

TNCC Summer Updates

GENERAL

- New office copier – smaller, powerful and much less expensive.
- With a new file cabinet, Kathy is getting the office organized. We also now have a shredder!
- Scholarship Committee has completed their selections (see enclosed report)

PROPERTY DEVELOPMENT

- Request from attorney for Korean Church to meet w/ PDC along w/ Mr. Vari to discuss lease re-assignment.
- NO new information from Happy Harry/Walgreens group.
- Reappraisal for Amazon is underway.

SUMMARY OF PACKET CONTENTS:

1. Minutes of June 5 meeting
2. Treasurers report for June
3. Financial Statement Comparison/Revenues & Expenses – Years 2003 – 2006
4. Property Maintenance report
5. Report of the Scholarship Committee
6. Letter from Sen. Carper re: proposed Delaware National Park
7. Other enclosures for selected committees

MEETING REMINDERS:

- July 25, 4:00 and 4:45 p.m.: Finance Committee bank quarterly reviews

**Trustees of the New Castle Common
Meeting Minutes
March 2, 2010**

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

The monthly meeting of the Trustees was held on Tuesday, March 2, 2010 at 7:00 p.m. in the Trustees Room of the Old Town Hall. Mr. Wilson called the meeting to order, followed by a moment of silence.

Calendar Additions: March 19, New Library Ribbon-Cutting Party; March 20 is the Grand Opening. Open Space Committee will meet March 25 at 9 a.m.

Minutes:

The minutes of the February 2 meeting and the February 17 special meeting were approved as submitted.

Executive Secretary's Report:

Scholarship students' checks for the second semester are going out, along with applications for the 2010-11 academic year. A notice will be placed in the *Weekly* to encourage high school seniors to apply. The final draft of the fiscal 2009 financial audit has been received for review.

Treasurer's Report: Mr. Appleby.

The Treasurer's Report was approved as submitted.

Business from the Floor: None.

PROPERTY DEVELOPMENT COMMITTEE REPORT - Mr. Alfree reporting.

Family Foundations Academy Expansion – FFA school has submitted a concept plan for an additional school building on the vacant Basin Road parcel. Committee's response is very positive and believes that a mutually acceptable arrangement can be reached, and that this is a good use of that site.

Burger King – Mr. Taylor and Odyssey Foods' attorneys are very near completion of the new lease.

Castle Dealership Site – Lease expires April 30, 2010. We will contract for an environmental inspection of the property and also arrange for removal of tenant signage, changing locks, etc. We continue to field inquiries about the site. Ms. MacDonough will send a letter to SMO/Wills, operator of the Shell station, to see if they have any interest. Mr. Appleby will sound out P. Gerald White, realtor, to see if he would be willing to represent the Trust in marketing the property. Mr. Alfree advised Richard Stat that we would continue to entertain proposals from him. The Committee recommends that the building remain in place at this time (lease allows requiring tenant to remove it). Building will be added to our insurance policy.

Penn Mart/Interstate Management – Mr. Alfree informed the tenant that we would not entertain an 80-year lease extension. The market rent of this site will increase dramatically at the end of their current lease term in 2015, and the tenant has been reminded of this on numerous occasions.

Amazon Lease – Signed amendment for 2007-12 lease term has now been received from McConnell.

The Committee recommended that the Open Space Committee look into acquisition of three properties: the State-owned land in the Basin Road highway cloverleaf behind Checkered Flag; the Hermitage site; and the auto shop property at the corner of Sixth and Chestnut. Mr. Alfree then requested an Executive Session to discuss lease negotiations regarding a Trust property.

OUTREACH COMMITTEE REPORT – Mr. Gallagher reporting.

Committee has not met since the 2/17 special meeting reviewing grant proposals.

PROPERTY MAINTENANCE COMMITTEE/PENN FARM – Mr. DeAscanis reporting.

Mr. DeAscanis said he contacted Mrs. Deemer and Mr. Scully regarding the Hermitage property, and it is currently for sale at \$150,000.

Penn Farm: Mr. Castagno said that the Quigley auction to be conducted by Wilson’s Auctions scheduled for March 6 has been delayed due to weather. Ephraim Lapp has done an excellent job refurbishing the exterior of the barn. Delaware Greenways will be presenting a plan for a perimeter greenway trail around the Farm by next month.

FINANCE COMMITTEE – Mr. Appleby reporting.

The proposed 2010-11 budget was distributed. Mr. Appleby said that, contingent on various assumptions about tenants, interest rates, etc., the year should culminate in a moderately positive position. The Board then moved through the draft budget and voted on it by section (Administration, Contributions, Maintenance, Building Repairs, Battery Park, City Appropriation, and Capital). All sections were passed with a show of hands except for the City Appropriations page.

Under that section, funding for the Tree Commission was discussed at length. The original request was for \$25,000. Various questions were raised about mission, purpose, coverage and rationale for the Commission. Ultimately, Mr. Castagno moved to allocate \$5000 to the City for “general greenscape management” in lieu of funding the Tree Commission. Mr. Meek seconded. After discussion, a roll call vote was taken resulting in a vote of 6 Yea (Wilson, DeAscanis, Yacucci, Gallagher, Castagno, Alfree); 4 Nay (Fiske, Viola, Meek Appleby). (Mr. Peden had left the meeting prior to the vote.)

Comments on the vote:

- Mr. Wilson – Tree Commission function should be a part of the City operations
- Mr. Gallagher – same reason as Mr. Wilson; should not be separate 3rd party with overlapping functions
- Mr. Castagno – Outreach Committee has vetted the situation; this motion supports green infrastructure
- Ms. Fiske – need to study such a move more carefully; Commission has been doing a good job
- Mr. Viola – this decrease is too abrupt and could be construed poorly by the community
- Mr. Meek – not certain City has capability, manpower or planning to implement what needs to be done
- Mr. Appleby – Tree Commission provides a general public benefit similar to Battery Park maintenance

Mr. Alfree then moved to approve the City Appropriation section as amended by the above roll call vote. Motion carried.

ELECTION COMMITTEE – No update.

LIBRARY COMMITTEE – Mr. Viola reporting.

Library staff and volunteers have been working very hard toward the impending grand opening. County Executive Coons and administrative staff toured the project and were extremely impressed. Mr. Viola recapped the historic role of the Trust in supporting library services, particularly from 1955 when the subscription-based New Castle Library Company was dissolved and its assets absorbed by the Trustees, along with the imputed responsibility to provide library services to the City. With the current renovation and expansion, as owners of the building, the Trust’s capital assets will increase by over \$4 million due to the proceeds to the capital campaign from outside foundations and other sources. Mr. Castagno said that the large commitment to this project demonstrates the high priority the Trust places on ensuring the existence of library services for the City. Mr. Viola pointed out that the Old Library on Third Street had to last 72 years; and the original New Library lasted 47 years – we only do this once a century.

OPEN SPACE – Mr. Yacucci reporting.

Ms. Fiske said there will be a meeting on the 25th to plan signage for the low-mowing field areas and to discuss potential property acquisitions.

BY-LAW COMMITTEE – Mr. Gallagher reporting.

Mr. Gallagher said that we are finalizing the updated document incorporating recently approved changes, and then will post the Bylaws online. The Committee will also review possible changes needed to address points raised in the recent audit report.

BATTERY PARK COMMITTEE – Mr. Castagno reporting.

Maintenance funds for upcoming year have been incorporated in the budget. New “Friends” group has offered to raise funds and otherwise help in maintaining tennis courts.

OTHER COMMITTEES

Per the Nominating Committee recommendation, Mr. Alfree moved that the officers for April 1, 2010 through March 31, 2011 be as follows:

President:	Thomas H. Wilson, Jr.
Vice President:	Francis J. DeAscanis
Secretary:	Michael J. Alfree, Sr.
Assistant Secretary:	Gregory T. Yacucci
Treasurer:	Richard M. Appleby, Jr.
Assistant Treasurer:	Henry F. Gambacorta

Mr. Castagno moved to approve the slate as presented. Motion carried. Mr. Alfree then moved that the committee assignments for the upcoming year be approved per the list distributed and dated 2/1/10, with the addition of James Meek to the Library Committee. Motion carried. Mr. Wilson volunteered to be liaison to the Good Will Fire Company. Mr. Alfree noted that all committees should meet and appoint a new chair.

COMMUNICATIONS

- Thank you letter for annual grant to Arasapha Garden Club.
- Notices from New Castle County regarding various land use hearings for properties adjacent to Trust parcels (variance, rezoning, etc.)
- Letter from DNREC asking permission to come on Trust wetland property to review suitability for bog turtle habitat. Mr. Wilson, Mr. Taylor and Ms. MacDonough will work on reply.

Mr. Alfree then made a motion to move into Executive Session to discuss matters of real estate and lease negotiations. After the Board reconvened in regular session, Mr. Wilson announced that 2010 marks the 50th anniversary of the Cooch and Taylor law firm and congratulated Mr. Taylor.

There being no further business, the meeting was adjourned at 9:30 p.m.

Respectfully Submitted,

Kathleen MacDonough
Executive Secretary

**Trustees of the New Castle Common
Meeting Minutes
Special Meeting –February 17, 2010**

A special meeting of the Trustees was held on Wednesday, February 17, 2010, at 7:30 p.m. in the Trustees Room of the Old Town Hall.

The purpose of the meeting was for the Outreach Committee to present recommendations to the full Board on annual grants to community groups. A special meeting was necessary so that funding determinations could be made and included in the draft budget to be distributed at the March Board Meeting.

Present: Messrs. Wilson, Alfree, Appleby, Castagno, Gallagher, Viola and Yacucci; Ms. Fiske, Ms. Ross, and Ms. MacDonough. This number constituted a quorum. Absent: Messrs. DeAscanis, Gambacorta, Meek, and Peden.

Mr. Wilson called the meeting to order. Ms. Ross described the process of receiving and reviewing the grant applications, and Mr. Gallagher spoke about the charge of the Outreach Committee per the Bylaws. A point of emphasis this year was for the requesting agencies to describe particularly how their programs benefited the citizens of New Castle. An effort was made to meet with organizations requesting grants over \$1,000; however this year weather and other considerations prevented some of the desired meetings.

There followed a detailed discussion on grant requests and committee recommendations. Further information will be obtained to better evaluate some of the grant requests.

There being no further business, the meeting was adjourned.

Respectfully Submitted,

Kathleen MacDonough
Executive Secretary

**Trustees of the New Castle Common
Meeting Minutes
February 2, 2010**

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

The monthly meeting of the Trustees was held on Tuesday, February 2, 2010 at 7:00 p.m. in the Trustees Room of the Old Town Hall. Mr. Wilson called the meeting to order, followed by a moment of silence.

Calendar Additions: Property Maintenance will meet Friday 2/26 at 8 a.m. City is offering free H1N1 flu shots on February 11 at 2:30 pm. at the Police Building.

Minutes:

The minutes of the January 5, 2010 meeting were approved as written.

Executive Secretary's Report:

Scholarship students' grades have all been received, so after committee review, letters and second semester checks will be sent out. First quarter sewer bills have been received and tenants will be billed for reimbursement.

Treasurer's Report: Mr. Gallagher reporting for Mr. Appleby.

The Treasurer's Report was approved as submitted. We have now begun to build up the Money Market account again with excess funds from the checking account.

Business from the Floor: None.

PROPERTY DEVELOPMENT COMMITTEE REPORT - Mr. Alfree reporting.

Amazon Lease – Signed amendment for the 2007-12 lease term has not yet been received from McConnell Development. Mr. Alfree will contact Paul McConnell.

Burger King – Mr. Taylor and Odyssey Foods' attorneys are working out final issues regarding new lease, e.g., non-compete clause and other items. A contribution to the new Library will be a part of the arrangement.

Family Foundations Academy Expansion – FFA school and their realtor Pete Davisson have expressed interest in the Basin Road property and also one of the lots at the professional center site. Mr. Alfree will communicate with Mr. Davisson about specifics.

Castle Dealership Site – This tenant has not exercised option to renew after April 30, 2010. Various possibilities for new tenants are being explored in discussions with Richard Stat and other parties.

Penn Mart/Interstate Management – Mr. Alfree asked for an Executive Session to discuss a matter of real estate and lease negotiations regarding this tenant.

OUTREACH COMMITTEE REPORT – Ms. Ross reporting.

Ms. Ross said that a special meeting will be scheduled for February 17 to present recommendations for community grant funding and to allow an opportunity for feedback from all Board members. This meeting will be posted as a public meeting. Mr. Alfree said that the Finance Committee needs to meet after the 17th and prior to the March meeting to prepare the draft budget.

PROPERTY MAINTENANCE COMMITTEE/PENN FARM – Mr. DeAscanis reporting.

Mr. DeAscanis reported that the Fire Company roof repair is almost done. Also, Bob Thatcher has done an excellent job on various repairs at Town Hall, including drywall replacement, paint patching, plaster molding repair, etc. A thermostat has been added to the heater in the stairwell.

Mr. Castagno said that the Committee plans to prepare a five-year maintenance projection on all Trust-owned buildings to better predict cash outlays. Erv Thatcher keeps receipts for all building maintenance, and centralized individual building files will also be set up in the office.

Penn Farm: Mr. Castagno said that the Quigleys are making good progress removing belongings from the house, and are planning an auction for March. An Amish firm is performing major repairs to the barn and has been able to use existing wood that was purchased for this purpose a few years ago. Trees that were damaging the building have been removed and the back half of the barn roof has been redone. We are in touch with Delaware Greenways regarding the potential to include a grant-funded walking trail around the perimeter of the Farm as part of the greenway system. A state historical marker is planned for the farm. Land clearing continues and about 70 acres will be planted with hay this spring.

FINANCE COMMITTEE – Mr. Gallagher reporting.

Quarterly portfolio reviews were held in late January with Wilmington Trust and PNC. The performance is improving gradually as the economy recovers. The Committee continues to interview additional financial institutions and advisory firms to evaluate their investment approaches.

ELECTION COMMITTEE – No update.

LIBRARY COMMITTEE – Mr. Viola reporting.

Construction work is essentially completed and the temporary location at 304 Delaware Street will close February 15 so that the staff can move back into 424 Delaware. Grand opening is slated for late March; the new facility will be nearly triple in area (8,000 to 22,000 square feet). Mr. Viola commended the Library staff for the extra work involved in setting up and running the temporary location so effectively.

OPEN SPACE – Mr. Yacucci reporting.

The Committee is tentatively exploring the idea of combining Open Space and Outreach functions, and will report its conclusion a later date. Mr. Wilson said that, if a merger was considered, merging with Property Maintenance might be more effective. Ms. Fiske said that Michael Hemphill had approached the Tree Commission regarding removing seven trees from Trust land between his house and the River. Mr. Patterson, Tree Commission chair, contacted the Executive Secretary and was advised that the Trustees had not endorsed this idea; the only involvement with Mr. Hemphill was regarding minor clearing of brush. Mr. Wilson said that the Trust-owned access lane behind the houses on the west side of Second Street is again being abused by one owner who routinely drives vehicles on it. This is a critical issue, as allowing continuous use could have the unintended effect of changing its status to a public street. Mr. Wilson asked the Committee to meet (with Mr. Taylor) to decide how to handle this.

BY-LAW COMMITTEE – No update.

BATTERY PARK COMMITTEE – Mr. Castagno reporting.

Committee is awaiting further information about the status of the proposed National Park and its impact on Battery Park. Community members and other regular tennis players have recently formed the “Friends of the Appleby Tennis Courts” which will help with routine daily maintenance, possibly raise funds, and have input on policy. Repairs to the courts are planned for the spring.

OTHER COMMITTEES

Mr. Wilson asked anyone interested in being the Good Will Fire Company Liaison to please contact him. Mr. Alfree spoke about the ARRA-funded (stimulus) City drainage projects—Buttonwood Dyke, Stormwater Management Ponds, and Washington Park. The bids have come in and were \$388,000 over the estimates;

thus \$194,000 more (50%) is needed to go forward. However, the \$190,000 originally committed by the Trustees to support the design phase of this project is no longer needed, so the net increase is about \$4,000.

Mr. Castagno then moved to authorize Mr. Wilson to sign a binding letter to the State committing the Trustees to provide the \$194,063.50 shortfall and associated interest payments, so that the City can proceed with the stimulus loan settlement. Motion passed unanimously. It is anticipated that the first payment will not be due until May of 2011. Mr. Alfree thanked Mr. Taylor for his due diligence in meeting with DNREC's finance officer, the City Solicitor, and the City Manager to fully understand the terms of this agreement.

Mr. Alfree referred to the proposed slate of officers and committee assignments which were based on the interest forms received from all Board members. These will be voted on in March.

COMMUNICATIONS

- Letter from Janet Kozak, W. 11th St., about poor conditions at Penn Mart.
- Letter from Leon DeAscanis, 322 14th St., expressing interest in purchasing strip of land adjacent to his property.
- Invitation to first annual meeting of Historic New Castle Alliance at the Court House on February 16th.
- Letter from Cooch & Taylor re annual corporate franchise tax filing.

Mr. Alfree then made a motion to move into Executive Session to discuss a matter of real estate and lease negotiations. After the Board reconvened in regular session, Mr. Wilson read a letter from Delaware Greenways inviting Trustees to join focus groups being organized to help plan the "Route 9 Coastal Heritage Scenic Byway Corridor." They would like assistance with the two northerly segments: New Castle to Delaware City; and Port Penn to Leipsic. He asked that any interested board member contact him before the March meeting.

There being no further business, the meeting was adjourned at 8:44 p.m.

Respectfully Submitted,

Kathleen MacDonough
Executive Secretary

**Trustees of the New Castle Common
Meeting Minutes
January 5, 2010**

Present: Messrs. Wilson , Alfree, Appleby, Castagno, DeAscanis, Gallagher, Gambacorta, Meek, Peden, Viola, Yacucci; Ms. Fiske, Ms. Ross, Mr. Taylor, Esq., and Ms. MacDonough, Executive Secretary. Also, Mrs. Mimi Carpenter of the *New Castle Weekly*, and Mr. Ben Oyerly of the Good Will Fire Company.

The monthly meeting of the Trustees was held on Tuesday, January 5, 2010 at 7:00 p.m. in the Trustees Room of the Old Town Hall. Mr. Wilson called the meeting to order, followed by a moment of silence.

Calendar Additions: Mr. Wilson said that the Family Foundations charter school staff and a realtor would be touring two Trustee-owned parcels on Friday, January 8.

Minutes:

The minutes of the November 3, 2009 meeting were approved as written. The minutes of the December 1, 2009 meeting were approved with the following correction: reference to “addendum” to Amazon lease should read “amendment” to lease.

Executive Secretary’s Report:

Ms. MacDonough will meet with Pam Baker of Barbacane Thornton on January 18 to schedule the financial audit. Mr. Meek and Ms. Fiske will be helping to plan and organize the archives in the new vault space in the Library. We have purchased a router to enable wireless internet access in Town Hall.

Treasurer’s Report:

The Treasurer’s Report was approved as submitted. Ms. Fiske spoke of an organization in Philadelphia called the William Penn Foundation, whose purpose is to make grants for the betterment of the Delaware Valley; she will investigate further.

Business from the Floor:

Mr. Meek asked if appropriate care is being taken regarding the deer hunting at Penn Farm, and how it is being structured. Various Trustees have had questions from the community about how this is handled. There followed a discussion of the guidelines and practices being used. All hunters are licensed. Erv Thatcher and Keith Wilson are coordinating the activity. There is a level of protection, as we do not charge a fee and thus the hunters take the liability on themselves. Ms. Ross asked what would happen if a hunter injured a passerby. Mr. Taylor said there would be an analysis of negligence, but he believes we are taking reasonable precautions. Our efforts will also have the effect of thinning the herd and thus decreasing the danger of accidents caused by deer crossing roads in the area.

Ben Oyerly, one of the career staff of the Good Will Fire Company, attended the meeting to describe planned improvements to the boat ramp at the foot of Third Street and inquire about the status of the agreement which is to be signed by the Trustees in order to go forward. Mr. Taylor said it is in the final stages of completion between him and the City Solicitor.

PROPERTY DEVELOPMENT COMMITTEE REPORT - Mr. Alfree reporting.

Family Foundations Academy Expansion – FFA Charter School has a proposal pending regarding expanding the school. Mr. Alfree recently spoke with Pete Davisson of Jackson Cross Realty, who is now working with them to develop a viable expansion plan, including looking at other sites. (Mr. Taylor said Jackson Cross was involved in the initial site planning for the school.) The PDC considered the plans and the circumstances and pointed out that in 2006 the school personnel specifically assured us that even if grades were added, the building would be held to a maximum of 400 students, thus the number of classrooms per grade would be decreased. This was a key point of the original decision to approve the school.

Mr. Alfree said that he hopes to take action so that the school would not waste time applying for various permits and approvals from the Planning Commission and City. He then made the following motion: **“I move that the Board withhold support for any structural expansion of the current Family Foundation Academy facility to accommodate more than 400 students, the agreed-upon student limit when the original agreement to lease the property to the FFA was acted upon by this Board.”** Mr. Appleby seconded.

Mr. Castagno asked what the basis for the desired number of 400 was. Mr. Alfree said that the school came up with that threshold number after we raised concerns about traffic, parking, etc. Mr. Gallagher said that the expansion plan would also alter the building significantly (e.g. adding a gymnasium) and impact on the original decision framework whereby the building as built could be fitted out for other uses should the school not succeed. Mr. Castagno asked what are the negative externalities, and what other solutions could be found to solve these problems? He said that the school should be challenged to offer other solutions. He said that realistically it would be difficult to find another tenant to fill that building at this time. Mr. Appleby said that even if adequate parking was provided, it would not solve the congestion at drop-off/pick-up time. Mr. Meek said it was important to ask if an increase in size would be matched by a benefit to either the Trust or the community. Mr. Castagno said that four years ago the school had no way to anticipate its level of success, and that the school was a productive use of land that had been vacant for a long time; and that there should be mutually satisfactory solutions. Mr. Viola said that use of the property as a school, especially given the surrounding uses, had been viewed as a positive when the project was approved, and that possible options should be explored as long as our concerns were satisfied. Mr. Alfree said that he did not feel that we have yet received complete and specific responses to all of the points raised in our letter of October 13.

Mr. Alfree then moved to table the motion, revisit the issue at the next Property Development meeting, and address the motion in February. Mr. Alfree asked for a roll call vote on the motion to table. Motion failed, as follows [reasons/clarifications in brackets]:

Yea (5): Castagno [opportunity to explore all options to solve problems should be given]; Fiske [another month will not matter]; Gallagher [a month will not make a difference]; Ross [in order to allow them to address all concerns]; Viola [same reason as Mr. Castagno and in support of Mr. Alfree’s motion].

Nay (7): Alfree, Appleby, DeAscanis, Gambacorta, Meek, Peden, Wilson

Abstain (1): Yacucci

Mr. Wilson then called for a vote on the original motion, as above. (To withhold support for any structural expansion of current facility.) Motion passed, as follows:

Yea (11): Alfree, Appleby, DeAscanis, Fiske [lack of confidence in school’s ability to adequately address situation], Gallagher [in view of original commitment by school to 400 limit], Gambacorta, Meek, Peden, Ross, Wilson, Yacucci.

Nay (2): Castagno, Viola

Burger King – Mr. Taylor and Odyssey Foods’ attorneys are finalizing terms of the new lease.

Amazon Lease – Amendment to the lease as negotiated for the 2007-2012 term is with McConnell Development’s attorney and should be signed soon.

Castle Dealership – Will not be renewing their lease at 100 N. DuPont Highway as of April 30. Mr. Alfree has had several conversations about development possibilities and tenants of various types for the site, including a proposal by Richard Stat (tenant of the Farmers Market complex). One national chain prospect

will be making a site visit. Another has proposed a use for half of the existing building. The Committee recommended against this, for practical reasons (how to use the other half), income reasons, and also because the proposed business would compete with Burger King.

Penn Mart/Interstate Management – It has been confirmed that Thriftway has closed, and National Wholesale Warehouse has been closed for many months. Further communications are likely from the tenant as to lease modification.

OUTREACH COMMITTEE REPORT – Ms. Ross reporting.

Ms. Ross said that most of the expected annual grant applications have been received. The Committee will be interviewing major grantees and holding meetings to review the applications.

Ms. Ross said she would like a roll call vote regarding the issue of developing a landscaped area of engraved bricks as a memorial program for persons looking for this type of opportunity through the Trust. The Committee feels that this would be more appropriate and easier to administer than benches, trees, and the like. Mr. Alfree said that first it should be determined whether the sense of the Board is to be involved in a memorial program at all. Mr. Viola said that the new library has a brick program planned and feels it would be detrimental to start a competing program. After some discussion, **Ms. Ross moved to approve exploring the development of some type of memorial program by the Trustees to accommodate requests.** Mr. Gallagher seconded. Motion was defeated as follows:

Yea (5): Fiske [no harm in further exploration], Gallagher [citizens are asking for it and we have obligation to look into it; a brick program could work without the maintenance problems of other methods], Meek, Ross [same as Mr. Gallagher], Yacucci

Nay (8): Alfree, Appleby [has never been approached in entire term], Castagno, DeAscanis, Gambacorta, Peden, Viola, Wilson [too many possible pitfalls]

PROPERTY MAINTENANCE COMMITTEE/PENN FARM – Mr. DeAscanis reporting.

Mr. Castagno reported that the final Old Library roof items have been completed; the Fire Company roof repair is in final stages; tennis courts are being evaluated for repair needs; and more details are awaited regarding the “stimulus” drainage projects.

Mr. Wilson then described his effort to restructure the Penn Farm Committee as a long-range strategic planning committee. He has asked Mr. Appleby and Mr. Castagno to serve, in conjunction with subject area professionals including Michael McGrath from State Ag Lands Preservation and four others. The group would tap other experts as necessary. Mr. Wilson sketched out a timeline which would ideally result in the selection of a new tenant to reside on/operate the farm by January 2011.

Mr. Appleby spoke about tying the Farm property in with Bellanca and the Little League fields, and is setting up a meeting with DelDOT to discuss an overpass or other ways to make the area more pedestrian/bicycle friendly. Delaware Greenways may be involved as well, and provide a source of support. Mr. Castagno then recapped the progress of maintenance on the farm house and the fields. Major utilities have been addressed except for the septic system. The family plans to hold an auction in March. Mr. Wilson hopes to have a tour of the Farm for the Board in the spring.

FINANCE COMMITTEE – Mr. Appleby reporting.

The PNC and Wilmington Trust Quarterly Review meetings will be on January 27. The Committee continues to interview additional financial institutions.

ELECTION COMMITTEE – No update.

LIBRARY COMMITTEE – Mr. Viola reporting.

Mr. Viola said that the exterior work is essentially completed. Reopening is targeted for early April.

OPEN SPACE – No update.

BY-LAW COMMITTEE – No update.

BATTERY PARK COMMITTEE – No update.

GOOD WILL FIRE HOUSE COMMITTEE

No longer exists in Committee form; Property Maintenance is the liaison currently.

OTHER COMMITTEES

Mr. Alfree said the Nominating Committee (chairs of PDC, PMC, Finance and Outreach) will tentatively meet on January 18. Slate will be introduced in February, voted on in March.

COMMUNICATIONS

- Letter from Council President Barthel requesting funding for heater repairs at Banks Building.
- Letter from William Mitchell of Bear expressing interest in plans for tennis courts.
- Victoria Foods, operators of the fish truck at the Farmers Market, inquiring about availability of the Quigley produce stand.
- Jack's Bistro request for liquor license.
- Letter from NC Historical Society advising of display to be mounted in Town Hall in May.

Mr. Wilson commented on the mechanics of the annual fund allocation to the City. He said it might be more viable to allow the City to request a certain pot of funds and let them decide internally on how they wish to use it. The system currently requires spending categories to be earmarked, and the City to invoice us for reimbursement of specific items. After discussion it was decided that we will adhere to the customary policy.

There being no further business, the meeting was adjourned at 9:10 p.m.

Respectfully Submitted,

Kathleen MacDonough
Executive Secretary

**Trustees of the New Castle Common
Meeting Minutes
December 1, 2009**

Present: Messrs. Wilson , Alfree, Appleby, Castagno, DeAscanis, Gallagher, Gambacorta, Peden ,Viola, Yacucci; Ms. Fiske, Ms. Ross, Mr. Taylor, Esq., and Ms. MacDonough, Executive Secretary. Also, Mr. Jim Meek, Mrs. Rita Meek and family; Mrs. DeAscanis and family; Mr. Ted Megginson and Mr. Bill Barthel; Mr. Earl Carpenter and Mrs. Mimi Carpenter; and Mr. Paul Freebery, Mr. John Fillo and Eagle Scouts Paul Freebery, Jr., and Serguel Akiti.

The monthly meeting of the Trustees was held on Tuesday, December 1, 2009 at 7:00 p.m. in the Trustees Room of the Old Town Hall. Mr. Wilson called the meeting to order, followed by a moment of silence.

ELECTION COMMITTEE – Mr. Gallagher reporting.

Mr. Gallagher gave the report of the November 7, 2009, election to fill the seat of R. James Quillen, Jr. The vote tally was Jim Meek 177, Jan Clairmont 59, for a total of 236 votes including 17 absentee ballots. Election expenses were \$1,598. Twenty- two persons have registered to vote since the last election in January, including 12 on November 7. Mr. Wilson then swore in Mr. Meek for a 12-year term.

After the swearing-in, Mr. Alfree announced that as of November 28, Mr. DeAscanis had reached his 45th anniversary of serving on the Board. He was presented with a copy of the Trustee group portrait from 1965, (his first) and given a round of applause.

Calendar Additions: Mr. Alfree said that the Officer Nomination and Committee Assignment questionnaire would be mailed the week of 12/21, and the completed forms are due no later than Friday, January 8.

Minutes:

The minutes of the November 3, 2009 meeting were not yet distributed. They will be sent to the Board as soon as possible and presented for approval at the January meeting.

Executive Secretary's Report: Ms. MacDonough said that the 2010 community grant applications will be sent out shortly. Other work items include new Library Trustee vault space planning and archive organization; incorporation of approved changes into the Bylaws; and regular administrative tasks.

Treasurer's Report:

The Treasurer's Report was approved as submitted. Mr. Appleby reported that we are in a solvent cash position. Fourth quarter sewer bills were paid in early November.

Business from the Floor:

Paul Freebery, Sr., announced that the two Eagle Scout projects on Trust property have been completed. He introduced John Fillo, Scoutmaster of Troop 27. Handouts were distributed to the Board detailing the projects. Serguel Akiti gave a PowerPoint presentation on the improvements to the Minipark at 5 E. 2nd Street: removal of old shrubs and stumps, cleaning and repairs to benches and brick wall, and powerwashing and painting the fence and the bulletin board. Paul Freebery Jr. then reported on his project, which was to repair, repaint and replace benches in Battery Park, pour concrete pads, and assemble new tables. Both Scouts planned and executed the projects from start to finish, including recruiting the workers and securing donations of materials and equipment. Each project had multiple components and required significant manpower and time, and both Scouts said they learned a great deal from the process. The Board applauded the quality of the work and the impressive accomplishments of the Scouts. Mr. Viola said he had heard excellent feedback from the community. Mr. Wilson thanked the Scouting delegation for selecting Eagle Scout projects that benefit New Castle and Trust properties.

Business from the Floor, cont:

Mr. Barthel, President of City Council, gave an update on the “green” (or stimulus) drainage projects. He thanked the Board on behalf of City Council for its philosophical and financial support of the projects. Bruce Jones of Greenstone Engineering has advised Mr. Barthel that project engineering and design is 95% complete and under final review by the Conservation District and DNREC. The three major projects will be divided into five separate bid packages:

- Buttonwood Dyke Flood Mitigation/Tide Gates
- Buttonwood Dyke Flood Mitigation/Wetlands Enhancement
- Washington Park Flood Mitigation
- Stormwater Management Pond Improvement/Boothhurst, Centerpoint, and Johnson Way
- Stormwater Management Pond Improvement/Twin Spans, Riveredge and Airport Holdings

Permits must be obtained by December 15. Projects will be advertised for bid by December 25. The City expects to receive the loan proceeds by February. Repayments to the State revolving fund will be interest-only through 2010. The interest rate is 2% and the payments will be quarterly. Mr. Appleby and Mr. Castagno asked for a pro forma drawdown schedule so the Board would be aware of when the Trust portion of the commitment would be due. As there is still some confusion about how this will be structured, Mr. Gallagher suggested that Mr. Barthel meet with the Finance Committee. Mr. Wilson thanked Mr. Barthel and the City for taking the lead on applying for the funds and securing these critical drainage improvements.

PROPERTY DEVELOPMENT COMMITTEE REPORT - Mr. Alfree reporting.

Family Foundations Academy Expansion – Committee met with the school representatives November 30, including Dr. Brewington, Mr. Moore, attorney Breck Smith, architect Samuel Homsey, and engineer Mark Ziegler. There was a lengthy discussion about expansion plans and the issues and concerns previously raised by the Committee. The school now needs to determine what planning, zoning or other reviews and permits would be required from the City.

Burger King – Mr. Taylor and Odyssey Foods’ attorneys are working on the terms of the new lease. The timeframe for completion is mid-December, and from the buyer’s perspective this transaction is part of a larger one including the three other Burger King locations now operated by Gary Harting. Mr. Alfree moved that the Property Development Committee be authorized to complete the legal document review and execute the signing of the new lease. Motion passed.

Amazon Lease – In November the Board authorized the Committee to finalize an agreement with McConnell Development with regard to the rent rate for the 2007-2012 lease term. Mr. Taylor is working on the addendum to formalize this agreement.

Castle Dealership – A letter from the attorney for the tenant was received November 11 confirming that Castle will not be exercising their option for the next lease term beginning 5/1/10. Mr. Alfree reviewed the Board’s options, including asking the tenant to remove the building on the site. He recommended an environmental assessment to determine whether any site contamination has occurred, and also a structural evaluation. Until April 30, 2010, inquiries about the sale of the lease/development of the site (including the building) will still be referred to Bill Ganc of White Realty, representing Castle.

Municipal Services Commission – Development of plans for the new substation behind Dobbinsville is proceeding. MSC and VanDemark & Lynch have now requested approval of plan changes including two 30-foot easement corridors for the power distribution lines, and relocation of the access road from the location initially approved by the Board. There may be additional fine-tuning of the plans; thus, Mr. Alfree moved to approve the changes described, and also to authorize the Property Development Committee to handle final approval of the substation plans and have the President and Secretary execute the appropriate paperwork without further Board review. Motion carried.

OUTREACH COMMITTEE REPORT – Ms. Ross reporting.

Ms. Fiske investigated the Freedom of Information Act quorum provisions and determined that social gatherings are permitted as long as business is not discussed. With reference to last month's discussion of the possibility of an engraved brick area as a memorial opportunity for citizens, Ms. Ross distributed a handout describing a similar program being conducted for the Russell Peterson Wildlife Center. She said that she planned to make a motion in January, including a roll call vote, to determine the will of the Board as to whether or not the Trustees would move forward with a memorial program. She noted that many people in the community have spoken to her about this issue.

PROPERTY MAINTENANCE COMMITTEE/PENN FARM – Mr. Castagno reporting.

Mr. Castagno reminded the Board that the dedication ceremony for the 2200 square foot Fire House addition will be December 7 at 7 p.m. Also, on the older part of the building, painting and roof repair are underway. Mr. Viola will follow up on the remaining punch-list items on the Old Library roof project.

Regarding Penn Farm, Mr. Castagno thanked the Board for respecting the privacy and the delicacy of the situation with our long-term tenant. All activity at the Farm has been channeled through Mr. Castagno, and the Quigley family is kept fully informed. Thirty-six acres along the Farmers Market boundary of the Farm have been cleared, tilled, and planted with a rye cover crop. Twenty acres along the Route 273 side have been cleared, mowed, and sprayed. Next year the plan is to plant both areas with hay. Major landscaping and clearing has been done around the house, and two dilapidated sheds have been dismantled. Countless pieces of farm equipment and vehicles (and some other unusual items) have been liberated from the underbrush, many after having been out in the open for decades. Piles of debris are being cleared out.

As to the house, the electric meter and circuit box have been replaced, a new heater and oil tank installed, and a cement basement poured with French drains and sump pump. We will begin to evaluate and address the condition of the living floors of the house in January. Some barn roof repairs are needed but first a number of adjacent trees need to be removed. The tenant is planning an auction of personal property in the spring. An exterminator treated the dirt of the basement floor and also the area around the outside of the house for termites. The extent of the interior termite damage has yet to be fully determined.

Mr. Alfree commended Mr. Castagno for the impressive amount of forward movement on the Farm that he has accomplished in a short time. Mr. Wilson agreed, and said that there was so much involved we had once considered hiring a project manager; however Mr. Castagno stepped up to the challenge with enthusiasm.

Mr. Wilson reviewed that the former Penn Farm Committee has been suspended, and that the Board officers recently met to contemplate next steps and a larger vision for the Farm, given its historic value, national uniqueness, and exciting potential. Mr. Viola described the outcome of that discussion. The officers agreed that defining the future use and the contribution of the Farm to the citizens of New Castle is probably the most important work that the Board will do in the next couple of years. While there is talent on the Board, a professional level of expertise is required within the context of a formal comprehensive planning process. It is therefore proposed that a redefined long-range planning committee be assembled, including appropriate experts from various disciplines and no more than two Trustees. Representatives from the community, including some who attended the March workshop and expressed strong interest in the project, could also be included.

