

Trustees of the New Castle Common  
Meeting Minutes  
January 2, 2018

Present: Messrs. Wilson (*President*), Episcopo (*Vice President*), Alfree (*Secretary*), Clayton (*Asst. Secretary*), Castagno (*Treasurer*), Gambacorta (*Asst. Treasurer*), DeAscanis, Gallagher, Meek, Viola, Yacucci, Ms. Fiske, Mrs. Ross, and Mr. Taylor, Esq. Also present: Mike Marinelli, Property Manager, Mary Fontinha, Support Specialist.

The monthly meeting of the Trustees was held on Tuesday, January 2, 2018, in the Trustees Room of Old Town Hall. Mr. Wilson called the meeting to order at 7 p.m. A moment of silence was called. Mr. Wilson stated that Deborah Turner would not be in attendance and the Board expresses its condolences to her and her family. He indicated that Mary, Mike, and Mr. Alfree were here to keep the meeting minutes. He expresses a Happy New Year to all in attendance.

Monthly Calendar – Out Reach-1/11/18, 7 p.m. to review Community Grant Applications; TNCC Board Meeting-1/2/18, 7 p.m.

As outlined in the Bylaws, Officer Interest forms have been distributed to everyone on the Board to indicate their interest in running for one of the four officer positions. They are due to be submitted by the 16<sup>th</sup> of January, 2018.

Public Input: Joe DiStefano, President of New Castle Little League, came to the meeting to thank the Trustees for their support. He said that the complex looks wonderful, and got rave reviews from parents of visiting players recently, most of whom do not have a field as well done as this one. Mr. DiStefano said he makes sure to let people know that it is all due to the Trust, and that he really looks forward to continuing to work with the Board in the future.

Louise Eliason was invited to the meeting to speak to the Board about her new role in town. Ms. Eliason is working for the City of New Castle as a contracted Marketing Director and is in the process of building a plan now. She feels that the first step to this plan is to determine what kind of visitors we want here, people of like-mind in that they enjoy the history, etc. She said quote: *we want visitors, not tourists*, end-quote. She will have a report in a couple of months. She said that she loves that the Trust thinks long term, not short term, and thanks them for that. Mr. Wilson requested the Trust office share Trustees' contact information with Ms. Eliason.

Minutes – Approval of 11/7/17 minutes was done, as was 12/5/17 minutes, but with minor corrections.

Treasurer's Report – Mr. Castagno reporting.

*Treasurer's Report for 12/31/17 was sent out electronically prior to the meeting.*

Mr. Castagno told the Board that the gains from rental income and investments are enabling the Trust to use the funds for capital projects, etc.

- Mr. Gallagher asked about M&T account service charges. Mr. Castagno reported he had resolved the charges and they were removed.
- Mr. Meek referred to the amount of monies used towards landscaping expenses. Mr. Clayton responded to the question about monies spent for landscaping are set within the budgeting process.

LAND MANAGEMENT COMMITTEE REPORT – Mr. Gallagher reporting.

- DiMondi Property -- Mr. Gallagher reported that due to the completion of the title transfer we are now beginning the rezoning process to open space and recreation (OS&R).
- Penn Farm – The Land Management Committee will hold a meeting with the Delaware Greenways Initiative in January to discuss their lease structure.
- The Committee is still working on the lease draft for 326 Associates.
- Several parties have shown interest in the Tremont properties.
- The lease renewal for One Centerpoint Blvd. is still in negotiations.
- Meetings with New Castle Historical Society and New Castle County will be scheduled for January.

OUTREACH COMMITTEE REPORT – Mr. Meek reporting.

- Due to the season, there was not much to report on the Hermitage. Noxious weed removal had continued until weather prohibited, and he has ordered seeds for tree planting next year. A brief discussion ensued on how to best zone the parcels of Trust land in that area that total 177 acres.
- He also reported that Community Grant 2018-2019 applications are in and the Committee will be meeting on the 11th of January to review.

PROPERTY MAINTENANCE COMMITTEE – Mr. Clayton reporting.

*(Property Maintenance Update provided to the Board.)*

Mr. Clayton reported the next phase of the drainage project is simply awaiting the outlet valve that is still on order, which Foresite Associates is on top of. Weather permitting that will be installed when it arrives.

- Mr. Meek had a question about the wording “Bowling Alley parking lot”.

FINANCE COMMITTEE REPORT – Mr. Castagno reporting.

*(Individual Audit copies were distributed to the Board.)*

Mr. Meek asked if portions of the Audit would be posted to the Trustees’ website. Mr. Castagno indicated that there already available on the website.

OPEN SPACE COMMITTEE REPORT – Ms. Fiske reporting.

Ms. Fiske stated that John Wik would be honored to create and donate a sculpture or fountain for the pocket park (Bicentennial Park). A discussion took place about all the problems Philadelphia is having in this weather with fountains, and a number of Board members agreed that a sculpture would be less likely to cause maintenance issues.

BATTERY PARK COMMITTEE REPORT – Mr. Castagno reporting.  
Nothing to report.

OTHER COMMITTEES

ADHOC BYLAWS COMMITTEE

Ms. Fiske stated that there were certain sections missing from the recently distributed copies of the Bylaws/Policies/Procedures. Speaking for the Committee, Mr. Alfree stated that the missing information would be restored to the official Bylaws/Policies/Procedures and distributed to the Board.

ADHOC MUNICIPAL SERVICES APPOINTMENT BY THE TRUSTEES

Mr. Gambacorta distributed to the Board a bio of the appointee that the ad hoc committee had selected to represent the Trust with the Municipal Services Commission. Dr. Allen Hansen will fill the role left vacant by Hickman Rowland's death to March of 2018, at which time another appointment, or his reappointment must take place. There were six very qualified applicants, three of whom were engineers. Dr. Hansen has been in town 20 years, is retired, and holds a Ph.D. in chemical engineering. The ad hoc committee that was created for this purpose was then disbanded.

COMMUNICATIONS – Mr. Alfree reporting.

Mr. Alfree read a communication from Paul Boudart, an Education Grant recipient from Van Dyke Village, who wrote to thank the Trust for their invaluable support. Mr. Boudart is in Maritime Studies.

Beverly Ross remarked on the wonderful insert Colonial School District inserted into the Wilmington News Journal, and in particular, the piece on Penn Farm.

**With no further business, the Board voted to adjourn at 7:46 p.m.**

Trustees of the New Castle Common  
Meeting Minutes  
February 6, 2018

Present: Messrs. Wilson (*President*), Episcopo (*Vice President*), Alfree (*Secretary*), Mr. Clayton (*Asst. Secretary*), Castagno (*Treasurer*), Gambacorta (*Asst. Treasurer*), DeAscanis, Gallagher, Meek, Viola, Yacucci, Ms. Fiske, and Mr. Taylor, Esq. Also present: Deborah Turner, Stenographer  
Absent: Mrs. Ross

The monthly meeting of the Trustees was held on Tuesday, February 6, 2018, in the Trustees Room of Old Town Hall. Mr. Wilson called the meeting to order at 7 p.m. A moment of silence was called.

Monthly Calendar – Land Maintenance-3/5/18, 5 p.m.; Property Maintenance-3/2/18, 8 a.m.; TNCC Board Meeting-3/6/18, 7 p.m.

Public Input: None.

Minutes – **Mr. Gallagher made a motion to approve the 1/2/18 minutes as submitted. Mr. Viola seconded the motion. The motion carried.**

Treasurer's Report – Mr. Castagno reporting.

*Treasurer's Report for 1/31/18 was sent out electronically prior to the meeting.*

A large part of the cash balance reflects the purchase of the property at the Hermitage Nature Area.

**Mr. Gallagher made a motion that the Treasurer's Report for 1/31/18 be approved as submitted. Mr. Yacucci seconded the motion. The motion was approved.**

LAND MANAGEMENT COMMITTEE REPORT – Mr. Gallagher reporting.

- Charter School of New Castle (Charter School) – They are proposing to take over the Family Foundation Academy (FFA) lease with the Trustees. FFA has a lease with the Trustees and the Charter School would like to assume the lease. They bought the building and the land is owned by the Trustees. Mr. Taylor explained the FFA would seek to assign the ground lease they have with the Trust to the Charter School and then the Charter School would buy the building from FFA and continue the ground lease with the Trust. Mr. Meek asked if previous constraints (ex.-number of students) would convey on to the Charter School. Mr. Taylor affirmed they would which is why they would be coming to the Trustees asking for minor modifications to the ground lease. Timeline is unknown.  
Mr. Castagno wants to ensure the Charter School applies for user/nonprofit status to secure no taxation from the State. He added they need to supply financials to us on an annual basis. Mr. Gallagher invited Board members to submit questions/comments to him pertaining to the transaction.

**Mr. Gallagher made a motion that the Land Management Committee be authorized to move forward with the assumption of this lease and the President will sign the lease. Mr. Gambacorta seconded the motion. The motion was approved.**

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Minutes of 2-6-18

- 326 Associates – We are working to get a draft of the lease amendment back to them.
- One Centerpoint Boulevard – The committee is moving through the process as outlined in the lease. We have identified a third appraiser who is moving forward.
- 198 North du Pont Highway – We have an offer to lease the property. **Mr. Gallagher made a motion that the Land Management Committee be authorized to begin negotiations with the organization that put forward the letter of intent for the property at 198 North du Pont Highway. Mr. Castagno seconded the motion.** Mr. Meek questioned the potential problem with leasing to the tenant would make it more difficult to deal with the property to the rear. Mr. Gallagher spoke with appraiser Gary Parker who said it would not be a problem and could help us lease the back section. **The motion was approved.**
- Penn Farm – We met with Penn Farm to discuss their lease structure.
- Delaware Greenways Initiative – Negotiations with DGI have begun.
- Mr. Gallagher reported we have been made aware of the City's plans to dispose of the police substation in Dobbinsville. The committee reviewed it and recommends the Board not pursue it. **Mr. Gallagher made a motion to send a letter to the City informing the Trust is not interested in the property at this time. Motion was seconded and approved.**

OUTREACH COMMITTEE REPORT – Mr. Meek reporting.

Community Grants – The committee evaluated grant requests. Those requests will be reviewed individually at the budget meeting in March.

PROPERTY MAINTENANCE COMMITTEE – Mr. Clayton reporting.

*(Property Maintenance Update provided to the Board.)*

- Playground equipment was inspected by the State; we are waiting on their report. There are some things that need attention.
- Fifth Street Library – Leaks were reported. They are coming from the pointing on the front of the building. The committee is getting quotes on pointing work.

Mr. Meek raised the issue of the parking lot planned for the Bowling Alley property. He asked if the Property Maintenance Committee had anything to do with the original design of the parking lot, placement of the parking lot, or the need for a parking lot. He questioned how the project could be placed in the budget without discussion by the Board and why there was no citizen input. He does not believe the Trust's process of operating by committee was followed.

Mr. Clayton said the committee discussed the plan and Drew Hayes (ForeSite Engineering) handled the design and the engineering. The City selected the location for the parking lot. Mr. Gallagher said funding was approved by the Board in March 2016. Mr. Castagno stated that every capital budget is brought forward with a description as was done in March 2016.

Mr. Taylor described the special exception process, remarking that public input was permitted throughout the presentation at the Planning Commission meeting.

Mr. Alfree suggested having another meeting with Drew Hayes to review the project with the Board.

FINANCE COMMITTEE REPORT – Mr. Castagno reporting.

*The operating budget, capital budget, and revenue sheets were distributed to the Board.*

The committee met with investment managers to discuss 2017. Invested capital did very well and the committee is happy with the reporting. Mr. Castagno said the Trust has now recovered from the 2008 crash in the markets. The City has not requested funding for the curbs we approved last year (\$200,000).

OPEN SPACE COMMITTEE REPORT – Ms. Fiske reporting.

Mr. John Wik has agreed to make several designs for a sculpture in Bicentennial Park that will be reviewed by the committee. The committee met in December and discussed the flooding situation the City is experiencing as a result of sea level rise and storms. Ms. Fiske believes that City government has been slow to react and lacks the resources to combat this problem. In March she will request \$50,000 to provide some financial support for City actions to be taken; the Trustees would have oversight of these funds. Mr. Wilson does not want it interpreted that the Trust is accusing City government of inaction. We should leave the matter to our City management and let them approach the Trust if they want assistance. Mr. Clayton noted the City has a committee working on a flood plan; we should learn the results of that plan.

OTHER COMMITTEES

Election Committee -- Mr. Wilson plans on asking the committee to meet soon to discuss and bring ideas to the Board on how to handle the five elections that will take place over the next two years.

Ad Hoc Encroachment Committee – Mr. Wilson said that every 5-6 years we take a look at visiting each of our properties to identify areas that may be encroached upon and send letters to responsible parties. Mr. Meek and Ms. Fiske have volunteered to serve on this committee. He asked the Board to let him know if anyone is interested in joining them. The purpose of the committee is mainly to legally identify our properties and to have something in writing indicating an encroachment in the event of a legal proceeding. Mr. Wilson would like to install above-ground granite property markers on Trust properties.

COMMUNICATIONS – Mr. Alfree reporting.

- The Trust has been notified by Delaware Greenways Initiative (DGI) that their farm manager at Penn Farm is leaving for another opportunity. Mary Roth will act as farm manager until a replacement is hired.
- The Scholarship Committee has reported that of the allocation of \$100,000, they have spent \$91,200. Mr. Meek suggested having a picnic at Penn Farm for all students in the program. The Outreach Committee was asked to take the lead.
- At the January meeting Mr. Alfree and Ms. Fiske reported on some things that were left off the bylaws when they were reprinted. The document will be reprinted and distributed at the March meeting.
- Dr. Alan Hansen will be invited to the March meeting. He is the new commissioner on the Municipal Services Commission. The Board will need to approve his long-term appointment to the MSC.

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- A letter of thanks from the New Castle City Police and Good Will Fire Department for the Trust's financial support for their annual Children's Christmas Party. With the help of the Lions Club they were also able to adopt two families and provide them assistance.
- Letter from Patti Isaac Hansen -- She is working on finding space at Penn Farm for a pilot program for recycling composting. Mr. Alfree suggested passing the letter on to DGI and work with them.
- Fifth Street Library ADA Video – Bruce Burke has prepared two videos: the first is a video about the history of the library in New Castle from 1812 to the present. Mr. Burke will donate that video to the Trust. The second video is the ADA video that focuses on the building. It is 8-10 minutes and will meet our ADA requirements.
- Officer ballots were distributed. Ballots are due 2/20/18. Messrs. Meek, Castagno, Clayton and Gallagher are to meet to count the ballots before the March meeting. New officers will assume their positions on 4/1/18.

Mr. Wilson asked for permission to schedule a volunteer appreciation party. The event would be held at The Arsenal. **Mr. Clayton made a motion that Mr. Wilson handle plans for an volunteer appreciation party. Mr. Gambacorta seconded the motion. Motion was approved.**

Mr. Episcopo would like to get together with the Little League and Bellanca to avoid scheduling conflicts like last year. Mr. Wilson said officials from the Little League have already contacted us to get a schedule and Mr. Clayton is working with both groups.

Budget Meeting – Sunday, 3/18/18, 6 p.m. in Old Town Hall.

**With no further business, Mr. Alfree made a motion to adjourn the meeting. Mr. DeAscanis seconded the motion. The meeting was adjourned at 8:10 p.m.**

Deborah P. Turner  
Stenographer

Trustees of the New Castle Common  
Meeting Minutes for Special Meeting  
February 15, 2018

Present: Messrs. Wilson (*President*), Episcopo (*Vice President*), Alfree (*Secretary*), Clayton (*Asst. Secretary*), Castagno (*Treasurer*), Gambacorta (*Asst. Treasurer*), DeAscanis, Gallagher, Meek, Viola, Yacucci, Ms. Fiske, and Mr. Taylor, Esq. Mrs. Ross was on speakerphone from Florida. Also present: Mr. Jeffery S. Goddess, Esq.

