

Trustees of the New Castle Common
Meeting Minutes
January 8, 2013

Present: Messrs. Alfree, Appleby, Clayton, DeAscanis, Gallagher, Meek, Viola*, Wilson, Yacucci; Ms. Fiske, Ms. Ross*, Mr. Taylor, Esq., Ms. MacDonough, Executive Secretary, Ms. Turner, Stenographer. Absent: Messrs. Castagno, Gambacorta

*joined meeting at 7:08 p.m.

The monthly meeting of the Trustees was held on Tuesday, January 8, 2013, at 7 p.m. in the Trustees Room of the Old Town Hall. Mr. Alfree called the meeting to order followed by a moment of silence. Mr. Viola represented the Trustees at tonight's City Council meeting to receive a plaque of appreciation for work done after the storm. Mr. Gallagher has been a Trustee since 1/17/09. The new election process begins in January 2013.

Public Input:

None.

Monthly Calendar: On 1/11/13 the City will have a recognition event for Senator Dori Connor at the library from 6-8 p.m. Mr. Wilson noted the 2/4/13 Land Management Committee will meet at 5:30 p.m.

Minutes: Corrections were noted for the Board meeting minutes of 12/4/12. **A motion was made by Mr. Wilson to approve the 12/4/12 Trustee Meeting minutes as amended. Mr. Gallagher seconded the motion. The minutes were approved.**

Executive Secretary's Report: Ms. MacDonough reported.

An updated Trustee contact list was distributed and changes noted. The Scholarship Committee has advertised locally that scholarship forms are available and Chairman Wynne Munn has reminded students to submit their grades. Erasing meeting tapes should include degaussing. Delaware Digital Factory will degauss our tapes at no charge and provides a certificate confirming the tapes are clean. Ms. MacDonough proposes a \$50 payment for their services. A procedure for erasing meeting tapes per the bylaws was suggested. Ms. MacDonough said a desktop machine can be purchased for about \$150 that would satisfy our auditors and double as a procedure. Having a witness on hand during erasing was recommended. The machine would be stored in the Trustees' meeting room.

Mr. Wilson made a motion to purchase the machine that will destroy meeting tapes on a monthly basis once the meeting minutes have been approved. Mr. Appleby seconded and the motion carried.

A complete report on receivables will be provided to Mr. Gallagher after the bank review meeting. There are four (4) leases in different stages of completion that will be addressed.

Treasurer's Report: Mr. Gallagher reported.

Mr. Wilson made a motion to approve the December 31, 2012 Treasurer's Report. Mr. Clayton seconded the motion. Motion was approved.

LAND MANAGEMENT COMMITTEE REPORT – Mr. Wilson reporting.

Friends of Bellanca – We are still waiting for a response from the insurance carrier. The Board gave at approvals at the December 2012 Board meeting pending input from the insurance company and more information from Friends of Bellanca. The matter is on hold.

Medical Center – St. Francis has postponed investment in the area. The committee requested not entering into a long-term lease (maximum quarterly) with Dr. James and only lease that portion of the building she is using. Additionally, to negotiate what she pays, enter into a 90-day term, and notice for discontinuation of the lease from the Trustees and from her. The committee would meet with the Property Maintenance Committee to discuss her request for reimbursement of items that are negotiable. This package would reduce her costs in exchange for her relinquishing a request for reimbursement of things she has fixed. If the Board approves, the committee would meet with the Property Maintenance Committee and with Dr. James.

Mr. Wilson plans to meet with St. Francis officials to determine their future plans. The committee may solicit other medical providers in the area to offer the area as a potential investment. The Property Maintenance Committee will continue with plans to replace the sidewalk and install a ramp. Once we begin discussions about the type of lease we will entertain with Dr. James, we would then look into the installation of an interior temporary wall. The intent is to have Dr. James negotiate with whoever leases the other portion of the building.

A motion was made by Mr. Wilson to approve the Land Management Committee and Mr. Taylor to move forward with negotiations with Dr. James of a modified lease effective 1/1/13 based on a per square foot charge reduced to the space she is using and not the space she is relinquishing, and that she waive her request for electrical repair reimbursement, we prorate the sewer and tax payments as of 1/1/13, the Trustees would be responsible for seeking a tenant for the entire building, and there would be a 90-day recurring lease. Ms. Fiske seconded the motion. Motion carried.

Clarification of the amount of square footage Dr. James will require is needed before resolving insurance concerns. Potential interior work should be included in the Property Maintenance Committee budget for the coming year.

The committee may consider leasing more land than we currently lease.

Dialysis Center – The lease expires in May 2013 and the tenant has exercised their new 5-year option. Negotiations will begin soon.

Airbase Carpet – The tenant has exercised its next 10-year option. An appraisal has been commissioned to Gary Parker of Advisory and Appraisal Co. He will visit the site this week.

The spreadsheet containing lease information for master properties was last distributed in 2008. Information will be updated soon but rents are up to date.

OUTREACH COMMITTEE REPORT – Ms. Ross reporting.

Grant requests have been received, except from the City. The Beautification Committee has been informed that more detailed estimates are needed. All information will be provided at the February meeting. Mr. Alfree will follow up with the City.

Preservation Delaware is not submitting an application this year. Ms. Terry Graham, Executive Director, indicated they were not informed why their application was not successful and seemed discouraged. Ms. Ross confirmed they were sent an explanation. Their proposal involved developing a package of information for potential home buyers in the City working in collaboration with the Historic Area Commission. The main issue was that the Historic Area Commission should request funding from the City rather than the Trustees.

The visit to State Archives has been delayed until Spring 2013.

Mr. Viola revisited the idea of funding some of the maintenance (hangar) at the Bellanca Airport (a Trustee property) and perhaps making it an annual budget item. Discussion included that maintenance-type items should not be considered as grants versus large, one-time items. The Property Maintenance Committee should address how maintenance issues are handled on Trust properties.

PROPERTY MAINTENANCE COMMITTEE – Mr. Viola reporting.

The committee will meet on 1/9/13.

FINANCE COMMITTEE REPORT – Mr. Gallagher reporting.

End-of-year financial information will be available next week. Approximate monthly performance for Nicholson is an increase of 1% and PNC is an increase of 2.4%. Year-end growth is in excess of 10%.

Mr. Wilson reviewed an email he distributed to the Trustees prior to this meeting. It deals with clean up of trash and debris in the City of New Castle. Several properties were cited as support of Mr. Wilson's position.

A motion was made by Mr. Wilson that the Trustees commit \$100,000 from the Permanently Restricted Net Assets in the fiscal year 2013-2014 to clean, improve, and preserve all properties owned by the Trust. These funds will be distributed in various committees and projects approved by the Board.

These funds would be outside the maintenance budget and does not interfere with standard budget procedures. Taking these funds out of the budget for this purpose may impede other things the budget is used for (Council, donations, police cars). Concern was expressed with how to ensure properties stay cleaned up once they are cleaned up. A solution could be to set aside funding on a yearly basis to address these issues. Mr. Wilson does not believe the Board is being a good steward of all of the Trustees' properties.

Mr. Wilson requested his motion be tabled to investigate the best way to execute it.

Responsibility of expenditure of these funds was discussed. Any Board member could request that a certain area be designated a project and be funded if approved by the Board. It is suggested that the Property Maintenance Committee, or an extension of said committee, will have a fund available to them specifically for maintenance of properties and that work to be done goes through a bidding process with a professional doing the work. More discussion is needed.

ELECTION COMMITTEE -- Mr. Gallagher reporting.
No report.

LIBRARY COMMITTEE REPORT – Mr. Viola reporting.

A ‘thank you’ event will take place on Friday (1/11/13) for Senator Connor. All Board members were asked to sign the resolution to be presented to Senator Connor from the Trustees. *(Mr. Viola read the resolution out loud and a copy is recorded with the minutes.)*

Mr. Viola presented a motion to accept this resolution and to read it into the minutes and present a copy to Senator Connor. Ms. Fiske seconded the motion. Motion carried.

OPEN SPACE COMMITTEE REPORT – Ms. Fiske reporting.

University of Delaware Professor of Landscape Design Jules Bruck will have her advanced students working on the Second Street Park in January. There are plans for a workshop in early February and notice of the date will be provided.

BYLAW COMMITTEE REPORT – Mr. Gallagher reporting.

Revisited Article X, Failure to Attend Meetings – Throughout discussions more questions have been raised. Another version is being offered for consideration. Hard copies were distributed and sent out electronically prior to the meeting.

The version reads, “If a Trustee fails to participate in six (6) consecutive regularly scheduled meetings of the Board, the officers will review the circumstances causing the missed participation with the Trustee. After the review with the specific Trustee, the officers will determine if the explanation concerning the failure to attend meetings is acceptable. If the officers find the explanation is acceptable, there will be no future action. If the officers determine the explanation is unacceptable, they will make a recommendation to the Board. If the recommendation is that the office be declared vacant, then a motion shall be made for a vote of the entire board. If the majority of the Board votes to declare the vacancy, the position will be filled according to the Bylaws.”

Mr. Wilson made a motion to accept Article X (revised 1/8/13) as presented by the Bylaws Committee, Failure to Attend Meetings. Mr. Clayton seconded and the motion carried.

An updated cover sheet (change log) reflecting the above will be distributed to Board members.

The matter of Article XV, Page 25, Executive Secretary and Other Employees, needs to be redone. The Bylaws Committee believes that job descriptions for all employees should be

developed or updated. An ad hoc committee consisting of Mr. Alfree and Ms. MacDonough will work to develop this information and present to the Board as a first step. The possibility of hiring additional personnel will be part of the discussion.

BATTERY PARK COMMITTEE REPORT – Mr. Yaccuci reporting.

No report. Ms. Fiske said bricks behind the garage had not been removed and whether now is a good time to clean out the area. The area has been subject of many complaints over the years. Mr. Gallagher said some of the walkway area that was washed away in the storm is not fenced off and is hazardous. Follow up with Ms. Cathie Thomas will be done.

OTHER COMMITTEES

Capital Campaign Committee – Ms. Fiske has contacted Mr. Peter Walsh to organize a meeting before recommending another year's lease from the Trustees. Mr. Walsh was receptive.

COMMUNICATIONS

Mr. Viola reported a letter from Mrs. Barbara Whisman of the Arasaphna Club thanking the Board for its \$1,500 contribution.

The movie "The Abolitionists" that was partly filmed in the City of New Castle will be airing on WHYY on 1/8, 1/15, and 1/22.

A sub-committee of the Planning Commission has been formed to help us understand parking in our community. The committee is asking that residents complete a survey that was distributed in last month's utility bills. An electronic version is available on the City's website and hard copies are available. Surveys are due by 1/11/13.

Mr. Wilson commented on an open-lot property available (last lot in the City) that is owned by the Pennington family. The asking price for 9/10ths of an acre is \$419,000. He asked if the Board wants the Land Management Committee to pursue any discussions about this property. The site may be an investment property for a future commercial rental site. As the bylaws read the Open Space Committee has jurisdiction and will look at the property and be prepared to discuss at the next meeting.

New Election Process – The form is to be returned to Ms. MacDonough by the third Tuesday in January. At the February Board meeting an election ballot will be provided to cast votes. At the March Board meeting election results will be announced with an effective date of April 1. There are limits to the length of time an officer can serve in a particular office that are defined in the Bylaws.

Research -- Mr. Meek has done research on Mr. Alfree's home and determined it was built by an investor who was a Trustee, William Herbert. Mr. Herbert was a former State Treasurer and prominent City of New Castle resident.

Dike Reconstruction -- Mr. Alfree has been in contact with the City about the dike projects and the City asked for a written commitment to part of the project. Instead, Mr. Alfree prepared a letter of support he is presenting for approval from the Board. Mr. Taylor has read the letter and offered input. The City wants to stay on a timeline with the State and Department of Natural Resources and Environmental Control (DNREC). The letter of support also explains the

Board's relationship with the City. Mr. Meek cautioned against automatically providing funds and suggested considering whether the Trustees can fund a study for what the extensions of the dikes should be to protect the entire City of New Castle, including Battery Park and the area around the northern part of The Strand and areas the dike extension would not cover. It is Mr. Meek's opinion that the current dike reconstruction plan does not address all vulnerable areas in the City. *(Mr. DeAscanis left meeting at 8:46 p.m.)* Ms. Fiske would like the Trustees to take the lead in looking into what would protect the City. Mr. Appleby stressed getting written commitments from property owners on The Strand and work with the City. Mr. Alfree assured the Board his letter indicates support, not financially but possibly via land since several areas overlap between the City and the Trustees. Mr. Gallagher thinks it would be inappropriate to do anything on our own at this time. If we don't agree with what the City and DNREC is doing then we can provide input. Mr. Viola agrees noting the breach in the shoreline that needs to be addressed, dike work will need to go forward but perhaps the Trust could be influential by expressing publicly the second phase to correct the breach in the shoreline and help bring people together to work together. Ms. Fiske said with the potential of being named a national monument we may be able to get funds from the Department of Interior. Mr. Appleby does not believe the Trustees should be the lead. Communication with all property owners impacted by the reconstruction project is important.

Funding was approved through a State Bond Bill for the dike reconstruction prior to the storms and funding from FEMA is for storm damages. Discussion about asking for more funding through local and Congressional representation followed.

The letter of support reads, "At a City Council meeting on December 4, many Trustees were present to hear a presentation about the City dikes. One item discussed is that repair and rehabilitation of two of the City dikes must include that they are extended to tie into a minimum elevation of 8.2 feet. The Broad Marsh Dike needs to be extended on the southern end and apportion of that tie-in would need to be built on Trust property in the Bull Hill area at the end of Eat 2nd Street, in the vicinity of the Ferry Parking Lot. The Gambacorta Marsh Dike needs to be extended on the northern end and a portion of that tie-in would need to be built on Battery Park property, for which Trust consent would be required, with the Trust acting as the Battery Park Commission.

Over the past few years, the Trust has been very involved in the process of the City and State working on plans to rehabilitate the City dikes. Trustees recognize the importance of this work being done to benefit all City residents, and protect a number of properties owned by the trust. This resolution confirms the commitment of the trustees of the New Castle Common to discuss working together with the City and the State to extend the existing dikes, as required, and to identify the optimum location for where said dike extensions will be built on properties owned and/or controlled by the Trust."

The Board approved the letter of support as written.

Action Items

- Mr. Alfree to follow up with City on outstanding grant application.
- An ad hoc committee consisting of Mr. Alfree and Ms. MacDonough will work on job descriptions, hiring additional personnel, update of property spreadsheet.
- Ms. Cathie Thomas on issue of an area of the Battery Park walkway not fenced off; macadam still falling from walkway.

At 8:55 p.m. Mr. Wilson motioned going into executive session to discuss matters of real estate. The motion was seconded by Mr. Gallagher and approved. The Board reconvened in regular session at 9:05 p.m.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Deborah Turner
Stenographer

Trustees of the New Castle Common
Meeting Minutes
February 5, 2013

Present: Messrs. Alfree, Appleby, Castagno, Clayton, DeAscanis, Gallagher, Meek, Viola, Wilson, Yacucci, Ms. Fiske, Mr. Taylor, Esq., Ms. MacDonough, Executive Secretary, Ms. Turner, Stenographer. Also present: Mrs. Mimi Carpenter of the *New Castle Weekly*.
Absent: Mr. Gambacorta and Mrs. Ross

The monthly meeting of the Trustees was held on Tuesday, February 5, 2013, at 7 p.m. in the Trustees Room of the Old Town Hall. Mr. Alfree called the meeting to order followed by a moment of silence.

Public Input:

Good Will Fire Co. Chief Chris Robinson reported on the increase of train traffic through the city. Volume will increase to 10 runs per day each with 100 cars hauling crude oil. Speed of the trains will increase to 30 m.p.h. from 15 m.p.h., about 6 minutes per crossing. The Chief has spoken to surrounding fire companies about providing back up to Good Will and all are receptive. Secondary units will be dispatched automatically in many cases. Chief Robinson will give a follow-up report to Trustees next month. Questions of installing gate arms at crossings, avoiding peak rush hours, public safety risks, fire safety and EMT services will be addressed with CSX officials. Chief Robinson is confident the community will be covered with the addition of a second unit being automatically dispatched. Fire companies have the capability of handling the crude product (low combustion) and have foam resources available from several sources should a situation present itself.

