

Trustees of the New Castle Common  
Meeting Minutes  
January 6, 2015

Present: Messrs. Alfree (*President*), Clayton (*Vice President*), Wilson (*Assistant Secretary*), Gallagher (*Treasurer*), Castagno, DeAscanis, Episcopo, Gambacorta, Meek, Yacucci, Ms. Fiske, Mr. Taylor, Esq. Also present: Mrs. Turner, Stenographer, Alice Riehl of the *New Castle Weekly*  
Absent: Mr. Viola (*Secretary*) and Mrs. Ross

The monthly meeting of the Trustees was held on Tuesday, January 6, 2015, in the Trustees Room of the Old Town Hall. Mr. Alfree called the meeting to order at 7:10 p.m. Moment of silence observed.

Prior to the Board meeting, Steve Borleske and Becca Manning of Delaware Greenways gave a progress report on activities at Penn Farm. Topics included upgrades to infrastructure and the barn, partnerships, educational programs, and community involvement.

Public Input: City Council President Linda Ratchford was in attendance.

Monthly Calendar: Board Meeting 2/3/15, 7 p.m.; Land Management Committee 2/2/15, 5 p.m.; Property Maintenance Committee 1/30/15, 8 a.m.; Finance 1/14/15, 12 noon; Outreach 1/13/15, 5:45 p.m.; Bylaws 1/20/15, 5 p.m.; Open Space Committee TBD

Minutes: Correction noted. **A motion was made by Ms. Fiske to approve the 12/2/14 Trustee meeting minutes as amended. Mr. Episcopo seconded. Motion carried.**

Land Manager's Report – No report.

Treasurer's Report -- Mr. Gallagher reporting.

The Treasurer's Report was sent out electronically prior to the meeting.

**Mr. Wilson made a motion to approve the 12/31/14 Treasurer's Report as submitted. Ms. Fiske seconded. Motion approved.**

LAND MANAGEMENT COMMITTEE REPORT – Mr. Wilson reporting.

Friends of Bellanca (FOB) did not attend the committee's 1/5/15 committee meeting as planned. Other real estate matters will be addressed in executive session.

OUTREACH COMMITTEE REPORT – Mr. Meek reporting.

Requests for grants have been received from most of the same applicants and one new applicant. The Outreach Committee will review and forward recommendations in time for the Board to vote at the February meeting.

A letter from Jim Travers was read informing that summer concerts would be suspended in 2015. (*Mr. Travers has been a past recipient of grant monies for concerts, but did not submit this year.*) He cited cumbersome paperwork associated with using Battery Park, parking problems for performers, coordination issues with the City for police assistance, lack of funding, and lack of manpower. Mr. Meek acknowledged problems with parking and lack of funding and manpower. With regard to paperwork, simplifying filing procedures for non-profits who have

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repetitive events would be helpful. A tremendous amount of manpower is needed to organize and put on these concerts. Messrs. Meek and Alfree and Council President Ratchford have spoken with Mr. Travers. Mr. Travers has been personally funding the concerts when funding is needed. Mr. Meek is hopeful another organization will step up to assist and bring the concerts back noting they are valuable to the community. Parking issues should be resolved as the City works through issues that the Parking Sub-committee has identified.

PROPERTY MAINTENANCE COMMITTEE – Mr. Clayton reporting.

- Battery Park Trail
  - City will be posting RFP's for engineering services for FEMA funding.
- Battery Park Drainage Engineering
  - Topographic survey is done. The committee is working on grants now. Mr. Castagno said that Council President Ratchford has been a great resource via her work with The Conservation District and State to get additional funding for the project.
  - Bathroom Improvements – Doors and electronic enclosures are on order and will make the area safer when installed. Work will then begin to the interior.
- Seventh Street Mound -- Removal of trees growing in the mound is ongoing.
- Tennis courts -- Finished.
- Medical Building -- Will be taken down within the month.
- FOB Parking Lot
  - Base for parking lot is almost complete.
  - Lighting for outside of building is almost complete and looks good.
- Little League – City Engineer should be getting drawings for the park to be built on Trust land in Washington Park. Drawings will help work through regulatory agencies to know what can and cannot be cleared.
- Penn Farm Bathrooms – Waiting for better weather; still coordinating with contractors.
- Old Town Hall Wall Stabilizers
  - Contractor has put up targets on the west side of the building. Contractor will check reference points every few months.
  - Exterior painting has been done; interior spots will be done next.
- New Castle Weekly
  - Painting and floor replacement is on schedule and work is to begin soon.
- Re-keying of Old Town Hall begins this week.
- Good Will Fire Company – Seal coating and striping of the parking lot is done.
- Tremont Motel – Mr. Episcopo is getting paperwork in order. Asbestos removal is still needed.

Mr. Meek revisited discussion from the December 2014 Board meeting about Board members having access to bids on projects exceeding \$10,000. He wanted to clarify the discussion again.

*He thinks the Board can agree that we don't want a cumbersome procedure in which we have to wait for every Board member to get all information, review it and then make a decision. He*

*believes it is reasonable to use the approach used by the Outreach Committee where applications received are kept in the Trustees office. Committee members get copies. Recommendations will be sent to all members prior to the February Board meeting. It is Mr. Meek's hope that we have faith in members of all the committees and that no one tries to hide anything. Additionally, that committee members trust all Board members.*

*At the time of the Property Maintenance Committee meeting, all bids for projects exceeding \$10,000, successful and not, are placed in a folder in the Trustees office. In the monthly summary memo sent to Trustees prior to the monthly meeting, mention to be made that bids are in and members have the opportunity to look at them if they wish.*

*Mr. Meek feels that as a Trustee he would not be exercising his fiduciary responsibility before voting on a major expenditure if he had not had the opportunity to look at all actual bids, not just the chosen estimate.*

Mr. Wilson commented that the Board operates under a committee-based system and the Board operates as a whole when voting. Board members can attend committee meetings they do not sit on at any time. Mr. Gallagher said Trustees have to understand what they are approving and he does not see any reason not to share the information with other Trustees. However, it must be clear that the information is to be kept secure and confidential. Mr. Alfree will work on developing a procedure that will keep sensitive documents secure.

FINANCE COMMITTEE REPORT – Mr. Gallagher reporting.

Drawdown – Mr. Castagno clarified that no money has been spent to date under Capital. Bike corrals--\$4,000 is for the actual racks and \$6,000 was requested and approved under Installation. It was suggested the 'bike corral' be moved out of Installation and placed in Equipment.

LIBRARY COMMITTEE REPORT – No report.

OPEN SPACE COMMITTEE REPORT – Dr. Yacucci reporting.

No report.

BYLAWS COMMITTEE REPORT – Ms. Fiske reporting.

No report.

BATTERY PARK COMMITTEE REPORT – Mr. Castagno reporting.

This is the second year of the formalized process. We plan to start mapping out a calendar for big events that we hope will be available next week. The committee is also working on a 'save the date' idea.

Mr. Gallagher said the walk at the base of the hill is washed out and getting worse. Mr. Castagno said this area is part of trail engineering mentioned under Property Maintenance. FEMA funding will help resolve the problem via engineering.

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Mr. Meek asked if the brick walkway with sloping shoulders down from Delaware Street is being fixed. Mr. Castagno informed this is part of drainage engineering mentioned under Property Maintenance. This problem ties in with drainage issues in the park. He hopes Drew Hayes (ForeSite Associates) will help us to understand what the drainage impacts are before any engineering or maintenance is done. All park entranceways will be assessed.

OTHER COMMITTEES

Non-profit reports for New Castle Historical Society and Bellanca were distributed to the Board in December 2014. No report was received from the Little League. Mr. Wilson will follow up.

Blank forms for those interested in running for a Board officer position have been distributed to the Board. **All** forms are to be returned to the office by 1/16/15. Actual ballots will be distributed in February, results reported in March, and terms beginning 4/1/15. ***(Messrs. Alfree and Gallagher are prohibited from serving in their current capacities beyond 3/31/15.)***

COMMUNICATIONS – Mr. Alfree reporting.

- Note received from Arasapha Garden Club thanking the Board for grant monies that they used to decorate the City for the holiday season.
- Letter from Erv Thatcher announcing his retirement effective 12/31/14.

Council President Ratchford expressed appreciation for the work the Trust does for the citizens of the City.

Action Items

- Land Management Committee to review the matter of a roadway behind new housing units at Bull Hill.
- Initial draft of bylaws, policies and procedures that includes an introduction that needs further work before becoming official to be sent to members. (Fiske)
- Prepare comparison of hours for Lynn Reisinger in Battery Park. (Alfree -- 12/1/14)
- June Follow up--tracking Antonio's billables. (Alfree)
- Antonio to better identify parcels where he does work. (Clayton -- 11/4/14)
- Update on work in the vault at the January 2015 meeting. (Ms. Fiske and Mr. Meek -- 12/1/14)
- Storage of Trust's Charter. (Mr. Alfree--12/1/14)
- Letter to FOB detailing parking lot work. (Alfree -- 12/1/14)
- Develop a procedure that will keep sensitive documents secure. (Alfree -- 1/6/15)

**At 7:50 p.m. Mr. Wilson made a motion to enter into Executive Session to discuss matters of real estate. Mr. Gallagher seconded the motion. Motion approved.**

**At 8:09 p.m. a motion was made and seconded to return to regular session. Motion approved.**

There being no other business, the meeting was adjourned at 8:10 p.m.

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Present: Messrs. Alfree (*President*), Clayton (*Vice President*), Mr. Viola (*Secretary*), Wilson (*Assistant Secretary*), Castagno, Episcopo, Gambacorta, Meek, Ms. Fiske, Mr. Taylor, Esq. Also present: Mr. Marinelli, Land Manager, Mrs. Turner, Stenographer, Terry Gorman, *New Castle Weekly*

Absent: Messrs. DeAscanis, Gallagher (*Treasurer*), Yacucci, and Mrs. Ross

The monthly meeting of the Trustees was held on Tuesday, February 3, 2015, in the Trustees Room of the Old Town Hall. Mr. Alfree called the meeting to order at 7 p.m. Moment of silence observed.

Public Input: None.

Monthly Calendar: Board Meeting 3/3/15, 7 p.m.; Land Management Committee 3/2/15, 5 p.m.; Property Maintenance Committee-TBD; Finance-TBD; Outreach-none scheduled; Bylaws Committee 2/17/15, 5 p.m.; Open Space Committee TBD; New Castle Public Library Fundraiser 2/13/15

Minutes: **A motion was made by Mr. Gambacorta to approve the 1/6/15 Trustee meeting minutes. Ms. Fiske seconded the motion and the minutes were approved.**

Land Manager's Report – Mr. Marinelli reporting.

- Receivables are in good condition; all leases are current.
- Tremont Hotel is about to be torn down. The medical center is down.
- Renovations are being made in the Old Town Hall.
- *New Castle Weekly* is back in their office after renovations.
- New Trustee picture is on the Second Street wall.

Treasurer's Report -- Mr. Gambacorta reporting.

The Treasurer's Report was sent out electronically prior to the meeting.

**Mr. Gambacorta made a motion to approve the 1/31/15 Treasurer's Report as submitted. Ms. Fiske seconded. Motion approved.**

LAND MANAGEMENT COMMITTEE REPORT – Mr. Wilson reporting.

Mr. Wilson spoke with Little League Board members on 2/2/15 about the baseball fields, what the committee needs from the group, and how to move forward. Mr. Alfree will send the Little League a letter recapping the meeting.

OUTREACH COMMITTEE REPORT – Mr. Meek reporting.

A report outlining the committee's recommendations for grants was sent electronically prior to the meeting. All grant applications are available for review in the Trustee office. Mr. Meek reviewed requests line by line and what is different from last year.

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Requests are as follows:

- Arasapha Club – Their request was higher but the committee recommends granting the same amount as last year. Arasapha is supported by the Trustees, City and other groups. They provide holiday wreaths to City buildings and local businesses. The committee feels that businesses should provide their own wreaths.
- Bellanca – Requested \$4,500 for structural work inside the hangar. The committee feels this is a maintenance function and the Trustees should handle since it owns the building.
- City – Requested same amount as last year. They requested three quarters of support for the ARRA (storm water support) and an extra one quarter for ADA-compliant curbs.
- Good Will Fire Company – Same amount as last year to support the fire company and City police department Children’s Christmas Party. *(Last year’s request did not go through grant process.)*
- St. Anthony’s – Same amount to support a parade in the spring.
- New Castle Partnership (formerly New Castle Historical Alliance) – Requested \$50,000 for Main Street Program. *(Nationwide program to assist with revitalization efforts.)* Criteria include a full time or part-time administrator. Funding will be for an administrator and other items. Administrator funding will not be ongoing. The committee was split on whether to provide funding. Some felt focus should be on infrastructure (Battery Park improvements, parking) while Mr. Meek believes the money would help to “jump start” their efforts.
- Day in Old New Castle – The Episcopal Church has decided not to provide funding this year. A request of \$10,000 is requested as seed money to get started (brochures, reenactors).
- Historical Society – Requesting \$12,500; \$12,000 for displays and \$500 for exhibits in the old library. Their request asks for \$5,000 (maintenance insurance, utilities) for support of the old library, which is not usable in its current state. The committee recommends the Trustees take over maintenance of the old library. The Historical Society has no objections to this. The Trustees may wish to use this building for archival purposes at some point and were asked to consider uses for the building.
- Senior Center and Separation Day – Requests remain the same as last year.

Total expenses are the same as last year: \$400,000. Each item will be discussed and voted on individually, and then presented to the Finance Committee for budget purposes. Mr. Castagno questioned the process of making recommendations and discussing now versus during the budget process. He is abstaining from voting on all recommendations until the budget process.

Mr. Meek offered the following recommendations to be submitted to the Finance Committee:

- The Outreach Committee is recommending \$1,500 to the Arasapha Club.
- The Outreach Committee is recommending \$3,500 to the Beautification Committee.
- The Outreach Committee is recommending that we grant the City \$197,000 (includes storm water support and ADA-compliant curbs).
- The Outreach Committee is recommending a grant of \$120,000 to Good Will Fire Company. Mr. Wilson would like the Board to remove Good Will from the grant application process because the Trust owns the fire company and should be addressed by the Finance Committee. Mr. Alfree said the process must remain in place this year. Mr. Meek noted

that appropriations have increased again and the Board should discuss these increases at some point.

- Senior Center, Children's Christmas Party, St. Anthony, Separation Day – The Outreach Committee is recommending funding for all of these groups.
- New Castle Partnership (Main Street) – The Outreach Committee is recommending not funding this year. Ms. Fiske said 'Main Street' will not succeed without financial support of the City. Also needed are volunteers and area groups to be involved. Mr. Wilson does not support funding for 'Main Street' citing its success is dependent on City government's support. He does not want to invest Trust monies without the backing of the City. (Mrs. Ross also voted against funding.)
- Day in Old New Castle – The Outreach Committee is recommending funding \$10,000. Mr. Meek said it is not clear where all of the funds would be going and receipts for all expenditures will be needed. Valerie Windle of the New Castle Partnership said it is their intention to make this a community event. She invited every church, organization and group in the City to their meeting.
- New Castle Historical Society – The Outreach Committee recommends granting \$10,000 and proposes taking over maintenance of the Old Library. The item will be put on the Property Maintenance Committee's list.

**All recommendations were approved by a vote of 9 in favor and 1 abstaining (Castagno).**

All requests and the Outreach Committee's input will be submitted to the Finance Committee as recommendations. Mr. Alfree thanked Mr. Meek and committee members for their work with grant applications.

PROPERTY MAINTENANCE COMMITTEE – Mr. Viola reporting.

A list of projects/activities was circulated and reviewed. Mr. Clayton informed the Trustees office will be painted next week. New blinds for Old Town Hall have been ordered and will be installed soon.

Some projects of note:

- The Trustee painting will be hanging in the library in time for their fundraiser.
- Targets have been set to help determine potential movement on the west wall. Data will be assessed on a quarterly basis. Sketches were distributed. There is a bulge between the first and second floor. There is a very tall chimney that is about 4" out of plumb. Engineers are very concerned with it. We will likely bring in our masonry person to do an assessment. Mr. Alfree suggested having the contractor visit on a board meeting date and give a presentation.
- Meadow Plan – Mr. Wilson reported they have met with Drew Hayes and John Antonio. A plan is being developed for Dobbinsville, Bull Hill (back), and Ward's Triangle. Pricing is being gathered and will be brought back to the Board. The committee has had a meeting with some residents of Dobbinsville and they have been shown plans. Community leaders have indicated support for the project. Ms. Fiske asked the committee to inform the Open Space Committee when they meet with Mr. Hayes.

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Mr. Castagno asked that engineering be added to the Capital budget to move some of our commercial properties forward. He would like to schedule the engineer to report to the Board in March to give a status report on commercial properties (planning/layout) and proposals/layouts in April for work to be done in Battery Park.

Mr. Episcopo asked about repair of the leak in the roof of Old Town Hall. Mr. Clayton said the leak has been located and diverted for the short term. Permanent repairs will be made when the weather is better.

Ms. Fiske reported about ten trees in Dewey Park have mulch too far up their trunks that needs to be corrected. Mr. Viola will speak with Mr. Antonio.

FINANCE COMMITTEE REPORT – Mr. Gambacorta reporting.

Investment summaries for PNC and Nicholson Associates were distributed. The committee met with both on 1/15/15 and is pleased with the performance of both firms. Year-to-date returns were reviewed at the committee meeting. Nicholson investments are a ratio of 60% equity, 40% bonds. PNC investments are a ratio of 65% equity, 35% bonds.

*Note: Finance Committee to discuss ratio policy at its next meeting.*

Drawdown Report -- Mr. Castagno clarified the statement on the bottom of the drawdown report that a budget item was *increased* is not correct. The budget item was *recorded incorrectly* when it was entered and is being adjusted.

LIBRARY COMMITTEE REPORT – Mr. Viola reporting.

The annual fundraiser for the New Castle Public Library is scheduled for 2/13/15. A small handicap ramp is being installed in the spring that will make it easier to access the children's garden.

OPEN SPACE COMMITTEE REPORT – Ms. Fiske reporting.

No report.

BYLAWS COMMITTEE REPORT – Ms. Fiske reporting.

Suggested changes and/or additions to the bylaws were sent out prior to the meeting. Voting will take place at the next meeting. Ms. Fiske reviewed the changes/additions. *(Full report incorporated in 12/2/14 meeting minutes.)*

Article XIII, Disciplinary Actions – Mr. Viola remembered discussion about what would happen if a Board member unintentionally violated any article or section of the bylaws. Mr. Wilson recalls discussion about removing the word “unintentional” from the text.

Declaring a Vacancy on the Board – Mr. Meek asked for clarification. Ms. Fiske explained there is no need to wait a period of time to fill a vacancy on the Board when it is known that a term is expiring. The idea is to have the Election Committee begin preparations for an election in advance to avoid having a vacant seat(s).



BATTERY PARK COMMITTEE REPORT – Mr. Castagno reporting.

The committee met with the Lions Club and Art on the Green to start planning events and got their feedback on how the park is managed, how to be better stewards, and repairs.

**Mr. Castagno made a motion to waive the fees and repair fees for the Lions Club. Mr. Meek seconded and the motion was approved.**

**Mr. Castagno made a motion to waive the fees and repair fees for Separation Day and the antiques show (New Castle Visitor's Bureau) for the coming year. Mr. Clayton seconded. Motion was approved.**

Mr. Wilson questioned if waiving of fees for non-profit groups should be captured as a donation. Mr. Castagno said it will be considered an in-kind contribution for IRS purposes going forward.

Mr. Meek questioned where monies for the antiques show go and commented about the number of vehicles in the park for the event. Mr. Castagno confirmed that the New Castle Visitor's Bureau gives back to the local community. He said the vehicles are disruptive and the subject will be discussed when the committee meets with the group. Mr. Castagno said the Jaycees will have their fees and repair fees waived this year as well.

Ms. Fiske asked when the Battery Park Committee meets. Mr. Castagno said they meet when applications are received. Mr. Meek inquired who will have input in plans for Battery Park and the plan being developed with Drew Hayes. Mr. Castagno said plans would be a Property Maintenance issue via the capital planning process that will be brought before the full Board. Ms. Fiske does not agree and thinks the Battery Park Committee should be involved. She noted a policy in the bylaws on appointing residents from the City to the Battery Park Committee. No appointments have been made and this should be addressed. Term limits should also be discussed. Mr. Wilson said the City owns and manages Battery Park and his impression is that the City is charged with appointing residents to the committee.

OTHER COMMITTEES

Vault Committee – Requesting guidance on path forward. Mr. Meek and Ms. Fiske have categorized many of the papers in the vault, but there are more file documents left to sort through. We are trying to determine the best location to keep these documents (Old Library). It is Mr. Alfree's intention is to find and recommend someone to help with this work. The old library is still very popular. Mr. Wilson suggested looking into purchasing a property dedicated for housing the Trustee's archives. The idea of having a Trustee museum was briefly discussed.

Historic Area Review Committee (HARC) – Mr. Meek is the Trustee member on this group. One topic they will be addressing is the appropriateness of using composite materials on historic buildings in certain places. Mr. Meek asked for feedback from the Board on the subject of composite materials. Ms. Fiske said the former HAC architect said there are high-grade composite materials on the market. Mr. Viola said we are a national historic district and must

follow the guidelines of the Department of the Interior at the federal level. He cautioned Mr. Meek to be mindful of the historic nature of the community.

COMMUNICATIONS – Mr. Alfree reporting.

- Letter received from Good Will Fire Company and City Police thanking the Board for financially supporting the children's Christmas party in 2014.

