responds to a complaint and does not handle it, he should be contacted directly and he will run the camera to either confirm or deny the allegation.

Chief McCabe also noted that the Department is working protect New Castle from some very violent issues; and, having Officers monitor the stop sign at 3<sup>rd</sup> and Delaware Streets when there have been no accidents at that intersection is a waste of resources.

Chief McCabe stated that his Officers are on the streets every day doing their job.

Council President Platt stated that the Police Department has the full support of Council.

**WILMAPCO Presentation of the updated City of New Castle and Regional Transportation Plan**

Ms. Heather Dunigan, Principal Planner for WILMAPCO gave an update of the 2050 Regional Transportation Plan (RTP) and the City of New Castle Transportation Plan. WILMAPCO is the Regional transportation planning agency for New Castle County, Delaware and Cecil County, Maryland. Ms. Dunigan stated that any concerns can be directed to her and the staff at WILMAPCO or the Mayor of Elsmere, Delaware.

Long Range Regional Transportation Plan

- The Plan is updated every four years and the next update is due March 2023.
- Various analyses are done including congestion management, which is done annually and includes traffic collection.
- The Progress Report indicates that overall WILMAPCO is heading in the right direction; however there are a few challenges (growth outside centers/core, single occupancy vehicle trips, vehicle miles traveled and road safety). Successes included air quality, local plan implementation, bike and walking efforts and congestion mitigation.
- Ms. Dunigan reviewed the RTP Strategic Policy Goals and Actions; the top six issues from the Public Opinion Survey; potential new projects from the City of New Castle Transportation Plan that will be added to the Regional Plan; and other potential new projects.
- A Public WILMAPCO Event will be held on February 8, 2023.

City of New Castle Transportation Plan

Plan purposes:

- Improve multimodal network/connectivity to communities and trails
- Enhance health and livability
- Reduce illegal truck traffic
- Improve safety

- Address flooding and sea-level rise impacts
- Improve gateways to the historic city
- Develop a shared-parking analysis

Ms. Dunigan reviewed Public feedback from the November 9<sup>th</sup> Workshop, noting that public feedback from the Workshop and technical analysis was used to develop suggestions for Final Recommendations.

The Report was endorsed by WILMAPCO.

In response to a question from Councilperson Souder relative to funding, Ms. Dunigan confirmed that the Report takes into account the recently passed Federal Infrastructure Bill. Councilperson Souder noted that Rt. 9 flooding continues to worsen and the project keeps getting pushed back. Ms. Dunigan explained the Planning and Environmental Linkages (PEL) Studies that is designed to help DelDOT move more quickly into the final design stages.

Council President Platt noted his understanding that the overlay on Rt. 9 was slated to begin sooner than the Report indicates. Ms. Dunigan explained that a Federal Grant will expedite the northern part of the plan (Boulden Boulevard and north). Ms. Dunigan noted that Landers Lane to 8<sup>th</sup> Street section is slated for 2026 and the section to 3<sup>rd</sup> Street is slated for 2030.

The report was received by Council without objection.

**Council Discussion, Motion and Vote on Resolution 2022-31; a Resolution to Approve the conditions Needed for the Acceptance of the \$50,000 ORPT Grant**

A Motion to consider Resolution 2022-31 was made and seconded. Council President Platt read the Resolution.

Mr. Barthel noted that the ORPT Grant of \$50,000 is for handicap accessible walkways for the playground, and \$100,000 has been awarded through the Bond Bill for equipment identified for Phase 1. The next step will be for Council to formally approve the equipment to be purchased and the vendor. Mr. Barthel recommended that Council hold off on approving the equipment list until it is known if the ORPT Grant is approved. Messrs. Barthel and Losco will be conducting a conference call with members of the Playground Committee regarding the process. It was clarified that if the ORPT Grant is not approved, funding will have to be sought for the handicap accessible walkways.

**The Motion was unanimously carried.**

**Council Discussion, Motion and Vote on Resolution 2022-32; a Resolution to Approve an MSC Loan from the Delaware Drinking Water State Revolving Fund for the Hewlett and Janvier Water Main Replacement.**

A Motion to consider Resolution 2022-32 was made and seconded.

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Mr. Scott Blomquist, MSC General Manager, explained the project for the water main at Hewlett and Janvier was awarded a fully-funded loan with 100% debt forgiveness. This will improve water quality, and additional fire hydrant will be installed in that area.

Council President Platt read the Resolution.

**The Motion was unanimously carried.**

**Council Discussion, Motion and Vote on Resolution 2022-33; a Resolution to Approve Handicapped Parking Spot on E. Fourth Street behind 136 E. Third Street.**

A Motion to consider Resolution 2022-33 was made and seconded. Council President Platt read the Resolution.

The location of the proposed parking space was clarified.

**The Motion was unanimously carried.**

**Mayoral Proclamation Naming November as CRPS/RSD Awareness Month.**

Mayor Quaranta read the Proclamation proclaiming November 7, 2022, as Color the World Orange Day in the City of New Castle.

There being no further business to discuss, Council President Platt called for a Motion to adjourn.

A Motion to adjourn was made, seconded and unanimously carried and the meeting adjourned at 8:11 p.m.

Respectfully submitted,

Kathleen R. Weirich  
City Stenographer

**Next Regular Meeting Date: November 9, 2022**

**Posted: 10/04/2022**