Chief Robinson thanked the Trustees for all they do for the fire company.

Monthly Calendar: The Finance Committee will meet on 2/15/13, 1 p.m. The deadline for national park proposals is 2/14.

Minutes: **A motion was made by Mr. Meek to approve the 1/8/12 Trustee meeting minutes as written. Mr. Clayton seconded the motion and the minutes were approved.**

Executive Secretary's Report: Ms. MacDonough reported.

Mr. Viola will look at the lighting fixture in the elevator. Delaware Elevator does not handle lighting. Carpet in the elevator will be replaced.

Scholarships – We have received grades from 23 of 35 students and if grades are not received by a stated deadline date funds will not be issued. Disbursement is the third week in February.

Filing system – An overhaul is planned for the entire office. New cabinets will be procured for the Board Room. All leases will remain in the building (20 years will be in Ms. MacDonough's office and prior 50 years stored in the Board room). She plans to use parcel numbers to develop the file system to be used. Ten to twelve years of financials will remain in the office. As part of the overhaul some of the furniture will be removed to provide more room.

Hazardous materials letters – Prioritizing the letters with hopes they will be finished this month. She will be working with the Finance Committee on rental income projections for the next fiscal year for budget preparation.

The auditor has completed our Form 990 and will be filed electronically on 2/15/13. The auditor will be here in late May to begin work on fiscal 2013.

Outreach grants have been distributed excepting the New Castle Senior Center door replacement. Work is being done this week.

An updated cover sheet (change log) reflecting the most recent bylaw changes and replacement pages will be emailed to Board members with hard copies provided in the Board's packets.

Treasurer's Report: Mr. Gallagher reported.

Mr. Wilson noted that fuel usage figures are higher and fuel bills do not coincide with the figures. He wants to handle this better going forward. It may be an "allocation" issue.

Monthly draw downs – An error was noted and will be corrected. City appropriation for budget and draw down – Green Space allocated \$10,000 but not taken and stimulus loan for \$140,000 was taken. Ms. MacDonough informed the police vehicle and Green Space are submitted the last week of our fiscal year. The stimulus loan (separate line item) was discussed after the budget was approved and is being shown on the report but is not added to the budget.

Mr. Gallagher made a motion to approve the January 31, 2013 Treasurer's Report.

Mr. Appleby seconded the motion. Motion was approved.

LAND MANAGEMENT COMMITTEE REPORT – Mr. Wilson reporting.

Airbase Carpet – Waiting for appraisals before beginning negotiations.

Corner of Delaware and Washington Streets – The State has put in a small trailer (DelDOT Inspection) which is permitted in their contract. Mr. Wilson suggested focusing on the land being returned the way it was when the State departs (2-1/2 yrs.) and how we can fix up the property when it is returned to us.

Medical Center – He is in discussions with a prospect about leasing half of the building that Dr. James is in. He wants to schedule a meeting with another prospect and asked that Mr. Taylor be involved.

OUTREACH COMMITTEE REPORT – Mr. Meek reporting.

The committee met and a number of requests have been received. The amount to be awarded is subject to what the Finance Committee appropriates. The City of New Castle requested \$30,200 police car; \$15,000 Tree Commission; \$29,000 garbage truck; and \$196,000 for principle and interest for storm water ponds. Discussion followed about what the Trustees agreed to pay concerning principle and interest for storm water ponds. The storm water ponds loan was a one-time payment and the Board did not agree to a long-term commitment. Funding is reviewed on an annual basis.

Friends of Bellanca requested \$45,000 for a tar and asphalt parking lot which the committee does not believe to be an appropriate use of funds. Their request of \$1,500 for a handicap ramp was approved.

Mr. Meek was thanked for his work on the Outreach Committee this year.

PROPERTY MAINTENANCE COMMITTEE – Mr. Viola reporting.

The Friends of Bellanca request was submitted through the Outreach Committee but the Board should be looking at what it should be doing here. It was suggested when paving on Washington Street is finished perhaps any extra material could be donated for the parking lot.

Basin Road – According to Mr. Thatcher, Mike Cirillo indicated work will begin this week.

Drainage Ditch near Ferry Cut-Off – Mr. Thatcher is getting another proposal for clean up. (Grown over with weeds.)

Medical Center – The recent tour focused on the building's interior. The committee plans to ask Stan Minka to do a comprehensive review of the condition of the exterior of the building. The committee recommends moving forward with this.

Sidewalk work will begin once the weather permits. Money was put in the capital funds budget for the roof, but was not done. We need to take this into consideration in the coming budget process.

Dialysis Center – Roof repairs have been done. More substantial repairs are needed soon.

Old Library – Mr. Viola asked Mike Connolly of the New Castle Historical Society to look at the condition of exterior paint on the old library. When the last restoration of the roof was done it involved repair to the millwork at the top of the building. There is money in the budget for this work.

FINANCE COMMITTEE REPORT – Mr. Gallagher reporting.

The budget meeting will take place on 2/15/13, 1 p.m. Budget information will be needed to be submitted prior to the meeting.

The meeting of our investment firms took place. Auditable return numbers were provided. PNC had a 12-month return of 12.28% and Nicholson was a 10.62% return. January returns show that PNC is .6% and Nicholson is .1%. Monthly figures are estimates.

ELECTION COMMITTEE -- Mr. Gallagher reporting.

No report.

LIBRARY COMMITTEE REPORT – Mr. Viola reporting.

The insurance company handling the insurance bond is requesting information about the paint issue. We hope to be reimbursed \$35,000 for work we have done to remedy the problem.

The patch that was installed on the roof before the last storm appears to have been successful. The bay window has leaked since 1964.

Our application (5 projects) to the Historic Area Commission was successful and we anticipate finishing in time to get 50% reimbursement from the State.

The Challenge Grant amount that the Board is matching dollar for dollar is close to being determined. This is for the sale of bricks for one year.

Mr. Alfree represented the Trustees at Senator O'Connor's event. She was very appreciative of the resolution the Trustees presented.

OPEN SPACE COMMITTEE REPORT – Ms. Fiske reporting.

University of Delaware Professor of Landscape Design Jules Bruck is looking at 2/27/13 for a workshop with her advanced students (10:15 a.m.-12:15 p.m.). This time conflicts with the Property Maintenance Committee; Ms. Fiske will request another date.

BYLAW COMMITTEE REPORT – Mr. Gallagher reporting.

Copies of Article XIV, Officers, Section 4 and 5; Article XVI, Section 2 and 4; and Article XVIII, Section 1 was distributed to the Board and discussed. The Board was invited to submit their input before the next meeting when a vote will be taken. Mr. Wilson asked that Mr. Taylor research the reason for the language in Article XVIII, Section I, A., B. and C. Mr. Taylor will check to see if the language was part of the settlement with the Attorney General's Office when 12-year terms were established.

BATTERY PARK COMMITTEE REPORT – Mr. Castagno reporting.

A committee meeting will be scheduled soon to see how we can involve interested citizens who want to help with restoration of the park.

OTHER COMMITTEES

Capital Campaign Committee – Ms. Fiske will report in Executive Session.

Penn Farm – Mr. Castagno reported on the most recent meeting. Delaware Greenways Initiative has a new executive director, David Hunt. A strategic plan is being developed that will incorporate the funding for the farm director. It was suggested forming an executive operating committee to review and comment on the strategic plan. Other topics discussed were leases, Wm. Penn High School increasing their acreage, and interest from the Delaware Food Bank to do some work at the farm. There is a \$100,000 farm grant available for restoration of the retail stand, a green roof and storm water management.

The entire plan would come before this Board for approval and whatever improvements are made would remain a part of the Trust should they depart.

Mr. Meek said there are four grant proposals for theses' for students that Rebecca Sheppard supervises. These proposals, known as "Capstone projects", cover a range of subjects (ex.- construction details of Penn Farm property), which he described. The Trustee minutes will be photographed and used as their basic documentary source for work at the farm and Trust history. The State of Delaware microfilmed all documents about 10 years ago and for less than \$500 the State should be able to provide PDF's to students to help with their theses' and make it available for future studies of the Trust history. The funds are already part of funding and Mr. Meek will be reimbursed for his expenses in securing the PDF's. The work should be done within the next two weeks.

COMMUNICATIONS – Mr. Viola

A letter was received from the state Office of Communication Services GIS and Mapping Section, regarding 731 Frenchtown Road, New Castle, Delaware. This address has been assigned to the proposed well to be built by the Municipal Services Commission that will be located on tax parcel number 21-009.00-002.

Mr. Meek reported on a response letter from the State Archeologist regarding ownership of artifacts from the dig at Bull Hill. The Trust asked to retain ownership of the artifacts but the State would handle preservation. The State informed Mr. Meeks that two objects need stabilization (grenade and a flattened bullet), but they do not have funds. Stabilization involves x-rays to get an estimate on conservation costs. They inquired whether the Trustees would be interested in funding the restoration. The items are in poor condition and Mr. Meek is not in favor of funding.

Mr. Alfree's position is that the State initiated the dig and if they want to spend money on the artifacts they can do so. Mr. Taylor suggested consulting with the New Castle Historical Society before deciding whether to donate the artifacts to the State. Follow up in March.

Action Items

- An ad hoc committee consisting of Mr. Alfree and Ms. MacDonough will work on job descriptions, hiring additional personnel, update of property spreadsheet.
- City Administrator Thomas on issue of an area of the Battery Park walkway not fenced off; macadam still falling from walkway.
- Purchase of degaussing equipment.
- State Archives visit (delayed until Spring 2013).
- Consulting with the New Castle Historical Society before deciding whether to donate Bull Hill artifacts to the State.

At 8:30 p.m. Mr. Wilson moved to go into executive session for the purpose of discussing lease negotiations. The motion was seconded by Mr. Gallagher and approved.

The Board reconvened at 8:55 p.m. Mr. Alfree has collected the Officer Interest forms and combined the nominations into a ballot, which he distributed to each member individually. Ballots should be returned to Ms. MacDonough by Tuesday, 2/19/13.

There being no further business, the meeting was adjourned at 8:58 p.m.

Respectfully submitted,

Deborah Turner
Stenographer

Trustees of the New Castle Common
Meeting Minutes
March 5, 2013

Present: Messrs. Alfree, Castagno, Clayton, Gallagher, Meek, Viola, Wilson, Yacucci, Ms. Fiske, Mrs. Ross, Mr. Taylor, Esq., Ms. MacDonough, Executive Secretary, Ms. Turner, Stenographer.
Absent: Messrs. DeAscanis, Gambacorta

The monthly meeting of the Trustees was held on Tuesday, March 5, 2013, at 7 p.m. in the Trustees Room of the Old Town Hall. Mr. Alfree called the meeting to order followed by a moment of silence.

As of 3/3/13 Mr. Wilson has served as a Trustee for 18 years.

Public Input: None.

Monthly Calendar: Nothing to report.

Minutes: One correction was noted. **A motion was made by Mr. Wilson to approve the 2/5/13 Trustee meeting minutes as amended. Mr. Gallagher seconded the motion and the minutes were approved.**

Executive Secretary's Report: Ms. MacDonough reported.

Ms. MacDonough will concentrate on fiscal matters during the month of March. She has received the list of approved scholarships and checks will be mailed on 3/6/13. The Scholarship Committee would like to have someone from the Washington Park area join their committee. Mike Connelly of the New Castle Historical Society has requested using the Board Room for their 3/10/13 board meeting. No objections were noted. Degaussing of tapes has been done using Delaware Digital Factory.

Treasurer's Report: Mr. Gallagher reported.

Mr. Gallagher made a motion to approve the 2/28/13 Treasurer's Report as submitted. Mr. Viola seconded the motion. Motion was approved.

LAND MANAGEMENT COMMITTEE REPORT – Mr. Wilson reporting.

Delaware River & Bay Authority (air rights) – The committee still needs to speak to some of the tenants. No problems are anticipated.

The Friends of Bellanca – Bright Fields will monitor the dig to install their tower. There is no concern about the area of the dig, but if any contaminants are found the Trustees could incur some expenses. Mr. Wilson proposed tabling the matter until April.

Gordy Realty/AT&T – An offer has been made, but no response to date.

Korean Church – Ms. MacDonough is working on a tax exemption for the church.

Dialysis Center – The lease is ready to sign.

The State of Delaware has proposed installing a walkway along Frenchtown Road requiring use of some Trustee properties. The walkway will be 10 foot wide and blacktopped. As part of the project, they will repair the drain east of the roadside stand, repair the entrance/exit in the area to prevent “turnarounds”, will reconstruct entrance to the farm with blacktop, and repair the area around the MSC area. The State has asked the Trustees to donate the 2.35 acres needed and grant a permanent easement so the State will be responsible for maintaining the parcel. The committee discussed if any charge should be attached to the parcel, but decided to bring the issue before the full Board. If approval is granted work will begin immediately and be ready for summer 2013. Discussion followed.

DelDOT “took” Trust land along the road in the 1940s when the road was supposed to be widened and poles put in, but the State never recorded it so the property reverted back to the Trustees. There is no commercial value.

Fire hydrants that MSC installed will be raised to accommodate the elevation of the trail and \$800,000 of light fixtures is planned. MSC will provide power for lighting at their expense.

Mr. Meek questioned whether DelDOT could further widen the road, citing his impression that it is a DelDOT right of way. And, if the land is not used as a walkway, it would revert back to the Trustees. Mr. Taylor suggested including a condition in the agreement that would address this concern.

Safety (crossing the roadway) and aesthetics (shrubbery, fence, trees) of the trail were discussed. Mrs. Ross suggested signage indicating the Trustees donated the land used for the walkway.

The Trust exists for the benefit of the citizens and this project promotes recreational activities. According to Mr. Taylor the property could be sold to the State for \$1.

Mr. Wilson motioned to allow this easement with the stipulation that it will be negotiated by our attorney that as long as this is a walkway we will donate the property, but if it turns into a highway we plan to be compensated for the property at current rates. Mr. Castagno seconded the motion.

A roll call vote was called.

Mr. Alfree – Yes

Dr. Yacucci – Yes

Mr. Gallagher – Yes

Ms. Fiske – Yes

Mr. Clayton – Yes

Mr. Castagno – Yes

Mr. Wilson – Yes

Mr. Viola – Yes

Mrs. Ross – Yes

Mr. Meek -- Yes

Motion approved by unanimous vote.

OUTREACH COMMITTEE REPORT – Mrs. Ross reporting.

Mr. Alfree requested Mrs. Ross schedule a meeting in the next month with the Friends of Bellanca officers, Mr. Alfree and Mrs. Ross regarding their fundraising activities.

PROPERTY MAINTENANCE COMMITTEE – Mr. Viola reporting.

Jim Ryan of the Wm. Penn High School Agriculture Department is looking for a project for his students and approached Mike Connelly, Director, NC Historical Society asking if the Trustees and Historical Society would be interested in his students taking care of the garden at the old library. No opposition expressed.

The old Board table was removed from the Board room and is being repaired. It will go to the new library. The old Trustee chairs that were used with the table are in better condition than expected and re-caning is being explored. Ms. MacDonough was asked to get better chairs for the Board room.

FINANCE COMMITTEE REPORT – Mr. Gallagher reporting.

February returns show that PNC was less than 1% and Nicholson is 3%. Mr. Gallagher distributed a document (Purpose of Trust & Budget Decision Hierarchy) his committee has prepared addressing how budget decisions are made. The document was discussed and constructive and positive feedback was received from the Board. Mr. Meek expressed concern with the funding the City has received over time for municipal-type expenditures. He wants to re-think where Trustee dollars are spent.

The budget was reviewed by category.

Administration

Ms. Fiske is opposed to giving DGI a loan for the Penn Farm Study. She supports funding the study for the farmhouse, but believes DGI has not been proactive in raising funds. Mr. Gallagher said the committee discussed giving a loan versus funds with the idea of moving forward. If the house doesn't get some funding soon it would continue to sit vacant. Giving a grant could potentially enable DGI to get other grants. Mr. Alfree suggested sending DGI a letter telling them we have agreed to fund them, but if they get sufficient monies we would request being reimbursed. The Penn Farm Study line item is being removed from the Administration category.

