

City of New Castle Delaware  
Regular City Council Meeting  
Meeting Held in Person and via Zoom  
Tuesday, December 13, 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  
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

*(Stenographer's Note: Due to technical difficulties the December 13, 2022, City Council Meeting was not broadcast via zoom.)*

Council President Platt called the December 13, 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 November 9, 2022, City Council regular meeting as amended was made, seconded, and unanimously carried.

**Approval of the Treasurer's Report**

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

Total unrestricted funds	\$ 7,811,403.09
Total restricted funds	\$ 5,062,789.88
Total cash	\$12,874,192.97

Ms. Carlin stated that funds have been received for the Floating Pier and for the 3<sup>rd</sup> Street Ramp. Approximately \$320,000 that was in the General Fund was moved to the Bond Line.

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

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

### City Administrator:

Floating Pier – Mr. Barthel stated that two bids were received for the Floating Pier: One from Atlantic Subsea for \$582,650 and one from Dissen & Juhn for \$1,027,069. The City awarded the bid to Atlantic Subsea. Mr. Barthel explained the City’s position regarding funding, noting that after all costs to date and anticipated costs, the City should be left with approximately \$42,350 in contingency funds (7.3%). The City submitted a packet and letter that Mayor Quaranta delivered to DNREC Secretary Shawn Garvin informing Mr. Garvin of the status of the project and requesting that renewal of the Permit be expedited. The City informed Senator Poore of the status of the project as well.

In response to a question from Chairperson Leary, Mr. Barthel gave a brief history of the construction of the current pier and explained the City’s reasoning for awarding the bid to Atlantic Subsea.

Tourism Position – The City advertised for the position last month and received 11 responses. Interviews will be scheduled with four of the respondents.

City Elections – City elections will be held in April 2023 and City Council will need to reconvene the Board of Elections. The current Board consists of:

- Connie Reese – appointed by former Council President Ratchford / term ends 11/24/2023 / Ms. Reese has indicated she is willing to remain on the Board in 2023
- Susan Hagar – appointed by Councilperson Leary / term ends 1/23/2023 / the City has not yet been able to contact Ms. Hagar regarding her service on the Board in 2023
- Joseph Davison – appointed Councilperson Souder / Mr. Davison has indicated he will not serve on the Board in 2023
- Bob Blakely – appointed by Councilperson Platt / Mr. Blakely has indicated he will not serve on the Board in 2023
- Rich Schiller – appointed by Councilperson Quaranta / Mr. Schiller has not yet decided if he wishes to serve on the Board in 2023

Mr. Losco explained the protocol for the appointment by Council members to the Board of Elections. He will confirm which Councilpersons need to appoint members to the Board of Elections for 2023.

### Report from Chief McCabe

Chief McCabe reported on the following:

- Additional patrols were added to Wilmington Road for speeding. On November 24<sup>th</sup> a vehicle was clocked at over 100 mph on Wilmington Road and the driver was DUI and in possession of six grams of crack cocaine.
- There was significant police presence due to the report of a gunshot. The suspect was armed and had taken his life. The public was never in danger.
- The Department is investigating thefts of catalytic converters.

- Chief McCabe encouraged anyone who has video of incidents they wish to share with the Department to do so on the Department Facebook Page. He added that videos can be shared anonymously.
- On December 2, 2022, four officers engaged with a suspect and shots were fired. The suspect was apprehended and fatally shot. One officer is on administrative leave and the other three officers returned to work.
- On December 9, 2022, officers assisted County Police in the arrest of a man for DUI following a crash on Wilmington Road. The officers should be cleared to return to work this week. No one was injured as a result of the accident.

In response to a question from Councilperson Leary, Chief McCabe stated that when the Department is fully staffed with 19 officers the Traffic Officer that Council approved will be assigned.

### **Comments from Commissioners**

#### Councilperson Day

- Councilperson Day attended the Spirit of Christmas and Tree Lighting events in New Castle. He expressed his appreciation for the volunteers and those who participated in the events.
- Councilperson Day asked if Board of Adjustment and Planning Commission meeting notices could have links to the parcels in question. Mr. Barthel stated that can be done.

#### Councilperson Leary

- Councilperson Leary also extended her thanks and congratulations to the organizers and participants of the Spirit of Christmas and Tree Lighting events. She reminded everyone that City events are volunteer driven and encouraged anyone interested in serving on a volunteer committee to check the City website for information.
- Councilperson Leary asked if a Resolution to begin plans/engineering for bathrooms at the Wharf and for a portable Band Shell can be added to the January Agenda to begin getting costs. During discussion Mr. Losco stated that a Motion could be made to have the City Administrator conduct a feasibility study.

A Motion was made by Councilperson Leary to approve the City Administrator to conduct a feasibility study for bathrooms at the Wharf.

Relative to the bathrooms at the Wharf, Mr. Barthel stated that he previously discussed the matter with the City Architect, and Ms. Hamroun stated that there is insufficient space at the proposed location. He will provide the documentation he received to Council in January.

Councilperson Leary withdrew her Motion.

Mr. Barthel was requested to investigate options for a portable Band Shell.

### Councilperson Smith

- Councilperson Smith informed the Council that he would be tendering his resignation from Council effective December 31, 2023, for personal reasons.
- Councilperson Smith urged residents to encourage people to run for City Council in April.
- Councilperson Smith stated that it was an honor to serve the City on Council and that he hopes to continue to serve the City in the future.