This special meeting of the Trustees was held on Thursday, February 15, 2018, in the Trustees Room of Old Town Hall. Mr. Wilson called the meeting to order at 7 p.m.

At 7:01 PM, a motion was approved to move into "Executive Session" to discuss matters of real estate and possibly litigation.

At 8:15 PM, the Board returned to "Regular Session."

The following motion was made (Alfree) and seconded (Clayton):

"Legal Counsel, Andy Taylor is directed to respond to the FOIA request dated 2/6/2018 by stating that the Trust is not subject to FOIA; therefore, the materials requested will not be produced. That said there is some interest in providing information requested by residents. If you can be more specific in your request for information, perhaps information can be provided."

Viola: Asks for discussion.

Wilson: Time for discussion.

Fiske: I would like to read out my statement re: the timeline of the FOIA request.

Wilson: Everyone knows the timeline.

Fiske: No, they do not.

Viola: I was the person who asked for discussion and you (Fiske)...cut me off. I said I would like to have a little discussion...it was not out of meanness. I think we should be very clear that it would not have been for me only. I think we should arrive at a place that we all agree upon.

Meek: Ms. Fiske I do not know what the points are that you are trying to make about the timeline. If it is very brief and if you think it is important, then you should read it.

Ms. Fiske read her statement. (See attachment)



Mr. Goddess suggested tweaking that language to 'Despite the Attorney General's opinion notwithstanding, we do not believe we are subject to FOIA and consequently will not be providing info on that basis, however... if a member of your organization cares to contact the president we are certainly open to sharing information.'

Castagno: The motion has been read and seconded.

Wilson: Mr. Goddess, could you continue with the however...

Mr. Goddess: If a member of your organization wants to contact the president, we are certainly open to sharing of reasonable information.

Yacucci: My gut feeling is that this group is trying to undermine the Board.

Wilson: Let us get past this motion.

Mr. Goddess: We may still wind up in court with these folks. Mr. Yacucci is worried about the record that has been created.

Alfree: Mr. President I suggest we take a break.

At 8:31 PM, the President decided to take a few minute break. The meeting returned from the break at 8:41 PM.

Alfree: Mr. President I would like to make a substitution to the original motion.

Wilson: What do we do with the motion that was presented?

Mr. Taylor: This overrides it.

The following motion was made (Alfree) and seconded (Gallagher):

"Legal Counsel Taylor is directed to respond to the FOIA request dated 2/6/2018 by stating contrary to the Attorney General's opinion, the Board of Trustees does not believe that the Trust is subject to FOIA.

However, as fellow residents of the City, there is an interest in providing information requested by residents. Perhaps a member of Residents for a Livable City would like to contact the President of the Trust, Thomas Wilson, with a more specific request for information that may be provided."

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Ms. Fiske requested a roll-call vote of the Board. Mr. Wilson conducted the roll-call vote.

Mr. DeAscanis	YES
Mr. Gambacorta	NO
Mr. Yacucci	YES
Mr. Gallagher	YES
Ms. Fiske	NO
Mr. Castagno	YES
Mr. Alfree	YES
Mr. Viola	YES
Mr. Clayton	YES
Mr. Meek	YES
Mr. Episcopo	YES
Ms. Ross	NO
Mr. Wilson	YES

The motion was approved with a vote of 10 to 3.

At 8:44 PM, a motion was approved to return to “Executive Session” to discuss a matter of real estate – possible land acquisition.

At 8:59 PM, Ms. Ross ended her call to the Board meeting.

At 9:00 PM, the Board voted to return to “Regular Session.”

Mr. Castagno passed out letter size drawings of the proposed parking lot at the Old Bowling Alley site. Mr. Castagno advised the Board that a full size set of drawings were available for Board member review in the Trust office.

**With no further business for the Board, the meeting adjourned at 9:03 PM.**

Trustees of the New Castle Common  
Meeting Minutes  
March 6, 2018

Present: Messrs. Wilson (*President*), Episcopo (*Vice President*), Alfree (*Secretary*), Clayton (*Asst. Secretary*), Castagno (*Treasurer*), Gambacorta (*Asst. Treasurer*), DeAscanis, Gallagher, Meek, Viola, Yacucci, Ms. Fiske, Mrs. Ross and Mr. Taylor, Esq. Also present: Mike Marinelli, Property Manager, Deborah Turner, Stenographer

The monthly meeting of the Trustees was held on Tuesday, March 6, 2018, in the Trustees Room of Old Town Hall. Mr. Wilson called the meeting to order at 7 p.m. A moment of silence was called.

Monthly Calendar – Budget Meeting-3/19/18, 6 p.m.; Land Maintenance-3/29/18, 5 p.m.; Property Maintenance-3/30/18, 8 a.m.; Finance, 3/8/18, 4:30 p.m.; Outreach-(*tentative*) 3/13/18, 5 p.m.; TNCC Board Meeting-4/3/18, 7 p.m.

Public Input: Mr. Alfree introduced Dr. Allen Hansen as the Trustees' appointment to the Municipal Services Commission (MSC) for the months of January to March 2018. Dr. Hansen is interested in a 3-year appointment. Dr. Hansen briefly addressed the assembly and thanked the Board for his appointment.

**Mr. Alfree made a motion that the Board authorizes Dr. Allen R. Hansen as the Trust's representative to the MSC beginning 4/1/18 for three years ending 3/31/21. Mr. Clayton seconded the motion. The motion received unanimous approval.**

Minutes – **Mr. Gallagher made a motion to approve the 2/6/18 meeting minutes as submitted. Mr. Gambacorta seconded the motion. The motion carried.**

**Mr. Gallagher made a motion to approve the 2/15/18 special meeting minutes as distributed. Mr. Clayton seconded the motion. The motion was approved.**

Treasurer's Report – Mr. Castagno reporting.

*Treasurer's Report for 2/28/18 was sent out electronically prior to the meeting.*

- Mr. Gallagher questioned the M&T service charge and if it will be refunded. Mr. Castagno said that M&T has acknowledged we should not have been charged. The refund will go into expense reimbursement.
- Mr. Meek asked about the location of the outdoor water bottle filling station in Battery Park. Mr. Castagno reported it has not yet been installed; they are working on the plumbing.
- Mr. Gambacorta inquired about the grant entry for Delaware Greenways. Mr. Alfree said the figure represents a reimbursement for the former farm manager for February.
- Mr. Gallagher asked if we have heard from the City concerning the curbs. Mr. Castagno has spoken with them; they are doing the work and have assured they would get their invoice to us.

**Mr. Alfree made a motion that the Treasurer's Report for 2/28/18 be approved as submitted. Mr. Gallagher seconded the motion. The motion was approved.**

LAND MANAGEMENT COMMITTEE REPORT – Mr. Gallagher reporting.

Mr. Gallagher requested an executive session to discuss matters of real estate.

Trustees of the New Castle Common  
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- Charter School of New Castle (Charter School) – Mr. Gambacorta reported the school is having serious financial and scholastic difficulties. They will not be looking for a lease with the Trustees. Family Foundation Academy officials want to talk with the Board about options involving something other than a charter school.

OUTREACH COMMITTEE REPORT – Mr. Meek reporting.

Community Grants – Messrs. Meek and Castagno are revisiting what can be done to help people to improve housing in the City. They want to focus on those residents exhibiting the greatest need. The Outreach Committee will discuss this matter further at their meeting tentatively set for 3/13/18.

Mr. Gallagher reminded that the Board already made an attempt at identifying properties we could buy and revamp. New Castle County officials were working with us to provide their own contractors, real estate people, etc. Before starting another program he would like to know why that program died. Mr. Meek suggested revisiting discussion with County officials about the former program.

PROPERTY MAINTENANCE COMMITTEE – Mr. Clayton reporting.

*(Property Maintenance Update provided to the Board.)*

- Fifth Street Library – *(This issue came up after the report was published.)* Another leak has been reported at a different location. The problem is rotten roofing plywood; they are working on repairs.

FINANCE COMMITTEE REPORT – Mr. Castagno reporting.

*The operating budget, capital budget, and revenue sheets were distributed to the Board.*

No concerns expressed.

OPEN SPACE COMMITTEE REPORT – Ms. Fiske reporting.

Ms. Fiske read from a prepared statement. “In the recent past the Trustees have proposed that some of the assets of the Trust, which we manage for the use and benefit of the residents of New Castle, be employed for extraordinary expenses that the town would otherwise be unable to afford.

Nothing is more important than saving New Castle from the flooding from which we are more and more at risk. This is probably the greatest threat the town has ever faced, and the Board has the ability to take the lead on something vital to its welfare. We as Trustees can prevent a danger which the City government lacks the resources to combat. It is the good fortune of New Castle that the Trust exists to help in time of great need.

For that reason I am making the following motion on behalf of the Open Space Committee:

**I move that the Board of Trustees act substantively and soon on flooding prevention for New Castle by forming either a standing or an ad hoc committee for that purpose. Like the Library and Battery Park Committees, it will be comprised of Trustees, City Council members, and other citizens, including Drew Hayes of ForeSite, who made suggestions in May 2013 on ways to protect New Castle’s shoreline. The committee will implement this plan by consulting the University of Delaware’s Center for Applied Coastal Research and the national company,**

**Coastal Risk Consulting, among others. I also move that \$50,000 be set aside in the budget to provide initial financial support for consulting fees.”** Ms. Fiske asked for a roll call vote.

Mr. Meek supports the idea of proposing seed money that would get all potential stakeholders (City, State, Trustees and perhaps the County) together. Mr. Viola is in support saying the City worked with stakeholders to get a solid plan in place with the dikes so when they broke damage was limited.

Mr. Castagno acknowledged there is a need; however, the City is currently working through a Community Resiliency Committee addressing sea level rise and flooding that involves many of these stakeholders. The infrastructure is charged exclusively with the City government and we applaud them for their efforts. There will be a public meeting on 3/14/18. Mr. Wilson does not support the proposal because it is the City’s responsibility to manage. When the time comes that the City requests funding we should assist them. We should not circumvent their efforts by creating and working on a project they are working on. Ms. Fiske believes that Trust funding would be a “kick start” adding that a disaster is looming if we do not do something.

**Mr. Meek seconded the vote.**

Roll call vote taken.

Mr. Deascanis – No

Mr. Gambacorta – No

Mr. Yacucci – No

Mr. Gallagher – No. The proposal is detailed. It is not that he does not support the proposal, but we should not be running it. When the time comes and the City wants to work on the problem we will be there. The City is coming to us now asking for \$200,000. They run the City, not the Trust.

Ms. Fiske – Yes. If we wait to react it will be too late.

Mr. Clayton – No. We should let the Community Resiliency Committee do its job before we step in.

Mr. Castagno – No. It is the responsibility of City government. They have put in for an infrastructure grant that would clearly fall within the guidelines for a loan for infrastructure; there are lots of funding options available.

Mr. Alfree – No. If this does not pass perhaps we could provide some of the information from Ms. Fiske’s motion in the form of a letter to the City informing that we discussed the issue at a Board meeting and we stand ready to support financially, etc. once the City is ready.

Mr. Viola – Yes.

Mrs. Ross – Yes. Reiterated Mr. Alfree’s comments.

Mr. Meek – Yes. Agrees with Mr. Alfree’s statement to communicate with the City and put them on notice that we expect them to move forward with this and not let it die.

Mr. Episcopo – No.

Mr. Wilson – No, for the reason he stated earlier.

**The motion failed 9 against and 4 in favor.**

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Mr. Alfree volunteered to draft a letter in time for the next Board meeting for all Trustees to sign.

Ms. Fiske said at a recent City Council meeting Council President Linda Ratchford proposed that the Trust give them \$225,000 annually for their five-year loan. Council voted on it; Ms. Fiske asked if the Board is aware. Mr. Wilson confirmed that a grant request had been received and would be discussed at the Budget Meeting on 3/19/18.

OTHER COMMITTEES

Bylaws -- Mr. Alfree distributed the most current version of the Bylaws printed February 2018 (*upper left corner of page*). He asked that Board members dispose of older versions.

Shredding -- Mr. Alfree plans to schedule another shredding event within the next 45-60 days. Depending on costs from the vendor he may invite other organizations like the Library, Senior Center and Good Will Fire Co. to participate.

Ad Hoc Encroachment Committee – Mr. Meek reported two properties in Jefferson Farms that are encroaching on Trust property (aerial photos confirm). He asked if they received notices during the last encroachment review. Mr. Wilson does not recall any communications with residents in Jefferson Farms. Mr. Wilson said the Dobbinsville area has a number of encroachment issues. He suggested having a cleanup event in Dobbinsville.

Mr. Wilson would like to develop a letter (with Mr. Taylor's assistance) and talk about how we would enforce it on a regular basis. He will discuss this further with Mr. Meek and Ms. Fiske. Mrs. Ross suggested the possibility of putting up cameras. The idea was doubtful for several reasons; namely, poor internet connection for recorder, theft, damage to cameras.

COMMUNICATIONS – Mr. Alfree reporting.

- Letter from Pierce Oakes thanking the Board for awarding him scholarship monies once he returns to school.
- Request from the Senior Center signed by Chairperson Judy Barthel. They are planning a "Dining in the Street" fundraiser between Second and Third Streets on 6/21/18. They are asking to use the archway. Mr. Alfree said they will need to provide proof of insurance. He suggested using a version of the Battery Park application to make sure we cover what needs to be covered. No opposition was expressed; Mr. Alfree will inform Chairperson Barthel.
- The ADA version of the Old Library video is on the Trust website. Once the history video is ready to be uploaded, the ADA video will be removed. The New Castle Historical Society will use the ADA video.
- Requests for committee assignments will be distributed at the April meeting.
- Messrs. Clayton, Castagno and Meek met on 2/28/18 to count ballots for officers for the term 4/1/18 to 3/31/19. Results follow:  
President – Thomas H. Wilson, Jr.  
Vice President – Thomas L. Clayton, Sr.  
Secretary – Michael J. Alfree, Sr.  
Assistant Secretary -- Thomas A. Episcopo  
Treasurer – Christopher J. Castagno  
Assistant Treasurer – Fred G. Gallagher, Jr.

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Mr. Meek revisited Ms. Fiske's comment about City Council's request for money. He feels insulted at Council's approach to demand money for five years without the Board's input as to what they are getting. Council's vote was unanimous.

Terri Gormley of the *The New Castle Weekly* clarified the vote was 4-0 with 1 abstention. The money is for infrastructure improvements. City Council wanted to get a resolution to ask for the money. They want to take a loan, but the City cannot afford to take a loan without asking the Trustees to make the payments of \$225,000 for five years.

The issue will be discussed at the Budget Meeting.

Mrs. Ross spoke about the newspaper article informing that ballots were handed out last month and that her ballot was mailed to her because she was out of town. She asked that this kind of information be kept private in the future.

**At 8:02 p.m. Mr. Gallagher made a motion to go into executive session to discuss matters of real estate.**

The Board returned to regular session at 8:16 p.m. **A motion was made to approve leasing the property at 198 North DuPont Highway (formerly Dunkin Donuts) on terms outlined in the Letter of Intent dated 2/25/18 and authorize the Land Management Committee to finalize negotiations for a lease to be signed by the President. The motion was seconded and approved by unanimous vote.**

**With no further business, Mr. Alfree made a motion to adjourn the meeting. Mr. DeAscanis seconded the motion. The meeting was adjourned at 8:17 p.m.**

Deborah P. Turner  
Stenographer

Trustees of the New Castle Common  
Budget Meeting Minutes  
March 19, 2018

Present: Messrs. Wilson (*President*), Episcopo (*Vice President*), Alfree (*Secretary*), Clayton (*Asst. Secretary*), Castagno (*Treasurer*), Gambacorta (*Asst. Treasurer*), DeAscanis, Gallagher, Meek, Viola, Yacucci, Ms. Fiske, Mrs. Ross and Mr. Taylor, Esq.