After a lengthy discussion about process, respective roles, participants, etc., Mr. Alfree said that the officers had concluded that the magnitude and uniqueness of the situation required a new approach with a larger scope than simply the usual creation of an *ad hoc* committee. Mr. Viola said that one of the most important points would be how the current short term maintenance and repair work would dovetail with the developing long-range plans, and to avoid doing anything that would inadvertently set us back.

The next step will be to invite Michael McGrath, State Manager of Agricultural Lands Preservation, to meet with the officers and tour the Farm.

FINANCE COMMITTEE – Mr. Appleby reporting.

Mr. Appleby and Mr. Gallagher reiterated that further clarification is needed regarding the Trust financial contribution to the City's "green" projects. With respect to planning for the next budget cycle, he reviewed various contingencies which might affect the projections for the upcoming fiscal year.

LIBRARY COMMITTEE – Mr. Viola reporting.

Mr. Viola said that there will be a letter published in the New Castle Weekly updating the public on the Library construction and fundraising progress. Contributions to the Capital Campaign are still needed.

OPEN SPACE – No update.

BY-LAW COMMITTEE – No update.

BATTERY PARK COMMITTEE – Mr. Castagno reporting.

Committee has divided work into two parts: maintenance and strategic planning. Further information is needed about the nature and impact of the National Park Service plans. Budget requests for FY11 maintenance will be forwarded to the Finance Committee.

GOOD WILL FIRE HOUSE COMMITTEE – No update.

OTHER COMMITTEES – None.

COMMUNICATIONS

- Notices from State DNREC regarding subaqueous permit applications: 1) Good Will Fire Company Boat Ramp improvements; 2) Seeds of Greatness Ministry drainage channel modification at 610 W. 7th Street; 3) Replacement of sluice/flapper gate at Buttonwood Dyke.
- Thank you card from Nicole Alfree for scholarship grant (niece of Michael Alfree).
- Letter from Tom Moran of DNREC dated 11/2/09 regarding proposed operational/electronic upgrades to the 1994 tide gate structure at Bull Hill. City and/or Trustees have responsibility for these maintenance costs. Mr. Thatcher and Ms. MacDonough are getting further information about the cost and specifics of this proposal.

There being no further business, the meeting was adjourned at 9:10 p.m.

Respectfully Submitted,

Kathleen MacDonough
Executive Secretary

**Trustees of the New Castle Common
Meeting Minutes
November 3, 2009**

Present: Messrs. Alfree, Appleby, Castagno, Gallagher, Gambacorta, Peden, Viola, Yacucci; Ms. Fiske, Ms. Ross, Mr. Taylor, Esq., and Ms. MacDonough, Executive Secretary. Absent: Mr. Wilson, Mr. DeAscanis.

The monthly meeting of the Trustees was held on Tuesday, November 3, 2009 at 7:00 p.m. in the Trustees Room of the Old Town Hall. Mr. Viola, Vice President, called the meeting to order in the absence of Mr. Wilson, followed by a moment of silence.

Calendar Additions: Property Maintenance will tentatively meet Monday, November 30 at 8:00 a.m.

Minutes:

The minutes of the October 6, 2009 regular meeting were approved as submitted. Mr. Appleby noted that it was his understanding that the Trust could not be the borrower of funds for the stimulus/referendum projects, but that it had to go through the municipality. Other members of the group thought that this had not been established definitively yet.

Executive Secretary's Report - Ms. MacDonough.

Ms. MacDonough reported that a new request had come in to plant a tree in Battery Park in memory of a murder victim. As an alternative the family is also looking into doing this in a County park, and it is believed the County has a policy in place for this. She will forward the details to the Outreach Committee. After the November 7 election is over, there is a backlog of administrative tasks to be attended to.

Treasurer's Report:

The Treasurer's Report was approved as submitted. Mr. Appleby reported that the quarterly meetings with PNC and Wilmington Trust were held on October 28. Both portfolios have increased in value since the Second Quarter. He is working on a cash flow projection for the final four months of the fiscal year so that we have a firm handle on all upcoming short-term obligations. Also, starting April 1, 2010, we know we are losing one substantial tenant, so the budgetary picture must be re-evaluated in that light. Also, others may come forward requesting a reduction in rent due to the economy. Thus it is imperative to be aware of and plan for any significant new expenditures.

Business from the Floor: None.

PROPERTY DEVELOPMENT COMMITTEE REPORT - Mr. Alfree reporting.

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

Family Foundations Academy Expansion – After receiving preliminary plans for a major expansion of the school, the Property Development Committee sent a letter to the FFA on October 13 detailing sixteen points where the Committee had concerns and/or needed further information. School representatives delivered additional plans and documents yesterday afternoon, and also had indicated that they wished to attend the November 2 PDC meeting, although they did not appear. We understand that the school has a hearing with the State regarding renewal of their Charter tomorrow; this has a direct bearing on whether they can increase the size of the student body. No additional report pending further contact with school personnel.

Burger King – Mr. Taylor received a *pro forma* lease today from Odyssey Foods, the prospective buyer of the Burger King lease. We will continue to move forward with negotiating this agreement.

Castle Dealership – The current lease term expires April 30, 2010, and the tenant is not using the property presently; however, we have not heard anything directly from Castle as of now. Bill Ganc of White Realty is representing the lessee in finding a replacement tenant, and Mr. Alfree has referred all inquiries to him.

Municipal Services Commission – The Committee reviewed a set of lines and grades plans recently submitted by Van Demark & Lynch for the new electric substation near Dobbinsville. Mr. Alfree moved to approve the documents as submitted on October 12. Motion seconded and carried.

Penn Mart – A letter was received from Dave Jones of The Forum Group asking to meet for coffee. Mr. Jones purports to represent Interstate Management (Seth and Allen Pilevsky), the group which is our tenant at Penn Mart. In the past he has reached out with various proposals by the Pilevskys to purchase the center, donate to the community, do good works, etc. In August we responded advising that we were not interested in those proposals but only that the shopping center attend to basic maintenance and address code violations.

BJ's Gas Station – Rent adjustment will take effect May 1, 2010 (property schedule incorrectly said 5/1/09).

Amazon/Bellanca – Amazon.com needs additional parking during the holiday season, and would like to use space next to the Bellanca hangar across Centerpoint Blvd. A license agreement has been drafted to allow this, and the Friends of Bellanca would benefit from the income. A side benefit is that Amazon will provide security while they use the site. Mr. Alfree moved that the Trustees consent to the Friends of Bellanca Airfield, Inc., entering into a license agreement for parking with Amazon.com. Motion passed unanimously.

OUTREACH COMMITTEE REPORT – Ms. Ross reporting.

Committee met October 29. Ms. Ross again asked all committees to revisit their mission and duties as stated in the Bylaws, and submit any changes or corrections, and also current activities, to her as soon as possible. This is in preparation for the series of articles to be printed in the New Castle Weekly.

The Eagle Scouts' projects in Battery Park and the Minipark should be finished in two weeks. Very positive feedback has been received from the community about their work. Ted Corbett, 113 E. 4th St., has submitted a detailed concept statement for an information kiosk/orientation center in the Minipark. The Committee feels that this proposal should come to the Trustees through the Historic New Castle Alliance, and not directly from Ted as an individual, and that will be communicated to him. Ideally the Beautification Committee would be invited to have input on this plan.

Mr. Gallagher reported on the 2010-11 community grant process. Applications will be sent out by the end of November, and the Committee will ask for informal meetings in January with selected groups requesting more than \$1,000. He said he anticipates a special meeting in February with the entire board to go over the requests. The Committee is adding a question on the form focusing on how the funded projects specifically benefit the residents of the City.

Ms. Ross commented on John Wheeler's proposal for a memorial for Elizabeth Loncki. After consideration, the Committee recommends that this be done via enhancement of the existing veterans' memorial area at Chestnut Street, rather than creating a separate installation in Battery Park. She will speak to Mr. Wheeler and report back. Dr. Yacucci reported on the possibility of a dedicated memorial area, possibly using engraved bricks, which would eliminate the ongoing complications from various requests that are periodically received, and allow the Trust to define and control the type of opportunity available. Ms. Ross pointed out that these requests will continue to arise indefinitely and we should have a well-defined way of responding to them. Perhaps the Beautification Committee could help design and landscape such an area. Mr. Peden said his opinion was that these requests be categorically refused, as has been the practice historically, thus avoiding all the pitfalls; Mr. Viola said he agreed. Ms. Ross asked that members be ready to vote on a direction next month, so there can be clarity about whether or not the Trust will have a memorial program.

Finally, the Committee would like to suggest a holiday social gathering including spouses/guests. Ms. Ross moved that the Outreach Committee plan and execute this activity; motion carried.

PROPERTY MAINTENANCE – Mr. Castagno reporting.

Mr. Castagno reported on the status of the repair and restoration activities at Penn Farm. A timeline, budget and cost projections have been developed. The property now has a security system. We are working closely with the tenant and her family in moving forward with clearing the personal items and planning for an auction of the farm equipment. Ms. Ross inquired about the plans for the fields themselves and how closely this would be tied to the house status. Mr. Viola said that basic clearing, grubbing and disking is underway, effecting remediation of invasive weeds. He said that the next step would be to reconnect with Michael McGrath, the State expert on Agricultural Lands Preservation, for detailed long-range planning. Mr. Appleby said that in the near term we are talking with farmers to plant a winter cover crop and preserve the remedial work on the fields. Ms. Ross said that the fact that the property is on the Historic Register may make it eligible for federal grants.

PENN FARM COMMITTEE – addressed above.

FINANCE COMMITTEE – Mr. Appleby reporting.

(Issues were previously addressed under Treasurer's report.)

ELECTION COMMITTEE – Mr. Gallagher reporting.

Mr. Gallagher said that everything is in place for Saturday's election. There are 19 absentee ballots. The candidates are Jan Clairmont and Jim Meek. He asked the Board to be available to work at the polls.

LIBRARY COMMITTEE – No update.

OPEN SPACE – No update.

BY-LAW COMMITTEE – Mr. Gallagher reporting.

Mr. Gallagher recapped the proposed Bylaw changes which were distributed September 24. After discussion, the proposed change to Article IV, Section 4 (quorum) was dropped. Also, a proposed change to Article IX (meeting attendance) was withdrawn. Mr. Gallagher then moved to approve the proposed changes, with amended wording as discussed, to Article IV, Section 1 (meeting dates); Article V, Section 2 (Fire Station Committee); Article VI, Section 9 (Treasurer); Article XI, Section 1 (annual statements); Article XVII (candidate withdrawal); and, the addition of a Table of Contents. Motion passed.

BATTERY PARK COMMITTEE – Mr. Castagno reporting.

Committee has reviewed maintenance and strategic planning issues. No action at this time.

GOOD WILL FIRE HOUSE COMMITTEE – No update.

OTHER COMMITTEES – None.

COMMUNICATIONS

- Dedication of Good Will Fire Station addition will be December 7 at 7 p.m.
- Thank you card from Thomas Freebery family for scholarship for Jacqueline Freebery.
- Mr. Alfree announced three November anniversaries: Mr. DeAscanis has been a Trustee for 45 years; Mr. Peden has served for 11 years, and Mr. Viola for six years.

At 8:35 p.m. Mr. Alfree moved to go into Executive Session for purposes of discussing real estate and litigation issues; motion carried. The Board reconvened in regular session at 8:55 p.m. Mr. Alfree moved to authorize the Property Development Committee to finalize negotiations regarding the 2007-12 lease term rates for Amazon/McConnell Development. Motion carried. There being no further business, the meeting was adjourned at 8:57 p.m.

Respectfully Submitted,

Kathleen MacDonough
Executive Secretary

**Trustees of the New Castle Common
Meeting Minutes
October 6, 2009**

Present: Messrs. Wilson, Alfree, Appleby, Castagno, DeAscanis, Gallagher, Gambacorta, Viola; Ms. Fiske, Ms. Ross, Mr. Taylor, Esq., and Ms. MacDonough, Executive Secretary. Absent: Mr. Peden, Mr. Yacucci. Also attending were Mr. Erv Thatcher, and Mrs. Carpenter of the New Castle Weekly.

The monthly meeting of the Trustees was held on Tuesday, October 6, 2009 at 7:00 p.m. in the Trustees Room of the Old Town Hall. Mr. Wilson called the meeting to order, followed by a moment of silence.

Calendar Additions: Mr. Wilson will be out of town for the November meeting, so Mr. Viola will preside. Mr. Wilson will be on The Green Saturday, October 10 from 9-10 to answer questions from the public.

Minutes:

The minutes of the September 8, 2009 regular meeting and the September 13 and 28 special meetings were approved as submitted.

Executive Secretary's Report - Ms. MacDonough.

Ms. MacDonough reported that the County property and school taxes were paid September 30. The Trustees received their annual pay of an ear of corn this evening. The weeks leading up to the November 7 Trustee Election will be busy with registering new voters and processing absentee ballots. Open Registration will be Tuesday, October 20 from 7-9 p.m., and Saturday, October 24 from 10 a.m. to 2 p.m.

Treasurer's Report:

The Treasurer's Report was approved as submitted. Mr. Appleby reported on cash flow status: the pledge to the new Library is paid, as is the full amount of the Good Will project. The operating grant installments for the Fire Company have been delayed. Among the remaining large expenses is the balance of the Penn Farm field renovation. We are now in a position to begin replenishing the money market account.

Business from the Floor: None.

PROPERTY DEVELOPMENT COMMITTEE REPORT - Mr. Alfree reporting.

Burger King – In a September 24 conference call, Mr. Alfree and Mr. Taylor negotiated further with Odyssey Foods, the proposed buyer of the Burger King lease, and were able to arrive at more favorable terms than previously presented. Their legal department is supposed to send us a sample copy of their lease; no other communication has been received to date.

Amazon/McConnell Development – Mr. Taylor has been in contact with McConnell's attorney Donald Isken, although we have still not received a response to our letter of July 17, 2009. When established, the renegotiated lease amount will be retroactive to July 2008. If there is no movement in the next couple of weeks, Mr. Taylor will file a petition in the Court of Chancery to force a resolution of the issue, as directed at the Board's September meeting.

Family Foundations Expansion – The school has paid their rent and the interim property taxes in the amount agreed to during the appeal of the tax-exemption denial. The Committee met on September 23 with school representatives, who presented expansion plans which will almost double the square footage of the school, adding a library, a gym, and a second story on one wing. They wish to add Kindergarten and Grades 5-7 next year, and Grade 8 for 2011-12. They would also increase the student body from 400 to 700+ with a concomitant increase in staff. The State must approve a charter change to allow this.

The school also wishes to add a playground in back of the building and will be sending amended plans showing that aspect. There would be additional rent for the playground land and some increase for the added building square footage. Mr. Taylor said that the Trust's basis for comment or withholding of approval would be limited to the appropriateness of the building and parking arrangements for the proposed use.

There is already bad traffic congestion during school drop off and pick up hours all along that section of Route 273. The school indicated that they considered adjusting their hours to alleviate this, but they would lose access to crossing guards. In 2006, the understanding was that while grades would be added, the total student body would not change. Mr. Viola mentioned that another basis for initial Board approval of the school as originally designed was that (should the school not go forward) the building could easily be retrofitted for offices, etc. With the changes proposed currently, this modification would not be so straightforward. The parking lot as it stands is barely adequate.

Ms. Ross asked if the Trust would be liable for County taxes on the building if the school closed down and walked away, and the tax-exempt status had not been granted; Mr. Taylor said it would probably become a lien on the property. Mr. Alfree said the Committee will draft a letter enumerating all the questions and concerns that arose. Fire protection access is already a problem, and would be exacerbated with the expansion. Mr. Taylor said the school will also probably have to go back to the Board of Adjustment to extend its special use zoning exception. It will be very difficult to accomplish all of the necessary steps in the time frame that the school desires, i.e., to complete the additions by the beginning of the 2010-2011 school year.

Farmers Market – Richard Stat has asked for approval of signage and artwork proposed for the new wing of the Market. Mr. Alfree distributed the illustration, and then moved to approve the graphics as submitted. Motion carried.

Castle Dealership – The building at the corner of Routes 273 and 13 is currently not being used by Castle due to the economic situation. The current lease option term expires April 30, 2010. We have been contacted by three separate parties who have a variety of proposals for that site.

Penn Mart – A letter from New Castle County was received citing a cracked sidewalk code violation and forwarded to the tenants' management company.

Encroachment Letters – Ms. MacDonough will email the Board a draft list of owners who are to receive the letters. These pertain to certain properties adjacent to Trust parcels where owners may be encroaching for various uses; their signature and return will acknowledge the ownership interest of the Trustees.

OUTREACH COMMITTEE REPORT – Ms. Ross reporting.

Ms. Ross said that the Committee will be proceeding with plans to place a series of articles in the New Castle Weekly informing readers about the Trust and its committees. She asked all committees to revisit/review their 'reason for being' and duties as stated in the Bylaws, and submit any changes or corrections, and also current activities, to her by November. Ms. Ross received an email from Ted Corbett, 113 E. 4th St., with suggestions to improve the mini-park at 5-7 East 2nd St. for use as an information center. He said that the Beautification Committee would like to have input on the area (they have not been involved in the mini-park to date, but recently observed the maintenance being done by the Eagle Scouts). Outreach will confer with Property Maintenance on plans for the mini-park.

PROPERTY MAINTENANCE – Mr. DeAscanis reporting.

The Good Will addition is complete and furniture has been ordered; it will be opening in early November. The Old Library roof is complete pending a couple of punch list items. Penn Farm field renovation is underway, and repairs to the house will be commencing. Mr. DeAscanis then requested an Executive Session to discuss confidential real estate and property matters. Mr. Viola mentioned problems on the main (existing) roof at the new Library, and said that the Building Committee is requesting that Pollinger Roofing correct unsatisfactory items which were revealed in an independent inspection report.

PENN FARM COMMITTEE

(Will be addressed in Executive Session.)

FINANCE COMMITTEE – Mr. Appleby reporting.

Quarterly meetings with the banks will be Wednesday, October 28. Mr. Wilson asked Mr. Appleby to

describe the proposed financing scheme for the three City drainage/flood mitigation projects. The Trustees have agreed to provide \$190,000 in front-end costs for the projects. He said that even if the City referendum did not succeed, there would be value in funding the surveying and permitting work, and the projects could be brought to completion in some other fashion down the road. There was also discussion of whether the Trust (rather than the City) could take the lead on the project and borrow the funds; this is unclear.

ELECTION COMMITTEE – Mr. Gallagher reporting.

Mr. Gallagher said that there are two filed candidates so far for the November 7 election, Jan Clairmont and Jim Meek. He asked the Board to be available to work at the polls. The deadline for candidate filing will be October 7 at 5 p.m.

LIBRARY COMMITTEE – Mr. Viola reporting.

Mr. Viola said that storm sewer damage being repaired in the middle of the intersection of 5th and Delaware was preexisting and not due to Library construction. He announced that the Kitchen and Garden Tour on October 10 will benefit the Library as in previous years, and that there will be an event benefiting the Library at Prince on Delaware October 23. The revolving line of credit with Artisans Bank has been working well.

OPEN SPACE – Ms. Fiske reporting for Mr. Yacucci.

Ms. Fiske attended a presentation by Hunter Ficke of the Immanuel Church to the City regarding a proposal from the Trust for Public Lands to help preserve open lands owned by the Church.

BY-LAW COMMITTEE – Mr. Gallagher reporting.

Mr. Gallagher had distributed some proposed bylaw changes ten days in advance of the meeting. Mr. Alfree requested more time to discuss the changes before voting; he also moved to discuss one of the personnel-related changes in Executive Session. Mr. Wilson asked Ms. MacDonough to resend the changes by US mail and have the Board ready to discuss and vote at the November meeting.

BATTERY PARK COMMITTEE – Mr. Castagno reporting.

The newly reconstituted Committee met yesterday. Bill Barthel, Michael Hemphill, Dr. Jo Viola, and Dr. Somasunderam Padmalingham have agreed to serve. The full Board is technically the “Battery Park Commission,” so the Battery Park Committee will function as an advisory body. They will tackle issues of governance, division of authority between the City and the Trustees, status of the greenway, etc.

GOOD WILL FIRE HOUSE COMMITTEE – No update.

OTHER COMMITTEES – Mr. Viola raised the subject of excessive numbers of deer at Penn Farm. Ms. Fiske has done research on the topic of culling herds and will share this via email. Mr. Thatcher spoke on the potential problems and dangers if some of the deer are not eliminated. Ms. Quigley has allowed hunters on the Farm over the years. The key will be safety and clear communication and coordination. Mr. Wilson asked Mr. Thatcher to compile a list of who wants to hunt. Mr. Alfree moved to authorize Mr. Wilson to formulate a plan for coordinating hunting and to implement that plan. Motion carried.

COMMUNICATIONS

- Mr. Viola announced that the Friends of Bellanca Airfield will hold an Open House on October 17 from 10-4, featuring tours of the hangar, exhibits, a fly-over, and restored 1940s aircraft.

At 9:10 p.m. Mr. Castagno moved to go into Executive Session for purposes of discussing personnel and real estate issues; motion carried. The Board reconvened in regular session at 9:50 p.m., and there being no further business, the meeting was adjourned,

Respectfully Submitted,

Kathleen MacDonough
Executive Secretary

**Trustees of the New Castle Common
Meeting Minutes**

Special Meeting - September 28, 2009

A special meeting of the Trustees was held on Monday, September 28, 2009 at 7:00 p.m. in the Trustees Room of the Old Town Hall.

Present: Mr. Viola, presiding; Mr. Alfree, Mr. Appleby, Mr. Castagno, Mr. Gallagher, Ms. Ross, Dr. Yacucci; Mr. Taylor and Ms. MacDonough. This number constituted a quorum.

Absent: Ms. Fiske, Mr. Gambacorta, Mr. Peden, Mr. Wilson

Mr. Viola called the meeting to order. The primary purpose of this special meeting is to consider funding, timing and scope of critical stormwater and flood mitigation projects to benefit the City of New Castle. Due to the urgent nature of these issues, and the need for the timely development of a course of action, it was not possible to give a seven-day notice period. A meeting notice was posted at least 24 hours in advance of the Special Meeting, in accordance with the Freedom of Information Act.

Mr. Appleby described the three projects, which are proposed to be financed with federal stimulus funds funneled through the Delaware Water Pollution Control Revolving Fund (see letter dated August 27, 2009 from the State Department of Natural Resources and Environmental Control).

He then gave a detailed presentation of the financing scheme, which allows for one-half of the \$1.3 million loan to be completely forgiven and for an amortization schedule of the balance at 2% interest over five years. The City of New Castle needs to demonstrate a commitment by September 30 that funds are available for initial engineering and permitting costs; the City is contemplating a referendum but will not be able to accomplish that by September 30. (It is expected that \$190,000 would be needed by October 27 and an additional \$80,000 from October 27 –December 15, 2009.)

The Board was in general agreement that these projects are viable, needed, long overdue, and most importantly represent exactly the type of improvements that the Trust mission prescribes.

After discussion of various contingencies and scenarios, Mr. Appleby moved to commit \$190,000 in Trust funds to the engineering and permitting cost of the three drainage projects through October 27, 2009, in order to enable the City to move forward on making arrangements to fund the balance of the project costs and meet the program deadline. Mr. Gallagher seconded. The motion carried unanimously. Mr. Taylor will draft a letter to the City summarizing the action.

At 7:50 p.m. Mr. Alfree moved to adjourn the regular meeting and convene in Executive Session for purposes of discussing matters of real estate and litigation. The Board reconvened at 8:15 p.m.

Mr. Alfree moved to approve the signing of paperwork, with certain wording modifications by Mr. Taylor, in connection with the Fire Company's application and proposal to improve the boat ramp at the foot of Third Street. The motion carried.

There being no further business, the meeting was adjourned.

Respectfully Submitted,

Kathleen MacDonough
Executive Secretary

**Trustees of the New Castle Common
Meeting Minutes**

Special Meeting - September 13, 2009

A special meeting of the Trustees was held on Sunday, September 13, 2009 at 7:00 p.m. in the Trustees Room of the Old Town Hall.

Present: Mr. Wilson, Mr. Appleby, Mr. Castagno, Ms. Fiske, Mr. Gallagher, Ms. Ross and Ms. MacDonough, Executive Secretary. This number constituted a quorum.

Mr. Wilson called the meeting to order. The purpose of this special meeting is to discuss matters of facilities maintenance –specifically, the house at Penn Farm -- which came to the Board's attention and require immediate action.

Due to the urgent nature of these issues, and the need for the timely development of a course of action, it was not possible to give a seven-day notice period. A meeting notice was posted at least 24 hours in advance of the Special Meeting, in accordance with the Freedom of Information Act.

Mr. Wilson presented a summary of a September 12, 2009 meeting which was held at 9:00 a.m. at Town Hall and attended by Mrs. Elaine Quigley, her daughter Ms. Susan Landreth, Dorsey Fiske, Kathleen MacDonough and himself. That meeting was arranged after the Board received an inspection report detailing a number of serious conditions that should be addressed in order to eliminate some safety hazards and properly maintain the structure. Points covered at the meeting:

- The inspection report was prepared by Ross A. Gibson after he conducted an on-site condition assessment on August 18, 2009.
- Mrs. Quigley and Ms. Landreth were given copies of the report and Mr. Wilson went over it in detail with the group.
- Mr. Wilson explained that because the Board had been made aware in writing of the conditions observed in the inspection, that as a responsible landlord it was obligated to take action in a timely manner, particularly with regard to the urgent items, to make the house safe for habitation.
- Mr. Wilson told Mrs. Quigley that she should plan to vacate the farmhouse as soon as possible so that required repairs could commence.
- Due to the large quantity of personal storage in the house, it was not possible for Mr. Gibson to observe all of the structural items he needed to see. Therefore, the personal items will need to be removed from the house and stored or disposed of in some manner, possibly using “pods” or similar on the property. If necessary movers would be hired to assist with this.
- A security system would be installed and activated as soon as possible.
- Pending consultation with legal counsel, all expenses borne now by the Trust on Mrs. Quigley's behalf, including any overdue rent or taxes, theoretically would be secured and recouped by placing a lien on property that she owns at 101 Third St. in Midvale.
- Mrs. Quigley would be allowed access to the property on a daily basis, to operate the produce stand and to oversee the relocation of her belongings.

- After all repairs are made and a Certificate of Occupancy is issued, Mrs. Quigley would be offered first right of refusal to take up residence in the house, and a new lease would be prepared.
- Ms. Landreth said that it would not be possible for Mrs. Quigley to move in with her. One solution suggested by Mrs. Quigley was to place a temporary trailer on the property. That would accomplish having someone in residence and also allow her to be near the produce business.

Over the last year or so, the produce business has apparently not been viable enough to allow Mrs. Quigley to pay even the low rent that the Trust charges. Her daughter had stated that any new lease would have to include a rent which would be within the Social Security Mrs. Quigley receives.

In the meeting on the 12th, Mrs. Quigley indicated that she had been aware of the existence of various conditions, e.g. leaks, termite swarms, etc., for a number of years. While the lease clearly stated that Mr. and Mrs. Quigley were responsible for all interior maintenance items, repairs had not been performed and she did not seem to fully appreciate of the level of deterioration and possible damage which had occurred due to neglect.

After discussion it was agreed that the family did not seem willing or able to provide much in the way of solutions or support for Mrs. Quigley's living situation. Mr. Gallagher suggested contacting the State Dept. of Aging or other resources which might help her better manage her circumstances.

Mr. Wilson proposed having a conference call with all four Quigley siblings to make sure everyone understood the plans.

Mr. Taylor, Trust attorney, will be consulted on all elements of the plan of action before they are acted upon.

There being no further discussion, Mr. Wilson moved that the Board move forward with the plan as outlined, including: asking Mrs. Quigley to vacate as soon as possible; performing the emergency repairs and other maintenance and repairs as required; pursuing avenues to recoup Trust finds which may be expended and also rent and taxes which are in arrears; and researching the availability of social services assistance from government or nonprofit agencies.

The motion carried unanimously.

There being no further business, the meeting was adjourned.

Respectfully Submitted,

Kathleen MacDonough
Executive Secretary

**Trustees of the New Castle Common
Meeting Minutes
September 8, 2009**

Present: Messrs. Wilson, Alfree, Appleby, Castagno, DeAscanis, Gallagher, Gambacorta, Viola, Yacucci; Ms. Fiske, Ms. Ross, Mr. Taylor, Esq., and Ms. MacDonough, Executive Secretary. Absent: Mr. Peden. Also in attendance was: Mrs. Carpenter of the New Castle Weekly.

The monthly meeting of the Trustees was held on Tuesday, September 8, 2009 at 7:00 p.m. in the Trustees Room of the Old Town Hall. Mr. Wilson called the meeting to order, followed by a moment of silence.

Calendar Additions: Mr. Wilson tentatively plans to have an informal Q&A session for the public on The Green on Saturday, October 10.

Minutes:

The minutes of the June 2, 2009 meeting were approved as submitted.

Executive Secretary's Report - Ms. MacDonough.

Most work items planned for the summer months -- easement/encroachment letters, environmental survey of tenants, organization of vault materials, etc. – were delayed due to the support work needed for the multiple construction projects underway, the issues at Penn Farm and the Marini site, and the extra time required to manage cash flow. A proposal has been requested from Hilyard's for a more suitable copier, a laptop and wireless internet service to the third floor. Family Foundations Academy still has a very large property tax balance on the books while awaiting the results of an appeal to the denial of tax-exempt status. All other tenants except one are now up to date on taxes, but a further update will be given after the County 2009-10 deadline of September 30.

Treasurer's Report:

The Treasurer's Report was approved with one correction: \$469,000 shown in the Library operating grant line should be classified as a capital expenditure. The entire \$1 million Library pledge has now been paid. Mr. Appleby recapped the progress of the Good Will, Old Library Roof, and Penn Farm field projects, all of which are well into completion; he also summarized the status of the investment portfolio. Mr. Viola explained that the Old Library project went significantly over budget due to extensive hidden damage, much of which was caused by poor prior repairs.

Business from the Floor: Four persons (Tom Geraghty, 46 W. Fourth St.; Roberta Smith, 117 W. Fourth St., and Phoebe and Rob Dill, 112 W. Third St.) were in attendance to comment on the construction site at Third and South Streets. Mr. Geraghty thanked the Trust for its ongoing involvement in preservation activities. He noted that several hundred people every weekend use the bluff in Battery Park adjacent to the Marini construction site. The group in attendance would like clarification about who has the responsibility to control parkland use and restrict adverse activities, because when issues occurred recently involving the City police it was unclear where the jurisdiction lay and what could be prohibited. Mr. Dill said that the contractors have done a pretty good job of staying within parcel boundary lines. Ms. Ross said we will follow up on their inquiry.

PROPERTY DEVELOPMENT COMMITTEE REPORT - Mr. Alfree reporting.

Mr. Alfree requested an Executive Session to discuss two matters of real estate negotiation and litigation.

Riverbend - No update.

Family Foundations Expansion

A package was received from the school's attorney describing proposed plans for expansion. Mr. Alfree advised the attorney that we would not entertain any proposals until rent and (ground) tax obligations are

brought up to date. After that, a meeting will be scheduled with Dr. Brewington (principal) and Mr. Moore (treasurer), and we will request a copy of their budget.

OUTREACH COMMITTEE REPORT – Ms. Ross reporting.

Ms. Ross stated that the Committee will be proceeding with plans to place a series of articles in the New Castle Weekly informing readers about the Trust and its various committees.

Mr. Castagno addressed the progress of developing a website. We have a hosting service, and the URL is 'www.trusteesncc.org.' (What exists there now is a placeholder only.) He thanked Jim Meek of 30 The Strand, who is an expert on web design and has devoted time to teaching Kathy to code it, and advised us on site architecture. The Committee has articulated a mission for the website: "A working archivable catalogue of activities and assets for the Trust and its constituency." Mr. Castagno listed many possibilities for what information and functions it could comprise, including a section which would be password-protected for Trustees only. The plan is to have some pages ready for internal consumption in 45 days and something for the public in 60 days. Necessary funds are available in the Administration budget.

Ms. Ross asked all Committees to revisit/review their 'reason for being' and duties as stated in the Bylaws, and submit any changes or corrections to her by the October meeting.

Business from the Floor—Part II:

At this stage in the meeting Mr. Wilson introduced the following guests: Kevin Donnelly and Larry Irelan of the New Castle Conservation District, and Bruce Jones, Greenstone Engineering. These gentlemen were coming from the City Council meeting presently underway to address an urgent request for financing for certain drainage projects. They said that Council had just approved a resolution, subject to a special referendum, to allow the City to enter into an agreement with DNREC for a low-interest loan to fund three critical stormwater and flood mitigation projects. Total cost would be \$1.3 million, half of balance to be forgiven, at 2% with a five-year amortization. The timeframe is very tight. The contract for construction must be entered into by February 17, 2010, and there is much to be done beforehand. The City of New Castle's projects rated very high in the priority list. The projects are Buttonwood Dyke, Washington Park, and a series of six stormwater ponds within the City. The City is requesting that the Trustees fund half of the \$661,250 loan repayment over a three-year period, and they need to know how much the Trust would commit in order to know how much to ask for in a referendum. Mr. Wilson stated that no action would be required tonight and that he had advised City Council President that we would not be able to act until the October meeting.

PROPERTY MAINTENANCE – Mr. DeAscanis reporting.

The Good Will Fire Company addition is nearing completion, and a Certificate of Occupancy will be applied for soon. The Old Library roof is 99% completed. Penn Farm field renovation is well underway, and the needed repairs to the house and buildings revealed by the Ross Gibson inspection report will now take priority. Mr. DeAscanis then requested an Executive Session to further discuss confidential real estate and property matters.

PENN FARM COMMITTEE – Mr. Viola reporting.

(Addressed under Property Maintenance.)

FINANCE COMMITTEE – Mr. Gambacorta reporting.

Mr. Gambacorta reported on the performance of the Wilmington Trust and PNC Bank investments. Mr. Castagno commended Mr. Appleby for his cash flow planning and projections, and Mr. Viola added that Mr. Appleby deserved praise for similar contributions to the new Library financing scheme.

ELECTION COMMITTEE – Mr. Gallagher reporting.

Mr. Gallagher declared that the election to fill the seat vacated by the death of R. James Quillen, Jr., will be held Saturday, November 7, 2009. The last date to file as a candidate is October 7. A full timetable was distributed. He then moved to approve the election calendar, Mr. Appleby seconded, and the motion passed unanimously.

LIBRARY COMMITTEE – Mr. Viola reporting.

Rain had slowed the project over several weeks, but the general contractor has caught up to the timetable. Roof and sheetrock installation is underway. The Capital Campaign Committee is pursuing the remaining funds through every possible avenue. Two disappointments occurred when they learned that federal stimulus funding and congressional earmark funding will not be possible because the project is not Davis-Bacon Act compliant (pays “prevailing wages”). They are optimistic about approaching foundations for a second round. Interestingly, rafters and brick salvaged from the demolition at the Robinson House were able to be reused in the Old Library roof project. Two events are upcoming which give proceeds to the library: the Wharf Dance and the Kitchen & Garden Tour. A letter of complaint was received from Dr. Young of 12 W. Fifth St. regarding the three large transformers on a new power pole on that side of the Library. This letter will be forwarded to the Library Capital Campaign Committee for a full answer and the Trust will send a short acknowledgement.

OPEN SPACE – Mr. Yacucci reporting.

The maintenance staff has initiated the “low mowing” of the parcel behind Bull Hill, the triangle between E. Sixth and Wilmington Rd., and the open space at Ferry Cut-off.

Michael Hemphill contacted Mr. Yacucci about the trimming of brush between his house and the river. Mr. Yacucci spoke to Mr. Thatcher and learned that the City/Trust does not have the proper equipment or personnel available for this work. Thus the landscaping company that has done this in the past will be asked for a quote.

Mr. Wilson read a letter from Immanuel Church regarding preservation of open lands. The Church has requested a proposal from the Trust for Public Lands and easements developed to keep them open in perpetuity.

BY-LAW COMMITTEE – Mr. Gallagher reporting.

There are a variety of proposed by-law changes which will be distributed at least ten days in advance of the October meeting. Please respond with feedback before the meeting if possible.

BATTERY PARK COMMITTEE – Mr. Castagno reporting for Mr. Gambacorta.

Mr. Castagno read the description of the Battery Park Committee’s charge and membership. The committee has been dormant for a couple of years. Mr. Barthel (Council President), Michael Hemphill, Dr. Jo Viola, and Dr. Somasunderam Padmalingham have agreed to join, or are considering joining, the Committee.

GOOD WILL FIRE HOUSE COMMITTEE – Mr. Gallagher reporting.

No update.

OTHER COMMITTEES – None.

COMMUNICATIONS

- Packet of information from Ben Oyerly of GWFC proposing a project to repair/improve the boat ramp at the foot of Third Street to better accommodate the new fireboat. Approval is needed from the City, Trust, Army Corps of Engineers, and State DNREC. To Property Maintenance.
- Letter from New Castle Lions Club asking for repair of some eroded areas in Battery Park prior to Art on the Green; also mentions apparent erosion along entrance to the medical complex. To Property Maintenance.
- Request from New Castle Historical Society to restrict parking at foot of Dalby Alley to residents. The side of the Rosemont House at Delaware St. has been hit several times by nonresident vehicles coming out of the parking area. Mr. Wilson will discuss with Council members.