Mr. Gallagher made a motion that the budget for April 2013 to March 2014, Administration, be approved as submitted with the exception of the Penn Farm Study. Ms. Fiske seconded the motion; motion passed by a vote of 9 in favor and 1 opposed. Mr. Wilson is opposed to removing the study from Administration.

Mr. Gallagher made a motion to approve the recommended budget figure of \$20,000 for the Penn Farm Study (architectural work for John Crow farmhouse) for the year April 2013 to March 2014. Mr. Castagno seconded the motion.

A roll call vote followed.

Mr. Alfree – Yes

Dr. Yacucci – Yes

Mr. Gallagher -- Yes

Ms. Fiske – Yes, with the stipulation the monies should not go directly to DGI.

Mr. Clayton – Yes

Mr. Castagno – Yes, with the stipulation we continue what we are doing with DGI.

Mr. Wilson – Yes, with the stipulation we continue what we are doing with DGI.

Mr. Viola – Yes, with the stipulation we continue what we are doing with DGI.

Mrs. Ross – No, they have not shown a good faith effort in securing funding.

Mr. Meek – No, citing the previous two stipulations but hopes we can continue to work cooperatively with DGI. He believes the study of the John Crow house was to have been done by DGI and they have not conformed.

Motion carried by a vote of 8 in favor and 2 against.

Personnel – Personnel matters will be discussed in executive session.

Maintenance

Mr. Gallagher made a motion that the budget for April 2013 to March 2014, Maintenance, be approved as submitted. Mr. Clayton seconded the motion; motion carried.

Building Repairs

Ms. Fiske questioned the \$17,000 shown for barn buildings. Mr. Castagno explained those monies are set aside for unexpected maintenance issues, the same with all other line items.

The \$20,000 shown for the Bellanca hangar is for the side of the building. The Property Maintenance Committee asked that we consider funds to address maintenance problems with the side of the building.

Mr. Gallagher made a motion that the budget recommendations for April 2013 to March 2014, Building Repairs, be approved as proposed. Mr. Clayton seconded the motion; motion carried.

Battery Park

The budget for walkway repairs represents 25% of the forecasted construction value from the Banks Buildings to the sailing club. FEMA will cover 75% of the costs.

Drainage survey – The committee recommended waiting until the walkway is finished and the park is leveled out then get funding to do a topography and try to remediate water puddling in the park.

Mr. Gallagher made a motion that the budget recommendations for April 2013 to March 2014, Battery Park, be approved as proposed. Mr. Castagno seconded the motion. Motion carried.

Contributions

Mr. Meek expressed his concern with not funding the summer concerts and the New Castle Alliance, who asked for a match for signage. Mr. Gallagher said the concerts are getting contributions and are successful. The Board is not trying to cancel the concerts, but wants to pull back from organizations that don't need our funding as much. Mr. Meek believes not funding the concert series could be a mistake from the public opinion standpoint. Mrs. Ross, Mr. Meek and Mr. Viola believe the Alliance signage project is worthy of the matching funds. Mr. Gallagher informed that in order to cover the proposed budget we will need to use some of our investment income.

Mr. Gallagher made a motion that the budget recommendations for April 2013 to March 2014, Contributions, excepting the concert and Alliance line items, be approved as proposed. Ms. Fiske seconded the motion. Motion carried.

Mr. Meek made a motion to approve the requested line item for the concerts (\$8,170). Ms. Fiske seconded the motion.

Mr. Viola thinks some funding for the concerts is appropriate. Mr. Wilson disagreed because the concerts have proved they can be self sufficient. Concern was expressed that the same level of support might not be available for the concerts this year.

Mr. Meek made a motion to amend the recommended allocation for summer concerts to \$4,000. Ms. Fiske seconded the motion.

Roll call vote followed.

Mr. Alfree – No

Dr. Yacucci – No

Mr. Gallagher – No

Ms. Fiske – Yes

Mr. Clayton – Yes

Mr. Castagno – No

Mr. Wilson – No

Mr. Viola – Yes

Mrs. Ross – Yes

Mr. Meek – Yes

The motion failed because a majority was not reached.

Mr. Meek made a motion to approve the line item for the Alliance (\$2,650) for (directional) signage as requested. Mrs. Ross seconded the motion.

Roll call vote followed.

Mr. Alfree – Yes, because it is related to signs. The organization is a political organization and there is no benefit to him as a citizen.

Dr. Yacucci – Yes, because it is related to signs.

Mr. Gallagher – No, he believes the City should be supporting marketing the town and bringing more people into town does not necessarily benefit residents.

Ms. Fiske – Yes, they are trying to address the amount of signs and make things look better.

Mr. Clayton – Yes, directional signage is needed. He believes the City should support though.

Mr. Castagno – Yes, because it is related to signs, but with reservations noting the issues brought upon this Board during the last election.

Mr. Wilson – No, he believes the organization is political and the signs are the responsibility of the City.

Mr. Viola – Yes. He expressed concern with the comments made about the organization being political.

Mrs. Ross – Yes. She does not believe the organization is political and the statements are unfair.

Mr. Meek – Yes, he approves of the signs and doesn't think the political aspirations of some members are relevant.

The motion was approved by a vote of 8 in favor and 2 against.

Government

Funding for the garbage truck was discussed. The Board agreed to provide a grant on a year by year basis, but no commitment to pay for the entire amount.

Mr. Meek expressed concern with underfunding the maintenance of trees in the City. He supports removing Green Space Management and vote on it separately. Mr. Wilson opposed noting a motion was previously made and voted on by this Board to not fund the Tree Commission any longer. It is a City group reporting to the City.

Mr. Castagno explained how the budget for Government was determined. The Finance Committee looked at using our resources for big infrastructure-like projects and provide relief for taxpayers. The Capital budget shows we are investing for the general good of the citizens. The budget reflects \$200,000 towards the City's storm water project and remaining funds were spread out on the other line items.

Mr. Gallagher made a motion that the budget recommendations for April 2013 to March 2014, Government Contributions, be approved as proposed. Mr. Castagno seconded the motion.

Roll call vote followed.

Mr. Alfree – Yes

Dr. Yacucci – Yes

Mr. Gallagher – Yes

Ms. Fiske – Yes, but the Board should fund the Tree Commission because they do a lot of work and the City does not support them.

Mr. Clayton – Yes

Mr. Castagno – Yes

Mr. Wilson – Yes

Mr. Viola – Yes

Mrs. Ross – Yes, and suggests having someone from the Tree Commission or City come before this Board to explain why funding is needed.

Mr. Meek – No, he believes the Tree Commission should be supported by the City.

Motion passed by a vote of 9 in favor and 1 opposed (Meek).

Capital

Mr. Meek does not feel the parking lot that Bellanca has requested is necessary. He does not believe the \$45,000 proposed for this project is a good use of funds. Mr. Gallagher said the Friends of Bellanca secured a grant from the federal government that this Board guaranteed. It allows them to keep the building in working order or the Trust is responsible for compensating the federal government for the grant (\$295,000). The Friends of Bellanca has identified a new parking lot as their priority to help them in raising money. Mr. Gallagher added there is value in a new parking lot citing the safety-related problems of people letting children out of vehicles to go to the ball fields. The ball fields could use the parking lot as a drop-off point. The location can provide overage parking for programs at the farm. Mr. Wilson and Mr. Viola voiced support for improving properties the Trust owns.

Mr. Taylor said Amazon.com has approached The Friends of Bellanca about renting the parking lot for seasonal workers. He opposed citing liability issues related to a gravel parking lot. Paving the parking lot would make it safer for the uses mentioned as well as bringing in some income for The Friends of Bellanca from Amazon.com.

Mr. Gallagher made a motion that the budget recommendations for April 2013 to March 2014, Capital, be approved as proposed. Ms. Fiske seconded the motion; motion carried.

Mr. Alfree stated that letters will be sent to everyone approved for funding informing them that funding is on an annual basis and may not be available next year.

ELECTION COMMITTEE -- Mr. Gallagher reporting.
No report.

LIBRARY COMMITTEE REPORT – Mr. Viola reporting.

The library continues to work on projects to be reimbursed with Bond Bill monies. The sign is funded with monies generated from the Trustee challenge grant program.

OPEN SPACE COMMITTEE REPORT – Ms. Fiske reporting.

University of Delaware Professor of Landscape Design Jules Bruck's advance students will conduct a workshop on 3/14/13. Ms. Fiske welcomed the Board's participation.

BYLAW COMMITTEE REPORT – Mr. Gallagher reporting.

Article XIV Officers, Section 4, President, and Section 5, Vice President – **A motion was made by Mr. Gallagher to approve Article XIV, Section 4 and 5 as distributed. Mr. Meek seconded the motion. Motion was approved.**

A copy of Article XVIII, Absentee Registration, Voting, and Ballots was distributed to the Board for discussion.

Mr. Gallagher made a motion to approve the changes discussed for Article XVIII, Section 1, "All persons eligible to vote in a Trustee election who will be absent from the City on the days set for voter registration may apply for absentee registration as provided by this Bylaw." Ms. Fiske seconded.

Mr. Wilson said if anything is changed tonight we must abide by the 10-day notice rule. Mr. Gallagher said language was tweaked for clarity but the content remains unchanged. Mr. Wilson believes this language will make it easier for someone to falsify the reason to obtain a ballot.

The motion was approved.

Article XVI, Trustee Committees, Section 2, Limits on Financial Authority – **Mr. Gallagher made a motion to approve Article XVI, Section 2, with the word "email" added to the last sentence. Ms. Fiske seconded the motion. Motion was approved.**

Mr. Gallagher made a motion to accept the proposal to eliminate Article XVI, Section 4, Term for Committee Members, because it is addressed in Section 1. Ms. Fiske seconded the motion and the motion carried.

BATTERY PARK COMMITTEE REPORT – Mr. Castagno reporting.

Several citizens attended a committee meeting informing of their interest in creating The Friends of Battery Park to raise money for programming and other capital improvements. They will write up their plan and move forward. The group will operate as a non-profit under New Castle Concerts, Inc. (501.3c).

The clearing behind the Trustee sheds is near completion and will be maintained going forward.

NOMINATIONS – Mr. Wilson reporting.

President – Mr. Alfree

Vice President – Mr. Wilson

Secretary – Mr. Viola

Asst. Secretary – Ms. Fiske

Treasurer -- Mr. Gallagher

Asst. Treasurer – Dr. Yacucci

Mr. Wilson made a motion to accept the slate of officers as presented for the fiscal year 2013-2014. Mr. Clayton seconded the motion. Motion carried.

OTHER COMMITTEES

Capital Campaign Committee – Ms. Fiske will report in Executive Session.

Archives Committee – Mr. Meek reported that the contract with Rebecca Sheppard was executed and done under budget. The project involved scanning Trustee minutes from 1792 to 1980 (3,000 pages+) into digital format. Mr. Meek and Ms. Fiske continue to work on cataloging plans and maps.

COMMUNICATIONS – Mr. Viola

Mr. Appleby has moved out of the City and has submitted his resignation from the Trustees in accordance with the original charter. (Letter read aloud.)

A resident of Washington Park suggested the Trustees consider minor beautification along the perimeter of the construction trailer site at 14th and Washington Streets. Mr. Castagno spoke to local legislators about addressing this issue and they will be contacting DelDOT.

Abigail Schmidt has informed she has moved out of the City and can no longer accept scholarship funding.

A letter was received from Michael Hemphill and Matthew Ceronis requesting that weeds along the New Castle riverfront be cut and trees along the waterfront between Bull Hill and 111 The Strand be limbed up at the expense of the Trustees. Mr. Alfree assigned this to the Property Maintenance Committee for recommendation at the April meeting.

Action Items

- An ad hoc committee consisting of Mr. Alfree and Ms. MacDonough will work on job descriptions, hiring additional personnel, update of property spreadsheet.
- Work with City Administrator on issue of an area of the Battery Park walkway not fenced off; macadam still falling from walkway.
- State Archives visit (delayed until Spring 2013).
- Consulting with the New Castle Historical Society before deciding whether to donate Bull Hill artifacts to the State.

At 9:22 p.m. Mr. Wilson moved to go into executive session for the purpose of discussing matters of personnel and real estate. The motion was seconded by Mr. Gallagher and approved.

The Board reconvened at 9:45 p.m.

Mr. Wilson made a motion that he and Mr. Taylor be authorized to continue and complete negotiations with Alpha Real Estate for the renewal of the lease governing the Tremont Motel and Dunkin Donuts on Route 13. Mr. Castagno seconded; the motion carried unanimously.

Mr. Gallagher made a motion that the 'Personnel' page of the proposed budget be approved as submitted. Mr. Clayton seconded; the motion carried unanimously.

Trustees of the New Castle Common
Minutes of March 5, 2013

Mr. Alfree said he would enter the approved revisions into the budget document and distribute the final version to the Board.

There being no further business, the meeting was adjourned at 9:50 p.m.

Respectfully submitted,

Deborah Turner
Stenographer

Trustees of the New Castle Common
Meeting Minutes
April 2, 2013

Present: Messrs. Alfree, Castagno, Clayton, DeAscanis, Gallagher, Meek, Viola, *Yacucci, Ms. Fiske, Mr. Taylor, Esq., Ms. MacDonough, Executive Secretary, Ms. Turner, Stenographer.

Also present: Mrs. Mimi Carpenter of the *New Castle Weekly*

Absent: Messrs. Gambacorta, Wilson, Mrs. Ross

*joined meeting at 7:05 p.m.

The monthly meeting of the Trustees was held on Tuesday, April 2, 2013, at 7 p.m. in the Trustees Room of the Old Town Hall. Mr. Alfree called the meeting to order followed by a moment of silence.

Dr. Yacucci celebrates 6 years as a Trustee on 4/28/13. *From the Past:* Jim Quillen was elected to the Board on 4/20/68.

At the March meeting there was some confusion with elections upon the resignation of Mr. Appleby. Dr. Yacucci received a write-in vote for Assistant Treasurer; however, write-in votes are not sanctioned by the bylaws; therefore, anyone interested in the office is to submit their name by 4/5/13. Name(s) will be sent to Board members to vote for the office of Assistant Treasurer.

Public Input: None.

Monthly Calendar: Quarterly Financial Review Meeting, 4/24/13, 5 p.m.; Friends of the Library Fundraiser, 4/24/13

Minutes: Corrections were noted. **A motion was made by Mr. Viola to approve the 3/5/13 Trustee meeting minutes as amended. Mr. Gallagher seconded and the motion carried.**

Executive Secretary's Report: Ms. MacDonough reported.

Ms. MacDonough – Deadline for scholarship applications is 4/15/13. She is processing checking account signature sheets for new officers. A new filing system will be implemented in the near future and new work stations are being considered for Mr. Thatcher and Ms. MacDonough. Ms. MacDonough will work with the Property Maintenance Committee to implement the project. The Trustees plan to hire a part-time receptionist and Ms. MacDonough welcomes names of potential candidates.

Mr. Alfree acknowledged Ms. Wynn Munn for the scholarship summary that was provided to all Board members.

Treasurer's Report: Mr. Gallagher reported.

The report reflects the payment of scholarship monies and the library tribute brick challenge grant is finished. This report is not the year-end report.

Mr. Gallagher made a motion to approve the 3/31/13 Treasurer's Report as submitted. Mr. Castagno seconded the motion. Motion was approved.

LAND MANAGEMENT COMMITTEE REPORT – Ms. Fiske reporting.
Route 273 Trail – Mr. Taylor is still negotiating.

Delaware River & Bay Authority (air rights) – The committee still needs to speak to some of the tenants. No problems are anticipated.

Hazardous Materials Letters -- Ms. MacDonough will be addressing and report at the May meeting.

Gordy Realty/AT&T – No updates.

Korean Church – They are still in the process of filing for a retroactive County tax exemption. Regardless of outcome the Trustees will be reimbursed.

Dialysis Center – Figures of the lease have been agreed on and we have signed but Fresenius is reviewing the wording.

A property owner who is adjacent to the Mexican restaurant reported that conditions are very poor with debris all over the property. There is also a serious water system problem present.

OUTREACH COMMITTEE REPORT
No report.

PROPERTY MAINTENANCE COMMITTEE – Mr. Viola reporting.
There is a new sidewalk and ramp in front of the Medical Center and railings will follow. A contract has been signed to coat the roof of the Dialysis Building. Mr. Castagno attended a dike status workshop on behalf of the Board; a report will be given in May. Repairs to the former Board table are complete. We are working to get all 12 Trustee chairs restored. Before and after pictures will be taken and provided to the *New Castle Weekly*.