Also present: Deborah Turner, Stenographer

The purpose of the meeting is to review and discuss the operating budget for the 2018-2019 fiscal year (4/1/18-3/31/19). The meeting was held on Monday, March 19, 2018, in the Trustees Room of Old Town Hall. Mr. Wilson called the meeting to order at 6:03 p.m.

Mr. Wilson turned the meeting over to Mr. Castagno. He thanked the Finance Committee and each of the other committees for their assistance. (*Copies of the operating budget provided to the Board.*)

**Personnel – Total: \$84,700**

Battery Park Security – Mr. Castagno reported this item was moved from Property Maintenance because we switched to a part-time, seasonal employee. Payroll taxes are included.

**Mr. Castagno made a motion to approve the Personnel operating budget for 2018-2019 as presented. Mr. Clayton seconded the motion. Motion was approved by unanimous vote.**

**Administration – Total: \$311,000**

Workers Compensation – (*New item*) Mr. Castagno explained this is needed to cover any vendor that does not have coverage; they become a liability of the Trust.

Legal – Defend the Trust – (*New item*) Separated from Legal and Property (zoning, leasing, general counsel, etc.). The line item covers legal expenses should the Trust need to defend ourselves legally.

Leasing Commissions – (*New item*) The line item protects tenant brokers. The Trust has been able to save money by not listing with outside brokers and handling leasing ourselves.

**Mr. Castagno made a motion to approve the Administration operating budget for 2018-2019 as presented. Mr. Gallagher seconded the motion. Motion was approved unanimously.**

**Debt Service – Total: \$87,000**

Line of Credit -- Mr. Castagno reported the Trust used operating revenue to purchase one open space property and has funded every capital project to date with operating income without tapping our line of credit.

**Mr. Castagno made a motion to approve the Debt Service operating budget for 2018-2019 as presented. Ms. Fiske seconded the motion. Motion approved by unanimous vote.**

**Community Grant Contributions – Total: \$405,863**

(*The Outreach Committee has reviewed grant requests. The Finance Committee is not making recommendations.*) Mr. Meek provided an explanation for each line item.

Delaware Greenways Initiative (DGI) – Farm Manager – Mr. Gallagher said DGI is not interested in continuing to oversee Penn Farm. They do not plan to pursue hiring another farm manager.



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They have coverage for the farm manager currently, but the Outreach Committee is not sure they will extend through the summer. The Board needs to pay for someone to manage Penn Farm. Mr. Gallagher expects a transfer of responsibilities within this fiscal year; we need to learn more about DGI's timetable. Mr. Meek suggested changing the farm manager job description. The Board agreed to increase the proposed budget amount from \$15,000 to \$25,000.

New Castle Public Library – Storyboard -- The Outreach Committee thinks this can be handled through a grant and had concerns with the project based on previous unfinished work. Mr. Viola would like to table this for now; we know the storyboard is a good project.

New Castle Little League – Scoreboard – The Outreach Committee suggested matching their request for a scoreboard (30 years old). The Trust has invested \$60,000 in the complex. Mr. Wilson said the \$60,000 was an investment in Trust property; we had not made any investment there for many years. He thinks we can pay for the cost of a scoreboard. It was suggested the scoreboard should display the Trustees' logo with artwork subject to the Board's approval. The Board agreed to increase the proposed budget amount from \$5,435 to \$6,000 to cover the addition of the logo.

**Mr. Castagno made a motion to approve the Community Grants operating budget for 2018-2019 with an increase of \$25,000 for the farm manager and \$6,000 for the New Castle Little League scoreboard (one-time contribution), increasing the budget by \$13,282. Total Community Grant budget is changed to \$405,863. Mr. Clayton seconded the motion. The motion was approved by unanimous vote.**

**Government Grants – Total: \$245,000**

Curbs – ADA Compliant – Mr. Castagno said that City Government is asking that the Trust extend the time the Trust can pay for the \$200,000 we made for this fiscal year because of construction delays, etc. They believe they will have invoices for \$75,000 submitted to us this fiscal year with the remaining \$125,000 likely to be paid within the next 60-90 days, weather dependent.

Capital Projects – The City has requested funding to support a loan of \$225,000 for five years that the City would establish with a lender. Based off our budget and timing for when they can take out a loan and start paying we determined it would be 6 months into the next fiscal year. City Government projects spending \$120,000 in the 2018-2019 fiscal year. An infrastructure project list showing projects they plan to spend money on for the loan was provided to the Board. They can borrow \$3 million without a referendum per the City Code.

Mr. Wilson said this only covers about half the infrastructure projects they need to do. He suggested changing the period of time from 5 years to 10 years to finish all the projects that are in the pipeline. We have an opportunity to help the City Government move forward, repair infrastructure, and allows them to manage their income for these projects. Mr. Meek commented there will always be more projects. Mr. Gallagher stated we cannot ignore the City Government's capacity to get the work done. He cited their request for an extension to finish

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ADA-compliant curb work. Ms. Fiske cited the storm water project as another example. She said that infrastructure is the responsibility of the City they are trying to avoid raising taxes. Mr. Wilson agrees, but the Trustees have the ability to help City Government provide for all our citizens. He thinks a timeframe needs to be attached to ensure a certain amount of funds needs to be spent in a specific timeframe.

Mr. Alfree believes if the City Government wanted 10 years they would have asked for 10 years. He agrees with Mr. Meek's comment that there will always be requests for infrastructure. He supports giving them what they asked for. They can return to us later to ask for additional funding.

Mr. Wilson talked to them and their reason for not asking was for fear of being perceived as greedy. He thinks we should increase their funding to increase their capabilities.

Mr. Gallagher reiterated that an initiative was offered to the Board. The City was very clear when they came forward with this request. If approved they would not have to borrow money to handle these projects so if an extraordinary expense would come up they would not come to the Trust to borrow money. They would have the ability to borrow up to \$3 million without a referendum.

Mr. Castagno reminded the Board that the Trust has funded City Government projects at about \$200,000 annually for some time. This Board has committed funds for a long-term basis in the past (police station). We would want to do it with a memorandum of understanding (MOU) so there is no misunderstanding with the amount and term this Board is subject to. Noting the long-term loan Mr. Gallagher noted that a building is different from infrastructure -- it will never be done.

**Mr. Castagno made a motion to approve funding the principal and interest payments for a City Government loan established strictly for the use for capital or infrastructure improvements of up to \$225,000 per year for 11 consecutive years. Intent was to confirm the request for 10 years but allow for timing of payments that could overlap fiscal years. The resulting grant would extend for 40 consecutive quarters of \$56,250 per quarter. Said loan documents to be confirmed by the Finance Committee and memorialized through a memorandum of understanding. Mr. Gambacorta seconded the motion.**

Ms. Fiske questioned why the Board did not receive the resolution and information about the City Government request until a few days before this meeting. She said the letter was supposedly sent to Mr. Wilson on 2/14/18 and received on 2/28/18. She would have liked to have had more time to review the request.

Roll call vote was called:

Mr. DeAscanis – yes

Mr. Gambacorta – yes

Mr. Yacucci – yes

Mr. Gallagher – no – The City Government came to us with a figure of \$1.1 million. If we go out 10 years we are looking at an estimate right now that we cannot cover. Their total planned

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projects are \$3.4 million. We are only covering 2/3rds of that with 10 years of funding. He does not think it is wise; they came to us with a number of what they thought they could do. He thinks supporting their effort is the right thing to do.

Ms. Fiske – no -- Agrees with Mr. Gallagher. It makes sense for them to return to us if they need more; they have other possible funding sources like the State.

Mr. Clayton – yes

Mr. Castagno – yes

Mr. Alfree – no – We should give them what they asked for. We had a direct conversation with the City Government; he does not think they can handle it. If they need something later they can ask for it.

Mr. Viola – yes

Mrs. Ross – no -- Thinks we should give them what they requested, considering all the circumstances discussed.

Mr. Meek – no

Mr. Episcopo – no

Mr. Wilson – yes

The motion was approved with 7 in favor and 6 against.

**Mr. Castagno made a motion to approve the Government Grants operating budget for 2018-2019 as presented, which includes a new request of paying \$75,000 this fiscal year and the balance of \$125,000 as a new grant award in the next fiscal year for additional work on ADA-compliant curb work in the City of New Castle. The motion was seconded and approved by unanimous vote.**

**Property Maintenance – Total: \$362,150**

Mr. Castagno informed that every line item was discussed extensively.

Battery Park Playground – Mr. Clayton informed the inspection report reveals a number of hazards. We have a lot of work needed to get the playground (equipment and grounds work) up to par safety-wise.

Grass cutting/landscaping – Antonio's Lawn and Landscape was employed 5 years ago. They have kept their prices the same for those 5 years. Antonio's proposes a new schedule with a 5.5% increase that they will freeze for another 5 years. The Property Maintenance Committee recommends extending Antonio's contract based on the service we receive, quality of work, and their responsiveness. They live within the community and have contributed to the beautification of the City.

**Mr. Clayton made a motion to extend Antonio's landscaping contract for another 5 years at the rate they quoted. Mr. Castagno seconded the motion.**

Mr. Meek said this about 30% of the budget and it should go out for bid. Mr. Clayton said in the two past bid processes Antonio's was the lowest bid. The Board agrees Antonio's work and service are exemplary. However, the discussion was whether or not to conduct a competitive bid process.

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Roll call vote taken:

Mr. DeAscanis – yes

Mr. Gambacorta – no

Mr. Yacucci -- yes

Mr. Gallagher – yes

Ms. Fiske – no -- We should get competitive bids.

Mr. Clayton – yes

Mr. Castagno – yes

Mr. Alfree – yes

Mr. Viola – yes

Mrs. Ross – no

Mr. Meek – no

Mr. Episcopo – yes

Mr. Wilson – yes

The motion was approved by a vote of 9 in favor and 4 against.

**Mr. Castagno made a motion to approve the Property Maintenance operating budget for 2018-2019 as submitted. Mr. Clayton seconded the motion. Motion was approved by unanimous vote.**

Mr. Alfree will draft letters to groups receiving funds from the Trust. Those letters should be sent out in 1-2 weeks. Once the numbers are finalized official amended copies of the operating budget worksheet showing today's date will be provided to the Board.

Mr. Wilson distributed correspondence informing that Andy Taylor, Esq. has established a new law firm, Copeland Taylor. The letter offers the opportunity to continue with Mr. Taylor or select other counsel. The Board will be voting on this at the next Board meeting.

DGI has informed that the 3-sided kiosk sign explaining the history of the barn and house has been received. It is located near the farmhouse. DGI wants to hold an unveiling ceremony for the Trustees that is separate from the official unveiling (the Trustees paid for the sign). Mr. Wilson will pick a date and inform the Board.

**With no further business, Mr. Castagno made a motion to adjourn the meeting. Mr. Gallagher seconded the motion. Motion was approved.** The Board adjourned at 7:40 p.m.

Deborah P. Turner  
Stenographer

Trustees of the New Castle Common  
Meeting Minutes  
April 3, 2018

Present: Messrs. Wilson (*President*), Clayton (*Vice President*), Alfree (*Secretary*), Episcopo (*Asst. Secretary*), Castagno (*Treasurer*), DeAscanis, Gambacorta, Meek, Viola, Yacucci, Ms. Fiske and Mr. Taylor, Esq. Also present: Deborah Turner, Stenographer  
Absent: Mr. Gallagher (*Asst. Treasurer*), Mrs. Ross

The monthly meeting of the Trustees was held on Tuesday, April 3, 2018, in the Trustees Room of Old Town Hall. Mr. Wilson called the meeting to order at 7 p.m. A moment of silence was called.

Monthly Calendar – Land Maintenance--4/26/18, 5 p.m.; Property Maintenance-- 4/27/18, 8 a.m.; Finance--4/19/18, 4 p.m.; TNCC Board Meeting--5/1/18, 7 p.m.

Public Input: None.

Minutes – Corrections were noted. **Mr. Yacucci made a motion to approve the 3/6/18 meeting minutes as amended. Mr. Episcopo seconded the motion. Motion carried.**

Corrections were noted. Ms. Fiske read from a prepared statement. “Concerning real estate brokers – This seems an attempt by the Finance Committee to make a policy of handling leasing ourselves without ever dealing with outside brokers. We may sometimes save money when we do, but we should realize that there are times when it will be a wiser financial course to consult an outside broker. This item is written as though we will consistently handle the leasing ourselves. Most Trustees are novices in this area; only one current Trustee is a commercial real estate broker, and to avoid conflict of interest he must step aside from any negotiations.”

**Mr. Episcopo made a motion to approve the 3/19/18 Capital Budget Meeting minutes as amended. Mr. DeAscanis seconded the motion. The motion was approved.**

Treasurer’s Report – Mr. Castagno reporting.

*Treasurer’s Report for 3/31/18 was sent out electronically prior to the meeting.*

**Mr. Castagno made a motion that the Treasurer’s Report for 3/31/18 be approved as submitted. Mr. Gambacorta seconded the motion. The motion was approved.**

LAND MANAGEMENT COMMITTEE REPORT – Mr. Taylor reporting.

- The current president and former president of Family Foundations Academy attended the committee’s meeting and talked about how well they are doing. They are continuing with their current lease obligations with the Trustees and are in negotiations with a prospective tenant.
- One Centerpoint Blvd. – The appraisal process is complete. Mr. Marinelli is sending them a letter with a new rental rate that includes a modest increase.
- Dunkin Donuts Site (sometimes referred to as Tremont, but is a separate parcel) – Negotiations continue moving well through a real estate broker. The remaining part of the Tremont parcel has some frontage and wraps around the Dunkin Donuts site and has an easement on that piece for full access to the Tremont parcel in the back. There is some interest in the rest of the parcel.
- Receivables are in good shape.

OUTREACH COMMITTEE REPORT – Mr. Meek reporting.

- There will be 5-6 people from the Delaware Nature Society walking the Hermitage Nature Area on Friday, 4/6/18.
- Winterthur will visit in June to look at the nature area with interest in what we are doing with bringing nature into the community.

PROPERTY MAINTENANCE COMMITTEE – Mr. Clayton reporting.

*(Property Maintenance Update provided to the Board.)*

- Drainage project at Battery Park -- The project is complete; it will take care of storm surges and water from storms. It ties into Third Street and any sewers that are present.
- Puddling at Battery Park – Most of the low spots in the park will be part of future development. There is a lot of grading that still needs to be done.
- Brick pointing on Old Town Hall – The committee is meeting with the contractor next week.

FINANCE COMMITTEE REPORT – Mr. Castagno reporting.

*The operating budget, capital budget, and revenue sheets were distributed to the Board.*

Mr. Castagno recognized the Board for passage of the Trust's operating budget, specifically our commitment to Community and Government Grants that total \$650,000 in this fiscal year alone.

Mr. Castagno reported the operating budget does not reflect about the last 10 days of March. He said we will reconcile the fiscal year-end drawdowns for exact amounts at next month's meeting.

Mr. Meek said after work from Antonio's Landscaping is done at the Hermitage Nature Area there will be about \$2,000 remaining in his budget for improvements. He inquired about the procedure for funding going forward. Mr. Castagno advised there is a format the committee uses; it is not subject to the fiscal year. Mr. Meek should present his request when he has the details. The request should be submitted before 7/1/18.

OTHER COMMITTEES

Battery Park – Mr. Castagno reporting.

