

**Trustees of the New Castle Common
Meeting Minutes
January 8, 2008**

The monthly meeting of the Trustees was held on Tuesday, January 8, 2008 at 7:30 p.m. in the Trustees Room of the Old Town Hall.

Present: Messrs. Peden, Alfree, Appleby, Castagno, DeAscanis, Gambacorta, Gebhart, Quillen, Viola, Wilson, Yacucci, Ms. Fiske, Mr. Taylor, Esq., and Ms. MacDonough, Executive Secretary. Guests at the meeting were: Mimi Carpenter and Earl Carpenter of the *New Castle Weekly*; Beverly Ross and David Ross and family members.

Mr. Peden called the meeting to order, followed by a moment of silence. He then asked for the report of the Election Committee.

ELECTION COMMITTEE – Mr. Quillen reporting.

Mr. Quillen announced that the results of the December 8 runoff for the final vacancy on the Board were as follows: Beverly J. Ross - 276; Richard Pennell – 142. He also noted that the opportunity to register on site (for future elections) that day yielded eight new registrations. Mrs. Ross was then sworn in by President Peden to fill the vacancy created by the death of M. Anita Banks on November 2, 2006.

Calendar Additions:

Finance Committee: Quarterly Reviews will be Jan. 23, 4 p.m. for PNC and 4:45 for Wilmington Trust
Good Will Committee: will meet Jan. 10 at 6:30 p.m. at Fire House with Pres. Krett and Chief Vannucci
By-Laws Committee: will meet January 14 at 4 p.m.

Minutes and Treasurer's Report:

The minutes from the December 4, 2007 meeting were approved as presented. The Treasurer's Report was also approved as submitted.

PROPERTY DEVELOPMENT COMMITTEE REPORT - Mr. Alfree reporting:

Riverbend Project

Mr. Alfree has not heard from the developer, Nick Ferrara, so there is no further report at this time.

Family Foundations Academy

Discussions are continuing for the Trustees to receive right of way access to the back of the school in return for granting the desired easement in front to DelDOT. No further update at this time.

Centerpoint/Amazon

Mr. Taylor and McConnell Development's attorneys continue to communicate regarding a mutually-acceptable method to determine the new lease rent.

Walgreen's

Mr. Alfree requested an Executive Session regarding these negotiations.

Professional Center/Ferry Cutoff

Emory Hill's Real Estate division and a development group from Cherry Hill, NJ have asked to schedule a presentation to discuss developing senior housing on the professional center parcel. The date will be announced when finalized.

OUTREACH COMMITTEE REPORT - Mr. Gebhart reporting.

Mr. Gebhart has not yet received a response from Little League representatives on signing of the new lease. He then turned his time over to Mr. Wilson, who reported on the request from Wilmington Montessori School to install covered pamphlet boxes and pamphlet recycling boxes on posts in the Gambacorta Marsh. The Committee was concerned about litter and potential for misuse and suggested an alternative which would include plexiglass-covered signage on-site, with pamphlets *per se* available at the City, Historical Society and Trustee Offices, but not out in the Marsh and walkways.

Therefore, Mr. Wilson made a motion that permission to place pamphlets in the Marsh be denied. It was seconded and passed unanimously.

PROPERTY MAINTENANCE COMMITTEE REPORT – Mr. DeAscanis reporting.

Mr. DeAscanis turned the report over to Mr. Viola, who gave an update on ongoing projects. Roof repair is underway at the Library; the roofer has confirmed that the original gutter was not installed properly. Mr. Viola also said that he was advised that there are problems with the heat at the Penn Farm (Quigley's). Berry Refrigeration evaluated the system, and reported that the heater is about 30 years old, and there are also problems with the (external) oil tank and the chimney. Additional information will be gathered.

FINANCE COMMITTEE REPORT – Mr. Gambacorta reporting.

We purchased a PNC Certificate of Deposit for \$80,000 on Dec. 31, increasing the current number to four CD's totaling \$210,000. Mr. Gambacorta and Mr. Wilson also reported that the community organization grant recipients will be submitting their reports on last year's funds and requests for the upcoming year by Jan. 25. The Outreach Committee will screen the requests for appropriateness (per the By-Laws) and pass them to the Finance Committee the following week for decisions on the specific dollar amounts.

LIBRARY COMMITTEE – Mr. Viola reporting.

Mr. Viola reported that the Building Committee will meet with the Historic Area Commission again on January 17th, and hopes for approval in concept so that design work may proceed. He also summarized the December 11 City Council meeting where an ordinance requesting \$300,000 from the City for the Library project was considered. It was well-attended, and the appropriation was ultimately passed. This is a major milestone toward encouraging future fundraising.

OPEN-SPACE COMMITTEE – Ms. Fiske reporting.

Committee will attempt to schedule a meeting with Hunter Ficke of Immanuel Church regarding preservation of open space near the Glebe Cemetery. She turned the report over to Mr. Wilson who said that he spoke with a representative of the Mid-Atlantic Trail Alliance regarding the greenway issue. He made a motion to give the City permission to allow the Battery Park walkway to be formally included as a segment of the East Coast Greenway. On discussion, Mr. Appleby summarized history from the 1990's regarding this, including the fact that approval has to be given by both the Trustees and the City, as parts of the overall route belong to each; the City has denied permission in the past. Motion passed unanimously.

Mr. Wilson also raised the concept of establishing a community garden, most likely on the Penn Farm property. Further information to be forthcoming, and Property Maintenance Committee would be involved.

BY-LAW COMMITTEE – Mr. Wilson reporting.

The three By-Law changes approved at the December meeting were incorporated into the master document and given to the Secretary and the Executive Secretary on a compact disk. The purpose of the Committee meeting January 14th is to start a final review of the document before providing a published copy to each Trustee. Also, at the December meeting Mr. Wilson had distributed a proposed By-Law change concerning voting procedures, and Mr. Alfree mailed out an alternative proposal on December 20. Mr. Wilson withdrew his motion in favor of the wording proposed by Mr. Alfree.

On discussion, the necessity for the motion was debated. Points in favor are the opportunity for each member to clearly state the reasons for his/her vote, and the ability to make a more accurate record of the count when desired. Mr. Alfree said he inadvertently omitted addressing abstentions, and recommended that the motion be tabled until February. Mr. Wilson agreed.

BATTERY PARK COMMITTEE – Mr. Gebhart reporting.

No update.

GOOD WILL FIRE HOUSE COMMITTEE – Mr. Wilson reporting.

Mr. Wilson reiterated that a meeting will be held January 10 with Good Will officials to discuss renovation plans. Ms. Fiske and Mr. and Mrs. Alfree attended the Fire Company 100th anniversary celebration.

OTHER COMMITTEES – No reports.

COMMUNICATIONS – None.

OTHER MATTERS

Mr. Alfree asked that all nominating and committee questionnaires be returned by January 11. The Nominating Committee (Chairs of Property Development, Property Maintenance, Outreach and Finance) will then schedule a meeting to develop the proposed slate for 2008-09. He also pointed out that the Board now has a full complement of 13, so that a quorum is now seven.

We are continuing to develop an abbreviated annual financial statement, to be mailed in Municipal Services bills, with the traditional full-length report available upon request.

One momentous development is that as of December 6 the office now has internet service and email.

Mr. Peden summarized the budget process and how requests for grants should be handled.

Mr. Viola said that each member has been given a copy of the first Friends of Bellanca Airfield newsletter. He also mentioned an article about Trust accountant Mark Zitz which recently appeared in the Wilmington University magazine.

Ms. Fiske commented that the lack of recreation programs for youth may be contributing to the incidence of gangs and negative behavior. She said it would be a good idea to encourage the City to develop programs for the teen age group.

Mr. Alfree then moved that the Board adjourn and convene in Executive Session. Motion approved.

Upon reconvening the regular meeting, Mr. Alfree made a motion to utilize the new appraisal of the Dialysis Center property as the basis for negotiating the rent rate for the Center's five-year option term which commences in May. Motion passed unanimously.

There being no further business, the meeting was adjourned at 8:25 p.m.

Respectfully Submitted,

Kathleen MacDonough
Executive Secretary

**Trustees of the New Castle Common
Meeting Minutes
February 5, 2008**

The monthly meeting of the Trustees was held on Tuesday, February 5, 2008 at 7:30 p.m. in the Trustees Room of the Old Town Hall.

At 7 p.m., prior to the regular meeting, representatives of Emory Hill Real Estate Services and the Ingerman Group made a presentation on developing affordable senior housing in New Castle at the Ferry Cut-off. Members of the group included: Paul Bryant, Emory Hill; David Holden, Ingerman; Gary Pollio, Interfaith Housing; and Jim Haley, Haley-Donovan Architects. David Bird of the New Castle City Planning Commission was also present. The group's concept entailed rental apartments for independent senior citizens 62 and over, not "congregate" or "assisted" housing. As a rule of thumb, such housing requires 0.5 parking spaces per unit. Medical and commercial space was included in the schematic.

Present: Messrs. Peden, Alfree, Castagno, DeAscanis, Gambacorta, Gebhart, Quillen, Viola, Wilson, Yacucci, Ms. Fiske, Ms. Ross, Mr. Taylor, Esq., and Ms. MacDonough, Executive Secretary. Guests at the meeting were: Mimi Carpenter of the *New Castle Weekly*.

Mr. Peden called the meeting to order, followed by a moment of silence.

Calendar Additions:

Open Space Committee: Tentatively Feb. 22 at 12:30 to meet with Immanuel Church representatives.

Minutes and Treasurer's Report:

The minutes from the January 8, 2008 meeting were approved as presented. The Treasurer's Report was also approved as submitted.

PROPERTY DEVELOPMENT COMMITTEE REPORT - Mr. Alfree reporting:

Riverbend Project--Emergency Road

Mr. Alfree is waiting for further contact from the developer, Nick Ferrara.

Family Foundations Academy

The school attorney will contact Mr. Taylor to resolve the right-of-way issues.

Centerpoint/Amazon

Mr. Taylor has been instructed to contact McConnell Development to request action by February 14, or to request that they commission a second appraisal per terms of the lease so that a new rental rate may be arrived at.

Walgreen's: no update.

Professional Center/Ferry Cutoff

Mr. Alfree asked that Emory Hill *et al.* submit any further materials regarding their proposed project prior to the March 3 meeting of the Property Development Committee, or to appear at the Committee meeting. Mr. Gambacorta asked if lease terms and financing structure had yet been discussed. Mr. Castagno stated they would probably want a ground rent arrangement with a 30-year lease in order to secure construction financing.

Air Base Carpet Mart

They are requesting permission from New Castle County to construct a 10,000 sf addition with some parking lot adjustments. Mr. Taylor reminded the Board that three times in the last 12 years, the Trustees have approved similar expansion plans which did not ultimately come to pass due to financing. Mr. Taylor recommended that the Board approve the current plans in concept at this time in order to support Air Base's submission to the County. Mr. Alfree moved that the Trustees approve Air Base's plans to construct a 10,000 sf addition and make changes to the parking area. Motion approved.

Milex

An amended lease and rent schedule for the period March 1, 2007 through February 29, 2012 has now been finalized and executed by both parties.

OUTREACH COMMITTEE REPORT - Mr. Gebhart reporting.