- Thank you letters from scholarship students Annie Castagno and Jenna Passmore.
- Letter from William Mitchell and “Battery Park Friends” thanking Trust for use of tennis courts for annual August tennis tournament.
- Thank you from Beautification Committee for annual grant.
- Certificate of Appreciation from Councilperson Petty for support of summer recreation program.
- Eagle Scout Serguel Akiti sent email re schedule for completing minipark work.
- Proposal from Ted Corbett, 111 E. Fourth St., to develop minipark into an information/orientation center with kiosk. He has been talking to several groups around town about this. Ms. Ross will advise him that the Trustees must approve any plan for the minipark.
- Request from Chief McDerby for a \$1,000 contribution to a Delaware Law Enforcement Memorial which would be located in Dover. Mr. Alfree will notify him that he can submit a grant request.

Ms. Ross commented on the outstanding proposal for a memorial to Elizabeth Loncki. She feels that rather than fund or develop a separate location, resources would better be used to improve the existing site at Fourth & Chestnut, by adding benches, additional landscaping, etc. She would like Board members to take a look at the site and convey their feedback to her prior to responding to Mr. Wheeler.

Mr. Wilson said that he held an informal Q&A at Third and Delaware on August 15. He described the various persons who approached him and their concerns, and said it was a positive experience and a good way to counter negative letters in the *Weekly* or misinformation around the community. Issues raised that day led Mr. Wilson to meet with Council President Barthel informally to share thoughts and goals.

At 9:15 p.m. Mr. Alfree made a motion to go into Executive Session; motion carried. The Board reconvened in regular session at 10:30 p.m.

Mr. Alfree move to authorize Mr. Taylor to write a second letter to McConnell Development (Amazon) seeking to enforce compliance with the lease terms and requesting a response to our letter of July 17, 2009 setting a new rent amount.

Mr. Alfree moved that the Board authorize the Property Development Committee to undertake further negotiations with Odyssey Foods (the group proposing to take over the Burger King lease) in an effort to reach an arrangement of maximum benefit to the Trust, but including the authority to accept figures as discussed in Executive Session.

There being no further business, the meeting was adjourned at 10:40 p.m.

Respectfully Submitted,

Kathleen MacDonough
Executive Secretary

**Trustees of the New Castle Common
Meeting Minutes
June 2, 2009**

The monthly meeting of the Trustees was held on Tuesday, June 2, 2009 at 7:00 p.m. in the Trustees Room of the Old Town Hall.

Present: Messrs. Wilson, Alfree, Appleby, DeAscanis, Gallagher, Peden, Viola, Yacucci; Ms. Fiske, Ms. Ross, Mr. Taylor, Esq., and Ms. MacDonough, Executive Secretary. Absent: Mr. Castagno; Mr. Gambacorta. Also in attendance was: Mrs. Carpenter of the New Castle Weekly.

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

Calendar Additions: None. Board workshop and property tour is planned for July 9 at 9 a.m.

Minutes:

The minutes of the May 5, 2009 meeting were approved as submitted.

Executive Secretary's Report - Ms. MacDonough.

A number of tasks are pending over the next few months: easement/encroachment letters, environmental survey of tenants, organization of vault materials in advance of moving back into new library, etc.

Treasurer's Report:

The Treasurer's Report was approved as submitted.

Business from the Floor: None.

PROPERTY DEVELOPMENT COMMITTEE REPORT - Mr. Alfree reporting.

Burger King/Darmel

Mr. Alfree will meet with Gary Harting, the tenant, on June 3 regarding the future of the lease relationship.

Riverbend

No update. Outstanding issues will need to be resolved before we sign utility easement.

Amazon Lease

Waiting to hear from Robert McKennon regarding second appraisal report. A request with diagrams was received to install an 8X10 utility shed for maintenance equipment. After review by the Board, Mr. Alfree moved to approve the request as described in the submission dated May 1, 2009. Motion carried.

Family Foundations Expansion

Removed from PDC agenda until the school's tax exemption and other financial issues are resolved.

Evans Property

Mrs. Evans will pay all costs of a survey, and then the Trustees will deed over the wedge of land (next to her driveway on the Fire House side) which was recently acquired from City via quitclaim deed.

Comprehensive Plan

Mr. Alfree attended the Planning Commission meeting on May 18. The Commission has agreed to remove the Trust properties from specific suggested rezoning categories and revise some of the related Plan language. The Plan was passed by the Commission and will now go to Council for a vote.

Penn Farm/Quigley Lease

Mr. Viola said that he had contacted Mrs. Quigley's daughter, Susan, to explain that we would be moving forward on drafting a new lease, as had been discussed in previous conversations. As part of this we will select an independent third party to make a thorough inspection of the condition of the house. Ms. Ross pointed out that the inspection should be done as soon as practicable as a precursor to writing the new lease. After discussion, Mr. Alfree moved to authorize up to \$1,500 to commission a professional inspection of the Penn Farm buildings, and to perform any emergency repairs which may become apparent as a result of the inspection.

Marini Property/ 101 W. Third St.

A letter dated May 26, 2009 was received from Jay Freebery, Chatham Bay construction company, proposing that they "...would like to place a chain link security fence along the perimeter 8' from the property line as a precautionary measure..." (Mr. Wilson interjected that Ms. Marini told him today that Building Inspector Bergstrom instructed them to make this request.)

As background, Mr. Alfree referred the Board to an April 12, 2007 letter from the Trust to Mrs. Marini, her attorney and her architect stating that access to Trust land is not permitted to support construction projects. With reference to this, there has been repeated discussion over the years with the owners about the difficulty of building the proposed structure given the very small side setbacks (1' and 2'6") and the Trust's long-standing policy prohibiting encroachment.

Mr. Alfree said he decided to bring the issue directly to the full Board rather than routing through the Property Development Committee and delaying our response until September. As a result, he called Jay Freebery to discuss the request and to remind him, among other things, that the Battery Park parking lot is not to be used to store any construction vehicles or equipment, and that they are not to close off or block the entrance to the parking lot. Mr. Freebery stated that he has permission from the City to use "South St. extension" as he needs to, to do the work.

There followed a lengthy discussion of pros and cons of allowing the fence. Mr. Wilson said that the Marinis have undergone an extended battle to build this house and that they now have the proper permits and decisions in place to go forward, and we should not impede this. Ms. Ross asked if the 8' requested would be significantly more disruptive considering the disruption already caused by the project itself.

Ms. Fiske said that she was concerned some of the surrounding park trees would be adversely impacted by the construction and the 8' proposed security zone. She said that the owner knew two years ago that she would need to design a house that could be built within the existing constraints including the historic Trust position. The Trust is not obligated to adversely impact public parkland to facilitate private construction; in any case, a significant fee should be charged for use of a fence easement, if we decide to grant one. Ms. Fiske also asked what the insurance ramifications would be.

Mr. Appleby said that if someone gets hurt the Trust would doubtless be drawn in to a lawsuit -- regardless of any hold-harmless clauses, etc. that may be in place.

Mr. Taylor said we need to revisit old determinations of the width of the Third Street right-of-way and also the status of South Street. There are different plans and surveys in existence which are contradictory as to the boundaries of the Carruthers and Shaw properties. Ms. Fiske said that she heard that, as part of the Third Street curb resetting project, approximately six feet (which was actually right-of-way) had been taken from the Third Street side of the Marini parcel and that six feet was taken from Battery Park on the other side to compensate for this. Mr. Taylor will investigate.

Mr. Viola pointed out that the issue of access will persist not only during the construction period, but for the long term as the owners need to do maintenance. He said that while he understood that the owners had succeeded after the lengthy approval process, it was problematic for them to have designed the building in such a way that adjacent property owners would be expected to accommodate it.

Mr. Freebery said that the 8' area would be a security/safety buffer; however, there was concern about the possibility of debris or construction materials accumulating in that area.

After discussion it was determined that Board members held several different interpretations of where the fence was to be. The letter did not make this clear, so Mr. Alfree will call Mr. Freebery and ask for drawings and clarification of the proposed fence location, i.e., "construction" fence vs. "security" fence.

Penn Mart

A letter was received from The Forum Group on behalf of Penn Mart requesting consideration of a revised lease agreement, in view of economic circumstances including the loss of a major tenant (the discount wholesale warehouse). A response will be sent stating we are not interested in renegotiating the lease and reminding them that they are currently enjoying a rental amount well below market rate.

OUTREACH COMMITTEE REPORT – Ms. Ross reporting.

Ms. Ross spoke about plans to place a series of articles in the New Castle Weekly informing the readers about the Trust and its various committees. She will send a draft of the first installment out by email for comment. She said that Mr. Castagno is working with Jim Meek, a resident who is very fluent in web design and has offered to help us get started with our website.

John Wheeler of W. Third Street had previously submitted a proposal for a memorial grove in honor of the late Elizabeth Loncki. Mr. Wilson met with him and explained some of the parameters surrounding use of Battery Park. Mr. Wilson also spoke with the Loncki family to confirm their agreement with this effort. Ms. Ross asked whether the existing war memorial at Third and Chestnut would be a more appropriate location. She also asked if singling out Miss Loncki would offend families of other New Castle war dead. Mr. Viola asked if the Board had decided to support this initiative yet; Mr. Wilson said no commitment had been made and more information was needed. Mr. Viola reminded the Board that physical memorials can be a delicate issue, e.g. the issue of engraved benches previously dealt with. Mr. Wheeler should definitely contact the parties who coordinate and maintain the Chestnut Street memorial; Ms. Ross will speak to him further.

Mr. Wilson said that Mr. Megginson of City Council was not able to attend tonight, but asked for permission for City Parks and Recreation to use part of the Trustees' storage shed in Battery Park. Consensus was in the affirmative as long as Erv Thatcher agrees.

PROPERTY MAINTENANCE – Mr. DeAscanis reporting.

The Old Library roof repair project is moving into its last phase. The Good Will Fire House addition is underway and should be completed by the end of the summer. Mr. Wilson said he had spoken to Tom Clayton of the Fire Company about bathrooms at the Fire House; there is some confusion about whether or not this was in the original project request. The Fire Company will have the work done while the other construction is underway and then request reimbursement from the Trust next year. We have asked for the opportunity to review drawings and price estimates.

Paving of the Fifth and Cherry parking lot will be done by Cirillo Brothers as part of the City paving contract. Still waiting for a written proposal on replacing the electrical service at Penn Farm.

PENN FARM COMMITTEE – Mr. Viola reporting.

(Addressed under Property Development.)

FINANCE COMMITTEE – Mr. Appleby reporting.

Mr. Wilson asked for an Executive Session to discuss pending issues of budget and finance regarding the new library project.

ELECTION COMMITTEE – Mr. Gallagher reporting.

Mr. Gallagher reported that the Committee had its first meeting. One of the recommendations was to add an additional experienced member to the Committee: therefore Mr. Gallagher moved to add Mr. Alfree to the Election Committee, and the motion carried unanimously. A proposed timeline for the election to fill Mr. Quillen's seat was distributed. The vacancy would be declared at the September meeting, with a proposed election date of November 7.

LIBRARY COMMITTEE – Mr. Viola reporting.

The project will be making visible progress with steel going up soon. Mr. Viola asked the Board to make an extra effort to show appreciation to Katie Newell and her staff for continuing to operate the library at as high a level as possible during the construction period. The Capital Campaign Committee is meeting every other week and pursuing the remaining \$900,000 through every possible avenue.

OPEN SPACE – Mr. Yacucci reporting.

Ms. Fiske and Mr. Gallagher met with Sue Barton of UD Cooperative Extension. She is an expert on roadside landscaping and thinks the land behind Bull Hill and the adjacent triangle across New Castle Avenue are good candidates for limited mowing. A ten-foot mowed perimeter and a mowed walking path through the areas could be included, with some sections overplanted with wildflowers. They also viewed the open areas west of Dobbinsville. Mr. Thatcher has various concerns and needs to be included in future discussions. Mr. Wilson said that Open Space should work closely with Property Maintenance to coordinate this project.

BY-LAW COMMITTEE – Mr. Gallagher reporting.

No update.

BATTERY PARK COMMITTEE – Mr. Gambacorta reporting.

Resident John Geisel sent a letter recommending some maintenance at the basketball court and possible installation of benches. This will be forwarded to Mr. Thatcher. A letter was received from Mayor & Council naming Teel Petty as the liaison to the Battery Park Committee. An individual (Bud Thomas) who is a regular tennis player called and offered to repair the nets and posts for free. The Board would like to see more specific details before accepting this offer.

GOOD WILL FIRE HOUSE COMMITTEE – Mr. Gallagher reporting.

Committee has not yet met. They will coordinate with Property Maintenance on the progress of the addition.

OTHER COMMITTEES – None.

COMMUNICATIONS

- Letter from Michael Hemphill of 114 The Strand offering to pay for clearing/trimming brush on Trust land as he has done in the past, and also asking for consideration of rezoning that land to OS&R. Ms. Fiske will review the response letter to be drafted by the office.
- Letter from Mayor & Council stating that Councilman Megginson will be the liaison to the Board.
- Thank you letter from New Castle Senior Center for annual grant.
- Thank you letter from St. Anthony's Day Celebration Committee for \$1,000 grant.
- Letter from Susan Keyser of the Tree Commission asking permission to replace three trees in Dewey Park. Office will inform them to go ahead.

- Material from City about stormwater management action planning was distributed.
- Mr. Wilson recognized the fact that tonight represents the 36th anniversary of Mr. Appleby's election to the Board on 6/2/73.

A motion was made and passed at 8:45 p.m. to go into Executive Session to discuss matters of budget and finance. The Board reconvened in regular session at 9:45 p.m.

Mr. Alfree moved to notify City Council that that Trust is unable to fund the additional \$13,000 requested in May; motion carried. He then moved to advise City Council that the Board Finance Committee would entertain a request to adjust the allocation of funds within the 2009-10 Trust appropriation, as long as it does not exceed the total amount originally granted. Motion carried.

Mr. Alfree moved that a letter be sent to Mayor & Council commending the Public Services personnel for their work on resetting the Third Street curbs. Motion carried.

Mr. Appleby made a motion to authorize the Finance Committee to proceed with the selection of a bank for the purpose of negotiating and co-signing a loan for the New Castle Public Library construction project; and, to authorize pledging the funds in the Wilmington Trust investment portfolio (current value \$750,000) as collateral; and, if needed, to authorize a first mortgage or lien on an income-producing property. Motion carried.

There being no further business, the meeting was adjourned at 9:55 p.m.

Respectfully Submitted,

Kathleen MacDonough
Executive Secretary

Trustees of the New Castle Common
Meeting Minutes
May 5, 2009

The monthly meeting of the Trustees was held on Tuesday, May 5, 2009 at 7:00 p.m. in the Trustees Room of the Old Town Hall.

Present: Messrs. Wilson, Alfree, Appleby, Castagno, DeAscanis, Gallagher, Gambacorta, Viola, Yacucci; Ms. Fiske, Ms. Ross, Mr. Taylor, Esq., and Ms. MacDonough, Executive Secretary. Absent: Mr. Peden. Also in attendance were: Mrs. Carpenter of the New Castle Weekly; Mr. Paul Freebery, Sr., Paul Freebery, Jr., Serguel Akiti, Mr. Ted Megginson, Mr. John Wheeler.

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

Calendar Additions: None.

Minutes:

The minutes of the April 7, 2009 meeting were approved with two corrections/comments. Mr. Viola said that, with regard to the Banks Building, the sentence reading "The Council recently approved an amended resolution" should read "The Council recently *drafted* an amended resolution" (which subsequently was tabled, but this was not known on April 7).

Also, Ms. Fiske said that, with reference to the vote on the awarding of the Good Will Fire House contract, that she had misunderstood the original motion (which was reported as having been approved unanimously) and would have voted 'nay.'

Executive Secretary's Report - Ms. MacDonough.

Scholarship applications for the 2009-2010 school year have been received: there are 10 seniors, 10 juniors, 5 sophomores and 3 incoming freshmen. It is not clear why the younger classes' numbers are so much lower than usual. Due to the many financial obligations on the Trust this summer, the normal billings to tenants for sewer and tax payments will be expedited to minimize the gap between our outlay and their reimbursement. She and Mr. Zitz are working on better control and recordkeeping of depreciable assets (furnishings, machinery, etc.) and the addition of numbered inventory tags. No progress yet on encroachment letters.

Treasurer's Report:

The Treasurer's Report was approved as submitted.

Business from the Floor:

Mr. Paul Freebery and two future Eagle Scouts from Troop 27 (Asbury United Methodist Church) attended the meeting to address the Board and present project proposals affecting Trust properties. Life Scout Akiti presented a plan for refurbishing the mini-park at 5 E. Second St. Life Scout Freebery's proposed project is to rehabilitate and repair benches and picnic tables in Battery Park. The Scouts will have access to other scouts for help with labor, and they will be responsible for soliciting donations of materials. They are responsible for checking with all affected parties for permission, guidance, etc. The timetable would be to begin in mid-July/early August and finish by the beginning of the next school year. Mr. Castagno moved that the two projects be approved as presented; motion was approved unanimously.

Mr. John Wheeler of 108 E. Third presented a proposal to create a memorial grove for Elizabeth Loncki somewhere on Trust land. Air Force Senior Airman Loncki, 23, of New Castle, was killed in 2007 by an IED near Baghdad. It was suggested that a better approach would be to designate such a memorial to all veterans of Iraq and Afghanistan, with a special plaque for Elizabeth. He is asking for a point of contact on

the Board to further develop this idea. Mr. Wilson said that the Board will evaluate and consider the proposal and assign it to a committee, and we would respond to Mr. Wheeler in writing at a later date. Mr. Alfree said that we should commit to discuss it at the June meeting and come to a conclusion prior to the summer recess. Mr. Wheeler will provide some pertinent supporting information.

Councilman Megginson will be the Council liaison with the Trustees. He stated that the City would be making a special request for an additional \$13,000 for the summer bicycle police program, over the present grant of \$10,000. Mr. Appleby asked what the timeframe would be; Mr. Megginson said they could wait until August.

PROPERTY DEVELOPMENT COMMITTEE REPORT - Mr. Alfree reporting.

Mr. Alfree will continue as Committee chair. He requested an Executive Session to discuss several matters of real estate negotiation.

Riverbend

Mr. Taylor said that Mr. Ferrara is continuing to work out utility and other details regarding the development, and has thanked the Trust for its patience.

Amazon Lease

Robert McKennon has met with McConnell Development and is now finalizing his appraisal report. We understand that they will be submitting a request to install a utility shed.

Family Foundations

No update on their plans for expansion. PDC suggests we do nothing until the school's tax exemption issue is resolved.

Evans Property

Mrs. Evans is interested in resolving situation whereby her driveway encroaches on Trust land at Fire House. Her attorney will speak with Mr. Taylor.

Comprehensive Plan

Committee is recommending sending a letter to the Planning Commission outlining our concerns regarding the potential impact of the Plan on the zoning of some of our properties. A draft letter addressed to David Bird, Planning Commission Chair, was distributed. Mr. Alfree moved to approve sending this letter to the Commission with copies to City officials. Motion passed. As a side note, we need to have our Trust parcel maps updated.

Penn Farm/Quigley

Will be discussed in Executive Session.

Burger King/Darmel

Will be discussed in Executive Session.

Marini Property

Ms. Fiske said that she heard that, as part of the Third Street curb resetting project, approximately six feet (which was actually right-of-way) had been taken from the Third Street side of the Marini parcel and that six feet was taken from Battery Park on the other side to compensate for this. Mr. Taylor will investigate.

OUTREACH COMMITTEE REPORT – Ms. Ross reporting.

Ms. Ross is the new chair of the Committee. The Committee met and drafted goals and timelines. One of the action steps is to facilitate better communication with residents, e.g. with periodic articles in the New Castle Weekly. Also, the proposal solicitation process for community organizations will be begun much earlier to allow more time for communicating with the groups in depth about use of funds and their respective needs and operations. Another goal is to develop an expanded and improved website; the current

one is simply a page on the City website. Mr. Wilson mentioned that Jim Meek, a web expert and former candidate for Trustee, had volunteered his services. Ms. Ross brought up the subject of the Progressive Club property on Third Street and the need to be vigilant in case the property should come on the market. This item was referred to Property Development.

PROPERTY MAINTENANCE – Mr. DeAscanis reporting.

Mr. DeAscanis will continue as Chair. The Old Library roof repair project is moving along well. The Good Will addition should be starting after the rain lets up. The Committee is looking into the details of the planned paving of the Fifth and Cherry Street parking lot. It may be possible to piggyback on street work that the City has planned for the summer.

PENN FARM COMMITTEE – Mr. Viola reporting.

Further details and estimates are being reviewed by the Property Maintenance Committee in advance of starting the field rehabilitation work. Also, some work is needed to replace the power line coming in from the pole to the house.

FINANCE COMMITTEE – Mr. Appleby reporting.

Mr. Appleby will chair the Committee. The bank quarterly review meeting was April 22. (The Wilmington Trust representative was not in attendance.) Mr. Appleby doesn't think the overall performance of our investments is worse than that of comparable investors in general, but pointed out a couple of specific areas to question at our next quarterly review.

ELECTION COMMITTEE – No report.

The Committee has not yet met. They will develop a timeline for the election to fill the remaining vacancy.

LIBRARY COMMITTEE – Mr. Viola reporting.

A new member has been added to the Library Committee: Emily Ciuffetelli, age 13, who is contributing insights on the thoughts and needs of her age group. The auction of architectural salvage was successful and received a lot of media coverage. Over \$7,500 was raised. It has been finalized that a geothermal heating and cooling system will be utilized. It should save \$20,000/year in heating and cooling costs and pay for itself in eight years. The wells will be drilled 350 feet deep.

OPEN SPACE – Mr. Yacucci reporting.

One of the Committee's goals for this year is to catalog the open space owned by the Trust. Ms. Fiske said that a meeting will be held May 20 with Sue Barton, a representative of Cooperative Extension, to look into the possibility of planting wildflowers at some locations in order to eliminate mowing.

BY-LAW COMMITTEE – Mr. Gallagher reporting.

The Committee met and named Mr. Gallagher as chair. In order to raise visibility of the By-Laws, they are recommending that as each Board committee meets to develop its goals for the coming year, it would be very helpful to review its individual charge as set forth in the By-Laws.

BATTERY PARK COMMITTEE – Mr. Gambacorta reporting.

Yesterday, May 4, Senator Carper and Secretary of the Interior Salazar had planned to use the Park as a backdrop for a press conference on Delaware's National Park project, but had to move inside due to rain. The Marine Corps League asked permission to hold a ceremony on May 24 to honor General Thomas Holcomb, in the Park at the flagpole bearing the General's name.

GOOD WILL FIRE HOUSE COMMITTEE – Mr. Gallagher reporting.

No update except members are evaluating whether this committee is needed.

OTHER COMMITTEES

Mr. Wilson said that he had observed that the Building Restoration Committee presently has only one member. (This committee is not a By-Law mandated committee.) He thought that this committee could

perhaps be disbanded and/or folded into the Property Maintenance Committee. Mr. Viola suggested that outside persons with special expertise could be brought into Property Maintenance to assist with any full-fledged restoration projects. With the Board's concurrence, Mr. Wilson declared the Building Restoration Committee to be dissolved as of this date, with its functions absorbed into PMC.

In view of the fact that many large maintenance projects are currently underway, Mr. Wilson suggested that in order for Mr. DeAscanis to turn his full attention to the PMC, he might wish to step down from the Finance Committee. Mr. Wilson suggested Mr. Gallagher as a replacement on the Finance Committee. After discussion, and with the agreement of the respective Trustees, Mr. Appleby moved that Mr. DeAscanis resign from the Finance Committee and Mr. Gallagher fill the resulting vacancy.

Mr. Wilson also suggested that the Trustees send a letter of congratulation to the newly-elected City officials. Ms. Ross so moved; motion carried.

COMMUNICATIONS

- Letter from The ReDevelopment Company inquiring about purchasing property for development at the Ferry Cutoff site. Response will be that Trust does not sell property.
- Letter from Sperry Van Ness regarding purchasing land. Response will be that Trust does not sell property.
- Letter from Cresa Partners and Fresenius (tenant) inquiring into the possibility of "recasting" our lease with the Dialysis Center. Response will be that we are satisfied with lease as is.
- Letter from New Castle Public Library acknowledging check for \$200,000 installment on pledge.
- Letter from Chief McDerby thanking us for funding of docking stations for police cars.
- Various correspondence from Air Base Carpet Mart re: progress on construction of addition. New Castle County Board of Adjustment granted requested variances on April 23.
- Draft of letter written by Mr. Alfree to be submitted to the New Castle Weekly clarifying history of Trust position on the Banks Building. After discussion, motion was passed to authorize Mr. Alfree to sign the letter not just personally, but formally on behalf of the Trust.
- Mr. Viola mentioned that a March 23, 2009 letter from the New Castle Historical Society supporting preservation of the Banks Building was not clearly reported at the April meeting. A copy will be included in the June meeting packets.
- A portfolio of college graphics projects completed by Jenna Passmore, one of our scholarship grantees, was loaned to us by Jenna's mother for the Trustees to view.
- Mr. Gallagher's report on issues and community input received while he was out campaigning for his Trustee seat was distributed.

Mr. Wilson stated that he wants to plan a finance and budget workshop followed by a bus tour of Trust holdings. We are looking at a Thursday in June, from about 9 a.m. to 3 p.m. Please contact Ms. MacDonough with availability.

Ms. MacDonough brought up bills for \$1,190 which were recently received from the City for heater repairs at the Banks Building in March. She was advised to send them back to the City, as we did not have prior knowledge of this work and do not own the building.

A motion was made and passed at 9:15 p.m. to go into Executive Session to discuss matters of real estate and litigation referred to earlier.

The Board reconvened in regular session at 9:45 p.m. Mr. Alfree moved to authorize the Property Development Committee to negotiate a new lease for 101 N. DuPont Highway (Burger King) with the current lessee (Dar-Mel Inc.) within the guidelines agreed upon in Executive Session. Motion carried.

Mr. Wilson announced that the Property Development, Penn Farm and the Property Maintenance Committees, through their chairs, will jointly proceed with work on a new lease for Mrs. Quigley at the Penn Farm. Mr. Viola added that the Penn Farm Committee would take the first step by speaking with Mrs. Quigley's daughter Susan concerning the possibility of reducing the rent in consideration of Mrs. Quigley continuing to live there, and that prior to drafting the new lease terms we would contract to have the house inspected to insure that it is safe from her standpoint and also with respect to our responsibility as landlord.

There being no further business, the meeting was adjourned at 9:55 p.m.

Respectfully Submitted,

Kathleen MacDonough
Executive Secretary

Trustees of the New Castle Common
Meeting Minutes
April 7, 2009

The monthly meeting of the Trustees was held on Tuesday, April 7, 2009 at 7:00 p.m. in the Trustees Room of the Old Town Hall.

Present: Messrs. Wilson, Alfree, Appleby, Castagno, DeAscanis, Gallagher, Gambacorta, Peden, Viola, Yacucci; Ms. Fiske, Ms. Ross, Mr. Taylor, Esq., and Ms. MacDonough, Executive Secretary. Also in attendance were: Mrs. Carpenter of the New Castle Weekly; Mr. Bill Barthel; and Mr. John Cochran.

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

Calendar Additions:

Property Maintenance Committee will meet Friday, May 1 at 8:30 a.m. Mr. Alfree said that the correct date for the Finance Quarterly Review will be Wednesday, April 22 at 4:00 p.m. (this was stated incorrectly at the March meeting).

Minutes:

The minutes of the March 3, 2009 meeting were approved as submitted.

Executive Secretary's Report: - Ms. MacDonough

Second semester checks have been mailed to the 2008-09 scholarship recipients, along with the applications for next year; deadline is April 27. The condensed financial statement for FY08 has not yet been finalized or distributed due to a delay in receiving the necessary "environmental liabilities" letter from Brightfields regarding projected costs to remediate any known potential environmental liabilities. Ms. MacDonough met with Marian Young of Brightfields and provided information on pertinent changes to Trust property holdings and leases. The end result is positive in that Trust exposure to known liabilities has been decreased, as the Friends of Bellanca rehabilitation project removed asbestos from the hangar. One of the other areas of potential liability is the Trust land near the Abex site, which is a capped, closed landfill. We have the responsibility to maintain it and prevent adverse conditions like soil erosion or tree roots puncturing the cap. Mr. Eric Mayer (owner of the Abex parcel) has volunteered to clear some of the existing trees and has apparently begun this work. John Lloyd, City code officer, has mentioned that the cut wood is accumulating and should be removed.

Also, it is time to mail our periodic environmental questionnaire to all tenants: this has been done every five years or so since at least 1989. Mr. Appleby pointed out that one benefit of doing this is to keep the fire company informed of any hazardous substances. This primarily pertains to tenants like gas stations, car dealerships, etc.

Treasurer's Report:

The Treasurer's Report was approved as submitted with a notation that the "park workers" drawdown entry was not shown properly.

Mr. Wilson then moved that the Finance Committee report be moved to the end of the agenda to allow for ample time to discuss the budget.

Business from the Floor:

William J. Barthel is a candidate for City Council President and said, should he win, he looks forward to working with the Trustees. Mr. John Cochran is running for a Council seat, and echoed those sentiments.

PROPERTY DEVELOPMENT COMMITTEE REPORT - Mr. Alfree reporting:

315-317 Harmony Street

Committee sees no rationale for Trust to become involved with this property, which was offered before it is to go on the market. This matter was tabled at the March meeting so that Board members would have a chance to look at the site and consider the issue further. A letter thanking the owner will be sent.

Burger King/DarMel

Mr. Alfree asked for an Executive Session to discuss this matter of real estate negotiation.

Riverbend

Still in contact with Mr. Ferrara; Committee believes developer is occupied resolving utility issues before he can address Trust request for various compensatory actions.

Municipal Services Substation

The plan for the new substation was discussed at a Planning Commission meeting April 6. The Commission approved the plan with the condition that a more detailed description be provided with respect to the landscaping buffer. This matter now goes to the Board of Adjustment for variances regarding the special exception and the height of the fence. A related issue concerns a recommendation in the draft Comprehensive Plan Update to rezone that parcel from R-3 to OS&R. Mr. Appleby and Mr. Taylor emphasized the need to understand the ramifications of this and other recommendations in the Plan on Trust properties. Mr. Wilson asked Mr. Alfree and Ms. Fiske to look into this further. Ms. Fiske said that she understood the general approach in the Plan was that privately-held lands would be zoned residential.

Amazon Lease

Robert H. McKennon, Appraisal Associates, is working on our appraisal and should have the report by the end of April.

Good Will Fire Company

The driveway of 419 South St. (Evans) currently encroaches on a corner of the fire company parking area. Mr. Alfree will contact Mrs. Evans about transferring ownership.

Shell Station

A request was received for height and design changes to two signs at 104 N. DuPont Highway (graphics provided). Committee recommends approval of request. Mr. Alfree moved to approve request as submitted; motion carried.

Castle Dealership

Mr. Alfree and Mr. Taylor have been contacted by attorney representing Castle. Currently they are storing cars at the N. DuPont Highway property leased from the Trust, but not using it as a sales facility. Further information is needed to find out what the tenant is proposing. (There is a sale sign for the business currently posted.)

OUTREACH COMMITTEE REPORT – Mr. Yacucci reporting.

The Little League season opened April 4 and Mr. Yacucci threw out one of the first balls. Mr. Paul Freebery, Boy Scout Troop Leader, has expressed interest in coordinating two Eagle Scout projects improving Trust-owned properties. One would be to rehabilitate the mini park at 5 E. Second Street, and one is to repair and replace the picnic tables and benches in Battery Park. The Eagle Scout projects are supervised and very detailed, and the boys are required to get all materials donated. Mr. Yacucci moved to approve the two Eagle Scout projects; motion carried.

Banks Building

The Committee recommended at the March 2009 meeting that the Trust have no involvement in the Banks Building at this time. Mr. Yacucci asked if a formal motion should be made, and Mr. Taylor recommended that it be done, especially to provide a clear response to City Council. Mr. Yacucci moved that the Trust not pursue any involvement in the Banks Building at this time. Mr. Gambacorta seconded. On discussion, the following points were made:

- Mr. Viola recapped the background of discussions and actions about the building, including the fact that \$100,000 had been put in the Trust budget two years ago for repairs. He understood that the sticking point was the long list of unacceptable conditions included in the 2007 City resolution regarding transfer of title. The Council recently approved an amended resolution removing all but one condition (City would have right of first refusal should Trust wish to dispose of building in future). He then passed out a packet of information about the issue.
- Mr. Wilson said his recollection was that we voted to end involvement in the matter in 2007 after the unacceptable City resolution was passed.
- Mr. Viola said that he was not proposing that we immediately begin spending money on the building, but that we would be powerless to do anything without assuming title to it. He said he has heard strong support in favor of preservation from a variety of townspeople. Realistically the current situation is that the City is permitting it to be effectively “demolished by neglect.” The Trust is in a unique position to both preserve the building and to put it to viable and possibly income-producing use. He said strategically we should take the necessary steps to keep alive the possibility of saving the building, and that it is unlikely that would happen if it continues in City ownership. He said that it would not be appropriate for the City to take on such a project. Further, the Trust is in a unique position to accomplish things that no other entity can. He reminded the Board that much work has led up to this point, where the City is prepared to vote yes on a transfer, and that after the election next week the mood of the new Council cannot be predicted.
- Mr. Wilson said that accepting the building definitely would imply a monetary commitment, and probably in the near future.
- Ms. Fiske asked if there would be a possibility of applying for grants from other sources.
- Mr. Viola said that would be a good option, and pointed out that he chose his words carefully to say that we would put together a plan, entailing very few dollars, to simply stabilize the building at this time and keep water away from the foundation.
- Mr. Wilson said he was concerned that there are no firm dollar figures and he would be uneasy committing to an unknown. He said he felt that we should stay with the projects and properties that we own, which include some considerable investments at this time. Also, even the basic stabilization/shoring up work could be a considerable amount.
- Mr. Appleby said that a major investment would not have to be made at this time.
- Ms. Ross said the fact that we spent money on appraisals and looking at structural integrity and safety of the building implies that it does have to be done now. She said that the Outreach Committee put considerable thought into their recommendation. She said that she was also dismayed that the amended City resolution about transferring title came up very quickly and without notification to the Trust.
- Mr. Castagno pointed out that the the wording “at this time” in the motion was vague and would not prohibit someone, for example, coming back next month with a plan.
- Mr. Yacucci reminded the group that the Committee had looked carefully at economic conditions and current commitments while considering their recommendation.

- Mr. Viola said that he thought that the primary role of the Outreach Committee was to evaluate projects in light of a sense of community input, more so than from the financial standpoint.
- Mr. Gallagher said that in March, there was no feedback or questions about community input from the Board after the Committee stated their recommendation. He also emphasized that financial concerns did weigh heavily in the recommendation, in view of the unusual financial climate and the recent drastic losses in our portfolio. He said that he would be hesitant to take on basic stabilization without knowing the dollar amount associated with it.
- Mr. De Ascanis said it would cost less to rebuild and duplicate the building than to rehabilitate it.
- Mr. Viola said that we are under no obligation to accept the building even if the City Council does pass their resolution.

After further discussion about time frames, Mr. Wilson asked Mr. Yacucci to restate the motion. Mr. Taylor advised that (from the sense of the discussion) first a procedural vote should be taken to define “at this time” as TNCC Fiscal Year 2010 (April 1, 2009 to March 31, 2010). Ms. Ross so moved and Mr. Gambacorta seconded. Roll call vote results were: Yes - Wilson, DeAscanis, Gambacorta, Yacucci, Gallagher, Peden, Ross; No - Appleby, Fiske, Castagno, Alfree, Viola. Motion carried 7-5. (Mr. Castagno and Mr. Alfree noted that their votes were based on the fact that the time limit should not be linked to the fiscal year.) Then Mr. Yacucci’s original motion, as clarified, was restated: that the Board not pursue any involvement in the Banks Building during Fiscal Year 2010. Yes - Wilson, DeAscanis, Gambacorta, Yacucci, Gallagher, Peden, Ross; No - Appleby, Fiske, Castagno, Alfree, Viola. Motion carried 7-5.

PROPERTY MAINTENANCE – Mr. DeAscanis reporting.

Mr. Viola said that serious structural damage is being encountered at the Old Library roof project, caused primarily by postponed maintenance and by a history of inadequate patching rather than more thorough repairs. The brick wall and the wooden plate at the top are severely deteriorated. Through the necessary change orders, the original estimated cost of \$48,000 may escalate to almost twice that. The Committee continues to be pleased with the contractor’s workmanship.

Mr. Castagno reported that the Committee has selected a winning bidder for the Good Will Fire House addition. DeAscanis Construction was the low bidder and also was deemed competent to undertake and complete the job. (Mr. Francis DeAscanis recused himself from the bid process due to a relationship with DeAscanis Construction). A technical architect, Mr. Stan Minka, has been retained on an hourly basis to supervise the work in progress. Mr. Castagno moved to award the Good Will Fire House addition project to DeAscanis Construction. On discussion, the issue of including the contract dollar amount in the motion arose. Ms. Fiske moved that the Board be advised of the contract amount prior to the vote. There was no second. The vote on the original motion passed unanimously (Mr. DeAscanis abstaining).

PENN FARM COMMITTEE – Mr. Viola reporting.

Mr. Viola reported that the Penn Farm workshop on Thursday, March 19 was very well attended. We received a variety of community feedback, both verbal and written, and interest in continued involvement in the planning and vision for the Farm. Mr. Wilson said he was impressed with the presentation and the thought process for moving forward and was anxious to see the action items. Ms. Ross suggested that the management /oversight of executing a long range plan would be time-consuming and require specialized knowledge and expertise, and it would be beneficial to hire a manager or advisor. Mr. Viola said that much of that guidance would come from the State farmland preservation group and associated agencies. A further item relating to real estate negotiations will be held for executive session.