- 4/21/18 – New Castle Sailing Club beach cleanup.
- 4/27/18 -- Bank of America beach cleanup.
- The committee met with Separation Day organizers to review activities taking place in the park. They are working through details now.

Ad Hoc Election Committee (Wilson, Clayton, Yacucci) – Mr. Wilson reported the committee determined the date of Saturday, 6/16/18, for the next Trustee election. Over the last year he has talked with several Trustees about changing the format on how to announce a vacancy. He said there is no rule saying when a vacancy is announced. The only thing dictated by rule is once the election date is decided upon we are then bound by the Bylaws as it relates to filing as a candidate, removing a name from the ballot, and so on (Mr. Wilson provided deadline dates for each.). Because we are not waiting until June when a vacancy exists to begin the process,

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he wanted to ensure that residents see it right away. Mr. Wilson believes the only thing negotiable is the run-off election date should that become necessary. He said the *New Castle Weekly* will print the vacancy tomorrow.

Ms. Fiske read from a prepared statement. "For decades our normal procedure when declaring a vacancy has been to wait until a Trustee's 12-year term is up, and then either to announce it at the next Board meeting, or else to hold a brief special meeting shortly after the vacancy has occurred in order to announce it. It's a serious matter to change our usual procedure. It's important that the Election Committee, after requesting suggestions by other Board members, discuss and propose a method to be used in the future, which will then be voted on by the full Board. Suddenly to change our policy without prior notice to the beneficial owners of the Trust, who will be voting in the next Trustee election, some of whom may be considering a run for a seat, is a grave mistake. It does not give other eligible New Castle residents adequate time and opportunity to decide on whether to run for Trustee and organize a campaign. Furthermore, changing it abruptly at a time when a Trustee who is going off intends to run for his own seat can give the unfortunate impression that the Board is attempting to quash any possible opponent. I hope that this Board will decide to take the prudent course of addressing such a major change of protocol after this election has taken place, when there will be time to address its potential effect and ramifications, and other possible solutions. The Board has not had time to discuss this proposal and to vote on the proposed change; moreover, the formation and composition of the Ad Hoc Election Committee has never been announced to the Board. According to the Bylaws, this must be done so any other Trustee may attend the meeting. That is a Bylaw violation. In any case, this announcement cannot be valid unless the full Board votes and agrees to the change in procedure."

Mr. Wilson explained the Board has never voted on the procedure other than when it was in the Bylaws. The Election Committee advises the best day to have the election; the Board has never voted on the day an election was to be held. He reminded that Mrs. Ross challenged the way we were announcing vacancies noting it leaves the Board with less than 13 Board members for a period of time. No one objected to her rationale. Further, Mr. Wilson stated that now is the time to change considering the number of Board vacancies that will occur over the next two years.

Ms. Fiske said the Bylaw violation is the Ad Hoc Election Committee did not announce when they were meeting. Mr. Wilson said the committee was assembled after the last meeting and announced tonight. Ms. Fiske considers the procedure to be a major change and said we should consider whether we want to announce several months in advance of a vacancy or not announce until the vacancy occurs. Mr. Wilson reiterated that Mrs. Ross suggested this previously and no one objected to her suggestions at that time. Because the election date is being announced, the expiring Board member and any resident can apply to run for the position. Mr. Wilson will include in the notice the name of the Trustee whose term is expiring and their expiration date.

**Mr. Clayton made a motion to approve the dates as stated. Mr. Yacucci seconded the motion.**

Mr. Meek has spoken with Mrs. Ross who believes the change is in violation of the Bylaws. Again, Mr. Wilson said it was her suggestion that prompted this process.

In summary, Mr. Wilson said the committee always made the decision on when an election was taking place. The only thing the Board has been concerned with was the dates associated with the election that are contained in the Bylaws. There is no violation of the bylaws. This is a way to keep the Board at 13 members as soon as a vacancy arrives. We are changing a practice only.

**The motion was approved by a vote of 10 in favor and one abstaining (Fiske).**

COMMUNICATIONS – Mr. Alfree reporting.

Committee Assignments – The form was passed out to Board members and is to be returned to Mr. Alfree by 4/17/18. Ms. Fontinha will send the form to Mrs. Ross and Mr. Gallagher by mail. Committee assignments will start 6/1/18.

Mr. Alfree provided Board members with two handouts.

- Historic Penn Farm educational kiosk.
- Information about the Resilient Community Partnership from the City of New Castle.

New Castle Little League Scoreboard -- Mr. Alfree spoke with Mr. DiStefano about the Board's approval of the Little League scoreboard and that the Board would like the scoreboard to display some form of recognition of the Trust. The scoreboard, located in center field of the major Little League field has been installed. Mr. DiStefano will forward wording for the sign for our approval. The signage is to be readable from the main building/concession stand. Mr. Alfree encouraged Mr. DiStefano to contact and use the Trust's sign maker.

Change of Law Firm -- At the last meeting Mr. Wilson passed out correspondence for Mr. Taylor outlining he is with a new law firm as of 3/1/18. Because the Trust's Bylaws and the State of Delaware list our attorney the Board needs to vote to change from Cooch and Taylor to Copeland Taylor LLC.

**Mr. Alfree made a motion to officially change the Trust's law firm from Cooch and Taylor to Copeland Taylor LLC and authorize the Board Secretary to sign the letter to move all of our files from Cooch and Taylor to the new law firm. Mr. Clayton seconded the motion. A roll call vote was taken.**

**Mr. Episcopo – yes**

**Mr. Meek – yes**

**Mr. Viola – yes**

**Mr. Alfree – yes**

**Mr. Castagno – yes**

**Mr. Clayton – yes**

**Ms. Fiske – yes**

**Mr. Yacucci – yes**



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**Mr. Gambacorta – yes**  
**Mr. DiAscanis – yes**  
**Mr. Wilson – yes.**

**Approved by unanimous vote.**

Ms. Fontinha will provide stickers to Board members with the new law firm's name that can be used accordingly on each member's Bylaws.

Mr. Alfree confirmed he sent a letter to the City encouraging them to work on flooding issues. A copy is in the Trust office.

**With no further business, Mr. Gambacorta made a motion to adjourn the meeting. Mr. DeAscanis seconded the motion. The meeting was adjourned at 7:52 p.m.**

Deborah P. Turner  
Stenographer

Trustees of the New Castle Common  
Meeting Minutes  
May 1, 2018

Present: Messrs. T. Clayton (*Vice President*), M. Alfree (*Secretary*), T. Episcopo (*Asst. Secretary*), Mr. F. Gallagher (*Asst. Treasurer*), C. DeAscanis, H. Gambacorta, J. Meek, C. Viola, G. Yacucci, Ms. D. Fiske, Mrs. B. Ross and Mr. A. Taylor, Esq. Also present: M. Marinelli, Property Manager and D. Turner, Stenographer

Absent: Messrs. T. Wilson (*President*) and C. Castagno (*Treasurer*)

The monthly meeting of the Trustees was held on Tuesday, May 1, 2018, in the Trustees Room of Old Town Hall. Mr. Clayton called the meeting to order at 7 p.m. A moment of silence was called.

Monthly Calendar – 5/18/18 Shred Event, 8 a.m.; Land Management--5/30/18, 5 p.m.; Property Maintenance--6/1/18, 8 a.m.; TNCC Board Meeting--6/5/18, 7 p.m.

Public Input: Binney Beale, City resident, spoke as a representative of the Residents of New Castle. (*Highlights from prepared statement.*) The group has expressed concern with lack of transparency by the Trustees and questions the Board's management practices saying the Trust is a public real estate trust established for the benefit of the citizens of New Castle; it is not a private club. It appears not all members of the Trust are privy to decisions made by the governing group. As for Battery Park, the group feels that visitor priorities are being given more attention over the lifestyles of tax-paying citizens. Lastly, the group believes the Third Street parking lot was not necessary. They urged the Board to put the needs of residents ahead of attracting visitors to the historic district.

On behalf of the Arasapha Garden Club, Alice Jarvis thanked the Trustees for financial support for renovations of the Amstel House Museum Garden and funding of holiday wreaths in 2018. Arasapha will provide the materials, expertise and labor to make the wreaths.

Minutes – One correction was noted. **Mr. Gallagher made a motion to approve the 4/3/18 meeting minutes as amended. Mr. Yacucci seconded the motion. The motion carried.**

Treasurer's Report – Mr. Gallagher reporting.

*Treasurer's Report for 4/30/18 was sent out electronically prior to the meeting.*

**Mr. Gallagher made a motion that the Treasurer's Report dated 4/30/18 be approved as submitted. Mr. Gambacorta seconded the motion. The motion was approved.**

*Monthly Drawdown Report 2018-2019 Year to Date was sent out electronically prior to the meeting.* No questions.

LAND MANAGEMENT COMMITTEE REPORT – Mr. Gallagher reporting.

- 326 Associates -- An amended lease has been forwarded to Richard Stat. Mr. Stat will discuss with his counsel and get back to the committee.
- Tremont (front end parcel) -- We are in negotiations with an investment company. They are forwarding the draft lease to their parent company for review. They have 90 days to review and get their paperwork in order. Plans are to keep the same building and add an extension to the Dunkin Donuts building.

OUTREACH COMMITTEE REPORT – Mr. Meek reporting.

Mr. Meek sent a detailed report to committee members outlining the work that has been done at the Hermitage Nature Area. He originally believed the plan would take about four years and afterwards maintaining the area would be low cost. Mr. Meek said invasive weeds were more severe than he anticipated; therefore, he suggested delaying opening the area to the public. He recognized a number of volunteers who have contributed their time to help clean up the area. Mr. Meek invited Board members to contact him to make arrangements to visit the site.

PROPERTY MAINTENANCE COMMITTEE – Mr. Episcopo reporting.

*(Property Maintenance Update provided to the Board.)*

Mr. Episcopo said proposals are out for brick pointing at Old Town Hall and the Fifth Street Library.

Mr. Clayton informed that installation of a water bottle filling station at Battery Park began today and should be finished tomorrow.

Mrs. Ross spoke about debris along Route 273 in the Farmer's Market area. The debris comes from the Farmer's Market. It is not Trustee property; she asked if Richard Stat could be approached to help with the problem. Mrs. Ross anticipates clean up help from local school students and a group from Wilmington University has 'adopted' that portion of Route 273. Mr. Clayton suggested the committee could possibly put up a fence to catch the debris and have Mr. Stat get it cleaned up.

FINANCE COMMITTEE REPORT – Mr. Gallagher reporting.

*The operating budget, capital budget, and revenue sheets were distributed to the Board.*

- City Grant (\$2 million loan) – The committee met with City officials to review their due diligence and believes they have done a good job in preparation of taking the loan.
- The committee met with our investment firms to review first quarter financials. They recommend continuing with our current portfolio.

OTHER COMMITTEES

Battery Park Committee – Ms. Fiske sent a letter to Board members stating the Battery Park Commission is the entity of all 13 Trustees that should be making a decision about closing off Battery Park during Separation Day. Mr. Clayton disagreed saying everything (agreements, etc.) is done through the Battery Park Committee and they report back to the full Board. Ms. Fiske said that according to the State and City Council, all 13 Trustees make up the Battery Park Commission. Further, she thinks this matter is important and the Board should vote on it. She requested the Board vote on it. This is a State holiday, it is the birthday of the State of Delaware and it was passed through without City Council voting on it and the Separation Day Committee had little to say about it. Further Ms. Fiske said it is not good for the town and it is the Trustees' responsibility to vote on it.

Mr. Clayton suggested tabling the matter until the next meeting to allow for full Board participation. Ms. Fiske agreed.

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Mrs. Ross feels the Board has not been made aware of all the things the Battery Park Committee/Commission is doing pertaining to the park. We have an opportunity at each Board meeting to get a report about the park; however, we should be hearing all communications about the park rather than reading about them in the *New Castle Weekly* or elsewhere.

COMMUNICATIONS – Mr. Alfree reporting.

- By-laws -- Board members were given a revised Page 5 reflecting the change in law firm (voted on April 2018).
- Email inviting Board members, their spouse, and Trust employees to a tour of Municipal Services Commission buildings and functions. The date is 5/24/18, 10am to 12pm. RSVP to Pam Patone, MSC, by 5/21/18.
- Shred Event – Scheduled for 5/18/18. Check with Ms. Fontinha concerning rules/guidelines for materials to be shredded. An invitation to participate was extended to the Good Will Fire Co., New Castle Library, and the New Castle Senior Center.
- Committee assignments – Assignments will be announced at the next Board meeting in accordance with the Bylaws.
- Email from Richard Cooch to Mr. Clayton about a possible new line of trees on the east side of the Broad Dike property (behind houses on Bull Hill). The email will be forwarded to the Property Maintenance Committee.
- Letter signed by Elliott Smith, Friends of Bellanca, thanking the Trustees for the grant they received for the 2018-2019 year.

Ms. Fiske said a copy of the Code of Conduct was placed at her seat. She asked that the person who left the document identify themselves.

**With no further business, Mr. Gambacorta made a motion to adjourn the meeting. Mr. DeAscanis seconded the motion. The meeting was adjourned at 7:35 p.m.**

Deborah P. Turner  
Stenographer

Trustees of the New Castle Common  
Meeting Minutes  
June 5, 2018

Present: Messrs. T. Wilson (*President*), T. Clayton (*Vice President*), M. Alfree (*Secretary*), T. Episcopo (*Asst. Secretary*), C. Castagno (*Treasurer*) F. Gallagher (*Asst. Treasurer*), C. DeAscanis, H. Gambacorta, G. Yacucci, Ms. D. Fiske, Mrs. B. Ross and Mr. A. Taylor, Esq. Also present: M. Marinelli, Property Manager and D. Turner, Stenographer  
Absent: Messrs. J. Meek and C. Viola

The monthly meeting of the Trustees was held on Tuesday, June 5, 2018, in the Trustees Room of Old Town Hall. Mr. Wilson called the meeting to order at 7 p.m. A moment of silence was called.

Monthly Calendar – Separation Day--6/9/18; Trustee Election--6/16/18; Property Maintenance--6/29/18, 8 a.m.; TNCC Board Meeting—9/4/18, 7 p.m.

Public Input: Mr. Wilson introduced John Lloyd who is a candidate for Trustee. Mr. Lloyd said a few words to the assembly.

Alice Jarvis, The Strand, distributed a letter concerning a marketing study prepared by Louise Eliason. Ms. Jarvis said the report is on the City's website. She is concerned that the Trustees may make decisions based on information contained in the study. Ms. Jarvis disputed the study saying some of the data is inaccurate. She intends to bring her concerns before City Council and publish in the *New Castle Weekly*.

Suzanne Souder, The Strand, questioned if the Board has any plans to proceed with the parking lot on the bowling alley site. Mr. Taylor informed that the Board has not received a written decision yet on the most recent hearing. Mr. Wilson said the parking lot was requested by the City and approved by the Board. Ms. Souder asked if it would be referred to a committee if something needs to change. Mr. Wilson said any significant change would need to be reviewed by the Property Maintenance Committee and would be discussed in a public Board meeting.

Minutes – Corrections were noted. **Mr. Gambacorta made a motion to approve the 5/1/18 meeting minutes as amended. Mr. Episcopo seconded the motion. The motion was approved.**

Treasurer's Report – Mr. Gallagher reporting.

*Treasurer's Report for 5/31/18 was sent out electronically prior to the meeting.*

**Mr. Gallagher made a motion that the Treasurer's Report dated 5/31/18 be approved as submitted. Mr. Yacucci seconded the motion. The motion was approved.**

LAND MANAGEMENT COMMITTEE REPORT – Mr. Gallagher reporting.