Mr. Gebhart is waiting for a response from Bill Becker, president of the Little League, regarding some minor points of feedback on terms of the proposed five-year lease. Mr. Taylor suggested a working meeting with both parties present where the revisions could be made and the revised lease executed.

Mr. Gebhart said that the Outreach Committee would like to make a recommendation that the Trust officers meet with the Mayor and the Council President at least once every year or two to improve communication. He then turned the report over to Mr. Wilson, who reported that the Committee met January 23 to screen requests for 2008-09 grants from community organizations. The Committee will turn the requests over to the Finance Committee with a cover memo noting its recommendations as to whether individual requests were appropriate or inappropriate. He emphasized that Outreach looked at requests from a qualitative point of view, and would defer to Finance to decide on the grant amounts *per se*.

PROPERTY MAINTENANCE COMMITTEE REPORT – Mr. DeAscanis reporting.

Mr. DeAscanis reported that the chimney at Penn Farm (Quigley's) requires some brick work and also installation of a fireproof liner. Erv Thatcher reported that a quantity of dirt turned up in yard waste collection, and requested that it be used to fill some low areas in Dobbinsville, as the dirt could not be processed with the yard waste; Mr. DeAscanis feels this is an acceptable solution. Ms. Fiske referred to the high costs of health insurance which we pay for two City workers assigned to the Trust. She believes that there is a new law stating that anyone eligible for Medicare must use Medicare rather than an employer's insurance. Mr. Peden asked Ms. MacDonough to check with Marian Delaney, City HR director.

FINANCE COMMITTEE REPORT – Mr. Gambacorta reporting.

Mr. Gambacorta summarized the proposed 2008-2009 budget, and asked members to review it and bring comments and feedback to the March meeting. He pointed out some items of note: the Historical Society funding will increase from \$9,500 to 14,500; and the Public Library will increase from \$15,000 to 25,000. Also, the City requested that we waive their payments for the year on the debt for the Police Building; the Committee denied this request. Due to lack of progress on the Banks Building, funds are available in the Capital line to allot \$100,000 to the Good-Will Fire Company for renovations. The proposed budget totals \$1,070,700, and represents only a 3% increase over the current year. Projected income is \$1,264,000, so there is some leeway if needed. Mr. Peden stated that we will vote on this budget in March so it can become effective April 1. He said to contact the Finance Committee with any questions.

ELECTION COMMITTEE – No report.

LIBRARY COMMITTEE – Mr. Viola reporting.

Mr. Viola reported that the New Castle Library project is now the #2 priority library project for the State, after Dover. The Governor allocated \$2.5 million for New Castle in her budget, which with \$500,000 from the Bond Bill two years ago would complete the \$3 million funding appropriation hoped for from the State.

Excellent support has been received from Sen. Connor and Rep. Mulrooney. Library staff and the Building Fund Committee have been addressing a technical problem with the State reimbursement process. To date the campaign committee has raised over \$800,000, above and beyond the \$300,000 committed by the Trustees to purchase 420 Delaware last March.

OPEN-SPACE COMMITTEE – Ms. Fiske reporting.

Two members met January 10 and discussed rezoning the river-side land near Chestnut Street from Historic Residential to Open Space.

BY-LAW COMMITTEE – Mr. Wilson reporting.

Trustees received a mailing in mid-January regarding proposed By-Law changes in voting methods and conflict of interest policy. Mr. Wilson moved to amend the By-Laws, Article IV, by adding a Section 5 regarding voting method as specified in Attachment A. Motion carried unanimously. Mr. Wilson moved to amend the By-Laws by adding an Article XXX, Section 1 (Conflict of Interest) as specified in Attachment B. Motion carried unanimously.

BATTERY PARK COMMITTEE – No report.

GOOD WILL FIRE HOUSE COMMITTEE – Mr. Wilson reporting.

Mr. Wilson requested that a special presentation by Good-Will Fire Company officers be scheduled for 7 p.m. before the March 4 Board meeting to discuss major renovations and an addition to the Fire House. The logistics of the work involved argue for allocating enough money to fund the entire project, rather than the \$100,000 currently contemplated. Also to be determined is whether the Company itself will be contributing capital funds to the project.

OTHER COMMITTEES

Mr. Alfree reported that the Nominating Committee met January 21 to draft the proposed slate of officers and committee memberships for 2008-09. He introduced the documents, which will be put up for a vote at the March meeting.

COMMUNICATIONS

Mr. Alfree announced that Trust accountant Mark Zitz recently received his Masters of Education degree from Wilmington University. Also, Executive Secretary Kathy MacDonough will have completed one year with the Trust as of February 6. As a point of interest, the last time there was a full complement of 13 Trustees was March 11, 2006.

Mr. Alfree attended a special meeting dealing with proposed charter changes for the Municipal Services Commission. They currently have eminent domain authority regarding the water system, but not regarding the electricity infrastructure. They would also like to be able to borrow money for capital projects without having to hold a referendum.

There being no further business, the meeting was adjourned at 8:30 p.m.

Respectfully Submitted,

Kathleen MacDonough
Executive Secretary

**Trustees of the New Castle Common
Meeting Minutes
March 4, 2008**

The monthly meeting of the Trustees was held on Tuesday, March 4, 2008 at 7:30 p.m. in the Trustees Room of the Old Town Hall.

At 7 p.m., prior to the regular meeting, President Richard Krett and Mr. Raymond Krett of the Good-Will Fire Company made a presentation on issues facing the Company including personnel, budget, equipment and facilities. Priorities for funding requested from the Trustees include an addition to house administrative offices, and improvements to bathrooms and sleeping areas for female firefighters. The Company recently purchased adjoining property on Williams Street.

Present: Messrs. Peden, Alfree, Appleby, Castagno, Gambacorta, Viola, Wilson, Yacucci, Ms. Fiske, Ms. Ross, Mr. Taylor, Esq., and Ms. MacDonough, Executive Secretary. Guests at the meeting were: Mimi Carpenter of the *New Castle Weekly*.

Mr. Peden called the meeting to order, followed by a moment of silence.

Calendar Additions:

Group Photo: Tentatively Apr. 1 at 6:30; it is important that all be present.

Minutes and Treasurer's Report:

The minutes from the February 5, 2008 meeting were approved as presented with one correction by Mr. Viola: correct amount contributed to date by Trustees to the New Library expansion project is \$331,000. The Treasurer's Report was approved as submitted.

PROPERTY DEVELOPMENT COMMITTEE REPORT - Mr. Alfree reporting:

Professional Center/Ferry Cutoff

Representatives from the Emory Hill/Ingerman group interested in developing senior housing attended the Property Development meeting March 4. They want to focus on the rear portion of the parcel, away from the frontage, and will be submitting financials in the future.

Walgreen's

Mr. Papili of Diamond State Management contacted Mr. Alfree on February 26 to inform him that they would be presenting a development proposal to a Walgreen's corporate committee in a month or so. Mr. Taylor noted that he spoke briefly with Robert Wittig of Diamond State who said that progress was being made in drafting a proposal acceptable to the Trustees.

Centerpoint/Amazon

Mr. Taylor said that McConnell Development has hired a real estate professional to move the process forward in reaching a mutually acceptable rent rate. He is working on dates for a meeting next week with McConnell's attorney.

Dialysis Center

Mr. Alfree requested an Executive Session for the purpose of discussing real estate negotiations.

New Castle Sailing Club

There will be a working session with Mr. Taylor and Sailing Club representatives to work out revisions to the draft lease.

OUTREACH COMMITTEE REPORT – No report.

PROPERTY MAINTENANCE COMMITTEE REPORT – Mr. Viola reporting.

The hot water heater at the Fire House failed recently. It is a commercial unit and replacement (which has been completed) will cost about \$7,000.

FINANCE COMMITTEE REPORT – Mr. Gambacorta reporting.

Mr. Gambacorta reviewed the final draft of the proposed budget. The proposed purchase of a new tractor for \$26,895 was originally overlooked and has been added to the Battery Park line of the budget. We decided to approve one of the two surveillance cameras requested by the City, for use at the Battery Park bathrooms. The allocation for 2008-09 for the Good-Will Fire Company will remain at \$100,000, even though an additional \$200,000 was requested, with the thought that it would take some time to obtain plans and specifications and get them approved by the City and the Historic Area Commission, with the opportunity to add more funds next year.

Mr. Gambacorta moved that the Fiscal Year 2008-2009 budget totaling \$1,097,595 be accepted as presented. Motion passed with Mr. Wilson opposing because he felt the budget for the Fire House improvements should be higher to accommodate all needs in the upcoming year. Mr. Peden advised that the budget could be amended during the year and Mr. Wilson withdrew his opposition.

ELECTION COMMITTEE – No report.

LIBRARY COMMITTEE – Mr. Viola reporting.

Mr. Viola reported that the Historic Area Commission approved the basics of the design for the Library expansion project, so the architects can now move forward. The hope is to be ready to solicit bids by the end of the summer, and to break ground and start construction in the fall. In the meantime additional grant funds will be applied for.

OPEN-SPACE COMMITTEE – Ms. Fiske reporting.

Committee met with Hunter Ficke of the Immanuel Church about protecting and preserving the 50 acres of salt marsh and open lands at the Glebe, which have been appraised at \$1.5 million. The vestry wishes to keep the land as open land by having the State and possibly other nonprofit conservation entities buy conservation easements. The State has funds available for this type of activity. Immanuel would like our support in approaching City Council with this plan, and then ultimately all three bodies could approach the State in solidarity. The land could possibly be managed by a group such as the Nature Conservancy. They would like the Trustees to hold title to the land and easements.

Mr. Taylor said that normally a separate party would be responsible for enforcing the conservation easement (e.g. the State or the Nature Society). Ms. Fiske and the Committee recommend that we proceed in the direction outlined. Mr. Peden asked that Ms. Fiske bring a motion to the Board when more specific plans are ready. Mr. Wilson suggested that Mr. Taylor attend meetings as appropriate.

BY-LAW COMMITTEE – Mr. Wilson reporting.

Updated By-Laws incorporating recent changes have been provided to the Secretary and to the office and copies will be available next month.

BATTERY PARK COMMITTEE – No report.

GOOD WILL FIRE HOUSE COMMITTEE – No further report other than items discussed above.

OTHER COMMITTEES

Mr. Alfree noted that the proposed slate of officers and the committee assignments have been distributed by the Nominating Committee. He made a motion to approve the following for the period April 1, 2008 – March 31, 2009:

President – Gregory G. Peden
Vice-President -- Thomas H. Wilson, Jr.
Secretary -- Michael J. Alfree, Sr.
Assistant Secretary – R. James Quillen, Jr.
Treasurer – Henry F. Gambacorta
Assistant Treasurer – Richard M. Appleby, Jr.

Motion seconded and approved unanimously. Mr. Alfree then moved to accept the 2008-09 committee assignments as presented on February 5. This motion was also approved unanimously.

Mr. Alfree recently spoke with Mrs. Margaret Hassert regarding the need for new volunteers on the Scholarship Committee. She has been leading this group for a number of years, and would like an understudy to train and some new manpower. She also would like a Board liaison to help with some policy issues. Mr. Alfree asked for suggestions of potential volunteers. The task involves soliciting and reviewing about 50 applications a year. The total available funds are \$60,000. There is no longer a requirement to submit formal financial information. Ms. Ross volunteered to help. Mr. Wilson asked if committee members need to live in the City of New Castle; Mr. Peden said that was never stipulated.