ELECTION COMMITTEE – No report.

LIBRARY COMMITTEE – Mr. Viola reporting.

An auction of architectural salvage and antiques will be held the Saturday of the May Market (May 2) to benefit the library. The capital committee continues to aggressively seek donors and to look for ways to streamline the project. We will be making our first pledge installment of \$200,000 shortly.

OPEN SPACE COMMITTEE – Ms. Fiske reporting.

Ms. Fiske said she has been exploring the possibility of planting wildflowers and grasses in the open low land east of Route 9 behind Bull Hill. One advantage would be to eliminate mowing. Mr. Wilson suggested looking at other open areas to treat in this fashion.

BY-LAW COMMITTEE – Mr. Wilson.

Mr. Wilson asked Mr. Gallagher to join the By-law Committee. He asked for a second volunteer and Ms. Ross agreed to serve.

BATTERY PARK COMMITTEE – No report.

GOOD WILL FIRE HOUSE COMMITTEE – No update.

OTHER COMMITTEES

Mr. Alfree suggested that each Committee meet to elect a chairman for the new fiscal year. Mr. Wilson wants to meet with each committee to discuss respective roles and goals for the year.

COMMUNICATIONS

Mr. Gambacorta asked Mr. Gallagher to report on the community input he received during his recent campaign. Mr. Gallagher touched on the following points: some believe the City depends too much on Trustee funding; several felt that the Trustees don't adequately represent all areas of the City; others felt that the Trustees were not open enough; some have made inquiries or recommendations and never received any follow-up or response. He will compile a more detailed report and distribute it.

Mr. Wilson suggested that a good way to raise general awareness would be to run articles in the *Weekly* focusing on the roles and activities of the various Trust committees.

Ms. Ross referenced Mr. Gary Phillips who had addressed the Board last month about a neighborhood problem, and the need to give him a formal response. In cases like this the appropriate committee will be responsible for drafting a letter for the office to prepare as a formal response

Mr. Alfree said a letter was received from City Manager Cathie Thomas requesting a Trust appointment to the Tree Commission. Anyone interested please give their name to Ms. MacDonough.

FINANCE COMMITTEE REPORT – Mr. Gambacorta reporting.

Mr. Gambacorta then moved to go into Executive Session for the purpose of discussing the budget, and also matters of real estate and litigation referred to earlier. Motion carried.

Mr. Alfree moved to reconvene into regular session and motion was passed at 9:45 p.m. Mr. Gambacorta moved to approve the recommended Fiscal Year 2010 Budget totaling \$1,244,400 (\$844,400 operating and \$400,000 capital), including the following adjustments which net out to zero: under Contributions, add \$250 for the Historic New Castle Alliance and \$1,000 for Separation Day; under City Appropriation, eliminate \$5,500 for the salt spreader and add \$6,250 for two police vehicle docking stations. Net additions total \$2,000, which will be taken from Sinking Fund line, reducing it from \$25,000 to \$23,000. Motion carried unanimously.

There being no further business, the meeting was adjourned at 9:55 p.m.

Respectfully Submitted,

Kathleen MacDonough
Executive Secretary

**Trustees of the New Castle Common
Meeting Minutes
March 3, 2009**

The monthly meeting of the Trustees was held on Tuesday, March 3, 2009 at 7:00 p.m. in the Trustees Room of the Old Town Hall.

Present: Messrs. Peden, Alfree, Appleby, Castagno, Gallagher, Gambacorta, Viola, Wilson, Yacucci; Ms. Fiske, Ms. Ross, Mr. Taylor, Esq., and Ms. MacDonough, Executive Secretary. Absent: Mr. DeAscanis. Also in attendance were: Mrs. Carpenter of the New Castle Weekly, and Mr. Gary Phillips of 608 Frenchtown Road.

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

Calendar Additions:

Mr. Alfree said that the quarterly finance review meeting with PNC and Wilmington Trust would be Wednesday, March 25 at 4 and 4:45 p.m.

Minutes:

The minutes of the February 3, 2009 meeting were approved with one clarification to the Outreach Committee report. Gary Gredell's January 23, 2009, submission regarding the Banks Building should have been referred to not as a revised proposal, but simply as a letter confirming his December 26, 2008, recommendation to limit any action to structural evaluation, not any additional scope of work at this time.

Executive Secretary's Report: - Ms. MacDonough

No update.

Treasurer's Report:

The Treasurer's Report was approved as submitted.

Business from the Floor:

Mr. Gary Phillips came to the Board meeting at the recommendation of Don Reese of City Council. He has a concern about deteriorating conditions in his neighborhood (beginning with Wilson's Radiator and extending west along the south side of Route 273 across from Dunkin Donuts). Mr. Phillips has invested significantly in improving his house and yard at 608 Frenchtown, and hopes to remain there indefinitely. 606 Frenchtown recently went into foreclosure and is in poor condition. The radiator shop is badly in need of maintenance, and its owner plans to retire soon. Mr. Phillips' mother in law lived at 610 until she passed away recently, and they will be placing it on the market.

Mr. Phillips commended the landscaping improvements which have been installed to the east of the Basin Rd./273 intersection, and pointed out the contrast to the poor appearance looking west from that intersection. The Trustees own the empty lot on the southwest corner where the police station used to be. He said that the lot could be landscaped, and suggested that 606 and the radiator shop could be purchased and torn down, resulting in a substantial beautification of the entrance to Washington Park which would also stabilize and enhance the values of the surrounding residences.

PROPERTY DEVELOPMENT COMMITTEE REPORT - Mr. Alfree reporting:

Farmers Market

Richard Stat contacted us regarding allowing Vicki's Fish to operate a food vending truck in the Farmer's Market parking lot on Mondays and Wednesdays. The Committee does not have a problem with this and it does not violate any provisions of Mr. Stat's lease. Also, it is safer than having the truck locate on the shoulder of Route 273 as the vendor had previously wanted to do. Ms. MacDonough will let Mr. Stat know that the Board approves.

Mr. Wilson renewed his complaint regarding the sand pile and associated debris at the Traders Lane entrance to BJ's, and has photographs of the area in question.

Riverbend

No update.

Family Foundations Academy

Representatives of the school have expressed a desire to talk about a proposal for expansion. Mr. Alfree will pursue this by meeting informally with Dr. Brewington to get more specifics. Mr. Viola commented that he remembered that during the school planning process, representations were made regarding the maximum number of students at the facility. He also reminded the Board that the building was designed so that if it ever was not to continue as a school, it could be easily refitted as offices or similar.

Good Will Fire Company

The quitclaim deed has been obtained and recorded transferring the .05 acre parcel (#21015 30093 – formerly garages) from the Fire Company to the Trustees. Mr. Taylor is now working on transferring the City-owned diagonal strips of land crossing the parking lot to the Trustees. In view of the recent sudden death of Richard Evans, action on the encroachment on the Evans' property side will be delayed.

Penn Mart

Mr. Dave Jones contacted the Trustees on behalf of Interstate Management (current tenant) who wishes to purchase Penn Mart. In return they are offering to build some type of youth facility for the city. Mr. Alfree informed him that the Trust does not sell property.

315-317 Harmony Street

Chris Cashman contacted the Trust on behalf of the owner to see if there was interest in purchasing this property, prior to offering it on the market. The Committee doesn't see any current rationale or use for this particular property, e.g., it is not adjacent to a park, etc. Mr. Viola asked if it is in the Historic District. Ms. Ross asked how opportunities to procure residential properties were handled in the past; Mr. Taylor said that other than rehabilitating properties in Dobbinsville there was not really a precedent. On discussion, the matter was tabled so that Board members would have a chance to look at the site and consider the issue further.

Amazon Lease

Mr. Taylor heard from Mr. Isken that Paul McConnell has agreed to continue the appraisal process per terms of the lease. Both parties will now obtain an appraisal; if they are within 5% of each other, the appraisals shall be averaged. If they are more than 5% apart, a third appraisal shall be obtained and the rent shall be the average of the two appraisals which are closest to each other.

OUTREACH COMMITTEE REPORT – Mr. Yacucci reporting.

The Committee met and discussed the Banks Building. In view of the economic climate and the other projects we are currently involved in (the libraries, Penn Farm, and the Fire House) the Committee recommends that we do not pursue any involvement at this time.

PROPERTY MAINTENANCE – Mr. Castagno and Mr. Viola reporting.

Mr. Castagno reported that four bids have been received for the addition to the Fire House: DeAscanis Construction, ICS, Premier Builders, and Ventresca Brothers. Mr. Castagno and Mr. Appleby had a preliminary meeting with the two lower bidders to clarify components of the bids. The Committee will meet to make a final decision on the winning bidder. Mr. (Francis) DeAscanis is recusing himself from the negotiations, as he is related to the principals of DeAscanis Construction.

Mr. Viola reported that Ross Gibson, contractor for the Old Library roof, has discovered extensive unanticipated damage, including long-established leaks and squirrel incursions. Earlier work done on the roof was of poor quality and contributed to these problems. As a result of this a Change Order has been executed so Mr. Gibson can properly address these structural repairs. The Committee is extremely pleased with the contractor's handling of the work site and quality of work.

PENN FARM COMMITTEE – Mr. Viola reporting.

The Penn Farm workshop will be held Thursday, March 19 from 9 a.m. to 1 p.m. It will be open to the public and be advertised as such. Mrs. Quigley and her daughter are fully apprised of the plans and will be in attendance.

FINANCE COMMITTEE REPORT – Mr. Gambacorta reporting.

The Committee met and drafted a proposed budget, which was distributed. The increase from last year is about \$112,000. Mr. Gambacorta requested that each member carefully review the document and pass any comments on to him or Mr. Alfree before the April meeting. Mr. Gambacorta then reviewed the budget by sections and there followed a lengthy discussion of various line items. Mr. Gambacorta thanked the Outreach Committee for the work they did evaluating the community grant proposals. Mr. Alfree pointed out two changes on the City Appropriation page: the item "waiver of the 100,000 debt on the police building" should be deleted; and, a direct request from Mayor Klingmeyer for \$3,500 for audio visual equipment was inadvertently omitted. Corrected sheets will be distributed. The final draft budget total is \$1,210,600.

LIBRARY COMMITTEE – Mr. Viola reporting.

A yard sale/auction of architectural salvage and ornamentation items will be held the Saturday of the May Market (May 2) to raise funds for the new Library project. It includes items salvaged from 420 Delaware and other donated objects. The capital committee is continually looking for ways to reduce the overall project cost by modifying building plans where viable, and the contractor has been very helpful in this regard. They are also aggressively seeking more donors to the building fund, including canvassing all relevant foundations. There is about \$1,000,000 left to raise. It is hoped that there may be federal funding available, and there is a plan to contact the congressional delegations. Mr. Viola recommended that the Board as a body consider writing a letter to each of our representatives asking for help locating funds. A draft letter will be worked up before the next meeting.

OPEN SPACE COMMITTEE – No update.

BY-LAW COMMITTEE – No update.

BATTERY PARK COMMITTEE – No update.

GOOD WILL FIRE HOUSE COMMITTEE – No update.

OTHER COMMITTEES

Nominating Committee: Mr. Alfree sent an email yesterday updating the proposed Officers and Committee Assignments for 2009-2010. Mr. Peden has declined Treasurer and Finance Committee

assignments. Mr. Appleby has agreed to serve as Treasurer and is being nominated. Mr. Castagno is recommended for the Finance Committee.

Mr. Alfree therefore moved that the following proposed slate of officers be approved for the year April 1, 2009 – March 31, 2010:

President:	Thomas H. Wilson, Jr.
Vice President:	Carlo F. Viola
Secretary:	Michael J. Alfree, Sr.
Assistant Secretary:	Gregory T. Yacucci
Treasurer:	Richard M. Appleby, Jr.
Assistant Treasurer:	Henry F. Gambacorta

Motion seconded and carried unanimously.

Mr. Alfree moved that the committee assignments for April 1, 2009 – March 31, 2010, as distributed in February and amended in his March 2 email be approved. Motion seconded and carried unanimously.

Mr. Alfree moved that the Board reappoint Robert Appleby as its representative on the Municipal Services Commission board for a term of three years. Motion seconded and approved.

COMMUNICATIONS – None.

Mr. Alfree recommended that the 600 block of Frenchtown Road issue brought up by Gary Phillips earlier in the meeting be assigned to committee; Mr. Peden assigned it to Outreach.

There being no further business, the meeting was adjourned at 8:22 p.m.

Respectfully Submitted,

Kathleen MacDonough
Executive Secretary

**Trustees of the New Castle Common
Meeting Minutes
February 3, 2009**

The monthly meeting of the Trustees was held on Tuesday, February 3, 2009 at 7:00 p.m. in the Trustees Room of the Old Town Hall.

Present: Messrs. Peden, Alfree, Castagno, DeAscanis, Gallagher, Gambacorta, Viola, Wilson, Yacucci; Ms. Fiske; Mr. Taylor, Esq., and Ms. MacDonough, Executive Secretary. Absent: Mr. Appleby; Ms. Ross. Also in attendance were: Mrs. Carpenter of the New Castle Weekly, Mrs. Tish Gallagher and Mr. Patrick Gallagher, and Mrs. Barbara Quillen.

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

ELECTION COMMITTEE REPORT – Mr. Wilson.

Mr. Wilson gave the results of the January 17, 2009 election to fill the seat vacated by the resignation of Chandler H. Gebhart, IV. Fred Gallagher, Jr., received 358 votes and Jim Meek received 101, totaling 459 votes which included 27 absentee ballots. There were 32 new registrants since the last election. Election-related costs were \$1,831.00.

Mr. Gallagher was then sworn in by President Peden.

SPECIAL PRESENTATION – Mr. Alfree.

Mrs. Barbara Quillen was presented with a framed copy of the resolution passed by the Board in honor of the late R. James Quillen, Jr., who served as Trustee from April 20, 1968 through April 25, 2008. Mrs. Quillen made the following statement: "I know how concerned Jim was that the election process be done right and fairly, and he worked hard to make it that way. To be recognized by the Trustees with this plaque is a great tribute to Jim, and I thank all of you."

Calendar Additions:

The Penn Farm workshop is tentatively scheduled for the morning of Thursday, February 19. It will be treated as a public meeting and posted; we will invite Elaine Quigley and her daughter, and expect other interested persons to attend.

Minutes:

The minutes of the January 6, 2009 meeting were approved as submitted.

Executive Secretary's Report: - Ms. MacDonough

Scholarship recipients are submitting grades for the Fall 2008 semester. Checks for the Spring semester will go out in the mail with the application forms for 2009-10. All community organizations previously receiving Trust grants have submitted 2009 requests, and there are a couple of new applicants. Mayor and Council have asked for an extension until they have a chance to consider the details of their request at the February 10 Council meeting.

Treasurer's Report:

The Treasurer's Report was approved as submitted.

Business from the Floor: None.

PROPERTY DEVELOPMENT COMMITTEE REPORT - Mr. Alfree reporting:

Mr. Alfree requested an Executive Session to consider matters of real estate negotiations and possible litigation.

Good Will Fire Company

Held for Executive Session.

Riverbend

Following a site visit, Mr. Taylor sent a letter to Mr. Ferrara clarifying several points regarding the resolution of encroachment issues. Awaiting a response.

Amazon Lease

Held for Executive Session.

Encroachment Letters

Have located copies of letters sent in the past; no further update.

Air Base Carpet Mart

There has been an ongoing effort by this tenant to make some changes and additions to their retail establishment and parking areas. The Board has approved this in concept in the past, most recently February 2008, and it was brought up again by Mr. Ziegler, engineer for the tenant, as they wish to go before the County Board of Adjustment with a revised plan. The changes are minor, such as installing a crosswalk, relocating a dumpster, etc., so the Committee is comfortable approving it based on our prior actions.

OUTREACH COMMITTEE REPORT – Mr. Yacucci reporting.

Gary Gredell, structural engineer, submitted a revised proposal regarding evaluating the condition of the Banks Building. The Committee will review it and report next month.

PROPERTY MAINTENANCE – Mr. DeAscanis.

Work is well underway on the Old Library roof. Committee is getting ready to solicit bids for the Fire House addition.

PENN FARM COMMITTEE – Mr. Viola reporting.

Mr. Viola noted that the new Secretary of the Department of Agriculture, Ed Kee, is a former New Castle resident. Mike McGrath of the Agricultural Lands Preservation section informed us that Mr. Kee is very enthusiastic about the possibility of getting involved with the Penn Farm.

FINANCE COMMITTEE REPORT – Mr. Gambacorta reporting.

Quarterly portfolio review meetings were held with PNC and Wilmington Trust on January 28. Both banks were cautiously optimistic for an economic rebound in the second half of 2009. Preparation of the 2009-10 budget is beginning.

Mr. Gambacorta raised the issue of the Fire House project and whether or not the Fire Company should contribute to the capital cost. Mr. Wilson pointed out that they will be taking responsibility for the interior finishing. Mr. Taylor noted that they are giving the Trustees a parcel of land for which they paid \$75,000 in 2005, and that they demolished the structure on that parcel. Mr. Peden recommended that the Fire House Committee raise the issue with the Fire Company representatives.

LIBRARY COMMITTEE – Mr. Viola reporting.

The New Castle Weekly has been doing a great job following the progress of the project. Because of the severe structural problems at the 420 Delaware building, a new framework had to be constructed within

the outer shell. The east wall can be retained, but the front wall must be completely rebuilt. The Historic Area Commission has approved this, including elimination of the bay window section.

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

Nominating Committee: Mr. Alfree will distribute the proposed slate of officers for Fiscal Year 2010 and the committee assignments. The Committee met on January 19 and made an effort to accommodate everyone's first and second choice of committee assignments. There are places available on the Election Committee and the Library Committee.

COMMUNICATIONS

- Letter from Toby Hagerott of 417 Delaware Street, who is interested in helping in some way with the improvements and long-term planning for Penn Farm. Mr. Hagerott has a degree in Landscape Architecture from the University of Idaho and is currently studying for a Masters degree in Sustainable Design. Letter referred to the Penn Farm Committee.

Mr. Alfree then moved that the Board adjourn from the regular meeting and move into Executive Session.

Upon reconvening the regular meeting, Mr. Alfree moved that the Board direct Mr. Taylor to send a letter to Mr. Paul McConnell of McConnell Development regarding the Amazon lease, reiterating and confirming the offer terms of our September 10, 2008 letter. Further, that there be a 15-day period for response, and if the response is negative, that we proceed to the third party appraisal phase of the lease.

Mr. Alfree asked for a roll call vote, which was unanimous. Motion passed.

There being no further business, the meeting was adjourned.

Respectfully Submitted,

Kathleen MacDonough
Executive Secretary

**Trustees of the New Castle Common
Meeting Minutes
January 6, 2009**

The monthly meeting of the Trustees was held on Tuesday, January 6, 2009 at 7:00 p.m. in the Trustees Room of the Old Town Hall.

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

Mr. Peden called the meeting to order at 7:15 p.m., followed by a moment of silence.

Special Note: A meeting of the City Board of Adjustment was also scheduled for 7:00 p.m. on the 2nd floor of Old Town Hall. Since that agenda included consideration of the Trust project to expand the Fire Station, Mr. Taylor and Mr. DeAscanis left the Board meeting for a short time to attend the City meeting. Also, the order of the agenda items was rearranged to allow for this.

Calendar Additions:

Nominating Committee: Tentatively, the meeting will be held Monday, January 19 at 1:00 p.m.

Minutes:

The minutes of the December 2, 2008 meeting were approved as submitted.

Executive Secretary's Report: No update.

Business from the Floor: Bob and Sue Poskitt of 17 The Strand were in attendance. Mr. Poskitt made a statement about the history of the proposal to locate a national park (and possibly a National Park Service headquarters) in New Castle. He referred to resolutions in favor of this effort passed by the New Castle and the Delaware Historical Societies, and the Mayor and Council of New Castle City. He stated that the report in the New Castle Weekly about the Trustees' stance on this proposal was very abbreviated and indicated that the Trustees were not supportive. He said, regardless of the Board's position pro or con, that he and many other citizens would like to hear what the Trustees think of the proposal, and what are the reasons behind the position. He then thanked the group for the opportunity to speak.

Treasurer's Report:

The Treasurer's Report was approved as submitted.

OUTREACH COMMITTEE REPORT – Mr. Yacucci reporting.

The Committee has agreed to streamline the forms that community groups fill out to request grant funds.

Regarding the Banks Building, Mr. Wilson secured a proposal from Gary Gredell, structural engineer, for an analysis of the building's condition. The proposal is broader in scope than what was initially requested and includes architectural and mechanical components; the estimate totals \$15,700. The Outreach Committee recommends that, in view of the other large projects now underway and the financial climate, the Banks Building take a lower priority, especially since it is not Trust-owned, and that the implied commitment to get involved could get us entangled in a monetary commitment of unknown magnitude.

Mr. Appleby offered to contact Mr. Gredell (as he has known and worked with him for many years) to get him to modify the proposal. The goal is to be able to make a basic determination as to the building's soundness so that Trustees could decide whether to proceed any further at all, i.e. does it make any sense for *anyone* to be contemplating rehabbing it. Mr. Viola was concerned that we strike a balance between making premature commitments and the reality that it may be a long time before the City makes any

investment in the property; thus, realistically it is probably in the best interest of the City and the Trust and the citizens of New Castle to take the first step of determining if the building is salvageable at all. Otherwise, the building may continue to deteriorate indefinitely, effectively leading to the loss of the building.

Ms. Fiske mentioned that she has heard that various funded grant programs are available to possibly be tapped for this project.

PENN FARM COMMITTEE – Mr. Viola reporting.

With the help of her children, Mrs. Quigley has brought her rent up to date. She sent a note thanking the Trust for the maintenance done on the land over the past year by Mr. Thatcher and his crew. For the immediate future, Mrs. Quigley hopes to continue to live at the Farm and operate the produce stand.

The Committee met with Michael McGrath, head of the State agricultural lands preservation unit. As a State agency, the services of Mr. McGrath's office are available free of charge. Also, they routinely work with other agencies we will need to interface with, such as DNREC, fish and wildlife, and cooperative extension. The mission of the agricultural preservation unit is to preserve farmland, and to insure that it continues to function as a viable working farm. To familiarize the Board with all pertinent issues, and to begin formulating a comprehensive long-range plan, the Committee recommends scheduling a special meeting/workshop of the full Board sometime in February. We will work to arrive at a date that allows for 100% participation.

PROPERTY DEVELOPMENT COMMITTEE REPORT - Mr. Alfree reporting:

Municipal Services

The easement agreement and lease have been completed and recorded for the financing of the new substation.

Amazon Lease

Mr. Taylor spoke with the attorney for McConnell Development; a conference call is planned for tomorrow. If a resolution is not reached, then a letter will be sent that we will proceed with obtaining a third appraisal as specified in the lease.

Riverbend

Mr. Taylor met with Mr. Ferrara and Mr. Capano of the Riverbend development at the site. Mr. Ferrara received our letter summarizing eleven action items requested to resolve outstanding encroachment issues, and the site visit was to further discuss and refine these action items. Mr. Taylor will follow up with the clarifications of these issues.

Family Foundations Academy

A check has been received for a full year of the school's rent, including the six months' arrearage and the next six months through June.

Encroachment Letters

Periodically, letters must be sent to owners of properties adjoining Trust properties who may be encroaching in some way on the Trust property. Legally this establishes the fact that the encroaching parties are not *de facto* gaining ownership through this habitual usage over time.

Good Will Fire Company

There are some ownership anomalies among the parcels owned by the Trust, the City and the Fire Company at the Fourth and South Street location. 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. It is hoped that the City will give the Trust two strips of land that extend across the current parking lot. Mr. Taylor reported that as of tonight, the Board of Adjustment continued the request for variance until

January 20, so that it can be assured that all property owners adjacent to the Fire Station have been contacted. The City Building Inspector will deliver these notices. It may be possible to have City Council consider this issue at its January 13 meeting, so that the Mayor can be authorized to sign the official site plan documents.

FINANCE COMMITTEE REPORT – Mr. Gambacorta reporting.

Quarterly portfolio review with PNC Bank and Wilmington Trust will be Wednesday, January 28 at 4:00 p.m. Property taxes were due from tenants September 30. There are two who have not yet paid (Dunkin Donuts at 196 N. DuPont Highway, and the Delaware Korean Baptist Church at 219 N. DuPont Highway). Mr. Appleby will supply a projected cost schedule for Library construction expenditures so that drawdowns can be planned.

ELECTION COMMITTEE REPORT – Mr. Alfree reporting for Mr. Wilson.

John Wik has withdrawn, leaving two candidates for the January 17 election, Fred Gallagher and Jim Meek. Arrangements are in place for election day. The Election Committee will meet at 5:00 p.m. January 13.

LIBRARY COMMITTEE – Mr. Viola reporting.

No update.

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

- Letter from Vicki's Fish (mobile restaurant) requesting permission to sell seafood and ribs from a truck along the 273 perimeter of the Penn Farm property. They also expressed an interest in the Quigley farm stand should it become available.

Ms. Ross asked if we will respond formally to Mr. and Mrs. Poskitt about the National Park Service issue. Mr. Peden suggested that Trustees were free to speak to them as individuals, but that in December the Board as a group did not decide upon a position.

The meeting was adjourned at 8:15 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

**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
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
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
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 DeIDOT 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 DeIDOT 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
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
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/MS 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 Hooper 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 Simperts & 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
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
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
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
December 4, 2007**

The monthly meeting of the Trustees was held on Tuesday, December 4, 2007 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: Mrs. Mimi Carpenter of the *New Castle Weekly*; and guests from the New Castle Historical Society (Michael Connolly, Director; Ken Oppenheimer, Treasurer; Board Members Calvin Marshall, Eugene Dempsey, et al.).

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

New Castle Historical Society Presentation

The representatives of the Historical Society thanked the Trustees for their financial support over the years and presented a status report of Society activities. The Society owns the Amstel House and the Dutch House, and leases the Old Library building from the Trust for \$1 per year. Trust grants are used primarily for supporting the exhibits and overhead at the Old Library. In 2007 almost 1200 persons to date have visited the Old Library. For 2008, two exhibits are planned: "Sacred Places," in conjunction with the New Castle Community History and Archaeology Program, which will highlight favorite and loved sites in the City important to people's daily lives; and a Victorian Christmas exhibit. Mr. Oppenheimer stated that museum admission has been free, and the Society would like to raise the question of charging admission for selected exhibits (the lease is silent on this matter). The ability to do so could help cover costs in some circumstances. No response was requested at this time.

Calendar Additions:

By-Laws Committee: For the record, Mr. Wilson announced that a meeting had been held 12/3.

Mr. Alfree reminded the board that the annual officer and committee nominating questionnaires would be sent out later in December, and should be returned by Friday, January 11, 2008.

Minutes and Treasurer's Report:

The minutes from the November 6, 2007 meeting were approved as presented. (Later in the meeting, Mr. Castagno noted that his vote on Mr. Gebhart's motion regarding installing two benches along the River at the foot of Chestnut Street was misstated. The minutes should thus read: "Motion defeated due to 6-6 tie (**Aye** – Ms. Fiske, Messrs. Castagno, Gebhart, Viola, Wilson, Yacucci; **Nay** – Messrs. Alfree, Appleby, DeAscanis, Gambacorta, Peden, Quillen)."

The Treasurer's Report was also approved as submitted.

PROPERTY DEVELOPMENT COMMITTEE REPORT - Mr. Alfree reporting:

141 Shoppes/Vari/Korean Church

Lease assignment from Vari to the Korean Baptist Church has occurred, and we received the relevant settlement checks for rent, taxes, and sewer.

Basin Road Property

The party interested in leasing vacant land for a used vehicle facility has been informed that the Trustees do not wish to pursue this usage.

Riverbend Project

Mr. Alfree met with Mr. Bergstrom (City code official) who indicated that an emergency access road is not a requirement for this project, and who did not have any documentation of such a road being on any drawings. Mr. Nick Ferrara is presently away, so there is no further report.

Mr. Wilson said that in City Planning Commission meetings he believed plans were submitted for an emergency road as a counter (alternative) to a recommendation to connect an access road to Centerpoint Blvd. (The State "PLUS" process strongly recommended the installation this latter connector.) He said City Council approved the deletion of the Centerpoint connector from the Comprehensive Plan prior to receiving Planning Commission input; thus the Planning Commission neither approved nor denied any access configuration.

Family Foundations Academy

Mark Ziegler from McBride and Ziegler surveyors attended the Property Development meeting with Dave Sills. A request is pending from DelDOT for the Trust to grant additional right of way in front of the school. We are now working on a plan to receive right of way access to the back of the school along the railroad bed in return for granting the desired land at the street side. Mr. Taylor said that the FFA attorney had been pursuing this approach previously. Present access to the back of the school building is very narrow. Equipment would have to be able to get back there in case of a field fire, etc.

Centerpoint/Amazon

Mr. Taylor and McConnell Development's attorneys have been in communication regarding determining a mutually-acceptable method to arrive at the new lease rent.

Happy Harry/Walgreen's

Mr. Alfree said that Mr. Papili and Mr. Wittig of Diamond State Management have asked to attend the January 7th Property Development Committee meeting.

OUTREACH COMMITTEE REPORT - Mr. Gebhart reporting.

Mr. Gebhart provided the new Little League lease to representatives of the Little League and is waiting for a response.

Previously, the Wilmington Montessori School "adopted" the Gambacorta Marsh and installed birdhouses. They have now sent a request to install covered pamphlet boxes and pamphlet recycling boxes on posts. Also, the East Coast Greenway Alliance wishes the Trust to endorse use of a part of the Battery Park path as a section of its Maine-to-Florida greenway route. This would include permission to install signage. Committee has not had a chance to discuss either request.

PROPERTY MAINTENANCE COMMITTEE REPORT – Mr. DeAscanis reporting.

As outgoing committee chair, Mr. Viola reported on ongoing projects. Work repairing the Medical Center roof from spring storm damage has been proceeding: rubber sections are repaired, and metal section replacement should be completed soon. Pollinger Roofing has made a firm commitment to replace copper gutters at the new Library starting this Thursday. Also, Trustees will be giving City Public Works employees the customary holiday bonus at their luncheon this month.

FINANCE COMMITTEE REPORT – Mr. Gambacorta reporting.

No update.

ELECTION COMMITTEE – Mr. Quillen reporting.

Mr. Quillen announced that the results of the November 10 election were as follows: Beverly Ross - 159; Richard Pennell - 158; Catherine Toner - 148; Jan Clairmont - 19; and William Emory - 13. As such, a runoff will be held on Saturday, December 8 between Richard Pennell and Beverly Ross. The opportunity to register on site (for future elections) yielded a dozen new registrations.

LIBRARY COMMITTEE – Mr. Viola reporting.

Mr. Viola reported that the Historic Area Commission approval process for the plans for the new Library expansion has been ongoing, and committee will meet with HAC again on January 17th. He also stated that at the December 11 City Council meeting, a revised ordinance requesting \$300,000 from the City of New Castle for the Library project will be considered. Municipal support is critical to the success of the capital campaign, and it is hoped that as many people as possible attend the meeting to show support. The requested amount would represent 5% of the total value of the project. Mr. Viola has written a letter to the editor of the *Weekly* in support of the appropriation. Also, an interim replacement HVAC system is needed to tide the library over until the expansion project is completed. Mr. Alfree recommended that an estimated cost be submitted for consideration in the 2008-09 budget process. Ultimately this interim system may be able to be utilized elsewhere.

OPEN-SPACE COMMITTEE – Ms. Fiske reporting.

No update.

BY-LAW COMMITTEE – Mr. Wilson reporting.

The Committee and Mr. Taylor met on December 3. Mr. Wilson moved that the voter registration and absentee balloting By-Law changes as proposed and distributed in late September, and tabled in October, be accepted with the following changes:

1. Page 27 last paragraph (Registration Deadline)

Current: name may be filed ... "not less than ten (10) days before the day fixed for an election"
Proposed: name may be filed ... "not less than **five (5) days** before the day fixed for the election"

2. Page 29 Section 2 (a) (Absentee Registration)

Current: return affidavit "no later than the final registration day preceding such Election Day"
Proposed: return affidavit "not less than **five (5) days** before the day fixed for the election"

3. Page 31 Section 5 (a) (Return of Absentee Ballot)

Current: "prior to 5:00 p.m. on the day before Election Day"
Proposed: "prior to **the close of business at the Office of the Trustees** the day before the election"

Motion passed unanimously.

For future consideration, Mr. Wilson submitted a proposed revision regarding Board voting procedures: for other than routine items (monthly calendar changes, acceptance of minutes and financial reports), all votes must be taken by roll call. Mr. Alfree stated that if an enumerated vote be taken, it should be by roll call and not some other less precise method, *e.g.* show of hands.

BATTERY PARK COMMITTEE – Mr. Gebhart reporting.

No update.

GOOD WILL FIRE HOUSE COMMITTEE – Mr. Wilson reporting.

Mr. Wilson spoke with a member of the board of GWFC; a meeting will be scheduled early next year.

OTHER COMMITTEES – No reports.

COMMUNICATIONS – None.

OTHER MATTERS

Mr. Alfree said that we are looking into publishing an abbreviated annual financial report (tri-fold brochure or similar) for wide distribution, possibly to be mailed in Municipal Services bills, with the traditional full-length report available upon request.

He also emphasized the importance of completing and returning the Officer and Committee Nominating Forms by January 11, including input on whether each individual has a clear desire either *to be*, or *not to be*, a member of a certain committee. The process of filling the officer slate and the committees is complicated, and the more information the Nominating Committee has, the better.

Mr. Alfree also mentioned that the budget preparation process would be starting soon after the holidays. Finally, Comcast high-speed internet service will be installed this month.

Mr. Wilson reminded the Board that all requests for community grants should be forwarded to the Outreach Committee first. Mr. Viola noted that we will be implementing the written grant application and reporting process that was approved earlier in the year; request forms should be mailed out to existing grantees in the near future.

Mr. Gebhart stated that there was a problem at the Senior Center very recently when a candidate for governor wished to videotape promotional spots outside (and inside) the Center, and the candidate represented that he had permission from the Trustees to do so. He was turned away from taping inside the Center.

Mr. Viola reminded the Board that Mr. Taylor had been in contact with the City Solicitor some time ago regarding issues surrounding a possible transfer of the Banks Building to the Trustees. He is concerned that this issue move forward, as the building is steadily deteriorating.

There being no further business, the meeting was adjourned.

Respectfully Submitted,

Kathleen MacDonough
Executive Secretary

**Trustees of the New Castle Common
Meeting Minutes
November 6, 2007**

The monthly meeting of the Trustees was held on Tuesday, November 6, 2007 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: Mrs. Mimi Carpenter of the *New Castle Weekly*; David Bird of the City Planning Commission; Mr. Richard Pennell; Ms. Beverly Ross; and Mr. John Papili, Jr., and Mr. Robert Wittig of Diamond State Management, Inc.(Walgreen's developer).

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

Calendar Additions: None.

Minutes and Treasurer's Report: The minutes from the October 2, 2007 meeting were approved with the following clarification: wording of the motion passed regarding Riverbend development was "to authorize Mr. Taylor to send a letter to the owner/developer of the Riverbend project advising them to stop all construction on Trust land and to restore to its original condition the area on Trust land where they have created an 'emergency road'."

The Treasurer's Report was approved as submitted.

PROPERTY DEVELOPMENT COMMITTEE REPORT - Mr. Alfree reporting:

Riverbend Project

Letter to cease work (as approved at last meeting) was sent, and Mr. Taylor and Mr. Alfree met with representatives of Greggo and Ferrara. Subsequently, Nick Ferrara and Joe Corrado attended the November 5 Committee meeting. They have not done any further work on the emergency road. Lengthy discussion was held at the Committee meeting elaborating on both parties' viewpoints and concerns. Consideration of the issue and response to Mr. Ferrara will be delayed until December to allow gathering additional information before making further recommendations.

Centerpoint/Amazon

We have begun the process of negotiating the new rent for the lease term beginning January 1. Mr. Alfree asked to review and discuss this real estate matter and possible litigation in Executive Session.

Basin Road Property

The office received an inquiry from an individual in New York regarding leasing the vacant Basin Road property for a used car lot. The Committee recommends that the Trustees not enter into negotiations for this type of usage at that location. The full board agreed with this determination. The interested party will be informed.

Happy Harry/Walgreen's

Mr. Alfree said that Property Development has been working for several months on lease negotiations with the developer for the vacant portion of the "professional center" parcel, with the probable recommendation to be to continue negotiations. The Board had delayed addressing this until the November meeting, in order to allow a full consideration of whether the Trustees desire retail uses to

be included in the professional center, and if so, how to proceed.. Mr. Alfree turned the discussion over to Mr. Wilson. Mr. Wilson introduced David Bird of the City Planning Commission, who attended to address the limitations or other impacts of the City Comprehensive Plan on land usage at the parcel in question.

Mr. Bird said that he did not speak for the Planning Commission but rather as a member of the Commission summarizing and explaining the Plan as it affects the parcel. The Comprehensive Plan is currently undergoing the State-mandated five-year update. The Comprehensive Plan identifies the professional center parcel as part of a “redevelopment area..” Area is zoned Retail Commercial. The Plan’s goal is to enhance the area as a gateway into the City. Currently the busy road effectively separates the commercial and professional uses from the historic area. The Plan designates the area as ideally more “pedestrian-oriented.commercial.” Planning Commission feels that this is a critical area to the City which is “disadvantaged” by the transportation network. In conjunction with its work, the Planning Commission would very much like to meet with the Trustees to discuss overall vision for that area and other areas of the City. (As a side note, Mr. Bird mentioned that a vacancy exists on the Planning Commission and suggested that should someone from the Trustees be interested they should contact the Mayor’s Office.)