- New Castle Historical Society – The license agreement (Old Library) is available for the President's signature.
- The committee met with the New Castle County Neighborhood Stabilization group and reviewed our previous collaboration to rehabilitate rundown City properties and sell to an owner-occupied buyer. The group wants to work with the committee again and the committee welcomes the opportunity.

Trustees of the New Castle Common  
Minutes of June 5, 2018

- Penn Farm – DGI no longer wishes to operate the farm. The committee would like to have a special meeting with the full Board and is gathering financial data from DGI for that meeting.
- Cleanup along Route 273 – Mrs. Ross reported that Wilmington University's Green Team did a cleanup that went very well. Mr. Yacucci said that Department of Correction inmates were also part of cleanup efforts.

OUTREACH COMMITTEE REPORT – Mrs. Ross reporting.

There is no report.

PROPERTY MAINTENANCE COMMITTEE – Mr. Clayton reporting.

*(Property Maintenance Update provided to the Board.)*

Mr. Clayton elaborated on vandalism in the men's restroom at Battery Park. The restroom is open from 6 a.m. to 8 p.m. A lot of damage is done during the day. Mrs. Ross reminded of a previous discussion to place the restrooms closer to the center of town. She cited the amount of money being spent to make repairs as a reason to move both restrooms closer to the bicycle rack. Mr. Clayton needs to evaluate the size of the area. The committee will explore other ideas that were raised.

FINANCE COMMITTEE REPORT – Mr. Castagno reporting.

*The operating budget, capital budget, and revenue sheets were distributed to the Board.*

- Ahead of schedule with the audit. Should see a draft during the summer for Finance Committee review. Expect to have it published by September.
- There has been no City drawdown for curb work to date. The Finance Committee will stay in touch with City officials.

OTHER COMMITTEES

Election Committee – Messrs. Wilson and Clayton put a notice in the office window and in the *New Castle Weekly* informing if any resident wants to register during off hours that accommodations will be made to get them registered. Ms. Fiske will be available to register residents during Separation Day. Mr. Wilson told the Board that two machines will be used rather than three. The machines will be certified on 6/15/18.

Encroachment Committee – Ms. Fiske has nothing to report. Mr. Wilson asked that the committee get with Mr. Taylor to review/update the letter to be sent to violators. Ms. Fiske said the committee will work on this over the summer.

Battery Park Committee – At last month's meeting Ms. Fiske reported she sent a letter to Board members stating the Battery Park Commission is the entity of all 13 Trustees that should be making a decision about closing off Battery Park during Separation Day. Discussion on the issue was tabled until this month.

**Ms. Fiske made a motion that the Board of Trustees, which is the Battery Park Commission as directed by the State of Delaware, vote not to monetize Battery Park by permitting the City to charge admission on Separation Day. Mrs. Ross seconded the motion.**

Trustees of the New Castle Common  
Minutes of June 5, 2018

Ms. Fiske said that since we are the Battery Park Commission and since the Battery Park was bought by the Trustees with Trust assets for the use and benefit of inhabitants it seems wrong to charge them to enter the park. She thinks people will be upset when they find they need to pay to enter Battery Park. It is the responsibility of the Trustees to approve or not approve charging a fee. Mr. Wilson said the committee manages maintenance of the park in conjunction with the City. He said the City owns the park and if they want to make decisions on how to run Separation Day should we be involved with that? Ms. Fiske stated the City has no control over the park without our permission and City Council as a whole never had an opportunity to vote on it. The Battery Park Commission should be dealing with this matter. Mrs. Ross said this matter should have been brought before the full Board. She does not agree with charging a fee. Mr. Castagno said the committee manages uses in the park; we never get involved with how things are managed in Battery Park. Ms. Fiske said it is not too late to remove the \$10 charge, but if it is kept she does not think it should be kept in place for future Separation Days. She considers it unfriendly. If City Council is going to do it because they own the land then they should have been consulted.

Mr. Alfree said there are guidelines and rules established by this Board about how to use the park.

Considering Separation Day is a few days from now, Ms. Fiske amended the main motion to include the wording "In the future."

**Ms. Fiske made a motion that the Board of Trustees, which is the Battery Park Commission as directed by the State of Delaware, vote not to monetize Battery Park in the future, after June 2018, by permitting the City to charge admission on Separation Day. Mrs. Ross seconded the motion.**

Ms. Fiske called for a roll call vote.

Mr. DeAscanis – yes

Mr. Gambacorta – yes

Mr. Yacucci – no, he does not think we should tell the City how to run things. If it doesn't work out, next year they will have to do things differently.

Mr. Gallagher – no

Ms. Fiske – yes

Mr. Clayton – no

Mr. Castagno – no, citing the same rationale as Mr. Yacucci – it is not the purview of the Board.

Mr. Alfree – no

Mrs. Ross – yes

Mr. Episcopo – no

Mr. Wilson – no

The amended motion failed by a vote of 7 against and 4 in favor.

Trustees of the New Castle Common  
Minutes of June 5, 2018

COMMUNICATIONS – Mr. Alfree reporting.

- Ms. Fontinha asked that the Board be cognizant of leaving trash behind in Old Town Hall.
- ‘Thank you’ note from organizers of the St. Anthony’s Day celebration on 5/25/18 for their annual grant.
- Mr. Alfree read aloud a letter he wrote addressing comments made during “Public Comment” at last month’s meeting by a resident who expressed concern that the Trustees lack transparency and questioned the Board’s management practices, among other comments. In his letter Mr. Alfree said he has not been contacted by this resident about his concerns. Mr. Alfree takes his responsibility as a Trustee seriously and encouraged all residents to seek information about the operations of the Trust via a Board member and staff. *(Letter attached to minutes.)*

Messrs. Wilson, Alfree, Castagno, and Clayton met on 5/11/18 to review committee assignments. A list of committee assignments, effective today, was distributed to Board members. Committee members were asked to inform Ms. Fontinha when a chairperson is named.

Mr. Wilson stated that on 6/10/18 there will be a vacancy on the Board. He thanked Mr. Castagno for his service and for the work he has done for the Board. Mr. Wilson extended well wishes to Mr. Castagno and candidate John Lloyd in the upcoming Trustee election.

**At 8:00 p.m. a motion was made and seconded to enter executive session to discuss matters of real estate.**

The Board returned to regular session at 8:07 p.m.

**With no further business, the Board voted to adjourn at 8:08 p.m.**

Deborah P. Turner  
Stenographer



Mr. Thomas Wilson  
President, Trustees of the New Castle Common  
201 Delaware Street  
New Castle, DE 19720

June 5, 2018

President Wilson,

At the May, 2018, Board Meeting, an individual addressed the Board during "Public Comment". This individual indicated he represented a group of residents. He made several statements about the operation/functionality of the Board of Trustees. One comment would indicate he believes several members of the Board act as if it is a "private club". He also used the term "lack of transparency". Keeping with our Standard Operating Procedures, I refrained from commenting after he spoke.

I have decided to respond to the individual's claims with this letter to you — communications.

I have spent 14 years as a Board member of the Trustees of the New Castle Common. I have had the honor to serve as the President and as Board Secretary. I can unequivocally say that I am not aware of any scenario or occurrence when the Board operated as a "private club".

As the Board Secretary, I constantly work to have the Trustees of the New Castle Common be "citizen friendly" with transparency in mind. To that end, the Board of Trustees':

- developed a new, updated web site
- publishes an annual financial statement created by an independent auditing firm
- has published office hours
- includes a "public comment" section in the monthly Board meeting agenda
- members (13 in all) are residents of the City of New Castle and, I am sure, are always available for questions concerning the Trust

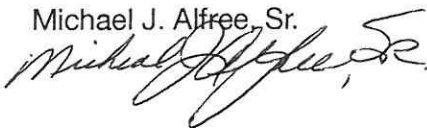
Personally, I find it interesting that this individual has never once in 14 years contacted me directly to get information about the Trust. I would remind this individual that the Board is made up of (13) residents elected to manage the Trust. Each member accepts the related responsibility and I am sure would be responsive to inquiries and questions.

I take my responsibility as the Board Secretary very serious. The Trust operates within an established set of By-Laws, policies, procedures that have been approved by the Board. For specific uses like the Battery Park and scholarships eligibility, the Board has established Guidelines and Rules for those specific committees to follow. The entire Board votes every year on how to disburse over \$1.4 M dollars with approximately \$700,000 going to organizations that support the entire City of New Castle.

I would like to encourage all residents to seek information about the operations of the Trust from the current Board members and our staff. In every organization there are differences among members. With that in mind, I encourage anyone seeking information to talk with many if not all of the (13) Board members.

Thank you for listening!

Michael J. Alfree, Sr.



Trustees of the New Castle Common  
Meeting Minutes  
September 4, 2018

Present: Messrs. T. Wilson (*President*), T. Clayton (*Vice President*), M. Alfree (*Secretary*), T. Episcopo (*Asst. Secretary*), C. Castagno (*Treasurer*) F. Gallagher (*Asst. Treasurer*), C. DeAscanis, J. Meek, C. Viola, G. Yacucci, Ms. D. Fiske, Mrs. B. Ross and Mr. A. Taylor, Esq. Also present: D. Turner, Stenographer  
Absent: Mr. Gambacorta

The monthly meeting of the Trustees was held on Tuesday, September 4, 2018, in the Trustees Room of Old Town Hall. Mr. Wilson called the meeting to order at 7 p.m. A moment of silence was called.

Monthly Calendar – Property Maintenance -- 9/28/18, 8 a.m.; Land Management – 9/27/18, 5 p.m.; TNCC Board Meeting—10/2/18, 7 p.m.  
TBD – Walk through of the Hermitage Nature Area with Mr. Meek.

Public Comment: Resident William Boyle distributed a letter he wrote to all Trustees. The letter (attached) outlined several of his concerns with the Trustees.

Minutes – Corrections were noted. **Mr. Alfree made a motion to approve the 6/5/18 meeting minutes as amended. Mr. Episcopo seconded the motion. The motion was approved.**

Election Committee -- Mr. Wilson officially announced the results of the Trustee election. Mr. Castagno received 348 votes and Mr. John Lloyd received 264 votes. Mr. Wilson reported the voting machines indicated a tie at 219 votes each. Mr. Castagno received 119 absentee votes; Mr. Lloyd received 35 absentee votes. Mr. Castagno was re-elected to a 12-year term.

Mr. Wilson noted that Ms. Fiske's term ends on 12/16/18. The election to fill that vacancy is planned for about 1/5/19. Ms. Fiske stated the Election Committee should have notified the full Board when the Election Committee met so any Board member could attend. Mr. Wilson said it was his error that the meeting was not posted. He will correct this mistake going forward.

Treasurer's Report – Mr. Gallagher reporting.

*Treasurer's Reports for 6/30/18, 7/31/18, and 8/31/18 were sent out electronically prior to the meeting.*

8/31/18 -- Mr. Meek questioned the amount shown for the Hermitage Nature Area saying that Antonio has been doing work there, but the amount shown for the Hermitage Nature Area is unchanged. He wants to make sure he knows how much funding to request going forward. Mr. Castagno suggested Mr. Meek meet with the Property Maintenance Committee Chairman to determine what is needed going forward (capital maintenance request versus routine maintenance).

LAND MANAGEMENT COMMITTEE REPORT – Mr. Gallagher reporting.

- The committee continues to work with Delaware Greenways on the Penn Farm.

Trustees of the New Castle Common  
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- The committee is making good progress with the property at 198 North DuPont Highway. The President has the signature page to sign this evening.
- Work on the ground lease with 326 Associates continues.

Mr. Gallagher requested an executive session to discuss matters of real estate.

OUTREACH COMMITTEE REPORT – Mr. Meek reporting.

Hermitage Nature Area -- Invasive weeds have been challenging. He is asking for help with mowing certain areas to help remove the plants so we can maintain them. A contractor has been identified and recommended to us by Winterthur. Mr. Meek met with the person who has provided a quote for the work, expertise on how to selectively target some of the invasive plants we can do something with while getting rid of other plants. He proposed funding of an additional \$12,000 to the capital budget to be used for maintenance, mowing, tree removal and payment to the contractor (Red Tail Landscaping and Restoration). Mr. Meek continues asking for volunteers to help on the site. He anticipates this work to continue for the immediate future.

**After the Board's discussion, Mr. Alfree made a motion to increase the capital budget assigned to Hermitage Nature Area Improvements that is currently \$25,000 to a total of \$32,000. Mr. Clayton seconded the motion. The motion was approved.**

PROPERTY MAINTENANCE COMMITTEE – Mr. Clayton reporting.

*(Property Maintenance Update provided to the Board.)*

Mr. Meek asked Mr. Clayton to comment on information Mr. Meek gave him about certain vandalism-resistant materials used in public restrooms in another city. Mr. Meek wonders if these materials would help curtail issues being experienced in the Battery Park restrooms. Mr. Clayton said he would consider using the stainless steel materials outlined in the information if replacement is needed. It will not eliminate bad behavior.

FINANCE COMMITTEE REPORT – Mr. Castagno reporting.

*The operating budget, capital budget, and revenue sheets were distributed to the Board.*

Investment Advisor Meeting -- Mr. Gallagher reported the committee met in June with our investment advisors. Both advisors were satisfied with current asset allocation and do not recommend any changes at this time.

Audit – Mr. Castagno informed the Finance Committee has received a draft of the annual audit. They will speak with the auditor to get answers to some questions. They anticipate having the audit ready for the Board's review at next month's meeting.

Board Treasurer – On behalf of the officers, Mr. Wilson noted that Mr. Castagno's term as Board Treasurer ended in mid-June. In the interim Mr. Gallagher filled in as Assistant Treasurer. **Mr. Wilson made a motion to nominate Mr. Castagno as Treasurer to complete his term. Mr. Gallagher seconded the motion. The motion was approved.**

#### OTHER COMMITTEES

Encroachment Committee – Mr. Meek said the committee met in February at which time he sent an email to the committee reporting on encroachments based on aerial photography. These included two buildings at 34 and 38 South Independence Boulevard that were identified in an earlier encroachment report. Mr. Meek will check the former committee's encroachment report to verify these properties were on the report. Mr. Wilson suggested scheduling a meeting of the committee, including Mr. Taylor, to path forward. Mr. Taylor will look into encroachments letters previously issued. The Board will be informed of the meeting date.

#### Scholarship Committee – Mr. Alfree reporting

Mr. Alfree reported there were twenty recipients of scholarship money in the most recent period. Of those twenty, nine received an additional bonus based on scholarship criteria. Twenty recipients received \$1,900 each and nine recipients received bonus money of \$900 each giving them a total of \$2,800 each.

#### COMMUNICATIONS – Mr. Alfree reporting.

- 'Thank you' note from scholarship recipient Chase M. Garvis.
- 'Thank you' note from scholarship recipient Destiny Megginson.

Mrs. Ross read a letter about her concerns and issues related to the Trustees of the New Castle. She requested her comments be entered into the meeting minutes.