The Property Maintenance Committee met with Drew Hayes of ForeSite Associates to discuss Mr. Hemphill's request that the Board trim vegetation along the waterfront. Mr. Viola reported that photographs of the waterfront immediately after Superstorm Sandy were shown to the committee and they listened to a presentation from Mr. Hayes. There are numerous ways to approach shoreline protection and much to be learned. The committee supports pursuing the concept that Mr. Hayes presented.

The Property Maintenance Committee recommends that no clearing, pruning, or cutting be done in 2013 along the waterfront and that we pursue the concept that Mr. Hayes presented to the committee.

Discussion followed about the information provided by Mr. Hayes and shoreline protection. Mr. Viola will provide the decision to Mr. Hemphill.

FINANCE COMMITTEE REPORT – Mr. Gallagher reporting.

March returns show PNC is up 1.8% and Nicholson is up 2.2%. Mr. Alfree distributed finalized budget numbers approved last meeting.

ELECTION COMMITTEE -- Mr. Gallagher reporting.

The need exists to declare a vacancy on the Board based on Mr. Appleby's resignation. An Election Committee will be scheduled soon to determine a time table for the election, which won't take place until the Fall.

Mr. Viola proposed the idea of registering votes during the next City election. A schedule will be developed and Board members are encouraged to volunteer.

LIBRARY COMMITTEE REPORT – Mr. Viola reporting.

The library continues to work on projects to be reimbursed with Bond Bill monies. Protective devices will be installed around two light posts in the parking lot.

OPEN SPACE COMMITTEE REPORT – Ms. Fiske reporting.

The workshop on 3/14/13 went well. A landscape design from a student in Professor Jules Bruck's Landscape Design class was distributed to the Board and details provided by Ms. Fiske. The Board was invited to offer comments by the end of this week. Mr. Taylor corrected the report that was distributed to read "the City of New Castle specifications for landscaping" rather than the "County." Discussion followed.

BYLAW COMMITTEE REPORT – Mr. Gallagher reporting.

The committee is working on updating the index as of March and getting copies of approved bylaw changes to Board members.

BATTERY PARK COMMITTEE REPORT – Mr. Castagno reporting.

The committee has developed a Survey Monkey questionnaire to get feedback about usage of the park. With repairs that need to be done and the problems we know about, and learning what we have from Mr. Hayes he suggested laying out a complete comprehensive plan about what the park should look like going forward based on science. This is an electronic survey only. Mr. Alfree suggested advertising the survey at the table during the City election. Mr. Castagno will prepare a flyer and submit an article or advertisement to the *New Castle Weekly*. It was suggested that demographics (age, resident, number of people in family) be included in the survey. He expressed concern with cash flow in the event FEMA funding is not awarded. Fencing of dangerous macadam or temporary patching of same in the park was discussed.

OTHER COMMITTEES

No report.

Distribution of Committee Interest Forms – Forms will be emailed to the Board tomorrow.

COMMUNICATIONS – Mr. Viola reporting.

A ‘thank you’ note from the family of Theresa Gambacorta was received.

Mr. Eric Ziminsky sent a ‘thank you’ note for scholarship monies he received.

A survey request of woodland owners was received from the National Wildlife Service. Mr. Taylor will review the survey before it is completed.

A letter was received from the law offices of Green, Green, Godowsky and McFadden regarding Taquitos Pueblo, Inc., 241 North du Pont Highway, informing the restaurant had applied for a liquor license on 3/27/13.

A letter was received from a resident who objects to Ms. Fiske being a host of a Candidate’s Forum with the Arasapha Club. Arasapha Club receives funding from the Trustees and the resident believes elected officials should remain neutral. The consensus of the Board was that members “walk a fine line” and making it known you are representing yourself and not the Board is important.

Action Items

- An ad hoc committee consisting of Mr. Alfree and Ms. MacDonough will work on job descriptions, hiring additional personnel, update of property spreadsheet.
- Work with City Administrator on issue of an area of the Battery Park walkway not fenced off; macadam still falling from walkway.
- State Archives visit (delayed until Spring 2013).
- Consulting with the New Castle Historical Society before deciding whether to donate Bull Hill artifacts to the State.
- Mrs. Ross to schedule a meeting the Friends of Bellanca officers, Mr. Alfree and Mrs. Ross regarding their fundraising activities.

At 8:10 p.m. Ms. Fiske made a motion to enter into Executive Session to discuss matters of real estate. Mr. Gallagher seconded and the motion was approved.

The Board reconvened into regular session at 8:30 p.m.

There being no further business, Mr. Gallagher then made a motion to adjourn and Ms. Fiske seconded. The meeting was adjourned at 8:31 p.m.

Respectfully submitted,

Deborah Turner
Stenographer

Trustees of the New Castle Common
Meeting Minutes
May 7, 2013

Present: Messrs. Alfree, Castagno, Clayton, DeAscanis, Gallagher, Gambacorta, Meek, Yacucci, Wilson (by telephone), Ms. Fiske, Mrs. Ross, Mr. Taylor, Esq., Ms. MacDonough, Executive Secretary. Also present: Mrs. Turner, Stenographer, Mrs. Mimi Carpenter of the *New Castle Weekly*

Absent: Mr. Viola

The monthly meeting of the Trustees was held on Tuesday, May 7, 2013, at 7 p.m. in the Trustees Room of the Old Town Hall. Mr. Alfree called the meeting to order followed by a moment of silence.

Mr. Gambacorta celebrates 41 years as a Trustee on 5/13/13.

Dr. Yacucci has been elected to the office of Assistant Treasurer.

Public Input: Judy Baldini, Co-Chair of *May Market*, thanked the Trustees for their help with the event and continued support of the Arasaphna Garden Club. The event was successful.

Monthly Calendar: No additions or deletions noted.

Minutes: Corrections were noted. **A motion was made by Mr. Gambacorta to approve the 4/1/13 Trustee meeting minutes as amended. Mr. Gallagher seconded and the motion carried.**

Executive Secretary's Report: Ms. MacDonough reported.

Ms. MacDonough – Auditors (Barbacane Thornton & Co.) will arrive on 5/20/13; prep work being done beforehand. Sewer bills to be mailed this week. A due date is being included to help improve cash flow before paying the county sewer bill. Lateral file cabinets will be purchased soon. She showed the Board the degaussing device that was recently purchased. It is used to erase taped recordings per the bylaws. Ms. MacDonough is exploring a general credit card for office use. Rebates for credit card purchases were discussed and will be researched before making a decision.

Mr. Clayton made a motion to authorize the Finance Committee to proceed with acquiring a credit card once the committee is confident that checks and balances are in place. Ms. Fiske seconded. Motion carried.

Treasurer's Report: Mr. Gallagher reported.

Mr. Gallagher tabled the year-end and monthly treasurer's reports.

LAND MANAGEMENT COMMITTEE REPORT – Mr. Clayton reporting.

Verizon – Requesting access agreement to enable Comcast to install internet via underground cable on Trust properties. **Mr. Clayton made a motion to proceed with the access agreement.** Ms. MacDonough said that last year Comcast lines were being installed by accessing Trust

properties without permission. Comcast did not respond to her repeated calls. She is satisfied that problems have now been addressed.

Mr. Clayton made a motion to give Comcast an access agreement to install underground high-speed internet cable across Trust properties at Hare's Corner with the understanding the Verizon store and Carriage Realty will have access. Ms. Fiske seconded. Motion was approved.

OUTREACH COMMITTEE REPORT – Ms. Fiske reporting.
No report.

PROPERTY MAINTENANCE COMMITTEE – Mr. Castagno reporting.
A progress report was distributed and reviewed.

- An informational workshop will take place 5/16/13, 7 p.m., with ForeSite Associates (Drew Hayes). Topics will include dike extension review and its impact on Trust properties, shoreline restoration, and a concept for a path forward for Battery Park, and an eco-shift of Trust properties. Mr. Hayes is being hired on a per diem basis (budget line item--Parcel Improvement). City officials will be invited. Ms. Fiske proposed the appointment of an ad hoc committee and allot a \$20,000 budget. Mr. Meek supports the idea noting what the Trust does with its monies is the important. A path forward will be determined thereafter.
- Two different contracts will be awarded for grass mowing of Trust properties taking into consideration eco-friendly suggestions by ForeSite Associates. Mr. Thatcher will be paid directly by the Trustees as an independent contractor. Modification of the City Code may be needed to permit more eco-friendly practices.
- Medical Center – Working on repair list.
- Dialysis Center – Roof work completed using a silicone technology.
- Third Street Library – Repairs will start in June.
- Old Library – Wm. Penn High School Horticultural Department landscaped the old flower bed.
- Fifth Street Library – The electrical issue is being worked on. One sump pump failed kicking out a breaker causing failure of the second pump. A new pump has been secured and the old pump is being rebuilt. Paper towels have been replaced with hand dryers on the first floor.
- Town Hall – Repair analysis being prepared. Bowing of one wall is a concern. The cupola is in poor condition.
- Bellanca Airfield -- Engineering phase has begun that includes storm water management. The Friends of Bellanca have done interior improvements. State Historical and Preservation Office has approved the tower placement. The former tower was located where Amazon.com is situated.
- Penn Farm – Sanitary system is installed and completed. Barn electric is near completion (underground service). The property has been exposed to vehicular traffic where the sanitary line connects in from the buildings to School Lane. A temporary chain has been installed for security. Aerial burial of power lines from DP&L is set for completion on 6/30/13.

Trustees of the New Castle Common
Minutes of May 7, 2013

- Delaware Greenways Initiative – Crops have been planted. We are talking with Municipal Services Commission (MSC) about an irrigation plan for the center fields to allow more vegetable planting.
- The Penn Farm well is the City's primary drinking water source, with the exception of the Basin Road well. Farming in the area is limited to organic farming, meaning no chemicals. There are invasive species in the area that need to be addressed and MSC will take over management/mowing of this area.
- Battery Park – For the short-term the walkway has been patched for safety reasons. Long-term work will be sponsored through the City from FEMA by 75%, if it is in place. It is believed that putting the walkway back in its present location needs to be revisited with the guidance of ForeSite Associates and other counsel. Playground carpet has been installed, Boy Scouts have completed bench wood replacements and painted same. Beach clean-up was successful and the committee is looking at routine beach clean ups.
- Ticket House work to be done in June 2013.
- Riverwalk past the Sailing Club will be funded by FEMA and DNREC (covers part of Trust property).
- The committee would like to extract Frenchtown railroad sleepers for use in landscaping on Trustee properties. Extraction costs will be explored.
- Fifth Street Parking Lot – A neighbor was sponsored to do landscaping.

Mr. Meek reported on a dike presentation given by the Department of Natural Resources and Environmental Control last week. They have an aggressive timeline planned for the dikes. Historical reviews are required before work can begin because federal monies are attached. Reviews should be in place by August 2013. Work will be done one section at a time and every section will be protected during tide cycles and storms.

FINANCE COMMITTEE REPORT – Mr. Gallagher reporting.

April returns show PNC is up 5.08% and Nicholson is up 6.4%. The Committee met with investment firms last month; no changes recommended. The Committee would like to hire a debt collection agency to save staff time spent on tracking overdue monies. Cash flow is important and employing this service will be beneficial in securing outstanding monies.

Mr. Gallagher made a motion to allow the Finance Committee to utilize a collection agency when the committee deems it appropriate. The Committee would identify a collection agency and when issues arise the collection agency would be engaged. Ms. Fiske seconded the motion. Motion was approved.

Auditors will be here this month. The Trustees have been advised we are the subject of a random IRS audit (Limited Scope Program Case) of our Form 990 for the year 2011. The Committee is confident it has all records being requested and will not enlist our auditor's presence.

ELECTION COMMITTEE -- Mr. Gallagher reporting.

The committee will meet soon to discuss a timeline for the next Trustee election (Fall 2013).

LIBRARY COMMITTEE REPORT

No report.

OPEN SPACE COMMITTEE REPORT – Ms. Fiske reporting.

She is waiting to hear from Professor Jules Bruck.

BYLAW COMMITTEE REPORT – Mr. Gallagher reporting.

Ms. Fiske hopes to get bylaws updates through March 2013 and the cover sheet distributed before the Board's next meeting.

BATTERY PARK COMMITTEE REPORT – Mr. Castagno reporting.

The Committee received 101 responses to its questionnaire about usage of the park. He will send the results to the Board electronically. Mr. Meek asked if a process has been determined to repair the two drains in the park. Poor drainage may be causing standing water.

Mr. Castagno suspects the problem is with grading or insufficient drainage systems. Remedies are being sought. Accurate measurements are not possible until sand is cleaned out of the lines.

The City is submitting catwalk repairs to FEMA. Thought is needed on the best long-range plan for the catwalk.

OTHER COMMITTEES/OTHER BUSINESS

The Delaware River and Bay Authority has been in contact with Ms. MacDonough about available parcels for potential satellite parking locations to accommodate Frontier Airlines.

Bike Trail – Mr. Taylor reported the State has agreed to an easement rather than fee simple acquisition. One of the advantages of an easement is the Trust is giving a dedication for no money for the easement for the trail, but if DelDOT wants fee simple ownership for widening the roadway they would need to pay for the taking of that amount of the value. Paperwork has been received and reviewed. The Land Management Committee has made suggestions to the easement provisions that Mr. Taylor will discuss with DelDOT as follows:

- Strike the State's verbiage "it can be used for any and all highway purposes" and insert "committed to use as a biking and walking trail";
- The sign over the industrial trail says "no motorized vehicles" that needs to be changed to permit motorized equipment (wheelchairs, etc.) that operate at a pedestrian pace;
- Add a provision holding DelDOT responsible for maintaining the trail surface and mowing the shoulders. DelDOT will put down the initial surface but won't guarantee funding going forward. The Trust will notify its insurance carrier;
- Policing of trash along the roadway will be discussed with DelDOT;
- Signs at the end of the industrial trail will be looked at.

Police Chief McDerby has been contacted for input. The easements allow sub-easements for utility purposes. Water fountains will not be considered. Provisions to ensure DelDOT has storm water management engineering in place and manage same has not been discussed.

Trustees of the New Castle Common
Minutes of May 7, 2013

Once the Land Management Committee is satisfied with easement provisions then the President is authorized to sign the agreement (March 2013).

Mr. Alfree asked what will be between the path and the roadway and was informed it will be grass. Safety barriers and the legal liability of the Trustees once it is turned over to the State were discussed. It will be important for the easement to specify DelDOT is responsible for maintenance, not the Trustees.

Items to add to easement provision suggestions:

- Possible storm water management plan;
- DelDOT maintaining path and safety barriers.

Ms. Ross inquired about access/egress for the church off Quigley Boulevard. Traffic flow will not cross lanes. Vehicles will use a "right in and right out" flow.

Penn Farm Advisory Committee – Mr. Meek and Ms. Fiske expressed concern with the lack of information being provided. Items unknown: status of funding at DGI; status of raising monies for the farm; programs Wm. Penn High School has in place; status of the farm stand; and status of personnel. Mr. Castagno distributed a letter from DGI providing an update. He asked DGI for more details, plans and timelines to report next month. Mr. Alfree will contact Mr. Walsh to reinforce the Board's concerns.

Mr. Wilson said the Land Management Committee has not had an opportunity to look at the original lease with Penn Farm to review these issues (per March Board meeting directive). They will deal with this lease the same as all other leases.

COMMUNICATIONS – Ms. Fiske reporting.

- Letter received from Mayor Reese about the relationship between Historic New Castle Delaware and the City of Boston.
- Ms. Fiske read Mr. Viola's response letter to Michael Hemphill informing him of the Open Space Committee's decision concerning trimming of vegetation along the riverfront.
- Ms. Fiske read a letter from the State Historic and Cultural Affairs office granting the proposed beacon tower at the Bellanca Airfield.

Action Items

- An ad hoc committee consisting of Mr. Alfree and Ms. MacDonough will work on job descriptions, hiring additional personnel, update of property spreadsheet.
- Work with City Administrator on issue of an area of the Battery Park walkway not fenced off; macadam still falling from walkway.
- State Archives visit (delayed until Spring 2013).
- Consulting with the New Castle Historical Society before deciding whether to donate Bull Hill artifacts to the State.
- Mrs. Ross to schedule a meeting the Friends of Bellanca officers, Mr. Alfree and Mrs. Ross regarding their fundraising activities.