Mr. Wilson also outlined several issues for consideration, including:

- whether Walgreen’s can be considered a “professional” use, or rather a retail establishment that happens to include a pharmacy;
- the risk of such a large corporation building a store and then abandoning it if they did not feel it successful or if other problems arose.

Mr. Castagno elaborated on the history of the development of the Comprehensive Plan and vision for that area, as adopting architectural themes from the historical district, and creating an accessible, working commercial district integrating the commercial area into the rest of the town with attention to streetscape elements. There followed a discussion of the effectiveness of streetscape strategies and traffic calming.

Mr. Wilson said the crux of the discussion is whether the site should be leased to a retail tenant. Ms. Fiske said that she considered the key question is not “retail vs. professional” but whether we want to lease to a big box store, and whether that would be in harmony with the surroundings and the City in general. Mr. Appleby spoke about the history of developing the parcel for professional use, and the significant difficulty of finding interested developers/tenants, mainly due to lack of sufficient (customer/client) traffic, despite proactive efforts and the fact that the utilities are already there.

Mr. Wilson moved that the Trustees reserve the parcel for professional uses only and not enter into negotiations with retail tenants. Ms. Fiske seconded. Mr. Alfree requested a roll call vote.

In discussion, Mr. Gebhart and Mr. DeAscanis pointed out that there already exists substantial retail/commercial use along the Ferry Cut-off, so retail could be considered simply an extension of this. Mr. Viola urged consideration of how the decision for ultimate usage will impact the existing professional center tenants. Mr. Peden emphasized how difficult it has been to attract professional tenants at that location. The original idea had been to attract physicians into New Castle, but there has been very limited success.

Mr. Viola also said that if we decide to move ahead with a large retail establishment, there is an irrevocable quality about that, while supporting Mr. Wilson’s motion would simply express the sense

of the board at this time. Mr. Peden responded that we have been waiting for ten years and it hasn't worked. Ms. Fiske said she preferred taking a longer view, working with the Planning Commission, toward what would be best for the town, especially as there is not an urgent need to develop the property at this time.

Mr. Appleby said that a clause could be included in a prospective lease that if the tenant left prematurely they would have to dismantle the building, so that we wouldn't be stuck with a big box store. Mr. Taylor said that there could also be architectural and design stipulations.

Mr. Castagno said that we should proceed with the most viable, architecturally sound use congruent with the existing Retail Commercial zoning, and not limit the use of the parcel, thereby restricting ability to react to market conditions. Mr. Quillen said he was not ready to vote to limit the use one way or the other at this time. Mr. Viola and Ms. Fiske said they agreed with Mr. Quillen.

Mr. Wilson clarified that a vote against this motion would not mean one is voting for Walgreen's; rather, that is a separate discussion.

Vote was done by raising of hands. The motion to reserve the property for professional uses only was defeated 1-6-5. (**Aye** - Mr. Wilson; **Nay** - Messrs. Alfree, Appleby, Castagno, DeAscanis, Gambacorta, Peden; **Abstain** - Ms. Fiske, Messrs. Gebhart, Quillen, Viola, and Yacucci.)

Mr. Wilson then moved that the Trustees do not lease the property at this time, in order to better consider the ultimate use of the land. Mr. Viola seconded. Motion defeated 5-6-1. (**Aye** – Ms. Fiske, Messrs. Quillen, Viola, Wilson; Yacucci; **Nay** – Messrs. Alfree, Appleby, Castagno, DeAscanis, Gambacorta, Peden; **Abstain** – Mr. Gebhart.)

Finally, Mr. Wilson moved that the Trustees do not proceed with negotiations with Walgreen's. Ms. Fiske seconded. Motion defeated 3-7-2. (**Aye** – Ms. Fiske, Messrs. Viola, Wilson; **Nay** – Messrs. Alfree, Appleby, Castagno, DeAscanis, Gambacorta, Peden, Quillen; **Abstain** – Messrs. Gebhart and Yacucci.)

As negotiations with Walgreen's will now go forward, Mr. Alfree asked to take up further discussion regarding the particulars of the leasing arrangements in Executive Session.

OUTREACH COMMITTEE REPORT - Mr. Gebhart reporting.

Arasapha Garden Club sent a second request for an additional \$500 over their annual appropriation of \$1,000, due to rising costs of supplies for the holiday wreath project. Mr. Gebhart moved to approve the additional \$500 grant; motion passed.

Mr. Gebhart addressed the ongoing issue of the request by two residents (Lynn Sheridan and Sally Denton) to install memorial benches along Trust land by the River at the foot of Plum Alley. He summarized the results of the inquiry into the history of when and whether permission was given, and the Committee's efforts to weigh the merits of the actions that have already taken place.

He moved to allow the immediate installation of the two already-purchased benches at the location where the concrete pad was installed, with written communication to the donors to the effect that the benches have been approved, the Trust reserves the right to relocate or remove the benches in the future, and the Trust does not accept responsibility in the event the benches become unsightly or damaged. Also, that future requests for benches be submitted in writing, that the Trustees will determine the style and the location, and bill the donor for purchase and installation.

Mr. Taylor suggested breaking the motion into separate parts: for example, one to approve this particular case; and then another to enunciate a policy. He also suggested rewording the motion so that it did not sound like the Trustees are actively inviting requests for various memorials. Mr. Alfree suggested tabling the motion to next month and distributing the motion in writing.

Mr. Gebhart reworded the motion as follows: “that the Trustees allow the two benches to be installed where the concrete slab has already been installed.”

Mr. Gebhart was told that the benches are already engraved, but it has not been possible, to date, to fully confirm this. Also, a statement made at the October meeting regarding the existence of a letter from Anita Banks approving the benches was not correct, and resulted from a miscommunication. Mr. Viola said that if the benches are not presently inscribed and we grant permission to install them, that approval would be conditioned upon their not being inscribed in the future.

Mr. Gebhart again stated the motion that we allow the two residents who purchased benches with the sincere belief that they had permission to do so, to have the benches installed on the concrete slab.

Motion defeated 5-7 (**Aye** – Ms. Fiske, Messrs. Gebhart, Viola, Wilson, Yacucci; **Nay** – Messrs. Alfree, Appleby, Castagno, DeAscanis, Gambacorta, Peden, Quillen,)

Mr. Gebhart asked if the issue could be raised again, and Mr. Peden said yes. Mr. Gebhart will verify the existence of memorial engraving.

PROPERTY MAINTENANCE COMMITTEE REPORT – Mr. Viola reporting.

Mr. Viola said that with the heavy demands of his involvement in the library expansion and the Bellanca Air Hangar projects, he had decided to step down as Chair of Property Maintenance. Mr. DeAscanis has been elected to serve as the new Chair.

A settlement has been reached with the insurance company regarding repairs to roof damage at the New Castle Family Medical Center, and the work can be completed for the agreed-upon proceeds.

The HVAC system at the New Library is circa 1964 and failing badly. It has cost over \$7,300 in repairs so far this year. Mr. Viola said the current system probably would not last through the period until a new system is in place in the new building, and interim options should be considered in the case of catastrophic failure. He spoke with some consultants who suggested one option would be to install a \$20,000 unit that could handle the short-term need. It is possible that the Trustees could then re-use the system at another location when the new project is completed. One possibility for this is the fire house. Mr. Appleby asked if this expense would come out of the 2007-08 budget. Mr. Viola said there is probably time to include it in next year’s budget.

FINANCE COMMITTEE REPORT – Mr. Gambacorta reporting.

PNC financial advisors met with the Finance Committee on October 24. As of September 30, our portfolio at PNC is earning 9.5%. Wilmington Trust is producing an 8.8% return. Committee is satisfied with both banks’ performance.

Using Money Market account funds, the balance of \$386,000 remaining from the 1998 Wilmington Trust loan for the Dialysis Center has been paid off, as approved at the September meeting.

Barbacane Thornton’s audit reports were completed and distributed. Mr. Alfree asked everyone to check them for accuracy prior to printing the summary booklet.

Mr. Alfree asked for a motion to authorize up to \$1,500 to secure internet service to the office and Board Room, including installation and monthly charges. The hoped-for ability to tap into the City's high-speed Comcast service is expensive, complicated, and would probably require many more months to accomplish. Motion passed.

Mr. Alfree also made a motion requesting an additional \$5,000 (under line item Professional Fees & Appraisals) to cover two additional property appraisals that may be needed this year. Motion approved.

ELECTION COMMITTEE – Mr. Quillen reporting.

Mr. Quillen announced that two of the candidates for the November 10 election were present: Richard Pennell and Beverly Ross. The other candidates are Jan Clairmont, William Emory, and Catherine Toner. He then moved that the Trustees permit voter registration on the spot at the election: persons registering that day could not vote in that day's election, but would be saved an additional trip to register before the next election. Motion passed.

LIBRARY COMMITTEE – Mr. Viola reporting.

Mr. Viola reported that the plans for the new Library expansion have been presented to the Historic Area Commission at two meetings to date, with a third hearing this Thursday.

OPEN-SPACE COMMITTEE – Ms. Fiske reporting.

The Committee discussed replacing the wire cable near Bull Hill but will delay this issue until a future meeting.

BY-LAW COMMITTEE – Mr. Wilson reporting.

No report.

BATTERY PARK COMMITTEE – Mr. Gebhart reporting.

Mr. Gebhart reported that a request has been received for a wedding May 10, 2008 in Battery Park, with 200 people with chairs and a tent, reception to follow in Good Will Fire Hall. Committee recommends that this one wedding be permitted, but that in general such a large event could be construed to limit others' access to the Park, especially on weekends, and a policy should be developed for requests for events that are large enough to require a permit from the City.

GOOD WILL FIRE HOUSE COMMITTEE – No report.

OTHER COMMITTEES – No reports.

Mr. Gebhart attended a Tree Commission meeting and was asked to bring the following statement to the Trustees: The Tree Commission wants to be helpful and responsive regarding trees on Trust property, and recommends that the Trust liaison to the Tree Commission (C.H. Gebhart) be notified of any problem, and he will forward the information to the Commission for handling.

COMMUNICATIONS

- Mr. Quillen said that a number of taped interviews of leading citizens were recorded about 20 years ago by Harry Kaiser (sp). Don Reese has made a DVD of the tapes, and Jim Meek of The Strand has created a historical website and would like Trustees' permission to link these interview clips to the website. Mr. Taylor recommended listening to the interviews first. Mr. Viola recommended that the interviewees' families should be consulted.

- Letter was received from Immanuel Church regarding their desire to enter into discussions with Trustees about preservation of open lands and wetlands near the Glebe cemetery. Mr. Peden assigned this to Open Space Committee.
- Mr. Viola showed a New Journal article and photograph featuring a bullying-prevention program at the Family Foundations Academy.

OTHER MATTERS

Mr. Alfree and his wife looked through some documents and ephemera from Herbert Tobin's records which had been stored in the Trustee vault. Some of the items are not directly related to the Trust. He asked permission to give some Good Will Fire Company artifacts to the Fire Company, and to give an old photograph of the whipping post to the New Castle Historical Society. There were no objections.

Mr. Alfree moved to adjourn and go into Executive Session to discuss real estate matters and potential litigation; motion passed. Following the Executive Session, the regular meeting was again called to order.

Mr. Alfree moved to continue lease negotiations with Diamond State Management (Walgreen's) with the understanding that the lease would follow the standard format of Trust leases as it relates to how rents are increased. Motion carried with two nays (Ms. Fiske and Mr. Wilson).

Mr. Alfree moved to authorize Mr. Taylor write a letter to McConnell Development (Amazon) stating that we wish to follow the procedures for rent increase which are set forth in Section 9.2 (appraisal) of our current lease. Motion approved unanimously.

Mr. Alfree moved to authorize Mr. Taylor to handle any litigation initiated by McConnell Development regarding our failure to give the required nine months' advance notice of our determination of new rent, and if necessary to initiate an action to compel them to follow the appraisal process set forth in the lease. Motion passed unanimously

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

Respectfully Submitted,

Kathleen MacDonough
Executive Secretary

CORRECTION TO TRUSTEE MEETING ARTICLE IN 10/3/07 NEW CASTLE WEEKLY

1. Headline: ... says "November" Trustee Meeting – should be October

2. 7th paragraph reads:

"Approval was given to send a letter to the owner of the Riverbend project to stop construction and return the land to its original state."

This should read as follows:

Approval was given to send a letter to the owner of the Riverbend project to stop construction ...

... of the emergency access road now extending from Parkway Boulevard east across Trust land toward Dobbinsville ...

... and return the land to its original state.

Thanks. Please call Kathy at 322-2809 if any questions.

**Trustees of the New Castle Common
Meeting Minutes
October 2, 2007**

The monthly meeting of the Trustees was held on Tuesday, October 2, 2007 at 7:30 p.m. in the Trustees Room of the Old Town Hall.

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

Mr. Peden being detained, Mr. Viola called the meeting to order, followed by a moment of silence. As is customary at the October meeting, each Trustee received the annual payment of one ear of corn.

Calendar Additions:

- Mr. Viola: Property Maintenance Committee – Thursday, November 1 at 4:00 p.m. (also, Thursday, October 4 at 4 p.m. to replace the planned September 28 meeting which was not held)
- Mr. Alfree: Property Development Committee -- Monday, November 5 at 4:30 p.m.
- Mr. Gebhart and Mr. Viola: Outreach and Property Maintenance Committees will be convening a joint meeting which includes City of New Castle, to discuss Battery Park issues.

The minutes from the September 11, 2007 meeting were approved with the following changes: add Mr. Appleby and Mr. Castagno as “present”; under AT&T hut, clarify that Mr. Alfree received a call from someone expressing interest in leasing; clarify that Little League lease was conveyed to Mr. Gebhart at the September meeting; clarify that Mr. Quillen to be listed by name as “not voting” re payoff of Wilmington Trust loan.

The Treasurer’s Report was approved as submitted.

PROPERTY DEVELOPMENT COMMITTEE REPORT - Mr. Alfree reporting:

Centerpoint/Amazon

McConnell Development has received our letter regarding the results of the recently-completed appraisal and the resulting rent increase for the renewal term beginning January 1, 2008. Tenant has 30 days from receipt to object to this determination.

Farmers Market

Richard Stat of 326 Associates has contacted the City regarding code review of plans for construction of an addition to Farmers Market. He presented this plan to the Property Development Committee in early 2006 and is now revisiting the feasibility of the project.

Happy Harry/Walgreen

Put on hold until November meeting. We will then consider whether Trustees desire retail uses to be included in the professional center, and if so, how to proceed. Mr. Wilson has spoken with Mr. Norsworthy, chair of the City Planning Commission as to how a Walgreen-type development would dovetail with the comprehensive plan. Basically the question of use is up to the Trustees as owners; the comp plan focuses mainly on setback and other design issues.

Getty Station

The filling station at 905 E. Basin Road will be switching from Getty to Lukoil. Ferguson & McCann Mechanical Contractors needs a letter from the Trustees approving replacement of fuel pumps and islands and related work. Motion was made and passed to approve sending a letter approving dispenser upgrades per the scope of work submitted.

Riverbend Project Area – two issues

1) Municipal Services is studying alternatives to adding a substation to their system as backup in case of a failure and to allow shutting the main substation down for service. They may request use of some Trust land behind Dobbinsville along the railroad track line for this purpose.

2) Mr. Alfree and Mr. Taylor met with Mr. Corrado of Parkway Gravel regarding an emergency access road which has already been installed across Trust land without permission. It is about 50 feet wide and 200 feet long. Parkway made the argument that the road was an improvement to the existing sewer easement. However, there are no approved documents on the record allowing them to build a road on Trust land. Mr. Appleby presented a scenario illustrating the many problems inherent in allowing the road to exist and be routinely used. Motion was made to authorize Mr. Taylor to send a letter advising them to cease construction on the access road and to restore the land to its original condition. Motion passed unanimously.

AT&T Hut -- DuPont Highway

Mr. Alfree has discussed the use of the building as a woodworking shop with an interested party, who does not want to pursue it at this time. We will start the process to request that AT&T plan and budget to demolish the structure. This will take some time, and in the interim, if a tenant is found, we can withdraw the request.

Basin Road Property

VanDemark & Lynch advised us that a builder has requested wetlands delineation plans for the Basin Road parcel. We have no further information at this time.

Mr. Wilson raised the subject of rezoning of the parcel behind the Family Foundations Academy charter school land. He said that the intention was that a request be submitted to the City Planning Commission to rezone the land to Open Space & Recreation. Mr. Alfree will research it.

OUTREACH COMMITTEE REPORT - Mr. Gebhart reporting.

Mr. Gebhart received a letter from Lynn Sheridan, one of two parties asking to install memorial benches along Trust land by the River at the foot of Plum Alley. Ms. Sheridan outlined her perspective of the situation, whereby it was believed that permission had been given to install a concrete pad and two benches at this location. Councilperson Jan Churchill recently told Mr. Gebhart that she had gotten permission in 2005 from Anita Banks to install benches, and assumed that Anita had the authority and approval of other Trustees. Mr. Gebhart also pointed out that Erv Thatcher would not have installed the concrete pad without also believing it was properly authorized.

Mr. Wilson said he recently spoke with Sally Denton (the other party requesting a bench installation) and urged her to submit a letter to the Trustees. He also suggested that the Outreach Committee explore the issue and surrounding concerns including whether or not to allow benches at all, and if so how many, what possible locations exist, what styles, etc. Mr. Gebhart agreed, but pointed out that we must grapple with the existing situation of perceived permission and benches already purchased. Mr. Taylor commented that the Trust must have ultimate authority over disposition of any physical memorials on its property. Ms. Fiske suggested that we allow installation in this case and then pass a resolution stating a policy for the future. Mr. Wilson cautioned that an emotional decision not be

made, especially based on a decision possibly made unilaterally by one Trustee. Councilperson Petty said she has also spoken with some of the parties involved, and that Councilperson Churchill stated she had a letter from the Trust that she would deliver to the office giving permission for the benches. Ms. Petty supports the idea that one member of a body can not give permission for the whole body, and suggests waiting to see the letter. She emphasized that a clear understanding should be established between Ms. Sheridan, Ms. Denton, the Trustees and the City Council before any further action. Mr. Peden asked that the Outreach Committee come up with a recommendation by the November meeting regarding the present case and future policies.

PROPERTY MAINTENANCE COMMITTEE REPORT – Mr. Viola reporting.

Mr. Viola reported last month that he received two bids for replacement of the entire Medical Center roof (rubber portion and metal portion), subsequent to storm damage last April. Both proposals came in at about \$40,000. In the meantime, Mr. Viola received additional information indicating that the rubber roofs could be repaired and certain installation problems corrected, with a five-year guarantee on the repairs. The Committee has not made a final decision. If the repair option is chosen the price could be reduced to about \$16,000.

FINANCE COMMITTEE REPORT

In Mr. Gambacorta's absence, Mr. Peden announced that the Third Quarter Financial Review meetings with PNC and Wilmington Trust would be held at 4 p.m. October 24.

ELECTION COMMITTEE

In Mr. Quillen's absence, Mr. Alfree announced that so far two candidates have filed for the November 10 election to fill Anita Banks' seat: Richard Pennell and Jan Clairmont. The deadline to file is October 11. Election posters are available for distribution.

LIBRARY COMMITTEE – Mr. Viola reporting.

Mr. Viola reported that the plans for the new Library expansion will be presented to the Historic Area Commission on October 18. He then requested a brief Executive Session to discuss a real estate matter.

OPEN-SPACE COMMITTEE –Ms. Fiske reporting.

Nothing to report for this month.

BY-LAW COMMITTEE – Mr. Wilson reporting.

A letter was mailed to all Trustees ten days prior to this meeting with three proposed election-related By-Law changes. The main issue is to change the voter registration deadline from "not less than ten days before" to the proposed "one day before" an election. Mr. Taylor explained some concerns he subsequently has had regarding this not giving enough time to address any problems with verifying eligibility, addresses, etc. He suggested something like 5 days may be more reasonable and practical. In discussion the following was suggested: deadline is 5 p.m. "the Monday prior to the election." After further discussion about the proposed changes, Mr. Wilson withdrew his request for consideration and will prepare a revised proposal for consideration next month. An additional point to be considered is the question of allowing unregistered persons who appear to vote at an election to register that same day, *not* for the election at hand but for future elections. This would save these persons a wasted trip and facilitate registration in general.

BATTERY PARK COMMITTEE – No report.

Referring back to the Outreach Committee report, Mr. Gebhart reported that he has the Little League leases and will be obtaining the required signatures and conveying copies to the office. Report on Battery Park issues will be presented at the next meeting.

GOOD WILL FIRE HOUSE COMMITTEE – No report.

OTHER COMMITTEES – No reports.

COMMUNICATIONS

- Letter from Senator Carper announcing meetings about the National Park Service study regarding establishing a national park in Delaware

OTHER MATTERS

Archives: Mr. Alfree and Ms. MacDonough met with representatives from the State Archives to review historic items and Trust records kept in the vault in the Library. There are several issues to be considered: storage of valuable items off-site during the construction and expansion project at the library; proper remediation and archival storage of a range of our valuable documents; and policies for restricting access to the materials. Appropriate shelving and climate control will be required in the renovated building. A few of the most important original documents have been properly preserved and mounted, but still need attention to the outer containers and shelving. Ms. Fiske offered assistance as she has some background in paper conservation. In addition, the Trust has possession of administrative records from the original Old Library Company, which sold shares of stock to establish the first library in New Castle in the early 1800's. A decision will be needed on where to store these materials; some of them are in need of mold remediation. It may make sense to give them to the N.C. Historical Society for storage and display in the Old Library Museum. Also, it was learned that the State microfilmed all Trust minutes up to 1980. Personnel are available to come back and film the minutes since that time at no charge.

Mr. Appleby requested that information be conveyed to him about the climate control and other requirements in order that they may be considered in the library project planning.

Immanuel Church Clock Tower:

Trustees long ago accepted responsibility for the operation and maintenance of the four clocks in the Immanuel clock tower. (The reason for this is that they serve the entire populace and not just the church congregation.) Immanuel Church thus has presented us with a bill from R.J. Peoples for \$3,360, for repair of rotten wood and repainting, which was done in conjunction with other work underway at that building.

Mr. Peden moved to adjourn and go into Executive Session to discuss real estate matters; motion passed. Following the Executive Session, the regular meeting was again called to order.

There being no further business, the meeting was adjourned.

Respectfully Submitted,

Kathleen MacDonough
Executive Secretary

**Trustees of the New Castle Common
Meeting Minutes
September 11, 2007**

The monthly meeting of the Trustees was held on Tuesday, September 11, 2007 at 7:30 p.m. in the Trustees Room of the Old Town Hall. The meeting was held on the second Tuesday instead of the first Tuesday due to Labor Day. (The meeting was preceded by a 7:00 p.m. slide presentation on conditions in parks and open space, prepared by Mr. Wilson.)

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

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

Calendar Additions:

Mr. Wilson: By-Laws Committee, Monday, Sept. 17 at 2:00 p.m.
Mr. Viola: Property Maintenance Committee, Friday, Sept. 28 at 1:00 p.m.
Mr. Alfree: Property Development Committee, Monday, Oct. 1 at 4:30 p.m.

The minutes from the June 5, 2007 meeting were approved with a request to clarify the meaning of the word “jibes” in the sentence [The Wittig Group claims] “that this jibes with where DelDOT prefers the new road to be.” The Treasurer’s Report was approved as submitted.

PROPERTY DEVELOPMENT COMMITTEE REPORT - Mr. Alfree reporting:

AT&T Hut -- DuPont Highway

An environmental assessment of the property was conducted by BrightFields Inc., with the finding that there is “no evidence of recognized (negative) environmental conditions.” The next step is to decide whether to require AT&T to demolish the structure. However, Mr. Alfree received a call expressing interest in leasing the building, so the demolition issue will be delayed until the inquiry is explored.

Getty Station

The filling station at 905 E. Basin Road will be switching from Getty to Lukoil for its petroleum supplier. Lukoil’s consulting engineers have contacted the City about storage tanks and pumps, and have contacted the Trustees about signage changes in conjunction with the rebranding. A schematic of the proposed signage was shown. Motion was made and passed to allow Lukoil to install new signage per the plans submitted.

Little League

Mr. Taylor said he has the lease completed and will convey it to Mr. Gebhart. Lease includes a clause that we could relocate fields within the complex should Trust wish to develop part of the property at a later date.

Centerpoint/Amazon

McConnell Development Inc., tenant of the ground lease at 700 Frenchtown Road, desires to refinance its mortgage and has requested that the Trustees sign a Landlord Subordination and Waiver (“Landlord’s consent”) indicating that the mortgage is in place but is not subordinate to our fee interest in the property. Mr. Taylor explained that McConnell/PNC presented a form not acceptable to us, but

that we have proposed substitute wording that we have used historically when other major tenants have refinanced. Motion was made and passed to execute the waiver as revised. Also, an appraisal was conducted in August of the subject property, in anticipation of the January 1, 2008 rental increase. Per the terms of the lease, the appraisal and determination of the new market rent (\$280,500 per year for the next five-year term) has been conveyed to McConnell in writing by Express Mail. Tenant has 30 days from receipt to object to this determination.

Two additional real estate agenda items will be reserved for Executive Session.

OUTREACH COMMITTEE REPORT - Mr. Gebhart – No report.

PROPERTY MAINTENANCE COMMITTEE REPORT – Mr. Viola reporting.

A continuing leakage problem at the New Library roof seems to be caused by buckling of the seams in the gutter area, possibly because copper drainage pans are fastened down and not able to expand and contract with temperature. This issue has been reviewed and will be monitored by a roofing consultant recommended by Buck Simpser. The contractor (Pollinger) will remove and replace the copper gutter appropriately. Mr. Viola has asked Pollinger to expedite this work.

Mr. Taylor is preparing a Hold Harmless agreement which will allow Eric Mayer to follow up on his offer to clear and maintain the overgrowth at the old Abex property.

Two proposals have been received including options to repair and/or replace the damaged Medical Center roof. Both contractors said the existing rubber roof was not badly damaged, but has probably reached the end of its useful life after 20 years. The estimates are in the neighborhood of \$40,000. Committee is gathering additional details but will probably recommend complete replacement rather than repair.

Mr. Viola and Mr. Wilson have investigated the history and circumstances surrounding the installation of a concrete pad and the private purchase of two granite benches for the area along the River bank at the east end of Chestnut St. There may have been some confusion about ownership of the land in question. At any rate, the parties involved have been advised to contact the Trust with a formal request before any further action is taken. It was agreed that for fairness there should be a clear policy established before setting a precedent by allowing any benches. Mr. Taylor cautioned that any such installation should not be named or engraved as a memorial, as that could create problems down the road when repair and replacement is needed.

FINANCE COMMITTEE REPORT – Mr. Gambacorta reporting.

Mr. Gambacorta stated that the Committee is exploring paying off the Wilmington Trust loan which was initiated in 1998 for the Dialysis Center. Wilmington Trust is currently charging 8 ¾ % and will not negotiate. PNC Bank has offered 7 ½ %, and Artisans has offered 7 ¾ %. The payoff figure would be under \$400,000. Mr. Gambacorta moved to pay off the loan using Trust funds. Motion passed, with one not voting. We currently have \$130,000 in three ready access CD's.

ELECTION COMMITTEE – Mr. Quillen reporting.

The Committee presented a recommendation to declare the vacancy for Mrs. Banks' seat (the last Board vacancy), and to approve a proposed election calendar culminating in an election on November 10 with a December 8 date for a run-off, if needed. Motion to declare vacancy and approve the proposed calendar made and passed. The filing fee will remain at \$100, nonrefundable. Mr. Quillen also announced that a recommended change in By-Laws regarding the voter registration period would be mailed to Trustees ten days prior to the October meeting.

LIBRARY COMMITTEE – Mr. Viola reporting.

New Castle Public Library recently incorporated as a nonprofit 501(c)(3) entity. Therefore, that is the body that should execute the architect's contract for the renovation and expansion. The Trust should now draft formal documents indicating that we are leasing the building to NCPL.

Mr. Viola asked for support for the October 13th Kitchen-Garden Tour and fundraiser, and for the preview party on October 12 at the Lesley Manor. These events are sponsored by the Friends of the Library and proceeds will go to the capital campaign.

OPEN-SPACE COMMITTEE – Ms. Wilson reporting for Ms. Fiske.

The pre-meeting slide presentation and commentary represented the Committee report.

BY-LAW COMMITTEE – Mr. Wilson reporting.

Committee will meet Sept. 17 and finalize proposed By-Law changes.

BATTERY PARK COMMITTEE – No report.

GOOD WILL FIRE HOUSE COMMITTEE – No report.

OTHER COMMITTEES – No reports.

COMMUNICATIONS

- Letter from Margaret Hassert and report from the Scholarship Committee, including two requests: ability to carry over funds across budget years; and, availability of Wilmington College scholarships. Mr. Alfree will respond.
- Spallco and Burger King have had a heated ongoing dispute, verbal and written, regarding maintenance of a shared sewer force-main/pump facility. Mr. Taylor sent both tenants a letter outlining alternatives to resolve the problem.
- Letter from Alcoholic Beverage Commissioner requesting comments re granting of liquor license for Prince Restaurant.
- Letter from State Dept. of Elections re availability of Fire House for 2008 presidential primary and state primary and general elections.
- Thank you letter from “annual Battery Park Friends Tennis Tournament” for use of courts.
- Communications from Roger Akin, Esq., and Andy Taylor re Penn Valley Park transaction and recording of deed. Trustees will send a final letter to Mayor and Council advising of completion.

OTHER MATTERS

Riverbend Project/Parkway: Mr. Alfree visited the site Sept. 10 with Chip Patterson of Municipal Services. It appears that an emergency access road through Trust property toward Dobbinsville is being constructed without permission. Also, the high elevation of the entry road to the development has caused potential drainage problems which may interfere with the utilities easement. Mr. Alfree moved to have Mr. Taylor draft a letter to Parkway instructing them to stop work on Trustee property until certain issues are resolved. Letter will include these points: the Trust has not given permission for work on its lands; a meeting should be held with Municipal Services and others to discuss easement

concerns; and that if work proceeds without the proper permissions or is not in accord with approved plans and specifications, Parkway will be financially responsible for correcting it.

Banks Building: reserved for Executive Session.

Bellanca Field: Mr. Viola made a motion to grant a 50-year preservation easement required by the National Park Service as outlined in supporting documentation previously mailed to the Trustees. This period coincides with the term of the lease. Motion passed.

Mr. Alfree moved to adjourn and go into Executive Session to discuss three real estate matters; motion passed.

Following the Executive Session, the meeting was again called to order.

Mr. Alfree moved to approve assignment of the Vari/706 Investments lease of the 141 Shoppes to the Korean Baptist Church, guaranteed by Vari for 15 years, based on the parameters outlined in Mr. Taylor's email of Sept. 7, 2007. Mr. Appleby seconded. Motion passed.

Mr. Wilson moved to put all negotiations with Diamond State Management (Walgreen's) on hold until a review of comprehensive plan goals for the parcel is conducted. Mr. Castagno seconded. On discussion, Mr. Alfree recommended revising the motion to include a time limit. Motion was restated as above, inserting "... on hold until **the November 5th Trustees meeting while** a review..." . Motion seconded by Mr. Castagno, and passed with one nay.

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

Respectfully Submitted,

Kathleen MacDonough
Executive Secretary

**Trustees of the New Castle Common
Meeting Minutes
June 5, 2007**

The monthly meeting of the Trustees was held on Tuesday, June 5, 2007 at 7:30 p.m. in the Trustees Room of the Old Town Hall.

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

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

Calendar Additions:

Mr. Gebhart: Outreach Comm., June 25 at 12:30 p.m. (earlier time to accommodate scheduling conflicts)
Mr. Viola: Property Maintenance Committee, June 28 at 4:00 p.m.
Quarterly Finance Review Meeting (Bank Presentations): July 25 at 4:00 and 4:45 p.m.

The minutes from the May 1, 2007 meeting were approved with the following two corrections: Reference to "Walgreen's advised Mr. Taylor" should be clarified as "Robert Wittig of Diamond State Management representing Walgreen's"; also, reference to Nominating Committee should have read "Other Committees." The Treasurer's Report was approved as submitted.

PROPERTY DEVELOPMENT COMMITTEE REPORT - Mr. Alfree reporting:

Rezoning Request

Rezoning of Burger King, Spallco, Castle Mitsubishi, Gambacorta Pre-owned, and Shell -- from Service Commercial to General Commercial -- was approved by City Council. This change is reflected on the current schedule of Leased Properties. This item now closed.

Second and Chestnut

A general letter was sent to all affected homeowners along East Second and Chestnut regarding abuse of a strip of Trust-owned land as daily driveway access by Mr. McAdams. Three communications were received in response to the letter, all asking that the access not be closed off. Committee's plan now is to contact Chief McDerby to see if the resident could be approached by NCPD if necessary. If closing and construction of a gate is necessary, a key could be made available to provide access upon request.

Mr. Gebhart said he has heard from many residents who wish to continue to use the access way; he also stated that the resident in question has removed crushed stones that he put on Trust land. Mr. Wilson said that he had supported sending a letter, but felt the final wording was more aggressive than he anticipated. Mr. Wilson gave background in the resident's defense, in that the previous owner constructed a garage with doors facing the back toward the Trust land. Mr. Wilson also stated all neighbors he has spoken to are vehemently opposed to closing of the access, and believe that per their deeds it is a street. He also said that with more houses built in that area, parking and unloading access to homes is at more of a premium, leading to additional need to use the back. Mr. Viola said that our overall mission is to preserve and protect Trust properties, and if a property is compromised by a few, we have a responsibility to deal with it appropriately; he believes there is a fair resolution which balances all interests. Mr. Taylor commented that if Trustees allow a *de facto* opening, the liability would rest with us, including responsibility for wear and tear, ruts, etc. and that it would be preferable to have it open as a public street.

Mr. Peden recommended to let the situation ride over the summer, and to have Mr. Taylor research further whether or not the strip in question is legally a street.

AT&T Hut -- DuPont Highway

We received a written acknowledgement from AT&T re the amount of back rent owed. Once we have had our environmental consultant (BrightFields) assess and clear the building and property, we will sign a letter of agreement for the turnover with AT&T Real Estate division.

Western Gateway

We received the temporary easement documents for landscaping construction access in front of the Family Foundations Academy property. Trustees will sign and return to City and also brief FFA on status. FFA will take responsibility for ongoing maintenance.

Penn Mart

There are still issues with trash although New Castle County has closed the last formal violation. We have received complaints about potholes at the front exit and will follow up with Interstate Management.

141 Shops – Vari

Mr. Alfree requested time in Executive Session to discuss real estate matters surrounding this property.

Happy Harry's/Walgreen's

Robert Wittig and his partner from Diamond State Management made a presentation to Property Development Committee on June 4 and submitted a new plan/schematic for location of the building. They claim that this jibes with where DelDOT prefers the new road to be. A drive-thru for the pharmacy is a key feature. The project assumes that the State will construct the proposed new intersection configuration. A time frame of 2-3 years is expected if all goes well. The decision remains to be made as to which access road will be closed off: Wilmington Trust drive-thru or the Professional Center.

Trustees are now waiting for a lease proposal from the developer; we have requested that it be provided before the Finance Committee meeting. Mr. Alfree will contact DelDOT independently regarding the State's plans for road changes at this location. Mr. Alfree noted the distinction between Happy Harry's as a local, more responsive company and Walgreen's as a huge remote corporation and the difference that could make in our dealings with them.

OUTREACH COMMITTEE REPORT - Mr. Gebhart reporting.

Among other topics, the Committee discussed the Second and Chestnut issue, and offers to contribute to a smoother community relations process, *i.e.*, to help solicit feedback from relevant community segments prior to the Trust taking formal actions like sending written correspondence. Mr. Peden said he thought it was a good idea. The request for a large Twyman/Harris family reunion using Trust property in Buttonwood is pending. Mr. Gebhart asked Mr. Taylor to draft a hold harmless agreement for the family representatives to sign. On May 25, Mr. Gebhart attended the installation of bird feeders in the Gambacorta marsh by children from a Wilmington Montessori school. The Trustees recently allowed porta-potties behind Old Town Hall to accommodate a large event at the Presbyterian Church: one complaint was received to the effect that they should not be placed so near the landscaping.

Outreach members have considered the concept (raised previously) of combining with other committees and recommend against it. Mr. Wilson stated that meetings with community organizations that receive Trust grants have begun; the purpose is to explain new application and reporting forms and process.

PROPERTY MAINTENANCE COMMITTEE REPORT – Mr. Viola reporting.

Mr. Viola reported that Cathie Thomas attended the Committee meeting to discuss status of City yard waste plans. The State has postponed implementation of yard waste separation requirements until January 2008. The current location for collection of yard waste is in Dobbinsville; City is considering other locations and would like to discuss possibility of using part of the Penn Farm. Mr. Viola indicated much more detail would be needed in order to give this serious consideration. City continues to emphasize need for new piece of grinding equipment. The Committee will monitor this matter closely.