COMMUNICATIONS

- Brian Sprinkle, athletic director of the Pencader Charter School, sent a letter again requesting use of the Battery Park tennis courts two afternoons per week for the spring season. They also offered to make the students available for clean-ups or chores. Mr. Wilson suggested they could help with a planned beach clean-up on April 12.
- A verbal request was received to allow a DJ in the Old Town Hall archway on March 28 for one of the TGIF New Castle events. Sent to Outreach Committee.
- Penn Mart Shopping Center is again in need of cleaning and cosmetic improvements so a letter will be sent.
- Mr. Alfree read a resolution honoring Joseph Quigley III, who passed away on February 20.

Mr. Alfree then moved that the Board adjourn and convene in Executive Session to discuss a matter of real estate negotiation. Motion approved.

Upon reconvening the regular meeting, Mr. Alfree made a motion to execute a five-year extension of the lease with Fresenius Medical Care (the Dialysis Center) at a new rate of \$17.57 per square foot, with a 3% increase each year after the first year of the lease term. Motion passed unanimously.

There being no further business, the meeting was adjourned at 8:42 p.m.

Respectfully Submitted,

Kathleen MacDonough
Executive Secretary

**Trustees of the New Castle Common
Meeting Minutes
April 1, 2008**

The monthly meeting of the Trustees was held on Tuesday, April 1, 2008 at 7:30 p.m. in the Trustees Room of the Old Town Hall.

Present: Messrs. Peden, Alfree, Appleby, Castagno, DeAscanis, Gambacorta, Quillen, Viola, Wilson, Yacucci; Ms. Fiske, Ms. Ross, Mr. Taylor, Esq., and Ms. MacDonough, Executive Secretary. Guests at the meeting were: Mimi Carpenter of the *New Castle Weekly*, Robert Appleby of the Municipal Services Commission.

Mr. Peden called the meeting to order, followed by a moment of silence.

Calendar Additions:

Quarterly Financial Review will be at 4 p.m. Wednesday April 23.

Outreach Committee will meet 6 p.m. Tuesday April 22.

Minutes and Treasurer's Report:

The minutes from the March 4, 2008 meeting were approved as presented with the following clarification: 2008-09 Trust appropriations for the Good Will Fire Company include both operating funds (\$85,000) and capital funds (\$100,000). The Treasurer's Report was not available for the meeting. Both the month-ending March 31 report and the fiscal year close-out report will be sent out prior to the May meeting.

Municipal Services Presentation

MSC needs more capacity to handle electrical demand from south side of town. They evaluated two alternatives: go underground with cables, or build a second substation. Cost for both is about the same: \$7 million. They chose the latter solution as it would provide critical back-up if the primary unit goes down. They will obtain financing from the Delaware Municipal Electric Corp. (DEMEC) which has an excellent rating and will offer a lower interest rate, possibly under 5%. After 10-15 years, ownership reverts to MSC; arrangement would be similar to the financing for the police station. They expect the project to be completed by 2010. Mr. Appleby/MSC request use of an acre of land (200' X 200'), and access to it, on Trust property near the railroad tracks northwest of Dobbinsville. Mr. Peden asked if MSC has met with residents of Dobbinsville. Mr. Appleby said not as of yet, but that was a good idea. Mr. Wilson asked how far the substation would be from the houses on W. 8th St.; Mr. Appleby said about 500'. The installation can be shielded with landscaping, and there will not be any noise impact. Issue was assigned to Property Development Committee. Mr. Taylor asked if the \$7 million includes improving the access roads, and if ultimately the unit would belong to the MSC rather than the City. Answer is yes as to both.

PROPERTY DEVELOPMENT COMMITTEE REPORT - Mr. Alfree reporting:

Dialysis Center

Mr. Taylor will be sending the lease amendment to the tenant shortly. New lease term starts May 4.

New Castle Sailing Club

There will be a working session with Mr. Taylor and Sailing Club representatives to work out revisions to the draft lease on May 14.

Farmers Market

Richard Stat presented plans for a 10,000 sf addition, parking area improvements, and new signage at Farmers Market to the Property Development Committee, including a three-dimensional model and

blueprints. Part of the proposed project will include water circulation improvements for fire protection. Property Development recommends that the Board approve these plans. Mr. Alfree moved that the Board approve the construction of a 10,000 square foot addition and other improvements described as Phase I and Phase II and presented on plans dated 2/21/06 (with subsequent revisions), and outlined in the accompanying letter and supporting information submitted 3/31/08 by 326 Associates LP and signed by Richard Stat. Motion carried.

Mr. Taylor spoke with Mr. Stat's attorney and recommended a motion to allow various financing to occur in a timely fashion. Mr. Alfree moved to authorize execution by the President and Secretary of appropriate legal and financial documents in support of the Farmers Market addition project prior to the next Trustee Board meeting, pending review and approval by Trust attorney. Motion carried.

Basin Road Property

A proposal has been made by a group called VSW Paintball (Sue and Tom Ventura, Tim Stetson and Wayne Wright) to develop a recreational paintball facility on this vacant parcel. It is very preliminary and many questions need to be answered, but VSW has put a lot of time and thought into the idea. They made a presentation to PDC on March 3. Mr. Alfree described the proposed layout and concept. The purpose of bringing this up now is to introduce the idea and solicit initial reactions. One possible scenario might be to go forward on a trial basis, 2-3 years. There would not be any permanent structures. Uses can include a summer camp for kids, practice arena for police departments, etc. Property Development has encouraged the group to speak to DelDOT, DNREC, City of New Castle, Baptist Church and Schoolside Apartments. Then they could possibly come before Committee again with more concrete information.

Sample comments from various Trustees: Consider impact on the natural habitat; the land in question has just been sitting there; paintball is used by companies for team-building exercises; there is a concern about weekend operation disrupting the quiet for apartment residents and church. Some Trustees were aware of the sport through their children and grandchildren's participation.

Sampling of questions and answers:

- What is impact of paintball materials on wetlands/environment? Mr. Wilson said that ingredients are completely biodegradable; they are now manufactured to meet standards of environmental organizations.
- Is sport too expensive for average kid? Mr. Wilson commented it can be expensive but is used by various demographics, e.g. bachelor parties, work groups.
- Are there any paintball locations around here? One outside of Elkton and one in St. Georges.
- Can we do a field trip or are there videos to watch? There is a website, www.nppl.com.
- What is the noise impact of guns, and players shouting? It can be noisy, guns sound like BB gun (compressed air).

Mr. Alfree stated that more information will be gathered and PDC will report back next month.

Checkered Flag Auto Sales

This tenant will have a new five-year lease option period beginning 2/1/09. The lease requires us to notify him of the new rental rate nine months ahead of that date, which is May 1. At this stage, the lease calls for an appraisal to determine market rent. As we were under the mistaken impression that this was going to be a CPI-driven increase, time is of the essence. Gary Parker of Advisory & Appraisal & Co. will be able to provide a figure, if not the full report, in time for the May 1 deadline. Mr. Alfree moved that once the new rental figure is obtained and reviewed by the President and Secretary, the appropriate notification be sent to the owner of Checkered Flag in order to meet the deadline. Motion carried.

Senior Housing at Ferry Cut-off

No update; development group has not gotten back to us yet.

Centerpoint/Amazon

Mr. Taylor is still working with McConnell Development to move the process forward in reaching a mutually acceptable rent rate.

Riverbend Emergency Road

Nick Ferrara is back from vacation and will be contacting Mr. Alfree.

Little League Lease

Mr. Taylor and Mr. Wilson reviewed the Little League's input on changes they desired in the draft lease. Mr. Taylor will finalize the document and a meeting will be scheduled to execute it.

OUTREACH COMMITTEE REPORT – Mr. Yacucci reporting.

Mr. Yacucci has been elected as new chair of the Outreach Committee. He reported that he has been invited to attend opening day of the Little League April 12 and throw out one of the first balls. He also reported that the Committee had met with Mrs. Hassert, chair of the Scholarship Committee. Some of the actual practices and policies of the scholarship review process did not match what was currently in the written materials. There was some lack of clarity about issues like residency requirements, financial need, and whether a Trustee can/should serve on the scholarship committee. Materials have now been updated, and Mr. Wilson said there may be some By-Law changes proposed to reflect updating of the guidelines. The present committee members have served for a long time and there is a need to bring in newer members to provide continuity into the future. Ms. Ross has agreed to participate on the committee.

Mr. Yacucci then asked Mr. Wilson to address the situation about the Trust-owned parcel adjacent to the restored Buttonwood School. Mr. Wilson recommended that we give the parcel to the Buttonwood group for use as an athletic field, with appropriate deed restrictions and a provision that it revert to Trust ownership if the nonprofit use no longer exists. Mr. Viola mentioned that there was a possibility that MSC wished to put a well on the parcel and that consideration of that should be noted. Mr. Gambacorta asked whether leasing or giving the property would be preferable. Mr. Taylor stated that deeding it over, with the proper restrictions, would be better from a liability standpoint. There is litigation currently ongoing over this property, and the proposed gift could be a means to resolve it. Mr. Wilson said he believed that the Buttonwood Association's goal was to use the parcel as an athletic field as it was when the school was in active use, and that helping them to achieve that would be congruent with the Trust's historic preservation goals. Mr. Wilson then agreed to table the motion until more background information could be provided to the Board.

PROPERTY MAINTENANCE COMMITTEE REPORT – Mr. DeAscanis reporting.

No update. Ms. MacDonough mentioned that a call had come in complaining about overgrowth along School Lane at the northern edge of the Penn Farm property, and that Mr. Thatcher would investigate. Mr. Thatcher has started clearing brush at Penn Farm; also the large potholes in the driveway have been filled with crusher run.

FINANCE COMMITTEE REPORT – Mr. Gambacorta reporting.

Mr. Gambacorta recommended that Mr. Alfree be named to the Finance Committee to replace Mr. Gebhart. Mr. Peden appointed Mr. Alfree. The tri-fold brochure summarizing the Fiscal 2007 financial statements has been published and mailed out with Municipal Services bills. A full-length report will also be available. Mr. Thatcher got bids for the new tractor and Hoover was low bidder, and purchase has been approved.

ELECTION COMMITTEE – Mr. Quillen reporting.

Mr. Quillen reported that he “had a nice trip to Florida ... came back, and Joe Quigley had died, and Gebhart’s is not Gebhart’s any more, and C.H. disappeared.” This was followed by a big laugh from the group. He said that the Election Committee recommended that the vacancy for Mr. Gebhart’s seat not be declared until September. Mr. Viola stated that the delay would help the current situation where the ends of several terms are clustered very closely together. Mr. Quillen recommended that Mr. Wilson take Mr. Gebhart’s seat on the Election Committee, and President Peden concurred. The Committee will attempt to meet sometime the week of April 21st.

LIBRARY COMMITTEE – Mr. Viola reporting.