At 8:35 p.m. Mr. Clayton made a motion to enter into Executive Session to discuss matters of real estate. Mr. Gambacorta seconded. Motion was approved.

The Board reconvened into regular session at 8:47 p.m.

Mr. Clayton made a motion to give the Land Management Committee authority to adjust the lease terms for New Castle Family Care (Dr. Phyllis James), as of 5/1/2013, based upon the factors discussed in Executive Session. Mr. Gallagher seconded. Motion carried.

Ms. Ross said that she missed the April meeting and does not recall being informed of the changes regarding employment status of Erv Thatcher, and has been approached around town with questions. Mr. Alfree explained that during the budget process we adopted a change in philosophy, away from reimbursing the City for maintenance labor (and other services and equipment in general). We added a budget category called "Personnel" to facilitate direct procurement of maintenance labor and administrative services.

Mr. Wilson reminded the Board that Mr. Thatcher has *de facto* been our employee all along. Mr. Gallagher clarified that Mr. Thatcher's status will be Independent Contractor, not "employee."

Mr. Alfree asked Ms. Ross to speak to him further about a planned site visit to Bellanca. He also said he would follow up on an emailed request from Mr. Meek for a meeting.

Finally, Mr. Alfree handed out ballots for voting on committee membership. These address the Standing Committees only, not appointed or ad hoc committees. If anyone has an interest in the appointed committees, please contact Mr. Alfree. Ballots are due back to the office by end of the day Tuesday, 5/21/13.

There being no further business, the meeting was adjourned at 8:55 p.m.

Respectfully submitted,

Deborah Turner
Stenographer

Trustees of the New Castle Common
Meeting Minutes
June 4, 2013

Present: Messrs. Castagno, Clayton, DeAscanis, Gallagher, Gambacorta, Meek, Yacucci*, Viola, Wilson, Ms. Fiske, Mrs. Ross, Mr. Taylor, Esq., Ms. MacDonough, Executive Secretary. Also present: Mrs. Turner, Stenographer

Absent: Mr. Alfree

*joined meeting at 7:08 p.m.

The monthly meeting of the Trustees was held on Tuesday, June 4, 2013, at 7 p.m. in the Trustees Room of the Old Town Hall. Mr. Wilson called the meeting to order followed by a moment of silence. Mr. DeAscanis will discuss the origin and purpose of the moment of silence in executive session. He commented that he had originated the idea a number of years ago as a way to remember past Board members.

Public Input: Bryson Price and Tom Simperts of Dobbinsville requested that brush and undergrowth along the river not be cleared way in their community. The brush/undergrowth helps keep river debris from coming inland, acts as a wind break, and provides a natural environment for birds and deer. They do not object to the river trail and said there is room for machinery to work on the trail on the east side of the brush/undergrowth.

Monthly Calendar: Separation Day is Saturday, June 8, 2013. The Planning Commission is holding a Neighborhood Study Workshop, June 5, 2013, 6:30 p.m.-8:00 p.m. Land Management Committee would like to change their meetings to the week before Board meetings; will be discussed further with the incoming committee. The Election Committee will meet soon to start preparing for the fall election.

Minutes: Corrections were noted. **Mr. Gambacorta made a motion to accept the minutes of the May 7, 2013 meeting as amended. Mr. Gallagher seconded; motion carried.**

Executive Secretary's Report: Ms. MacDonough reported that that Mr. Clayton has installed new carpet in the elevator. New filing cabinets have been purchased and placed in the Trustees Room. Scholarship applications are in and spring grades are coming in; checks will be cut in late July. The audit is completed.

Treasurer's Report: Mr. Gallagher reported.

Mr. Gambacorta moved to approve the May treasurer's report; Mr. DeAscanis seconded. Motion approved.

Mr. Gallagher informed the practice of paying bills when due rather than paying upon receipt is being adopted to help with cash flow.

The April treasurer's report (tabled in May) was distributed to Board members. **A motion was made by Mr. Castagno to approve the April treasurer's report as presented. Mr. Clayton seconded the motion; motion approved.**

Document showing FY2013 drawdown against budget was distributed. Miscellaneous work was put in proper categories.

Mr. Castagno made a motion to approve the April FY2013 drawdown versus budget report as distributed. Mr. Yacucci seconded; motion approved.

Mrs. Ross inquired about identification like business cards and/or badges for Board members. Ms. MacDonough will do some research on this.

LAND MANAGEMENT COMMITTEE REPORT – Mr. Wilson reporting.

Alpha Real Estate -- Agreed to the \$50,000 per year, month-to-month rate with a six-month notice. We will put them on monthly payments to better track them.

Dialysis Center – Slight revision to lease. Mr. Alfree will sign.

Checkered Flag Used Auto Center – Tenant has exercised their five-year option for the term of 2014 through 2019. Process will be put into motion; we have until February 2014 to do this.

Amazon – McConnell reviewed the situation and agree with the Board. Correct calculations have been made to their checks.

Korean Church – The church applied for, and received, a partial tax exemption. According to Ms. MacDonough, an \$8,000 credit was given. She said a credit is being requested because of the time involved to get a check cut and to limit exposure of the Board with New Castle County. Concerning Gordy Realty (parking lot and Mexican restaurant), miscalculations of taxes were made many years ago resulting in Gordy owing \$8,000. Ralph Gordy and his property managers agree with Ms. MacDonough's calculations and will pay the \$8,000.

Mr. Wilson made a motion to discuss the remainder of land management business in executive session. Mr. Gambacorta seconded; motion approved.

OUTREACH COMMITTEE REPORT – Mrs. Ross reported.

No report this month.

PROPERTY MAINTENANCE COMMITTEE – Mr. Viola reported.

Mr. Viola thanked Mr. Castagno for his update in May. To assist with certain projects, the idea was presented to install an insulating layer on the top of buildings and a drive it, stucco finish

treatment rather than tuck pointing of exterior areas of masonry. It is a more cost effective way to dress up our buildings.

Third Street Library – Floor in basement needs to be replaced. Work is to be done in June, 2013.

Ticket House – Work has been completed.

Drew Hayes has started a demonstration area behind houses on the west side in Bull Hill. Pathways have been cut through the meadow and appropriate native plants have been planted.

FINANCE COMMITTEE REPORT – Mr. Gallagher reporting.

May investment returns show PNC with 6/10ths of a percent and Nicholson with 3/10ths of a percent.

IRS Audit – Audit is underway and going well. The auditor has advised the Trust is a 509(A)3 (rather than 503(C)3) because we are a non-profit that supports non-profits. Our auditors and a staff member from our tax attorney are sitting in on discussions to assist with regulations that are unfamiliar to Mr. Gallagher. There will be changes made in accordance to IRS suggestions that will improve our operations. Mr. Taylor will look at the Board's IRS determination letter to see what the pros and cons are before deciding whether an amendment is necessary. The Finance Committee will continue working on this through the summer.

ELECTION COMMITTEE -- Mr. Gallagher reporting.

The committee will meet soon to discuss a timeline for the next Trustee election (Fall 2013).

LIBRARY COMMITTEE REPORT – Mr. Viola reporting.

The old Trustee table that was moved to the library has been repaired, but not fully restored. Work is being done on re-caning the twelve chairs (seat and back) at a cost of \$2,500.

Conservators are being consulted about fixing the large painting formerly stored in the library basement. Once fixed it would return to the library.

Kerns Brothers Tree Service does an annual community service event where they donate materials/services to a worthy project. Three years ago they did \$1,500 of work in the tribute garden at the library. Two years ago they assisted with a water feature in the children's garden. This year they donated and planted a red bud native tree for the garden. Value is approximately \$450.

Mr. Viola is working to complete our project to secure all State reimbursement before the end of this fiscal year. He will report the amount received as soon as possible. Some of the projects are:

- Bollards have been installed around the lamp posts.
- Small roofs are being provided in the front and rear of the building.

- New copper gutters and down spouts are being installed over the bay window in the children's area of the library.

OPEN SPACE COMMITTEE REPORT – Ms. Fiske reporting.

Trying to arrange a meeting with Sara Minich to go over plans and plantings for the Second Street Park. The Open Space Committee and Property Maintenance Committee will be notified when a meeting is scheduled.

Open Space Committee and Property Maintenance Committee need to work together on Drew Hayes' plan for our open space.

BYLAW COMMITTEE REPORT – Mr. Gallagher reporting.

Ms. Fiske reported that updated bylaws and cover sheet will be available to the Board over the summer.

BATTERY PARK COMMITTEE REPORT – Mr. Castagno reporting.

No new policy recommendations to report.

The Board was provided with a list of permits received by the City through their parade and assembly ordinance. This is the only permitting system in the City, including Battery Park. There are rules and regulations posted at the park. This list will be provided on a monthly basis.

OTHER COMMITTEES/OTHER BUSINESS

Committee Assignments -- Mr. Wilson distributed committee selections for 2013-2014. These committees will begin in September. A copy is attached to the minutes.

Discussion was raised about whether to allow committees to meet during the summer if they elect to do so. Mr. Gallagher said the bylaws were set up for committees to be elected in June and continue working during the summer allowing new members the opportunity to learn the business of respective committees even though they won't be "official" until September.

COMMUNICATIONS – Mr. Viola reporting.

- 'Thank you' note from Ginny Appleby was received and read aloud.
- Mr. Viola would like to take the lead in drafting a resolution recognizing Mr. Appleby's service on the Board. Board members are encouraged to send him comments and recollections to be used in the resolution.
- Letter (read aloud) from Mr. Alfree to Council President Bill Barthel concerning proposed residential development activity adjacent to a Trust-owned, five-acre tract of land, parcel number 2101500091. This is private Trust property and vehicular access via Chestnut Street must be brought before this Board.
- Letter (read aloud) from City Solicitor Daniel Losco responding to Mr. Alfree's letter. No building permit applications have been submitted to the City for this area.
- 'Thank you' note from Arasaphna Club recognizing the Board's support of their *May Market* event.

Action Items

- An ad hoc committee consisting of Mr. Alfree and Ms. MacDonough will work on job descriptions, hiring additional personnel, update of property spreadsheet.
- Work with City Administrator on issue of an area of the Battery Park walkway not fenced off; macadam still falling from walkway.
- State Archives visit (delayed until Spring 2013).
- Consulting with the New Castle Historical Society before deciding whether to donate Bull Hill artifacts to the State.
- Mrs. Ross to schedule a meeting the Friends of Bellanca (FOB) officers, Mr. Alfree and Mrs. Ross regarding FOB fundraising activities.
- Identification badges/business cards for Board members. Ms. MacDonough and Mrs. Ross.
- Updates to bylaws and cover sheet will be available to the Board over the summer.

At 8:15 p.m., Mr. Gambacorta made a motion to enter into executive session to discuss matters of real estate. Mr. Gallagher seconded. Motion carried.

The Board reconvened in regular session at 8:38 p.m.

Mr. Gallagher made a motion to authorize the Land Management Committee to coordinate the finalization of the lease renewal arbitration process for Air Base Carpet Mart. Mr. Castagno seconded; motion carried.

Ms. Fiske made a motion to grant the Delaware Department of Transportation access rights to Trust property needed for the Route 273 walking trail through a defeasible fee agreement, pending approval of final documents by Mr. Taylor. Mr. Gallagher seconded; motion carried.

Mr. Clayton made a motion to approve the signing of a Non-disturbance and Attornment agreement to enable Richard Stat to complete a leasing agreement with a new tenant at the Farmers Market complex (old Pizza Hut site). Ms. Fiske seconded; motion carried.

Ms. Fiske made a motion to sign a letter to enable the Family Foundations Academy to extend their mortgage financing with WSFS through 2018. Mr. Clayton seconded; motion carried.

Mr. Clayton made a motion to authorize the addition of the following two listings to the Loopnet online real estate marketing service: a portion of the parcel immediately north of Schoolside Apartments, and the undeveloped portion of the medical complex property; and to allow the erection of appropriate marketing signage. Mr. Gallagher seconded; motion carried.

Mr. DeScanis made a motion to formalize a moment of silence at the beginning of Board meetings. He commented that he had originated the idea a number of years ago as a way to remember past Trustees. Mr. Gallagher seconded; motion carried.

Trustees of the New Castle Common
Minutes of June 4, 2013

There being no further business, the meeting was adjourned at 8:50 p.m.

Respectfully submitted,

Deborah Turner
Stenographer

Trustees of the New Castle Common
Meeting Minutes
September 10, 2013

Present: Messrs. Alfree, Castagno, Clayton, Gambacorta, Meek, Yacucci, Wilson, Ms. Fiske, Mrs. Ross, Mr. Taylor, Esq., Ms. MacDonough, Executive Secretary. Also present: Mrs. Turner, Stenographer, Mrs. Mimi Carpenter of the *New Castle Weekly*
Absent: Messrs. DeAscanis, Gallagher, Viola

The monthly meeting of the Trustees was held on Tuesday, September 10, 2013, at 7 p.m. in the Trustees Room of the Old Town Hall. Mr. Alfree called the meeting to order followed by a moment of silence.

Ms. Pam Patone was welcomed as the new manager of the Municipal Services Commission.

Mr. Wilson celebrates 19 years as a Trustee; Mr. Alfree 9 years; Mr. Castagno 7 years; Mr. Clayton 2 years.

Four candidates have announced their candidacy for the seat vacated by Mr. Appleby's resignation. They are Dan Bungy, Tom Episcopo, Ken Sturgis, and Jim Whisman. According to Article XVI, Section 3(D) of the bylaws, Trustees related by blood or marriage to a candidate standing for election as a Trustee are prohibited from being involved with the election. Messrs. Clayton, Gambacorta and Yacucci are restricted from working at the election on 10/19/13. Candidates will meet with Election Committee Chairman Wilson and President Alfree on 9/16/13 to review election rules and expectations for the successful candidate. Candidates were given the opportunity to briefly address the assemblage.

Public Input: Sally Denton spoke about the 10/5/13 River Towns Ride and Festival, a bicycling event beginning in New Castle and ending in Delaware City. Competing riders will enter under the arch of Old Town Hall to begin the event. Ms. Denton requested permission to hang an advertising banner in the standard location on the building. President Alfree asked if event organizers have liability insurance. Ms. Denton said the bikers are insured through the U.S. Biking Association and the City (as co-sponsor) will have a rider on their policy. A copy will be provided to the Trustees. The Trustees had no objections to the event.

Mr. Alfree thanked everyone for their donations and cards after the passing of his mother.

Monthly Calendar: A meeting with the candidates, Election Committee Chair, and President Alfree is scheduled for 9/16/13. The Property Maintenance Committee meeting date is not yet confirmed.

Minutes: Corrections were noted. **A motion was made by Mr. Gambacorta to approve the 6/4/13 Trustee meeting minutes as amended. Mrs. Ross seconded and the motion carried.**

Executive Secretary's Report: Ms. MacDonough reported.

Ms. MacDonough – Election Committee members have received old-style election posters and asked to post. Pink registration sheets have been distributed for use in registering voters. Absentee ballots can be requested, but will not be available until after 9/19/13 when the ballot

is finalized. Absentee ballots will require notarization. Absentee registration is available for those who will be unable to physically register.

In the absence of a motion to declare the Board vacancy, an email dated 7/30/13 was distributed to the Board to address the matter. Everyone agreed on an election timeline.

The dike extension plan is available for review in the Board room. Ms. MacDonough is in the process of paying City and County property taxes (due 9/30/13). Third quarter sewer bills are also due. Larger tenants were sent their bills via email and Ms. MacDonough will follow up with each. Taxes and sewer bills for 24 commercial tenants are paid up front by the Trustees and tenants pay the Trustees. Ms. MacDonough reported that no portfolio liquidation was needed to pay the tax/sewer bills.

The IRS audit delayed the planned office reorganization, filing protocol, and hiring of office assistance. Ms. MacDonough will begin to focus on these tasks soon.

Treasurer's Report: Dr. Yacucci reported.

Mr. Gambacorta made a motion to accept the June Treasurer's Report as submitted. Mr. Castagno seconded. Motion approved.

Mr. Gambacorta made a motion to approve the July Treasurer's Report as submitted. Mr. Castagno seconded. Motion approved.