Action Items

- Land Management Committee to review the matter of a roadway behind new housing units at Bull Hill.
- Initial draft of bylaws, policies and procedures that includes an introduction that needs further work before becoming official to be sent to members. (Fiske)
- June Follow up--tracking Antonio's billables. (Alfree)
- Antonio to better identify parcels where he does work. (Clayton -- 11/4/14)
- Storage of Trust's Charter. (Mr. Alfree--12/1/14)
- Develop a procedure that will keep sensitive documents secure. (Alfree -- 1/6/15)
- Send letter to the Little League Board recapping 2/2/15 meeting. (Alfree -- 2/3/15)

Mr. Alfree reminded the Board that Robert Appleby, Trustee representative to the Municipal Service Commission (MSC), does not want to be re-appointed for another three-year term. Mr. H. Hickman Rowland is willing to accept a three-year term as Trustee representative to the MSC.

**Ms. Fiske made a motion to appoint H. Hickman Rowland, Jr. as the Trustee representative to the MSC for the term 4/1/15 to 3/31/18. Mr. Clayton seconded. Motion was approved.**

Mr. Alfree will distribute ballots when tonight's meeting is adjourned. Board members were asked to use the envelope with their name on it to better track any outstanding ballots. Ballots are to be returned to the Trust office by 2/17/15.

**At 8:45 p.m. Mr. Wilson made a motion to enter into Executive Session to discuss matters of real estate. Mr. Clayton seconded the motion. Motion was approved.**

**At 9:10 p.m. a motion was made by Mr. Wilson to return to regular session and seconded by Mr. Gambacorta. Regular session resumed.**

**Mr. Wilson made a motion, seconded by Mr. Clayton, granting full authority to President Alfree to negotiate rent and terms for the lease for Penn Mart Shopping Center and to settle the litigation pending in District court on terms he deems appropriate. The motion passed by unanimous vote.**

**A motion was made by Mr. Wilson that the rent proposal for the second method of computing rent according to the appraisal is acceptable for the amounts of rents, but is not**

**acceptable because it proposes paying the rent monthly rather than quarterly in advance as provided by the leases. The motion was seconded by Ms. Fiske and passed by unanimous vote.**

There being no other business, a motion was made and seconded to adjourn the meeting.  
Motion was approved.

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Meeting Minutes  
March 3, 2015

Present: Messrs. Alfree (*President*), Clayton (*Vice President*), Mr. Viola (*Secretary*), Wilson (*Assistant Secretary*), Castagno, Episcopo, Gallagher (*Treasurer*), Meek, Yacucci, Ms. Fiske, Mrs. Ross, Mr. Taylor, Esq. Also present: Mr. Marinelli, Land Manager, Mrs. Turner, Stenographer, Terry Gormley, *New Castle Weekly*  
Absent: Messrs. DeAscanis, Gambacorta

The monthly meeting of the Trustees was held on Tuesday, March 3, 2015, in the Trustees Room of the Old Town Hall. Mr. Alfree called the meeting to order at 7 p.m. Moment of silence observed.

Prior to the Board meeting Mark Ziegler of Ziegler and McBride provided a status report on engineering work being done on Trust properties.

Public Input: None.

Monthly Calendar: Board Meeting 4/7/15, 7 p.m.; Land Management Committee 4/6/15, 5 p.m.; Property Maintenance Committee-4/3/15, 8 a.m.; Finance-3/18/15, 12 p.m.; Outreach- none scheduled; Bylaws Committee 3/17/15, 5 p.m.

Minutes: A correction was noted on page 2. **A motion was made by Ms. Fiske to approve the 2/3/15 Trustee meeting minutes as corrected. Mr. Clayton seconded the motion and the minutes were approved.**

Land Manager's Report – Mr. Marinelli reporting.

All exemptions have been filed. He will follow up with the County attorney, but review is not anticipated for a year. If approved they will be retroactive.

Renovations/painting of the Trust Office is finished and new furniture has been procured. Mr. Meek noted that a portrait of the Trustees is hanging in the Library's board room.

Treasurer's Report -- Mr. Gallagher reporting.

The Treasurer's Report was sent out electronically prior to the meeting. Ms. Fiske asked for clarification of the description on line 51 for maintenance and repair for Bellanca. It represents new LED lights around the building and signage lights.

Mr. Alfree drew attention to the Receipts line that shows funds received from the Trust's insurance carrier for the Penn Mart lawsuit. A check will be issued to Mr. Goddess.

**Mr. Castagno made a motion to approve the 2/28/15 Treasurer's Report as submitted. Mr. Episcopo seconded. Motion approved.**

LAND MANAGEMENT COMMITTEE REPORT – Mr. Wilson reporting.

- Dunkin Donuts – The owner has the lease and the committee anticipates action by next month. Mr. Castagno asked if a survey will be done to delineate rentable land. He is

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concerned that a clear line is determined. Mr. Taylor said it is a separate tax parcel. We are leaving it the same for now because it is short-term (maximum two years). When a development plan is done for the Tremont parcel it will get redrawn.

- Mexican Restaurant – They are still interested in renting the old AT&T building for storage. Mr. Taylor will prepare a lease for their review.
- M&T Lease (24-hour teller) – The lease runs until August 2016; no action at this time.

OUTREACH COMMITTEE REPORT – Mr. Meek reporting.  
Mr. Meek has an issue to discuss in executive session.

PROPERTY MAINTENANCE COMMITTEE – Mr. Viola reporting.  
A list of projects/activities was circulated and reviewed.

- Drew Hayes will give a presentation on drainage, engineering, and progress for Battery Park. He will begin at 6:30 p.m. prior to the next Board meeting.
- Expecting inspection by contractor monitoring movement of the building the second or third week in March. The contractor report will be given at a later date.
- 14<sup>th</sup> Street and Washington Street Lot – Mr. Castagno said that DelDOT is on target to move the trailer by the end of the month.
- Status of Quotes and Vendor Selection for Grass and Landscaping Contract – The process has started and the committee will be inviting proposals and assessing. The scope of work will be defined for all interested vendors. Mr. Alfree said any Board member can see the scope of work. He added that once proposals are received they need to be made available in the Trustee Office for any Board member to review. Proposals will be voted on at the April Board meeting.
- Washington Park Playground (Little League) – The original location is a wetlands delineation. There is a lot involved with permits, Army Corps of Engineers, etc. to clear an area. Mr. Wilson will be meeting with City Administrator Bill Barthel, City Councilman Albert Vannucci and the City Engineer. The Trust is clearing the land and the City will install the park and maintain it. The land is owned by the Trust. If the park is deeded to the City it must be used for park purposes and if that use ceases to operate, then the property would revert back to the Trust. Appropriate signage acknowledging the Trustees will be put in place.
- Meadow Plan – A scope of work is finished. A report will be given after the committee has reviewed it. Ms. Fiske asked to see the meadow plan; Mr. Wilson will get a copy of the plan to her.

FINANCE COMMITTEE REPORT – Mr. Gallagher reporting.

Budget materials were distributed prior to the meeting. The annual budget for 4/1/2015 to 3/31/2016 was reviewed by page beginning with Administration.

Administration – Archives/Filing was added for office equipment and staffing. Principal/Interest was added to offset capital funds.

**Mr. Meek made a motion to approve Administration as submitted. Mrs. Ross seconded. Motion was approved.**

Property Maintenance – Mr. Castagno informed that an agreement is now in place with the City that the Trustees are no longer involved with Broad Dike, including the sluice gate. The amount of \$8,000 can be removed. The City owns the dike via an agreement they signed with DNREC. Mr. Taylor requested a copy of the written agreement for the Trust's records.

**Ms. Fiske made a motion to approve Property Maintenance, minus \$8,000 for Broad Dike. Mr. Gallagher seconded. Motion approved.**

Contributions – Mr. Gallagher thanked Mr. Meek for sending out a clarification on A Day In Old New Castle. Mr. Episcopo understood that a breakdown of costs for the \$10,000 that was budgeted would be provided. Mr. Meek said costs include the New Castle Police Department, program booklet, wrist bands, postage, flyers, signage, bus drivers, Lions Club tents, Jaycees, New Castle Historical Society and Read House. This funding is to help with start-up costs for one year.

**A motion was made by Mrs. Ross to approve Contributions as submitted. Ms. Fiske seconded. Motion approved.**

City Contributions – There are three (3) payments remaining for the storm water project.  
**A motion was made by Mr. Viola to approve City Contributions as submitted. Mr. Clayton seconded. Motion approved.**

The budget will be changed to reflect the deletion of \$8,000 from Property Maintenance. Mr. Alfree thanked everyone for their hard work during the budget process.

Mrs. Ross questioned scholarships being awarded based on financial need and scholastic ability. She did not think financial need was part of the process. Mr. Meek has confirmed through Scholarship Chairman Wynne Mund that there is a statement of financial need that comes from the family. It is left to the honesty of the family. Mr. Gallagher said the Trust has satisfied IRS requirements associated with scholarships.

**LIBRARY COMMITTEE REPORT** – Mr. Viola reporting.

The Library Board met with representatives of New Castle County, including County Executive Gordon and Senator Poore to talk about additional funding. Mr. Viola said it was a constructive meeting.

**OPEN SPACE COMMITTEE REPORT** – Dr. Yacucci reporting.

Ms. Fiske reported that City Council President Linda Ratchford called to thank the Trustees for contributing \$5,000 to shoreline protection (living shoreline). Mr. Gallagher reminded that an invoice is needed.

Bicentennial Park materials were distributed for review and potential vote in April. Maximum cost is \$100,000 plus a 9%-10% project manager's fee. This may be negotiable. Ms. Fiske informed there is a link to the planting plan. Mr. Meek requested that she email the link to the Board for convenience.

**BYLAWS COMMITTEE REPORT** – Ms. Fiske reporting.

Ms. Fiske complimented Mr. Alfree for informing the Board of election results prior to the monthly Board meeting. She plans on proposing to the committee that election results be sent to the Board the day after the votes for officers and committee members are counted rather than waiting for the next Board meeting. If the committee agrees it will be brought to the full Board as a bylaws, policies and procedures change.

Suggested changes and/or additions to the bylaws were provided prior to the meeting.

1. **Addition to Policies, Article X:** To amend a Bylaw/Policies/Procedure. For a Bylaw, Policy, or Procedure to be amended by the Board of Trustees:
  - a. First it is brought to the Bylaws Committee for discussion and suggestions.
  - b. At the following Board meeting it is presented for discussion and suggestions. During the intervening month Board members may make further suggestions.
  - c. At the Board meeting the next month it is brought up for a vote.
2. **If that is changed, then the following change to be made in Bylaws:**  
Article XIV Amendments: These Bylaws may be amended by the Board of Trustees at any regular meeting, provided ten (10) days' written notice have been given of the proposed amendment to the members of the Board. At that meeting the proposed amendment may be further modified and approved.

**Ms. Fiske made a motion to adopt the addition to Policies in place of the current Article XIV. Mrs. Ross seconded and the motion was approved.**

Article XIV would be changed to read, "These Bylaws/Policies/Procedures may be amended by the Board of Trustees. See Policies, Article X."

**Ms. Fiske made a motion that Article XIV of the bylaws be changed to "These Bylaws/Policies/Procedures may be amended by the Board of Trustees. See Policies, Article X." Mrs. Ross seconded. Motion approved.**

3. **Tying into all this and to be discussed:**  
The following was brought up and discussed when the Trustees divided the Bylaws into Bylaws/Policies/Procedures:

A Policy for changing them:

<u>To change</u>	<u>Proposed by</u>	<u>Approved by</u>
Bylaws	Any Trustee	Board approval
Policies	Any Trustee	Board approval
Procedures	Relevant committee	Board approval

**Ms. Fiske made a motion to insert the policy for changing them as presented. Mr. Gallagher seconded the motion. Motion approved.**

4. Article VIII, Disciplinary Actions: Any member of the Board of Trustees who intentionally or unintentionally violates any article or section of these **Bylaws** may have charges filed against him by any other member of the Board.

The Bylaws Committee recommends deleting 'Bylaws' and insert 'Bylaws/Policies/Procedures'. **Ms. Fiske made a motion to approve the change to Article VIII. Mrs. Ross seconded. Motion was approved.**

**For consideration/voting in April:**

Currently the Policies section contains the following for the Battery Park Committee:

5. Battery Park Committee -- The Battery Park Committee shall consist of at least five (5) persons, two of which shall be Trustees, but other members may be appointed from residents of the City of New Castle. The Committee shall report on the status of the Park and recommend expenditures for its operation and improvement to the Board.

No term limits are mentioned, and there is no direction on who appoints the residents. Mr. Castagno suggested a member of City Council be on the committee.

The Bylaws Committee is recommending changing the language to read as follows:

The Battery Park Committee shall consist of at least five persons, two of which shall be Trustees selected annually by the Board. One resident of New Castle will be appointed by the President, and one resident will be appointed by the City Council; these committee members will serve a term of three years, with a limit of two terms. After a hiatus of three years, a resident may serve again. City Council will select one Council member annually to serve on the committee. The committee will choose a chairman to serve for one year.

*(Ms. Fiske found a copy of a report prepared by Bill Lane, Bill Reader, and Anita Banks, presumably in the late 1980s, setting up the Battery Park Committee. It says that "the Park Committee of New Castle shall consist of: 2 Members of Trustees, 1 Council Person, 4 Citizens. Trustees will select 2 Trustees to serve on committee yearly and approve citizen appointments which are for a three year term. Council will select a Council person to serve yearly. All being voting members of the Committee, citizens with staggering terms.")*

Bylaws Policies: Article VIII, Standing Committees: Functions and Duties -- Current language reads:

6. Requests for grants of funds are to be submitted in writing on the form supplied by the Trustees, specifying in detail the purposes for which the money shall be used. Upon receipt of such a request, the support specialist shall forward a copy to the chairman of the Outreach Committee for its recommendation, which will be made at a regular Board meeting. All expenditures of funds shall be made only for the purposes for which the Trust was established as provided by its charter, and shall be consistent with the purposes of the Corporation.



Trustees of the New Castle Common  
Minutes of March 3, 2015

The Bylaws Committee suggests adding the following language:

Monies granted by the Trustees are to be disbursed on receipt of proof of purchase for the amounts spent by the recipient.

Mr. Meek would like to add language that receipts would be required for any grant. Mr. Wilson's position is to recommend quarterly receipts.

Mr. Taylor suggested it would be a good time to take feedback from the Battery Park Committee to define the roles of the Battery Park Committee versus what should come to the Board. Mr. Wilson's position is to recommend quarterly receipts.

BATTERY PARK COMMITTEE REPORT – Mr. Castagno reporting.

An update on new events on the calendar was provided. The committee is working to gather information for those events.

OTHER COMMITTEES

- Election – Mr. Alfree corrected information he provided earlier. He said officers of the Trust counted the ballots for officers. The chairmen of the four (4) major committees count ballots for officers and the officers count the ballots for committee assignments. Two of the four (Gallagher and Viola) chairmen were present to confirm the election results.
- Officers for the year 4/1/15 to 3/31/16:  
President – Thomas H. Wilson, Jr.  
Vice President – James I. Meek  
Secretary – Carlo F. Viola, Jr.  
Assistant Secretary – Michael J. Alfree, Sr.  
Treasurer – Henry F. Gambacorta  
Assistant Treasurer – Fred G. Gallagher, Jr.
- Mr. Alfree announced that as of 2/24/15 Mr. DeAscanis is the longest-serving Trustee in the history of the Trust with over 50 years of service.
- Mr. Alfree extended his family's appreciation for the donation made to the Wounded Warrior Project for his father.
- Interest in committee assignments need to be given out in April.
- Mr. Alfree thanked everyone for their support during his term as president.

COMMUNICATIONS – Mr. Viola reporting.

- Thank you letter received from St. Peter the Apostle Parish for the \$100 donation received on 1/26/15 in the memory of Galileo Leone DeAscanis.
- Mr. Wilson was contacted by a resident of Washington Park about dumping of trash on our property that needed clean up. He and Mr. Clayton visited the area behind the Little League fields and determined the area is not owned by the Trust. A letter will be sent to River Plaza to install jersey barriers to keep access to the area down. Mr. Tisdale will be updated on what has been done.

Trustees of the New Castle Common  
Minutes of March 3, 2015

- Ms. Fiske asked if a 'thank you' letter had been sent to M&T for the \$2,500 they sent the Trust. Mr. Alfree suggested following up with Ms. Fontinha.
- Valarie Ziminsky thanked the Board for its help with A Day in Old New Castle.
- Valarie Ziminsky sent a request to the Trust to inquire about partial funding for summer concerts. She is trying to get some personal funding and is finishing a grant for 2016 to the Delaware Division of the Arts. If successful it would provide roughly half the cost of the concerts with the hope of finding matching funds. There is interest in keeping the concerts. Ms. Ziminsky said Mr. Travers has about \$800 left that could be used for a mailing and articles in the newspaper about matching funds. Mr. Alfree said the Trust has always supported the concerts in concept and the Board would most likely entertain some kind of request. The Trustees did not budget funds this year because Mr. Travers did not request funding. The Board has waived this practice in the past. He further suggested Ms. Ziminsky submit a letter providing details and funding being requested. Future requests should go to the Outreach Committee via a grant request. Grant monies will not be available until 2016. Mr. Meek said the Board would want to know who will run the concerts. Ms. Ziminsky informed they have applied for a \$1,000 rolling grant for this year. She has not identified any matching funds that would help if the Trustees did half of a six-concert series. The Outreach Committee can make a presentation to the full Board once a request has been received and reviewed.

Action Items

- Land Management Committee to review the matter of a roadway behind new housing units at Bull Hill.
- Initial draft of bylaws, policies and procedures that includes an introduction that needs further work before becoming official to be sent to members. (Fiske)
- June Follow up--tracking Antonio's billables. (Alfree)
- Storage of Trust's Charter. (Mr. Alfree—12/1/14)
- Develop a procedure that will keep sensitive documents secure. (Alfree – 1/6/15)
- Mr. Taylor requested a copy of the written agreement for the Trust's records. (Castagno—3/3/15)

**At 8:20 p.m. Mr. Wilson made a motion to enter into Executive Session to discuss matters of real estate. Mr. Gallagher seconded the motion. Motion was approved.**

**Following a discussion of various real estate matters, a motion was made by Mr. Wilson to return to regular session. Mr. Gallagher seconded the motion and the Board reconvened at 9:10 a.m.**

**At the recommendation of the Outreach Committee, Mr. Castagno made a motion to add \$4,000 to the budget subject to final Board approval. The motion was seconded by Mr. Episcopo. The motion passed unanimously.**

**There being no other business, a motion was made and seconded to adjourn the meeting at 9:26 p.m. Motion was approved.**

Trustees of the New Castle Common  
Meeting Minutes  
April 7, 2015

Present: Messrs. Wilson (*President*), Meek (*Vice President*), Viola (*Secretary*), Alfree (*Assistant Secretary*), Gambacorta (*Treasurer*), Gallagher (*Asst. Treasurer*), Castagno, Clayton, DeAscanis, Episcopo, Yacucci, Ms. Fiske, Mrs. Ross, Mr. Taylor, Esq. Also present: Mr. Marinelli, Land Manager, Mrs. Turner, Stenographer, Terry Gormley, *New Castle Weekly*

The monthly meeting of the Trustees was held on Tuesday, April 7, 2015, in the Trustees Room of the Old Town Hall. Mr. Wilson called the meeting to order at 7 p.m. Moment of silence observed. Mr. Wilson took the oath of office for the position of Board President.

Prior to the Board meeting Drew Hayes of Foresite Associates provided a report on meadow design and planning, Battery Park bulkhead replacement, engineering, drainage, and conceptual design.

Public Input: Roger Clark of West Fourth Street reminded of the community's concern over a garden destroyed last year on East Second Street. He believed remedial action was to take place. In the past two (2) weeks eight (8) pine trees were removed at the tennis courts. He asked the Trustees for improved communications with the community and that full Board approval be required in cases of beautification in the city. He said he spoke to two Board members who had no knowledge of the removal of the pine trees. Mr. Wilson said the Property Maintenance Committee reported in the December Board meeting (read aloud) and there was also communication with the Tree Commission that was discussed at its 11/3/14 meeting and decided on 12/1/14 to remove the six (6) pine trees and two (2) spruce trees adjacent to the tennis courts. Replacement plantings were recommended by the Tree Commission and will be put in at some point. Pine tree needles falling onto the tennis courts causes safety concerns. At the January Board meeting it was reported that vendors were being reviewed in preparation for removal of the trees. Mr. Wilson suggested that residents contact the Trustee Office with future concerns on any subject and their concerns will be forwarded to the proper committee and be addressed. Mr. Meek asked Mr. Taylor if it would be appropriate to communicate to neighbors when some action is being planned. Mr. Taylor said it could be done but should be made a policy.

Sandy Beale, 26 The Strand, asked if there are plans to replace plantings removed at the Second Street gateway going to and near the restrooms. Mr. Episcopo said the ADA project/walkway is in the study and planning stage and planting should be put on hold until after the walkway portion is finished. Ms. Fiske asked about the bicycle corral. Mr. Episcopo said installation will be started this month and plantings could be done in June/July. Mr. Wilson said the Board will try to keep the public informed of the walkway's progress and residents are welcome to make suggestions for plantings. Ms. Beale is concerned with a health issue involving city parks; there is a lack of resources available to remove animal fecal matter. It sends a bad message and there should be accommodations made to resolve the issue. Mr. Wilson asked Ms. Beale to contact the city with her concern; they are responsible for removing trash in the park.

Susan Orchard, East Second Street, asked the Board to consider adding plants for Monarch butterflies in the meadows. She provided literature for a Monarch way station that is part of the Monarch Watch and explained the program. Mr. Wilson agreed to submit the literature to Mr. Hayes.

Trustees of the New Castle Common  
Minutes of April 7, 2015

Monthly Calendar: Board Meeting 5/5/15, 7 p.m.; Land Management Committee 5/4/15, 5 p.m.; Property Maintenance Committee-5/1/15, 8 a.m.; Finance 4/15/15, 12 p.m.; Outreach- none scheduled; Bylaws Committee 4/15/15, 5 p.m.