*At the June 2018 Board meeting Mr. Alfree, one of the members of the Trustees, read a letter into the record which was his response to a statement that was made at our May 2018 Board meeting from a member of the public who is also a resident of our town. One of the issues that individual's statement mentioned was that he believed there is a lack of transparency within the Board.*

*I have received similar comments about the workings of the Trust. Like Mr. Alfree, I too would like to express my thoughts as to why several of our residents believe we may not be operating in the manner in which we should be. I am also requesting that this communication be entered into our September meeting minutes, as well as in the September meeting information listed in the New Castle Weekly newspaper.*

*As for the lack of transparency, I can understand this type of thinking, especially since several operating policies, procedures, and bylaws have changed over the past few years and are not being made available to the public. Unfortunately, it seems the majority of the Trustees believe we are not required to keep our residents informed even though they are the beneficial owners of the Trust.*

*Some of these changes have also caused hostility and a great deal of tension amongst some of our Board members during our meetings. They have even created presumed bylaw violations that generated sanctions to two of our Trustees which have not been carried out as the Board was told they would be by our Board attorney. I also believe many of my Board concerns have not been handled properly. I have been asked about these types of tensions, along with the hostility that has become obvious to the public during our meetings.*

*I, like Mr. Alfree, take my responsibility as a Trustee of the New Castle Common very seriously as well. I have been a Trustee for almost 11 years of my 12-year term, and find the camaraderie that was evidenced in my earlier years on the Board was a good experience. During that time several of the Board members were lifetime Trustees who showed respect towards each other even if there were any differences.*

Trustees of the New Castle Common  
Minutes of September 4, 2018

*In more recent times, I have become very discouraged in the manner in which some of our Board members have handled themselves in our meetings with their shouting and derogatory comments almost to the point of bullying. Perhaps if the Trustees of the New Castle Common were under FOIA, as the Attorney General's Office opinion stated we should be, things would be different. Yes, as Mr. Alfree said in his June meeting letter, there are differences among members in any organization. With that being said, I encourage anyone seeking additional information to contact me as well at [beverlyross27@gmail.com](mailto:beverlyross27@gmail.com).*

Ms. Fiske read a letter about her concerns and issues related to the Trustees of the New Castle. She requested her comments be entered into the meeting minutes.

*Like Mrs. Ross, I am responding to Mr. Alfree's remarks at the June Board meeting, and I request that my comments be included in the meeting minutes, as well as in the report published in the New Castle Weekly.*

*I too believe that there is currently a lack of transparency by the Board of Trustees. Some of the Trustees are denied access to Trust information; and the residents, the beneficial owners of the Trust, are also denied information. Here are some examples:*

- 1. The Board has refused to observe the Attorney General's determination that the Trustees are subject to the Freedom of Information Act. Most Trustees were kept in ignorance of details about the FOIA request for nearly five months. Only four officers were aware of what the request entailed.*
- 2. The Trustees' refusal to observe FOIA prevents the residents from acquiring information on assets whose use is assigned to them by the Trustee charter.*
- 3. A legal line item in the 2018-2019 budget allots \$50,000 "to defend the Trust." Defend the Trust from what? Trust assets are given by the Charter for the "use and benefit of the residents." Clearly, the intent of the line item is to use Trust money to prevent residents from the knowledge, via FOIA, of what is being done with their assets.*
- 4. After the FOIA request was made by me, all the Board meeting minutes were removed from the Trustee website and have not been replaced.*
- 5. The Policies and Procedures sections of the Bylaws have also been removed from the website, making it impossible for residents to know what the procedures are for voter registration and absentee votes, among other matters.*
- 6. Since 2015, the trifold audit reports, which reminded residents of their interest in the Trust and informed new residents of theirs, are no longer mailed to each household. The annual information is posted on the website, a poor substitute. A senior Trustee proposed that we bring back the mailings, but was voted down.*
- 7. Some Trustees have not been permitted to see a number of contracts for capital projects. We are told that there is no need for Trustees to see all bids and contracts. One example in the minutes, said by an officer: "Committee members are elected to serve on a particular committee. From that point, each Board member must trust that the committee has done what is best for the Trust." That is wrong. Each Trustee owes an individual fiduciary fidelity to the beneficial owners of the Trust—to trust but verify. To ignore that responsibility is to betray our oath.*

*In conclusion, I join Mrs. Ross in encouraging anyone seeking additional information to contact me at [dorseyfiske@gmail.com](mailto:dorseyfiske@gmail.com) or 302-328-5303.*

Mr. Meek suggested putting the meeting minutes on the Trust website making them open to the public.



Trustees of the New Castle Common  
Minutes of September 4, 2018

**At 7:56 p.m. a motion was made by Mr. Gallagher and seconded by Mrs. Ross to enter executive session to discuss matters of real estate.**

The Board returned to regular session at 8:14 p.m.

**Mr. Gallagher made a motion to allow the Land Management Committee to extend the M&T Bank land lease at 700 Ferry Cut-Off Street for an additional two (2) years at the existing terms and conditions." Ms. Fiske seconded the motion. The motion was approved.**

Board Secretary Alfree distributed a one-page "For Your Information" election-related document about what the Board faces over the next 16 months. There was brief discussion about the information contained in the document.

**With no further business, the Board voted to adjourn at 8:21 p.m.**

Deborah P. Turner  
Stenographer

I DO NOT HATE THE TRUST and I AM NOT TRYING TO DESTROY THE TRUST, but I do hate some of the things the Trust has been doing and you should too.

You Trustees would like us all to believe you are a totally open and transparent organization. Just some of your everyday operations absolutely prove otherwise.

- 1-You no longer provide a printed financial accounting to us citizens.
- 2-Your main responsibility is to make decisions about the properties in the Trust, but this is always done in executive session without minutes or permanent records.
- 3-You refuse to publish your set of policies and procedures you claim to abide by on your web site, so this allows you to violate your own rules without our knowledge.
- 4-You absolutely refuse to fulfill FIOA requests even after the Attorney General ruled that you were a public body and should respond. Another tactic to keep us loathsome citizens in the dark.

The June 16, 2018 Trust election really shed a lot of light on the debate about the Trust being a “private” or “old boy’s network” type of organization. Absent the incumbent but with another reliable yes vote, the executive board also took on the role of election committee. With this lack of oversight, I totally believe this gave them the freedom to engineer the re-election of one of their own. I personally witnessed the violation of Trust voting procedures as the LEGAL absentee ballots arrived at the Trust office and the affidavits and ballots were prematurely separated. This is confirmed by Councilperson Leary as she states in her 7-11-2018 letter to the Weekly that she was also told to insert her ballot “into the padlocked box on the rail”.

The ILLEGAL absentee ballots seemed to have been handed out like Chiclets by the incumbent and his surrogates. They were offered to people for their neighbors and other people for their family members. Dozens were taken to a social club in Shawtown along with an accompanying notary and returned to be counted. Made me wonder what the cost was for a Trustee to buy a vote in this club? A beer? A shot? Both?

Fortunate for us citizens, but unfortunate for the Trust, all these ILLEGAL ballots were allowed to be counted. This is where the perpetrators made a huge blunder. In their greed to acquire as many ballots as possible they got way too many. With the voting machine count tied, if Castagno had beaten Lloyd by just a few votes instead of 84 the alarm bells would not have gone off and revealed this black mark of shame on the Trust’s reputation.

I couldn’t find anything in the Trust’s voting procedures that would allow this, could that be why you don’t want us to see them. If this had been conducted as a fair and honest election with the Executive/Election Committee knowing what Castagno was doing, it would have notified John Lloyd that he too could pass out all the absentee ballots he desired. Of course they didn’t, and smugly celebrated Lloyds defeat. This explains how in the past it has been almost impossible to unseat a Trust incumbent.

Since I raised the issues about this election I’ve been surprised at the number of people that have come forward to offer information about the election and the Trust. So I have a news flash for the Trust, because of episodes like this there is not a lot of love out here for many of you. Most think John Lloyd was cheated out of being a Trustee and wonder what if anything you will do about this whole election fiasco.

There’s a disturbance brewing in Trust Land and it ain’t going away.

William Boyle  
iyaboy3@msn.com

Trustees of the New Castle Common  
Meeting Minutes  
October 2, 2018

Present: Messrs. T. Wilson (*President*), T. Clayton (*Vice President*), M. Alfree (*Secretary*), T. Episcopo (*Asst. Secretary*), C. DeAscanis, H. Gallagher, J. Meek, C. Viola, G. Yacucci, Ms. D. Fiske, Mrs. B. Ross and Mr. A. Taylor, Esq. Also present: M. Marinelli, Property Manager, D. Turner, Stenographer

Absent: Messrs. Castagno (*Treasurer*) and Gallagher (*Asst. Treasurer*)

The monthly meeting of the Trustees was held on Tuesday, October 2, 2018, in the Trustees Room of Old Town Hall. Mr. Wilson called the meeting to order at 7 p.m. A moment of silence was called.

Mr. Richard Stat was introduced. He has been a tenant of the Trustees since July 1983. He told the assembly he is happy to partner with the Trustees and to help manage properties that benefit the citizens of New Castle. He looks forward to continuing in that role.

Each Trustee received one ear of corn representing their annual pay.

Monthly Calendar – Property Maintenance -- 11/1/18, 7 p.m.; Land Management – 11/1/18, 5 p.m.; TNCC Board Meeting—11/6/18, 7 p.m.; Encroachment – 10/15/18, 7 p.m. (*provided encroachment letters were sent to the known properties*)

Hermitage Nature Area Walk and Weed event – 10/6/18, 9:30 a.m. for weeding; 10:00 a.m. to tour the area.

Public Comment: Resident Gail Levinson distributed a letter about the proposed Third Street parking lot. Resident William Boyle distributed a letter about the recent Trustee election. (*Both letters are attached to the minutes.*)

Minutes – Corrections were noted. **Mr. Clayton made a motion to approve the 9/4/18 meeting minutes as amended. Mr. Episcopo seconded the motion. The motion was approved.**

Treasurer's Report – Mr. Wilson reporting.

*Treasurer's Reports for 6/30/18, 7/31/18, and 8/31/18 were sent out electronically prior to the meeting.*

In the absence of Messrs. Castagno and Gallagher the Board agreed to delay approval of the Treasurer's Reports until the next meeting. Trustees were asked to send any questions to Messrs. Castagno and Gallagher via email.

LAND MANAGEMENT COMMITTEE REPORT – Mr. Marinelli reporting.

- Receivables/revenue is on track.
- 196 North DuPont Highway (former Dunkin Donuts property) -- Almost ready to sign new lease.
- The committee continues to work with Delaware Greenways on the Penn Farm. The committee will be meeting with Paul Lester (farmer) and William Penn High School. Both plan to continue their respective activities at the farm.



Mr. Marinelli requested an executive session to discuss matters of real estate.

Former Pathmark site – Mr. Meek inquired about the status of the former Pathmark site. He was informed that Mr. Stat signed the agreement with 326 Associates tonight. Mr. Marinelli said revenue will be derived from them as tenants are signed. There is nothing new to report on the Pathmark site (specifically) at this time.

Mrs. Ross reported that she and Ms. Fiske met with New Castle County officials (Neighborhood Partnership Program) and visited the farmhouse at Penn Farm. They wanted to get their opinion as to how much it would cost to fix up the farmhouse enough to be livable. Mrs. Ross said that officials did a thorough review and will provide a scope of work needed. That information will be presented to the Board. Mr. Wilson asked what they want to see accomplished. Mrs. Ross said they are trying to determine if the farmhouse can be maintained; the house is on the Historic Register. Mr. Wilson asked Mrs. Ross, Ms. Fiske and Mr. Clayton to work closely with the Property Maintenance Committee. Mr. Clayton reminded that a previous quote received to get the farmhouse livable was \$1.3 million. Mr. Wilson proposed a joint meeting between the Land Management Committee and Property Maintenance Committee and Mr. Alfree. Mr. Alfree said a detailed report on the house is in the file.

OUTREACH COMMITTEE REPORT – Mr. Meek reporting.

Hermitage Nature Area – Mr. Meek is planning a Walk and Weed event on 10/6/18 at 10 a.m. Anyone willing to pull some invasive weeds can arrive at 9:30 a.m.

PROPERTY MAINTENANCE COMMITTEE – Mr. Clayton reporting.

*(Property Maintenance Update provided to the Board.)*

- Bulkhead/Living Shoreline – Mr. Clayton said Drew Hayes (ForeSite Engineering) has developed a plan. However, he does not have the timeline for work being planned.
- Town Hall – quotes are being received for rebuilding the cupola and for roof work. Brick pointing will be done at the same time. Work is being planned for Spring 2019. Mr. Clayton said the building will have scaffolding around it during events (ex.-Separation Day). This is unavoidable.

FINANCE COMMITTEE REPORT – Mr. Wilson reporting.

*The operating budget, capital budget, and revenue sheets were distributed to the Board.*

The Board was asked to email questions to Mr. Castagno.

Audit report – Mr. Alfree said the report has been approved for publication; a hard copy will be distributed to each Trustee in their office mail slot. It was noted that asset valuation improved by 7.5% this year. Mr. Alfree added the audit report is about three months ahead of schedule. The audit report should be available late this week/early next week.

OTHER COMMITTEES

Encroachment Committee – Mr. Wilson will follow up with Mr. Taylor to ensure encroachment letters are sent prior to the planned 10/15/18 meeting. Letters are sent every 3-5 years.

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Election Committee – Mr. Wilson reported the committee met to discuss a date for the next Trustee election. They suggested two dates -- 1/19/19 or 1/26/19. Board members recommended 1/26/19.

Mrs. Ross commented on the letter that Mr. Castagno presented to the Election Committee. She pointed to Mr. Castagno's statement, "While not improper for the commission of a notary, Guido DeAscanis notarized affidavits in the 9/2017 election and this should have at least caused a perception of impropriety given that a family relation was on the ballot. Chairperson Ross allowed these votes to be counted."

She clarified that while she was the chairperson of the Election Committee for the 9/2017 election, Mr. Wilson took care of procedures and the office staff. It was not something she did not look into.

COMMUNICATIONS – Mr. Alfree reporting.  
There are no communications.

Mrs. Fiske read an addendum to her statement that was read into the September 2018 minutes. She requested that her statement be entered into the minutes.

At last month's Board meeting Mrs. Ross and I read letters alluding to the lack of transparency in some matters pertaining to the Trust. I have two more very important areas to bring up.

The first is the Executive Committee, which was created when the Bylaws were changed last November. It's imperative that the purpose and scope of this committee be clarified in the Bylaws. The description of the Executive Committee in the Bylaws is as follows: "The Executive Committee is defined as: The President, the Vice President, the Board Secretary and the Treasurer. The Executive Committee shall meet at the direction of the President. The Executive Committee shall offer counsel, feedback and support at times of crisis or other urgent circumstances. The Executive Committee will act in accordance with the established Bylaws, Policies and Procedures of the Trust. The Executive Committee will be part of the group that handles the committee appointments."

Frankly, some of us feel that adding the concept of an Executive Committee feels like a raw power grab. First, why do the Trustees need such a committee for times of crisis? All of us live in town, and in any case can be contacted immediately by telephone or email if there is something urgent to decide. Second, there is no definition of what a "crisis or urgent circumstance" might be. Third, there is no timeline for when the other Board members are to be apprised of the emergency and the decision made to cope with it. Will they be given the opportunity to vote to approve what the Executive Committee plans to do?

We are not a Board of four Trustees; nor are we a Board ruled by four oligarchs. We are thirteen Trustees, endowed with equal responsibility and vote. To have created an Executive Committee with vague, and potentially extensive, powers is to make the rest of the Trustees mere ciphers whenever the committee chooses. This is wrong.

An example of the dangers this poses is what was improperly done by the officers last year, before the Executive Committee was created. At that time information about my request for a FOIA determination was kept

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Minutes of October 2, 2018

from the other Board members for nearly five months, and only brought out when Mrs. Ross asked about it. If the officers did this, imagine what they might do as an Executive Committee with undefined powers legalized by inclusion in the Bylaws.

My second question is: why was the Board never given a reason for: 1) why we were to provide a parking lot for the City and 2) for the choice of location? We were suddenly asked to vote on the capital cost for the lot at a Board meeting, with no previous information given to all the members. Currently, the plan has been altered and returned to the Historic Area Commission after being rejected, and the Board in general was not notified.

I am requesting that this statement be recorded in the minutes and that it also be published in The Weekly.