Mr. Meek questioned why the lawn maintenance bill for July does not appear in August. Mr. Castagno said the invoice may not have been received in time for the report. Mrs. Ross inquired about the trash pick-up fee of \$157.50 shown in July versus \$806.25 in August. In July trash pickup was during weekends (during transition to new service) and in August pick up is seven days per week. Mr. Wilson asked if late fees are being charged to tenants who do not pay on a timely basis. Mr. Taylor said late fees could be charged and shown under "additional rent" based on when they are billed and when payment is expected. Some older leases may not contain the appropriate language.

Mr. Gambacorta made a motion to approve the August Treasurer's Report as submitted. Mr. Clayton seconded. Motion approved.

LAND MANAGEMENT COMMITTEE REPORT – Mr. Gambacorta reporting.

Farmer's Market – A Krispy Kreme establishment is planned at the location of the former Pizza Hut restaurant that will be razed. Proposed plan and signage was distributed to Trustees. The Land Management Committee is recommending the plans and signage be approved.

A motion was made by Mr. Wilson and the Land Management Committee that the Krispy Kreme plans as submitted be approved so construction can begin on the facility. Mr. Clayton seconded the motion. Motion was approved.

Sewer Easement at Jefferson Farms – Widening of the existing easement is being requested. The Board approved the easement providing legal documents are in order. The easement is along an elevated pipe across the marsh and a wider temporary easement is needed to finish construction. It is believed that the original motion satisfied this request, but ratification is being suggested. No compensation is involved. Mr. Taylor will make contact with appropriate parties.

Mr. Wilson made a motion to approve the temporary widening of the easement for construction purposes. Mr. Clayton seconded the motion. Motion was approved.

Dobbinsville Easement Request -- New Castle County has submitted an easement request to cut through the corner of Seventh Street and Route 9 in Dobbinsville. The committee has denied the request because there is existing piping already through the street and the County wants to cut the corner in such a manner that would restrict future commercial development of the site. No action from the Board is needed.

Dike Creek Construction – The access agreement has already been approved, signed and delivered.

Airbase Carpet Mart – The lease stipulates that we have it appraised, the tenant has it appraised and if there is no agreement, then a third party is involved. We are in the final stage now. Our counsel has informed the tenant the lease expires on 10/1/13. If no agreement is reached by 10/1/13 the three parties will discuss the appraisals and decide what the new rental rate will be. The tenant would be obligated to pay the rate and the Board is obligated to accept the rate.

Alpha Real Estate (Tremont Hotel) – The Board previously approved a new rolling six-month term while it seeks another tenant. Alpha Real Estate's counsel has made comments; the Land Management Committee reviewed and returned a revised document. The document will not be signed until all outstanding issues are satisfied.

Checkered Flag Auto – They have exercised their option for the term 2/1/14-1/31/19.

Gordy Realty/Mexican Restaurant – Community problems (noise, etc.) have been reported to Gordy and they are addressing. The AT&T hut is being used for extra parking and either Gordy or the restaurant needs to lease the property. Ms. MacDonough spoke with the property manager who indicated she would clean up the parking problem. Mr. Wilson said if it does not improve he plans to request that the Property Maintenance Committee close the area off.

Medical Center – Dr. James is vacating the property as of 9/30/13. Mr. Taylor will send a letter to Dr. James describing what needs to be done. A vacancy meeting will be scheduled. Mr. Castagno requested that a member of the Property Maintenance Committee be present at the meeting. Patient files and records will be delivered to her counsel's office if they are not removed.

Trustees of the New Castle Common
Minutes of September 10, 2013

Security deposits were discussed. The financial strength of tenants is considered when entering into agreements. The Board typically has not requested security deposits. Further discussion will take place in a Land Management Committee meeting.

Delaware Greenways – Mr. Alfree distributed an updated report to the Board.

Friends of Bellanca – Mr. Alfree distributed an updated report to the Board. He would like to have a liaison assigned to this group.

Bike Trail (Route 273) – Paperwork with DelDOT is being finalized. Construction should begin soon with an anticipated finish date of February 2014.

Mr. Taylor will look into a hold harmless document from DelDOT relating to the construction trailer (Washington Street Sidewalk project).

Riverbend – Mr. Alfree will keep abreast of what is happening with this project and report to the Board. He noted past issues with utilities and roads being on Trust property. Mr. Alfree has expressed to Robert Appleby of the Municipal Services Commission that any type of utility is prohibited from Trust property without an easement.

Delaware River and Bay Authority Airport Rights – Nothing to report at this time.

Hazardous Material Letters – Nothing to report at this time.

Mini Park – Ms. Fiske emailed a 3-D model of the park to the Board and asked for input. Width of the park is less than 30 feet. The three-foot alleyway behind the four adjacent houses on Cloud's Row was discussed. In a letter from Mr. Viola, he thinks we need to do a thorough job of understanding the side setback on the Delaware Street side and how we deal with the unresolved issue. *(A copy of Mr. Viola's 9/8/13 letter will be provided to the Board.)*

Mr. Taylor said that each of the houses has within their own property boundaries a three-foot easement across their properties and it makes sense for them to open up their own easement. The Trustees could refuse an additional three-foot alley on the park and let the property owners decide how to enforce their rights to the three-foot alley. Mr. Wilson encouraged the Board to work with the property owners on the three-foot alleyway rather than block access causing them a hardship. Mr. Meek suggested negotiating with the owner of the driveway at the end of Cloud's Row to secure a permanent easement. Ms. Fiske is working on removing or re-routing the two drooping cables belonging to Verizon and Comcast. Costs will be addressed when plans are provided.

Town Hall – Ms. Fiske suggested looking into approaching private foundations for future work on Town Hall.

Downtown Gateway (Zoning Ordinance) – The ordinance has been approved. It is pedestrian friendly and should help to improve property values.

Korean Baptist Church – A tenant rent increase is due. The committee will proceed with obtaining an appraisal from Gary Parker.

Bull Hill – Mr. Alfree reported on a recent Historic Area Commission (HAC) ruling involving the buildings behind the new housing units being confused for garages. The HAC architect has recommended the buildings be marked as sheds to clarify for potential buyers. There is concern about prescriptive easement pertaining to access in and out of the roadway behind the units. Legalities will be explored and assigned to a committee to recommend an agreement for future use of the road. It is not a public road.

Mr. Meek stated that a request had been received from Code Enforcement Officer John Lloyd to clean up brush on property adjacent to VanDyke Village on Moore's Lane. The lot is very narrow. Mr. Meek requested Mr. Taylor identify property lines to ensure the Board knows the area to clean. He suggested proactive maintenance now on some of the trees to avoid later problems. Property Maintenance has cleaned up the brush, but the trees remain.

OUTREACH COMMITTEE REPORT – Ms. Fiske reporting.
No report.

PROPERTY MAINTENANCE COMMITTEE – Mr. Castagno reporting.

A progress report was distributed and reviewed. Items covered include:

- Army Creek/Gambacorta Dike Project and Broad Dike Project
- Grass Mowing & Landscaping – Mr. Castagno publicly thanked the City administration and workers on a successful transition.
- Battery Park
- Third Street Library -- KNOX box was installed; it is a fire department box that Mr. Clayton donated on behalf of the fire department. The box has a key with a code that is used to house keys for access to a property.
- Fifth Street Library – KNOX box donated and installed.
- Town Hall – KNOX box donated and installed. Mr. Castagno said an engineer needs to be contracted to look into whether the west wall is pulling away.
- Bellanca Airfield
- Penn Farm
- Moore's Lane – *(Discussed earlier in meeting.)* Trees were removed that were impeding fences of neighboring properties.
- Medical Center – Not happy with quality of some of the work; contractor is coming in to do an inspection in the near future. Exterior improvements (Stan Minka) will be revisited with the departure of the tenant.
- Elm Tree (corner of the Battery walkway on Delaware Street) – Mr. Wilson reported the Tree Commission brought in Russ Carlson (tree expert) to examine the tree (estimated to be 78 years old). John Lloyd, Tree Commission Chairman, and Mr. Wilson met with Mr. Carlson. Examination and testing revealed a hole in the center that runs the entire length of the trunk. The tree is only 2-4 inches thick in some points. An expert can be brought in

to determine if the tree can be saved at a cost of \$4,000. If the tree can be saved it would cost approximately \$10,000. If it cannot be saved and has to be taken down the cost is \$5,000. Another option is to do extensive trimming to shift the weight back to the base of the tree and allow it to die of natural causes. The Battery walkway may need to be moved to the west side of the ticket booth and restrict the area from the public. Discussion included a replacement tree and public safety.

Mr. Wilson made a motion to invest \$4,000 to have a professional diagnosis of the tree to determine if it can be saved or not. Mr. Clayton seconded.

A roll call vote taken.

Mr. Alfree – no

Mr. Gambacorta – no

Dr. Yacucci – no

Ms. Fiske – no

Mr. Clayton – no

Mr. Castagno – no

Mr. Wilson – no

Mrs. Ross – no

Mr. Meek – no, because the official report says the tree is not supportable.

Motion failed by unanimous vote.

Mr. Wilson made a motion to turn the matter over to the Property Maintenance Committee to have the tree removed. Mr. Clayton seconded.

Roll call vote taken.

Mr. Alfree – yes

Mr. Gambacorta -- yes

Dr. Yacucci – yes

Ms. Fiske – yes

Mr. Clayton – yes

Mr. Castagno – yes

Mr. Wilson – yes

Mrs. Ross – yes

Mr. Meek – yes

The motion was approved by unanimous vote.

Mr. Wilson will notify Mr. Lloyd of the Board's decision. The Property Maintenance Committee will handle any roping off of the area and removal of the tree.

FINANCE COMMITTEE REPORT – Dr. Yacucci reporting.

No report. Mr. Alfree has recommended to Mr. Gallagher that the committee meet monthly. Quarterly meetings will be with our investment firms. Meeting dates will be published on the calendar and the Board will be notified.

ELECTION COMMITTEE – Mr. Wilson reporting.

A vacancy was declared on 7/29/13 for the seat left vacant by Mr. Appleby. He noted the *New Castle Weekly* incorrectly reported the vacancy was the result of Mr. Appleby's death. The election is 10/19/13. Messrs. Wilson and Alfree will meet with the candidates on 9/16/13. Ms. MacDonough asked for assistance from available Trustees on the day of the election. It has been noted that three Board members cannot participate.

LIBRARY COMMITTEE REPORT – Mr. Clayton reporting.

There is a high humidity problem in the house. The contractor (National) is coming in to look into the problem. It is thought the problem is associated with previous problems in the library. A meeting is being scheduled with the company that installed the unit and the contractor that maintains the unit. Mr. Alfree suggested that Maureen Rozanski (designer of library) be included in the meeting.

OPEN SPACE COMMITTEE REPORT – Ms. Fiske reporting.

No report.

BYLAW COMMITTEE REPORT – Ms. Fiske reporting.

The latest version of the bylaws was provided to all Board members. The cover page has not been done to date. An electronic version of the bylaws (PDF form) was requested to be sent to Board members.

(Mr. Wilson submitted his name for the Bylaw Committee.)

BATTERY PARK COMMITTEE REPORT – Mr. Castagno reporting.

City public assembly permit schedule – In the future proposals will be given to the Board of a more detailed permit process that includes the City statute for public assembly and fee schedule for property maintenance.

A no-match grant for planning from the National Park Service was missed because the electronic vote was not unanimous. Mr. Castagno said a bylaw change will be proposed to address the issue.

OTHER COMMITTEES/OTHER BUSINESS

The Board was asked to inform Mr. Alfree if they wish to serve on a particular committee. He will finalize the ad hoc committees in about two weeks.

Penn Farm Advisory Committee – Mr. Meek has business to discuss in executive session.

COMMUNICATIONS – Mr. Alfree reporting.

- Delaware Wetlands Conference – To be held 1/30/14, 8 a.m.-4 p.m., Dover Downs Conference Center. Mr. Taylor suggested a Board member attend. *(Revisit in December.)*
- Information is available for the River Towns Ride and Festival.
- Notice that Trader's Cove is reapplying to serve liquor in their exterior dining area; no additional building involved.

Trustees of the New Castle Common
Minutes of September 10, 2013

- Advisory letter from the State Department of Land Use informing that two properties (McDonald's and FedEx) that are near Trust properties are getting special permissions for wetlands disturbance and resource protection.

Action Items

- An ad hoc committee consisting of Mr. Alfree and Ms. MacDonough will work on job descriptions, hiring additional personnel, update of property spreadsheet.
- Work with City Administrator on issue of an area of the Battery Park walkway not fenced off; macadam still falling from walkway.
- State Archives visit (delayed until Spring 2013).
- Consult with the New Castle Historical Society before deciding whether to donate Bull Hill artifacts to the State.
- Mrs. Ross to schedule a meeting with the Friends of Bellanca officers, Mr. Alfree and Mrs. Ross regarding their fundraising activities.
- Mr. Alfree asked Mrs. Ross to speak to him further about a planned site visit to Bellanca. He also said he would follow up on an emailed request from Mr. Meek for a meeting with DGI.
- Friends of Bellanca liaison.

At 9:05 p.m. Mr. Meek made a motion and Mrs. Ross seconded to enter into Executive Session to discuss matters of real estate and leasing negotiations.

At 9:35 p.m. Mr. Meek moved and Ms. Fiske seconded to reconvene in regular session. Motion was approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Deborah Turner
Stenographer

Trustees of the New Castle Common
Meeting Minutes
October 1, 2013

Present: Messrs. Alfree, Clayton, DeAscanis, Gallagher, Gambacorta, Meek, Viola, Ms. Fiske, Mrs. Ross, Mr. Taylor, Esq., Ms. MacDonough, Executive Secretary. Also present: Mrs. Turner, Stenographer

Absent: Messrs. Castagno, Yacucci, Wilson

The monthly meeting of the Trustees was held on Tuesday, October 1, 2013, at 7 p.m. in the Trustees Room of the Old Town Hall. Mr. Alfree called the meeting to order followed by a moment of silence.

Public Input: None.

Monthly Calendar: Tentative Property Maintenance Committee meeting 10/30/13, 10 a.m.; Outreach Committee meeting 10/7/13, 5 p.m.; tentative Finance Committee meeting 10/16/13, 5 p.m.; tentative Open Space Committee meeting 10/9/13, 5 p.m.

Minutes: Corrections were noted. **A motion was made by Mr. Gambacorta to approve the 9/10/13 Trustee meeting minutes as amended. Mr. Gallagher seconded; motion carried.**

Executive Secretary's Report: Ms. MacDonough reported.

The elevator is malfunctioning again. Any problems should be reported to Ms. MacDonough. *(Mr. Alfree provided the name of Otis Elevator as a possible maintenance vendor for the future.)* The Property Maintenance Committee would like to be present when the maintenance contractor comes next month. The building fire alarm is going off intermittently, but is not alerting the fire department. There is a loose wire connected to something on the second floor. The contractor will look into the problem early next week.

Ms. MacDonough is exploring the acquisition of a used copy machine and if successful the copy machine in the office will be moved to the Board room.

To date there are 40 new registrants and 50 requests for absentee ballots. The absentee ballots need to be marked and completed in the presence of a notary. Absentee ballots must be submitted to Ms. MacDonough by 10/14/13. She will provide all of the candidates with a list of the new registrants. There are approximately 1,900 registered voters plus the new registrants. New detailed dike plans (Gambacorta, Broad Dike, Army Creek) are available for Board members. Almost all of the scholarship monies have been disbursed. As a result of the IRS audit W-9 forms will be needed from all students and vendors who are not incorporated. Checks will not be released without the form on file. New Castle County property taxes (\$703,000) were paid to New Castle County. The Colonial School District referendum drove commercial bills up about 20%.

Treasurer's Report: Mr. Gallagher reported.

Mortgages for the police station and library are not shown on the Treasurer's Report because the report is done early in the month. Both will appear twice on next month's Treasurer's Report. Ms. Fiske questioned the \$8,500 shown for the Penn Farm farm stand. According to the lease the Trust is not responsible for farm stand maintenance. Mr. Gallagher explained when putting the budget together the Board was told Delaware Greenways had secured a grant

for over \$100,000 and we should include a small amount to show support. Mr. Viola said the item had been budgeted the previous year and carried forward as part of the farm stand project. Mr. Alfree and Mr. Taylor will meet with Mr. Walsh of Delaware Greenways on 10/3/13 to discuss DGI's status concerning care of the farm and house, and committee assignments. Mr. Gallagher expressed concern with some items (mowing and utilities) that are not the Trust's responsibility per the lease. Mr. Alfree requested any questions or concerns the Board has be sent to him prior to the meeting.