### **Business from the Mayor**

- Mayor Quaranta wished Councilperson Smith best of luck and thanked him for his service.
- Mayor Quaranta wished everyone a happy holiday season and urged everyone to remember those who may be less fortunate.
- Mayor Quaranta thanked everyone who worked to make the Spirit of Christmas event a wonderful success.
- Mayor Quaranta acknowledged and thanked those members of the military, in the medical field, and those City associates who will be working during the holidays and will be unable to be with family and friends.
- Mayor Quaranta noted that he submitted two nominations for the Planning Commission for consideration by City Council: Timothy E. Gibbs and Margo Reign.
- The Mayor and the City Administrator will participate in a meeting on December 15<sup>th</sup> to discuss widening Frenchtown Road. There are currently no plans to widen Frenchtown Road, but interested parties have requested that the topic be discussed. Councilperson Smith noted that there was discussion to include widening Frenchtown Road in the Comprehensive Plan; however, at that time DeIDOT stated Frenchtown road did not need to be widened. He wished the Mayor and those he will be meeting with best of luck in their efforts.
- Mayor Quaranta noted that the Delaware Skills Center offers instruction in various trades and skills development and encouraged anyone interested to contact them.

### **Business from the Council President**

Council President Platt wished Councilperson Smith best of luck.

### **Public Comment**

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

- Mr. Gross offered his prayers to Councilperson Smith.
- Mr. Gross opined that the upcoming Board of Adjustment and Planning Commission meetings have been planned too close to the holidays and suggested that they be delayed until January to give interested residents who may not be able to attend due to family obligations the opportunity to be present.
- Mr. Gross suggested that funds be allocated to make the temporary fence at the pier permanent and to repair the bulkhead.
- Mr. Gross opined that the \$40,000 allocated for the Tourism position could be better spent on more important matters in the City.

- Relative to Resolution 2022-42, Mr. Gross asked if there is a maximum number of vendors that are allowed to operate in the City.

Gail Levinson – 318 South Street

- Ms. Levinson asked for an update on what is planned for the area behind the Senior Center.
- Ms. Levinson asked if something could be done about the large number of geese and goose droppings in Battery Park.

Judi and David Baldini – 419 South Street

Mr. and Mrs. Baldini expressed their concern for and best wishes to Councilperson Smith. Mr. Baldini added that Councilperson Smith is a significant contributor and passionate about the City and thanked him for his service.

Victor Bryson – 604 Clark Street

- Mr. Bryson offered his best wishes to Councilperson Smith.
- Mr. Bryson noted that structures have been built on top of buildings in Dobbinsville that should never have been approved or built. He referenced 715 Connor Street and asked how the house was ever allowed to be rented and structures built on top of the roof.
- Mr. Bryson stated that less fortunate people in New Castle received certified letters demanding “outrageous amounts of money demanded within 30 days or your house would be sold”. Mr. Bryson stated that he wanted the Building Department, the Police Department, the City Solicitor and the City Administrator investigated; adding that they all work for the City Council. Mr. Bryson opined that the residents do not want New Castle converted into a tourist town. Mr. Bryson stated that if he does not receive an answer by the next Council meeting he will go to Attorney General Kathleen Jennings.

David Connell

- Mr. Connell noted that one time when he came home he was intimidated by a contractor and asked if the contractor had threatened “you” (*visually directing the question to the City Building Official*).
- Mr. Connell talked about fire safety in Dobbinsville and the Fire Code.

**First Reading of Ordinance 537;** An Ordinance to Amend the City of New Castle 2020 Comprehensive Plan and to Rezone Tax Parcels 21-001.00-003 (7 Arbutus Ave.), 21-001.00-004 (9 Arbutus Ave.), 21-001.00-005 (11 Arbutus Ave.), 21-001.00-007 (12 Arbutus Ave.), 21-001.00-011 (3 & 5 Buttonwood Ave.) and 21-001.00-010 (7 Buttonwood Ave.) from Retail Commercial (RC) to Residential District R-2.

A Motion for the first reading of Ordinance 537 was made and seconded. Mr. Losco read the Ordinance.

In response to a question from Councilperson Souder, Mr. Losco explained the specific issues that are being addressed and amended via Ordinance 537. Mr. Losco added that following the First Reading, a Public Hearing and a Second Reading will be held.

**Council Discussion, Motion and Vote on Resolution 2022-40;** A Resolution Approving the Council Appointment of Dennis Anuszewski to the Board of Adjustment to fulfil the vacated term of Thomas Whitehead.

**Dennis Anuszewski – Board of Adjustment – Term Ending April 12, 2023**

A Motion to consider Resolution 2022-40 was made and seconded. Mr. Losco read the Resolution.

Mr. Anuszewski gave a brief explanation of his background and his willingness to serve on the Board of Adjustment.

The Motion on the floor was unanimously carried.

**Council Discussion, Motion and Vote on Resolution 2022-41;** A Resolution Approving the Mayor’s Appointments to the Planning Commission.

**Timothy E. Gibbs – Planning Commission – Term Ending December 13, 2025**  
**Margo Reign – Planning Commission – Term Ending November 9, 2025**

A Motion to consider Resolution 2022-41 was made and seconded. Mr. Losco read the Resolution.

Ms. Reign gave a brief explanation of her background and her willingness to serve on the Planning Commission.

The Motion on the floor was unanimously carried.

In response to a question from Councilperson Souder, it was noted that these appointments are to fill the posts of Ms. Gail Seitz and Mr. George Velitskakis.

**Council Discussion, Motion and Vote on Resolution 2022-42** A Resolution Approving the Vending Request of MAL Famous Seafood & Grill as a Vendor Truck operating within the City Limits of New Castle.

A Motion to consider Resolution 2022-42 was made and seconded. Mr. Losco read the Resolution.

During discussion it was noted that another vendor had been approved at or near the same location. Mr. Barthel noted that he did not know if this was the same company or in addition to the other vendor that was approved.

The Motion on the floor was unanimously carried.

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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: January 10, 2023**  
**Posted: 12/06/2022**