Minutes: Several corrections requested. **A motion was made by Mr. Gambacorta to approve the 3/3/15 Trustee meeting minutes as corrected. Mr. Clayton seconded the motion. Motion approved.**

Mr. Meek requested having hard copies of the minutes distributed in addition to the electronic copy. Copies will also be available at meetings and in the Trustee office prior to the meeting.

Land Manager's Report – Mr. Marinelli reporting.

- One tenant is in arrears and he is working with them.
- Tremont Motel has been taken down, grading work to be done, and advertising the property will take place soon. We are talking with a broker.
- Trash behind BJ's is bad. Richard Stat was contacted and the area has been cleaned up. Trash overflows behind the Farmer's Market into the storm water management facility. We need to think about how to approach the problem. Mr. Wilson suggested phoning Mr. Stat to handle the problem.
- Office renovations on the first floor are nearing completion.
- We are getting \$650 additional per month this year from increased rents. No appraisals are expected this year.
- There are six (6) authorized signatures now rather than the previous four (4) signatures. Mr. Wilson stressed not signing checks without knowing what the payment represents. Mr. Gallagher asked that check signers look for a signature from a Property Maintenance Committee member acknowledging receipt of a good or service before signing.

Mr. Wilson reported that Bellanca will be receiving a Cruise Air plane owned by the Smithsonian Institute. The plane will be assembled at the Bellanca hangar.

Treasurer's Report -- Mr. Gallagher reporting.

The Treasurer's Report was sent out electronically prior to the meeting.

**Mr. Episcopo made a motion to approve the 3/28/15 Treasurer's Report as submitted.**

**Mr. Yacucci seconded the motion. Motion approved.**

LAND MANAGEMENT COMMITTEE REPORT – Mr. Gambacorta, Acting Chairperson, reporting.

- Bellanca – They are working to get things done; a lot of activities are planned.
  - Insurance – Bellanca asked if the Trust is insured on their policy and whether the Trust wants Bellanca to be on their policy. Messrs. Gambacorta and Marinelli and the Finance Committee will resolve this issue.
- Airbase Carpet Mart – Waiting for Airbase's financial report for 2014. Additional information will be discussed in executive session.
- Little League – Mr. Wilson said the league wants to install a "batters' eye" fence (approx. 4½'). It is green turf on the inside of the fence giving the batter an unobstructed view. Mr. Wilson confirmed a written request via email was received from the Little League.

**Mr. Gambacorta made a motion to approve installation of fencing. Mr. Gallagher seconded the motion. Motion was approved.**

OUTREACH COMMITTEE REPORT – Mr. Meek reporting.

The normal grant cycle is completed. At last month's meeting Valarie Windle and the Partnership asked that we reconsider the concert series. Friends of New Castle Alliance will seek grant support. They have submitted an application for \$4,000 for next year. The Outreach Committee agreed not to take over full responsibility, but is recommending that \$4,000 be granted to allow as many concerts as possible while seeking funding from other sources.

**Mr. Meek made a motion to give the Partnership a \$4,000 grant in support of the concerts for this season. Ms. Fiske seconded.**

Mr. Gallagher clarified that at last month's meeting the Board agreed to put \$4,000 in the budget for this item subject to Board approval.

Ms. Gormley informed the effort to gain funding is a collaboration between the Partnership and the New Castle Weekly. The cost is approximately \$10,000 for a series of eight (8) concerts. They are trying to get donations to fund as many concerts as possible. The city is working with their group to reduce the cost of insurance by adding them as a rider under the city's policy. **The motion was approved.**

PROPERTY MAINTENANCE COMMITTEE – Mr. Viola reporting.

A list of projects/activities was circulated and reviewed.

- Bollards at the Sailing Club are completed. Some club members asked Mr. Wilson about installing a chain link between the bollards to help keep people from entering. Mr. Clayton voiced concern with liability. Mr. Castagno said the vendor expressed strong objections to such a fence.
- Tree removal at the tennis courts was disturbing given the amount of discussion at committee and Board meetings. Roots from the trees were impacting the courts and tree needles caused safety issues on the courts. Mr. Gallagher suggested the Board adopt a policy that whenever a tree is removed another is planted somewhere. Mr. Clayton is obtaining prices for replacement shrubbery now. Mrs. Ross wanted to know if the Trustees are liable for injuries on the tennis courts. The city owns the courts and should be covered on the city's policy. Mrs. Ross asked Mr. Taylor to confirm the Trustees have no responsibility for injuries.
- Mr. Gallagher suggested putting in some kind of barricade in front of Old Town Hall to prevent vehicles from hitting the building.
- Little League Playground – Mr. Wilson reported when an area is cleared a drainage pond is required. He does not want to install a run-off pond next to the playground. Mr. Castagno explained the regulatory language and the engineer (McBride & Ziegler) will need to identify a way to mitigate the pond. We are working with our wetlands expert (Jim McCulley) to determine how the land can be kept as a 'wooded' status, which would relieve the requirement of having to install a pond.

Trustees of the New Castle Common  
Minutes of April 7, 2015

- Clearing of parking lot at Washington and Delaware Streets – Mr. Castagno said DelDOT is having problems (reworking certain specs.) with the Washington & South Streets project and will clear the area when finished.

Mr. Wilson advised if there are questions about the Property Maintenance Report they should be directed to the committee chairperson.

FINANCE COMMITTEE REPORT – Mr. Gallagher reporting.

- Our current insurance carrier has notified us they will not renew coverage because of recent litigation we have been involved in. The Finance Committee suggests trying to find coverage for six to seven months so that policy would be coterminous with our other two policies and we could bid all three policies simultaneously. The committee identified a new carrier, completed the application, and approved same. The former policy expires on 5/9/15 the new policy will pick up that date and expire to be concurrent with the other policies.
- A capital needs assessment RFP was sent out today and should be returned by the end of the month. They hope to award the contract next month. Board members wanting to review proposals are welcome.
- The committee discussed ways to handle having more viability of grants being awarded. The committee would like to work with the Outreach Committee to develop a policy requiring receipts to identify where funds were used. Discussion followed.
- The committee is looking at the feasibility of setting up a requisition/purchase order system that provides more control before a commitment is made to a vendor. Mr. Castagno questioned the purpose for this directive. Mr. Gambacorta clarified that before a check is cut they want to make sure it does not exceed the amount allowed, has been properly bid, and is within the budget.

LIBRARY COMMITTEE REPORT – Mr. Viola reporting.

They are moving ahead soon to get the ADA ramp installed for the Children's Garden.

OPEN SPACE COMMITTEE REPORT – Dr. Yacucci reporting.

Bicentennial Park – The committee suggested breaking up the work in phases so it will be less expensive each fiscal year. Mr. Episcopo suggested the Property Maintenance Committee could handle removal of existing trees and patio fence sign rather than paying for a project manager. Project Manager fees are 9% to 10% of the installation price and they are willing to work with us to lessen the fee. Mr. Wilson asked why the Property Maintenance Committee couldn't assign a property manager from their committee to be more cost effective. Ms. Fiske believes that some parts of the project require certain expertise beyond what the committee or Board could provide. The committee has accepted \$2,500 from M&T Bank for the park and the total cost is approximately \$75,000. Mr. Wilson believes the amount being spent on the park is not warranted. Ms. Fiske justified the expense saying the park is in the center of town next to the Old Town Hall, The Arsenal, the New Castle Court House, and Sheriff's House. Mrs. Ross supports the park saying over \$200,000 is being spent on a parking lot at Bellanca that is out of the city. Mr. Meek does not believe the cost is out of line.

*(The \$2,500 from M&T Bank is dedicated to this park and cannot be used for anything else.)*

Ms. Fiske suggested that Sarah Minnich meet with the Property Maintenance Committee to discuss areas Ms. Minnich thinks should be handled by a project manager and what the committee could handle. Ms. Fiske thinks there will be problems if the committee and Ms. Minnich do not work together. Messrs. Gallagher and Episcopo think the Property Maintenance Committee could oversee Phase 1 of the project.

The first stage of the project includes installation of a wood fence around the garden.

**Ms. Fiske made a motion to approve installation of Stage 1 of Bicentennial Park as a capital project, \$19,000 plus the project manager's fee, if necessary, and that the Board request Sarah Minnich, designer of the plan, discuss with the Property Maintenance Committee and Open Space Committee the design and how to go about Stage 1. Mrs. Ross seconded the motion.** Consultants meet with PMC onsite to develop a plan and determine costs.

Roll call vote called.

Mr. DeAscanis – yes

Mr. Alfree – yes

Dr. Yacucci – yes

Mr. Gallagher – yes

Ms. Fiske – yes

Mr. Clayton – yes

Mr. Castagno – yes

Mr. Gambacorta – yes

Mr. Viola – yes

Mrs. Ross – yes

Mr. Meek – yes

Mr. Episcopo – yes, as long as the Property Maintenance Committee will oversee.

Mr. Wilson – no

**Motion approved by a vote of 12 to 1 (Wilson).**

Mr. Viola added the professor (Jules Brock) running the program prides herself and her students on being fiscally reasonable and this should be followed up when Ms. Minnich meets with the committees.

BATTERY PARK COMMITTEE REPORT – Mr. Castagno reporting.

No update at this time. The next event will be the Sailing Club/Battery Park Clean Up planned for 4/18/15.

OTHER COMMITTEES

No reports.

COMMUNICATIONS – Mr. Viola reporting.

Trustees of the New Castle Common  
Minutes of April 7, 2015

- A resident on Casimir Drive contacted the Trustees about her ongoing dissatisfaction with trees hanging over her property (41 Casimir Drive). Mr. Marinelli informed the resident we cannot address the trees. Mr. Taylor confirmed the homeowner can cut any limb hanging on her property.
- New Castle Public Library – Letter from Chris Cashman to County Executive Tom Gordon, regarding funding for the New Castle Library and the library's request for an additional \$85,000 in FY2016 to make up for a projected shortfall.

Action Items

- Land Management Committee to review the matter of a roadway behind new housing units at Bull Hill.
- Storage of Trust's Charter. (Mr. Alfree—12/1/14)
- Develop a procedure that will keep sensitive documents secure. (Alfree – 1/6/15)
- Mr. Taylor requested a copy of the written agreement for the Trust's records. (Castagno—3/3/15)

**At 8:55 p.m. Mr. Gambacorta made a motion to enter into Executive Session to discuss matters of real estate and discuss ad hoc committees. The motion was seconded by Ms. Fiske and approved by unanimous vote. (The President called for a five minute recess.)**

Numerous issues and/or information were discussed pertaining to real estate and ad hoc committees. **A motion was made, seconded and approved to return to regular session.**

**Mr. Alfree made a motion to place a rent/lease sign at the site of the old Tremont Motel/Dunkin Donuts property and the sign will include the message, "Brokers Protected." Further, it was agreed that the Land Management Committee is authorized to negotiate commissions with brokers and that the Board President and Finance Committee are authorized to sign the commission agreement." The motion was seconded and passed by unanimously vote.**

There being no other business, a motion was made and seconded to adjourn the meeting at 10 p.m. Motion was approved.



Trustees of the New Castle Common  
Meeting Minutes  
May 5, 2015

Present: Messrs. Wilson (*President*), Meek (*Vice President*), Viola (*Secretary*), Alfree (*Assistant Secretary*), Gambacorta (*Treasurer*), Gallagher (*Asst. Treasurer*), Castagno, Clayton, DeAscanis, Episcopo, Yacucci, Ms. Fiske, Mrs. Ross, Mr. Taylor, Esq. Also present: Mr. Marinelli, Land Manager, Mrs. Turner, Stenographer, Terry Gormley, *New Castle Weekly*

The monthly meeting of the Trustees was held on Tuesday, May 5, 2015, in the Trustees Room of the Old Town Hall. Mr. Wilson called the meeting to order at 7 p.m. Moment of silence observed. Mr. Wilson read the definition of “fiduciary relationship” as it appears in Black’s Law Dictionary.

Public Input: Judy Baldini thanked Mr. Wilson for holding an informational meeting on 4/23/15 for the public to explain what the Trustees do and why.

Monthly Calendar: Board Meeting 6/2/15, 7 p.m.; Land Management Committee 6/1/15, 5 p.m.; Property Maintenance Committee-5/29/15, 8 a.m.; Finance 5/20/15, 12 p.m.; Outreach- none scheduled; Officer’s Meeting 5/18/15, 6 p.m.

Minutes: Several corrections noted. **A motion was made by Mr. Gallagher to approve the 4/7/15 Trustee meeting minutes as corrected. Mr. Episcopo seconded the motion. Motion approved.**

Land Manager’s Report – Mr. Marinelli reporting.  
Nothing to report.

Treasurer’s Report -- Mr. Gallagher reporting.  
The Treasurer’s Report was sent out electronically prior to the meeting.  
**Mr. Viola made a motion to approve the 4/30/15 Treasurer’s Report as submitted. Ms. Fiske seconded the motion. Motion approved.**

LAND MANAGEMENT COMMITTEE REPORT – Mr. Gambacorta reporting.

- Airbase Carpet Mart – Contesting their rent increase. Tenant has not responded to the committee’s request for financial reports for 2014. The committee has received reports for 2012 and 2013.
- Dunkin Donuts – Lt. Tom Sheehan has requested removing the clause “without having to tear down the building when he vacates.” The committee recommends that we do not remove that clause from the lease. Lt. Sheehan has been notified, but has not responded to date.
- Mexican Restaurant – Mr. Taylor reported the committee reviewed the lease and revisions have been made. Revised lease will be given to the tenant.
- The committee recommended giving a lease extension to Carriage Realty through 2033 (previously approved). The amended lease is now with their attorney.

OUTREACH COMMITTEE REPORT – Mr. Meek reporting.  
Nothing to report.

PROPERTY MAINTENANCE COMMITTEE – Mr. Castagno reporting.

A list of projects/activities was circulated and reviewed.

- 14<sup>th</sup> and Washington Street Lot – Mr. Castagno spoke to DelDOT who have indicated they plan to be off the property by the end of May.
- Town Hall West Wall Evaluation – Mr. Viola reported on the structural engineer's quarterly analysis (6 months). (*Information distributed to the Board.*) With the exception of one area, all the results are small and could be caused by thermal changes and other influences on its materials.

Additional requests for approval and/or discussion.

- Battery Park Police Department/Code Official – The committee is requesting \$7,500 for summer 2015.

Mr. Castagno informed this is a request from the city for help with code enforcement, specifically at Battery Park. The Trust has funded two bike policemen for a number of years and dedicated to the park. Over the years their service expanded beyond the park. The Trust has not been supporting a public safety investment nor is it this Board's responsibility. But if the Board wants code enforcement at Battery Park we need to fund an additional officer. The city would like to hire one more person for the bike patrol and dedicate that officer to the park and river walk daily with a concentration on Wednesday through Sunday from 2 p.m.-10 p.m. They would monitor the park and river walk (property south of the sailing club) and enforce all city codes. The bike patrol would also be considered "ambassadors" for the park.

**Mr. Castagno made a motion to sponsor \$7,500 to go towards the employment of a third bike patrolman to be involved in a mandatory three-officer rotation at Battery Park on a daily basis 8-10 hours daily or modified according to hot spots. The officer will ask for weekly reports (citations, warnings) to know what is happening in the park and make corrections as needed. Mr. Meek seconded the motion.**

Mr. Meek expressed concern with writing citations. Mr. Castagno said the officers are bound by code to write citations for breaking the laws. The police chief would start with written warnings to help educate the public followed by written warnings and citations. Mr. Alfree said the city actively brought the federal government to the city and the increased attention of the general public needs to be addressed by the city. He agrees with a one-year limit for funding of the third bike patrol officer, but emphasized funding will not be ongoing. Mrs. Ross mentioned that last summer she often observed two bike patrol officers riding together rather than spreading out through the area. Mr. Castagno said it is to be guaranteed there will be one bike officer in the park and river walk, particularly Wednesday to Sundays from 2 p.m.-10 p.m. **Motion approved.** (*Mr. Castagno reminded that this funding is not part of the budget and could be taken from the Battery Park budget.*)

- Penn Farm Solar Installation – MSC requests space for solar panels. (*Information distributed to the Board.*) By state law MSC must have a certain percentage of their

power source provided by green energy by about 2020. They are asking for permission/easement to place one to three solar panel grids in the well head protection area. Per city code, no pesticides can occur in a 300' radius of the well head. (The well head provides all of the City of New Castle's drinking water.) One grid line would be needed to power the processing plant, and potentially three grid lines, which would exist off School Lane. Location is near the new trail on Route 273 and will be visible from Route 273. Educational signage about the Route 273 trail will be placed. Delaware Greenways Initiative (DGI) is supportive. If the Board agrees it would go to the Land Management Committee and Mr. Taylor to draw up easement development language.

**Mr. Castagno made a motion to approve MSC's use of the subject property as described for solar panel installation. Mr. Gallagher seconded the motion. Motion approved.**

Mrs. Ross asked for information on the Penn Farm farmhouse. Mr. Alfree has had discussions with DGI and thinks we should focus on a new lease for Penn Farm over the summer. Mr. Wilson agreed and suggested taking some restricted funds to hire an architect and engineering firm to provide estimates for work to be done, then present that data to DGI. Concepts for use of the building were discussed. Mr. Alfree believes the Board has already decided to use the farmhouse as a house. Mr. Wilson directed the Property Maintenance Committee, Finance Committee, and Penn Farm representatives to meet in May to determine a path forward. Mr. Wilson asked Mr. Gambacorta to make the lease a priority.

Mr. Meek informed that measured drawings done by the University of Delaware (Rebecca Sheppard) are very nice and could be used for a grant request for Penn Farm. The UD report is expected in June 2015. Mr. Viola suggested taking advantage of preservation tax credits.

*Dog Feces – (Follow up to public input about providing bags for dog feces in Battery Park at last month's Board meeting.)* Mr. Gallagher has done research that shows it is not inconsistent with the carry in/carry out bags to provide the bags.

**Mr. Gallagher made a motion to provide biodegradable dog waste bag dispensers at the boat house and Delaware Street entrances to Battery Park that can be used by people walking their dogs in the park. Mr. Meek seconded the motion.**

People who do not bring bags with them cause problems by leaving dog feces along the walkway and throughout the park. Enforcement will help with this problem. Mr. Viola remembered nice dispensers in the park a few years ago. Mr. Castagno does not see dog feces as a problem and wonders what providing bags will accomplish. He has seen small amounts of dog feces during his trash inspections of the park. Ms. Fiske supports providing bags and has cleaned feces not only for her dog but others. Mr. Meek said there is a disadvantage involved with providing bags and trash containers that are then used by people for trash generated while they are in the park. He has seen dog feces, but agrees with Mr. Castagno that the problem is small in comparison to goose droppings. Mr. Gallagher does not see the 'carry in/carry out' principle as a problem. He further suggested putting the bags out to see how

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many people use them. The city would need to be involved to put out a trash container. He proposes putting in bag dispensers. The cost will be incurred by the Board. Mr. Wilson asked to table the motion until September to give the enforcement officer time over the summer to address the problem. Mr. Castagno believes the city should be addressing, i.e., maintaining and managing bag dispensers.

Roll call vote called.

Mr. DeAscanis – yes

Mr. Gambacorta – yes

Mr. Yacucci – no

Mr. Gallagher – yes

Ms. Fiske – yes

Mr. Clayton – no, we should wait to see how the enforcement officer works out.

Mr. Castagno – no, we should wait to see how the enforcement officer works out and because there is no problem.

Mr. Alfree – no

Mr. Viola – no

Mrs. Ross – yes

Mr. Meek – yes

Mr. Episcopo – no

Mr. Wilson – no

**Motion failed by a vote of 7-6.**

FINANCE COMMITTEE REPORT – Mr. Gallagher reporting.

Drawdown – We were over budget by approximately \$23,000 this past year. The notes explain some of the expenses involved with the overage. Mr. Gallagher said it is very clear why we went over budget and is satisfied all expenses were justified. Mr. Castagno noted there are some capital items in the operating budget, but since introducing the capital budget process we have been able to delineate those items and be more specific to the maintenance budget.

Under the current fiscal year Mr. Castagno asked that the tennis court line item be shown under Battery Park. The expense was already accounted for in the Battery Park forecast. Mr. Meek questioned the approximate amount of the PNC Securities Transfer from Restricted Fund and was told it is between \$5 million and \$6 million. Most of the PNC Securities Transfer is in restricted funds. Money coming in is restricted and automatically reinvested.

Under Capital we approved \$586,000 and to date we have used \$132,000. This leaves \$454,000 approved for projects. We have not used any line of credit to date.

Ms. Fiske questioned the size of the report. Mr. Gallagher said the additional pages show expenses by month. Going forward, he will ask the Trust office to print the first three pages (operating and capital) and not provide the month-to-month data (available by request).

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Ms. Fiske asked for the status of the buildings assessment on Trust properties. There has been a pre-bid meeting and walk through. Three firms participated. Bids are due 5/8/15.

Investment returns (restricted and unrestricted) for the first quarter – PNC return on investment was 3.58 and Nicholson's return on investment was 2.04.

LIBRARY COMMITTEE REPORT – Mr. Viola reporting.  
Nothing to report.

OPEN SPACE COMMITTEE REPORT – Dr. Yacucci reporting.

Ms. Fiske read aloud a report on the meeting between the Property Maintenance Committee and Open Space Committee on 5/1/15 at 8 a.m. The group discussed Phase 1 of the Bicentennial Park installation with Sarah Minnich, its designer. Ms. Minnich has donated \$2,500 of her time and expertise. Professor Jules Brock also donated time (unknown amount). Committee members present: Messrs. Clayton, Viola, DeAscanis and Ms. Fiske.