Mr. Meek questioned the walkway repairs (\$20,000); did the Trustees or City pay for repairs. Ms. MacDonough informed that no invoices have been paid by the Trustees; they are being submitted to the City. In the absence of a City Administrator she does not know what has been filed with FEMA. Ms. MacDonough does expect to receive about 25% of what is reimbursable.

Mr. Gallagher made a motion to approve the Treasurer's Report. The motion was seconded and approved.

LAND MANAGEMENT COMMITTEE REPORT – Mr. Gambacorta reporting.

Dobbinsville Easement Request – Mr. Taylor reported he has notified New Castle County that we would not grant the easement they requested. We are waiting for their response.

Dike Creek Construction – The access agreement has already been approved, signed and delivered. New Castle County wants individual agreements for each of the three dikes. Mr. Viola said the agreements are simple and have been signed by Mr. Alfree.

Airbase Carpet Mart – The lease expired on 9/30/13. Mr. Taylor reported the three arbitrators, who are the appraisers, are meeting on 10/9/13 to determine a final rental rate. A more formal arbitration hearing may be needed before the new rental rate is established. Mr. Gallagher said that as of 10/1/13 the rate expected to be paid until a resolution is reached is the amount that our appraiser proposed. This is an effort to close more quickly.

Alpha Real Estate – Mr. Taylor sent a new lease for Alpha's signature and return for our signature. Alpha still owes past due tax and rent monies (~\$23,000). Ms. MacDonough will copy Alpha's counsel and Mr. Taylor on what is owed before the lease is signed. They will be handled as one unit (excluding the church, Dunkin Donuts, hotel) and rent payments are expected monthly rather than quarterly.

On recommendation from the Land Management Committee, Mr. Gambacorta made a motion to authorize Mr. Alfree to sign the lease once all past due monies are paid. Ms. Fiske seconded. Motion was approved.

Checkered Flag Auto – They have exercised the option for the next five-year term of 2/1/13 to 1/31/19. An appraisal is not needed since it is a CPI increase.

Medical Center – Dr. James has moved out but is requesting a few more days to remove her belongings. The rent will be pro-rated while she is still there. The Property Maintenance

Trustees of the New Castle Common
Minutes of October 1, 2013

Committee will have an exit meeting with Dr. James soon. They will inspect the property once she is completely out. There are three prospective tenants.

Bike Trail (Route 273) – Mr. Taylor is working on wording for final documents. Richard Stat's lender is working on their approval for the pieces belonging to the Farmer's Market. Approval for signatures was given at a previous meeting once documents are in order.

Riverbend – Mr. Alfree has nothing to report at this time.

Korean Baptist Church – A tenant rent increase is due. The committee will proceed with obtaining an appraisal from Gary Parker.

Little League – Lease has expired. Mr. Wilson and Dr. Yacucci (liaison) will meet with them to discuss ground rules for the future.

OUTREACH COMMITTEE REPORT – Mr. Meek reporting.

A meeting is planned for next week to finalize a letter to be sent to past recipients. A contact person for the City needs to be determined.

PROPERTY MAINTENANCE COMMITTEE – Mr. Viola reporting.

The elm tree at the corner of Battery walkway on Delaware Street has been removed. Mr. Clayton reported that the tennis courts have been resurfaced in certain spots to repair large cracks.

FINANCE COMMITTEE REPORT – Mr. Gallagher reporting.

No report at this time.

ELECTION COMMITTEE – Mr. Alfree reporting.

Workers have been hired and the machines are ready. Board members were encouraged to help the day of the election, excepting the three who are prohibited by way of the bylaws.

LIBRARY COMMITTEE REPORT – Mr. Viola reporting.

(Messrs. Viola and Clayton are appointed to the Library Committee.) Mr. Viola reported that reimbursement (~\$17,000) for projects went well. The State worked constructively and honored everything we submitted for consideration. The Library Friends will have a Halloween fundraiser on the evening of Friday, 10/25/13.

OPEN SPACE COMMITTEE REPORT – Ms. Fiske reporting.

No report.

BYLAWS COMMITTEE REPORT – Ms. Fiske reporting.

(Messrs. Gallagher, Meek, Wilson and Ms. Fiske are appointed to the Bylaws Committee.) Updated bylaws were distributed at the last meeting. They will be sent electronically to Board members.

BATTERY PARK COMMITTEE REPORT

In the absence of Mr. Castagno there is no report.

OTHER COMMITTEES/OTHER BUSINESS

Archives – Mr. Meek and Ms. Fiske will continue to work on archives. They welcome other Board members to join them.

COMMUNICATIONS – Mr. Alfree reporting.

- ‘Thank you’ letter from Abigail Berman, 527 Cherry Street, and a student at Delaware Technical and Community College, for the scholarship monies she is receiving.

Bull Hill – Mr. Meek asked for follow up on the roadway behind the new housing units being built at Bull Hill and if Board members directly affected should recuse themselves from discussion. Mr. Alfree noted that any member who has a personal or private interest in a matter should recuse themselves. Mr. Taylor suggested an agreement be formalized in writing and recorded at the Recorder of Deeds Office, being sensitive to its wording. The document should be acceptable to the Board and homeowners before the homes are purchased. Prescriptive easement is a concern. Mr. Alfree informed that Historic Area Commission approval for the housing units was conditioned on changing the site plans to clearly state the building is a shed and not a garage on the plot plans with the County. The shed will have garage doors on both ends, which raises concern. Mr. Gallagher suggested a device like an encroachment letter rather than a formal agreement. Mr. Alfree assigned the matter to the Land Management Committee.

At the September meeting Mr. Alfree informed the four candidates that we try to get every Board member on one of our four major committees and Mr. Meek reminded that is not the case at this time. At the meeting with the candidates Mr. Alfree corrected himself.

October is Pay Day and Mr. Alfree presented each Board member was presented with an ear of corn.

Two physicians are interested in leasing half of the Medical Center (612 Ferry Cut-off). Mr. Viola met with the couple on Mr. Alfree’s behalf. They have visited the site. The matter will be assigned to the Land Management Committee to address negotiations (cost per square foot, tenant improvements, amount of free rent).

Action Items

- An ad hoc committee consisting of Mr. Alfree and Ms. MacDonough will work on job descriptions, hiring additional personnel, update of property spreadsheet.
- Work with City Administrator on issue of an area of the Battery Park walkway not fenced off; macadam still falling from walkway.
- State Archives visit (delayed until Spring 2013).
- Friends of Bellanca liaison.

Trustees of the New Castle Common
Minutes of October 1, 2013

Action Items (Contd.)

- Updated version of bylaws to be sent electronically to Board members.
- Land Management Committee to review matter of roadway behind new housing units at Bull Hill.

At 8:20 p.m. Mr. Meek made a motion and Mr. Gallagher seconded to enter into Executive Session to discuss matters of real estate and leasing negotiations.

The Board reconvened in regular session at 8:35 p.m.

Mr. Viola made a motion to permit Board members to enter into preliminary negotiations with a prospective tenant for 612 Ferry Cut-off, with the intention of finding common ground which could lead to a Letter of Intent within a timeframe compatible with the needs of the prospective tenant; with the understanding that final negotiations be completed by the Land Management Committee and approved by the full Board. Mr. Gallagher seconded. Motion carried.

There being no further business, the meeting was adjourned at 8:40 p.m.

Respectfully submitted,

Deborah Turner
Stenographer

Trustees of the New Castle Common
Meeting Minutes
November 5, 2013

Present: Messrs. Alfree, Castagno, Clayton, DeAscanis, Gallagher, Gambacorta, Meek, Viola, Ms. Fiske, Yacucci, Wilson, Mr. Taylor, Esq. Also present: Mrs. Carpenter, *New Castle Weekly*, Mrs. Turner, Stenographer

Absent: Mrs. Ross, Ms. MacDonough, Executive Secretary

The monthly meeting of the Trustees was held on Tuesday, November 5, 2013, at 7 p.m. in the Trustees Room of the Old Town Hall. Mr. Alfree called the meeting to order followed by a moment of silence.

Public Input: None.

Monthly Calendar: Finance Committee meeting 11/20/13, 6 p.m.; Property Maintenance Committee meeting 11/27/13, 10 a.m.

Minutes: A correction was made to page 2. **A motion was made by Mr. Gambacorta to approve the 10/1/13 Trustee meeting minutes as amended. Mr. Gallagher seconded; motion carried.**

Executive Secretary's Report:

Mr. Alfree reported that Ms. MacDonough has contacted an organizational company to assist with sorting out the files. The firm will submit a proposal.

Treasurer's Report: Mr. Gallagher reported.

Transfer of PNC investments involves cash flow of \$50,000; \$8,189 represents two months of 'sweep' from PNC. Under Capital, both loans are shown in October because of timing when the numbers came out.

Mr. Gambacorta made a motion to accept the Treasurer's Report as submitted. Mr. Viola seconded. Motion was approved.

LAND MANAGEMENT COMMITTEE REPORT – Mr. Gambacorta reporting.

Dobbinsville Easement Request – New Castle County has been notified that we would not grant the easement they requested. We are awaiting their response.

Little League – Mr. Wilson has contacted the league president to schedule a meeting with himself and Dr. Yacucci.

Dike Creek Reconstruction – Documents have been signed by Mr. Alfree.

Airbase Carpet Mart – Mr. Taylor reported the panel of three appraisers have met several times and are making progress.

Alpha Real Estate – The lease is ready and will not be signed until outstanding monies due have been paid.

Medical Center – Dr. James has moved out but there are still boxes of medical waste and two leased copy machines in the building. No work can be done to the building until the medical

waste and copy machines have been removed. Mr. Taylor advised the committee to contact Dr. James again to remove these items.

Mini Park – Ms. Fiske provided rough estimates between \$70,000 to \$82,000, lighting and irrigation are not included. Information was distributed to Board members. Type of fencing or brick walls needs to be decided and some work can be done as part of a student project to help with costs. A full estimate to research and compare contractors would cost between \$450-\$500. Ms. Fiske suggested looking into securing the services of an experienced grant writer to approach private foundations. She has been in contact with Valerie Stewart of Value Write who charges \$60 per hour. It would cost about \$900 to write a grant for the Mini Park. Ms. Stewart could also assist with other projects like Old Town Hall.

Ms. Fiske made a motion to approve the hire of Valerie Stewart of Value Write as a grant writer to produce a document to seek grants from private foundations toward the installation of the Second Street Park. Mr. Meek seconded the motion.

Mr. Wilson asked if approaching private foundations would present a problem with FOIA. It would not. Mr. Gambacorta asked about cost. Ms. Fiske said Ms. Stewart estimates needing 10-15 hours or approximately \$900. Ms. Fiske suggested setting aside \$1,500. Mr. Viola is not comfortable approaching private foundations without having a strategy in place. Ms. Fiske suggested an ad hoc committee to discuss strategy. Discussion followed.

Roll call vote followed.

Mr. Meek – yes

Mr. Viola – no

Mr. Wilson – no

Mr. Castagno – yes

Mr. Clayton -- no

Ms. Fiske – yes

Mr. Gallagher – yes

Dr. Yacucci – yes

Mr. Gambacorta – yes

Mr. DeAscanis – yes

Mr. Alfree – no

Motion approved by a vote of 7 in favor and 4 against.

Bull Hill – The committee is still working on a document addressing rear access to sheds. Mr. Alfree clarified a previous statement about Board members having a personal or private interest in a matter, saying they can participate in discussion but cannot vote on the matter.

Bike Trail (Route 273) – Mr. Taylor distributed copies of wording to be included in the deed for the bike trail areas. He asked the Board to review the document, particularly the “types of uses” listed on page 1 to ensure he has captured the Board’s intentions for usage of the bike trail. If the State violates any of the conditions noted we have the right to give them notice and

if they do not remedy within 90 days, we could then go to court to terminate the State's rights and take the land back. Mr. Wilson asked that the word "bike" be changed to "bicycle."

Mr. Meek made a motion to accept the document titled "Rough draft for discussion purposes within Trustees of the New Castle Common" as it relates to the trail being installed along Route 273 and striking the words "bike trail" and inserting the words "bicycle trail." Mr. Gallagher seconded. Motion was approved.

OUTREACH COMMITTEE REPORT – Mr. Meek reporting.

The committee consists of Ms. Fiske, Messrs. Gambacorta and Meek. Mr. Meek will serve as Chair. According to the bylaws the committee should consist of four members; currently there are three members. The committee proposes adding another Trustee on the committee, look at expenditures from last year and compare with the current year, make appropriate suggestions and get approvals from the whole Board, and stay within the amount spent the previous year.

Mr. Alfree said that after the election in December another member would be added to their committee. Mr. Wilson challenged this statement stating there is no provision to draft or order a Trustee to be on a committee in the current bylaws. He suggested the new Trustee should attend all committee meetings and submit his name in the next cycle. Mr. Alfree will take his statement under advisement.

PROPERTY MAINTENANCE COMMITTEE – Mr. Viola reporting.

Mr. Viola will serve as Chair. This is the time of year when the City would require mowing of open spaces. He spoke with Drew Hayes who advised not to do anything with the meadow in Bull Hill until March 2014. Keep paths clear only. Other Trust properties have been mowed.

Work on the Gambacorta and Red Lion dikes has started and is progressing well. The committee requested that the grove of cherry trees south of the Sailing Club be protected during the process. Trees that we plan to save that are adjacent to the path next to the river could be damaged by heavy equipment being brought in to do the dike work. Strategic pruning was recommended by Mr. Hayes. Mr. Viola spoke with Kevin Donnelly of The Conservation District who said they don't do pruning but would contribute \$500 for trees that are damaged. The committee will look into costs for the pruning to try and protect the trees.

Medical Center – There is currently about \$17,000 in the Maintenance budget. The committee needs to look at prioritizing work that needs to be done, starting with exterior improvements. Interior work is anticipated to be costly.

Update on Library Vault – As a follow up to changing out the wet fire suppression system in the vault, Mr. Viola has talked with Paul Flannigan who will provide some alternatives.

Ms. Fiske asked for a follow up of Mr. Hayes' presentation in May. She would like to see the Board continue with his work. Mr. Viola said Mr. Hayes is representing the Board in discussions on work being done on the dikes and with the meadow. Mr. Castagno said further involvement

with Mr. Hayes will depend on cost. He will be giving a presentation on projects going forward for next fiscal year and a comprehensive plan is needed.

FINANCE COMMITTEE REPORT – Mr. Gallagher reporting.

Through the third quarter our return from PNC is 8.8% and 10.7% on Nicholson. Both companies will look at rebalancing. In addition to their committee meeting they have met with our insurance carrier. We will be working on having our three policies (workman's compensation, property and liability, directors and officer liability) ending at the same time and consolidating under one carrier. Coverage of Trust buildings will be reviewed by a group headed by Mr. Castagno. The intent is bringing coverage in line with what we believe is needed for the future. The committee is also considering the employment of a CPA firm and the need for a credit card. Research has revealed we don't spend enough money for a rebate card, and a debit card is not attractive. We are looking at getting a credit card. PNC and M&T banks have been contacted. M&T will give us a small rebate on each expenditure with no charges. Controls (policies and procedures) need to be in place before securing a card.

ELECTION COMMITTEE – Mr. Wilson reporting.

On 10/19/13 there were four candidates running for the Board. There were 577 voters, 195 new registered voters, and 66 absentee ballots. In accordance with the bylaws no candidate received 50% plus one vote so the top two candidates, Tom Episcopo and Jim Whisman, will be in a run-off election scheduled for 12/7/13, 10 a.m. to 6 p.m.

Election costs are detailed in the financial report under Administration. Cost of the election was \$1,780. We will exceed the election budget by approximately \$1,000. Estimated cost of the run-off election is \$900. Posters have been issued.

Important dates: last day to register to vote is 12/2/13; last day to apply for an absentee ballot is 12/2/13; last day to apply for absentee registration is 11/22/13; last day to vote by absentee ballot is 12/6/13, all at the close of business.