Mr. Viola referenced a recent News Journal article entitled “State’s Libraries Squeezed for Space.” He said that although four years ago New Castle Library was not even on the State list of priorities, this year the proposed State Bond Bill includes \$2.5 million for NCPL, the second largest allocation in the library budget. Through the thorough planning and preparation of the Library Board, in the last two years New Castle moved up in the ranks from #8 to #2. There have been several milestones achieved in the effort to renovate and expand the Library:

- The adjacent property at 424 Delaware Street was acquired with \$331,000 assistance from TNCC
- \$500,000 was obtained from the State two years ago, even though not in the budget
- Buck Simpser & Assoc. was retained to do the design work; plans should be complete and ground broken by end of September
- Mayor and Council stepped up and pledged \$100,000 per year for three years
- Local fundraising campaign has been launched with goal of \$200,000-300,000 from individuals and local businesses; have raised about \$140,000 so far
- Friends of the Library have contributed Kitchen Tour proceeds of \$20,000 to the campaign so far and hope to continue raising \$10,000 per year
- Have applied for and received two grants totaling \$45,000 and have four more major grant applications in the pipeline

Mr. Viola then moved that the Trust pledge an additional \$669,000 to the NCPL Capital Campaign, bringing total Trust contribution to \$1 million. Funds would go to renovation and to construction of additional space and will come from restricted funds in Trust investment portfolio

On discussion, Mr. Gambacorta asked what the timetable was. Mr. Viola said there is some flexibility on that score and that he purposely left it out of the motion. He said that the importance of the motion at this time was the symbolism of the major commitment, and how that would be very significant to other potential large donors. We can structure the details of our pledge if desired. The total project is estimated at about \$6 million, although the current slow economic climate may be favorable in terms of garnering lower bids. Mr. Appleby said that it would be 2009 before our funds would be needed. Mr. Castagno pointed out that the Library is an asset of the Trust, so the investment only enhances our own asset. Mr. Peden then restated the motion and it carried unanimously.

OPEN-SPACE COMMITTEE – Ms. Fiske reporting.

Mr. Wilson presented a letter supporting rezoning the open land around the ferry wharf at Chestnut Street. The present zoning is Historic Residential (HR). He said the comprehensive plan and the surrounding zoning argue for rezoning, and that zoning indicates a landowner’s future intention for use of a property. He moved that the City be asked to rezone the property in question (parcels 20 and 21) from HR to Open Space & Recreation, and Ms. Fiske seconded. On discussion, Mr. Viola raised the issue of whether such an action might devalue the property. Mr. Peden suggested putting the issue in Property Development

Committee to evaluate implications of this change. Mr. Wilson said that preserving and offering the land for recreation would be a benefit to the community and not necessarily devalue it. Mr. Quillen stated that the Trustees have no intention of developing that land, so that the question is actually moot. He said that this has become a public relations issue. He said that he did not wish to see the parcels become developed parkland *per se*, which may have unintended adverse effects like attracting many non-City residents. Mr. Wilson said that we would still have control over our land. He said eventually a continuous walkway could be built along the riverside connecting the northern neighborhoods with the downtown area. He said that his view was that leaving the zoning as HR was not protecting the property. He also said that if there was a real need down the road to rezone back to residential, that could be requested from the City, although it would be difficult as the Comprehensive Plan shows that area as Open Space. Mr. Viola said he had a problem with the community attributing negative or inappropriate intent to the fact that we have not been actively advocating for the rezoning. Mr. Peden recommended that the issue be assigned to Property Development to research the implications of the rezoning.

Mr. Gambacorta made a motion to table Mr. Wilson's motion and Mr. Appleby seconded. Mr. Wilson asked for a headcount vote; the results were: YES – Peden, Gambacorta, Yacucci, Alfree, Viola, Quillen, Appleby; NO – Fiske, Wilson, Castagno, Ross. Motion to table carried 7-4.

BY-LAW COMMITTEE – Mr. Wilson reporting.

No update except for scholarship program review as already discussed.

BATTERY PARK COMMITTEE – No report.

GOOD WILL FIRE HOUSE COMMITTEE – Mr. Wilson reporting.

Property Maintenance and Good Will Committees will be exploring whether Trustees are responsible for Fire House building addition and if so how to proceed.

OTHER COMMITTEES - No report.

COMMUNICATIONS

- Mr. Alfree passed around a school project of one of our scholarship recipients, Jenna Passmore, who is studying graphic arts.
- Pencader athletes using Battery Park tennis courts offered to do volunteer work in exchange, and thus will be helping with Sailing Club beach clean-up on April 9.
- Lena F. Deemer sent letter concerning roadway access to The Hermitage

Mr. Alfree then moved that the Board adjourn and convene in Executive Session to discuss a matter of real estate and litigation. Motion approved.

Upon reconvening, there being no further business, the regular meeting was adjourned at 9:30 p.m.

Respectfully Submitted,

Kathleen MacDonough
Executive Secretary

**Trustees of the New Castle Common
Meeting Minutes
May 6, 2008**

The monthly meeting of the Trustees was held on Tuesday, May 6, 2008 at 7:30 p.m. in the Trustees Room of the Old Town Hall.

Present: Messrs. Peden, Alfree, Appleby, Castagno, DeAscanis, Viola, Wilson, Yacucci; Ms. Fiske, Ms. Ross, Mr. Taylor, Esq., and Ms. MacDonough, Executive Secretary. Guests at the meeting were: Mimi Carpenter of the *New Castle Weekly*; Thomas and Sue Ventura and Tim Stetson of VSW Paintball; and Joseph Brynes, Brenda Edwards, Lauri Perkins, and James Washington of Schoolside Apartments.

Mr. Peden called the meeting to order, followed by a moment of silence. He recognized the visitors who were attending because of the paintball issue.

Calendar Additions:

Open Space Committee meeting TBA.

Minutes and Treasurer's Report:

The minutes of the April 1, 2008 meeting were approved with the following corrections/clarifications. With reference to rezoning of the Chestnut St. wharf properties, Mr. Viola asked that the words "the community" be deleted from the sentence reading "Mr. Viola said he had a problem with the community attributing negative or inappropriate intent to the fact that we have not been actively advocating for the rezoning."

Mr. Alfree asked that further clarification be included as to how two matters got assigned to the Property Development Committee. The first, disposition of the lot next to the Buttonwood School, was raised in the Outreach Committee report and began with a motion by Mr. Wilson to give the parcel to the Buttonwood Civic Association, which he then agreed to table until more information could be provided to the Board. In actuality, this matter was not assigned to the Property Development Committee: per the meeting tape no discussion of assignment occurred.

The second, rezoning of the wharf properties, was raised in the Open Space report when Mr. Wilson moved that the City be asked to rezone parcels 20 and 21 from HR to Open Space & Recreation. Mr. Peden assigned the issue to Property Development to research the implications of the rezoning. Mr. Wilson raised a point of order as to whether an outstanding motion could be *de facto* tabled in this manner. Mr. Taylor said that a motion could be offered to the full Board to table the original motion. Mr. Gambacorta then moved to table Mr. Wilson's motion, and this was passed by headcount, 7 -4.

Treasurer's reports for the months of March and April, and also the April 1, 2007 – March 31, 2008 fiscal year close-out report were approved as presented. Mr. Viola referred to the \$13,600 amount spent for the metal roof replacement at the medical center, and asked why it is listed under Contingency. This will be brought to the accountant's attention for clarification.

PROPERTY DEVELOPMENT COMMITTEE REPORT - Mr. Alfree reporting:

Paintball Proposal

Mr. Alfree summarized the lengthy deliberations of the Committee, and noted the receipt of several communications from Schoolside Apartment residents opposing the development of a paintball site on the Basin Road parcel. Some of the issues considered were: traffic, proximity to church and apartments, level of activity on weekends, and effect on surrounding natural areas. It was agreed that VSW Paintball did an

excellent job developing the proposal, and that such a facility would be appropriate and desirable at the right location. However, the Committee recommends against entering into a lease for the Basin Road property as it relates to development of a paintball facility at that site.

Centerpoint/Amazon

McConnell Development is obtaining their own appraisal and we are waiting to see it prior to moving to the next step in negotiating the rent rate for the new lease term.

Dialysis Center

Terms of new lease have been agreed upon, and we are awaiting the signed documents from the tenant.

Checkered Flag Auto Sales

Per lease terms, we commissioned an appraisal and notified the tenant of their new market rent by May 1, 2008, nine months prior to the beginning of the next option period, which is 2/1/09-1/31/14. Tenant has indicated they are satisfied with the rent schedule, so Mr. Taylor will now draw up the appropriate lease amendments.

Little League Lease

Mr. Yacucci has the final documents and will handle getting them signed.

New Castle Sailing Club

Mr. Taylor and Mr. Alfree met with Sailing Club representatives and worked through several major issues. We are satisfied with the insurance coverage they have obtained, and Mr. Taylor is working on final language for the lease

Family Foundation Easement

No update.

Riverbend Emergency Access

Mr. Alfree said we should henceforth refer to this as a “passageway” and not a “road.” Due to the Riverbend project activity adjacent to and possibly encroaching on Trust property, Mr. Alfree moved to commission VanDemark & Lynch to do a survey to clearly establish exact property lines. Motion carried.

Municipal Services Projects

To move forward on developing the proposed electric substation, MSC requires a commitment that the Trust will enter into a lease for about one acre so that they can obtain financing. The precise location has not been determined; MSC will be hiring an engineering firm in June to determine the exact site. Mr. Peden asked if MSC had communicated with Dobbinsville residents yet, and stated that we should wait until we have evidence of this prior to acting.

The second project is a proposed building enclosing the wellhead on Route 273. Mr. Viola mentioned that he had heard that two large sycamore trees in the immediate vicinity may date back to the Civil War and hoped that the improvements would be sympathetic to that. Mr. Alfree moved to approve the MSC request dated April 15, 2008 to erect a structure at the wellhead site on Frenchtown Road, with the understanding that the Trustees have input into building and fencing design.

Hermitage

Rezoning of the Hermitage property was discussed at the City Planning Commission meeting on April 28. There were differing opinions as to whether to part of the burned-out building could be saved. The owner and her associates and potential buyers want to rezone the parcel to higher density residential for development of 15 townhouses. This would necessitate widening and improvement of the access driveway,

which is owned by the Trust. Mr. Taylor said that this is another example of the vague nature of what qualifies as a street in New Castle, and would require clarification.

Ferry Cut-off Development Proposals

No contact from either Diamond State Management (Walgreen's) or Emory Hill (senior housing).

Rezoning of Parcels 20 & 21

No motion at this time; Mr. Taylor will be researching conservation easements with respect to this.

Farmers Market

Richard Stat forwarded a letter and diagrams requesting approval of a Verizon sign on the front of BJ's. Mr. Alfree passed around the materials and then moved to approve the request to install the Verizon sign per Mr. Stat's email of April 28 and the attached letter and specifications from BJ's Wholesale Club dated November 2, 2007. Motion carried.

Mr. Alfree then stated that he would be requesting an Executive Session to discuss matters of real estate and litigation. He then moved, per the Committee's earlier recommendation, that the Trust not proceed with lease negotiations for a paintball course on the Basin Road property. Motion carried unanimously.

OUTREACH COMMITTEE REPORT – Mr. Yacucci reporting.

Mr. Yacucci said that he was contacted by Tom Campbell of the Little League. They wish to pave 25 feet of the existing gravel road entering the fields from Route 273. It is currently rough and has many potholes and during the season a drop-off develops where cars turn in. Pearce and Moretto will donate this work (worth about \$4,500) in exchange for a banner on the dugout. He then moved that the Trust approve the paving as described, to be done gratis by Pearce and Moretto in exchange for a sign to be put on the dugout. Motion passed.