Highlights:

- Holly trees will need to be removed for a variety of reasons. Antonio will be hired to remove the smaller trees and grind the stumps. The larger tree will be handled by Tree, Inc.
- The Property Maintenance Committee will oversee removal of the existing fence and sign and have the existing bricks stored for future use. All immediate neighbors will be notified.
- Ms. Minnich will get bids on grading and prep of the landscape to align with the planning plan. She will discuss with both committees the type of fence, type of wood and design, and who will install.
- The Board needs to decide whether to provide an alley to Cloud's Row houses by removing 3' of the 29' width of the park. Further discussion at this meeting. Mr. Taylor informed there an easement that is interrupted by a low brick wall. The easement reads that each deed specifies there is an alley way easement area that benefits residents of Cloud's Row. Those residents have created their own problem by putting up fences and the low brick wall that blocks their access to the alley way. A violation of the easement would be enforceable by those property owners who benefit from the easement. Mr. Taylor believes the Trust will be addressing this in some way because residents continue to use the park for trash cans. Ms. Fiske said one side (north side) is Mr. Kramer's fence and the owners have erected their own fences. The Board would put up a fence of their own. Mr. Clayton inquired if the residents' fences are on Trust property. Mr. Viola suggested re-staking the property to know where the Trust's property line is located. Iron pipes (from previous survey) will be used as a guideline to removing all items that encroach on Trust property. Mr. Taylor will draft a letter to four property owners informing that all items on Trust property will be removed. The letter will mention there is a temporary easement on their property and it is not the Trust's responsibility to check it.

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Mr. Viola said the Board had talked about building a nice fence no more than 5', but the residents of Cloud's Row could erect a 6' fence. HAC may not permit a 6' high fence.

Mr. Wilson asked for clarification on the status of executing Phase 1. Ms. Fiske said the Board voted to move forward with Phase 1 last month. Funding up to \$20,000 for Phase 1 is in the budget. Phase 1 includes removal of trees, fences, bricks, and grading.

BATTERY PARK COMMITTEE REPORT – Mr. Castagno reporting.

Updated calendar – A Day in Old New Castle will have an old-time baseball event in Battery Park. Other events scheduled for the month are a wedding and a run that will go through the park.

OTHER COMMITTEES

No reports.

COMMUNICATIONS – Mr. Viola reporting.

Committee voting form – Mr. Wilson identified a mistake on the form. Strike Mr. Viola's name from the Land Management Committee and add Mr. Viola's name to Property Maintenance Committee. Mrs. Ross said the process was changed with the idea that Board members would put in information as to why they want to serve on committees. She said this has not happened. Mr. Gallagher said precedent has been set by some members sending out information about why they should serve on a committee. Mr. Wilson said it is the Board member's responsibility to campaign to be put on a particular committee. Mrs. Ross speculated that the former process of being appointed for committees by the president did not allow newer members an opportunity to serve, and expressed her concern that the same people seem to be on the same committees continually. Mr. Meek talked about term limits as being an option. The form is due by end of business on 5/15/15.

An invitation was made by Mr. Wilson that Board members are welcome to send an email to fellow Trustees to express their reasons for why they would like to serve on a particular committee.

Mr. Alfree raised the issue that the Assistant Treasurer is not an automatic member of the Finance Committee. Mr. Wilson suggested Board members should decide whether the Assistant Treasurer should be on the Finance Committee and this may need to be addressed in the future.

Mr. Wilson's next quarterly public meeting date has not been determined, but the topic will be committees and how they work. He will select three committees and coordinate with committee chairmen to make a presentation. Mr. Castagno suggested it would be a good time to talk about the difference between a working board and a policy board, the roles of each, and why there are differences. Mrs. Ross expressed her surprise that Mr. Wilson was having informational meetings with the public. Mr. Wilson said that he announced the meetings at last month's meeting.

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Ms. Fiske asked Mr. Taylor to explain the legal concept of ownership as it applies to the Trustees so members know our rights and responsibilities. Mr. Taylor said that in Delaware it is not a trust in the name of a trust that owns property, it is the Trustees who own property in trust according to terms of the trust. It ties in with Mr. Wilson's comments earlier in the meeting about the definition of fiduciary. Mr. Taylor views the Trust as being governed by several bodies of law: trust law, fiduciary, corporation (DE corporate law), political/governmental aspects. All of these areas play a role at times when trying to answer what is appropriate conduct for you as a Trustee. As 13 Trustees, Trustees are owners of Trust assets to do with according to terms of the Trust as set forth in your bylaws and the charter, and state law as it bears on your conduct as Trustees. (Mr. Wilson -- Blue Book, p.16, "Trustees are deeded the property and their successors", and we are the successors of the original 13.) Mr. Meek asked if in terms of commitment of funds, Trust law says who can commit funds. Mr. Taylor said Delaware corporate law says committees of the Board do have authority to bind the Board and that is when your votes on policies, bylaws, and procedures come into play to define what the authority is for those committees.

Action Items

- Land Management Committee to review the matter of a roadway behind new housing units at Bull Hill.
- Storage of Trust's Charter. (Alfree—12/1/14)
- Develop a procedure that will keep sensitive documents secure. (Alfree – 1/6/15)
- Mr. Taylor requested a copy of the written agreement for the Trust's records. (Castagno—3/3/15)
- Bellanca insurance issue. (Gambacorta, Marinelli, Finance Committee – 4/7/15)
- Property Maintenance Committee, Finance Committee, and Penn Farm representatives to meet in May to determine their path forward (architect and engineering firm estimates, new lease) on Penn Farmhouse. (Gambacorta – 5/5/15)

**At the end of the regular session, there being no more business, Mr. Gambacorta made a motion to enter into executive session to discuss matters of real estate. The motion was seconded by Mr. Gallagher and approved by those present. The executive session commenced at 8:55 p.m.**

**Following the discussion of several matters of real estate, Mr. Alfree made a motion to return to regular session. His motion was seconded by Mr. Gallagher and approved by those present.**

**The Board then resumed regular business. Mr. Gambacorta made a motion to grant the Land Management Committee the authority to establish the "asking rent" for the Tremont parcel. His motion was seconded by Mr. Gallagher and approved unanimously.**

**There being no further business, Mr. Alfree made a motion to adjourn. The motion was seconded by Ms. Ross and the meeting was adjourned at 9:15 p.m.**

Trustees of the New Castle Common  
Meeting Minutes  
June 2, 2015

Present: Messrs. Wilson (*President*), Meek (*Vice President*), Viola (*Secretary*), Alfree (*Assistant Secretary*), Gambacorta (*Treasurer*), Gallagher (*Asst. Treasurer*), Castagno (*via phone*), Clayton, DeAscanis, Episcopo, Yacucci, Ms. Fiske, Mrs. Ross, Mr. Taylor, Esq. Also present: Deborah Turner, Stenographer, Terry Gormley, *New Castle Weekly*

The monthly meeting of the Trustees was held on Tuesday, June 2, 2015, in the Trustees Room of the Old Town Hall. Mr. Wilson called the meeting to order at 7 p.m. Moment of silence observed.

Public Input: Laura Fontana gave an update on A Day in Old New Castle (ADIONC) because of the Trustees' grant of \$10,000. Ms. Fontana is the Vice President of the New Castle Community Partnership and treasurer of ADIONC. Three (3) groups participated in event activities; New Castle Community Partnership, Arasapha Club, and Friends of the Library. The event was very successful even with ticket sales declining the past few years. Ms. Fontana attributes the decline partly from competition with other local events. Media coverage included social media, Delaware Today magazine, radio interview, and the NewsJournal. Total income is \$16,671 which reflects \$4,150 in outstanding sponsorship monies. Expenses were higher because of signage and the City's new insurance requirement that they secure their own insurance rather than a rider. The proceeds from this year's event will be held over for next year's event and to further the mission of the three participating groups. After expenses are factored in they anticipate income of about \$10,000-\$11,000.

Candace Checchi, 2015 President of the New Castle Jaycees, is attending to learn about the Trustees. She was accompanied by Jerry Cheng, the 2015 Delaware Jaycees Treasurer.

Monthly Calendar: Summer meetings--committees will meet as needed and chairmen are requested to notice all Board members. Finance-6/17/15, 12 noon; Property Maintenance-7/3/15, 8 a.m.; Land Management-7/6/15, 5 p.m.

Minutes: Correction noted. **A motion was made by Mr. Gambacorta to approve the 5/5/15 meeting minutes as corrected and to include executive meeting minutes as prepared by Mr. Viola. Mr. Episcopo seconded the motion. Motion approved.**

Land Manager's Report  
Nothing to report.

Treasurer's Report -- Mr. Gallagher reporting.

The Treasurer's Report was sent out electronically prior to the meeting. Mr. Gallagher questioned high grass removal on Route 273 and tree work at Frenchtown Road and Casimir Drive. Mr. Clayton informed that MSC and the City reported two (2) trees falling on power lines in the area. Mr. Gallagher said those expenses were listed under "Other" and if they are to be charged to individual properties then the invoice should reflect same. Mr. Alfree suggested adding 'code enforcement' as a footnote explaining the \$8,000 expenditure.

**Mr. Alfree made a motion to approve the 5/31/15 Treasurer's Report as amended. Mr. Clayton seconded the motion. Motion approved.**



LAND MANAGEMENT COMMITTEE REPORT – Mr. Gambacorta reporting.

- Carriage Realty – Gregory Brown was interviewed at the committee meeting. Mr. Brown has submitted to take over the lease at Carriage Realty. The committee has reviewed his financial statements for the last three (3) years and recommends allowing Mr. Brown to take over the lease. **Mr. Gallagher made a motion to allow Gregory Automotive Group, Inc. to assign the existing lease over to Gregory Automotive Group, Inc. from Carriage Realty. Mr. Alfree seconded the motion. Motion was approved with 11 in favor and two abstaining (Castagno, Gambacorta).**

**Mr. Gallagher made a motion to approve the signing of the second amendment to the lease agreement and the memorandum of the lease. Mr. Alfree seconded the motion. Motion approved with 11 in favor and two abstaining (Castagno, Gambacorta).**

**Mr. Gallagher made a motion that Carriage Realty be released from any further obligation of the lease provided Gregory Brown agrees to be personally liable for the lease. Mr. Clayton seconded the motion. Motion approved with 11 in favor and two abstaining (Castagno, Gambacorta).**

*(As a matter of protocol, Mr. Gambacorta is abstaining from discussion and voting on these matters because a distant relative, John Gambacorta, is mentioned in the proceedings.)*

**Mr. Gallagher made a motion that the president and secretary be authorized to assign the assignment of the lease over subject to the approval of the Land Management Committee by email. Ms. Fiske seconded. Motion approved by unanimous vote.**

- Airbase Carpet – Protesting rate increase. After review of financial statements for the last three (3) years no rent adjustment will be made. They will be notified in writing.
- Dunkin Donuts – Mr. Sheehan has not responded to us. He does not want to be responsible for tearing the building down if he leaves the premises. No payments have been received. The committee considers his lack of response as his acknowledgement of all terms contained in the lease. A letter will be sent to Mr. Sheehan informing that we consider his lack of response as acknowledgement that he accepts the terms in the lease. Mr. Taylor will review the letter prior to it being sent.
- Mexican Restaurant – Lease is being reviewed by the restaurant and the committee is awaiting their response.
- Mr. Marinelli is doing an extensive review examining all lease terms relating to insurance. He has met with the Trustees' insurance representative and others making sure there is coverage, overlaps in insurance, and who is appropriate to be named on policies. Some of those insurance costs may be redirected back to tenants next year.

OUTREACH COMMITTEE REPORT – Mr. Meek reporting.

Nothing to report.

PROPERTY MAINTENANCE COMMITTEE – Mr. Clayton reporting.

A list of projects/activities was circulated and reviewed. Highlights of completed items:

- A large American elm tree was removed at Battery Park. John Lloyd was consulted and recommended removal of the tree. Replanting of another tree will be delayed until after work at Battery Park is completed. Discussion about elm tree treatment followed. This tree was injected last year at a cost of \$600. It is unknown if injections are still being done. Ms. Fiske said John Lloyd told her the elm tree in front of the Jefferson House is taken care of by the Trustees. She was informed it is not the responsibility of the Trustees.
- Playground equipment—One set of swings have been removed because of improper placement, the sliding board is out of service, mulch has been replaced.
- Bellanca – The parking lot is completed.
- Penn Farm -- The bathroom is close to completion. It will be locked and used for functions only.
- Frenchtown and Broad Marsh Tree Removals (recommended by the MSC and City Code Enforcement Officer) -- Can be reflected by property name in the Treasurer's Report ("Other").
- 14<sup>th</sup> & Washington Street Lot – Trailer has been removed and cleanup is in progress.

There is nothing new to report on drainage issues at Battery Park.

Penn Farm House Engineering Proposal – Mr. Alfree was directed (May 2015) to meet with Delaware Greenways Initiative (DGI) personnel to talk about the operation of the farm, what maintenance requirements there are, and language of the current lease. A report was given to Mr. Wilson who authorized its distribution to the full Board. It is a confidential report at this writing and intended to be kept in house. DGI is willing to enter into a new lease. The need for water for farming operations is an issue that needs to be addressed. DGI will work with MSC to discuss water supply. Mr. Alfree thinks an architectural and engineering firm familiar with historic properties is needed to determine what can and cannot be done at the farm.

**Mr. Alfree made a motion to authorize an expenditure not to exceed \$100,000 from the restricted fund account to fund an architectural and engineering contract to develop plans for the renovation and future uses for the house at Penn Farm. Mr. Clayton seconded the motion.**

Mrs. Ross asked for clarification on future uses for the house. The current lease references the house as a residence. Mr. Alfree said the intent of employing a qualified firm is to have them tell us what the house can be used for and costs involved. DGI is planning to have events which will make the property commercial versus residential and change zoning.

Mr. Meek is concerned that the Trustees determine what we want to do with the property first. We had discussed the house being restored to usable condition and rent it out, using as a residence, and using the house as a conference center, but he does not believe a decision was made on what we wanted to do with it. It depends on who is using the property and what our

vision is going forward. He is disappointed with DGI's accomplishments to date and isn't clear whether we should continue an affiliation with them. He supports the renovations made to the make the house more stable. He suggested developing a plan on what we want to do at the property, make a decision in the fall, and follow with an RFP identifying our plan.

**Mr. Meek made a motion to delay consideration of an RFP for development of the farmhouse until a decision has been made by the whole Board of the planned use for the building and to continue maintenance work on the farm that is needed to stabilize existing structures, not to meet proposed needs of DGI.** *(There is a motion on the floor; no action taken.)*

Mr. Alfree clarified that the decision to explore uses for the house is his idea and is not being presented by the Property Maintenance Committee. The Property Maintenance Committee cares for the farm the same as our other properties. Mr. Meek wants control of Trust properties to be returned to the whole Board when major decisions are needed.

Mr. Gallagher said the farmhouse is included in the Capital Needs Assessment and will have an engineer and architect look at it to help determine the condition of the property and what is needed to keep it sound. It has nothing to do with what the structure can be used for or making any suggestion for its potential use. Mr. DeAscanis said the building has been redone twice in his tenure as a Trustee.

**Mr. Alfree withdrew his motion and will revisit at the September Board meeting.** He suggested a new lease be negotiated, whether it is with DGI or another entity.

Mrs. Ross wants a clear understanding of what DGI is doing at the farm. They are not opening the farm stand this year citing renovations to be able to manage the stand. Mr. Clayton said DGI has secured a \$100,000 grant to work on the building. A new metal roof with insulation is planned for the farm stand. DGI is currently working on bids, doing engineering studies, and working with the State.

The Trust has a contract with DGI approved by this Board. Mr. Taylor said the Board has a right to enforce the lease via provisions in the lease. Changes to the lease should be by mutual agreement with DGI. It is a complicated property and has been a learning process for all parties. Ms. Fiske is concerned with inactivity from DGI and she doesn't see them doing much for the residents of New Castle. There is one year left on the current lease. She would like to impress upon DGI that we are eager to see substantial progress that benefits the residents of New Castle. Mr. Wilson thinks DGI has done a good job maintaining the farm. Several Board members disagreed with his statement, others agreed.

Mrs. Ross asked Mr. Alfree to detail DGI's short and long-range plans for the farm and barn to establish money-making endeavors. Mr. Alfree will provide the document to the whole Board. Mr. Clayton said the Trust has a lot of maintenance work left to do on the buildings. We are installing a commercial fire system in the barn, which is required to have any occupancy/events.

**Mr. Wilson tabled further discussion until a special meeting is called.**

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Mr. Meek will withdraw his motion provided the special meeting includes what we will do with the farm and discussion among the whole Board about reasonable plans for the property. Mr. Wilson assured him the issue would be discussed. **The motion was withdrawn.**

FINANCE COMMITTEE REPORT – Mr. Gallagher reporting.

The audit is underway. We have been made aware of new IRS requirements that will require the firm (WWD) to do additional reporting. The Finance Committee reviewed the options given to us and recommends taking the least expensive option that meets the law (between \$2,000-\$4,000) and allows the auditors to perform the audit.

**Mr. Gallagher made a motion to increase the operating budget by \$4,000 in order to pay the auditors and allow them to continue working to meet the IRS requirements. Mr. Meek seconded the motion. Motion approved.**

Mr. Gallagher has been working with Mr. Marinelli in reviewing insurance coverage. Our existing policy expires in October and the Board wants to put it out for bid. The committee and Mr. Marinelli have been meeting with our current carrier to review scope of work and make sure it is accurate before bids are mailed.

Capital Needs Assessment – Messrs. Viola and Clayton are working with Mr. Gallagher and Mr. Marinelli. RFP's were sent out and proposals have been received. We are now reviewing those proposals and hope to award the assessment to an appropriate architectural and engineering firm.

LIBRARY COMMITTEE REPORT – Mr. Viola reporting.

On Friday, 6/5/15, from 6 p.m.-8 p.m. the library is having a book sale to raise funds for the library. He stressed support from as many Trustees as possible.

OPEN SPACE COMMITTEE REPORT – Dr. Yacucci reporting.

Nothing to report.

BATTERY PARK COMMITTEE REPORT – Mr. Castagno reporting.

The next big event is Separation day. No new major applications have been received.

OTHER COMMITTEES

Ms. Fiske distributed a resolution and proposal she hopes the Trustees will support asking DNREC not to approve a Coastal Zone permit for Green Recovery Technologies to construct a poultry rendering plant near the Riveredge property. A public hearing will take place 6/17/15 at 6 p.m. at DNREC's office, Lukens Drive, New Castle. Mr. Wilson would like more information be sent to the whole Board. Terry Gormley shares Ms. Fiske's concerns and toured the plant. She disputed it being a poultry rendering plant. An article will be in this week's *New Castle Weekly*. Mr. Wilson will communicate with the Board any action to be taken after Ms. Fiske distributes the information to the Board.

Trustees of the New Castle Common  
Minutes of June 2, 2015

A list of committees for 2015-2016 was provided to all Board members. Messrs. Alfree, Meek and Wilson met on 5/18/15 to count votes submitted by the Board. Committees will serve from 9/1/15 to 8/31/16. Mr. Wilson asked for a volunteer to fill the fourth spot on the Outreach Committee. Mr. Meek inquired about plans for the upcoming election (November). Mr. Wilson will call a meeting during the summer and ask for volunteers to attend.

COMMUNICATIONS – Mr. Viola reporting.  
None.

Action Items

- Land Management Committee to review the matter of a roadway behind new housing units at Bull Hill.
- Storage of Trust's Charter. (Alfree—12/1/14)
- Develop a procedure that will keep sensitive documents secure. (Alfree – 1/6/15)
- Mr. Taylor requested a copy of the written agreement for the Trust's records. (Castagno—3/3/15)
- Bellanca insurance issue. (Gambacorta, Marinelli, Finance Committee – 4/7/15)

**At 8:30 p.m. Mr. Gambacorta made a motion to enter into Executive Session to discuss matters of real estate. The motion was seconded and approved.**

Several subjects were discussed during the session. **At the completion of the discussion Mr. Gambacorta made a motion to return to regular session. The motion was seconded by Mr. Gallagher and the Board resumed its regular session at 8:50 p.m.**

**A motion was made by Mr. Gambacorta to authorize the Land Management Committee to approve terms for assignment of the lease with Family Foundations Academy. Voting may be made by email. A change in use shall require Board approval which may be made by an email vote. The motion was seconded by Ms. Fiske. The Board voted unanimously to approve the motion.**

**A second motion was made by Mr. Clayton concerning the Meadows Project. In order to fund this phase of the project an increase in the budget amount from \$50,000 to \$80,000 is needed. The motion was seconded by Mr. Castagno and passed unanimously by the Board.**

**There being no more business, a motion was made by Mr. Alfree and seconded by Mrs. Ross to adjourn the meeting. The motion was approved and the meeting ended at 9:00 p.m.**

Trustees of the New Castle Common  
Special Meeting Minutes  
June 30, 2015

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

A special meeting of the Trustees was held on Tuesday, June 30, 2015, in the Trustees Room of the Old Town Hall. Purpose of the meeting is to discuss strategies and a new lease for Penn Farm. Mr. Wilson called the meeting to order at 7 p.m. Moment of silence observed.

**Mr. Gallagher made a motion to nominate Michael Alfree to serve out the term of Thomas Wilson on the Land Management Committee, effective immediately through the term of the next committee election. The motion was seconded and approved by unanimous vote.**

**A motion was made by Mr. Alfree to authorize and add an expenditure of up to \$100,000 to the capital improvement budget for the procurement of an architectural and engineering firm to develop historically sensitive construction documents for the restoration of the Penn Farm house. Motion was seconded.**

Mr. Gallagher asked for clarification that the exterior of the house will be appropriate for the farm and the interior will be a livable area. It is Mr. Alfree's recommendation that the exterior of the house be historically correct and the interior to be a functioning, modern 21<sup>st</sup> century home.

Mr. Viola has spoken with Joan Larabie who handles preservation guidelines who has said we can do whatever we choose to do on the interior.