Mr. Clayton no longer has a conflict and is back on the Election Committee. Mr. Alfree reported the election went well.

LIBRARY COMMITTEE REPORT – Mr. Viola reporting.

The Library Board has a new member, Scott Matthews.

OPEN SPACE COMMITTEE REPORT – Ms. Fiske reporting.

Ms. Fiske is still working on the two "dangling" cables (Comcast and Verizon) at the Mini Park. The City may have a general right of way and putting the cables underground is an option. We would be responsible for the work and can ask contractors to give us a cost. Mr. Taylor will look into whether the City has a right of way. Mr. Alfree suggested that going forward contractors should deal with matters like rights of way.

BYLAWS COMMITTEE REPORT – Mr. Gallagher reporting.

Mr. Gallagher will serve as Chair. The auditors recommended breaking the bylaws into the actual bylaws and policies and procedures. The bylaws should remain untouched as much as possible. The committee will discuss the process for making changes to policies and procedures. Mr. Alfree believes much of what is in our current bylaws could be moved to policies and procedures. Mr. Viola reminded that the Board has been diligent over the last couple of years in making sure the bylaws are correct and comprehensive.

Mr. Gallagher made a motion allowing the Bylaws Committee to rearrange the bylaws into bylaws, policies and procedures and bring back recommendations to the Board on how each would be changed, and the process to be used in making such changes going forward.

Intent will not change. Policies and procedures could be changed easier than the bylaws. Mr. Taylor advised that anything dealing with elections should require a vote of the Board to change.

At Mr. Alfree's direction, the Bylaws Committee will look at bylaws versus procedures and policies and return to the Board with direction. Mr. Gallagher withdrew his motion.

Mr. Castagno submitted to the Bylaws Committee three revisions to the bylaws for consideration as follows. (*Documentation is on file with the minutes.*)

The Bylaws Committee has reviewed Article XII, Conflicts of Interest, which added the word "financial" to "personal or private *financial* interest." The committee voted 3-1 not to support the change. Handouts of the IRS definition of "conflict of interest" were provided. Mr. Castagno's rationale, page 3, is that a conflict is defined as relating to financial as it reads in the IRS document. "Personal" interest is vague. Several Board members disagreed citing that limiting to a "financial" conflict of interest is too restrictive. Mr. Meek suggested that "reason" is needed to determine a Board member's personal interest in a matter and supports current language.

Mr. Wilson made a motion to accept Article XII, Conflict of Interest, as it is newly written on page 3 of the handout, which includes the wording "financial interest", dated 10/24/13. Mr. Castagno seconded the motion.

Roll call vote followed.

Mr. Meek – no

Mr. Viola – yes

Mr. Wilson – yes

Mr. Castagno – yes

Mr. Clayton – yes

Ms. Fiske – no

Mr. Gallagher – no

Dr. Yaccucci – yes

Mr. Gambacorta – no

Mr. DiAscanis – no

Mr. Alfree – no, we should not vote on new bylaws changes until the process for bylaws, policies and procedures is established.

Mrs. Ross – no (*by teleconference*)

The motion failed by a vote of 5 in favor, 6 against, and 1 questionable.

Article XIII, Meetings and Voting of the Board of Trustees, was presented for consideration. The committee voted 3-1 not to support the proposed changes. Mr. Castagno's rationale is to facilitate the efficient and timely operation of the Trust business. It cleans up vague areas. Mr. Alfree does not think proposed language in Section 3, "or half plus one, of the sitting Trustees", is clear. Teleconference voting is permitted and "sitting" refers to the number of Trustees on the Board, not the number who are physically present. Mrs. Ross had sent an email to Mr. Alfree prior to the meeting asking him to cast her vote as a "nay." Mr. Meek will call Ms. Ross when the vote is performed. Mr. Wilson asked that, in the future, he be given the same courtesy when he is unable to attend.

In Section 2, Mr. Taylor suggested removing "10 days" and insert "7 days." Mr. Meek believes that removing the language "president, the Board secretary or two Trustees" is elimination of power of the Trustees as a whole and he objects. Mr. Castagno disagreed. Mr. Gallagher agrees with Mr. Meek and does not believe there is any value to changing current language. He and Mr. Meek agree there is no need to change the way business was conducted since the 1700s. Mr. Gallagher suggested that bylaws changes go through the Bylaws Committee.

Mr. Castagno made a motion to vote on Article XIII, Meetings and Voting of the Board of Trustees" dated 10/24/13, striking the verbiage "10 days" in Section 2 and inserting "7 days." Mr. Wilson seconded.

Mr. Wilson questioned the appropriateness of votes only being made by teleconference. If a member cannot be physically present and wishes to participate for the whole meeting via teleconference, that is appropriate.

Roll call vote followed.

Mr. Meek – no

Mr. Viola – abstained

Mr. Wilson – yes

Mr. Castagno – yes

Mr. Clayton – yes

Ms. Fiske – no

Mr. Gallagher – no

Dr. Yacucci – yes

Mr. Gambacorta – no, does not need to be changed

Mr. DeAscanis – no

Mr. Alfree – no

Mrs. Ross – no (*by teleconference*)

Motion failed by a vote of 6 against, 4 in favor, 1 abstaining, and 1 questionable.

Article XVI, Section 3, Operating Committees, was presented for consideration. The committee voted 3-1 not to support the proposed changes. Mr. Castagno's rationale for the proposed changes is to clarify, align and improve the efficiency of the Trust with Operating Committees as well as to reduce the number of Committees that are considered obsolete. Mr. Wilson said the proposed changes do make things more efficient. He orchestrated the Open Space Committee in 1996 that was designed to maintain our open spaces. Our Property Maintenance Committee eliminates the need for the Open Space Committee and he has no objection moving its responsibilities to the Property Maintenance Committee. Ms. Fiske objects saying that the Open Space Committee is a worthwhile committee.

Mr. Gallagher cited his concerns with power and authority being channeled into a few areas. There is enough work to occupy all thirteen Board members and having Board members work together to address matters is a positive. Citing verbiage changes to the Finance Committee, Ms. Fiske disagrees with the committee having more leverage than the Board. Mr. Meek supports the real value our existing committees offer. Mr. Viola has served on the Outreach Committee and does not believe it is a useful committee. According to Mr. Gallagher the intent of 'Outreach was to improve communications between the public and the Trust. We need to better share our mission with our constituents. Mr. Wilson suggested the president can establish an ad hoc committee to address communication issues.

Mr. Wilson made a motion to approve proposed changes made to Article XVI, Operating Committees, dated 10/24/13 as distributed. Mr. Castagno seconded.

Roll call vote followed.

Mr. Meek – no

Mr. Viola – yes

Mr. Wilson – yes

Mr. Castagno – yes

Mr. Clayton -- yes

Ms. Fiske – no

Mr. Gallagher – no

Dr. Yacucci – yes

Mr. Gambacorta – no, the Bylaws Committee should make recommendations for changes.

Mr. DeAscanis -- no

Mr. Alfree – no

Mrs. Ross – no (*by teleconference*)

The motion failed by a vote of 5 in favor, 6 against, and 1 questionable.

BATTERY PARK COMMITTEE REPORT – Mr. Castagno reporting.

No policy suggestions this month.

OTHER COMMITTEES/OTHER BUSINESS

None.

COMMUNICATIONS – Mr. Alfree reporting.

None.

Action Items

- An ad hoc committee consisting of Mr. Alfree and Ms. MacDonough will work on job descriptions, hiring additional personnel, update of property spreadsheet.
- Work with City Administrator on issue of an area of the Battery Park walkway not fenced off; macadam still falling from walkway.
- State Archives visit (delayed until Spring 2013).
- Friends of Bellanca liaison.
- Updated version of bylaws to be sent electronically to Board members.
- Land Management Committee to review matter of roadway behind new housing units at Bull Hill.

At 9:10 p.m. Mr. Wilson made a motion and Mr. Clayton seconded to enter into Executive Session to discuss matters of real estate and a personnel issue.

The Board reconvened in regular session at 9:30 p.m.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Deborah Turner
Stenographer

Trustees of the New Castle Common
Meeting Minutes
December 3, 2013

Present: Messrs. Alfree, Castagno, Clayton, DeAscanis, Gallagher, Gambacorta, Meek, Viola, Ms. Fiske, Mrs. Ross, Wilson, Mr. Taylor, Esq. Also present: Mrs. Carpenter, *New Castle Weekly*, Mrs. Turner, Stenographer

Absent: Dr. Yacucci, Ms. MacDonough, Executive Secretary

The monthly meeting of the Trustees was held on Tuesday, December 3, 2013, at 7:17 p.m. in the Trustees Room of the Old Town Hall. Mr. Alfree called the meeting to order followed by a moment of silence. Mr. DeAscanis was recognized for his 49 years as a Trustee.

Public Input: Linda Ratchford was introduced as the new City Council President. Valerie Stewart of Value Write was introduced and gave a brief overview of her process for seeking grant monies for Second Street Park. No government funding will be considered. Ms. Stewart would consider the Delaware Community Foundation Capital Grants Program (deadline for applications is the end of January) and she would submit the application/correspondence for review by this Board at the 1/7/14 meeting. Linda Carter Sullivan attended as legal representative for the tenants of the Penn Mart Shopping Center.

Monthly Calendar: Election Committee meeting 12/5/13, 7 p.m.; Bylaws Committee meeting 12/16/13, 5 p.m.; Finance Committee meeting 12/18/13, 6 p.m.; Property Maintenance Committee meeting will be scheduled.

Minutes: Corrections were made. **A motion was made by Mr. Gambacorta to approve the 11/5/13 Trustee meeting minutes as amended. Ms. Fiske seconded. Motion carried.**

Executive Secretary's Report:

Mr. Alfree reminded that the Delaware Wetlands Conference is scheduled for 1/30/14 in Dover. Elected and appointment officials can attend free of charge.

Treasurer's Report: Mr. Gallagher reported.

The report was reviewed. Mrs. Ross requested receiving the report earlier for review prior to this meeting. Mr. Alfree said the report would be sent earlier by electronic means, if it is ready, going forward. Ms. Fiske questioned the deficit under "Maintenance Labor." Mr. Gallagher said there is funding to cover this. Mr. Wilson questioned the line item "Trustees Insurance" being over budget by about \$4,000. Mr. Gallagher will address this in the Finance Committee report.

Mr. Gambacorta made a motion to accept the Treasurer's Report as distributed. Ms. Fiske seconded. Motion was approved.

LAND MANAGEMENT COMMITTEE REPORT – Mr. Gambacorta reporting.

Little League – Mr. Wilson and Dr. Yacucci met with league officials on 12/2/13. Several items were addressed. They understand the rules and expressed their wish to stay another five years. We are looking to the league for a long-term plan and they trust that the Board will help them manage the league. They are receptive to ideas about the parking lot and opening up the

property for a playground for Washington Park. Usage of all the ballfields was discussed and the league may merge with other clubs. A count of the number of children using the fields is to be provided by January 2014. Yearly meetings will be planned with the first taking place in February 2014.

Mr. Wilson said Barbara Honie is assembling a committee to consider a tribute for Dave May, a professional baseball player from New Castle. He asked if the Board would authorize him to represent the Board at meetings. Mr. Wilson will research the Quillen family connection to the ball fields.

Mr. Castagno made a motion to authorize Mr. Wilson to represent the Board in discussions with Barbara Honie about possibilities for Board approval for naming rights and Mr. Wilson will research the connection with the Quillen family. Mr. Clayton seconded the motion. Motion approved.

Airbase Carpet Mart – Mr. Taylor reported that the appraisers have met and Airbase has agreed on a figure for land rent. They will finalize soon.

Korean Church – The lease will expire soon; Gary Parker will do an appraisal in early 2014.

Medical Center – Dr. James has moved out but has left behind two copiers. Mr. Clayton has contacted the leasing company but needs the account number. Leasing company information will be provided to Mr. Taylor for follow up. A funeral home has expressed interested in leasing the building.

New Well Entrance at Penn Farm – Mr. Taylor informed that as part of the bike trail that DelDOT is installing, they are paving the entrance to the new Municipal Services well.

OUTREACH COMMITTEE REPORT

Mr. Meek had no report.

PROPERTY MAINTENANCE COMMITTEE – Mr. Viola reporting.

The committee is cleaning the inside of the medical center, working on getting the newly installed railings painted, getting proposals for some exterior work, and replacing the columns at the front door.

Residents in Dobbinsville have been notified that sheds that have been installed in the wooded area on Trust property must be removed or the Board will take action to have them removed.

FINANCE COMMITTEE REPORT – Mr. Gallagher reporting.

The Finance Committee met with our insurance broker about getting our three different policies terminus. How to handle insurance on historical buildings was reviewed by Mr. Castagno. Mr. Castagno said the historic properties would be assessed and appraised to ensure

Trustees of the New Castle Common
Minutes of December 3, 2013

the proper replacement value is in place. Cost for the work is reasonable. Mr. Meek asked if we would be looking at a standard or deluxe type of insurance. According to Mr. Castagno we would lean towards in-kind materials but would follow the recommendation of the agency for insurance purposes.

The committee is looking to secure a VISA credit card, and is working on establishing policies and procedures for card usage.

Mr. Alfree reported that second notices for outstanding monies have been sent to two parties with copies to Messrs. Gambacorta and Gallagher. If they are not satisfied immediately they will be turned over to a collection agency.

ELECTION COMMITTEE – Mr. Wilson reporting.

The run-off election is 12/7/13 between Tom Episcopo and Jim Whisman. Two Trustees, Messrs. Yacucci and Gambacorta, are ineligible to participate at the polls due to their affiliation with the candidates.

LIBRARY COMMITTEE REPORT – Mr. Viola reporting.

Mr. Viola reported that the library's fundraising efforts for the children's garden was successful and he thanked those who attended.

BYLAWS COMMITTEE REPORT – Mr. Gallagher reporting.

Our auditing firm has cautioned about changing our bylaws often. The committee will break out the bylaws into bylaws, policies, and procedures and is looking at what constitutes all three. Definitions will be distributed to all Board members.

OPEN SPACE COMMITTEE REPORT – Ms. Fiske reporting.

A resident will be installing a fence on either side of his property (The Strand Extended) which is next to Trust riverfront property. She brought the matter to the attention of the Property Maintenance Committee.

BATTERY PARK COMMITTEE REPORT

Mr. Castagno had no report. Mrs. Ross asked what is being done next to the Terry House. He said a security concern was expressed and bicycle racks will likely be installed there. By opening the area up it is more visible and easier for the police to monitor. Mrs. Ross suggested a meeting with City Council concerning security cameras near the restrooms.

OTHER COMMITTEES/OTHER BUSINESS

None.

COMMUNICATIONS – Mr. Alfree reporting.

Mr. Alfree wished everyone a safe holiday and announced that the tree lighting is on 12/14/13. Mr. Wilson reported the Trust has a new utility vehicle (Kubota) for use on all Trust properties and suggested Board members request a tour in it. No cost was incurred by the Trust.

Trustees of the New Castle Common
Minutes of December 3, 2013

Ms. Ratchford said she looks forward to working with the Trustees adding that the relationship between the City and the Trustees is important for the residents of New Castle. Mr. Alfree offered to meet with her, Mr. Barthel, and the officers of the Board. Mr. Castagno thanked Ms. Ratchford for her service on the Battery Park Commission. Mr. Viola acknowledged her work in helping to raise funds for the Library project.

Action Items

- An ad hoc committee consisting of Mr. Alfree and Ms. MacDonough will work on job descriptions, hiring additional personnel, update of property spreadsheet.
- Updated version of bylaws to be sent electronically to Board members.
- Land Management Committee to review matter of roadway behind new housing units at Bull Hill.
- Definitions of bylaws, policies, and procedures as established by the Bylaws Committee will be distributed to all Board members.

At 8:20 p.m. Mr. Gallagher made a motion and Mrs. Ross seconded to enter into Executive Session to discuss matters of real estate.

The Board reconvened in regular session.

A motion was made and seconded to authorize our President, Mr. Alfree, and our Attorney, Mr. Taylor, to negotiate on behalf of the Board for the potential acquisition of an available property in the City of New Castle and to bring information back to the Board for its approval.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Deborah Turner
Stenographer