Eric Mayer, owner of old Abex property on Route 9 also attended Committee meeting. He is offering to cut down trees at no charge that have grown up on the clay cap over Trustee-owned part of contaminated site. He is contemplating building a multi-story residential development across the road and would like to maintain an unobstructed view of the river. Once cleared he would keep that land mowed and cleared. He will provide insurance documentation. The Committee proposes allowing Mr. Mayer to make these improvements with the proper protections. Mr. Taylor stated that Abex should have been maintaining the site and removing trees, as their roots extend into the toxic material, however, there is little likelihood of this as the entity probably no longer exists.

FINANCE COMMITTEE REPORT – Mr. Gambacorta reporting.

Mr. Alfree brought to the Committee's attention that we have been paying a higher rate on our Wilmington Trust loan (prime +) than on our PNC Bank loan (prime -). Mr. Gambacorta is currently attempting to negotiate a better rate with Wilmington Trust.

LIBRARY COMMITTEE – Mr. Viola reporting.

Mr. Viola has heard many unsolicited positive comments about the nature of the plan for the Library expansion, incorporating the adjacent structure at 420 Delaware St. As it happens, an early owner of that residence was apparently instrumental in acquiring the Amstel House and also in founding the New Castle Historical Society.

OPEN-SPACE COMMITTEE – Ms. Fiske reporting.

A written request was received from Michael Hemphill of 114 The Strand offering to clear brush and weeds from Trust land between his property and the River, and containing the requested language specifically acknowledging Trust ownership of the land. A written response was sent giving him permission to go ahead. Ms. Fiske and the Committee are attempting to draw up a formal inventory of all open space lands owned by the Trust.

BY-LAW COMMITTEE – Mr. Wilson reporting.

Mr. Wilson stated that over the summer the By-Law Committee will meet with the chairs of the other committees to discuss pros and cons of merging committees. Also, during the FY07 audit the auditor requested our Conflict of Interest policy, and we have none. Mr. Wilson said that the Committee will revisit preliminary work in this regard which was done by Mr. Taylor in October of 2000.

BATTERY PARK COMMITTEE – Mr. Gebhart reporting.

Mr. Gebhart said that a request was received from Victor Santos of the Summer Recreation program to use the archway area of Town Hall on June 16th for program registration. This is something that happens every year; request is granted. Mr. Gebhart said that since the passing of Ms. Banks, it has become apparent that there is a need to clarify policies and approaches to Battery Park usage requests. This will be looked at over the summer. A tree has been planted in Battery Park by Erv Thatcher in honor of Anita Banks, located in view of the Banks Building. At this time no marker is being considered; this has generally been the practice with memorial trees in the Park.

GOOD WILL FIRE HOUSE COMMITTEE – Mr. Wilson reporting:

The Committee will be scheduling a liaison meeting with the Fire Company Board. Due to light workload, this is one committee that will be actively looking to incorporate with another committee, such as Outreach.

OTHER COMMITTEES – No report.

COMMUNICATIONS

- Letter from Pencader Charter H.S. athletic director thanking Trustees for use of tennis courts.
- Verbal offer to Mr. Wilson to clear brush near river (similar to that of Michael Hemphill) from Mr. Velitskakis of 236 E. Second St. (owner of Portofino restaurant). Will ask him to put offer in writing. (Two side items were mentioned in this regard: a couple complaints received by the landscape workers Mr. Hemphill hired regarding disturbing habitat of fauna; and the sighting of a “disappearing” picnic table on the riverside, of unknown ownership. Also, Mr. Quillen noted that the City apparently installed a concrete pad for a bench, and inquired who approved that. Ery Thatcher will be contacted.)
- Letter from Beautification Committee thanking Trustees for the FY 2008 appropriation.

Mr. Alfree moved to adjourn and go into Executive Session to discuss real estate matters; motion passed. Following the Executive Session, the meeting was again called to order.

Mr. Alfree moved to approve that the Vari organization (141 Shops) sublease their property to the Korean Baptist Church. Motion approved.

Mr. Viola moved to authorize the Trustees to sign the contract for Library renovation and expansion with Buck Simperts & Associates. Motion passed.

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

Respectfully Submitted,

Kathleen MacDonough
Executive Secretary

**Trustees of the New Castle Common
Meeting Minutes
May 1, 2007**

The monthly meeting of the Trustees was held on Tuesday, May 1, 2007 at 7:30 p.m. in the Trustees Room of the Old Town Hall.

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

Mr. Peden called the meeting to order, followed by a moment of silence. Mr. Yacucci was then sworn in by President Peden, having received the majority of votes in the April 28, 2007 election to fill the vacancy created by the expiration of the term of Lewis Indellini in October, 2006.

Calendar Additions:

Mr. Gebhart: Outreach Committee, May 21 at 2:00 p.m.

The minutes from the April 3 meeting were approved as presented. The Treasurer's Report was also approved as presented.

PROPERTY DEVELOPMENT COMMITTEE REPORT - Mr. Alfree reporting:

Mr. Alfree noted two changes in the Property Development agenda: the Good Will Fire Co. item will be handled in Mr. Wilson's report; and, to replace it with a new item -- 'State of Delaware/Dewey Park.'

Rezoning Request

A public hearing on rezoning of Burger King, Spallco, Castle Mitsubishi, Gambacorta Pre-Owned, and Shell is scheduled for May 7 at 6:30 p.m. The first and second readings will occur May 8 at City Council meeting, and the third reading will be made at a later date.

Mr. Taylor received an email from Ms. Thomas, city manager, asking about the proposed Getty Station and Ferry Cut-off rezonings. Mr. Alfree responded that it was the Trust's understanding that those two items would be tabled indefinitely. Mr. Taylor said that the Getty station would remain as a nonconforming use, and any change in status at Ferry Cut-off would wait until such time as a new tenant came forward who required General Commercial, and a full review could be conducted before the Planning Commission, with appropriate restrictions included in any approved rezoning. Mr. Alfree and Mr. Taylor will attend the May 7 hearing.

Second and Chestnut

A strip of Trust land is being abused by one resident who is using it as a driveway to the back of his home. A letter was sent to this resident, but the practice is continuing. Mr. Wilson had previously suggested sending a general letter to the owners of adjoining properties; the Property Development Committee recommends proceeding with this approach. In discussion, Mr. Wilson stated that the other area residents use the land sparingly for occasional access. Mr. Taylor said that one alternative would be to have the access way formally declared a street, and turn it over to the City. Mr. Alfree moved to send a letter to each contiguous household on E. 2nd and Chestnut Streets explaining and clarifying the situation and the Trust's position. Motion passed.

AT&T -- DuPont Highway

We have been in communication with AT&T regarding the Trustees taking possession of the AT&T hut between the Vari and Gordy sites. AT&T owes several years back rent (about \$1,000 total) and there is no lease in place currently. AT&T no longer has use for the building, but requests execution of some type of written agreement prior to turning the key over. We have a concern that there could be potential for an environmental problem, so we will advise AT&T that we wish to arrange an on-site visit with their representative to assess any possible liabilities before accepting possession. There is also a large telephone cross-connect box which is believed to be active. If it is on the property, but not in the right-of-way, it may be necessary to execute a new lease with AT&T for an easement to the connection box.

An inquiry was received from the daughter of the owner of the adjoining Mexican restaurant regarding leasing the AT&T lot to construct and operate a beauty shop. She was advised that there is currently no utility service to the location and withdrew her proposal. There is a possibility that Mr. Vari may have an interest in the site.

Penn Mart

1. Mr. Alfree contacted Anthony Mize, New Castle County code inspector, to get his assessment of the conditions behind the center. It happened that Interstate Management had arranged for someone to meet with Mr. Mize that same day, so Mr. Alfree asked Erv Thatcher to join them. The inspector covered exactly what was required to correct the violations with the representative from the management company. They also had conversations with some of the offending tenants. The inspector will advise Mr. Alfree by Friday of status. Mr. Taylor noted that Dennis Spivack, management company attorney, stated that they will clean up the site and also wish to examine the boundary lines with the Tremont Motel.

2. A letter from Artesian Water was received regarding a Penn Mart tenant who had been sharing his water service with adjoining stores (due to there only being one meter for three stores) and pro-rating the bill. That tenant closed his business, and requested that the water be shut off; the two neighboring stores obviously objected. The options presented by Artesian were that the Trustees now pay that water bill, or pay to have multiple water meters installed. Mr. Taylor sent a letter advising Interstate Management that they are wholly responsible for resolving this situation.

Western Gateway

This project must be installed by June 30. Mr. Alfree spoke to Tom Nickle at DeIDOT, who suggested granting a temporary easement which would allow for installation of the landscaping, followed by the tenant taking responsibility for ongoing maintenance. Dr. Brewington of Family Foundations Academy was agreeable to this approach. Mr. Alfree moved that a temporary easement be granted at the FFA site for the Western Gateway project construction phase; motion seconded and passed.

State of Delaware – Dewey Park

Bernadon Haber Holloway sent a letter requesting permission to excavate for electrical work to support the new chiller for the Courthouse (5 X 5 foot hole, 40 inches deep, behind William Penn statue). They will be boring underground from the Courthouse to the electrical vault. Property Development Committee recommends that this request be granted contingent on assurances that the contractor is properly insured, clears the work with Miss Utility, and will restore the ground to its former condition. Mr. Alfree moved that the State of Delaware contractor be allowed to excavate Dewey Park to gain access to the electrical vault contingent on their meeting the conditions described above. Motion passed.

Penn Valley Park

VanDemark & Lynch in process of completing survey; settlement should be able to occur soon.

Happy Harry's/Walgreen

Walgreen's advised Mr. Taylor that they approved the new site. We are now waiting to hear from Happy Harry's regarding lease negotiations.

Battery Park

Mr. Alfree's letter of April 12 to John Tracey regarding the Trust's concerns about construction at the Marini property was distributed in the Board packet. This matter can now be removed from the list of active items.

OUTREACH COMMITTEE REPORT - Mr. Gebhart reporting.

Outreach Committee recommends moving forward with entering into a five-year lease with New Castle Little League commencing Sept. 1, 2007. Mr. Gebhart received a letter from the Little League with project updates. Project components completed are: fencing repairs, repairs to backstops, new bleachers, new deep fryer for concession, new sod, new clubhouse windows, new exterior lighting at clubhouse. Still in progress are: road improvements to gravel road (to be donated by Greggo & Ferrara), addition of decorative fence by utility garage to house dumpster, repair of lighting at major field. Mr. William Becker, president, has been communicating regularly regarding progress.

Mr. Gebhart read a letter from Arnold Twyman requesting use of the Trust property next to Buttonwood School for a large family reunion on June 21-24. Mr. Briggs from Insurance & Financial Services has suggested that the Trust attorney draw up a "hold harmless" agreement for the parties to execute. Also, the Outreach Committee proposes posting a sign at the location. The family reunion group has been in touch with Eugene and Teel Petty and received permission to use Buttonwood School and its grounds during the reunion. Mr. Gebhart moved that the Board grant permission to the Harris/Twyman family to use the Trust property adjacent to the Buttonwood School for the family reunion, contingent on a hold harmless agreement, appropriate signage and a clean-up requirement. Motion passed.

Outreach Committee members will be making personal visits to community organizations receiving grants to explain the newly adopted system of written applications and progress reports. It was agreed that Mayor and Council grants should be included in this reporting process. After an organization has requested grant funding from the Trustees, when the new budget year begins it has been the practice to await a written request from that organization to disburse the funds. Mr. Appleby pointed out that this has occasionally occurred because an organization would outlay their own funds and then come to the Trust with the relevant receipts for reimbursement. Mr. Gambacorta mentioned that this prevents sending checks to organizations whose status has changed or which may no longer be viable. This process has not always been clear, so the Outreach Committee will cover this subject in their site visits.

PROPERTY MAINTENANCE COMMITTEE REPORT – Mr. Viola reporting.

Mr. Viola reported several incidents that occurred as a result of severe weather the third weekend in April. A portion of the roof at the Professional Center blew off in the wind, but luckily this occurred after most of the rain had passed. Warranty on that roof was for 10 years and expired in 1997. The Committee is considering recommending replacement of the entire roof since there have been a series of problems with the technology and design of the current roof.

There was water in the basement of the Old Library which was cleaned up by Public Works. There is a sump in that basement, but no pump, so a new pump will be purchased and installed. During the heavy rains no leaking was observed at the New Library. Some of the roof seams still need attention, but the majority of the problem seems to be resolved.

The Penn Farm farmhouse basement was flooded to a depth where safety was a concern, so the electricity and heater were shut down temporarily until all could be dried out. Delmarva Power supplies the power there, even after the annexation.

Mr. Viola is going to invite City Manager Thomas to present the yard waste plan. He also requested that a property maintenance issue be reserved for Executive Session.

FINANCE COMMITTEE REPORT – Mr. Gambacorta reporting.

Mr. Gambacorta congratulated Mr. Viola on the expeditious receipt of the \$300,000 reimbursement from the State of Delaware library department, which was a 50% reimbursement for the funds expended by the Trust to purchase 420 Delaware Street.

ELECTION COMMITTEE REPORT – Mr. Quillen reporting:

Mr. Quillen stated that the Board needs to formally declare the election for the one remaining open seat, that of Mrs. Banks, and recommends that this be done at the September meeting. Mr. Alfree thanked Mr. Quillen for taking responsibility for the Election Committee, and congratulated him for successfully mastering the process and coordinating so many elections in a short period of time (four elections in six months).

LIBRARY COMMITTEE – Mr. Viola reporting.

Mr. Appleby chairs the Building Committee of the New Library expansion project, and Mr. Viola serves on that committee. The question arose as to who should sign the contract with the architect, Buck Simperts & Associates. Mr. Viola and the Committee believe that the Trustees as owner of the property should sign. The Committee requests that Mr. Taylor review the contract.

OPEN-SPACE COMMITTEE – Ms. Fiske reporting.

Ms. Fiske has been elected chair. The Committee has invited Mr. Castagno, Mr. Yacucci and Mr. Gebhart to join them and all accepted. A request was received from Mr. Michael Hemphill, of 114 The Strand, offering to clear brush and weeds from Trust land between his property and the River. He has done this in previous years. Mr. Taylor advised that it should be made clear that we are not establishing a precedent of allowing another party a basis to claim land by virtue of the fact that they have maintained it over time. Mr. Wilson said we will have Mr. Hemphill submit his request in writing, acknowledging that the Trust is the owner of the land.

BY-LAW COMMITTEE – Mr. Wilson reporting.

The Committee met and Mr. Wilson was elected chair. The Committee wishes to clarify the wording and meaning of the term “senior member” of a committee, stipulating that seniority is based only on the present term within a given committee. At the appropriate time Mr. Wilson will send a letter to the Board with the required ten-day written notice. The Committee also will be continuing to consider the question of combining some committees. Mr. Alfree will distribute an updated list of committee assignments.

BATTERY PARK COMMITTEE – No report.

GOOD WILL FIRE HOUSE COMMITTEE – Mr. Wilson reporting:

Statewide, fire companies are recommending installation and use of “key boxes.” These provide a secure outside location for a key to a building, accessible only to firefighters from any company (whether responding to actual fire or false alarm) without needing to break down doors. The Committee will be scheduling a liaison meeting with the Fire Company Board.

NOMINATING COMMITTEE – No report.

COMMUNICATIONS

Mr. Viola gave some background to his letter to Councilperson Churchill regarding the Banks Building which was included in the Board packet. There has been discussion of transferring title to the building vs. executing a 99-year lease. The City Council approved a motion to ask the City Solicitor to contact Mr. Taylor, and for them to draft a recommendation for the best way for the Trust to obtain control of the building in order to begin capital improvements. Mr. Viola is continuing to work with Ms. Churchill as the new Council gets underway. Mr. Taylor stated that he has communicated with the City Solicitor regarding this matter, and reserved further discussion of this real estate matter for Executive Session.

Mr. Quillen received a request from Mr. Briggs representing the New Castle Presbytery. They are hosting a one-day regional conference and wish to install two porta-potties behind the Old Town Hall to help accommodate the large number of people expected at the conference. We will approve this.

Mr. Alfree received a phone call from Chief McDerby thanking the Trustees for the police car which was funded under the FY08 budget. Of interest, Mr. Alfree mentioned some of the major topics/questions that arose at the recent Trustees candidates' forum: the future of Penn Farm; general community awareness of the Trust and its functions; Battery Park; and loans and grants to homeowners. Mr. Gebhart thanked him for bringing this feedback to the Board's attention, and promised that the Outreach Committee would be attuned to improving communication about the Trust with City residents.

Ms. MacDonough mentioned that Barbacane Thornton & Co. auditors plan to be on-site beginning May 7 for the annual financial review.

Mr. Peden moved to adjourn and go into Executive Session to discuss real estate matters. Following the Executive Session, the meeting was again called to order.

There being no further business, the meeting was adjourned.

Respectfully Submitted,

Kathleen MacDonough
Executive Secretary

**Trustees of the New Castle Common
Meeting Minutes
April 3, 2007**

The monthly meeting of the Trustees was held on Tuesday, April 3, 2007 at 7:30 p.m. in the Trustees Room of the Old Town Hall.

Present: Ms. Fiske and Messrs. Peden, Alfree, Appleby, Castagno, DeAscanis, Gebhart, Quillen, Viola, Wilson, and Andrew P. Taylor, Esq., and Ms. MacDonough, Executive Secretary. Guests at the meeting were Mr. Robert D. Fleck, Jr., and Ms. Mimi Carpenter of the *New Castle Weekly*.

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

Calendar Additions:

Mr. Alfree: Property Development Committee, April 30 at 4:30 p.m.
Finance Committee (Quarterly Review), April 25 at 4:00 & 4:15 p.m.
Mr. Gebhart: Outreach Committee, April 23 at 2:00 p.m.
Mr. Viola: Property Maintenance, April 26 at 4:00 p.m.
Mr. Quillen: Election Committee, April 10 at 4:00 p.m.

The minutes from the March 6 meeting were approved as presented. The Treasurer's Report was accepted with the following corrections: misalignment of two rows at top of first page; and, designation under Mayor & Council of Tree Commission and Good Will Fire Company appropriations should read 4Q (Fourth Quarter) rather than 1Q.

PROPERTY DEVELOPMENT COMMITTEE REPORT - Mr. Alfree reporting:

Penn Valley Park

On April 2 Mr. Peden and Mr. Alfree signed Trustees' portion of the contract to purchase the property. The survey approved at the March meeting is proceeding.

Rezoning Request

Mr. Alfree and Mr. Taylor attended the March 19 Board of Adjustment meeting. The Board approved the rezoning requests relating to the five properties at Hares Corner: Burger King, Spallco, Castle Mitsubishi, Gambacorta Pre-owned, and the Shell station. The Board tabled action pertaining to Getty /Dunkin Donuts and the Professional Center, for the purpose of considering input from the Planning Commission and others, and possibly placing some restrictions on the proposed General Commercial category. The next step is to submit to City Council for the required three readings of the ordinance.

Second and Chestnut

Mr. Alfree sent a letter to the resident who has been using a Trust-owned strip of land between 213 and 215 Chestnut as an access road to the back of his property. Mr. Wilson said that the resident approached him and they discussed the situation. There is an inherent dilemma, as some property deeds show the land in question as a street, but City maps do not show it as such. The usual practice of area residents has been to use this strip only occasionally for special access, which has not been a problem until the overuse by the resident in question. Mr. Peden recommended that we wait and see if the objectionable use continues. One solution offered was a "No Trespassing" sign, but Mr. Wilson said that such an action might be unnecessarily inflammatory. Mr. Wilson suggested that the Trustees send a general letter to each contiguous household on Chestnut and on Second explaining and clarifying the situation. This matter will be sent back to Property Development Committee.

AT&T -- DuPont Highway

AT&T indicated that they no longer need the building and will vacate it. To date we have not received the key. Also, they are processing the paperwork for the past due lease payments totaling \$1,050.00. Mr. Alfree checked with Mr. Vari and Mr. Gordy, lessees of the adjoining properties, and neither are interested in using the AT&T portion at this time. The issue now becomes whether or not to demolish the building. Property Development Committee will make a recommendation at a later date.

Penn Mart

Despite the assurances of the management company, there has not been satisfactory progress on correcting the code violations behind the shopping center. Although the problem may be exacerbated due to dumping by outside parties, it is nonetheless the responsibility of the management company to control this. Mr. Taylor will prepare a "notice of default" letter. On a related matter, Mr. Wilson asked that the Committee take a look behind BJ's Wholesale Club, which is becoming an eyesore.

Vari Building/Day Care Tenant

Mr. Vari will be renting a part of his building to a day care operator. There are a number of state regulations governing this, including location on the end of the building, entrance access, parking and traffic flow. Mr. Vari submitted a detailed plan, and requested that the Trustees co-sign an Application for Plan Review by New Castle County Land Use. The Committee requested and received proof of sufficient insurance to cover a daycare operation. Mr. Alfree moved that the Board approve Mr. Alfree to sign the document and allow Mr. Vari to proceed with his application for plan review. Motion passed.

Western Gateway

The Western Gateway project was initiated by the City a number of years ago, and now also has DeIDOT involvement. Since the plan was conceived, the Trustees leased the property at 1101 Delaware Street to the Family Foundations Academy. The project coordinators want a 20' easement in to install landscaping. This may overlap the parking area at FFA, so Mr. Alfree will contact school officials to discuss.

Two other Property Development items will be reserved for Executive Session.

OUTREACH COMMITTEE REPORT - Mr. Gebhart reporting.

Mr. Gebhart asked Mr. Viola to describe a proposal that the Committee is bringing to the Board regarding tracking community grants. Mr. Viola said that one of the charges of Outreach is to review requests for annual contributions and make recommendations. He said that through exposure to other grantor foundations, he has observed that it is good practice to monitor use of grant funds and solicit feedback from recipients. The Committee proposes that Trustees make personal contact with each current grantee and explain a new process whereby future requests would be submitted in a specific format. Grantees would subsequently be asked for a progress report on expenditures and outcome of funded projects (copies of proposed forms attached). A benefit would be that grants disbursed year after year without current feedback or review could be better evaluated. Mr. Castagno asked if this would extend to the City appropriations, and it was agreed that would be a good stewardship of our funds to include all grantees.

PROPERTY MAINTENANCE COMMITTEE REPORT – Mr. Viola reporting.

Mr. Viola visited Pollinger Roofing to obtain a firm date as to when expansion joints on the New Library roof would be installed. Roofer said that joints are already fabricated and if weather cooperates they will be completed in the next few days. Mr. Viola said that even during the recent period of bad ice storms, the leak situation is much improved since the standing seams were re-bent.

Two Property Maintenance issues will be reserved for Executive Session.

Mr. Appleby mentioned an environmental questionnaire that had been sent to Trust tenants in the past, regarding storage of hazardous or flammable materials on site. He asked if we should continue to do this, and Mr. Taylor said it would be a good idea, and suggested researching when this was last done.

FINANCE COMMITTEE REPORT – No report.

ELECTION COMMITTEE REPORT - Mr. Quillen reporting:

There is a contested election for the seat recently held by Mr. Indellini, with two candidates, Robert Fleck and Gregory Yacucci. A third person, Richard Pennell, filed but subsequently withdrew. Mr. Quillen encouraged all Trustees to come to the Fire House on Election Day, April 28. Lunch will be provided. The deadline for withdrawal of candidates is April 9, at which point Mr. Quillen will recruit the poll workers and notify the Department of Elections that we will require voting machines.

LIBRARY COMMITTEE – Mr. Viola reporting.

Mr. Viola described upcoming library budget cutbacks at the State and County levels. Due to coordination between Sen. Conner and Anne Farley of New Castle County, for Fiscal 2008 the New Castle Library did receive sufficient funds from the Bond Bill to provide for the acquisition of 420 Delaware Street and for the preliminary design costs; the \$15,000 FY08 appropriation from the Trustees is earmarked for operating costs. The paperwork for reimbursement from the State to the Trustees of \$300,000 put toward the purchase of 420 Delaware Street has been submitted. Design of the renovations and organization of the capital campaign are proceeding well.

OPEN-SPACE COMMITTEE – Mr. Wilson reporting.

Mr. Wilson will be contacting Ms. Fiske to set up a meeting, now that there is more than one member.

BY-LAW COMMITTEE – No report.

BATTERY PARK COMMITTEE – Mr. Gebhart reporting:

There has been ongoing confusion as to who has responsibility for parks in the City. Mr. Wilson stated that this misapprehension may derive from the fact that when original documents were drafted, the only formal park in existence was Battery Park. Since then, the City has acquired and developed parks, which it is responsible for.

GOOD WILL FIRE HOUSE COMMITTEE – Mr. Alfree reporting:

A letter was received from New Castle County Land Use informing the Trustees that legal addresses have been assigned to entrances and other key areas at the Farmers Market, to allow better location identification in case of emergency. Mr. Alfree had a copy of the letter forwarded to the Fire Company.

NOMINATING COMMITTEE – No report.

COMMUNICATIONS

A letter was received from Richard Evans, candidate for Mayor in the April 14 City election.

Mr. Peden moved to adjourn and go into Executive Session to discuss real estate, litigation and personnel matters. Following the Executive Session, the meeting was again called to order. There being no further business, the meeting was adjourned at 9:15 p.m.

Respectfully Submitted,

Kathleen MacDonough
Executive Secretary

**Trustees of the New Castle Common
Meeting Minutes
March 6, 2007**

The monthly meeting of the Trustees was held on Tuesday evening, March 6, 2007 in the Trustees Room of the Old Town Hall.

Present: Ms. Fiske and Messrs. Peden, Alfree, Appleby, Castagno, DeAscanis, Gambacorta, Gebhart, Quillen, Viola, and Andrew P. Taylor, Esq., and Ms. MacDonough, Executive Secretary. Guests at the meeting were Mr. Thomas H. Wilson, Jr., Mrs. Marie Wilson, Mr. Richard Evans, and Ms. Mimi Carpenter of the *New Castle Weekly*.

Mr. Peden called the meeting to order, followed by a moment of silence. Mr. Wilson was then sworn in by President Peden for a second 12-year term on the Board, having been elected March 3, 2007 in an uncontested election to fill the vacancy created by the expiration of his previous term on June 11, 2006.

Calendar Additions:

Mr. Gebhart announced that he was scheduling an Outreach Committee meeting for Mar. 19 at 2 p.m. at Town Hall.

The minutes from the February 6 meeting were accepted, with the following amendments: Mr. Gambacorta noted that on Page 5 in the summary of the Finance Committee budget report, the sentence should read "... proposed income *will* be ...". Also, Mr. Alfree noted that the "Unanimous Consent" attachment to the minutes mailed in the packet, showing multiple signatures, was not the final version that was submitted. A corrected version will be supplied.

The Treasurer's report was accepted as submitted.

PROPERTY DEVELOPMENT COMMITTEE REPORT - Mr. Alfree reporting:

Mr. Alfree stated that he would reserve discussion of some items for Executive Session, including Penn Valley Park and Battery Park issues.

Little League

Mr. Taylor is working on a five-year lease, and will forward it to Mr. Gebhart.

New Castle Sailing Club

The deed for the property was obtained from the City and forwarded to Mr. Taylor for recording. Mr. Taylor will be finalizing a new 20-year lease.

New Castle Family Center

New signage adding the new tenant (cardiac group) was installed without Trustees' prior review, but Mr. Alfree viewed it and feels it is satisfactory and uniform in design with the existing sign.

Rezoning Requests

Mr. Taylor and Mr. Alfree attended the Planning Commission meeting on February 26 to present the case for the rezoning of seven properties that was requested in Mrs. Banks' letter of Sept. 6, 2006. The Commission did not have a quorum and therefore could not act. Messrs. Taylor and Alfree will therefore attend the Planning Commission meeting on March 19.

There is one correction to the September 6 letter sent by Ms. Banks to the City. The Getty station was inadvertently included as recommending a change from Retail Commercial to Service Commercial, instead of the correct Retail Commercial to General Commercial. Essentially all seven properties are being requested to be moved to General Commercial.

Mr. Castagno said that there is some concern on the Planning Commission as to what might be allowed at the Getty station if it is rezoned General Commercial. Mr. Taylor said the rationale is that it is the General Commercial category that allows for the service station, so the change is needed for consistency with the Code.

Happy Harry's

Happy Harry's update: Mr. Taylor had a voicemail from their attorney stating that they are moving along in the process of getting approval from Walgreen's -- there is no specific update other than that they are still actively working on it. It is believed that Happy Harry's recently signed a five-year extension of their lease at the current location.

Mr. Taylor stated that Happy Harry's might not want to build at the new location until they receive assurance that the proposed new traffic light and new entrance (to be located north of Wilmington Trust) would become a reality. In turn, DelDOT will probably not commit to a specific timetable. Also, it may take up to three years to complete a new building due to various permits and approvals needed, including wetlands review.

There was a question as to what would happen if another prospective tenant approached us. Mr. Taylor said that it would be possible to negotiate with another interested party, as the discussions to date by way of information and negotiations with Happy Harry's do not constitute an offer.

420 Delaware Street

Mr. Alfree moved that he and Mr. Viola be authorized to represent the Trust at the settlement scheduled for Thursday, March 8 at 8:30 a.m. Mr. Peden has already signed the settlement sheet. Motion seconded and passed unanimously. Mr. Gebhart questioned whether the transaction should still remain confidential and not publicized in case the settlement is delayed for some reason. Mr. Viola said he felt confident that the seller is motivated and he does not expect a problem. Mr. Taylor received the survey from Van Demark & Lynch, which shows a brick wall along the east property line slightly encroaching on the neighboring property. It was agreed that this should not present a problem.

Second and Chestnut

A homeowner has been using Trust property, specifically a strip of land between 213 and 215 Chestnut, as an access road to the back of his property, and has put crushed stone down as a parking area. Mr. Alfree will write a letter to the individual stating that he may not encroach on Trust property to reach his property. City maps do not show that strip of land as a street, but the individual property deeds do refer to it as an (unnamed) street. Mr. Wilson lives in the neighborhood and stated that there is actually a manhole cover there, and that in the neighbors' deeds it is referred to as a street. Also, in practice, residents regard it and use it for access, although usually only on an occasional basis. Mr. Viola cautioned that we should move slowly and carefully explore the impact of whatever action is taken, since the status is presently unclear, and a resolution one way or the other may not be in the best interests of the residents of New Castle.

AT&T -- DuPont Highway

In the process of inventorying all sources of property revenue, Mr. Alfree and Mark Zitz researched the status of this lease, which includes a small brick building on DuPont Highway between the Gordy and Vari parcels. After locating a knowledgeable party at AT&T Real Estate, we were informed that they

only use the building for storage, and no longer want it. The Committee recommends that the Trustees formally notify AT&T to vacate the building, and then talk with Gordy and/or Vari, to see if they have any interest in the structure. One concern is that if it is torn down, it may be difficult to build there again. AT&T indicated that if we asked them to demolish it, it could take a couple of years before funds could be budgeted to do that. The lease rent was approximately \$100 per year; it is possible that AT&T is several years in arrears on this.

Western Gateway

Mr. Alfree has not heard from Cathryn Thomas at the City regarding the proposed plan to install landscaping on Delaware Street. No further update.

New Castle Farmers Market

Mr. Alfree reported that there was a fire at the Farmers Market February 27. He subsequently communicated with Richard Stat and also toured the facility with him. There is substantial damage near the electronics booth at the center. The fire started in an overhanging light and was hot enough to bend and twist several of the steel beams supporting the roof. An engineer has shored up the section and they will be cordoning off the damaged area. There is considerable water damage, and also smoke damage, especially to the large quantity of unsealed pegboard in the store displays, which will all have to be replaced. Mr. Stat hopes to have most of the businesses in the Market operational by this weekend, but the heavily affected area will take some time to repair.

Mr. Alfree remarked that the Good Will Fire Company did an exceptional job, and probably saved the building. Mr. Appleby mentioned that fire personnel are currently working on identifying the individual merchant stalls by number, and linking each number to a particular entrance so that firefighters can quickly reach problem areas.

OUTREACH COMMITTEE REPORT - Mr. Gebhart reporting.

Mr. Gebhart reported that the Outreach Committee met March 5. There is nothing to report at this time, other than the receipt of a written request from Brian Sprinkle, Athletic Director at Pencader Charter High School, located on Lukens Blvd. Mr. Quillen read the letter, which stated that Pencader Charter does not have athletic fields or facilities, and requested use of two of the (three) tennis courts at Battery Park, from 3-4 p.m., three days per week (no weekends). In exchange, Mr. Sprinkle proposed that the athletes would clean up and maintain the courts. He also stated that they would be flexible and work around any events needing the same facilities.

Mr. Peden suggested that posting a sign as to the details of the reserved courts would be a good idea. Sign should carry Trustees' name, but could possibly be paid for by the School. Mr. Wilson voiced a concern as to a precedent where another group was refused a request to practice tee-ball at the Ferry Wharf. He also asked Mr. Taylor about liability as to insurance. Mr. Taylor pointed out that the area requested for tee-ball practice was not designed for that purpose; however the tennis courts are specifically designed for the requested purpose. He also stated that the courts are open free to the public, and that the Pencader group could use them anyway, if available. The consensus of the Board was that the courts are not heavily used in the afternoons. Mr. Quillen noted that the school only requested this privilege through May, and we could reconsider the situation if any problems arose. Mr. Quillen moved that the Trustees allow use of the courts for one hour per day, three days per week, by Pencader Charter School. Mr. Castagno abstained, as he is on the board of the school. Motion approved unanimously.

PROPERTY MAINTENANCE COMMITTEE REPORT - No report.

FINANCE COMMITTEE REPORT - Mr. Gambacorta reporting:

Mr. Gambacorta reserved discussion of the increased costs of Maintenance Labor for Executive Session.

The main issue at hand is the Fiscal 2008 Budget. Mr. Gambacorta asked Mr. Appleby if he had any comments on the heavy duty “horizontal grinder” equipment that is under consideration. Mr. Appleby saw a demonstration and feels it works well, is versatile, can chew up materials up to 6” in diameter, and would be a good buy, but was unsure of how much use the City would make of it. The requested amount is \$55,200. Mr. Gambacorta noted that there is room in the budget should the Trustees wish to approve this item. Mr. Castagno wondered if the City had explored the possibility is that it could be purchased with State recycling grant funds. Mr. Viola noted that the ability to create mulch for park trees with this equipment might partially offset the cost of purchasing mulch. Mr. Quillen pointed out that this machinery could handle metal that was incorporated with green waste, such as wreath frames. The issue was tabled.

Mr. Gambacorta asked Mr. Viola to review the request of the New Castle Public Library. Mr. Viola recapped the situation whereby contract libraries have been advised that they will receive 4% less for FY 2008 from New Castle County. The Library’s request was \$15,000; the Finance Committee initially approved \$12,000. Mr. Viola felt that the Library’s request was conservative and he strongly recommended funding the full amount. This was agreed to by the Board.

Mr. Gambacorta asked for a motion to approve the budget as submitted, with the exception of the \$55,000 for the grinding equipment.

Mr. Wilson said he wished to ask the Board to consider appropriating \$2,000 for provision of a park for the Washington Park area, possibly on an unused part of the Little League property. Mr. Peden said he preferred not to clear Trustees’ land for parks, due to the liability issues. We have given parkland to the City in the past, but he would discourage giving any of the Little League land to the City. Mr. Appleby stated that in the past when the City has approached the Trustees, the Board has offered support but not to locate or supply the property. Mr. Wilson asked that funds be set aside with the contingency that they be made available for this use should the City come up with a park location. Mr. Peden said that this could be taken from the contingency line item if necessary.

Ms. Fiske attended a meeting of the Green Advisory Committee on March 5. One item that was brought up was the replacement of the metal tree surrounds in front of the Court House. There is an ironwork craftsman working elsewhere on the Court House who is available to design and create replacements. The Committee may be sending the Trustees a proposal at some point to do this; Ms. Fiske did not yet have a cost estimate. Mr. Peden stated that this could be considered at the appropriate time for funding from contingency funds.

Mr. Alfree suggested that action on the grinder purchase be delayed until the City presents a complete yard waste management plan and a full picture of what is required can be considered.

Colonial Garden Club did not request any money but was funded for \$300. Mr. Alfree said that to be consistent there should be no funding for any organizations from whom a request was not received. On discussion, Mr. Viola said that there is a possibility that the Garden Club did not receive the letter requesting a proposal. The \$300 appropriation was left in.

Mr. Gambacorta made a motion to accept the FY 2008 budget as submitted, with two exceptions: that \$15,000 be approved for the Library, and that the \$55,000 for the new grinder be tabled. Motion was seconded and approved unanimously.

Mr. Alfree stated that henceforth changes in the Trustee property summaries would be distributed as the updated page only, with appropriate revision dates noted. He also moved that \$1,000 be appropriated for Ms. MacDonough to purchase office furniture and equipment including a new chair, file cabinets, and a flat screen monitor.

An inquiry was made as to the status of the Community Progressive Club. No activity has been observed and no request for funding received. The Club owns property on two sides of Penn Street, including an open piece of land on the Battery Park side. The suggestion was made to determine if the Club is going out of existence, and if their property may become available. The Outreach Committee will look into this.

ELECTION COMMITTEE REPORT - Mr. Quillen reporting:

Mr. Quillen distributed the proposed schedule, which designates April 28 as Election Day. The Committee proposes that the extra registration dates (the evening and Saturday opportunities) be held in the Trustees' office instead of the Fire House. Anyone needing to register outside of the scheduled time periods can call Mr. Quillen and he will accommodate them. Evening open registration will be changed from Wednesday to Tuesday, and will be held on April 17 from 6 to 9 p.m. The Saturday registration will be April 21 from 10 a.m. to 1 p.m. Mr. Quillen will have the posters prepared. It was moved and seconded to declare a vacancy due to the expiration of the term of Lewis Indellini. Motion passed unanimously.