PROPERTY MAINTENANCE COMMITTEE REPORT – Mr. DeAscanis reporting.

The Committee recommends that blacktop at the southwest corner of 14th and Washington Streets be removed and the area graded and seeded. The Committee met with the Good Will Fire Company regarding the proposed addition and improvements. It was decided that as owners the Trustees will spearhead this project; the next step is to select an architect.

FINANCE COMMITTEE REPORT – Mr. Alfree reporting for Mr. Gambacorta.

Mr. Alfree noted receipt of a report that the Committee had requested from PNC Bank regarding a summary of investment portfolio performance over time.

LIBRARY COMMITTEE – Mr. Viola reporting.

The Library Capital Campaign Committee has been to Dover twice recently, for Library Day at the General Assembly and also for the Secretary of State's budget hearing. Several grant applications are pending with private foundations, and funding is currently included the State Bond Bill. It is important to demonstrate to all that the project is on track and ready and able to use any funds granted. As such, he thanked the Board on behalf of the Capital Campaign Committee for the major pledge made at the April meeting.

OPEN-SPACE COMMITTEE – Ms. Fiske reporting.

Ms. Fiske attended a meeting of Immanuel Church representatives and the City Council regarding preservation of the open lands owned by the Church. The group agreed to approach the State to ask for purchase of conservation easements on the Glebe lands. Ms. Fiske will advise when a meeting is set, and said all Trustees are welcome to participate.

BY-LAW COMMITTEE – Mr. Wilson reporting.

No report.

BATTERY PARK COMMITTEE – No report.

GOOD WILL FIRE HOUSE COMMITTEE – Mr. Wilson reporting.

No report other than what was already discussed under Property Maintenance.

ELECTION COMMITTEE – No report.

Mr. Wilson asked the President to poll the Board for someone who would be interested in joining the Election Committee. Mr. Viola volunteered.

OTHER COMMITTEES - No report.

COMMUNICATIONS

- Thank you letters were received from St. Anthony's Celebration Committee and the Sailing Club for recent donations.
- Wilmington University sent a letter stating that they are adopting a highway (Frenchtown Road) and would like donations for supplies. To Outreach Committee.
- Councilperson Churchill sent a communication regarding Mr. Coates of East Second Street and his offer to plant trees behind the garages on the west side (on Trust property). The Tree Commission has an opportunity to apply for a grant for the trees; Coates would provide the labor. They want permission to do this on Trust land. To Outreach.
- A parade and assembly permit request was received for the annual Wharf Dance. To Outreach.
- Thank you letter received from Library Capital Campaign.
- New Castle Historical Society sent a letter requesting sponsorship gift to benefit its annual garden party on June 12.
- Simon Watts of 60 W. 3rd Street sent materials requesting acquisition of a wedge of Trust property immediately adjacent to his site. To Property Development.
- Mr. Viola said that the Friends of the Bellanca Air Hangar will hold their Annual Meeting and an Open House on June 7. All are welcome.
- Library Capital Campaign Committee has offered Trust the possibility of a naming opportunity, in acknowledgement of our contribution. He asked for ideas, and also suggested a bronze plaque outlining the history of libraries in New Castle and the Trust's involvement therein.

Mr. Alfree then moved that the Board adjourn and convene in Executive Session to discuss a matter of real estate and litigation. Motion approved.

Upon reconvening, there being no further business, the regular meeting was adjourned at 8:38 p.m.

Respectfully Submitted,

Kathleen MacDonough
Executive Secretary

Trustees of the New Castle Common
Meeting Minutes
June 3, 2008

The monthly meeting of the Trustees was held on Tuesday, June 3, 2008 at 7:30 p.m. in the Trustees Room of the Old Town Hall.

Present: Messrs. Peden, Alfree, Appleby, Castagno, DeAscanis, Viola, Wilson, Yacucci; Ms. Fiske, Ms. Ross, Mr. Taylor, Esq., and Ms. MacDonough, Executive Secretary. Guests at the meeting were: Mimi Carpenter of the *New Castle Weekly*.

Mr. Peden called the meeting to order, followed by a moment of silence.

Calendar Additions:

Property Development Committee: meeting tentatively scheduled for June 30 at 4:30 p.m.

Minutes and Treasurer's Report:

The minutes of the May 6, 2008 meeting were approved as read. The Treasurer's Report was also approved as presented.

PROPERTY DEVELOPMENT COMMITTEE REPORT - Mr. Alfree reporting:

Simon Watts Property - 60 W. Third Street

Mr. Watts sent materials proposing that he purchase or exchange a wedge of Trust property immediately adjacent to his property, and partly within his hedge. When Mr. Watts purchased this property in 2006, he was aware of the plot boundaries, and had been advised previously of the fact that the Trust does not sell or swap land for private development. Similar requests have been received from other parties and denied in the past. The Committee unanimously recommends that this proposal be denied. Mr. Taylor noted the importance of enforcing our interests in all cases where there may be an encroachment on Trust property by an adjacent owner.

Hermitage/ "9th Street Extension"

Regarding the proposed development of the Hermitage site into townhouses, the Trust has a variety of concerns including access and drainage. The burned-out structure has now been demolished, due to a ruling by the City Building Inspector that it was unsafe. A letter was received in the office today from William Rhodunda (attorney for the developers). Beverly Ross presented some paperwork drawn up a few years ago by Herb Swanson, former building inspector. Mr. Alfree advised Mr. Rhodunda that there would be no further action on our part until September. Ms. MacDonough will send a letter acknowledging receipt of their letter and plans.

Municipal Services

To obtain financing for the proposed electric substation near Dobbinsville, MSC requires a commitment that the Trust enter into a lease for about one acre. The Committee unanimously approved this request.

Dialysis Center

The new lease for 2008-13 is now complete pending the Trust submitting some information regarding property assessment to the tenant.

Amazon Lease & Riverbend Development

These two real estate and development items will require consideration in Executive Session.

New Castle Sailing Club

We have received the final lease documents from Mr. Taylor containing the mutually agreed upon changes. They will be sent to the Sailing Club for signature.

Family Foundation Easement

The Trust received a certified letter from DelDOT urging prompt completion of the right-of-way documents for the eastern entrance to the Family Foundations charter school. Mr. Taylor spoke to J. Breck Smith, attorney for the school. Mr. Smith then communicated with DelDOT and the matter is proceeding. Mr. Taylor noted that it is a “dedication,” not just an easement; however there is no compensation as it was part of the approval process for the school. Mr. Taylor suggested that McBride & Ziegler set some stakes, as fencing in front of the school may be affected, and the description on the lease and mortgage may need to be amended. Mr. Appleby said there was not a fence in ROW area. Mr. Alfree moved to go forward with signing the dedication plot plan and paperwork so it can be recorded; motion approved.

A second issue is for the Trust to obtain an easement for access to its property at the rear of the school building. David Campbell of Delaware Transit Corporation, which owns the old railroad bed, wants to see a detailed plan, as the land is part of a future rails for trails project. The Transit Corporation is agreeable in concept as long as Trust use remains compatible with the trails program or other future use by DTC.

OUTREACH COMMITTEE REPORT – Mr. Yacucci reporting.

Little League -- The new lease for 2008-13 has been fully executed. Also, Tom Campbell advised Mr. Yacucci that a permit to pave part of a gravel entrance road was denied due to existence of second entrance in too close proximity along the arterial road (273). Pearce and Moretto had offered to pave the section for free.

Wharf Dance – The Committee approved the request for a Wharf Dance on September 6 pending receipt by the organizers of a permit from the City and proof of insurance.

Hot Rod Club – wishes to hold a car show and community day September 13 using area of old softball field west of Dobbinsville. They have held this activity in the past and it is growing. Committee asked organizers to put request in writing, and to obtain an insurance rider. If conditions are wet, they would not bring cars onto the field. We will also stipulate that they clean up the area afterwards.

Tree Planting on Second St. – Committee approved resident (Mr. Coates) request to plant trees behind garages on west side of Second Street, as long as Tree Commission also approves.

Wilmington University – has requested funds for supplies for a clean-up along Route 273. Mr. Yacucci asked for details in writing. This group may be available for other clean up/improvement projects on Trust property.

Tennis Courts – A letter was received from a group of players recommending maintenance to Battery Park Tennis Courts, and also advising that the courts were advertised nationally as a good place to play. Committee was concerned that this might attract too many users. Also, it was noted that the Middle States Tennis Association posted a sign without approval; sign is now down. Mr. Appleby commented that part of the reason for damage to the tennis court pavement was that players do not release tension on the nets when they are done playing. Renovation of the courts would be a major and costly project and will not be considered at this time.

PROPERTY MAINTENANCE COMMITTEE REPORT – Mr. DeAscanis reporting.

Good Will Fire House – Bids are coming in for the design of the renovation and addition. Mr. Taylor will research the deeds, as there are several parcels with some confusing overlaps, and may recommend consolidating the parcels into one. This must be handled before City will grant building permit.

Park Maintenance –Mr. Thatcher requested \$500 for equipment modifications. Committee approved.

Fifth and Cherry Street Parking Lot – Attention is needed to the pavement and the landscaping at this lot, which is behind the Post Office and provides parking for Cherry Street residents. Funds for blacktopping can be included in next year's budget. Mr. Castagno recommended that the plantings be addressed first and the paving later. Residents of that block are willing to design improvements and do the work.

FINANCE COMMITTEE REPORT – No report.

ELECTION COMMITTEE REPORT – Mr. Wilson reporting.

Mrs. Quillen has turned over Jim Quillen's committee records. The Election Committee met and is looking at possible dates for scheduling the next Trustee election, to fill Mr. Gebhart's seat.

LIBRARY COMMITTEE – Mr. Viola reporting.

Library Capital Campaign is waiting for outcome of State Bond Bill deliberations and is cautiously optimistic. Mr. Viola said that the significant Trust pledge to the project gave weight to the applications to other foundations, and they have received \$600,000 from Longwood and \$150,000 from Welfare.

Mr. Appleby reported that they have received a permit from the City to remove a wall behind 420 Delaware in order to enable a drill rig to take samples of the foundation. An asbestos inspection is required first and bids have been received. Work is on track for finalizing architectural and engineering plans.

OPEN SPACE COMMITTEE – Ms. Fiske reporting.

A meeting is tentatively planned for June 11 at noon. Ms. Fiske noted that there is some activity at the Marini property on Third Street. Mr. Peden said that he received a letter from the City stating that curbs in the area are to be raised in advance of repaving Third Street.

BY-LAW COMMITTEE – No report.

BATTERY PARK COMMITTEE – No report.

GOOD WILL FIRE HOUSE COMMITTEE – Mr. Wilson reporting.

The Fire Company is happy with the plans for the addition and the attention they are receiving from the Property Maintenance Committee.

ELECTION COMMITTEE – No report.

OTHER COMMITTEES - No report.

COMMUNICATIONS

- The Scholarship Committee submitted its annual report.
- Received requested information from Municipal Services regarding construction details for structure to be built over wellhead on Route 273.

- Received information from Brosius-Eliason regarding its liquidation. We will send a letter of interest in order to be on record should they decide to put the property up for sale.
- A resolution has been drafted in memory of R. James Quillen, Jr. for all Trustees to sign. It will be presented to Mrs. Quillen and recorded with the minutes.

Mr. Alfree then moved that the Board adjourn and convene in Executive Session to discuss three matters of real estate and litigation. Motion approved.