Mr. Meek revisited transparency issues and availability of meeting minutes to the Trust website. In the past approved meeting minutes were put on the Trust website. He wants to know why those minutes cannot be made public. Mr. Wilson wants to talk about this subject in executive session. Mr. Alfree clarified the minutes were not posted when the website was revamped. Further, he said the Board needs to decide if the minutes should appear on the website. Discussion followed about whether it is appropriate to discuss this issue during the public portion of the meeting or in executive session. Mr. Taylor will research and provide clarification.

Mrs. Ross commented that issues expressed during Public Input are not being followed up with those raising issues. We owe a courtesy to follow up with those people who bring concerns before the Board.

**At 7:50 p.m. a motion was made by Mr. Episcopo and seconded by Ms. Fiske to enter executive session to discuss matters of real estate.**

The Board returned to regular session at 8:06 p.m.

**In regular session the Board unanimously approved a motion to take legal action against 700 Frenchtown Associates toward recovering the outstanding monies owed as a result of the recent negotiations and property appraisal.**

President Wilson initiated a discussion of whether the approved Board meeting minutes should be included on the current website. Mr. Wilson asked that each Board member offer their thoughts on this particular subject. After each Board member offered their thoughts, Mr. Wilson asked for a show of hands as to which Board members agreed that the minutes should be included as part of the current website. Based on the show of hands vote of 9 in favor to 2 not in favor, the decision is that the approved Board meeting minutes will be added to the current Trust website. Secretary Alfree indicated that he would work with the Trust staff and the Trust computer technician to develop a plan to have the minutes included on the website. Mr. Alfree will report on the plan and timeliness at the November Board meeting.

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**With no further business, the Board voted to adjourn at 8:35 p.m.**

Deborah P. Turner  
Stenographer

Statement to Trustees  
October 2, 2019

There is considerable resistance regarding the placement of a new parking lot on the site of Trustee owned land at 3rd and Foundry Streets.

The decision presumably endorsed and embraced by the Trustees who own the site is barreling forward to the Board of Adjustment meeting on October 16, 2018.

The HAC decision was limited to the materials and consistency of its placement in the historic district. I have not heard or read about any real evaluation regarding the safety of this lot's placement let alone need. Private citizens' counts/observations or student surveys are not a substitute for a professional evaluation.

As a result I took it upon myself to investigate the ins and outs of having a traffic study done by professionals.

Here are quotes from the response I got from Max Moreland, PE | Senior Transportation Engineer with Spack Consulting in Minneapolis, MN.

*For the addition of a parking lot, I would likely study the current availability and demand of parking in the area (on-street and in other public lots) to see how beneficial the extra parking would be. If the available parking is consistently full that would suggest a new lot could be beneficial. If the available parking is consistently wide open that would suggest a new lot would be unnecessary.*

*A parking lot by itself would not be expected to generate much new traffic to the area, but rather reroute it from other nearby parking locations. If there were a specific development going on... we would do a full study of that which includes forecasting the number of trips to be generated by the development and analyzing surrounding roadways and intersections.*

In summary, here are important questions for review.

- 1) When and who provided any expert traffic study that both addresses the current need for additional parking lot and the safety of the current proposed lot?
- 2) Is there additional development in the works for private land in proximity to the Bowling Alley property that would necessitate a 3rd Street parking lot?
- 3) As owners of the property will the Trustees (who represent the citizens) bear financial liability for any potential pedestrian or vehicle mishaps going forward should this become a reality? Faced with litigation could lack of demonstrable professional due diligence lead to substantial liability in a court of law?

Gail S. Levinson - 318 South Street

10-1-18

Trustees of New Castle Common

As many know the June 16<sup>th</sup> election was nothing but a sham where you, the Trustees allowed your executive council to engineer the re-election of Castagno, so let's just cut to the chase. As I've stated publicly before this issue is not just going to go away. The Trust's and your lack of any response to what I have stated publicly proves that you are absolutely unrepentant about the election cheating and have absolutely no cards in your hand to play. But you also have no idea what cards I hold and at any time can reveal to the citizens of New Castle. These can prove to be most embarrassing to some Trustees and the Trust as a whole.

There is a halfway honorable way out of this for the Trust which you should seriously consider. First, run some sort of generic article in your PR organ the Weekly stating that after a lengthy investigation and review you realize there were "irregularities" in the handling of the absentee ballots. Second, in this article explain in detail the changes you are making in your absentee ballot procedures to correct the "irregularities" and assure the voters that this will not happen again. Third and most important, in this article state that to remove any doubt about the transparency and honesty of the June election you are setting it aside and will conduct another election between only Castagno and Lloyd in the Oct./Nov. time frame. If Castagno were to lose in this HONEST election then so be it, I'm sure the Trust will survive without him.

I'm truly hoping that you can accept this idea that will allow you and the Trust a way out of this debacle and will also allow me to go silent on this same subject. As I've stated before I'm not trying to destroy the Trust, but I refuse to stand by after witnessing such a crooked election where I've proved the Trust willfully violated every one of your own absentee ballot procedures.

Debate this among yourselves at a special meeting, present it to your legal counsel, or whomever you need to, but I deserve answers. If I hear nothing back in 7-10 days I will consider it a complete rejection and will continue my muck raking.

William Boyle

Trustees of the New Castle Common  
Meeting Minutes  
November 6, 2018

Present: Messrs. T. Wilson (*President*), T. Clayton (*Vice President*), M. Alfree (*Secretary*), T. Episcopo (*Asst. Secretary*), C. DeAscanis, F. Gallagher, H. Gambacorta, J. Meek, C. Viola, Ms. D. Fiske, Mrs. B. Ross and Mr. A. Taylor, Esq. Also present: D. Turner, Stenographer  
Absent: Messrs. Castagno (*Treasurer*) and Yacucci

The monthly meeting of the Trustees was held on Tuesday, November 6, 2018, in the Trustees Room of Old Town Hall. Mr. Wilson called the meeting to order at 7 p.m. A moment of silence was called.

Monthly Calendar – Finance Committee – 11/8/18, 3:30 p.m.; Property Maintenance -- 11/30/18, 4 p.m.; Land Management – 11/29/18, 5 p.m.; Outreach – *date to be announced*; TNCC Board Meeting—12/4/18, 7 p.m.

Public Comment: Resident Karen Whalen detailed her concerns with the West Third Street parking lot.

Minutes – A correction was noted. Mrs. Ross and Ms. Fiske requested deferring approval of the minutes until next month. They would like to listen to the recording citing differences of opinion that occurred at the meeting. **Mrs. Ross made a motion to table the 10/2/18 meeting minutes until they listen to the recording. Mr. Meek seconded the motion. The motion was approved.**

Treasurer's Report – Mr. Gallagher reporting.

*Treasurer's Reports for 9/30/18 and 10/31/18 were sent out electronically prior to the meeting.*

**Mr. Alfree made a motion to approve the Treasurer's Report for 9/30/18 as submitted. Mr. Clayton seconded the motion.**

Treasurer's Report 10/31/18 -- Mrs. Ross asked about administration costs shown for Barbara Alfree's work on Trustee files. It was noted that Mrs. Alfree is Ms. Fontinha's replacement when she is out of the office. Mr. Alfree thinks some of the monies are recorded incorrectly. Clarification will be done to ensure monies are recorded properly.

**Mr. Gallagher made a motion to table approval of the 10/31/18 Treasurer's Report. Mrs. Ross seconded the motion. The motion was approved.**

LAND MANAGEMENT COMMITTEE REPORT – Mr. Gallagher reporting.

Signage approval for Planet Fitness (land leased to 326 Associates) – Trustees reviewed three drawings of signs for the business.

**Mr. Gallagher made a motion to approve the drawings submitted for signage of Planet Fitness on DuPont Highway. Mr. Gambacorta seconded the motion. The motion was approved.**

Mr. Gallagher said the committee has been working with Pusan Investments who is representing Perkins Pancake and Dunkin Donuts. We have been notified they are changing the name of the company involved.

**Mr. Gallagher made a motion to approve the assignment of the lease with Pusan Investments to a Limited Liability Company to be formed by them. This is for the front of the old Tremont Motel parcel on DuPont Highway and will be used for a Perkins Pancake Restaurant and Dunkin Donuts. Mr. Episcopo seconded the motion. The motion was approved.**

Mr. Gallagher requested an executive session to discuss matters of real estate.

Mrs. Ross reported that the committee met with Paul Lester, farmer at Penn Farm, and Colonial School District to discuss future plans at the farm. Both parties are interested in a long-term commitment at Penn Farm.

OUTREACH COMMITTEE REPORT – Mr. Meek reporting.

Hermitage Nature Area – Mr. Meek reported deer damage in a tree canopy. Attempts are being made to remove the invasive species that have grown in the area and replace with native trees. Mr. Meek is trying to get people to tour the property and do some tree planting (seeds) simultaneously. The area spans about one mile. The next tour will be on Sunday, 11/11/18, 10 a.m.

PROPERTY MAINTENANCE COMMITTEE – Mr. Clayton reporting.

*(Property Maintenance Update provided to the Board.)*

- Bulkhead/Living Shoreline – Mr. Meek asked if Trustees can be provided with plans for the living shoreline a couple of months in advance. Mr. Clayton said as soon as information is available it will be provided to Trustees.
- Town Hall – Bids have been received for work on the cupola. One quote on the brick pointing has been received and the committee anticipates receiving another quote.
- Blacktop along the walkway in Battery Park is eroding badly -- Mr. Gallagher is concerned with areas of the walkway eroding and the potential for injury and the associated liability. Mr. Clayton said there is no stabilization underneath the current walkway. He thinks the walkway may need to be moved inland 10-15 feet. Repairs to the walkway are temporary. The committee will continue working on this problem. Mr. Wilson asked if the areas in question can be roped off until repairs are made. Mr. Clayton will look into his suggestion.
- Flooding along West Third Street -- Ms. Fiske asked if recent flooding on West Third Street and part of Battery Park is caused by the drainage project not being finished. Mr. Clayton contacted City Administrator Bill Barthel who said the connection has been made, but the final blacktop has not been finished. Mr. Clayton explained there is a black fiber on drain covers that is used during construction that needs to remain in place until the job is finished. That black fibre is stopping the water from draining properly.

FINANCE COMMITTEE REPORT – Mr. Gallagher reporting.

*The operating budget, capital budget, and revenue sheets were distributed to the Board.*

Financial advisors will present at the next Finance Committee meeting, scheduled for 11/8/18. PNC will present at 3:30 p.m. followed by Nicholson at 4:30 p.m.



### OTHER COMMITTEES

Encroachment Committee – Mr. Wilson reported the committee met and requested Ms. Fontinha look in the records for letters written to area residents. Mr. Taylor has encroachment letters used previously. Mr. Clayton informed a letter was written to a resident of Dobbinsville who pruned several Trust-owned trees along their property. There was no harm done to the trees. Mr. Clayton spoke to the resident about notifying the Trust if future work is needed. The City of New Castle Police was notified to ensure there is a record of the resident being warned.

Election Committee – Mr. Wilson officially announced a Board vacancy (Ms. Fiske) on 12/16/18. He provided all Trustees with a list of dates for the next Trustee election scheduled for 1/26/19. Those dates will be provided to the *Town Crier*. Mr. Wilson said the committee is discussing election procedures and will bring proposed updated procedures before the Bylaws Committee and the full Board.

Ms. Fiske read a statement and requested that it be entered into the minutes. “As the Board members know, for years I have said that a Trustee should not run for his own seat. To do so is counter to the enlightened reform instituted by Henry Herndon with the other Trustees in 1979, which changed the life term to twelve years. A second twelve years brings it close to a life term. Moreover, an incumbent who runs has an unfair advantage against other candidates, which discourages infusion in the trust of fresh blood and new ideas. This is an unfortunate consequence for the welfare of the Trust. However, because in recent months a number of New Castle residents have urged me to run when my term is over, and because it is vital for the health of the trust that someone with my concerns serve on the board, I am taking that fact and the current state of the Trustees into consideration in any decision I may make with regard to the next election.”

### COMMUNICATIONS – Mr. Alfree reporting.

- Received notification from the New Castle Café, 414 Delaware Street, that they applied with the Alcoholic Beverage Control Commission for the addition of a bar and barstools for the premises. Those against the application need to provide written notice to the Alcohol Beverage Control Commission by 11/18/18. The letter will be in the Trust Office.
- Procedures and Policies – Ms. Fiske noticed typographical errors (page number and date) on one of the pages. There is no substantial change to wording. Copies of the revised page were provided to each Trustee.
- Website – Mr. Alfree reported the Board approved the placement of Board minutes onto the Trustee website. Minutes from 2003 to date will be uploaded to the website no later than 11/15/18. Mr. Alfree will email Trustees when the minutes have been loaded.

Ms. Fiske read the following statement concerning clarification of the Executive Committee.

As I mentioned at the October Board meeting, it's imperative that the purpose and scope of the Executive Committee be clarified in the Bylaws. Therefore, since there is not currently a Bylaws Committee, I am making a motion that the following Bylaws change be considered by the Board members over the next month and be voted on at the December meeting.

I sent the motion to Mike Alfree, who agrees that the bylaw might take some refinement, but I disagree with two points he made. He thinks there is no need for the Board to be informed when the

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Executive Committee meets. He also thinks that the matter of spending is already taken care of in the current Bylaws.

But the Executive Committee is a committee, and so falls under Article XII, Section 1 of the Bylaws, which states: "Committee meetings are open to all Trustees...." Why would secrecy be desirable when there is a crisis? All Trustees should be informed of it as soon as possible.

As to his comment: "I think everyone knows funds spent outside of the approved budget requires a Board vote," Bylaws Article XII, Section 2 A states: "Except in the case of an emergency, no Trustee shall enter into any contract or agreement binding the Trustees, unless authorized by the Board or by the appropriate committee." Thus if the Executive Committee claims an emergency, it would be within the Bylaws for the members to allot funds without the knowledge or approval of the full Board. That would be cutting out the opinions and approval or disapproval of nine Trustees, and allotting far too much power to a minority of four. That is against the intention of the Trustee Charter.

I'll send a copy of the motion and my remarks to the Board members after the meeting.

**The Motion.**

Article VIII, Section 1 of Bylaw Policies. Executive Committee. After the sentence on line 4 ending "...at times of crisis or other urgent circumstance," the following two sentences are to be inserted:

"At the time the President calls the meeting of the Executive Committee, he shall send an email to all Board members describing the crisis or other urgent circumstance to be discussed. Immediately after the meeting of the Executive Committee, all Board members shall be sent by email the conclusions reached by the said committee. Any actions to be taken, including the proposed disbursement of any Trust funds, must be ratified before implementation by a vote of the Board, either by means of a special meeting or by email."

Mr. Wilson encouraged dialogue between Board members and Ms. Fiske. This motion will be discussed at the next Board meeting. In preparation for the discussion, Mrs. Ross suggested putting in place a Standing Bylaws Committee to review the Executive Committee and how it fits in the bylaws.

**At 7:53 p.m. a motion was made by Mr. Gallagher and seconded by Mr. Episcopo to enter executive session to discuss matters of real estate.**

The Board returned to regular session at 8:16 p.m.

The Board approved the assignment of the lease with Pusan Investments to a Limited Liability Company to be formed by them. This is for the front of the old Tremont Motel parcel on DuPont Highway and will be used for a Perkins Pancake Restaurant and Dunkin donuts.

**Mr. Gallagher made a motion to hire Jim O'Hara Realty Associates as the exclusive Real Estate Broker for the property at 198 North DuPont Highway, Parcel B (formerly the Tremont Hotel) for a period of two (2) years. Mr. Gambacorta seconded the motion. The Board unanimously approved the motion.**

As a note, the Land Management Committee will contact all brokers who have expressed interest recently to allow them to add exclusions to the contract with O'Hara.