LIBRARY COMMITTEE – No report.

OPEN-SPACE COMMITTEE - No report.

BY-LAW COMMITTEE – Mr. Peden reporting.

There is a proposed By-Law change that that is not finalized yet. Mr. Peden asked Mr. Wilson if he would rejoin the By-Law Committee.

BATTERY PARK COMMITTEE – Mr. Gebhart reporting:

Mr. Gebhart mentioned that he recommends that Mr. Quillen be reappointed to the Battery Park Committee. This will be handled under the Nominating Committee report.

GOOD WILL FIRE HOUSE COMMITTEE – Mr. Alfree reporting:

No report except to reiterate that Good Will did an excellent job at the Farmers Market, and also responded to at least two other major fires in the last couple of weeks. Mr. Viola recommended that a letter be sent to acknowledge that they continue to do a great job in the service of the community. Ms. MacDonough will write the letter. It was suggested that the letter also be published in the paper.

NOMINATING COMMITTEE – Mr. Alfree reporting:

Copies of proposed committee memberships were distributed. This action will bring the Board into compliance with the current By-Laws. If there is a change in the By-Laws the Nominating Committee will convene again. Mr. Alfree asked if anyone was interested in joining the By-Law Committee. He moved that the committee structure proposal be accepted with the addition of Mr. Quillen to the Battery Park Committee, and Messrs. Wilson, Quillen and Castagno be appointed as an ad hoc By-Law committee. Motion seconded and passed unanimously.

Mr. Alfree also made a motion to appoint the following officers for the 2008 fiscal year:

President -- Gregory Peden
Vice President – Carlo Viola
Secretary -- Michael Alfree
Assistant Secretary – James Quillen
Treasurer – Henry Gambacorta
Assistant Treasurer – Richard Appleby

Motion was seconded and passed unanimously.

As an unrelated matter, Mr. Alfree suggested that some students that have received Trust scholarships could be used to assist with office work such as filing, and in conjunction with this earn community service hours. Mrs. Hassert of the Scholarship Committee has delivered the check requests and cover letters for the second semester payments to the recipients.

COMMUNICATIONS

A sympathy card was sent to former Trustee Edward J. “Skeets” Camelli upon the death of his wife Kathleen Barnes Camelli. Ms. MacDonough read a note of thanks to the Board from Mary Ann Brown.

Mr. Alfree moved to adjourn and go into Executive Session to discuss real estate, litigation and personnel matters. Following the Executive Session, the meeting was again called to order. Mr. Alfree moved to authorize an expenditure to survey the Penn Valley Park property. Motion seconded and approved.

There being no further business, the meeting was adjourned at 9:06 p.m.

Respectfully Submitted,

Kathleen MacDonough
Executive Secretary

--- Executive Session ---

Mr. Gambacorta noted that the Labor item is already overspent by almost \$13,000. Proposed amount is now \$110,000. Will discuss details further in Executive Session.

Eliminated Walkway Repairs item, as did not use that money last year.

Mr. Viola noted that he has recently been made aware of a new Sluice Gate problem. Recommend restoring \$1,000 to that line item.

Basin Road Property

On Jan. 29 Mr. Taylor sent letter to attorney for Dr. Adeleke to give them the information concerning the possibility of building on this property and gave him a copy of the wetlands delineation plan and draft of the lease.

Marini Property

Mr. Alfree reported that he and Mr. Taylor attended the City Board of Adjustment hearing regarding the Marini property. They ruled that it is a corner property, which means that the house may face either South St. or Third St. Mr. Alfree summarized the following points of the Trustees' position:

- That part of "South St." has not been used for at least 20 years; it is in fact the driveway to the entrance to the parking lot that we paved about ten years ago. Mr. Alfree quoted the case of Brosius-Eliason vs. Di Mondì which indicated that lack of use for more than 20 years allows it to be considered not a street.
- Tax parcel does not show South St.; what they are calling South St. is within the boundaries of Battery Park.
- The fact that we paved it.
- Old steps face on Third St.
- Address is Third St.
- Official zoning map clearly shows South St. stopping at Third St.

Messrs. Alfree and Taylor did not state an opinion as to whether a house should, or should not, be built on the property. They were prepared that if it was not deemed a corner property, to spend the time on the rear setback, but meeting did not get to that point. Trustees thanked them for doing a great job.

Remainder of Property Development items to be addressed need to be discussed in Executive Session.

Following the executive session, the meeting was again called to order. Two motions were approved:

1. Motion to request that New Castle Family Care brings proposed signage changes to the Board for approval. Approved unanimously.
2. Motion to accept the offer of New Castle Sailing Club, a 20-year lease with initial rent to be \$1800 per year, including 15% increases every five years. Approved unanimously.

Notes on 3/6/07 Executive Session (for the record, not to be published)

A. Marini Property

Mr. Alfree and Mr. Taylor attended the Jan. 17 City Board of Adjustment hearing on this variance request, and presented the Trustees' position. There will be a 30-day period for appeal, with the clock starting the day that the written decision is formally recorded. The Trustees discussed the merits of filing an appeal. Mr. Gebhart asked if the Trustees could join in on an appeal filed by another party. Mr. Taylor said he believes that, in any event, the Board will approve something, and that an appeal might be perceived negatively. The next step in the review process will be the Historic Area Commission. It was noted that the attorney for Mrs. Marini is John Tracey.

B. New Castle Sailing Club

Mr. Alfree and the Trustees had proposed a 20-year lease with five-year incremental increases of 15% beginning in December 2006, at an annual rate of \$2,400; the Club originally countered with \$1,500 per year. Of a total membership of 105, the Club states that about 20 percent are currently New Castle residents. At the January meeting the Trustees voted to remain firm at the \$2,400 figure. On January 25, Mr. Alfree met with Club representatives, who later contacted him with a revised offer of \$1,800 per annum.

C. New Castle Family Care

They are significantly in arrears. Mr. Gambacorta contacted them to set up a payment arrangement. Subsequently, more unpaid bills came to light. Dr. James' attorney contacted Andy Taylor with a list of renovations desired to accommodate the sublease. They have been advised that cosmetic improvements and cleaning are approved; requested changes to interior and exterior signage will require a vote by the Trustees.

D. Cost of Maintenance Worker Positions

There have been significant increases in costs associated with the workers shared with the City. Factors contributing to this are apparently health insurance for one worker, and overtime for the second worker. Mr. Peden suggested that the Trustees request an audit or detailed description of costs incurred, and a projection of future costs and overtime requirements.

E. Second & Chestnut - Use of Trust Property as Driveway

A resident of East Second Street has begun a practice of driving and parking on the easement and apparently adding crushed stone as a paving surface. There is confusion over whether or not this strip of land is considered a "street" according to the City. If it is a street, who is responsible for maintenance? A letter will be sent to the resident establishing that this land is Trustees' property.

**UNANIMOUS CONSENT OF
THE TRUSTEES OF NEW CASTLE COMMON**

The undersigned, being all the Trustees of New Castle Common, pursuant to the provisions of Sections 141 and 228 of the Delaware Corporation Law, agree that the following resolutions shall be deemed duly adopted as if adopted at a regularly called annual meeting and entered into the minutes of the corporation:

RESOLVED, that the following individuals are elected to serve as Directors of the corporation until the next regularly called meeting, or until their successors are elected and qualified: Michael J. Alfree, Sr., Richard M. Appleby, Jr., Christopher Castagno, Francis J. DeAscanis, Dorsey Fiske, Henry F. Gambacorta, Gregory G. Peden, R. James Quillen, Jr., Chandler H. Gebhart, IV, and Carlo F. Viola.

FURTHER RESOLVED, the following individuals are elected officers of the corporation to serve until the next annual meeting or until their respective successors are chosen and qualify:

President:	Gregory G. Peden
Vice President:	Francis J. DeAscanis
Secretary:	Michael J. Alfree, Sr.
Treasurer:	Henry F. Gambacorta

Michael J. Alfree, Sr.

Henry F. Gambacorta

Richard M. Appleby, Jr.

Gregory G. Peden

Christopher Castagno

R. James Quillen, Jr.

Francis J. DeAscanis

Chandler H. Gebhart, IV

Dorsey Fiske

Carlo F. Viola

Dated: February 6, 2007

**Trustees of the New Castle Common
Meeting Minutes
February 6, 2007**

The monthly meeting of the Board was held on Tuesday evening, February 6, 2007 in the Trustees Room of the Old Town Hall.

Present: Ms. Fiske and Messrs. Peden, Castagno, DeAscanis, Gambacorta, Viola, Alfree, Gebhart, and Andrew P. Taylor, Esq.

Guests at the meeting were Mr. Thomas H. Wilson, Jr., Ms. Mimi Carpenter of the *New Castle Weekly*, and Ms. Kathleen MacDonough.

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

EXECUTIVE SECRETARY SELECTION COMMITTEE – Mr. Viola reporting:

Mr. Viola reported that a candidate, Kathleen MacDonough, has been identified and recommended for confirmation, and a bio distributed. Ms. MacDonough was asked to step outside for the vote. Mr. Viola moved to confirm Ms. MacDonough as the new Executive Secretary of the TNCC. Vote was unanimous, and Ms. MacDonough was recalled to the meeting, and began taking the minutes, as part of her new duties as Executive Secretary.

Calendar Additions:

Mr. Gebhart announced that he was scheduling an Outreach Committee meeting for Feb. 19 at 2 p.m. at Town Hall.

Mr. Alfree mentioned that the calendar should be updated to show that the election will be March 3. Further details forthcoming in Election Committee report. Mr. Peden noted that one of the guests present, Thomas H. Wilson, Jr., is the only nominee for the March 3rd election.

The minutes from the January 9 meeting were accepted, with the following correction by Mr. Viola: under Property Maintenance Committee report, the last line should read “Mr. Viola indicated that he would speak with the Quigley’s about this matter, and Ms. Fiske offered to help.

The Treasurer’s report was accepted as submitted.

PROPERTY DEVELOPMENT COMMITTEE REPORT - Mr. Alfree reporting:

Penn Valley Park

Mr. Alfree reported that he has not heard from the owner of Penn Valley Park land about the proposal to purchase the land. The owner was supposed to get back to him by the end of the month.

Little League

Mr. Taylor is working on a five-year lease for the Little League.

Burger King/Spallco

Property line markers have been installed at the site by Van Demark & Lynch. A copy of the site plan was placed in each property file.

Rezoning Requests

In September, Ms. Banks sent a letter to the City asking them to rezone a number of properties. The request finally went before City Council, and they referred it to the Planning Commission. Mr. Taylor and Mr. Alfree will be attending the Planning Commission meeting on Feb. 26th at 6:30 p.m., to explain the request.

Ms. Fiske asked why we were asking that the properties be rezoned to General Commercial, specifically the one on the Ferry Cut-Off, and also about the distinction between General Commercial and Service Commercial.

Mr. Taylor stated that he met with Jeff Bergstrom last week to gain a better understanding of the rationales. One big factor, especially affecting the properties on Route 13, is that they are now limited to one - 100 sq. ft. sign, which is not realistic for that location. The surrounding properties, including those leased to Richard Stat, are already zoned General Commercial.

RC is not preferred for Ferry Cut-Off, because under Ordinance 429, buildings have to be built within 10 feet of Ferry Cut-Off. Consideration includes one parcel which may be leased to Happy Harry's, and two other parcels possibly envisioned for future doctors' offices.

Another advantage is that this rezoning would not represent a change to the Comprehensive Plan – all categories still fall under commercial. Another reason is that RC (present Burger King zoning) does not permit a drive thru. Primary reason was originally the strict limitations of signage on Castle Dealership; now it makes sense to rezone for all. One exception: the Getty station can be Service Commercial.

Mr. Alfree added two update items to the agenda:

Complaint about trash and debris at Penn Mart Shopping Center:

Mark Zitz has faxed the management company a copy of the New Castle County inspector's complaint, dated Jan. 25, which gave ten days to correct. New manager, Hope Pilchik, assured Mr. Alfree that a new company had been hired and would have it cleaned up by Friday, Feb. 2. Mr. Alfree advised he again spoke with Property Manager on 2/6/07 after checking property this same day. Mr. Alfree advised her that the clean-up was unacceptable. Mr. Alfree advised he also spoke with County inspector about the complaint. Next step may be to write a stronger letter. Mr. Taylor stated that we have had similar problems in the past. We can put them on notice, take remedies under the lease, etc. Mr. Viola concurred that he and Irv Thatcher observed that the conditions were very bad.

Basin Road Property

On Jan. 29 Mr. Taylor sent letter to attorney for Dr. Adeleke to give them the information concerning the possibility of building on this property and gave him a copy of the wetlands delineation plan and draft of the lease.

Marini Property

Mr. Alfree reported that he and Mr. Taylor attended the City Board of Adjustment hearing regarding the Marini property. They ruled that it is a corner property, which means that the house may face either South St. or Third St. Mr. Alfree summarized the following points of the Trustees' position:

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Messrs. Alfree and Taylor did not state an opinion as to whether a house should, or should not, be built on the property. They were prepared that if it was not deemed a corner property, to spend the time on the rear setback, but meeting did not get to that point. Trustees thanked them for doing a great job.

Remainder of Property Development items to be addressed need to be discussed in Executive Session.

OUTREACH COMMITTEE REPORT - No report.

PROPERTY MAINTENANCE COMMITTEE REPORT - Mr. Viola reporting:

Penn Farm

Mr. Viola spoke with Joseph Quigley to clarify substance of article in the *New Castle Weekly*. He explained that Trustees wish to make sure that the property was protected from a destructive fire, and that the Farm remained viable as a farm. Mr. Viola expressed the desire to meet with him and talk further about how to bring these items to fruition. It was a cordial conversation and Mr. Quigley understood the intentions of the Trustees.

Leak Situation at Libraries

Pollinger spent a day on the roof and did the bending on the standing seams, one of two issues contributing to leaks. Next step is to install expansion joints. We are also concerned about a leak at the Old Library. Pollinger looked at it and confirmed that the gutters and flashings are deteriorating; in fact they may be the original 1892 installation. Water dripping off the slate over the years has actually eroded pinholes in the copper gutter. Now waiting for a proposal to replace gutter and flashing, which needs to be done in a timely fashion. Mr. Viola included a rough estimate for this work in the budget submission.

FINANCE COMMITTEE REPORT - Mr. Gambacorta reporting:

Mr. Gambacorta distributed the proposed budget for Fiscal Year 2008. (This document is attached to the minutes). Mr. Peden stated that the budget would be voted on in March and be effective in April. Comments on the line items were as follows:

Administration

Insurance: hard to predict what increases should be. Note that still have \$8,400 remaining from FY07. However, we will be adding Robinson property and possibly Banks building. Mr. Taylor also noted that we are still named as party in a slip and fall case.

Elections: Budgeted \$5,300, but this will decrease as Mr. Wilson is unopposed and full election will not be required.

Scholarships: Question as to why we didn't spend all of FY07 scholarship allocation? Answer: one more round (second semester) upcoming. Some funds will be used for bonuses awarded to students achieving good grades.

Contributions

Colonial Garden Club did not submit request this year – allocated \$300 in case a request is received.

No communication from Boy Scouts; consensus is that they are no longer a chartered organization.

Library, requested \$15,000, committee approved \$12,000. Mr. Castagno asked if that was capital or operating (answer: operating). Mr. Viola explained that an upcoming County budget cut will have a significant impact; County has asked for current costs to be cut by 10 percent, and next year Library will receive four percent less, a decrease of \$16,000, which makes no provision for annual cost of living increases which keep staff salaries competitive. Library Manager purposely set her request at a pragmatic level, not an inflated one. The Friends of the Library have been charged to concentrate their fundraising on the capital campaign thus demonstrating local support to major foundations. Mr. Viola strongly supports the Library request and encourages Board to grant full \$15,000.

Senior Center raised request for \$20,000 to \$30,000 for help with rising utility and operating costs; \$25,000 approved.

No request received from Progressive Club. Some question as to whether that group is still viable or using their building. At this time no allocation will be made.

Maintenance

Mr. Gambacorta noted that the Labor item is already overspent by almost \$13,000. Proposed amount is now \$110,000. Will discuss details further in Executive Session.

Eliminated Walkway Repairs item, as did not use that money last year.

Mr. Viola noted that he has recently been made aware of a new Sluice Gate problem. Recommend restoring \$1,000 to that line item.

Building Repairs

Old Library – the amount of \$7,500 is for replacement of gutters and flashing.

New Library -- will do maintenance as needed, other items that qualify as renovation can be put in the capital project, and be reimbursed 50% by state.

Battery Park

Mr. Viola learned from Irv Thatcher that existing picnic tables are in bad shape and difficult to repair. He recommends purchasing new tables and pouring new bases if feasible.

Bush hog—replaces one that is ten years old, also may be used for needed clearing brush and weeds at Penn Farm.

City Appropriation

Tree Commission – did not receive letter this year, but kept amount at \$20,000 level.

Good Will Fire Co. – believe \$5,000 increase over last year is adequate.

Police Car – we buy one every year

Garbage Truck – will spread payments over three years. First payment next month.

Only other item approved was new recording system (\$2,230). Items not funded include: update city website; new software; horizontal grinder; and police Ricoh business system (an imaging/electronic filing system).

Riverbank improvements--\$25,000-50,000 requested. However, details/scope of project not clear. Finance committee elected not to fund this request.

Horizontal grinder—Grinds trees, shrubs and can handle and remove wire and other extraneous materials. Mr. Alfree reported on behalf of Mr. Appleby that he has seen a demonstration and was impressed with the equipment. Discuss at next meeting.

TNCC Capital

Senior Center – last year was one-time contribution. No amount for FY08.

Took \$100,000 earmarked in FY 07 for Town Hall and shifted it into Banks Building, which is in bad shape. Hope is to have City deed it to Trustees, which would take over maintenance.

Mr. Gambacorta stated that the proposed expenditures are for \$1,034,000 and that proposed income will be \$1,120,000. Fiscal 2008 budget proposal will be discussed and finalized at the March meeting.

ELECTION COMMITTEE REPORT - Mr. Alfree reporting:

Deadline for filing was 5 p.m. February 1, 2007. One candidate filed, thus it is a “no contest” election. By-Laws require us to open polls on March 3 at 10 a.m. and close at 11 a.m. We will not need voting machines or workers, will use paper ballots.

Resolution to declare a vacancy will be brought up at the March 6 2007 Board meeting. For this election, we are targeting Saturday dates of April 28, May 5 or May 12.

LIBRARY COMMITTEE – Mr. Viola reporting:

Mr. Viola noted that the chandelier in the new Library has been temporarily replaced with a 9-foot wingspan scale model of a 1935 airplane, “Mr. Mulligan,” a gift to the Friends of Bellanca for the planned museum, conditioned upon storing it in a heated and air-conditioned space. This was not a Bellanca aircraft, but used to race against them. He encouraged everyone to go see it.

OPEN-SPACE COMMITTEE - No report.

BY-LAWS COMMITTEE – Mr. Peden reporting.

There is a By-Law change that we have submitted and will vote on next month, basically to combine some committees into one; copies will be sent out in the packets for review.

BATTERY PARK COMMITTEE – No report.

GOOD WILL FIRE HOUSE COMMITTEE – No report.

NOMINATING COMMITTEE – Mr. Alfree reporting:

At the next Board meeting on March 6 we must elect the proposed (or a revised) slate of officers to keep us in compliance with our By-Laws.

Approval of the new committee assignments will be approved at the March 6 meeting. Currently, the assignments were made to keep us in compliance with existing By-Laws. If the By-Laws change, the Nominating Committee should meet again to make adjustments to the assignments.

Mr. Viola noted a caveat re: combining committees, by avoiding assembling a committee large enough to inadvertently constitute a quorum of the Board.

Franchise Tax

Received letter from Mr. Cooch, the Board's registered agent as it relates to the corporation and the franchise tax. Mr. Alfree read the "Unanimous Consent" document (attached), which confirms names of elected officers. With Board approval, Mr. Alfree can sign it and forward check and signed document for Mr. Cooch to file with the State.

Mr. Alfree moved to adjourn and go into Executive Session to discuss real estate, litigation and personnel matters.

--- Executive Session ---

Following the executive session, the meeting was again called to order. Two motions were approved:

1. Motion to request that New Castle Family Care brings proposed signage changes to the Board for approval. Approved unanimously.
2. Motion to accept the offer of New Castle Sailing Club, a 20-year lease with initial rent to be \$1800 per year, including 15% increases every five years. Approved unanimously.

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

Respectfully Submitted,

Kathleen MacDonough
Secretary

Notes on 2/6/07 Executive Session (for the record, not to be published)

A. Marini Property

Mr. Alfree and Mr. Taylor attended the Jan. 17 City Board of Adjustment hearing on this variance request, and presented the Trustees' position. There will be a 30-day period for appeal, with the clock starting the day that the written decision is formally recorded. The Trustees discussed the merits of filing an appeal. Mr. Gebhart asked if the Trustees could join in on an appeal filed by another party. Mr. Taylor said he believes that, in any event, the Board will approve something, and that an appeal might be perceived negatively. The next step in the review process will be the Historic Area Commission. It was noted that the attorney for Mrs. Marini is John Tracey.

B. New Castle Sailing Club

Mr. Alfree and the Trustees had proposed a 20-year lease with five-year incremental increases of 15% beginning in December 2006, at an annual rate of \$2,400; the Club originally countered with \$1,500 per year. Of a total membership of 105, the Club states that about 20 percent are currently New Castle residents. At the January meeting the Trustees voted to remain firm at the \$2,400 figure. On January 25, Mr. Alfree met with Club representatives, who later contacted him with a revised offer of \$1,800 per annum.

C. New Castle Family Care

They are significantly in arrears. Mr. Gambacorta contacted them to set up a payment arrangement. Subsequently, more unpaid bills came to light. Dr. James' attorney contacted Andy Taylor with a list of renovations desired to accommodate the sublease. They have been advised that cosmetic improvements and cleaning are approved; requested changes to interior and exterior signage will require a vote by the Trustees.

D. Cost of Maintenance Worker Positions

There have been significant increases in costs associated with the workers shared with the City. Factors contributing to this are apparently health insurance for one worker, and overtime for the second worker. Mr. Peden suggested that the Trustees request an audit or detailed description of costs incurred, and a projection of future costs and overtime requirements.

E. Second & Chestnut - Use of Trust Property as Driveway

A resident of East Second Street has begun a practice of driving and parking on the easement and apparently adding crushed stone as a paving surface. There is confusion over whether or not this strip of land is considered a "street" according to the City. If it is a street, who is responsible for maintenance? A letter will be sent to the resident establishing that this land is Trustees' property.

January 9, 2007

The meeting of the Board was held on Tuesday evening, January 9, 2007 in the Trustees Room of the Old Town Hall.

Present: Ms. Fiske and Messrs. Peden, Appleby, Castagno, DeAscanis, Gambacorta, Quillen, Viola, Alfree, Gebhart, and Andrew P. Taylor, Esq.

Guests at the meeting were Mr. Thomas Wilson and Mr. Mark Zitz, secretary for this meeting. There were numerous other guests in attendance for Ms. Fiske's installation.

ELECTION COMMITTEE REPORT - Mr. Quillen reporting:

Mr. Quillen reported on the voting results for the run-off election on December 16:

Dorsey Fiske	326
Chris Cashman	219

Mr. Peden conducted the oath of office for Ms. Fiske, and afterwards, Ms. Fiske read a brief acceptance statement.

The Board declared a vacancy for the seat vacated by Thomas Wilson and approved the associated election activity calendar presented by Mr. Quillen. The election will be Saturday, March 3 from 10 a.m. to 6 p.m.

Calendar additions were noted:

By-Laws Committee	1/10/07	2:00 p.m.
Property Maintenance Committee	2/1/07	4:00 p.m.
Property Development Committee	2/5/07	4:30 p.m.
February Board Meeting	2/6/07	7:30 p.m.

The Outreach meeting for January is yet to be scheduled.

The minutes from the last meeting were accepted as submitted.

The Treasurer's report was accepted as submitted. A change was made on the last page of the Treasurer's report to reflect the \$100,000 for Town Hall renovations that has not been spent.

PROPERTY DEVELOPMENT COMMITTEE REPORT - Mr. Alfree reporting:

Penn Valley: An offer was made, and the tenant should make a decision by the next Board meeting.

141 Shoppes: The appraisal was completed, and Mr. Taylor will advise the tenant.

Bio-Med: Based on the Property Development Committee's recommendation, the board approved the tenant's request to install a new sign.

Happy Harry's: The tenant is working with DELDOT on a new traffic light in connection with its proposed new building.

New Castle Family Care: Mr. Gambacorta will be speaking with Dr. James regarding past due sewer charges for \$2,594.25 and taxes for \$8,043.03.

Good Will Fire: The Board approved handicap access improvements to be made to the building. Modification expense will be paid by the federal government. Mr. Alfree will follow through with the City on issuing the necessary permit.

Mr. Alfree then circulated an updated summary of Trustees' properties.

OUTREACH COMMITTEE REPORT - Mr. Gebhart reporting:

Mr. Gebhart informed the Board of a request from the Little League to temporarily hang a 3' x 10' sign at the end of January for its 2007 registration. Mr. Peden emphasized the temporary aspect of this request.

Mr. Gebhart indicated that the Little League is interested in pursuing a 5-year lease.

There was discussion about the use of Battery Park by third parties. Trustees approve such requests, and if approved, the respective party then may be subject to the City's license and permit requirements.

PROPERTY MAINTENANCE COMMITTEE REPORT - Mr. Viola reporting:

Regarding the leak at the library, Pollinger's senior mechanic inspected the site yesterday. Repairs will be made to a final crimp in the standing seam and to a nuisance leak coming from the solder joints in the secret gutter.

Mr. Viola relayed Mr. Thatcher's concerns about potential problems at Quigley Farm. Specifically, brush is growing too closely to the barn and to the house and heavily on other areas on the farm, and poses a fire safety hazard. Mr. Viola indicated the property should continue as a functioning farm. Mr. Viola then suggested that the Board assess the situation fully. He and Ms. Fiske indicated they would speak with the Quigley's about this matter.

FINANCE COMMITTEE REPORT - Mr. Gambacorta reporting:

Meetings with Wilmington Trust and PNC Bank will begin at 4 p.m. on January 31.

Mr. Gambacorta distributed a summary of the projected revenue for fiscal year 2007-2008 and reminded the Board that the budget cycle is underway.

LIBRARY COMMITTEE – Mr. Viola reporting:

Mr. Viola indicated that the library receives 75% to 80% of its funding from the County and that the local director has been asked to reduce the budget by 3% to 4%. Attendance and participation at the library are up, and despite the budget tightening, the staff morale is high.

OPEN-SPACE COMMITTEE - No report.

BY-LAWS COMMITTEE – No report.

BATTERY PARK COMMITTEE – No report.

GOOD WILL FIRE HOUSE COMMITTEE - Mr. Alfree reporting:

Mr. Alfree indicated that the Committee is awaiting financial statements and a list of new officers from the organization.

COMMUNICATIONS – Mr. Peden reporting:

Mr. Quillen read a thank-you note from Mary Ellen Costello, the daughter of former Trustee M. Anita Banks.

Mr. Alfree reminded everyone to complete their committee and officer selections.

Mr. Viola noted the Friends of Bellanca are preparing to display a sign for the hanger indicating restoration is underway, and he shared a picture of the sign. The group has been successful in getting windows better secured and in removing broken glass. They are within a week of signing a contract with an engineering firm. Mr. Viola is acting as the liaison between the Trustees and Bellanca to attain a tax-exempt status for Bellanca.

Mr. Peden noted that the annual report has been distributed.

There being no further business, the meeting was adjourned for an executive session to discuss real estate matters and potential litigation.

Following the executive session, the meeting was again called to order. Four motions were approved:

1. Proceed with the lease proposal for Milex, consistent with the terms of Mr. Taylor's draft letter to the tenant dated January 8, 2007.
2. Notify the Sailing Club of the \$2,400 annual rent required for its lease renewal.
3. Offer \$631,000 for the property owned by Mary Ann Keiser.
4. Offer comments and opposition at the City's Board of Adjustment meeting on January 17 regarding the Marini property. (Mr. DeAscanis abstained from this vote.)

There being no further business, the meeting was adjourned.

Mark S. Zitz
Meeting Secretary

December 5, 2006

The meeting of the Board was held on Tuesday evening, December 5, 2006 in the Trustees Room of the Old Town Hall.

Present: Messrs. Peden, Appleby, DeAscanis, Gambacorta, Quillen, Viola, Alfree, Gebhart, and Andrew P. Taylor, Esq.

Guests at the meeting were Ms. Cathryn Thomas, City Administrator; Mr. Thomas Wilson; and Mr. Mark Zitz, secretary for this meeting.

Ms. Thomas presented City of New Castle pins to the Trustees and guests in attendance.

ELECTION COMMITTEE REPORT - Mr. Quillen reporting:

Voter registration and absentee ballot administration for the December 16 run-off election is progressing well.

A vacancy will be declared on 1/9/07 for the seat vacated by Thomas Wilson.

Mr. Quillen read a resolution on the death of former Trustee, M. Anita Banks, and this was approved. He will present it to Ms. Banks' family.

Calendar additions were noted:

Trustees Run-Off Election	12/16/06
Property Maintenance Committee	1/4/07
Property Development Committee	1/8/07
January Board Meeting	1/9/07

There is no Outreach meeting in December.

The minutes from the last meeting were accepted as submitted.

The Treasurer's report was accepted as submitted.

PROPERTY DEVELOPMENT COMMITTEE REPORT - Mr. Alfree reporting:

Milex: Notice of rent increase has been provided.

141 Shoppes: Mr. Taylor will be notifying the tenant about the assessment.

Basin Road: Vandemark & Lynch (V&L) indicated that Duffield had to return to the site with the Army Corp of Engineers and that the survey documents had to be adjusted. The Board approved V&L's appraisal fee of \$1,113.15.

Little League: A 5-year lease is an option, and Mr. Taylor will proceed accordingly.

Shell Station: Notice of rent increase has been provided.

New Castle Family Care: A copy of the sublease with Cardiology Consultants, P.A. was provided to the Committee by the Dr. James.

Happy Harry's: Mr. Taylor's memorandum to the Property Development Committee was distributed.

Vari: The property was appraised, and there is no change.

Property boundary between Spallco and Darmel: V&L's cost to perform this work should not exceed \$1,500.

Mr. Alfree and guest Cathryn Thomas reported on the Trustees' meeting with the City in November. Messrs. Bless, Thomas, and Peden were in attendance.

1. A car dealership has requested a change in zoning. Ms. Thomas noted that the City is seeking uniformity in zoning and that any change in zoning requires a public hearing. This is on the agenda for the City Council meeting in January.
2. Ms. Thomas noted that there will be a well head protective ordinance in place by the end of 2007. The City will be requiring a buffer zone around well heads. She encouraged the Trustees to join the respective City committee on this topic.
3. The City is pursuing a yard waste recycling and mulching program and is seeking a site for this. Ms. Thomas indicated that a portion of the Quigley Farm would be suitable for this and that the City would be approaching the Trustees about this. On behalf of the Outreach Committee, Mr. Gebhart indicated he would contact the Quigley's on December 6 to inform them of this discussion.

Mr. Alfree then distributed a summary of the Trustees' properties. Mr. Appleby suggested adding appraisal dates to the summary.

OUTREACH COMMITTEE REPORT - No report.

PROPERTY MAINTENANCE COMMITTEE REPORT - Mr. Viola reporting:

Finding the source of leaks in the new library continues. The source is not the flash fault as originally thought.

FINANCE COMMITTEE REPORT - Mr. Gambacorta reporting:

The annual report mailing is pending.

LIBRARY COMMITTEE - No report.

OPEN-SPACE COMMITTEE - No report.

BY-LAWS COMMITTEE - Mr. Peden reporting:

Work on this continues.

BATTERY PARK COMMITTEE - No report.

GOOD WILL FIRE HOUSE COMMITTEE - Mr. Alfree reporting:

Mr. Alfree indicated that financial information is forthcoming.

COMMUNICATIONS - Mr. Peden reporting:

Mr. Peden received a letter from the City requesting permission to affix speakers to the wall in the room used for City Council meetings. Ms. Thomas indicated that the City will pay for the new system and wants to mount the speakers on the wall, along with vertical conduit. Mr. Viola indicated that the Trustees would not agree to this and asked the City to explore another option.

Mr. Alfree suggested that the computer in the Trustees Room be repaired and after discussion, he requested Mr. Zitz to pursue this and internet service.

Mr. Peden noted that an advertisement for the Executive Secretary vacancy will be placed in three newspapers this weekend.

Mr. Viola provided an update on the Bellanca Hangar. Friends of Bellanca are finalizing the selection process for the refurbishment of the hangar. The group is paying for work that will replace broken window panes and glass. They also are pursuing a new sign for the front and will approach the Trustees before placing the sign. In a year, the group will need to start paying taxes on the property.

There being no further business, the meeting was adjourned for an executive session.

Following the executive session, the meeting was again called to order. Two motions were made and approved:

1. Offer \$20,000 plus \$4,200 back taxes for the Penn Valley Park parcel.
2. Contact and counter the Sailing Club's rent offer. Raise the rent to \$200/month using the Trustees' lease format. Terms are to include a 15% increase after each 5 years and three 5-year renewal options after the initial 5-year period.

Mark S. Zitz
Meeting Secretary

November 7, 2006

The meeting of the Board was held on Tuesday evening, November 7, 2006 in the Trustees Room of the Old Town Hall.

Present: Messrs. Peden, Appleby, DeAscanis, Gambacorta, Quillen, Viola, Alfree, Gebhart, Castagno and Andrew P. Taylor, Esq.

Guests at the meeting were Ms. Dorsey Fiske and Mr. Mark Zitz, secretary for this meeting.

Calendar additions were noted:

Outreach	11/20/06	2:00 p.m.
Property Maintenance Committee	11/30/06	4:30 p.m.
Property Development Committee	12/4/06	Regular Meeting
	12/5/06	Board Meeting

The minutes from the last meeting were accepted as submitted.

The Treasurer's report was accepted as submitted.

PROPEPRTY DEVELOPMENT COMMITTEE REPORT - Mr. Alfree reporting:

326 Investments: There was a meet-and-greet with the lessee.

Penn Valley Park: The City requested to purchase this land, and the results of the deed search are pending.

Vari, 141 Shoppes: The appraisal was \$725K, and this will be shared with the lessee.

Milex: The appraisal on the .024883 acres of land was \$170K.

Castle Properties: The lessee sent a letter to the City for a zoning change.

Basin Road Parcel: A copy of the lease was sent to Dr. Alekele, but we have not heard from them. Mr. Taylor will follow up.

Brosius-Eliason: We are now in a position to enter into a lease with the Sailing Club, as the land swaps have been completed.

Happy Harry's: Discussion on this property was deferred to executive session.

Little League: Outreach will approach the lessee regarding a 5-year lease.

SMO—Texaco Station, 102 N. duPont Hwy.: Mr. Gambacorta will ensure that the tenant receives an escalator letter.

Dar-Mel/Spallco: There have been ongoing discussions between the tenants to discuss the property line. Vandemark & Lynch has sent a proposal to perform this property work.

Dialysis Center: Regarding the tenant's proposed sign, Mr. Alfree has requested a description of the sign before it is positioned.

Riverbend Subdivision: A motion passed for Municipal Services to proceed with a 10' easement, making the total easement 20'. The other 10' was approved previously.

Family Center: Dr. James is planning to sublease part of the building. Conceptually, Property Development concurs with this, but has asked for details on the tenant. A motion was passed to:

- 1.) enter into a sublease arrangement with Dr. James, pending "comfort" with the tenant; and
- 2.) said sublease will include provisions indicating that Dr. James is responsible for tenant improvements and for exit costs to restore the property to its original condition at the end of the sublease.

Treemont Hotel: Mr. Taylor will contact the lessee about redoing the lease.

OUTREACH COMMITTEE REPORT: - Mr. Gebhart reporting.

Mr. Gebhart indicated that the committee would be contacting the By-Laws Committee. He also discussed continued communication with the City.

Mr. Viola indicated that students from the Montessori school would be required to have signed permission slips from parents before working in the wetlands. The Trustees will not yield on indemnification.

PROPERTY MAINTENANCE COMMITTEE REPORT: - Mr. Viola reporting.

New Library Roof: There is leak in the roof, and a quote is pending for roof repair and for the replacement of 6 windows.

Old Library: There is a small leak on the north side of the mezzanine near the chimney, and it is getting worse.

FINANCE COMMITTEE REPORT: - Mr. Gambacorta reporting.

The committee met with the PNC investment managers on October 24 and was satisfied with PNC's performance. Wilmington Trust also submitted a report, but no one represented the institution in person.

ELECTION COMMITTEE REPORT: - Mr. Quillen reporting.

Given the passing of Ms. Banks, Mr. Quillen is the new committee chair.

The election date is Saturday, November 18. The election machines are lined up, and delivery has been coordinated with the fire house. Wednesday, November 8 is the last night to register for the election, and this will be at the fire house from 6 p.m. to 9 p.m. The committee will be working on election day.

Mr. Peden reminded the Board that given the number of Trustees at 9, a total of 5 make a quorum.

LIBRARY COMMITTEE: - Mr. Viola reporting

Mr. Viola referenced the letter from Mr. Jim Meek and commented on his appointment to the library board. Mr. Meek will replace Lynn Lambert.

OPEN SPACE COMMITTEE: - No report.