Upon reconvening, Mr. Wilson moved that the Trustees proceed with deeding the parcel of open land next to the Buttonwood School to the Buttonwood Civic Association, with appropriate deed restrictions worked about between attorneys for the parties and approved by the Outreach Committee. Motion carried 8-1-1 (Aye: Alfree, Castagno, DeAscanis, Fiske, Ross, Viola, Wilson, Yacucci; Nay: Mr. Appleby; Abstain: Mr. Peden.)

After receipt of our appraisal, and disputing its result and also the method of analysis, McConnell Development (Amazon lease) has offered \$166,500 as its annual lease payment for their upcoming renewal option. Mr. Alfree moved that McConnell be given a counter offer of \$223,000 per year, and authorized Mr. Taylor to negotiate, with a firm lower limit of \$180,000. Motion carried.

There being no further business, the regular meeting was adjourned.

Respectfully Submitted,

Kathleen MacDonough
Executive Secretary

**Trustees of the New Castle Common
Meeting Minutes
September 9, 2008**

The monthly meeting of the Trustees was held on Tuesday, September 9, 2008 at 7:30 p.m. in the Trustees Room of the Old Town Hall.

Present: Messrs. Peden, Alfree, Appleby, Castagno, DeAscanis, Gambacorta, Wilson, Yacucci; Ms. Fiske, Ms. Ross, Mr. Taylor, Esq., and Ms. MacDonough, Executive Secretary. Guests at the meeting were: Mimi Carpenter of the *New Castle Weekly*, and Gene Mayhew of the Fifth Street neighbors group.

Mr. Peden called the meeting to order, followed by a moment of silence.

Calendar Additions:

Finance Committee: Reminder that the Quarterly PNC Bank and Wilmington Trust portfolio review presentations will be on Wednesday, October 22 starting at 4 p.m.

Minutes and Treasurer's Report:

The minutes of the June 3, 2008 meeting were approved as submitted. The Treasurer's Report was also approved with corrections: four equipment expenditures listed as "contingency" should be reassigned to certain Battery Park and Maintenance line items; and scholarship disbursements which have already occurred need to be shown as drawn down.

Special Guests:

Gene Mayhew of 17 E. Fifth Street made a presentation on a proposal to refurbish the landscaping at the Fifth and Cherry Street parking lot, which is Trustees property. Mr. Mayhew and other Fifth Street residents have volunteered extensively in the past in planting and maintaining the area. The bald cypress that were originally planted have proved to be inappropriate and too large, making the pavement heave. There has been approval in concept to redo the plantings this fall, and repave the lot in 2009. The group would like the Trustees to fund tree removal and replacement materials (crape myrtle bushes, parking bumpers, etc.) and they are offering to do the work on a volunteer basis. The Property Maintenance Committee has approved this plan and has funds available. Total cost should be \$2,000 to \$3,000.

PROPERTY DEVELOPMENT COMMITTEE REPORT - Mr. Alfree reporting:

Hermitage/ "9th Street Extension"

A request for rezoning of the Hermitage parcel (and an adjacent parcel owned by the DiMondi family) from Open Space and Recreation to R-3 Residential has been submitted to the City. The owners wish to develop this area into townhouses. City Council has sent the request back to the Planning Commission for further consideration. Further Trustee action or involvement is on hold until the zoning issue is resolved. The latest iteration of the plan, showing 46 units, is available in the office.

Municipal Services

Mr. Taylor is working on the lease with MSC/DEMEC (Delaware Municipal Electric Corporation) for one acre west of Dobbinsville to enable the construction of a new electric substation.

Dialysis Center

The new lease for 2008-13 is now in place and this item will go off the active list.

New Castle Sailing Club

A request was received to paint a sailboat-themed mural on the side of the sail house at the foot of Third Street. Property Development Committee recommends that it be approved. Mr. Alfree moved that the Sailing Club be permitted to paint a mural on its building per the sketch plan submitted July 8, 2008. Motion carried. Sailing Club lease renewal for 2007-12 (with three five-year options) has now been finalized, and this item will also go off the active list.

Pending Development Proposals

Since there has been no contact for several months from either Walgreen's (Diamond State Management) or the Ferry Cut-off senior housing development group, these items will be removed from the active agenda.

Mr. Alfree requested an Executive Session for purposes of discussing confidential real estate matters.

OUTREACH COMMITTEE REPORT – Mr. Yacucci reporting.

Wilmington University – Request has been received in writing for \$200 for supplies for a clean-up along Route 273. This was previously approved.

PROPERTY MAINTENANCE COMMITTEE REPORT – Mr. DeAscanis reporting.

Old Library Museum - The slate roof is in bad shape. Recent work that was done only included gutters, downspouts and fixing leaks in glass panels. Bids will be solicited.

Good Will Fire House - Original plan for addition will have to be revised, as building would be too close to a large tree on an adjacent property (Reed); the owner does not want to remove the tree.

FINANCE COMMITTEE REPORT – Mr. Gambacorta reporting.

Mr. Gambacorta asked to be kept informed as to when funds would need to be available for both the Fire House and the new library projects, for planning purposes. The draft of the Barbacane Thornton audit for Fiscal 2008 has been received.

ELECTION COMMITTEE REPORT – Mr. Wilson reporting.

The Committee will formally declare a date for the Trustee election to fill Mr. Gebhart's seat at the October board meeting. Tentatively they are aiming for a January date.

LIBRARY COMMITTEE

In the absence of Mr. Viola, Ms. MacDonough gave an update. Representatives of the architect (Buck Simpers) and engineering firm (Furlow Associates) met at the Trustee vault in the lower level of the Library to discuss requirements and possible modifications for our storage area. It is recommended that a wall be removed to create one large room, and the area will be secure, climate-controlled, and fire-rated. Groundbreaking for the Library project is October 1 and we will have to take everything out of the building prior to the onset of construction (October 15). Ultimately we can custom-design shelving for the more valuable artifacts. We will be hiring temporary help to meet the deadline for moving out and also to help with organizing and purging the large quantity of records. Ms. Fiske volunteered to assist.

OPEN SPACE COMMITTEE – Ms. Fiske reporting.

The Committee presented a list of agenda items that it has under consideration:

- Five-year plan to survey Trust properties, with high priority to Trust land next to B-E and Gambacorta parcels, in order to be proactive with respect to possible future development.
- Policing/auditing our properties, vis-à-vis possible adverse circumstances like debris, homeless camps, encroachment, storage of foreign materials, etc.

- Tours of both leased and open land for newer Trustees.
- Benches to be placed on the Battery, and possibly later in other parts of town.
- List of properties which the Trust might want to acquire (or ask for first refusal) if/when available.
- Wildflower planting in order to minimize mowing; will confer with Delaware River & Bay Authority on this.
- Tom Whitehead's plan for parking on the Battery: not a question for the Trustees at present so we recommend sending it to the City and the Planning Commission.

BY-LAW COMMITTEE – Mr. Wilson reporting.

A copy of the latest version of the By-Laws was distributed to each Trustee. A log chronologically tracking changes and additions can be found on the last page. Mr. Appleby raised a question as to Article XV, Section 1 (Assets), specifically whether the wording conflicts with the practice of giving out individual scholarships. Mr. Taylor and Mr. Wilson will pursue this.

Mr. Wilson also commended Ms. Fiske for articulating and defining the activities of the Open Space Committee in concert with the objectives as outlined in the By-Laws.

BATTERY PARK COMMITTEE – No report.

GOOD WILL FIRE HOUSE COMMITTEE – Mr. Wilson reporting.

No report other than developments mentioned by Property Maintenance.

OTHER COMMITTEES - None.

COMMUNICATIONS

Mr. Alfree gave a summary of communications received over the summer (see attached list). Copies of the full documents are available from the office.

Ms. Ross reported on an experience at the Farmers Market where power was lost and there did not seem to be a back-up generator. Mr. Taylor recommended informing the City Building Inspector.

Mr. Alfree then moved that the Board adjourn to convene in Executive Session to discuss four matters of real estate and litigation. Motion approved.

Upon reconvening, Mr. Alfree moved that the Property Development Committee be given the authority to settle the Amazon (McConnell Development) lease negotiation to -- but not below -- the figure recommended in Andrew Taylor's letter of September 10, 2008. Motion seconded and approved.

There being no further business, the regular meeting was adjourned.

Respectfully Submitted,

Kathleen MacDonough
Executive Secretary

**Trustees of the New Castle Common
Meeting Minutes
October 7, 2008**

The monthly meeting of the Trustees was held on Tuesday, October 7, 2008 at 7:30 p.m. in the Trustees Room of the Old Town Hall.

Present: Messrs. Peden, Alfree, Appleby, Castagno, DeAscanis, Viola, Wilson, Yacucci; Ms. Fiske, Ms. Ross, Mr. Taylor, Esq., and Ms. MacDonough, Executive Secretary. Guests at the meeting were: Anna Stoops of University of Delaware Cooperative Extension, and Erv Thatcher, Maintenance Foreman.

Mr. Peden called the meeting to order, followed by a moment of silence.

Special Presentation on Penn Farm

Anna Stoops, Extension Agent, gave a summary of problems at the Penn Farm as identified by the State Department of Agriculture. The Farm is in violation of the Noxious Weed law regarding serious overgrowth of Canada Thistle and Johnson Grass. Ms. Stoops presented four general directions for the Trustees to consider for overall handling of the Farm:

- Maintain/mow/spray (holding pattern)
- Lease to farmer (would require stump and field clearing first)
- Natural Resources Conservation Service programs (cover crops)
- Reforestation/meadow planting (process to revert to a “natural” state)

Erv Thatcher described recent major mowing and clearing activities, and their demands on Public Services crews and equipment. He is working closely with Todd Davis, enforcement officer of the Agriculture Department. Mr. Thatcher has contacted Southern States in Middletown to discuss spraying the weeds with herbicide; this would be a multi-year process. More clearing is necessary, and it may take three to five years to bring the fields back to a profitable state for farming. Also, the Farm is providing cover for deer, which are proliferating and causing a hazard on the roads. Mr. Thatcher also said that the overgrowth of brush presents an increased danger of fire. Mr. Wilson asked what would be the ramifications if nothing was done: State law includes fines and penalties for noncompliance. This issue will be spearheaded by the Penn Farm Task Force.

Calendar Additions:

Election Committee: Mr. Wilson reported that the Committee met October 1.

Finance Committee: Quarterly PNC and Wilmington Trust reviews will be on October 22 starting at 4 p.m. There was discussion as to whether the November Board meeting should be changed due to the fact that the 4th is Election Day; consensus was to hold meeting as scheduled.

Minutes:

The minutes of the September 9, 2008 meeting were approved as submitted.

Executive Secretary's Report:

Trustee archives will be completely removed from our storage vault in the Library by October 11, in advance of upcoming construction. Ms. Barbara Alfree has been helping pack up and inventory the vault contents. We had initially sought to store some of the most valuable items in a bank safe deposit box but this turned out not to be feasible. Priceless documents including the 1764 Charter from the Penn family and related deeds and papers from 1791 and 1792 will be temporarily stored at the State Archives in Dover. This is a far preferable solution in terms of protecting the items; the Archives has state-of-the-art storage

conditions and trained personnel. Russell McCabe (Director) and Randy Goss (State Document Conservator) have been most helpful and cooperative in this regard. We have provided guidelines to the Library architect so that the renovated Trustee storage area will be secure, fireproof and climate-controlled. Other books, records and equipment found in the vault will be evaluated for retention. Examples of some of the items were sent out in Board packet.