**With no further business before the Board, the meeting adjourned at 8:20 p.m.**

Deborah P. Turner  
Stenographer

Trustees of the New Castle Common  
Meeting Minutes  
December 4, 2018

Present: Messrs. T. Wilson (*President*), T. Clayton (*Vice President*), M. Alfree (*Secretary*), T. Episcopo (*Asst. Secretary*), C. DeAscanis, F. Gallagher, H. Gambacorta, J. Meek, C. Viola, G. Yacucci, Ms. D. Fiske, Mrs. B. Ross and Mr. A. Taylor, Esq. Also present: D. Turner, Stenographer  
Absent: Messr. Castagno (*Treasurer*)

The monthly meeting of the Trustees was held on Tuesday, December 4, 2018, in the Trustees Room of Old Town Hall. Mr. Wilson called the meeting to order at 7 p.m. A moment of silence was called.

Monthly Calendar – Property Maintenance – 12/28/18, 4 p.m.; Land Management – 1/3/19, 5 p.m.; TNCC Board Meeting—1/8/19, 7 p.m.

Public Comment: Resident Roderick Gillespie talked about his concerns with the scale of the West Third Street parking lot project that includes cost and other locations as recommended by AECOM, the City's planning firm.

Resident Bernadette Ruff asked the Trustees to speak about the cost of the West Third Street parking lot and what are they are doing about flooding/sea level rise issues impacting the City. Mr. Wilson said the Property Maintenance Committee and Battery Park Committee would address her concerns.

Resident Karen Whalen talked about her concerns with the West Third Street parking lot including recent Board of Adjustment changes to the parking lot design and related engineering fees. She asked if a Trustee been elected as the 'point person' for this project.

Mrs. Ross recognized Ms. Fiske for her 12 years of service as a Trustee.

Ms. Fiske thinks it is appropriate that the Trustees commemorate two men who have done much for the Trustees and the town. The first is Henry N. Herndon, Esq., Life Trustee. Mr. Herndon was instrumental in changing the term of Trustee from life to twelve years, and for that reason he resigned his seat after twelve years had passed. He died in 2017. Mr. Herndon also put a stop to John Roman's improper and self-serving sale of Trust land. His service to the Trust is much appreciated. And the second is H. Hickman Rowland, Municipal Services Commissioner. Mr. Rowland was appointed by the Trustees to the Trust seat on the Municipal Services Commission. His service to the town, greatly valued and generously given, was cut short by his untimely death last year.

Mr. Meek proposed when an estimate is available for the revised construction costs for the West Third Street parking lot and annual cost of security and maintenance of the lot, then the Board will vote to revise it or stop it. Mr. Alfree agrees and stated the proposal should go to the Finance Committee. Further, the money allotted in the initial vote, if more than \$10,000, must be approved by the full Board. When the Property Maintenance Committee receives bids, if higher than the approved amount, we would need to address increasing the initial amount

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approved. Mr. Alfree noted that the Finance Committee will bring any request to increase the amount to the Board for approval. This is the same practice the Board always uses. Mrs. Ross commented on Ms. Whalen's comment about the Trust not having a 'point person' and her concern that the Board does not receive regular updates on the parking lot process. Mr. Wilson responded that Mr. Castagno has been the Trustee working with Mr. Taylor and Andrew Hayes of Foresite Engineering. He added that a new update is needed.

Minutes

10/2/18 Minutes – One correction was noted. Mrs. Ross and Ms. Fiske requested deferring approval of the minutes last month until they listened to the recording. They have listened to the recording and have no changes.

**Mr. Alfree made a motion to approve the 10/2/18 meeting minutes as amended. Mr. Gallagher seconded the motion. The motion was approved.**

Mrs. Ross raised the subject of "action items" that previously appeared in meeting minutes and believes they should be a part of the minutes again. Mr. Wilson will add 'Action Items' to the agenda.

11/6/18 Minutes – One correction was noted. **Mr. Gallagher made a motion to approve the minutes of the 11/6/18 Board meeting as amended. Mrs. Ross seconded the motion. The motion was approved.**

Treasurer's Report – Mr. Gallagher reporting.

*Treasurer's Reports for 10/31/18 and 11/30/18 were sent out electronically prior to the meeting.*

The 10/31/18 Treasurer's Report was tabled to check that some monies for Mrs. Alfree's work were recorded properly. Mr. Gallagher reported they were correctly recorded. There were no other questions.

**Mr. Alfree made a motion to approve the Treasurer's Report for 10/31/18 as amended. Mr. Gallagher seconded the motion. The motion was approved.**

11/30/18 Treasurer's Report – **Mr. Gallagher made a motion to approve the Treasurer's Report for 11/30/18. Ms. Fiske seconded the motion. The motion was approved.**

Mr. Alfree informed that the initial audit report contained some typographical errors. The updated audit report was received today and will be in each Board member's mail slot tomorrow.

LAND MANAGEMENT COMMITTEE REPORT – Mr. Gallagher reporting.

Mr. Taylor is working on a licensing agreement with the Lion's Club at Twin Spans Industrial Park. The agreement is needed to receive tax status because the Trust is providing space to them as a nonprofit. Mr. Taylor is finishing another licensing agreement with the Old Library.

Mr. Gallagher requested an executive session to discuss matters of real estate.

OUTREACH COMMITTEE REPORT – Mr. Meek reporting.

Hermitage Nature Area – Mr. Meek reported two recent community events. Participants planted 200-300 seeds for low-level trees and pulled invasive plants.

Grants – Mr. Meek was approached about publishing grants (recipients and amount) that have been made. He sees no reason why the information cannot be made public. Mr. Wilson thinks the information is already available in the minutes and is published in the *New Castle Weekly*.

Mr. Meek added that at one time a tri-fold summarizing what the Trustees did financially was provided to the public. The tri-fold stopped when financial information was put on the Trust website. He wonders if the tri-fold can be reinstituted. Ms. Fiske suggested distributing paper copies annually in the Municipal Services Commission (MSC) bill. Mr. Wilson will assign an ad hoc committee to determine a path forward and bring back to the full Board for discussion. Mr. Alfree reminded that the Trust currently pays for the City insert that goes into the MSC billing and we should be able to put this information in that mailing. He believes the tri-fold stopped because we were listing the income of properties that became detrimental when we negotiating leases on other properties. We should never do this. Mr. Alfree has no problem listing amounts of grants, but does not want to expand with explanations of grants.

PROPERTY MAINTENANCE COMMITTEE – Mr. Clayton reporting.

*(Property Maintenance Update provided to the Board.)*

- A contractor has been selected for the Town Hall cupola repair. The contractor recommended the roof be repaired. **Mr. Clayton made a motion to increase the capital budget an additional \$100,000 to equal \$180,000 for the cupola and roof project on Old Town Hall. Mr. Meek seconded the motion.** Mr. Alfree suggested the requested amount is too low noting the possibility that more work may be needed once the contractor starts roof repairs and gets inside the cupola. Monies not spent will be put back into the budget. **Mr. Clayton amended his motion to increase the capital budget by \$120,000 for a total project of \$200,000 for the Old Town Hall cupola repair and addition of roof repairs. Mr. Alfree seconded the motion. The motion was approved.**
- Tennis Court Lean To -- Mrs. Ross asked what work is being done. Mr. Clayton said the roof is bad and is being replaced and some rotted wood work is being replaced. The rainy weather has caused delays.
- Phragmites Removal in Ferry Lots (Fort Casimir) – Mr. Wilson stated we need to reassess how to address phragmites. The State of Delaware Department of Natural Resources and Environmental Control (Fish and Wildlife) have not sprayed the area for the last two years.

FINANCE COMMITTEE REPORT – Mr. Gallagher reporting.

*The operating budget, capital budget, and revenue sheets were distributed to the Board.*

- Addition of \$120,000 for repairs to Old Town Hall (cupola and roof).
- Audit reports will be distributed in Board mail boxes tomorrow.

Capital Budget -- Engineering – Ms. Fiske questioned what the drawdown amount for the Battery Park parking lot includes. Mr. Gallagher responded it is for bills paid to date.

OTHER COMMITTEES

Encroachment Committee – Mr. Wilson reported the committee has had no activity to date. He will revisit having Ms. Fontinha look in the records for letters written to area residents.

Election Committee – Mr. Wilson announced that to date two candidates have declared their intention to run for the open Board vacancy seat. They are Suzanne Souder and Pete Toner. Mr. Wilson informed the Election Committee has not met yet. He said a change in proposal for absentee ballot procedure will be read next month. If a meeting is scheduled Mr. Wilson will put the date on the calendar. Any change in procedure will not impact this election.

Ms. Fiske read a statement and requested that it be entered into the minutes. “People in town have read news about the recent absentee voting scandal in North Carolina, and they have remarked to me on the similarities with the treatment of absentee ballots in the Trustees’ June election. Some New Castle voters are very upset over the improprieties that they noticed at the time. It’s vital that the Trustees preserve integrity in our elections, and for that reason I am proposing that in all future elections we contract with the American Arbitration Association, which as a neutral party oversees all kinds of elections. I spoke with Ken Egger in the Philadelphia office, who said that his organization can provide the services we need to ensure an election that everyone in New Castle will agree is honest and aboveboard. Mr. Egger says that their charge depends on the services they will provide, and that when we contact him he will provide a cost estimate. This is a way for the Trustees to restore some of the respect and trust that we as a body have lately lost.

**Ms. Fiske made a motion that the Board hire the American Arbitration Association, a not-for-profit organization, to oversee our elections, beginning with the January 26, 2019 election.”**

Mr. Wilson said that honesty and integrity is not widespread; opportunities to vote are provided to as many people as possible. The absentee ballot procedure used has been in place for many years. He does not feel there is a need to spend money from outside the town to monitor a private election. Ms. Fiske disagrees that Trustee elections are private.

Mrs. Ross suggested inquiring about the cost and make a decision later. Mr. Alfree said if the Board is considering changing the procedures for processing an election it cannot be decided tonight. A motion can be made and addressed later, as per the Bylaws. Mr. Alfree reminded that at a previous meeting he expressed concerns about multiple elections over the next 12-18 months and suggested having someone handle the elections versus the Trustees.

**Ms. Fiske withdrew her motion. Ms. Fiske then made a motion that the Board look into hiring the American Arbitration Association, a not-for-profit organization, to oversee Trustee elections. Mrs. Ross seconded the motion.** Mr. Wilson said the motion will be turned over to the Election Committee.

Ms. Fiske revisited a motion made at the November Board meeting to clarify the Executive Committee. “It’s imperative that the purpose and scope of the Executive Committee be clarified in the Bylaws, as currently their powers are too broad. That’s why I made the motion

in November to amend the committee's responsibilities. The motion was to be considered over the following month and voted on at this meeting after an opportunity is provided for opinions and suggestions from Board members. I'm opening the discussion now for the Board to express their ideas, after which I'll call for a roll call vote on the motion.

**Motion:** Article VIII, Section 1 of Bylaw Policies. Executive Committee. After the sentence on line 4 ending "...at times of crisis or other urgent circumstance," the following two sentences are to be inserted:

**"At the time the President calls the meeting of the Executive Committee, he shall send an email to all Board members describing the crisis or other urgent circumstance to be discussed. Immediately after the meeting of the Executive Committee, all Board members shall be sent by email the conclusions reached by the said committee. Any actions to be taken, including the proposed disbursement of any Trust funds, must be ratified before implementation by a vote of the Board, either by means of a special meeting or by email."**

**End of motion.**

Board members were asked to contact Ms. Fiske with any questions/concerns and voted on at this meeting. Ms. Fiske received input from Messrs. Alfree and Gambacorta and Mrs. Ross. Ms. Fiske called for discussion and a roll call vote. Mr. Wilson thinks the motion should be tabled. He added that Article X, Section 1 says a Bylaw change must be reviewed by the Bylaws Committee. Ms. Fiske stated that Mr. Wilson dissolved the Bylaws Committee. In November Mrs. Ross suggested putting in place a Standing Bylaws Committee to review the Ms. Fiske's motion and how it fits in the Bylaws.

Mr. Alfree explained there was an ad hoc committee to address the last changes made to the Bylaws. The changes were approved by the Board (November 2017) and the ad hoc committee was dissolved. He suggested appointing a Bylaws Committee. Mr. Wilson appointed Messrs. Clayton, Episcopo, Yacucci, and himself to comprise the Bylaws Committee. Mrs. Ross asked that the Board create a Standing Bylaws Committee. Her rationale is to review matters involving the Bylaws in a timely manner.

**Ms. Fiske withdrew her motion.** The subject will be moved to the Bylaws Committee for review.

COMMUNICATIONS – Mr. Alfree reporting.  
There are no communications to report.

Ms. Fiske read the following statement into the minutes and on the Trustee website:

"This is the swan song for my first, and perhaps only, term as a Trustee.

In recent years I have observed changes in the Trustees with great concern. I have watched a bare majority of seven Trustees gain control of most of the decisions, including capital expenditures, the



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choice of officers, the composition of committees, and also the radical revision of the Bylaws, which seals their control of the Trust for years. I have watched them remove power from some committees to concentrate it in two committees under their control. I have watched most of our financial expenditures, aside from administration, allotted to one committee, with small oversight from the Board as a whole. Some of us have been unable to view a number of proposals and contracts; when we asked, we were told that there is no need for all Trustees to see them.

I have seen the creation of an unnecessary Executive Committee, whose use can effectively disenfranchise nine of the thirteen Trustees. I have seen the creation of a Code of Conduct designed, not to promote civility at meetings, but to muzzle the objections of any Trustees who disagree with the seven; I found a copy anonymously put at my place, clearly as a threat, when I was disagreeing about an action. I have heard some Trustees falsely claim that they, not the residents, own the assets of the Trust. I have witnessed the refusal of the Board to acknowledge the Attorney General's determination that we are a public body, subject to the Freedom of Information Act. I have seen \$50,000 of residents' assets designated in the budget to fight FOIA, an act which will keep the beneficial owners of the Trust from learning what the Trustees are doing with their assets. I have seen absentee ballots improperly handled in the last election, despite my having warned the president and the Board that we were not following the Bylaws.

I have noticed a total indifference to the opinions, wishes, and ideas of the beneficial owners.

I have also noticed that the new editors of The Weekly, who were given their office gratis by us to act as a public service, fail to observe the objectivity which the previous owners always maintained. That does not serve the public well.

In all these matters our attorney has not served us well with his advice.

These actions have been a development over the past four to five years, and it's not inevitable for the Trustee majority to continue on this course. Four elections will be held in the next year; also, some Trustees currently voting with the majority may not have considered the damage that is being done to the Trust and to the reputation of the Trustees by their actions. I urge you to look into your hearts and think about the role of a trustee. A Trustee manages property that is held in trust for the benefit of a third party, the beneficial owners, and is legally bound to act in their best interests. A Trustee's sole fidelity is to the beneficiaries, not to any other trustee.

I am requesting that this statement be included in the minutes of this meeting on the Trustee website. I shall also send a copy to The Weekly, though I have no assurance that it will be published there."

Action Items

- Trustee Trifold -- Mr. Wilson will assign an ad hoc committee to determine a path forward and bring to the full Board for discussion. (12/4/18)
- Election Committee -- Look into hiring the American Arbitration Association, a not-for-profit organization, to oversee Trustee elections. (12/4/18)

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- Property Maintenance Committee and Battery Park Committee to address residents' concerns with the West Third Street parking lot (cost, flooding). (12/4/18)
- Bylaws Committee to review creating a Standing Bylaws Committee. (12/4/18)

**At 8:20 p.m. a motion was made by Mr. Gallagher and seconded by Mr. Episcopo to enter executive session to discuss matters of real estate. The motion was approved.**

The Board returned to regular session at 8:40 p.m.

**With no further business before the Board, the meeting adjourned at 8:41 p.m.**

Deborah P. Turner  
Stenographer