Mrs. Ross asked why we are not putting out RFP's for firms to seek proposals for the work and how was \$100,000 determined when we do not know costs involved. Mr. Alfree said the RFP's will be sent to architectural and engineering firms who will submit proposals about what can be done there. The figure of \$100,000 is for budgeting purposes and, if approved, would be dedicated to the project. Mrs. Ross questioned approving funding now rather than waiting for RFP's to determine funding that will be needed. Mr. Alfree explained that approving funding now would save time later.

Mr. Meek questioned why the Board isn't deciding what we want to do with the house versus having firms tell us what we should do. The Board should decide what will be included in the RFP before we vote on it.

Mrs. Ross disagreed with putting a cap on the appropriation and believes the Board should describe what we plan to do with the farm on the RFP. She also believes we should finalize a new lease before the RFP process.

Mrs. Ross does not think we should vote on the funding. Mr. Gallagher would like the Finance Committee to have some input on the best place to take the funds taking into consideration our investments, etc. Mr. Taylor said the \$100,000 is being added to the capital budget and is not being spent on firms. The procedure lets those getting bids know there is funding in place.

**A roll call vote was taken.**

**Mr. DeAscanis -- Yes**

**Mr. Gambacorta -- Yes**

**Mr. Yacucci -- Yes**

**Mr. Gallagher -- Yes**

**Ms. Fiske -- Yes**

**Mr. Clayton -- Yes**

**Mr. Castagno -- Yes**

**Mr. Alfree -- Yes**

**Mr. Viola -- Yes**

**Mrs. Ross – Do we have an estimate of what it will cost for the study? Mr. Wilson informed the cost is not to exceed \$100,000. She reminded that the cost for the study to see if we could salvage the Banks Building was \$65,000. No.**

**Mr. Meek -- No. It is premature to vote before knowing what we want to do with the house.**

**Mr. Episcopo -- Yes**

**Mr. Wilson -- Yes**

**Motion was approved by a vote of 11 in favor and 2 against.**

Mr. Alfree volunteered to act as the Board's lead and work with Mr. Marinelli, Property Manager, to begin the process of advertising, getting bids and having information available for the full Board. Mr. Wilson directed Messrs. Alfree and Castagno (Penn Farm Committee) to work with the Finance Committee and Land Management Committee and keep everyone informed.

Ms. Fiske said that there has been no amendment to extend the farm house lease since 2012. Mr. Taylor stated DGI has an option to renew the lease that is in effect, dated 6/7/11.

Mr. Alfree earlier recommended revisiting the current farm lease with DGI. DGI has two five-year options. Mr. Wilson does not think we have the right to discontinue the lease. Upon hearing of the option to renew, Mr. Alfree withdrew his recommendation to consider a new lease.

Ms. Fiske read section 4, page 2, Options to Renew, from the lease.

Mr. Gallagher thinks it is irresponsible to have a lease that we know we are not following without correcting it. DGI is not working on the house and is not making repairs; the Board is going to assume both.

We should revisit leases we have with nonprofits; they should be an accurate reflection of the agreement between them and the Board.

Mrs. Ross said that since DGI has not adhered to the lease, does the farm revert back to the Board. DGI broke the lease and we need to determine whether they should be allowed to continue. She is concerned that DGI is not financially sound.

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The discussion turned to options for the farm and whether DGI should be removed from the farm. Mr. Castagno wants to know what the issues are and record them accordingly. Each Board member was given the opportunity to speak.

It is Mr. Meek's intention that the Board has information to help us decide whether DGI should continue as the farm tenant. He believes DGI has not been performing well and does not support their staying on as tenant. He thinks there are other organizations capable of occupying the farm. He wants to retain William Penn High School (Farm to Table) and Paul Lester (farmer) and mentioned Coverdale Farms as a possible tenant. We should have increasing community activity.

Mrs. Ross agreed and thinks the Board should discuss whether DGI has attempted to abide by the lease. She does not think they have done so.

Mr. Viola expressed frustration with having to respond to accusations and assertions made by some Board members. Board members who know the most of what has taken place at the farm know DGI is doing the right thing. He questioned finding another group that has the connections that DGI has, stating that DGI is a trusted nonprofit. Mr. Viola is upset that some Board members are not aware of the progress that has been made at the farm.

Mr. Alfree offered no further comments.

Mr. Castagno said that RFPs were sent out and three responses were received. We hailed this Board's decision to use a nonprofit to manage and matriculate the property for the benefit of the residents of New Castle. He applauded DGI's efforts in bringing together State, County, and local governments, community groups, and providing educational opportunities. DGI has invested a lot of time and resources and hired a farm manager to manage the high school program and the farmer to till the farm. Asking any of our nonprofits to fundraise to improve our properties is not realistic. To consider pulling back when DGI has a legal right to continue would be detrimental. Mr. Castagno is a donor to DGI and he is aware of a few other Board members who have given DGI a donation. This Board has not given them our full support. The Board needs DGI and DGI needs our support. He said DGI is a phenomenal contribution to the community.

Mr. Clayton echoed Mr. Viola's and Mr. Castagno's comments. He supports DGI at the farm.

Ms. Fiske understands that William Penn High School is paying two-thirds of Becca Manning's salary. She complimented the job Ms. Manning is doing. She clarified that five proposals were received, not three. She has been disappointed with the lack of progress at the farm. She cited the lack of a capital campaign committee that was never formed even with repeated requests for quarterly reports, and spending \$20,000 for a study rather than seeking a research grant. Rebecca Sheppard (UD) has not yet provided those documents to the Board. Ms. Fiske asked who is going to pay for the water for the farm. Lastly, the Board is supposed to see and vote on the plans for the farm stand, per the lease. She agrees with Mrs. Ross and Mr. Meek. She



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asked Mr. Taylor if DGI's financial situation is something the Board should be considering. Mr. Taylor responded that DGI has an option to renew (paragraph 4) and only if the landlord changes the use can there be any thought of termination with DGI.

Mr. Wilson noted that all of our nonprofits are not adhering to their respective lease. Mrs. Ross asked for examples. Mr. Wilson named Friends of Bellanca and the Little League. The Little League is supposed to get permits when they put equipment in and come to the Board to put in signage. Mrs. Ross has not heard of the issues with the Little League and asked who is responsible for overseeing same. Mr. Wilson replied that it was likely the Land Management Committee.

Mr. Gallagher questioned why the Board is having this discussion if we are not going to do anything with the lease for a year. He wants to get more information and recognized there are questions to be addressed. Discussion should be objective. This Board has agreed to take responsibility for the house, which is different from the lease that should be addressed at some point.

Mrs. Ross feels there should be accountability for what she feels is the lack of follow up on DGI activities. Further, it is the committee's responsibility to monitor the farm.

Mr. Viola thinks we are moving away the best structural process that helps make this Board efficient – committees. Having individual versions of what is going on with specific issues is not an effective method to follow. He asked if the Board is going to be a committee-based organization or not. We are not behaving like a committee-based group.

Mr. Yacucci thinks improvements are needed by DGI. This was a new endeavor to the Board and DGI. While DGI has not been perfect there is a lot of activity at the farm and things are better now than before DGI. If Board members are not happy with things, they should suggest changes to make it better? We need to move forward and he thinks the Board is wasting time going back and forth.

Mr. Gambacorta agrees with the time wasted, but we need to think 25, 50, 100 years from now. We need to do what is right for the Trust. The Quigley farm (now Penn Farm) was a working farm and a part of the community for years. We need to determine if we want a working farm or do we want a regional tourist farm.

Mr. DeAscanis offered no comments about the farm, but referenced tenure of Board members other than life members. There is a reason why Board members serve twelve years and do not return.

Mr. Episcopo has never seen a committee not get along. If there is a problem at the farm, one of the committees should communicate with DGI to discuss the issue. He has witnessed activity at the farm. Nothing is being done to the farm house, but DGI has gotten a grant to work on the farm stand. Once we get the report back telling us what we can and cannot do, then we can move forward. Arguing is not productive.

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Mr. Wilson's position is that we should not falter from what we are currently doing with DGI at this time. They are not perfect but are doing a fantastic job. They have been recognized for what they have done. Their management of the farm is good. MSC is excited to work with them. The Secretary of Agriculture is excited with what is going on at the farm. DGI is trying to live up to the lease. He agrees with Mr. Gallagher to look at all of our nonprofits and adjust all leases to accurately reflect what they are doing. This is one of the reasons why the Board decided we would take care of our properties. He would like to see DGI operate the farm and be a positive partner with us.

**Mr. Alfree made a motion to adjourn the meeting. The motion was seconded. He suggested a roll call vote.**

Ms. Fiske asked Mr. Taylor to confirm that when the farm house is fixed we no longer would have a lease with DGI. Mr. Taylor said if the 2012 amendment was signed then we would have control of the farm house. She referenced the update that stated DGI wanted the Board to do improvements to help them make money. She asked if the Property Maintenance Committee is going forward with improvements. There is nothing in the current lease about control over the money DGI makes on the farm.

Mr. Taylor informed there is a motion on the floor to adjourn that is a privileged motion that does not merit discussion and is to be voted on right away.

**Roll call vote.**

**Mr. DeAscanis – Yes**

**Mr. Gambacorta – Yes, there are comments to be made, but not everyone wants to hear them.**

**Mr. Gallagher – Yes**

**Ms. Fiske – Yes**

**Mr. Clayton – Yes**

**Mr. Castagno – Yes**

**Mr. Alfree – Yes, and he disagreed with not wanting to hear comments.**

**Mr. Viola – Yes**

**Mrs. Ross – Chooses not to vote and chooses not to be bullied.**

**Mr. Meek – No, because he would like to have made some comments about what Penn Farm and the high school has been doing, and what the committee has not reported on, but he did not have the chance.**

**Mr. Episcopo – Yes**

**Mr. Wilson – Yes**

**Motion was approved and the meeting adjourned.**

*(Deborah P. Turner, Stenographer, was not present at meeting. Minutes transcribed from recording.)*

Trustees of the New Castle Common  
Meeting Minutes  
September 1, 2015

Present: Messrs. Wilson (*President*), Meek (*Vice President*), Viola (*Secretary*), Alfree (*Assistant Secretary*), Gambacorta (*Treasurer*), Gallagher (*Asst. Treasurer*), Castagno (*via phone*), Clayton, DeAscanis, Episcopo, Yacucci, Ms. Fiske, Mrs. Ross, Mr. Taylor, Esq. Also present: Deborah Turner, Stenographer, Michael Marinelli, Land Manager, Alice Riehl, *New Castle Weekly*

The monthly meeting of the Trustees was held on Tuesday, September 1, 2015, in the Trustees Room of the Old Town Hall. Mr. Wilson called the meeting to order at 7 p.m. Moment of silence observed.

Mr. Wilson made several directives/comments as follows:

- Reminded the Board that we operate as a committee-based organization. Committee reports are presented monthly and matters requiring a vote by the Board are acted on then. Hard copies of committee reports are in the Trustees Office. He asked Board members to read the reports and if you have questions, direct them to that committee. Mr. Wilson wants committees to provide a report on their activities at Board meetings and keep debate of committee business to respective committee meetings.
- Officer meetings will be held on a quarterly basis. Reports to be given to the Board.
- Asked that the Land Management Committee send out their reports electronically.
- Likes the Property Maintenance Committee's practice of delegating assignments.
- Asked the Outreach Committee to seek other nonprofits within the City that can help in certain disciplines to better the quality of life of citizens. (*To be reviewed in the Outreach Committee report.*)
- Open Space Committee should develop better interaction with the Property Maintenance Committee and consider merging meetings.
- Election – The committee needs to begin having meetings.
- Newspapers – Requested they report on committee reports using the format used by the previous editor.
- Two town meetings are planned: "Committees of the Trust - How They Work and Why They Do What They Do", and a "Meadow Update – Next Steps" (second year).
- Volunteers are needed for the Outreach Committee.
- Committees should inform the Board who their chairperson will be for the coming year as soon as possible.

Public Input: City resident Roger Clark commended the contractor (Antonio) doing the mowing at Battery Park and the tennis courts.

Monthly Calendar: Finance-9/16/15, 12 noon; Property Maintenance-10/2/15, 8 a.m.; Land Management-10/5/15, 5 p.m. If any other meetings are scheduled the Trust Office should be informed.

Minutes: Correction noted. **A motion was made by Mr. Gambacorta to approve the 6/2/15 meeting minutes as amended. Mr. Clayton seconded the motion. Motion approved.**

Corrections noted. **Mr. Gambacorta made a motion to approve the special meeting minutes of 6/30/15 as amended. Mr. Gallagher seconded the motion. Motion approved.**

Property Manager's Report – Mr. Marinelli reporting.

Rent receivables are current. City taxes on all tenants' properties and Trust properties have been paid and most tax receivables have been collected. Effective July 2015, Gregory Automotive Group, Inc. took over as the tenant replacing Carriage Realty. Mr. Marinelli is working on the audit and is working with Mr. Taylor reviewing contents of the vault and garage.

Treasurer's Report – Mr. Gambacorta reporting.

Treasurer's Reports for June, July, and August 2015 was sent out electronically prior to the meeting. The first of four payments of \$55,000 was made to Cirillo Bros. for the parking lot.

**Mr. Gallagher made a motion to approve the 6/30/15 Treasurer's Report as distributed. Mr. Yacucci seconded the motion. Motion approved.**

**Mr. Gallagher made a motion to approve the 7/31/15 Treasurer's Report as distributed. Ms. Fiske seconded the motion. Motion approved.**

**Mr. Gallagher made a motion to approve the 8/31/15 Treasurer's Report as distributed. Mr. Episcopo seconded the motion. Motion approved.**

LAND MANAGEMENT COMMITTEE REPORT – Mr. Gambacorta reporting.

Mr. Gambacorta has been designated chairperson for the coming year.

- Airbase Carpet Mart – The tenant has indicated he will move if his rent is not lowered. He wants the Trust to renegotiate the lease. President Wilson, Messrs. Alfree and Gallagher will meet with the tenant once more to try and resolve the issue.
- Dunkin Donuts (DuPont Hwy.) – The committee agreed to remove the clause requiring Mr. Sheehan to be responsible for tearing the building down if he leaves the premises.
- Dunkin Donuts (Basin Road & Washington Street) – They are doing minor renovations to bring it up to Dunkin Donuts' standards. The committee has no problem with the renovations and approved the work.
- Verizon (Hare's Corner) – Bank of America wants to place an ATM machine at the Verizon store site. The committee approves this placement. No additional rent will be realized. Verizon will likely receive a commission. Mr. Taylor informed that Verizon's lease makes subleases subject to approval of the Board. The Board can put conditions on the approval to cover asphalt that gets torn up, etc. Heavy duty concrete and bollards will be installed and digging will be involved. Verizon is responsible for the parking lot per their lease. Safety was discussed and Board members are confident it is not an issue. The Board will not ask for any compensation. Mr. Wilson wants to make sure there is no cost to the Trust. Mr. Costagno suggested splitting the rent with Verizon. **Mr. Gallagher made a motion that Verizon be allowed to install a Bank of America ATM machine at the proposed location based on the plans provided and subject to negotiation resolving the terms of the agreement of the sublease. Ms. Fiske seconded the motion. Motion approved.**
- Clear Channel Billboards – A proposal to place four (4) billboards on Trust properties has been received from Clear Channel. The committee approved one billboard at Christiana Road and Route 273 (near Bunny Junction). A new exit will be installed on Route 273 at the

Wawa store making the area more attractive. Mr. Marinelli said Clear Channel is proposing a 30-year agreement. Rent would be \$500 per month. **Mr. Gallagher made a motion to approve the billboard at the Christiana Road and Route 273 location. Mr. Episcopo seconded the motion. Motion was approved.**

- Penn Mart – The tenant proposes erecting a solid fence between the Tremont property and Penn Mart citing a problem with vagrants passing through the property. The committee agreed to allow them to put up the fence on the Penn Mart side. Discussion followed about whether a survey was previously done. Stakes are needed in the ground to allow for the fence on Penn Mart's side. The committee agreed to pay for half of the survey, but will not contribute to the fence. **Mr. Gallagher made a motion that if a survey has to be done then the Trust would pay to have it staked properly. If it has not been done we agree to pay for one half for the survey. We will not pay anything for the fence. Mr. Alfree seconded the motion. Motion approved.** Mr. Alfree was requested to contact DelDOT about clearing up under the overpass near Airbase Carpet Mart. Mr. Meek suggested starting a database of digital copies of surveys that would be kept in the Trust Office.
- Bellanca – Amazon wants to rent the parking lot for the Christmas season. Amazon would like to begin using the parking lot in September. Bellanca will sublease to Amazon. Bellanca would keep any monies received. The lease prohibits bus or truck traffic from using the parking lot and gross vehicle weight will be 5,000 pounds or less. Bellanca is to have a 24-hour contact in place. The committee approves Bellanca's request. Amazon will need to provide proof of insurance. **Mr. Gallagher made a motion to allow Bellanca to enter into a short-term lease over the holiday season with Amazon subject to them verifying that they do not allow vehicles over 5,000 pounds on the property, they provide an insurance rider, and a 24-hour contact be provided in the event something comes up. Mr. Alfree seconded the motion. Motion was approved.**
- Old Library – Nancy Jodlbauer wants to lease the Old Library from the Trust for the New Castle Historical Society (NCHS). The committee supports the idea. NCHS plans on seeking an ADA exemption. The committee approves this request. Mr. Meek questioned whether the Board is taking over maintenance of the building. Mr. Wilson said the Trust would continue maintaining the building. Ms. Fiske asked if the NCHS cannot get an ADA exemption, is the Board then responsible for ADA provisions? The Board will decide what, if any, changes are made to the building. **A motion was made to lease the Old Library to the NCHS based on a letter prepared by Mr. Taylor articulating the Board's exact position. Ms. Fiske seconded the motion. The motion was approved.**

OUTREACH COMMITTEE REPORT – Mr. Meek reporting.

*(Mr. Wilson approached Mr. Meek with a request by Mr. Gambacorta made at a Land Management Committee meeting.)* There are a number of uninhabited buildings in the City that lower property values. The Land Management Committee has requested that the Outreach Committee look into helping to rehabilitate some of those buildings, if possible. Mr. Meek contacted Habitat for Humanity and they are willing to meet with us. Habitat's process is the Trust buys the property and deeds to Habitat. Habitat gets the financing for renovations needed and they hand pick the tenant. Ms. Fiske said that in the past there was a mechanism

in place where the Board bought properties, sold them to a contractor who then rehabilitated them and returned them to the Trust. Mr. Taylor said the program involved some properties in Dobbinsville with Dave Stewart (contractor). The Trust provided financing for the renovations and then sold them to people who would occupy them as their homes. Mr. Castagno noted that many of the derelict properties in the City are not for sale. He added that any rehabilitation efforts should begin with John Lloyd, City Code Enforcement Officer, who is looking into these properties. (*Lengthy discussion followed.*) Mr. Wilson asked the committee to talk with Mr. Lloyd and to include VanDyke Village, Washington Park, New Castle Manor, Baldton, Buttonwood, and Dobbinsville. He wants to refer to neighborhoods as satellite communities. Mr. Wilson urged Board members to share ideas or thoughts with the committee. Mr. Taylor will provide contact information for the New Castle County Department of Community Services, Neighborhood Stabilization Services to get 'model' information.

Ms. Fiske asked for the status of helping to fund the *Town Crier* newsletter that has been discontinued. There is still interest with many City residents to keep that publication. Mr. Wilson asked the Outreach Committee to contact Municipal Services Commission (MSC) to see if they are interested in splitting the cost of publishing the *Town Crier* publication with the Trustees.

Mrs. Ross informed that Mt. Salem Church has begun their funding for reconstruction. She informed them about the Trust's grant program. They are planning a celebration on 9/12/15 and would like to have a plaque in time for the celebration. They are seeking a 'two-phase' donation. The first is to help offset costs of the celebration and the second would be for the restoration of the church. **Mrs. Ross made a motion to donate \$250 to the Mt. Salem Church Celebration on 9/12/15. Ms. Fiske seconded the motion. Motion was approved.**

PROPERTY MAINTENANCE COMMITTEE – Mr. Viola reporting.

A list of projects/activities was circulated and reviewed. Highlights of completed items:

- The fourth structural evaluation on Old Town Hall will take place on 9/2/15. Data will be taken from the west side of the building. Mr. Viola read aloud a report from the structural engineer. The walls are bowed, there has been additional movement, but the changes are very small and likely due to thermal changes rather than something more concerning. After this evaluation we will have an idea whether any wall changes are progressive and concerning or within normal expectations. At this time it appears progressive movement is occurring at a slow pace.
- Historical tax credits have been received for the Third Street Library. We received about \$29,000. Mr. Viola suggested earmarking this money for use at the Old Library. Mr. Gallagher revisited the earlier discussion about the NCHS trying to get grandfathered as it pertains to ADA improvements. Mr. Castagno said there are numerous ways to remedy an ADA-historic building. As the tenant the NCHS will determine how to remedy the issue and bring their proposal to the Board for approval. Mr. Viola was commended for his efforts in following up and securing the historical tax credit.
- Farm Stand at Penn Farm – The farm stand plan is awaiting approval through DNREC (\$100,000). Once they approve the project a presentation will be provided. The approved

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DNREC plan will be in the Trustees Office for Board members to see. It includes an addition, green roof and cold storage.

- Mr. Castagno has received a request from Russ Smith, former National Park Service superintendent, to place a way finding sign in the area near Fort Casimir. He secured funding for the signage and requested the Board's permission to place the sign. A drawing was reviewed by Board members and will be addressed after Executive Session.

FINANCE COMMITTEE REPORT – Mr. Gallagher reporting.

- The audit report is done. The committee has met with WWD to review the draft and changes were submitted. The Board should have hard copies of the report in their mailboxes in the Trust Office in the next two (2) weeks.
- MSC Letter – We are no longer printing 3,500 tri-fold audit reports. The report is now being uploaded to the Trust's website. Residents have been alerted where to view audit reports via the MSC mailing. The *New Castle Weekly* and *Cobblestone* will also publish the notice.
- Mr. Marinelli is working with the committee on the insurance package to get bids on the three (3) policies we hold to be terminimus. We will use one agent.