Treasurer's Report:

The Treasurer's Report was approved as submitted.

PROPERTY DEVELOPMENT COMMITTEE REPORT - Mr. Alfree reporting:

Hermitage/ "9th Street Extension"

Nothing new to report at this time. Trustee involvement is on hold until the zoning issue is resolved.

Municipal Services

Municipal Services will lease an acre of land west of Dobbinsville for new electrical substation. Mr. Taylor has provided draft lease to Committee. It is hoped this can be finalized by end of 2008 so MSC can start selling bonds.

Riverbend

Mr. Taylor, Mr. Alfree and Ms. Fiske met with Mr. Ferrara, the developer, about the emergency access road leading from the Riverbend development and encroaching on Trustee land. They reviewed the recent VanDemark & Lynch survey commissioned by the Trust and addressed various concerns including easements, possible forms of compensation, etc. Mr. Taylor will draft a letter to Mr. Ferrara summarizing these points.

Amazon Lease

Mr. Taylor sent a letter September 10 proposing a method for arriving at a mutually agreeable rent rate. Mr. McConnell (our tenant who subleases to Amazon) was ill and this has delayed their response; he has recovered and the Committee is hoping for a resolution in the next month or so.

Family Foundations Academy & Rezoning Parcels 20 & 21

Nothing to report and no activity at this time.

Banks Building

Committee recommends an evaluation by structural engineer prior to any further consideration of Trustees taking ownership. Mr. Wilson expressed concern about committing any funds to this project and the seeming heavy reliance on the Trust for many historic preservation projects. Mr. Peden pointed out that the City as owner would need to initiate or give permission for an engineering study. Mr. Viola endorsed the need for a structural evaluation, and pointed out that many parties – including the State of Delaware, the Delaware Historical Society, the New Castle Historical Society and private owners – have contributed to historic preservation in the City.

Mr. Taylor stated that after a close reading of the City code he believes an appraisal may not be required prior to the City offering the building to the Trustees (Trust and Municipal Services have first right of refusal prior to building being offered on open market). Mr. Wilson asked for a show of hands demonstrating the will of the Board regarding pursuing the preservation of the Banks Building. He noted that there are many issues, including: does this benefit all citizens of the City; what uses would be preferable at that location; is the building considered historical; etc.

Ms. Ross suggested that having control/ownership of the parcel of land would be desirable, regardless of whether the building ultimately remained or not. Mr. Castagno asked if the issue was more about preservation of the property or control over future uses. Mr. Viola emphasized that it is the last remaining structure associated with the Colonial harbor's commercial activity, and also noted that consideration should be given to how the building's fate fits in with the effort to revitalize the downtown area.

By show of hands the Board agreed to go forward with discussions toward possibly acquiring the building. Mr. Alfree suggested that this issue more appropriately belongs in the Outreach Committee, per its charge as stated in the Bylaws; Mr. Peden directed that the Banks Building be assigned to Outreach.

OUTREACH COMMITTEE REPORT – Mr. Yacucci reporting.

No update.

PROPERTY MAINTENANCE COMMITTEE REPORT – Mr. DeAscanis reporting.

Fifth & Cherry Street Parking Lot – The neighbors' group is making good progress on the landscaping refurbishment.

Good Will Fire House – Original design for addition had to be revised and should be available by the November meeting.

Battery Park Lampposts – Mr. Thatcher recommended that two posts at the Delaware Avenue end of the Battery Park path to the restrooms need major refurbishing.

Mr. Viola noted that the money invested in maintaining and repairing the New Library's HVAC system obviated the need to install a temporary system last year.

FINANCE COMMITTEE REPORT – No report.

ELECTION COMMITTEE REPORT – Mr. Wilson reporting.

Mr. Wilson passed out a proposed timeline for a January 17, 2009 election to fill one of the current Board vacancies. After discussion, Mr. Wilson moved to declare the vacancy created by the resignation of C.H. Gebhart, IV, on Feb. 29, 2008. Motion carried. Mr. Wilson then moved that the Board approve the election calendar as recommended by the Election Committee; motion carried.

LIBRARY COMMITTEE – Mr. Viola reporting.

The October 1st Groundbreaking was very well attended. Interim location is scheduled to open October 27 at 304 Delaware St.

OPEN SPACE COMMITTEE – Ms. Fiske reporting.

No report.

BY-LAW COMMITTEE – Mr. Wilson reporting.

No update.

BATTERY PARK COMMITTEE – No report.

GOOD WILL FIRE HOUSE COMMITTEE – Mr. Wilson reporting.

No report other than developments mentioned by Property Maintenance.

OTHER COMMITTEES - None.

COMMUNICATIONS

Mr. Alfree read a letter from Councilman Gaworski proposing that Trustees pay for resetting granite curbs in connection with repaving of 3rd Street from South St. to the boat ramp. Cost estimates are not yet available. He then discussed various 1980's-vintage video equipment that was found in the Trustee vault and asked for the Board's recommendations about how to dispose of it. Ms. Ross said that Wilmington University may be interested in it for educational purposes.

Mr. Wilson said that Mr. Freebery of City Public Services is getting an estimate for repairing Battery Park tennis courts and this will be provided to the Property Maintenance Committee.

Ms. Ross raised the subject of a proposed commercial development west of the intersection of Routes 273 and 13 (outside of City limits). She has heard that it will be called the "New Castle Town Center" and wondered if that would cause confusion and draw attention away from the historic district. Mr. Castagno is involved in the project, and said that the development and the marketing is still in very preliminary stages. Mr. Taylor said that the term 'New Castle' was not legally protected.

The Trustees received the annual payment of one ear of corn each.

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

Respectfully Submitted,

Kathleen MacDonough
Executive Secretary

**Trustees of the New Castle Common
Meeting Minutes
November 4, 2008**

The monthly meeting of the Trustees was held on Tuesday, November 4, 2008 at 7:30 p.m. in the Trustees Room of the Old Town Hall.

Present: Messrs. Peden, Alfree, Appleby, DeAscanis, Gambacorta, Viola, Yacucci; Ms. Fiske, Ms. Ross; Mr. Taylor, Esq., and Ms. MacDonough, Executive Secretary. Guests at the meeting were: Mimi Carpenter, New Castle Weekly.

Mr. Peden called the meeting to order, followed by a moment of silence.

Calendar Additions:

Property Maintenance: Due to Thanksgiving the meeting will be held Friday, November 28 at 4 p.m.

Minutes:

The minutes of the October 7, 2008 meeting were approved as submitted.

Executive Secretary's Report: No update.

Treasurer's Report:

The Treasurer's Report was approved with one correction: the scholarship grant drawdowns are not reflected in the correct line item. Mr. Alfree noted that \$6,000 was paid to the City for a surveillance camera for the Park restrooms (as budgeted) and asked if it has been installed yet. He also noted that the drawdown for maintenance labor is running ahead of budget. Mr. Appleby and Mr. Gambacorta will look into this further; Ms. MacDonough will provide an updated spreadsheet breaking down the cost items.

PROPERTY DEVELOPMENT COMMITTEE REPORT - Mr. Alfree reporting:

Municipal Services

The draft lease for the land for the new Municipal Services substation has been forwarded to their attorney for review.

Riverbend

Mr. Taylor prepared and mailed a letter to Mr. Ferrara summarizing eleven action items previously discussed to resolve outstanding encroachment issues on Trust land.

Amazon Lease

No update; still waiting for McConnell Development to respond to our letter of September 10 proposing a method for arriving at a mutually agreeable rental rate.

OUTREACH COMMITTEE REPORT – Mr. Yacucci reporting.

No update.

PROPERTY MAINTENANCE COMMITTEE REPORT – Mr. DeAscanis reporting.

Good Will Fire House

Mr. Taylor said that an application for an area variance should be filed with the Board of Adjustment regarding nonconforming setbacks; also a use variance for a special exception to serve as a fire station. The

plan also needs to be reviewed by the Historic Advisory Committee. Mr. Appleby moved that Mr. Peden be given authority to sign the application for variance.

Old Library Roof:

Three proposals were received for repairs on the Old Library roof. Ross Gibson's was the highest, but his proposal was by far the most comprehensive and well-researched. He is also a certified historic preservation specialist with an extensive knowledge of slate roofs. Mr. Gibson is currently booked until spring, but he will take care of existing leaks and stabilize the building in the interim. Mr. Viola moved that we enter into a contract with Ross Gibson to restore the roof on the Old Library conditional on resolving questions that we have about the contract terms. Motion carried.

FINANCE COMMITTEE REPORT – Mr. Gambacorta reporting.

Mr. Gambacorta summarized the status of the Trust investment portfolios with PNC and Wilmington Trust, as presented during the quarterly review on October 22. Overall, both banks' performance reflected about 15% losses year to date (as of September 30), which is tracking along with the state of the economy and with the relevant index funds. Mr. Appleby suggested that everyone on the Board receive the monthly statements. The total value of the two bank portfolios at present is about \$4.6 million. The financial picture is extremely volatile, but historically the market improves when a new administration takes office.

ELECTION COMMITTEE REPORT

Mr. Alfree reminded the Board that an evening Open Registration session would be held Tuesday, November 11 from 7 – 9 p.m. One candidate has filed to run so far: James L. Meek of 30 The Strand. The last day for candidates to file is December 18. The last day to register to vote is January 12.

LIBRARY COMMITTEE – Mr. Viola reporting.

The Library staff and volunteers successfully completed their move and opened at the new 304 Delaware Street location on October 29. Mr. Viola proposed a letter to Katie Newell and staff thanking them for their determination, enthusiasm and hard work. The Library Board received a \$2200 check in proceeds from the Wharf Dance, which will be an annual event. Mr. Appleby said that work has started removing asbestos at the building site. Salvageable materials like hardware and interior doors have been removed from the 420 Delaware Street structure and stored for auction next year to support the building fund.

OPEN SPACE COMMITTEE – Ms. Fiske reporting.

No update.

BY-LAW COMMITTEE – No report.

BATTERY PARK COMMITTEE – No report.

GOOD WILL FIRE HOUSE COMMITTEE – No report.

OTHER COMMITTEES - None.

COMMUNICATIONS

- The City is preparing the 2009 municipal calendar. Mr. Alfree reminded the Board that the September meeting will be held on the second Tuesday (September 8), per the Bylaws.
- City Manager Cathie Thomas sent a letter advising that the Western Gateway beautification project is beginning.

- J. Breck Smith, attorney for the Family Foundations Academy, sent a letter inquiring as to the availability for lease of the parcel of land adjoining the rear of the school.
- Cost estimates have now been received for resetting the curbs along West Third Street and other street paving work planned by the City. Councilman Gaworski had previously requested that the Trustees consider paying for the curb work. This portion of the job was estimated at \$53,000 (for 775 linear feet) by the winning bidder. These funds will not be available until the 2009-2010 fiscal year.
- Katie Newell has requested use of the Trustees meeting room for the Library Board during the period of construction. The Library Board meets on the third Tuesday of the month at 5 p.m. This was approved, and Ms. MacDonough will provide her with a key to the building.
- All contents of the vault have been moved out of the Library and into the Trustees room. Decisions are needed regarding disposition of various items like old equipment, paintings, picture frames, and the like. The New Castle Historical Society has indicated that they will take the box of old books.
- A letter was received from Lynn Sheridan regarding the status of her request to install a memorial bench on Trust land. This issue was voted on and denied several months ago, but apparently Ms. Sheridan was not informed as all had believed she was. Ms. MacDonough will write a letter apologizing for the lack of a formal response and clarity, and outlining the decision of the Board.

Mr. Alfree proposed that the Trustee monthly meetings be moved from 7:30 to 7:00 p.m., beginning in January 2009. The Bylaws do not specify a meeting time. The sense of the Board was to accept this change.

There being no further business, the regular meeting was adjourned at 8:35 p.m.

Respectfully Submitted,

Kathleen MacDonough
Executive Secretary

**Trustees of the New Castle Common
Meeting Minutes
December 2, 2008**

The monthly meeting of the Trustees was held on Tuesday, December 2, 2008 at 7:30 p.m. in the Trustees Room of the Old Town Hall.

Present: Messrs. Peden, Alfree, Appleby, Castagno, DeAscanis, Viola, Wilson, Yacucci; Ms. Fiske, Ms. Ross; Mr. Taylor, Esq., and Ms. MacDonough, Executive Secretary, and Mimi Carpenter, *New Castle Weekly*. Absent: Mr. Gambacorta.

Mr. Peden called the meeting to order, followed by a moment of silence.

Calendar Additions:

Property Maintenance: Due to holidays, the meeting will be held Monday, January 5 at 3:30 p.m.

Minutes:

The minutes of the November 4, 2008 meeting were approved with one correction: "Historic Area Commission" is the correct name for the body discussed with reference to the Fire House plans.

Executive Secretary's Report: No update.

Treasurer's Report:

The Treasurer's Report was approved as submitted.

PROPERTY DEVELOPMENT COMMITTEE REPORT - Mr. Alfree reporting:

Municipal Services

Easement agreement and lease are being finalized for the new substation and should be completed within the week. Property Development Committee approved the plot layout submitted by Mr. Patterson. There will be a requirement for appropriate trees and shrubs as a screen around the installation.

Riverbend

Mr. Ferrara has received our letter summarizing action items requested to resolve outstanding encroachment issues. No further update at this time.

Amazon Lease

As we have still not received a response from McConnell Development to our rent offer letter of September 10, Mr. Taylor will write a second letter requesting either a timely response to our offer or an agreement to obtain a third appraisal as specified in the lease.

Third Street Curbs

City had requested \$53,000 for curb refurbishment portion of an upcoming paving project. Trustees did not fund this request, as it was not budgeted in this fiscal year. City has taken new approach of removing granite curbs and putting them in storage; asphalt curbs will be installed during repaving as a temporary measure until such time as the granite curb resetting project can be funded.

Family Foundations Academy

A letter was received from New Castle County November 20 denying a tax exemption for that property. The main argument is that it is property held by Trustees "for investment." We have advised the school that Trustees will not appeal the denial, but the school may wish to appeal, and Mr. Taylor has suggested some possible approaches to their attorney. It may be possible to argue that since the school owns the building (and education is clearly a tax-exempt activity), only the land should be taxed. Also, the school

is several months behind in rent; they have a new accountant who has promised to take care of this promptly.

Good Will Fire Company

The Historic Area Commission has approved the plans for the addition. An application to the City Board of Adjustment has been prepared requesting consideration of two items: a special exception for continued use as a fire station; and a variance on the required rear yard setback. The City will then schedule a formal Board of Adjustment hearing. There are also some ownership anomalies/overlaps among the parcels owned by the Trust, the City and the Fire Company. A quitclaim deed from the Fire Company to the Trust for their small parcel along Williams Street needs to be executed prior to applying for the building permit. Mr. Taylor's email of November 25 lists ten detailed action items recommended to resolve all outstanding issues. Mr. Wilson said that the issue of encroachment of part of the Evans residence driveway onto the Fire Station parcel should be cleared up during this process as well.

OUTREACH COMMITTEE REPORT – Mr. Yacucci reporting.

Mr. Wilson reported that he contacted Gary Gredell, a registered engineer, who will send an estimate for evaluating the structural condition of the Banks Building.

PROPERTY MAINTENANCE COMMITTEE REPORT – Mr. DeAscanis reporting.

Good Will Fire House

As we move forward on resolving the issues described above, Mr. DeAscanis said that we will be able to prepare and advertise the bid package.

Old Library Roof

The plan for the slate roof and related repairs has been approved by the Historic Area Commission. Ross A. Gibson has been awarded the contract and he may be able to start sooner than anticipated. The total project time will be 3-4 weeks.

PENN FARM TASK FORCE – Mr. Viola reporting.

The group has held two meetings with Elaine Quigley and her daughter Susan, one on site at the Farm where they were able to view the outbuildings, condition of equipment, etc. Also, discussions have begun with Mike McGrath, head of the State Agricultural Lands unit. He is familiar with the history of the area, including the original community planning philosophy of William Penn himself. The Ag Lands unit has worked extensively throughout Delaware preserving farmland and has experience handling transitions of owner/tenant control with sensitivity. Mr. Viola then asked for a brief executive session to further discuss property aspects.

FINANCE COMMITTEE REPORT – No report.

ELECTION COMMITTEE REPORT – Mr. Wilson reporting.

Three candidates have filed so far for the January 17 election: James Meek, John Wik, and Fred Gallagher. Mr. Wilson has developed an affidavit form for candidates to sign certifying that they meet candidate qualifications per our Bylaws. The deadline for filing is December 18. Next steps are to have the election posters printed and to recruit the poll workers.

LIBRARY COMMITTEE – Mr. Viola reporting.

The contractors recently discovered a bronze plaque in the boiler room that is referred to in old files, but was thought lost. The plaque was commissioned in 1955 to mark the occasion when the entire holdings of the old Library Company -- and *ergo* the responsibility for providing a library to the town -- were turned over to the Trustees.

According to the files, at the time Judge Rodney went to great lengths to locate the descendents of the original stockholders of the Library Company, so that he could hold a meeting and dissolve the

corporation. Mr. Viola mentioned that the items being unearthed and also the history thereof would make a good *New Castle Weekly* article. Ms. Fiske suggested checking the Nick McIntire columns for further information. Finally, Mr. Appleby showed a scrapbook album (also found by the contractor) from 1962 detailing the early days of the new Library building.

Mr. Viola mentioned that he is very pleased with the attention the contractor had paid to preserving anything from the site that may be of value. This includes a very large gilt mirror which needs to be moved out of the basement. It may have originally been in the Terry House.

OPEN SPACE COMMITTEE – Ms. Fiske reporting.

National Park Service Proposal

The National Park Service preliminary report is now available online and in paper version. It includes a proposal to use New Castle (specifically the Sheriff's House) as a hub location for offices for the rangers and staff who would administer and interpret the various satellite sites proposed to be included in the Park. Perimeter parking would be a part of the plan. Matching grants may be available for historic preservation and other improvements. There is a 30-day comment period which ends December 26, 2008. City Council and the New Castle Historical Society have passed resolutions in favor of this plan. Ms. Fiske therefore proposed a resolution of the Board in support of the plan.

Mr. Taylor strongly recommended communicating with other localities in similar situations, and expressed concerns about the size of the area that would be impacted (36 blocks) and possible loss of local control. He said that there may be unanticipated ramifications to accepting federal money or involvement. The NPS may be able to acquire easements, resources by donation, or other influence that would allow them to have a say over what adjoining property owners may wish to do. The plan also mentions the option for NPS to substitute "resource protection personnel" for park rangers.

Ms. Ross said she believed that Boston may have a similar hub-and-spoke structure and be worth investigating. Ms. Fiske said that more protections may not be a bad thing for New Castle. Mr. Appleby asked if the City would be giving up anything other than a place for them to have offices, and asked, wouldn't City Council have primacy of control? Mr. Taylor said he was not sure, but that federal money usually comes with strings attached.

Mr. Viola said from what he heard at one of the meetings, there will not be as much money coming with the NPS as may have been anticipated. He also said that investigation into the ramifications of the plan should properly be conducted by a coalition of affected groups: City government, the Trustees, the Historical Society, private owners, etc.

Mr. Taylor raised the circumstance of someone deeding or bequeathing property to the NPS. Mr. Appleby said that an extra hurdle would thus be added for residents seeking approval to make changes to adjoining property, or, at the very least, that the NPS would have a greater voice about such plans in the context of HAC or other hearings.

Ms. Ross suggested that Cindy Snyder, Court House administrator, has worked most closely with the NPS representatives and may have some more information or answers to some of these concerns. Questions might include: do you hire local people as rangers, etc. Ms. Fiske said that Senator Carper's staff also may have some answers. Mr. Peden concluded the discussion by asking that further research be done before taking action.

Letter of Interest in Available Property

Mr. Wilson suggested that a generic letter be drafted by Mr. Taylor for use when we wish to indicate interest in right of first refusal should certain properties become available. (One of the goals of the Open Space Committee is to make up a list of potentially desirable properties.)

A second part of this issue is whether to send such a letter to the Colonial School Board re the William Penn Middle School. There is conflicting information about the upcoming availability of the Middle School. After a show of hands, the consensus was not to send such a letter at this time with reference to the Middle School. Mr. Viola made note of the strategic importance of that parcel as a possible location for perimeter parking.

Mr. Taylor pointed out that it is possible to purchase a right of first refusal in cases where a particular property is of great interest. Ms. MacDonough will send Mr. Taylor a copy of the letter that was sent last spring expressing interest in the Brosius-Eliason parcel. No letter of interest would be sent out regarding any property without prior formal endorsement by the Board.

BY-LAW COMMITTEE – Mr. Wilson reporting.

Mr. Wilson said that corrections to the official notation of the corporate name “Trustees of *the* New Castle Common” should be consistently incorporated in all official documents including the By-laws.

BATTERY PARK COMMITTEE – No report.

GOOD WILL FIRE HOUSE COMMITTEE – No report.

OTHER COMMITTEES - None.

COMMUNICATIONS

- The City Public Services Christmas party will be December 16 at 1 p.m. at the Trolley Barn;
- Thank you letter from Arasapha Garden Club for annual grant for holiday decorations;
- Letter from County Land Use changing Farmers Market street address for purposes of 911 system;
- In late December Mr. Alfree will send out forms for Trustees to nominate officers and indicate committee preferences for 2009-2010. These should be returned by January 9. Please note the following caveats:

Mr. Peden’s term as *President* is up -- may not be reelected to this position
Mr. Gambacorta’s term as *Finance Chair* is up -- “ “ “
Mr. Wilson’s term is as *Vice President* is up -- “ “ “

The Nominating Committee will then prepare a proposed slate of officers and committee membership.

Mr. Wilson commented that Trustee meetings are public and that any citizen is welcome and need not be referred to as a guest. He would like to add an item to the monthly agenda called “Business from the Floor”; if necessary a time limit could be employed. It was agreed that this item be added to the beginning of the monthly agenda.

Mr. Wilson moved to adjourn and go into Executive Session for purposes of discussing a real estate matter. Motion approved. Upon reconvening in regular session, there being no further business, the meeting was adjourned at 9:20 p.m.

Respectfully Submitted,

Kathleen MacDonough
Executive Secretary