LIBRARY COMMITTEE REPORT – Mr. Viola reporting.

Over the summer the library invited students and others who use the library to have lunch there. It was well done and very successful. No costs were borne by the Trust.

5<sup>th</sup> Street Library – They are close to starting the ADA ramp for the back of the library. The ramp will enable those with disabilities access into the children's garden.

OPEN SPACE COMMITTEE REPORT – Dr. Yacucci reporting.

Nothing to report.

BATTERY PARK COMMITTEE REPORT – Mr. Castagno reporting.

- 9/18/15 -- Bank of America Beach Cleanup
- 9/26/15 -- Art on the Green

The people involved with the antiques show did a good job taking care of the park during their event.

OTHER COMMITTEES

Penn Farm House – Mr. Alfree said the RFP for the farm house is on the Trustees website along with measured drawings, questions and answers from architectural and engineering firms. There are five firms that have expressed interest in making a presentation and submitting a bid on the house. Four of the five firms toured the house. The deadline for proposals is 9/10/15 at noon. A committee comprised of a group of Trustees could be selected to listen to proposals/presentations. The Penn Farm Committee could hold an open meeting for any Board member to attend to review the proposals. As information is received from firms it is being uploaded onto the Trustees website. Every effort is being made to provide all information. The beginning of the measured drawings is finished and will save substantial money.

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Mr. Meek inquired about the final written report from Rebecca Sheppard of UD noting it could be of benefit to firms submitting bids. Mr. Alfree will follow up with Ms. Sheppard.

The committee has been working with Delaware Greenways Initiative (DGI) to do an extensive cleanup of the barn. The downstairs and entire exterior has been cleaned. New plantings have been planted and ceiling fans have been installed in the barn. He added that DGI is working very hard.

Mr. Alfree suggested the Board consider hiring a professional shredder to dispose of personal Trust-related files/documents they no longer need. He suggested the amount of paperwork would warrant such a service. Mrs. Ross suggested making the disposal event a community event.

COMMUNICATIONS – Mr. Viola reporting.

Mr. Viola had no communications. Mr. Wilson read a letter from the Good Will Fire Co. requesting the installation of a soda machine in front of the fire house for citizens and visitors. The previous machine was stolen in the 1990s. The fire company now has cameras and can record the area where the machine would be located and it would be secured to the ground. Board members expressed their concerns with the machine creating a trash problem. No action was taken.

Mr. Wilson read an invitation to the annual Freedom Fund Dinner/Dance hosted by the Newark NAACP. The event is scheduled for Saturday, 9/26/15, in Wilmington. One of the recipients of their Community Service Award will be retired City of New Castle Police Chief Eugene C. Petty. Mr. Wilson will be attending the event as a representative of the Trustees. He would like the Board to consider an ad in the event's program book thanking Chief Petty for his service to the City of New Castle and the Buttonwood Museum. The event supports the NAACP.

**Mr. Meek made a motion to put a full-page ad in the program book for this event at a cost of \$300. Mr. Castagno seconded the motion.**

Action Items

- Land Management Committee to review the matter of a roadway behind new housing units at Bull Hill.
- Storage of Trust's Charter. (Alfree—12/1/14)
- Develop a procedure that will keep sensitive documents secure. (Alfree – 1/6/15)
- Mr. Taylor requested a copy of the written agreement about the sluice gates/Broad Marsh for the Trust's records. (Castagno—3/3/15) (Mr. Marinelli to follow up – 9/1/15)
- Bellanca insurance issue. (Gambacorta, Marinelli, Finance Committee – 4/7/15)
- Contact DelDOT about clearing up under the overpass near Airbase Carpet Mart. (Alfree -- 9/1/15)

**At the end of regular session (8:35 p.m.) Mr. Gambacorta made a motion to enter into Executive Session to discuss matters of real estate. The motion was seconded by Mr. DeAscanis and approved.**



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During the discussions that ensued, several subjects were discussed, with one requiring action by the Board.

**A motion was made by Mr. Alfree that the Board return to regular session. Motion was seconded by Mr. Gambacorta and approved.**

**Mr. Gallagher made a motion to approve the signing of the contract for the Capital Needs Assessment as discussed in Executive Session. The motion was seconded and approved.**

There being no more business to be done, the meeting ended at 9:45 p.m.

Trustees of the New Castle Common  
Meeting Minutes  
October 6, 2015

Present: Messrs. Wilson (*President*), Meek (*Vice President*), Viola (*Secretary*), Alfree (*Assistant Secretary*), Gambacorta (*Treasurer*), Gallagher (*Asst. Treasurer*), Castagno (*via phone*), Clayton, DeAscanis, Episcopo, Ms. Fiske, Mrs. Ross, Mr. Taylor, Esq. Also present: Deborah Turner, Stenographer, Michael Marinelli, Land Manager, Terry Gormley, *New Castle Weekly*  
Absent: Mr. Yacucci

The monthly meeting of the Trustees was held on Tuesday, October 6, 2015, in the Trustees Room of the Old Town Hall. Mr. Wilson called the meeting to order at 7 p.m. Moment of silence observed.

Mr. Wilson has talked with the *New Castle Weekly* about the format used for committee reports (individual committee reports) in the newspaper under the former owners. Management has agreed to use that format. There is interest in renewing publication of the *Town Crier* with Municipal Services Commission (MSC) and Trustees splitting the cost for printing. The cost for printing 3,000 copies is \$264/month. MSC General Manager Pam Patone will speak with their Commissioners about continuing with the mailing. Ms. Fiske confirmed that Kim Burgmuller (City staff) is interested in doing the layout work. Ms. Fiske followed up with Council President Linda Ratchford who will take the idea to Council. We will ask the City to donate Ms. Burgmuller's time.

Public Input: City resident Suzanne Souder speaking on behalf of a neighborhood group thanked the Trustees for improvements they are making in the green space around the tennis courts. Improvements include trees and flowering shrubs, new brick sidewalks, preserving a natural drainage basin that prevents flooding of nearby properties, and establishing the space as the beginning of the new Historic New Castle-Frenchtown Railroad Trail. It is their hope the Board will consider voting to commit to the plan. Mr. Wilson thanked the Battery Park Committee and Property Maintenance Committee for their input on the improvements.

Monthly Calendar: Finance-10/20/15, 2:30 p.m.; Open Space-10/13/15, 5 p.m.; Land Management-10/29/15, 5 p.m. On 10/12/15 Mr. Wilson will present his second (in a series) public program about Trustee committees, what they are and what they do. He urged the Election Committee to meet in the next month. On 11/2/15-Meadows Update to be presented to the public. If any other meetings are scheduled the Trust Office should be informed.

Minutes: **A motion was made by Mr. Gambacorta to approve the 9/1/15 meeting minutes as distributed. Mrs. Ross seconded the motion. Motion approved.**

Property Manager's Report – Mr. Marinelli reporting.

Reported the voice mail system is not working properly. Mr. Marinelli asked everyone to use email until the issue is resolved. They will be switching carriers. Dale Frens, architect doing the needs assessment project, will begin his work tomorrow.

Treasurer's Report – Mr. Gambacorta reporting.

Treasurer's Report for 9/30/15 was sent out electronically prior to the meeting. Mr. Castagno asked what percentage of taxes has been collected to date. Mr. Marinelli estimated about 95%; two tenants are outstanding. He does not foresee any problems.

Mr. Castagno asked about the NAACP ad. It was for a full-page ad and dinner tickets for the annual Freedom Fund Dinner/Dance and presentation recognizing outstanding community service to retired City of New Castle Police Chief Eugene C. Petty. Mr. Gallagher inquired whether the park patrol was worth its cost to run this year. Mr. Wilson wants to discuss how to approach this item next year. *(Part of Property Maintenance Committee report.)*

**Mr. Gallagher made a motion to approve the 9/30/15 Treasurer's Report as distributed. Mr. Clayton seconded the motion. Motion approved.**

LAND MANAGEMENT COMMITTEE REPORT – Mr. Gambacorta reporting.

- Old Library – The committee recommends the Board look into hiring an ADA consultant to go through the process associated with seeking an ADA exemption. The reason is the Board owns the building. Mr. Wilson asked if the proposal by the New Castle Historical Society (NCHS) has been addressed and if there are associated costs. NCHS was doing the work as part of their lease agreement. Mr. Meek wonders why we would not allow the NCHS to do the work, understanding there is a type of historical exemption available. He thinks a consultant could do better than the NCHS. Mr. Marinelli said one of the presenters from earlier this week expressed an interest in doing this type of consulting work. Mr. Taylor said the consultant would take the approach of not making renovations to the building except what is absolutely necessary for ADA compliance.  
Mr. Gallagher thinks the Board has done its due diligence. Mr. Taylor added the consultant should recommend that reasonable accommodations would be appropriate for the public. Mr. Viola asked if we are working hand in hand with the NCHS. Mr. Taylor noted that if the Board agrees with the approach they would get back to the NCHS to inform them we have a consultant doing the work. Using a licensed professional gives us a buffer, but not a guarantee against legal actions. He reiterated “reasonable accommodations.” Mr. Wilson requested the committee do a cost analysis and report back to the full Board. Mr. Alfree reported the committee agreed to lease to the NCHS with the idea they would handle looking into handicap accessibility of the Old Library. He suggested redoing the lease removing the subject language.
- The Insurance Committee (Messrs. Alfree, Gambacorta, Yacucci) met to review three (3) proposals received for our insurance (9/2015-9/2016). The committee selected New Castle Insurance Company. **Mr. Gambacorta made a motion to hire New Castle Insurance Company. Mr. Gallagher seconded the motion. Motion approved by a vote of 11 in favor and one (1) abstaining (Castagno).**
- There will be a Board of Adjustment hearing on 10/21/15, 6:30 p.m., to address a Good Will Fire Company sub-division. Mr. Clayton will attend on behalf of the fire company. A representative of the Trustees should also be in attendance *(Mr. Wilson will appoint a Board member to attend.)* The small parcel (approx. 13'X25') is on the South Street side next to the new addition. It would be beneficial to the fire company in giving them a noise barrier.
- Mr. Marinelli reported that County taxes were submitted by 9/30/15; however, the County instructed us not to pay the taxes on the 31 parcels we are seeking an exemption for (all in City limits) until they make a decision on those parcels. We have asked the City to suspend payment of City taxes until the County renders its decision.

OUTREACH COMMITTEE REPORT – Mr. Meek reporting.

Mr. Meek announced that he has made arrangements for all Board members to have individual email addresses for Trustee business. He would need individual passwords from Board members who want to set up an account. Mr. Meek will act as administrator. Mr. Wilson thinks it is a way of improving communications with the public and facilitates questions they may have. This email account is separate from business or other personal accounts. Use of a Trustee email account is strictly voluntary. Trust emails can be automatically forwarded to a personal email account. Discussion turned to fire walls and who has access to Board emails. Mr. Castagno believes there should be a private mechanism in place that is not subject to FOIA or litigation and does not put the Board at risk. Mr. Meek will research further.

Rehabilitation of Downtown Buildings – Mr. Meek has talked with John Lloyd, Code Enforcement Officer, about the number of derelict buildings in the City. There are no condemned buildings in the City. Mr. Lloyd provided a list of 32 properties (provided to Outreach Committee members) considered to be “at risk.” (*He does not know definition for “at risk”.*) Many are in the Dobbinsville and Shawtown communities. Mr. Lloyd suggested that the Trust take over distressed properties and work with the owner rather than the City going through the condemnation process, which is expensive. Ideas include forgiveness of back taxes or elimination of costs involved with foreclosure. Explore what would happen to allow the Board to take over a property at low cost then proceed with giving the property to Habitat for Humanity with the Board and/or hire a contractor to renovate the structure. Look at what can be done to work with the owner that would be mutually beneficial so the building can be rehabilitated. The committee continues to work on this issue.

Mrs. Ross reported that the Knights of Columbus have declined to be a part of Art on the Green as a vendor because of the \$500 vendor fee. She asked for clarification. Mr. Castagno said the Trustees waive fees for organizations like this. We absorb about \$1,500 in in-kind fees like property improvement. He suggested the charge may be from MSC or the City.

PROPERTY MAINTENANCE COMMITTEE – Mr. Viola reporting.

A list of projects/activities was circulated and reviewed. Highlights of completed items:

- Battery Park -- The unpaved portion of the FEMA-damaged trail will be reinstalled in December to meet the current FEMA funding request.
- Distance Markers – This is a concept only. City and Trustee logos will be used.
- Public Safety (Park Patrols) – We have all the reports. The police chief will do evaluations with assistance from the committee to learn the benefit of the patrols. Board members were asked to email comments, questions or concerns to Messrs. Castagno or Viola to share with the police chief.
- Meadows Plan – Drew Hayes has been asked to look at the property at the Ferry Wharf. Mr. Hayes is looking at the plot adjacent to the last house on The Strand on the river side. Walking the shoreline they observed trees that need to be removed. Mr. Wilson asked for a cost for cleaning the shoreline while protecting tidal flows with the native plants. It will cost about \$18,000 to fix that property up and make it a place for park benches at the Ferry Wharf. Mr. Wilson referred to the area as “Citizens Park.” Ms. Fiske requested that the Open Space Committee be included in communications.

- Vault – Mr. Clayton suggested starting work again on organizing items in the vault. *(To be revisited in Executive Session.)*

Roger Clark, West 4<sup>th</sup> Street, asked if the Board will have a motion to approve development of the committee's proposal to develop land between West 3<sup>rd</sup> Street and West 4<sup>th</sup> Street (tennis courts).

- Penn Farm Stand – Mr. Alfree reported on the proposed plan for the farm stand (plan distributed) by DGI. The addition meets the criteria outlined by the Community Water Quality Improvement Grant from DNREC. DGI is ready to proceed with plans to open the farm stand next March/April.

**Mr. Alfree made a motion to approve the plan as submitted by DGI, dated 9/30/15. Mr. Clayton seconded the motion.** Looking at the plan, Mr. Gallagher asked for clarification on where the farm stand will be located. Mr. Alfree said the roof will be replaced with a green roof. Frenchtown Road is in front of the building. Mr. Meek commented that this is on the site line between the farm building and Route 273. We are planning on spending up to \$100,000 on a plan to renovate the farmhouse, and potentially spending \$500,000 redoing the farmhouse. DGI is suggesting a plan that will interfere with the site line. He suggested reconsidering the plan as it will be facing our prized property. **Motion approved by a vote of 11 in favor and one against (Meek).**

- Penn Farmhouse -- Mr. Alfree announced that six (6) architectural and engineering firms made presentations and copies of their materials are in the Trustee Office and website. The committee has selected the firm of Buck Simpers Architect & Associates. Negotiations for a contract will begin soon. Ms. Fiske questioned the committee's selection noting the problems experienced at the new library. She is concerned with repeating an unfortunate experience. *(Further discussion to take place in Executive Session.)*
- Capital Improvement Plan – Mr. Castagno reviewed engineering services for the Professional Center Property. The objective is to create Code-compliant pad sites for lease. The estimate includes identified pad sites on 6 acres (of the 19 acres) for the parcel, topography, infiltration, and wetland delineation. A site plan is needed along with a landscape plan. **Mr. Castagno made a motion to engage an engineer for topographic study, infiltration, and wetland delineation for the preparation of a site plan for the creation of Code-compliant site pads. Mr. Clayton seconded the motion.**

Mr. Gallagher said the Board did not agree to commercialize the entire piece of property to the extent possible. The way the project was presented was this is an option to allow us to maximize the amount of rentable property on that site. According to Mr. Castagno, in order to do anything with the parcel a site plan is needed. It cannot be done piecemeal. It does not mean we need to do anything, but without a site plan nothing can be leased. Mrs. Ross understood nothing would be done until we know what DelDOT plans to do. She questioned where entrances will be located. Mr. Castagno said that regardless of what DelDOT does the plan is not affected. The entrance is the one that currently exists and was approved by DelDOT. Mr. Gambacorta questions whether the Board decided to develop the property. Mr. Castagno said the remaining 13 acres consists of open space and cannot

be developed (woods, wetlands). The perimeter of the site shows a walking path. Mr. Wilson said since he has been on the Board we have been trying to lease it, likely before the doctor offices and dialysis center were built. Mr. Gambacorta reiterated that the proposal Mr. Castagno presented was not for professional center development, it was residential. Mr. Castagno said according to the Code it is mixed use as part of the Downtown Gateway District. In response to questions about the roadway and intersection he said that DelDOT has not approved anything in the area, it is a concept only. Potential tenants will come before this Board with what they want to do and the Board would decide whether to approve. **Motion approved.**

Mr. Gallagher pointed out this will be a capital project and we are approving additional funds for the project. Mr. Castagno confirmed adding there will be further requests as we move forward.

#### Construction/Property Improvements

Riverwalk Trail – This Board owns the property where the Gambacorta Dike sits and the area approximately from the Sailing Club building to the new fishing pier access. To ensure the dike that was just replaced is compliant with FEMA's requirement, we need to clear 15 feet on the west side of the dike, including trees. In the event of a catastrophic event, having the dike Code-compliant will allow us to qualify for the FEMA insurance program. It is a one-time expense. Work must be done by November 2015.

**Mr. Castagno made a motion that the FEMA-required clearing be approved on the capital budget. Mr. Gallagher seconded the motion. Motion approved.**

Dobbinsville Area Land/Tennis Court Lots – The Tree Advisory Commission has approved both projects. It is landscape appropriate and adds value to Trust and City properties.

**Mr. Castagno made a motion that the capital improvement plan be approved for these two projects. Mr. Clayton seconded the motion. Motion approved.**

Fall is a good time to plant trees and do the landscaping. Discussion about brick sidewalks and trails will take place later.

Ms. Fiske asked to make a comment. You may remember that some years ago it was mistakenly thought that without previously notifying the Board, I had given Trust information for publication in the Weekly newspaper. That was not the case. Subsequently, Mr. Wilson proposed the following Procedure, which was passed by the Board for inclusion in the Bylaws:

**"No Trustee shall represent himself as speaking for the Board on any matter unless the Board has voted to delegate that authority."**

Several issues ago the Weekly published plans for improvements on the lot next to the tennis court and at Dobbinsville. While the trustees have seen these plans, the Board has not yet voted to approve them. Release of the information to the press was premature. It is advisable for the Board to create a system to ensure that the correct procedures have been followed before release of Trust information.

Ferry Lots – Mr. Wilson spoke about the misinformation of removal of weeds. Removal of invasive plants/weeds along the shoreline is based on recommendations and information received from Mr. Hayes. The work will improve aesthetics and will move us closer to being Code-compliant as it concerns the weeds.

**Mr. Castagno made a motion to approve the removal of invasive plants/weeds along the shoreline at the Ferry Lot properties. Mr. Viola seconded.**

Mr. Meek questioned removing all of the invasive plants citing an issue about removing plants from the shoreline. Sue Barton made the point that even though something is an invasive species, it provides a filter and a natural barrier. He is concerned with removing a natural barrier. Mr. Wilson said ForeSite Associates physically walked the shoreline to determine what should be removed and what should stay for filtration and protection of the shoreline.

**Motion was approved.**

Mr. Taylor suggested communicating to the residents what is planned for the Riverwalk Trail and Ferry Lots. Secondly, there are time limits on some of the projects discussed under the Capital Improvement Plan. All of the project estimates exceed \$10,000. He asked if the Board needs to authorize the letting of those contracts for work to be done. Mr. Wilson said the Board just authorized by way of motions and if there is a bill that exceeds \$10,000 it requires two officers' signatures. Ms. Fiske said the bylaws call for any Board member to see any bid and contract over \$10,000 and vote on same. Mr. Wilson said contracts would come before the Board, but funding has been approved. The committee would bring the contract or bid back to the Board for approval. Mr. Taylor suggested anything time or weather sensitive be granted authority to move forward. The Riverwalk clearing and Dobbinsville/tennis court tree planting are weather sensitive. A committee could be authorized to review bids and award contracts not to exceed the approved amount.

**Mr. Castagno made a motion that the Property Maintenance Committee be authorized to review and award contracts for work within the approved funding for the time-sensitive projects (Riverwalk Trail and Dobbinsville Area Land/Tennis Court tree plantings). Mr. Clayton seconded the motion.** Ms. Fiske wants to include in the motion the stipulation that the contracts and proposals be filed in the Trust Office. The language was not included. **Motion was approved by a vote of 11 in favor and 1 abstaining (Fiske).**

Concerning communicating with residents, Mr. Castagno said that the dike/FEMA compliance issue has been posted in the *New Castle Weekly* concerning all four dikes.

Ms. Fiske asked when the first phase of Bicentennial Park will be implemented. There are funds (\$20,000) available for the project. Mr. Clayton said there is a right-of-way along the property where the fence line is located and that we had cleared. You cannot get through because the house on the corner had a brick wall hindering passage. Further discussion to be handled in the committee.

FINANCE COMMITTEE REPORT – Mr. Castagno reporting.

The progress status report was distributed to the Board.

- The audit was provided in advance of the meeting and was approved by the committee.
- Mr. Marinelli reported on the insurance meeting.
- The committee received a loan request from Good Will Fire Company that the committee is evaluating.
- Frens and Frens will start their assessment of buildings in October/November and should be done by end of the year.
- The next committee meeting will include our two investment firms.
- Mr. Marinelli is working on tax exempt status for 31 Trust properties, resulting in an approximate \$80,000 per year savings.
- The time of the next meeting is incorrect on the report. The meeting is scheduled for 2:30 p.m. rather than 12 noon.

LIBRARY COMMITTEE REPORT – Mr. Viola reporting.

Messrs. Viola and Clayton have been serving as board members of the New Castle Public Library. The issue of security for the library is a concern. We should look into a quality security system to ensure that staff and patrons are safe. Mr. Clayton suggested a camera system would be able to better monitor the flow of occupants inside and outside the library. Their report will be forthcoming.

OPEN SPACE COMMITTEE REPORT – Ms. Fiske reporting.

The new chairperson of this committee is Ms. Fiske.

BATTERY PARK COMMITTEE REPORT – Mr. Castagno reporting.

The committee is looking into streamlining the application process. They will be making a report soon.

COMMUNICATIONS – Mr. Viola reporting.

- Letter from the New Castle Community Partnership thanking the Trustees for the generous grant to help with the summer concerts.
- Letter from Norma Brown concerning trees in her backyard and cleaning up her back yard. The trees are dirty and are in the marshland. Mr. Wilson will give the letter to the Outreach Committee.
- Mrs. Ross received a ‘thank you’ from Josie Roy of the Frens of Mt. Salem for our contribution.
- Mr. Meek informed of a joint project between the New Castle Historical Society (NCHS) and the Presbyterian Church to take place on 12/16/15. It is called “Dickens Fair and The Spirit of Christmas.” Last year’s event attracted upwards of 2,000 people. Organizers are concerned there are not enough restroom facilities to handle visitation of this size. Mr. Meek requested a contribution of \$210 to be sent to NCHS for two portable toilets.  
**Mr. Meek made a motion to donate \$210 to cover the cost of two portable toilets from A1. Ms. Fiske seconded the motion. Motion approved.**



Trustees of the New Castle Common

Minutes of October 6, 2015

Action Items

- Land Management Committee to review the matter of a roadway behind new housing units at Bull Hill.
- Storage of Trust's Charter. (Alfree—12/1/14)
- Develop a procedure that will keep sensitive documents secure. (Alfree – 1/6/15)
- Mr. Taylor requested a copy of the written agreement about the sluice gates/Broad Marsh for the Trust's records. (Castagno—3/3/15) (Mr. Marinelli to follow up – 9/1/15)
- Bellanca insurance issue. (Gambacorta, Marinelli, Finance Committee – 4/7/15)
- Contact DelDOT about clearing up under the overpass near Airbase Carpet Mart. (Alfree -- 9/1/15)

At the end of regular session (8:40 p.m.), **Mr. Gambacorta made a motion to enter into Executive Session to discuss matters of real estate. The motion was seconded by Mr. Episcopo and approved.**

The members of the Board then discussed the status of various projects to ensure everyone has updated information. **Mr. Alfree made a motion to return to regular session. Motion was seconded by Mr. Gambacorta and approved.**

There being no more business to be done, Mr. Gallagher moved to adjourn and Ms. Fiske seconded. The meeting was adjourned.

Deborah P. Turner  
Stenographer

Trustees of the New Castle Common  
Meeting Minutes  
November 3, 2015

Present: Messrs. Wilson (*President*), Meek (*Vice President*), Viola (*Secretary*), Alfree (*Assistant Secretary*), Gambacorta (*Treasurer*), Gallagher (*Asst. Treasurer*), Castagno, Clayton, DeAscanis, Episcopo, Yacucci, Ms. Fiske, Mrs. Ross, and Mr. Taylor, Esq. Also present: Deborah Turner, Stenographer, Michael Marinelli, Land Manager, Terry Gormley, *New Castle Weekly*

The monthly meeting of the Trustees was held on Tuesday, November 3, 2015, in the Trustees Room of Old Town Hall. Mr. Wilson called the meeting to order at 6:53 p.m. He turned the meeting over to Mr. Alfree who introduced Lynne Kielhorn, President of Delaware Greenways, and Mary Roth of Delaware Greenways. Ms. Kielhorn gave a brief update of activities at Penn Farm. William Penn High School is continuing their culinary arts program and the USDA grant has expanded to grow more produce for district schools. The Food Bank of Delaware grew vegetables for distribution and is waiting to hear if they will receive a grant that would allow them to expand their program. The high school farms four acres while the Food Bank works on about a half acre. The Food Bank is looking to expand to two acres. Paul Lester had a good year and will farm fewer acres next year (65 acres). In 2016 Toby Hagerott will farm seven acres on the farm. DGI's long-term vision is to move away from commercial crops.

In preparation for future growth they are making upgrades to the water supply for irrigation and electric for a green house aimed at making the farm more productive. In early spring 2016 they plan to add transitional water ways to aid in storm water flow. Funding has been secured. They are moving forward with a grant to do renovations at the farm stand. The barn is now being used as a rental venue for events (weddings, corporate events) that is proving to be successful. DGI partnered with Dogfish Head Brewery recently for a 'Brews at the Barn' fundraising event that was a success. It is their hope to coordinate some programs with the National Park Service.

Mr. Meek noted the expense involved with using City water for farming purposes. Ms. Kielhorn said that MSC has agreed to an agricultural rate. DGI hoped to draw from their own well and use untreated water, but liability concerns with using untreated water to irrigate crops makes this impossible. They do not have the capability at this time to build a storm water facility.

Farming soils have hindered the crop yield. Mr. Lester projected two more years before the soil fertility will be considered quality farm land. It may be longer for the eastern triangle area because it has pH issues to work through. Mr. Lester has been earning a profit at the farm.

Mr. Gallagher asked when it would become unfeasible for Paul Lester to work at the farm. Ms. Kielhorn said the threshold is 50 acres. They plan on keeping him on the farm until they are ready to bring in a resident to stay at the farm. Animals will be added at the same time.

Ms. Roth presented each Board member with their annual pay of an ear of corn.

Mr. Wilson called for a moment of silence.

Trustees of the New Castle Common  
Minutes of November 3, 2015

Public Input: None.

Monthly Calendar: Finance-11/17/15, 2:30 p.m.; Property Maintenance-11/20/15, 8 a.m.; Officers Meeting-TBD; Election Committee (DeAscanis, Clayton, Episcopo, Ross)-11/5/15, 7 p.m.; Outreach-*tentative* 11/17/15, 7 p.m.; Open Space-TBD; Land Management-11/30/15, 5 p.m.

Minutes: A correction was noted. **A motion was made by Mr. Castagno to approve the 10/6/15 meeting minutes as amended. Mr. Gallagher seconded the motion. Motion approved.**

Property Manager's Report – Mr. Marinelli reporting.

The building needs assessment begins tomorrow at Good Will Fire Co. followed by the old library and the hangar. Messrs. Gallagher and Marinelli will meet with Dale Frens to get the status in order to have their report before budget preparations. County sewer bills are being sent to our tenants this week. Pathmark is closing; Richard Stat is hoping to attract another grocery store.

Treasurer's Report – Mr. Gambacorta reporting.

Treasurer's Report for 10/31/15 was sent out electronically prior to the meeting.

**Mr. Castagno made a motion to approve the Treasurer's Report dated 10/31/15 as distributed. Mr. Clayton seconded the motion.**

Mr. Gallagher questioned showing the concrete floor on the operating budget, saying it should be shown in capital. Mr. Clayton said the engineering report stated we needed a concrete floor. It was picked up on the maintenance budget. Mr. Castagno noted the concrete floor was approved in the maintenance-approved budget for buildings, but recorded as capital. It is part of the maintenance forecast. **Motion approved.**

LAND MANAGEMENT COMMITTEE REPORT – Mr. Gambacorta reporting.

- Old Library – The committee has talked with a historic preservation consultant who has experience working with ADA compliance and waivers. She will submit a cost proposal for costs associated with ADA compliance for the Board's review.
- DNREC will be doing a topographic survey at the Dialysis Center based on flooding on an adjacent property.

The committee has several items to discuss in Executive Session.

OUTREACH COMMITTEE REPORT – Mr. Meek reporting.

The committee will discuss items of real estate in Executive Session.

PROPERTY MAINTENANCE COMMITTEE – Mr. Clayton reporting.

A list of projects/activities was circulated and reviewed. Highlights of completed items:

- River Walk – Mr. Castagno said the river wall clearing is currently being done through the capital planning process. In accordance with FEMA they have done the clearing along the Gambacorta Dike. Work will be finished this week.
- Professional Center (Dialysis Center) – Our work will be separate from DNREC. We are doing the whole site that may/may not impact flooding on the two properties.
- Bellanca – A separate meter will be installed for exterior lighting (parking lot) in the next couple of weeks. Bellanca will not be paying for power in the parking lot.
- 5<sup>th</sup> Street Library – Snow attachments should be delivered and installed in the near future.
- 14<sup>th</sup> and Washington Street – Electric pole has been removed by a DNREC contractor. The lot could use a landscaping plan. The contractor removed the impervious pavement. The Trustees would be responsible for any landscaping.
- Meadow Plan – Mr. Wilson reviewed the public meeting held last night with Drew Hayes of Foresite Associates. It was well attended with members of the community, City Council and Trustees. The project is moving forward as predicted. We may have Mr. Hayes provide an update at the September 2016 Board Meeting.
- Basin Road -- Ms. Fiske questioned why the Basin Road Wetland Remediation is not in concert with the Land Management Committee. Mr. Wilson said when the area is ready to rent the committee would be notified. The full Board would decide whether any remediation would be done. Ms. Fiske believes the Land Management Committee would be interested in knowing a property is being remediated with intent to lease.
- Battery Park – The committee is working on the drainage issue and will have a presentation next month by Mr. Hayes about solutions and path forward. The meeting will begin at 6:30 p.m. to accommodate his presentation. Ms. Fiske asked if an update on the meadow plan could be made available for Trustees unable to attend last night's meeting. Mr. Wilson will get the update and put in Board mailboxes.
- Cameras at the Library – Mr. Clayton will update as part of the Library Committee report.
- Capital Improvement Plan – Mr. Castagno reported
  - Tennis Court Lot – A suggestion was made to install a 5 ft. brick sidewalk after the trees are planted. The Tree Advisory Committee recommended the tree planting request to the City Administrator. City Council will make the final decision. Mr. Wilson asked if installing sidewalks would eliminate a parking lot at the location. Mr. Castagno said trees are spaced out enough to accommodate grass parking and parking could also happen on the brick sidewalk. The committee is seeking to approve funding for the sidewalk into the capital budget.  
**Mr. Castagno made a motion to approve \$30,000 for the installation of brick sidewalks at the tennis court lots. Mr. Gallagher seconded the motion. Motion approved.**
  - Battery Park Flag Pole – Mr. Episcopo noted the flag pole sits on Battery Park that is controlled by the Trustees and owned by the City. The flag flies 24 hours a day and by law lighting is needed. The question was raised of who replaces the flag

when needed. Mr. Wilson suggested the General Holcomb Society that installed the flag pole. Mr. Castagno said the Battery Park Committee has replaced flags in the past. Mr. Alfree asked who handles the flag when the Governor declares the flag to be flown at half staff. The City has handled this in the past and should be reminded of their responsibility. Mr. Castagno said the City has been raising and lowering the flag as dictated by state and local governments. Through the State Statute of 1941 granting the management and operating authority of Battery Park, the Trustees paid the City to do maintenance. For the last five years the committee has included operating and infrastructure in the park in its maintenance budget. This includes the flag pole. It is part of the committee's authority and responsibility. We do not have the labor to replace frayed flags and lighting, which is a matter of Code compliance. Mr. Alfree suggested sending a letter to the City reminding them of their responsibility for lowering and raising the flag in accordance with the law.

**Mr. Castagno made a motion that the Trustees provide lighting for the flag pole per Code. Mr. Alfree seconded the motion. Motion approved.**

Mr. Gallagher thanked the Property Maintenance Committee for planting five trees at Battery Park. Mr. Castagno said they used funds reimbursed for DEMA/FEMA dike work to purchase the trees.

FINANCE COMMITTEE REPORT – Mr. Castagno reporting.

The progress status report was distributed to the Board.

- The committee received a loan request from Good Will Fire Company that the committee is evaluating. **Mr. Clayton reported the fire company is looking at another source.**
- The committee met with our investment firms, PNC and Nicholson. YTD both funds are down about 3%. The last quarter was down about 4% to 5%; through 9/30/15 it is up 1.2%. Both firms suggested no policy changes.
- Rental receivables – We have collected 99.6% of all owed rental income as of 10/31/15 representing 53% of our forecasted annual revenue. We have collected 99.74% of taxes owed to us by our tenants. Mr. Meek requested a summary of revenues and expenses. Mr. Marinelli suggested authorizing Mark Zitz (accountant) to provide the summary. Mr. Wilson suggested having a workshop involving Messrs. Marinelli, Zitz, and Gambacorta to provide a clear understanding of cash flow.

LIBRARY COMMITTEE REPORT – Mr. Viola reporting.

County Councilman Bill Bell has promised to meet with the committee to discuss revenue ideas for the library to do more improvements.

Camera System Update -- Mr. Clayton provided a quote of \$5,147 for the system and installation. The system is a high-bred that would hook up to the current cameras and add an additional 6 to 7 cameras. The system is high definition and will be internal and external. The cameras can record and has a two-month recording capacity. A monitor would be situated near the librarian's main station.

**Mr. Clayton made a motion to approve Vigiles Life Safety Engineering, Inc. to purchase and install a camera system at the New Castle Public Library. Mr. Gallagher seconded the motion. Motion approved. (\$5,200 to be added to capital budget.)**

OPEN SPACE COMMITTEE REPORT – Ms. Fiske reporting.

Dave Carter, President of Audubon Society, will contact us when he has some ideas to discuss with the committee.

BATTERY PARK COMMITTEE REPORT – Mr. Castagno reporting.

Public Safety – This past summer the City hired three bicycle police, one of which was sponsored by the Board. The intent was there would be intense efforts to enforce Code issues in the park. The committee met with the police chief and his lieutenant on 10/22/15 to discuss what worked and what did not and make recommendations for next year. Weekly reports were distributed to all Board members. Mr. Castagno said not much activity was reported with little attention paid to littering and bikes on the tennis courts. The top three violations: visitors after dark, fires and BBQ's, and swimming. Lack of visibility of the bicycle police was noticed. The officers said they did not have enough to keep them busy. Recommendations for next year: continue with one summer officer dedicated to the river walk and Battery Park. The officer would be recruited from the police academy or possibly a park ranger type of concept. A public relations type of approach will be adopted. The consensus of the group was the bicycle police provided a feeling of safety and deterrence from code violations. It was a good investment of monies. The group supports continuing the investment (\$7,500), but switch to a park ranger/roaming officer in the park and river walk. The position will be included in the next budget process. Scheduling will be scheduled by the police chief; days would rotate. The officer would use a bicycle and/or golf cart.

Mr. Meek thinks the monies are a good investment. Mr. Alfree suggested a central identification station for the officer (ex.-hut, stand).

OTHER COMMITTEES

Penn Farm -- Mr. Alfree spoke with Buck Simperts, the selected architect and engineering firm. Their contract will be available in mid November for review and recommendation at the December meeting.

COMMUNICATIONS – Mr. Viola reporting.

Mr. Alfree talked about Carlo Viola's 12-year tenure as a Trustee. He was elected a Trustee in November 2003. His term expires on 11/15/15 in accordance with the bylaws. Mr. Viola has served with 22 Trustees, including 4 lifetime members. Mr. Alfree expressed his appreciation for Mr. Viola's dedicated service, his attention and thoughtful insight, willingness to listen to others' points of view, for his commitment and hard work to the modernization of the New Castle Public Library, and his stewardship to the care of the Old Town Hall. His work will forever be a part of this town's history and he personally thanked him.

Trustees of the New Castle Common  
Minutes of November 3, 2015

Mr. Viola reminisced on his tenure as a Trustee. He noted the \$6.5m expansion of the New Castle Public Library, having to fundraise during harsh economic times, and saving the hangar at Bellanca Field. He believes the Trustees should work with others to restore the Banks Building or remove Mr. Banks' name. Mr. Viola is committed to restoring the building. He said his tenure was filled with bold decisions and good decisions. Mr. Alfree's declaration that Penn Farm is the 'crown jewel of the Common' inspired him and others to move forward with conviction. The Trust requires many skills and talents and he considers the last 12 years to be very meaningful. Mr. Viola announced his intention to file as a candidate for the office of Trustee as soon as a vacancy is declared.

Action Items

- Land Management Committee to review the matter of a roadway behind new housing units at Bull Hill.
- Storage of Trust's Charter. (Alfree—12/1/14)
- Develop a procedure that will keep sensitive documents secure. (Alfree – 1/6/15)
- Mr. Taylor requested a copy of the written agreement about the sluice gates/Broad Marsh for the Trust's records. (Castagno—3/3/15) (Mr. Marinelli to follow up – 9/1/15)
- Bellanca insurance issue. (Gambacorta, Marinelli, Finance Committee – 4/7/15)
- Contact DelDOT about clearing up under the overpass near Airbase Carpet Mart. (Alfree -- 9/1/15)
- Letter to the City reminding them of their responsibility for lowering and raising the flag in Battery Park in accordance with the law. (11/3/15)

**At 8:15 p.m. Mr. Alfree made a motion to enter into Executive Session. The motion was seconded by Mr. Episcopo. Motion approved.**

Regular session was resumed at 9:15 p.m.

**A motion was made by Mr. Castagno to pay the invoice submitted by Cooch and Taylor. Mr. Alfree seconded the motion. Motion was approved.**

**Mr. Gambacorta made a motion to authorize Mr. Marinelli to forward the new lease terms approved by the Land Management Committee to Mr. Longwill at Airbase Carpet for their consideration. Mr. Gallagher seconded the motion. Motion approved.**

There being no further business to discuss the meeting was adjourned at 9:20 p.m.

Deborah P. Turner  
Stenographer

Trustees of the New Castle Common  
Meeting Minutes  
December 1, 2015

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

Absent: Mr. Yacucci

The monthly meeting of the Trustees was held on Tuesday, December 1, 2015, in the Trustees Room of Old Town Hall. Mr. Wilson called the meeting to order at 6:30 p.m. He turned the meeting over to Drew Hayes of ForeSite Associates who provided an update on the status of drainage and walkway improvements at Battery Park.

Mr. Wilson called for a moment of silence.

Public Input: A resident asked about the status of tree planting in the area of the tennis courts. Mr. Castagno responded that the Property Maintenance Committee's plans are moving forward.

Monthly Calendar: Finance-12/15/15, 2:30 p.m.; Property Maintenance-12/29/15, 8:30 a.m.; Outreach-12/15/15,TBD; Open Space-12/8/15, 5 p.m.; Land Management-12/30/15, 5 p.m.

Minutes: **A motion was made by Mr. Gallagher to approve the 11/6/15 meeting minutes as distributed. Mrs. Ross seconded the motion. Motion approved.**

Property Manager's Report

All items will be discussed in the Land Management Committee's report.

Treasurer's Report – Mr. Gambacorta reporting.

Treasurer's Report for 11/30/15 was sent out electronically prior to the meeting.

**Mr. Castagno made a motion to approve the Treasurer's Report dated 11/30/15 as distributed. Mr. Gallagher seconded the motion.**

LAND MANAGEMENT COMMITTEE REPORT – Mr. Gambacorta reporting.

- Old Library – The ADA consultant toured the building. They are awaiting her proposal.
- Path Mark – No update.
- ATM at Verizon – Mr. Taylor reported that Mr. Marinelli is waiting for details to amend the lease. He will follow up with Mr. Marinelli.
- Valero Station/Dunkin Donuts (Route 13) – They have notified us that they intend to exercise the final five-year option of their lease.
- Shell Station (Hares Corner) – They have informed that they intend to renew their five-year option starting in February 2017.
- M&T Drive-Thru Bank -- Appraisal received from Gary Parker. The lease expires in August 2016. The appraisal is available for review in the Trustee Office.

One tenant is in arrears; to be discussed in Executive Session.



OUTREACH COMMITTEE REPORT – Mr. Meek reporting.

The committee met to consider if there is something the Trustees might do to help with housing that is vacant or in substantial disrepair in the Dobbinsville and Shawtown neighborhoods. The committee also met with Norm Spector and Carrie Casey of the New Castle County Neighborhood Stabilization Program set up by Mr. Taylor. We may be able to work with the County Stabilization Program or operate a mirror program to buy rundown houses, renovate and sell them. Another option might be to make low-interest loans to homeowners to help with repairs like roofing and heating systems. We assumed this type of program would be useful to these communities. Mr. Meek spoke to 10 (out of 90) residents in Dobbinsville and none felt the Trustees should help in fixing up housing. Seven residents felt the best thing would be for the Trustees to cut the grass. Most residents feel the meadows are too close to housing, the Trustees have eliminated play areas for children, and forces children to play in between cars on the median on Center Street. Upon speaking with Mr. Hayes of ForeSite Associates on whether there were any plans for play areas in the Trustees area around Dobbinsville, Mr. Hayes said there are preliminary plans for some larger areas to have turf grass. Mr. Meek was advised to speak with the Property Maintenance Committee for further information. He believes it would be wrong for the Trustees not to seek public comment for large projects directly involving residents, i.e., Dobbinsville park areas and Battery Park. The drainage update at Battery Park did not make it clear if further Trustee input for improvements will occur. The planning process for Battery Park should not be hidden from the public or the Trustees. The Outreach Committee believes that preliminary plans for projects should be available via the *New Castle Weekly* and the Trustees' website.

Ms. Casey provided a list of bank-owned properties that are in Washington Heights and not the kind of properties we are interested in. She provided a list of vacant properties via sheriff's sales in Dobbinsville, but Mr. Meek does not know what they are, what the costs are for repairing them and selling, or whether there is a private firm that is interested in buying, renovating and selling. Ms. Casey's list includes a number of properties on the County's waiting list for funding via grants or loans.

PROPERTY MAINTENANCE COMMITTEE – Mr. Clayton reporting.

A list of projects/activities was circulated and reviewed. Highlights of completed items:

- River Walk – Clearing of trees has been completed as required by FEMA.
- Dobbinsville – Planting of street trees is finished.
- 3rd Street Library – When the ADA proposal is received we will inform the New Castle Historical Society. Mrs. Ross spoke with Cindy Snyder of the New Castle Court House about their ADA accessibility project with the State. Ms. Snyder said the State was helpful. Mrs. Ross suggested working with the State before hiring someone. Mr. Clayton informed the library is small and any handicap accessibility would be in the main portion of the library. The problem is the steepness of the steps in the front and steepness in the back of the building. Making the building ADA accessible would involve a structural change. Mr. Clayton will reach out to Ms. Snyder for information. He reminded that a consultant has looked at the building and we are awaiting her proposal.

- Battery Park – Trail Engineering & Construction – Completed.  
Distance markers have been installed.
- Ferry Lots – Shoreline Management – Mr. Meek asked if there are plans to have a public-supported clean up event before the spring of 2016. The Committee welcomed the idea. Heavy equipment may be needed to help remove larger debris. Mr. Wilson suggested getting a professional contractor to remove the larger items (to be part of the maintenance budget going forward).
- Capital Improvement Plan – Mr. Castagno reported
  - Tennis Court Lot – The committee is asking for an additional \$10,000 to finish the project. Quotes were higher than expected. (\$30,000 approved at 11/3/15 Board meeting.) Permits for tree planting are done and planting will begin this week with sidewalks connecting to the new sidewalks on South Street to follow.  
**Mr. Castagno made a motion to approve an additional \$10,000 for the installation of brick sidewalks at the tennis court lots (Capital Improvement Plan, Section A). Mr. Gallagher seconded the motion. Motion approved.**
  - Battery Park Drainage Engineering & Improvements – The park ground is deeded to the City, which allows for public funding, and is managed by the Board of Trustees. *(Public funding goes to the City government, they allocate it and we match it or provide the balance of funding needed.)* He recognized grant funding from the New Castle County Conservation District (NCCCD) via City Council President Linda Ratchford, and help from Senator Nicole Poore, Kevin Donnelly of the NCCCD, City Administrator Bill Barthel, and City Code Official Jeff Bergstrom in securing funds for engineering to address drainage issues in the park. The monies were used to finish engineering, permitting and actual construction documents. The first request of \$40,000 was approved in October 2014 of which \$35,000 has been spent. To finish this portion we are requesting an additional \$40,000. Public funding/grants for this portion is exhausted. Grant support will be sought for the installation portion. Applications are due the end of January and awarded in mid February.  
**Mr. Castagno made a motion to approve the completion of engineering and permitting for the drainage at Battery Park. Mr. Meek seconded the motion.** Mr. Gambacorta asked how much was budgeted for this project. Mr. Castagno informed we budgeted \$40,000 for the project thinking there would be grant matching. To date we have used \$35,848. Projected completion date of installation of drainage improvements is planned for March 2016. **Motion approved unanimously.**

Estimate for the entire installation project is \$300,000 and we hope to secure grant funding. Funding sources include but are not limited to: DNREC, NCCCD, Stormwater Quality, Community Development, etc. We have a strong plan that incorporates historic restoration, education and recreation. **Mr. Castagno made a motion to approve installation funding subject to grant funding that would supplement some of the costs. Mr. Gallagher seconded the motion. Motion approved by a vote of 10 in favor and one against (Gambacorta).**

Four follow-up items will be handled separately project by project, engineered designed and installed separately project by project. As we finish the infrastructure part we can move to the next part or not. Mr. Meek suggested not moving forward with follow ups until a coherent plan is seen for the whole project. The follow ups are individual items for entrances and the overall plan could affect the entrances. He would like the plan available for all Board members to consider before moving forward with follow ups. Mr. Castagno acknowledged Mr. Meek's comments but does not believe access points to the park have anything to do with the drainage issues.

FINANCE COMMITTEE REPORT – Mr. Castagno reporting.

A progress status report was distributed to the Board. The committee has identified a couple of operational items that will help us better manage cash, we worked on banking ideas and moved forward with same, and worked on the treasurer's report and finance report to ensure everything is labeled properly allowing for better tie in and easy follow up. Mr. Gallagher noted an item in Personnel in the Drawdown that is over budget and asked if the committee is working on a plan to address. Mr. Castagno said they are aware and are discussing with the Property Maintenance Committee.

LIBRARY COMMITTEE REPORT – Mr. Clayton reporting.

The camera system will be installed in the next week.

OPEN SPACE COMMITTEE REPORT – Ms. Fiske reporting.

Report emailed prior to meeting. It reads as follows:

"I met with Bill Barthel, City Manager, to show him the survey for the Bicentennial Park lots, and told him of our lawyer's conclusion that there is a City alley, currently blocked, that provides the Cloud's Row houses with access to Second Street. Mr. Barthel has seen the planting plan for the park and thinks it will be an asset for the town. Mike Marinelli and Andy Taylor will draft a letter to send to the tenants and owners of the four houses on Cloud's Row as notification that the Trustees intend to install Phase One of the Bicentennial Park in the next months. The letter will include information that if they choose, they can contact the City about removal of the brick wall blocking the public alleyway. As an addendum, there is a handsome and fully- berried holly tree by the sidewalk of the Bicentennial lots. As it doesn't interfere with the overall park plan and is an ornament to the street, it should be retained for the time being."

The holly tree is where bicycle corrals were to be placed, but are now located at the entrance to Battery Park.

Mr. Castagno noted we had several months of discussion and some work on this project. He wonders how the Board feels and whether it is worth repurposing the project, reconsider its use, look for alternative ways/uses that may provide better and higher value for the community, potentially look at selling the back part of the properties to the neighbors, potentially repurposing the front part for other infrastructure improvements like public bathrooms as opposed to having another public park idea that is only seconds from Battery Park, and would require maintenance.

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Ms. Fiske said that a park will be very useful for the Court House and Sheriff's House and the Arsenal. It is something she thinks would be a good meeting place. She cannot imagine why

we would want to sell off some of it and she does not think we would want bathrooms there. There are bathrooms nearby in Battery Park and we have already voted to install the park.

Mr. Meek said we have discussed this item extensively. A lot of thought went into its design via students who presented concepts. We have solidified the project.

It is Mrs. Ross' opinion that the park is an enhancement in the center of town and we should make it as attractive as possible.

Mr. Wilson has consistently voted against installing a park at this location citing his belief that it is an ill use of the property. There will be more people visiting the City and the installation of bathrooms at Battery Park was a bad idea. Vandalism is a problem. He supports putting in a public bathroom in the proposed park area noting it would be historically complementary to the buildings around the area.

Ms. Fiske suggested the neighbors should be asked if they support public restrooms next to their homes. Mr. Clayton conceded there is a need for more restrooms reminding that the Board voted to rent portable restrooms for public events at the November meeting. Mr. Gallagher stated we have debated and voted to move ahead with the project. Ms. Fiske said that 'Phase 1' was approved and there is \$20,000 in the budget for Phase 1. She acknowledged Mr. Wilson's opposition to the project.

Mrs. Ross added that the Board has spent 'hundreds and hundreds of thousands of dollars' on Penn Farm and Battery Park compared to the small amount of money to enhance that portion in the center of town.

Ms. Fiske pronounced the area was designated as 'Bicentennial Park' in 1976 and she does not know if that designation can be undone.

Mr. Alfree originally voted in favor of the park, but nothing has happened to date. He suggested fixing the front of the area rather than adding another park. He no longer supports the park noting the money being spent on improvements in Battery Park. Ms. Fiske said the reason Phase 1 has not been implemented is because we were working on access for people on Cloud's Row. That has now been resolved and she is prepared as Chair of the Open Space Committee to deal with the rest of Phase 1 on her own. She welcomes the assistance of the Property Maintenance Committee. Mr. Clayton stated the access problem is not solved and nothing can happen until it is resolved. There is a brick wall blocking access. Ms. Fiske said this is a matter of property and the residents of Cloud's Row should go to the City for resolution.

Mr. Wilson asked each Board member to give him their opinion in writing and he will provide comments to everyone. A path forward will be discussed at the next Board meeting. Ms. Fiske said we have voted to implement Phase 1 and she is prepared to go ahead with it, we have the

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money. The attitude of going back and forth is very deleterious to the workings of the Trust. She does not understand why there is so much disagreement to a handsome little park in the center of town across from this building. We also have \$2,500 from M&T Bank. They provided monies for a park, not restrooms. As far as Ms. Fiske is concerned the matter is closed, unless a vote is taken tonight. Mr. Wilson reiterated his desire to give the Board a month to think about the park. Ms. Fiske disagreed.

Mr. Castagno said what was approved (for the park) were the assessments; designs and looks as submitted by the UD. He repeated his suggestion that the Board should look at what we have, where we are with going forward, and rethink where we are based on the information we have to determine if the park is worth doing. Ms. Fiske called for a vote. Mr. Alfree does not think a motion is needed. The president has asked for comments. Ms. Fiske said Phase I is ready to go because the Property Maintenance Committee has not gotten around to doing Phase I. Mr. Alfree stated that the City does a poor job at correcting problems with streets and he objects to the Board spending money on another City problem, i.e. allowing the alley to be blocked. Ms. Fiske said the Board's monies will not be spent, that Mr. Alfree misunderstood her. She clarified that the City has been notified that it is a City alley and if the three houses on Cloud's Row want to have the alley restored they have to approach the City. The Board has nothing to do with the alley.

Mr. Clayton said we are erecting a fence for Phase I without regard for the residents on Cloud's Row. Ms. Fiske said they have access through their front doors that she uses and they have access on the alley if they want it. She does not believe they want public restrooms in the area. Mr. Alfree said restrooms are an idea only and would clearly need to be approved. Ms. Fiske stated we have voted to put in Phase I and we have the monies for Phase I. As far as her committee is concerned they are going ahead with it.

Mr. Wilson remembers asking that if we voted on Phase I, was it a commitment to move forward and the answer was 'no.' The discussion took place that night. Ms. Fiske disagreed remembering then-President Alfree casting the deciding vote in favor.

Mr. Gallagher referenced the Capital budget under Construction. There is \$20,000 allocated for the Bicentennial Park, confirming it was approved. Mr. Alfree suggested moving forward with Phase I and if it is necessary to fund further than Phase I, another motion will be needed.

Mr. Wilson asked if Phase II is not accepted what happens with Phase I. Ms. Fiske said Phase I involves grading the property, putting in a fence, and removing trees in poor condition. The fence will require the residents of three houses on Cloud's Row to take their trash receptacles through their house. Ms. Fiske said that until 1968 when the Trustees acquired two of the houses and torn them down, there was no access from Cloud's Row. There was an alleyway before the houses were removed. There is a City alleyway.

According to Ms. Fiske, the committee will move forward with Phase I. Mr. Alfree suggested a motion to halt the process until we learn what the City plans on doing about the blocked alleyway. There is a low brick wall on the City right-of way that blocks the City alleyway. He

does not want to encroach on residents using the area to get their trash to the street. He is not comfortable with people taking their trash through their homes. Ms. Fiske does not object to the situation.

Mr. Clayton suggested moving the Trustees' fence inward three (3) feet onto Trust property, come out to the street and identify that as the existing alleyway. We would relinquish three (3) feet of Trust property. Ms. Fiske objected saying it is an undue benefit for three houses, two of whom are absentee landlords and do not maintain their properties. And, it would make the park too small. She is willing to speak with City Administrator Barthel again and ask what the City's plans are for the alleyway. Mrs. Ross stated that the owners of the properties knew of the existing condition and it is their responsibility to approach the City. Mr. Episcopo asked if the property has been surveyed and confirmed that we own it. A survey has been done and ownership confirmed.

Ms. Fiske was asked if she had known that Phase I would close access to the street for people using the area to take their trash out, would she have moved forward with Phase I? She said the issue had been discussed including putting a gate in for each resident, but we don't want trash cans being left on the park, a Trust property. Mr. Meek does not support giving up Trust land; someone should work towards getting the brick wall removed.

Mr. Wilson reminisced about people using Trust property on Bull Hill and complaints about weeds in the uncontrolled area. The Property Maintenance Committee cleared the area and made it look nicer. Ms. Fiske clarified the 'weeds' were a spring garden. In a phone call to Mr. Wilson, Mr. Meek said he was ashamed to be a Trustee, that we violated someone's rights. Now we are suggesting a wall be put up and we don't care if the people don't have access to the street. We are not being consistent.

**Mr. Gallagher made a motion to move on with the agenda. Ms. Fiske seconded the motion. The consensus of the Board was to move on with the meeting.**

Ms. Fiske asked that the *New Castle Weekly* report that Phase I will be going forward.

**BATTERY PARK COMMITTEE REPORT** – Mr. Castagno reporting.

An application has been received for the Delaware State BBQ cook-off championship slated for Separation Day. It is the second Saturday in June. The committee has recommended to the President that Russell Smith be appointed to the committee. Mr. Smith has experience in park management, visitor experience, logistics management and is a neighbor. Mr. Wilson agrees to the appointment. According to the bylaws, Ms. Fiske said we only have standing committees; there is nothing in the bylaws saying the president may appoint ad hoc committees. She does not oppose the appointment. There was no opposition to Mr. Smith's appointment.

Mr. Meek asked if Mr. Hayes' presentation before tonight's meeting could be made public on the website. Mr. Castagno said a copy of the presentation will be in the Trust office for Board members and there are no objections to putting it on the Trustees website.

OTHER COMMITTEES

Election Committee – Mrs. Ross, Chairperson, officially announced a vacancy on the Board. A date has been selected for the next election. It will be 2/27/16 at the fire department. A timeline was distributed to the Board. The timeline will be published in the *New Castle Weekly*.

Penn Farm -- Mr. Alfree put the proposal from BSA&A dated 11/23/15 in the farmhouse file in the Trustee office. Phase A will be in two parts, 1 and 2. At the end we will have construction information that we can move forward (bids, construction company) with if that is what we decide. Phase 1 gets us ready for construction and Phase 2 involves finding monies to do the construction. The quote for Phase A, parts 1 and 2 is \$63,500. There are additional items that may/may not be charged. One is a tax credit coordination allowance. We are still dealing with the University of Delaware (UD) study. We have learned the drawings are correct and in the hands of BSA&A and DGI. However, the UD contract states the drawings were Part A and the report is Part B. Final approvals (\$8,500) are the cause for the delay. If BSA&A has to recreate the report, the limit would be \$15,600. There are miscellaneous expenses built in that would be billed separately. They are guaranteeing that Phase A will be finished by 5/31/16. It is Mr. Alfree's intent to have the final report in hand at the June 2016 meeting. Phase B is the actual construction work (\$50,800). That quote is guaranteed through September 2016.

**Mr. Alfree made a motion to authorize the President to sign the document to begin Phase A to begin work and if we had to pay all additional services, the cost would be \$85,600. Mr. Castagno seconded the motion.**

Ms. Fiske is concerned with the cost for the project. She thinks the Board is getting carried away and we should determine what needs to be done to make the farmhouse a reasonable dwelling with some historical architectural elements. She reiterated her concern over who controls the farmhouse. There is nothing in the lease preventing DGI from renting the house and using the proceeds on projects not connected to the farm, or giving the house to anyone to live in. We might be spending \$700,000-\$800,000 on this and giving it to DGI. DGI's financial situation is shaky and she would like to make sure any money made on the farm stays on the farm.

**Ms. Fiske moved to strike the main motion and substitute that a resolution be adopted not to sign a contract with Simperts Architects for the Penn farmhouse rehabilitation until the two following requirements have been met: 1) It is determined that the farmhouse is under the control of the Trustees and not of DGI, and 2) The contract is evaluated and refined to eliminate any services that are not strictly necessary to the project of providing a reasonable, but not excessive restoration of a residence with some historic features, and an estimate is given by Simperts Architects for the cost of construction management, that cost to be voted upon by the Board.** Additionally, Ms. Fiske is concerned that no estimate has been received from Simperts Architects for construction management. Mr. Alfree disagreed. **Mr. Meek seconded the motion.** Mr. Castagno said the lease states how the house is to be used. Ms. Fiske noted her support for refinishing the farmhouse, trying for three years to get the Capital Campaign Committee started to no avail.

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Ms. Fiske restated her motion. Mr. Wilson believes the amended motion is out of order because we have a lease with DGI stating that they are in control of the house. Ms. Fiske disagrees, disputing Mr. Castagno's comment that control of the farmhouse is clear in the lease (Section A, Premises). Ms. Fiske said the Capital Campaign called for DGI to give us quarterly reports as to its progress and at the end of the first and second years they would provide an updated report at which point the Trustees or the Board of DGI will have the opportunity within 45 days of withdrawing from the farmhouse. There was no Capital Campaign Committee formed, no quarter reports or updates have been received. Her contention is that the Trust is still in control of the farmhouse. Mr. Castagno noted DGI is not in default. Mr. Wilson tabled Ms. Fiske's motion until a legal opinion is received from Mr. Taylor of whether it is legal to vote on Ms. Fiske's motion citing it would be a violation of the lease. Mr. Taylor said it is included in what is leased to DGI, but Ms. Fiske notes there was no follow through.

Ms. Fiske said she gave the Board notice and the Board has been remiss. We would be giving DGI a \$500,000-\$800,000 house, unrestricted. Mrs. Ross noted DGI's numerous changes in leadership. Ms. Fiske thinks William Penn High School and Paul Lester are doing a good job, but fails to see what DGI is doing on the farm. DGI is moving ahead and may end up doing a good job, but in the meantime we should not hand over the house to them. Mr. Wilson called Ms. Fiske out of order.

Mr. Taylor advised Mr. Wilson that as president he cannot make a motion to table a motion. **Mr. Clayton made a motion to table the amended motion of the main motion. The motion was seconded and approved.**

Mr. DeAscanis said this is the third time the farmhouse is being rehabbed. The first time there were no bylaws and Don Banks hired a builder and then fired the builder. He hired another contractor to finish it and the second time it was not done properly. He cautioned the Board not to make the same mistake a third time. Mr. Alfree agreed saying we are trying to do the work correctly using a professional organization to design what we want the farmhouse to look like. They will make a livable home in their plan. From that point the Board can decide whether to rebuild the house or not. We followed this process because past experience shows past attempts to fix up the farmhouse were not successful. Mr. Alfree's idea was to go with a professional organization to provide a plan that this Board can vote on. He said this will be a big embarrassment for this Board after going out for bids, consulting, meeting and selecting a firm, asking for a price and budgeted for less than the price and we now are going back to the firm telling them the Board cannot come to agreement on moving forward with the farmhouse. Ms. Fiske reiterated her main concern over who controls the farmhouse. Mr. Wilson said it has been established. Mrs. Ross disagreed.

Mr. Taylor advised it is part of the lease premises to DGI. Then there is the committee part about the capital campaign part. There is question as to whether that has been done the way



the lease says. In order to call them into default on that you need to follow provisions in the lease giving notice of default and follow the procedures of the lease.

Mr. Wilson asked Mrs. Ross if she is in favor of that and she responded she has no confidence in DGI because they were supposed to start from the beginning to work with the farmhouse and have various programs and they have done 'squat.' Mr. Wilson interrupted Mrs. Ross, disagreeing with her comment that DGI has done 'squat.'

Mr. Gallagher suggested tabling any motions on the table until Mr. Taylor has had an opportunity to review the lease and provide a legal opinion. The committee could contact the vendor and inform them we have an issue to work through and we will get back with them next month.

Mr. Alfree will contact the vendor. He expressed his frustration that we advertised for a bid, interviewed several firms, selected a firm and asked them to submit a proposal that was budgeted for. The \$20,000 was budgeted for Bicentennial Park and this proposal is far less than the \$100,000 that was budgeted for Bicentennial Park, so why can't we move forward with the farmhouse.

COMMUNICATIONS – Mr. Alfree reporting.

Mr. Alfree sent Board members an email encouraging the Chairpersons of committees to have draft language prepared by the committee if you intend to present a motion after executive session in regular session. Pre-written motions will be a great help in preparing the minutes. Ms. Fiske is in agreement with Mr. Alfree's suggestion.

A Day in Old New Castle Committee 2016 will be extrapolating on the exhibit that the New Castle Historical Society (NCHS) had in the old library. A number of events will take place. One is a beer garden that they would like to have on the brick portion outside Old Town Hall in tents and with the entrance/exit in the tunnel area of the Old Town Hall. The beer garden will highlight three Colonial beers. The event will be for 21 years and older and security will be in place. Mr. Wilson provided the email from the committee to the Outreach Committee and directed them to work with the ADIONC committee.

Mr. Meek said the NCHS was unable to get an application submitted (technical reasons) to the National Park Services American Battlefield Program. They are working in partnership with the state Division of Historical Affairs to learn more about Fort Casimir. They request permission from the Trustees to undertake additional archeological work at the site of Fort Casimir, on Trust property, that will not begin until September 2016 and possibly early 2017. Work will include machine and hand excavation and non invasive ground-penetrating radar. Pending approval from the Trustees, they will apply for grant funding from the National Park Service. They are asking for a letter from this Board approving the work they propose. Archeologists will do the work and prepare a report once the project is finished. Holes will be refilled and pavement removed will be replaced. The Board did not oppose providing a letter in accordance with the request.

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Action Items

- Land Management Committee to review the matter of a roadway behind new housing units at Bull Hill.
- Storage of Trust's Charter. (Alfree—12/1/14)
- Develop a procedure that will keep sensitive documents secure. (Alfree – 1/6/15)
- Mr. Taylor requested a copy of the written agreement about the sluice gates/Broad Marsh for the Trust's records. (Castagno—3/3/15) (Mr. Marinelli to follow up – 9/1/15)
- Bellanca insurance issue. (Gambacorta, Marinelli, Finance Committee – 4/7/15)
- Contact DelDOT about clearing up under the overpass near Airbase Carpet Mart. (Alfree -- 9/1/15)
- Letter to the City reminding them of their responsibility for lowering and raising the flag in Battery Park in accordance with the law. (11/3/15)

**At 8:40 p.m. Mr. Gambacorta made a motion to enter into Executive Session. The motion was seconded by Mr. Gallagher. Motion approved.**

Regular session was resumed at 9:03 p.m.

There being no further business to discuss the meeting was adjourned at 9:04 p.m.

Deborah P. Turner  
Stenographer