BY-LAWS COMMITTEE: - Mr. Peden reporting.

The committee will meet in December.

BATTERY PARK COMMITTEE: - Mr. Gebhart reporting.

Mr. Gebhart is the new committee chair.

GOOD WILL FIRE HOUSE COMMITTEE: - Mr. Alfree reporting.

Mr. Alfree indicated that financial information is forthcoming.

TREE COMMISSION REPORT: - Mr. Gebhart reporting.

Mr. Gebhart reported on the likelihood of a tree ordinance. A part-time forester may result from this ordinance, and this would spark a \$5K request from the City.

In memory of M. Anita Banks, a tree will be planted in Battery Park.

Mr. Quillen volunteered to write a tribute to Ms. Banks.

Mr. Alfree and Mr. Gebhart made tributes to Ms. Banks and her contributions to the organization during her tenure.

There being no further business, the meeting was adjourned for an executive session.

Following the executive session, the meeting was again called to order. A motion was passed to offer \$125K for a property adjacent to Battery Park. A motion was then approved for adjournment.

Mark S. Zitz
Meeting Secretary

October 3, 2006

The meeting of the Board was held on Tuesday evening, October 3, 2006 in the Trustees Room of the Old Town Hall.

Present Messrs. Peden, DeAscanis, Gambacorta, Quillen, Indellini, Viola, Alfree, Gebhart, Castagno and Ms. Banks and Andrew P. Taylor, Esq.

Guest at the meeting was Mr. Richard Pennell.

The minutes of the previous meeting were corrected to read:
Property Development Committee: Castle Properties are asking for re-zoning to be re-visited.

Property Maintenance Committee: Abex parcel corrected to read—"Send letter to Abex requesting they clear the area in question as requested by our agreement."

The minutes were then approved.

The Treasurer's report was accepted as submitted.

PROPEPTY DEVELOPMENT COMMITTEE REPORT: Mr. Indellini reporting.

Penn Valley: The request from the City for the Trustees to purchase a parcel in Penn Valley for a park was discussed and suggested that a deed search be done by the City for this parcel.

Vari, 141 Shoppes: Appraisal to be finished in late October.

Castle Properties: Still requesting zoning change, awaiting reply from the City.

Basin Road Parcel: Have sent a copy of the lease to Dr. Alekele.

Sailing Club: New lease has been forwarded.

Happy Harry's: Lawyers have concerns about the road.

Miles: Appraisal is being done.

SMO—Texaco Station, 102 N. duPont Hwy. is electing to exercise its option for another five years.

Municipal Services: Mr. Robert Appleby, having attended the PDC meeting is requesting a 10' easement across the Dobbinsville Park for the placement of utilities for River Bend Development. This easement was approved by the Board.

Greggo Company also would like a 10' easement for other utilities. If this is granted, some compensation is expected.

Little League: A new lease is being prepared for a period of five years; however, a clause will be in the lease such that if TNCC should need this parcel, another suitable area would be provided and fields moved.

“Save the Battery”: this matter was referred to an Executive Session.

This being the last meeting for Mr. Lewis Indellini as a member of the Board and Chairman of Property Development Committee the Board thanked him for his many hours of service and hard work.

Mr. Michael Alfree, Sr. will serve as Chairman of Property Development Committee.

OUTREACH COMMITTEE REPORT: Mr. Gebhart reporting.

The joint quarterly entity meetings were discussed: The purpose of these meetings having been communication among the 3 groups. A discussion was held on the pros and cons but no decision was made to continue such meetings.

Elementary Workshop: Montessori School: Mr. Viola has had communication with Ms. Dwyer regarding adding TNCC to the list of those not held liable for damage or injuries as a result of the Adopt –A-Wetland Program (Gambacorta Marsh). Mr. Viola will continue to work with Ms. Dwyer on this program.

PROPERTY MAINTENANCE COMMITTEE REPORT: Mr. Viola reporting.

Library Roof: Mr. Viola gave a detailed report on the Library Roof:

Seams need to be re-soldered.

Hut on top of the building in need of repair such as flashing and barge boards. Should have ice and water shield installed.

Expansion joints need to be re-soldered.

Dormer windows all six (6) need work, re-glazing etc. Board authorized six (6) new windows be purchased.

Inspect and repair down drains that run through inside of the building.

The inspection of the roof and area was made by Messrs. Viola, Gordon, DeAscanis, Pollinger and Thatcher. Thatcher Construction will furnish an estimate of work to be done.

Beautification Group: A gateway Grant is available through DELDOT and the City is not being receptive of accepting this grant due to the fact that after one year it would be the City's responsibility to maintain it. The Board was asked to encourage acceptance of this grant.

FINANCE COMMITTEE REPORT: Mr. Gambacorta reporting.

Finance Committee Meeting to be held on October 25th.

All taxes, City, County and School have been paid, and all but 2 tenants are current.

ELECTION COMMITTEE REPORT: Ms. Banks reporting.

Election is scheduled for November 18th.

As of this date, 2 candidates have filed:

Christopher Cashman

Jan Clairmont

LIBRARY COMMITTEE:

No report.

OPEN SPACE COMMITTEE:

No report

BATTERY PARK COMMITTEE:

No report

GOOD-WILL FIRE HOUSE COMMITTEE:

No report

BY-LAWS COMMITTEE:

Discussion took place on the existing By-Laws. President Peden asked for volunteers to work on a committee to make some changes.

Ms. Banks having put together a bit of history from 1918 to present, passed out copies to the members of the Board. This report was well-accepted and Ms. Banks was thanked.

It being OCTOBER, and the tradition having been, it was PAY DAY;
Ms. Banks had secured INDIAN CORN, courtesy of the Quigley's on Penn Farm and all
members present received their ear of corn.

Being no further business, the meeting adjourned for an Executive Session.

Following the Executive Session, the meeting was again called to order and
adjourned.

M. Anita Banks, Secretary

October 3, 2006

The meeting of the Board was held on Tuesday Evening, October 3, 2006 in the Trustees Room of the Old Town Hall.

Present Messrs. Peden, DeAscanis, Gambacorta, Quillen, Indellini, Viola, Alfree, Gebhart, Castagno and Ms. Banks and Andrew P. Taylor, Esq.

Guest at the meeting was Mr. Richard Pennell.

The minutes of the previous meeting were corrected to read:
Property Development Committee: Castle Properties are asking for re-zoning to be re-visited.

Property Maintenance Committee: Abex parcel corrected to read—"Send letter to Abex requesting they clear the area in question as requested by our agreement"

The minutes were then approved.

The Treasurers report was accepted as submitted.

PROPEPTY DEVELOPMENT COMMITTEE REPORT: Mr. Indelliniu reporting.

Penn Valley: The request from the City for the Trustees to purchase a parcel in Penn Valley for a park was discussed and suggested that a deed search be done by the City for this parcel.

Vari, 141 Shoppes: Appraisal to be finished in late October.

Castle Properties: Still requesting zoning change, awaiting reply from the City.

Basin Road Parcel: Have sent a copy of the lease to Dr. Alekele.

Sailing Club: New lease has been forwarded.

Happy Harry's: Lawyers have concerns about the road.

Miles: Appraisal is being done.

SMO—Texaco Station, 102 N. duPont Hwy. is electing to exercise its option for another five years.

Municipal Services: Mr. Robert Appleby, having attended the PDC meeting is requesting a 10' easement across the Dobbinsville Park for the placement of utilities for River Bend Development. This easement was approved by the Board.

Greggo Company also would like a 10' easement for other utilities. If this is granted, some compensation is expected.

Little League: A new lease is being prepared for a period of five years, however, a clause will be in the lease that if TNCC should need this parcel, another suitable area would be provided and fields moved.

“Save the Battery”: this matter was referred to an Executive Session.

This being the last meeting for Mr. Lewis Indellini as a member of the Board and Chairman of Property Development Committee the Board thanked him for his many hours of service and hard work.

Mr. Michael Alfree, Sr. will serve as Chairman of Property Development Committee.

OUTREACH COMMITTEE REPORT: Mr. Gebhart reporting.

The joint quarterly entity meetings were discussed: The purpose of these meetings having been communication between the 3 groups. A discussion was held on the pros and cons but no decision was made to continue such meetings.

Elementary Workshop: Montessori School: Mr. Viola has had communication with Ms. Dwyer regarding adding TNCC to the list of those not held liable for damage or injuries as a result of the Adopt –A-Wetland Program, this for the Gambacorta Marsh. Mr. Viola to continue to work with Ms. Dwyer on this program.

PROPERTY MAINTENANCE COMMITTEE REPORT: Mr. Viola reporting.

Library Roof: Mr. Viola gave a detailed report on the Library Roof:

Seams need to be re-soldered.

Hut on top of the building in need of repair such as flashing and barge boards. Should have ice and water shield installed.

Expansion joints need to be re-soldered.

Dormer windows all six (6) need work, re-glazing etc. Board authorized six (6) new windows be purchased.

Inspect and repair down drains that run through inside of the building.

The inspection of the roof and area was made by Messrs. Viola, Gordon, DeAscanis, Pollinger and Thatcher. Thatcher Construction will furnish an estimate of work to be done.

Beautification Group: A gateway Grant is available through DelDot and the City is not being receptive of accepting this grant due to the fact that after one year it would be the City's responsibility to maintain it. The Board was asked to encourage acceptance of this grant.

FINANCE COMMITTEE REPORT: Mr. Gambacorta reporting.

Finance Committee Meeting to be held on October 25th.

All taxes, City, County and School have been paid and all but 2 tenants are current.

ELECTION COMMITTEE REPORT: Ms. Banks reporting.

Election is scheduled for November 18th.

As of this date, 2 candidates have filed:

Christopher Cashman

Jan Clairmont

LIBRARY COMMITTEE:

No report.

OPEN SPACE COMMITTEE:

No report

BATTERY PARK COMMITTEE:

No report

GOOD-WILL FIRE HOUSE COMMITTEE:

No report

BY-LAWS COMMITTEE:

Discussion took place on the existing By-Laws. President Peden asked for volunteers to work on a committee to make some changes.

Ms. Banks having put together a bit of history from 1918 to the present, passed out copies to the members of the Board. This report was well accepted and Ms. Banks was thanked.

It being OCTOBER, and the tradition having been , it was PAY DAY;
Ms. Banks had secured INDIAN CORN, courtesy of the Quigley's on Penn Farm and
all members present received their ear of corn.

Being no further business, the meeting adjourned for an Executive Session.

Following the Executive Session, the meeting was again called to order and
adjourned.

M. Anita Banks, Secretary

September 12, 2006

The meeting of the Board was held on Tuesday Evening, September 12, 2006 in the Trustees Room of the Old Town Hall.

Present Messrs. Peden, DeAscanis, Gambacorta, Quillen, Appleby, Indellini, Viola, Alfree, Gebhart, Ms. Banks and Andrew P. Taylor, Esq. (10)

The meeting was called to order with a moment of silence.

ELECTION COMMITTEE REPORT:

An election was held on June 10, 2006 at the Good Will Fire Station to fill the vacancy by end of term of Bruce H. Gordon.

Results were:	Juan Clairmont	25
	Richard Pennell	170
	Christopher Castagno	203

Mr. Castagno was present and declared the winner and took his oath of office and seat as a member in the presence of his wife Karen and the Board. Mr. Castagno was welcomed by all.

The minutes were approved with a spelling correction.

The Treasurers report was approved as submitted.

PROPERTY DEVELOPMENT COMMITTEE REPORT: Mr. Indellini reporting.

Happy Harry's: awaiting the signing of the lease.

Basin Road Parcel: have had several inquiries on this parcel, one for a fence storage , storage units and Doctor Alekele is still interested. Have just received an up to date wet-land delineation.

Vari, (141 Shoppes) are seeking re-financing

Castle Properties are asking for re-zoning to conform with the area.

OUTREACH COMMITTEE:

No report

PROPERTY MAINTENANCE COMMITTEE REPORT; Mr. Viola reporting.

Library: Roof leaking during a rain storm, have had contractor look at the recent new copper roof along with our own people. The dormer windows also need attention.

Abex parcel: Mr. Eric Mayer has inquired as to whose responsibility tree growth may be on this parcel. Mr. Taylor will look into terms etc. of deed.

FINANCE COMMITTEE REPORT: Mr. Gambacorta reporting.

Annual audit has been completed and when detail is put together, will be mailed out to the residents.

All City, County and School Taxes have been billed to tenants.

ELECTION COMMITTEE REPORT: Ms. Banks reporting.

Vacancy was declared for the seat of Joseph F. Toner.

See exhibit "A" for details of coming election., scheduled for November 18th, 2006.

LIBRARY COMMITTEE: Mr. Viola reporting.

Asked for discussion in Executive Session.

OPEN SPACE COMMITTEE:

No report.

BY-LAW COMMITTEE:

No report

BATTERY PARK COMMITTEE REPORT: Mr. Alfree noted that weeds are growing up in the mulch put down as a safety shield around the playground equipment. Mr. Thatcher will be contacted about this.

GOOD WILL FIRE STATION:

No report.

COMMUNICATIONS:

Ms. Banks reported that a number of thank-you notes have been received from students who received scholarship assistance.

The meeting was adjourned for an executive session.

Following the executive session the meeting was adjourned.

M. Anita Banks, Secretary

June 6, 2006

The meeting of the Board was held on Tuesday evening, June 6, 2006 in the Trustees Room of the Old Town Hall.

Present: Messrs. Peden, DeAscanis, Quillen, Appleby, Wilson, Indellini, Viola, Alfree, Gebhart, and Andrew P. Taylor, Esq.

Guests at the meeting were Mr. Mark Zitz and Mr. Richard Pennell.

The meeting was called to order and began with a moment of silence.

There were no additions to the monthly calendar. Mr. Peden noted the next regular meeting will be in September.

The minutes of the previous meeting were approved with a corrected typographical error on page 3 ("St. Peter's Workforce").

The Treasurer's report was accepted with the corrected subtotal operating budget drawdown of \$144,605.24 through 5/25/06.

PROPERTY DEVELOPMENT COMMITTEE REPORT: Mr. Indellini reporting.

Happy Harry's: The tenant still has not acted on the pending lease. Given the tenant's recent merger announcement, Mr. Taylor indicated this may take awhile to be resolved.

Family Foundation: Ratification of the lease and associated leasehold financing were approved.

Castle Dealership: With respect to the tenant's request for a zoning change, Mr. Indellini indicated he would restart the process.

326 Associates: The sand piles and debris have been removed. The tenant's attorney is redefining the property to exclude Trader Lane. A motion to transfer the parcel to the State was approved.

706 Investment: The tenant's request for additional loans was denied.

New Castle Library: The Library obtained a 501(c)(3) status 5/17/06. The tenant's attorney feels we should have a "non-profit" lease with them and issue a bill of sale for any fixtures. The Trustees would retain access to the vault.

OUTREACH COMMITTEE REPORT: Mr. Gebhart reporting.

Mr. Gebhart reported that he met with the executive committee of the Little League. The League's back-stop net is missing, and Mr. Gebhart suggested they contact the Post Office.

Regarding the People to People Ambassador Program, Morgan Kirk's request for financial assistance was denied. Mr. Quillen motioned for a resolution to recognize Morgan Kirk for her accomplishments; the resolution would be signed by the President and Secretary of the Trustees. The motion was approved.

Mr. Taylor highlighted the major points of the Wetlands Agreement, and it was approved for signing.

PROPERTY MAINTENANCE COMMITTEE REPORT: Mr. Appleby reporting.

Dialysis Center: The broken windows at the Dialysis Center have been replaced.

New Library: There is a roof leak at the New Library.

Banks Building: Mr. Appleby indicated that Mr. Viola is recommending acquisition of the Banks Building and will pursuing this. (Mr. Viola was not present at this point.)

Hangar: Police have installed a monitoring camera to identify vandals.

FINANCE COMMITTEE REPORT:

No report.

ELECTION COMMITTEE REPORT: Mr. Quillen reporting.

The election on June 10 is a three-way race among Juan Claymont, Chris Castagno, and Richard Pennell. Approximately 30 absentee ballots have been distributed. Mr. Quillen solicited assistance for Saturday's election.

OPEN SPACE COMMITTEE:

No report

BY-LAWS COMMITTEE REPORT: Mr. Wilson reporting.

An updated copy of the By-Laws was distributed. These include the changes made to the election section, pursuant to the April 4 meeting. Mr. Viola inquired whether this version addresses committee membership, and Mr. Wilson indicated it did not. A motion will have to be made for this.

BATTERY PARK COMMITTEE REPORT:

No report.

GOOD WILL FIREHOUSE COMMITTEE: Mr. Alfree reporting.

Mr. Alfree spoke with the fire chief, and issues with the boat ramp continue. Mr. Alfree noted that consideration is being given to a floating dock, as well as seeking government assistance.

COMMUNICATIONS:

No report.

OLD BUSINESS:

Mr. Wilson thanked everyone for working with him during his 12-year tenure and indicated he planned to file again. Mr. Peden appreciated Mr. Wilson's work.

There being no further business the meeting was adjourned for an executive session.

Following the executive session, the meeting was again called to order. The board approved Mr. Indellini's commencing lease negotiations with the Sailing Club. A motion was then approved for adjournment.

M. Anita Banks, Secretary.

May 2, 2006

The meeting of the Board was held on Tuesday Evening, May 2, 2006 in the Trustees Room of the Old Town Hall.

Present, Messrs. Peden, DeAscanis, Quillen, Gambacorta, Appleby, Wilson, Indellini, Viola, Alfree, Gebhart and Ms. Banks and Andrew P. Taylor, Esq.

Guests at the meeting were Ms. Fiske and Mr. Richard Pennell.

The meeting was called to order and began with a moment of silence.

There were no additions to the monthly calendar.

The minutes of the previous meeting were approved.

The Treasurers report was accepted with the corrected year to date 3/31/06 figures.

PROPERTY DEVELOPMENT COMMITTEE REPORT: Mr. Indellini reporting.

706 Investments: Letter received from Anthony Vari regarding lease extension. The present lease expires November 2024. If extension is granted, the whole process will have to be done, appraisal and new lease. Mr. Vari to be notified.

Land Swap: Papers have been signed by Trustees and the Mayor and Council, City of New Castle and sent to Brosius-Eliason for their signatures. Mr. Taylor was commended for his presentation at the Council meeting bringing this land swap to its final fulfillment.

326 Associates: Mr. Stat has made a decision that the salt and sand storage will be moved to behind the Pathmart store.

Mr. Wilson spoke of his objection to the storage of the salt material, that no other shopping center has it stored on site. He also spoke of the debris behind the BJ's store, old carts, shelving etc. Mr. Indellini will talk to Mr. Stat about this.

Happy Harry's: Lease is finished and ready to be signed. Concerns about set back and required number of parking spaces to be worked out.

OUTREACH COMMITTEE REPORT: Mr. Gebhart reporting.

Mr. Gebhart to serve as Chairman for this year. May 22nd meeting at 2:00 p.m. will be with Little League and will check on the back-stop net for the post office. Mr. Gebhart also asked for information on quarterly meetings.

PROPERTY MAINTENANCE COMMITTEE REPORT: Mr. Viola reporting.

Dialysis Center: Mr. Viola reported that an ambulance fire damaged the large window and a number of other smaller side windows. Asphalt will need replacing where the fire took place and 13 bushes in the area were damaged or destroyed.

C.F.I. was the ambulance service that owned the vehicle. Mr. Briggs, our agent for Insurance & Financial Services was contacted immediately.

Reported that Joseph (Moe) LeVan who worked with Wm. Ervin Thatcher on Battery park , went on disability April 28th. This City employee was one paid for by the Trustees and will be replaced.

Roof leaks have been reported at both Libraries. Pollinger has been contacted.

Parking for the Historical Society of Delaware fund raiser event on Saturday, May 6, 2006, having been approved, will be marked off and monitored. Insurance coverage has been received.

Mr. Viola spoke that the Board should look into securing the Banks Building from the City as soon as possible, as repairs are needed, especially following a rain storm.

FINANCE COMMITTEE REPORT; Mr. Gambacorta reporting.

Committee had met on April 27th with PNC and Wilmington Trust Company. Committee is satisfied with both reports. Have asked Mr. Taylor to look into the Old Trust Accounts.

ELECTION COMMITTEE REPORT: Ms. Banks reporting.

Have two candidates for the election: Christopher Castagno and Richard Pennell.

Registration—Saturday, May 13th from 1 until 6 p.m. and Tuesday Evening, May 30th from 6 until 9 p.m. at the Good Will Fire House.

Election to be June 10th from 10:00 a.m. to 6:00 p.m. at Good Will Fire House.

LIBRARY COMMITTEE REPORT: Mr. Viola reporting.

The bond bill hearing will take place next week in Dover. The committee will await the outcome.

OPEN SPACE COMMITTEE:

No report.

BY-LAWS COMMITTEE REPORT: Mr. Wilson reporting.

An updated copy of the By-Laws will be available for the next meeting.

BATTERY PARK COMMITTEE REPORT: Ms. Banks reporting.

Ground cover has been installed around the playground equipment.

New swing seats and new benches have been received.

GOOD WILL FIREHOUSE COMMITTEE:

No report.

COMMUNICATIONS:

Thank you letters have been received from New Castle Beautification Committee, The Saint Anthony's Society and New Castle Senior Center for their appropriation check.

A letter from Morgan Kirk a student at Carrie Downie School asking for financial help to become a member of "People to People Ambassador" program. This letter was referred to Outreach.

The resolution on the death of Trustee Joseph F. Toner was presented and signed and will be forwarded to the Toner family. A copy of the resolution is a part of the minutes of this meeting.

In memory of Mr. Toner, a contribution will be sent to St. Peter;s Workforce.

OLD BUSINESS:

Mr. Viola spoke that the work at the hangar has begun and that a steel hoist had to be removed by a torch. With the cooperation of the Good Will Fire Company, they had water on the arch way during this job. A special thanks to the Fire Company for their help.

There being no further business the meeting was adjourned for an executive session.

M. Anita Banks, Secretary

Following the executive session, the meeting was again called to order and motion made for adjournment. .

M. Anita Banks, Secretary.

May 2, 2006

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Present, Messrs. Peden, DeAscanis, Quillen, Gambacorta, Appleby, Wilson, Indellini, Viola, Alfree, Gebhart and Ms. Banks and Andrew P. Taylor, Esq.

Guests at the meeting were Ms. Fiske and Mr. Richard Pennell.

The meeting was called to order and began with a moment of silence.

There were no additions to the monthly calendar.

The minutes of the previous meeting were approved.

The Treasurers report was accepted with the corrected year to date 3/31/06 figures.

PROPERTY DEVELOPMENT COMMITTEE REPORT: Mr. Indellini reporting.

706 Investments: Letter received from Anthony Vari regarding lease extension. The present lease expires November 2024. If extension is granted, the whole process will have to be done, appraisal and new lease. Mr. Vari to be notified.

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Happy Harry's: Lease is finished and ready to be signed. Concerns about set back and required number of parking spaces to be worked out.

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PROPERTY MAINTENANCE COMMITTEE REPORT: Mr. Viola reporting.

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Committee had met on April 27th with PNC and Wilmington Trust Company. Committee is satisfied with both reports. Have asked Mr. Taylor to look into the Old Trust Accounts.

ELECTION COMMITTEE REPORT: Ms. Banks reporting.

Have two candidates for the election: Christopher Castagno and Richard Pennell.

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LIBRARY COMMITTEE REPORT: Mr. Viola reporting.

The bond bill hearing will take place next week in Dover. The committee will await the outcome.

OPEN SPACE COMMITTEE:

No report.

BY-LAWS COMMITTEE REPORT: Mr. Wilson reporting.

An updated copy of the By-Laws will be available for the next meeting.

BATTERY PARK COMMITTEE REPORT: Ms. Banks reporting.

Ground cover has been installed around the playground equipment.

New swing seats and new benches have been received.

GOOD WILL FIREHOUSE COMMITTEE:

No report.

COMMUNICATIONS:

Thank you letters have been received from New Castle Beautification Committee, The Saint Anthony's Society and New Castle Senior Center for their appropriation check.

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OLD BUSINESS:

Mr. Viola spoke that the work at the hangar has begun and that a steel hoist had to be removed by a torch. With the cooperation of the Good Will Fire Company, they had water on the arch way during this job. A special thanks to the Fire Company for their help.

There being no further business the meeting was adjourned for an executive session.

M. Anita Banks, Secretary

Following the executive session, the meeting was again called to order and motion made for adjournment. .

M. Anita Banks, Secretary.

April 4, 2006

The meeting of the Board was held on Tuesday Evening, April 4, 2006 in the Trustees Room of the Old Town Hall.

This being the first meeting of the new year, President Gregory G. Peden chaired the meeting.

Present Messrs. Peden, Quillen, Gambacorta, Appleby, Wilson, Indellini, Viola, Alfree, Gebhart, Ms. Banks (10) and Andrew P. Taylor, Esq.

Guests at the meeting were: The new City Administrator Cathi Thomas and Messrs. Richard Evans and Thomas McDowell.

The meeting was called to order and began with a moment of silence.

The monthly calendar was updated, adding an Outreach Meeting on Monday, April 24th at 2:00 p.m.

The minutes of the previous meeting were approved.

The Treasurers report was approved as submitted.

PROPERTY DEVELOPMENT COMMITTEE REPORT: Mr. Indellini reporting.

Happy Harry's: Lease is ready for signatures.

Sailing Club: The land swap between the City, Brosius Eliason and Trustees is on hold once again. It was on the City Agenda for March but was held up due to Councilpersons wanting to visit the site. Mr. Taylor to attend the next City Council meeting.

Basin Road Parcel: The most up to date information on the available ground has been forwarded to the Doctors. No reply has been received. Item will be tabled until a contact is made again.

City Council Letter: The letter from City Council requesting putting a Council member on the Property Development Committee was discussed. The Committee recommends that a Liaison be appointed and that the quarterly meetings between the entities be established again.

Farmers Market (326 Associates): Mr. Richard Stat having been asked to attend the Property Development Committee Meeting , at which was discussed the dumpster and stockade fence, the parking area and the paper liter. Mr. Stat agreed that the stockade fence should be removed and will do so within 60 days. The paper liter was addressed that additional help has been hired to help with the liter being cleaned up. Mr. Quillen remarked that it was quite clean at mid-week and noted it. Mr. Wilson remarked that there is danger of the salt run-off.

OUTREACH COMMITTEE REPORT: Mr. Viola reporting.

Mr. Viola reported that to follow up on the “Beacon Hill” presentation made last month, Ms. Fiske has been in touch with Mrs. Doris Toll, an attorney, who was interested in this program.

PROPERTY MAINTENANCE COMMITTEE REPORT: Mr. Viola reported

Hanger Property: It having been reported that an above-ground storage tank should be removed and abandoned sump pump capped, Bright Fields, Inc. has been contacted and an estimate of not to exceed \$5,000.00 was given. The contract for this work was signed and returned. Work to begin soon.

FINANCE COMMITTEE REPORT: Mr. Gambacorta reported.

Reminder of the April 26th meeting with the Bank.
Mr. Gambacorta remarked on several line items on the 2005-2006 budget that were over.

VACANCY ON BOARD DECLARED:

The 12 year term of Bruce H. Gordon having expired on March 12, 2006, a vacancy on the Board was declared and referred to the Election Committee.

ELECTION COMMITTEE REPORT: Ms. Banks reporting.

An Election Committee meeting had been held on an election is scheduled for
JUNE 10, 2006

Election to be held at the Good Will Fire House, from 10:00 a.m. to 6:00 p.m.

Open Registration, at the Trustees Office, 201 Delaware Street , during office hours daily.

Registration Dates: Saturday, May 13th from 1:00 p.m. to 6:00 p.m.
Tuesday, May 30th from 6:00 p.m. to 9:00 p.m.
Both at the Good Will Fire House.

Last date to file as a candidate, THURSDAY, MAY 11TH AT 5:00 P.M.

Last date to withdraw as a candidate, FRIDAY, MAY 19TH, AT 5:00 P.M.

Absentee Registration Affidavits may be obtained from the Election Committee and received no later than May 27th, 2006

Absentee Ballots may be obtained from Election Committee or by writing to Trustees of New Castle Common, P. O. Box 453, New Castle, De 19720. All requests must be received no later than MONDAY, JUNE 5TH, 2006 AT 5:00 P.M.

BY-LAW CHANGE: (As Mailed to the Board—March 20, 2006.

Due to the time element, the Election Committee asked for a minor change in the By-Laws governing Qualified Voters.

“ Every owner and every renter and every resident of the City of New Castle who is a citizen of the State of Delaware and who shall have attained the age of eighteen (18) years on or before the date of the election and who shall have been a resident of the City of New Castle for a period of one year next preceding an election for Trustees as mentioned in the preceding paragraph shall have the right to have his/her name enrolled on such qualified voter list for any future Trustee election. Such name may be filed not less than **ten (10) days** before the day fixed for an election.

NOTE; The change was from: “ that such name may be filed not less than 20 days fixed for an election. By-Law change was approved.

Mr. Taylor brought to the attention of the Board that the Mayor of the City of New Castle has raised a question about the applicability of the municipal election bill to the Trustees of New Castle Commons. He would like for the Trustees to be covered under the provision of the bill. However, under the bill only municipalities are covered and the Trustees are not a municipality.

Mr. Taylor replied as legal counsel to the Board that “ The Trust was created by the heirs of William Penn before there even was a United States of America. The trust was created for the benefit of the Citizens of New Castle. It is a long history, but they were then incorporated by a special act of the General Assembly. Some years later they were required to submit to the terms of the Delaware Constitution of 1897 in particular Article 1X which means we are subject to the General Corporation Laws of the State of Delaware and are no longer incorporated by a special act of the General Assembly. Therefore, the Trustees are not chartered as a municipality.

The Trustees were originally elected for lifetime terms. Through work with the Attorney General’s office some years ago, the by-laws of the Trustees were changed to specify 12 year terms for the Trustees. They are elected by local election in the City of New Castle. They are not paid unless you want to count the ceremonial one ear of corn each year. The ear of corn is presented to each trustee during a meeting in the fall.

The by-laws of the Trust are very specific with regard to procedures to be followed for the elections. Voting machines from the State are used unless for some reason machines are not available.

Mr. Taylor’s hope is that this clarified that the Trustees of New Castle Common are not a municipality.”

LIBRARY COMMITTEE REPORT : Mr. Viola reporting.

Mr. Viola reported that the books of the Library have been audited and no problems found.

OPEN SPACE COMMITTEE REPORT: Mr. Wilson reporting.

Noted that Open Space Committee is in need of another member.
President Peden asked Mr. Gambacorta to serve on this committee.

BATTERY PARK COMMITTEE:

No report

GOOD WILL FIRE HOUSE COMMITTEE:

No report.

OTHER COMMITTEE REPORTS:

Ms. Banks reported that the office was in receipt of 44 scholarship applications and based on the last years awards, approximately \$25,000.00 is needed to be allocated, making \$80,000.00 available for the coming year.

A motion was made and approved to transfer the additional funds needed from the contingency item in the budget. Students will receive:

Freshmen	\$ 1,300.00
Sophomore	1,600.00
Junior	2,000.00
Senior	2,400.00

Mr. Viola reported that insurance has been secured by Friends of Bellanca , and that hangar can be removed from the Trustees insurance coverage. Ms. Banks will contact Insurance & Financial Services and Mr. Briggs.

There being no further business, the meeting was adjourned.

M. Anita Banks, Secretary

March 8, 2006

TO: Richard M, Appleby, Jr.
R. James Quillen, Jr.
Joseph F. Toner

Enclosed are copies of: Officers and Committee Assignments for 2006-2007
Approved Budget for 2006-2007

The only changes were:

Trash Truck over a 3 year period

No new employee for City

took out "Banks" Building repairs

as no agreement has been reached on building.

Copy of letter from Michael Hemphill

Copy of letter from Historical Society of Delaware asking
for permission to park cars for a party.

Anita

March 7, 2006

The meeting of the Board was held Tuesday Evening, march 7, 2006 in the Trustees Room of the Old Town Hall.

Present Messrs: Gambacorta, DeAscanis, Gordon , Wilson, Indellini, Peden, Viola, Alfree, Gebhart and Ms. Banks (10 and Andrew P. Taylor, Esquire.

Guests at the meeting were Ms. Dorsey Fiske and Mr. David Bird and Mr. Rich Pennell.

Prior to the business meeting Ms. Fiske spoke to the Board about an article having been included in this months packet and from The New York Times , “Aging at home, for a lucky few, a wish come true.”

The meeting was then called to order and began with a moment of silence.

There were no additions to the monthly calendar.

The minutes of the previous meeting were accepted with spelling of two names being corrected.

The Treasurers report was accepted as submitted.

PROPERTY DEVELOPMENTS COMMITTEE REPORT:

Mr. Indellini reporting.

HAPPY HARRY'S: Lease is 99% complete. Asking for an approval be given so that the remainder can be done by PDC and our Attorney.

Approval was given.

BASIN ROAD PROPERTY: Will report in April on Doctors decision.

SAILING CLUB : Awaiting action by the City. It is on their agenda for this months meeting. Have received signed lease extension from Sailing Club and check.

FARMERS MARKET; Discussion on the condition at the Market regarding the salt and sand storage. Asking Mr. Stat to attend the next PDC meeting. Mr. Wilson spoke that salt and sand is not on any other property. Why should it be there?

OUTREACH COMMITTEE REPORT:

No report

PROPERTY MAINTENANCE COMMITTEE REPORT; Mr. Gordon reporting.

Mr. Gordon announced that tonight was his last meeting, his term of 12 years ends March 12, 2006. He was thanked for a great job done and by a round of applause for his services.

Mr. Gordon presented a letter from Mr. Michael Hemphill concerning “box bugs” nested in trees near the site of Fort Casimit. After a discussion, a copy of his letter will be forwarded to Mr. Chip Patterson of the Tree Commission.

FINANCE COMMITTEE REPORT: Mr. Peden reporting.

Copies of the proposed budget was distributed noting that the repairs to the Banks Building is put on hold until it is turned over to the Trustees. The cost of the garbage truck spread over 3 years (45,000.00 per year). The request for one laboring employee was not approved, The total budget of \$1,048,750.00 was presented for approval.

SEE EXHIBIT ‘A’

After much discussion, Mr. Wilson voiced his disapproval of the budget process with approval being done in one evening.

A motion was made and seconded that the approved budget as presented be accepted for 2006-2007. Mr. Wilson voted NO>

NOMINATING COMMITTEE REPORT: Mr. Viola reporting.

The Officers and Committee Assignments were presented and approved for 2006—2007.

SEE EXHIBIT ‘B’

LIBRARY COMMITTEE REPORT:

No report

OPEN SPACE COMMITTEE REPORT:

No report.

However, Mr. Wilson said that the committee needs more than two people and should have input from the general public. Mr. Gambacorta replied that the nominating committee will submit another name.

BY-LAW COMMITTEE REPORT: Mr. Wilson reporting.

If the letter from the City Council is addressed and goes to Property Development Committee, there will be the need for a By-Law change.

BATTERY PARK COMMITTEE REPORT:

No report.

GOOD WILL FIRE HOUSE COMMITTEE REPORT:

No report.

COMMUNICATIONS:

Letter received from Historic Society of Delaware, requesting permission to park cars in open land across from Mr. Michael Hemphills home on The Strand for a fund raising event May 6, 2006.

The Board approved the request for parking at the OLD FERRY WHARF, within an area to be clearly identified and marked by the Trustees.

Have liability coverage, naming the Trustees for an additional insured for that day.

Should damage be done to area, the Society will restore it to the pre-event condition.

Ms. Banks reported that she had secured the information on the 6 properties needing updated zoning changes. Letters will be sent to the tenant, then to the City for this change.

Mr. Gebhart reported that the deed for the New Castle Senior Center will be recorded. Should the Senior Center close and vacate the building then it would revert to the Trustees.

Meeting adjourned for an Executive Session.

M. Anita Banks, Secretary

Following the Executive Session, the meeting was once again called to order.

The letter from the City Council was presented and discussed.

By motion, the letter was referred to Property Development Committee.

M. Anita Banks, Secretary

SPECIAL MEETING

February 15, 2006

A special meeting of the Board was held on Wednesday Evening, February 15, 2006 in the Trustees Room of the Old Town Hall.

Present: Messrs. Quillen, DeAscanis, Appleby, Gordon, Wilson, Indellini, Peden, Viola, Alfree, Gebhart and Ms. Banks (11) and Andrew P. Taylor, Esq.

Guests at the meeting were: Ms. Dorsey Fiske, Anne M. DiMaio, Teel Petty, Nancy Cornig, Marianne Caven and Messrs. Earl Carpenter, David Bird, Joseph DiAngelo, Thomas McDowell, Thomas Geraghty, Donald Reese, John DiMondi and the David Sills group, and from Family Foundation, Dr. Fennell Brewington and Dr. Haron M. Neal..

As always, the meeting began with a moment of silence.

This meeting was called for a Property Development Committee Report.

Family Foundation Charter School:

A presentation was made by Mr. David Sills, builder, on interior and exterior versions of the building. Many questions were asked of Mr. Sills. Some of the main concerns of the Board were: Fencing of the playground, Size of bricks to be used, design of the windows, location of trash containers and types of lights to be used in the parking lot.

The comments from Mr. Sills and the architect seemed to be adequate to the Board and meeting was dismissed for an Executive Session.

M. Anita Banks, Secretary

February 15, 2006

The meeting was again called to order.

Motion made to present the following to David Sills Contractor:

Fence: type, our approval, at least 5' high.
Windows: Rectangular
Bricks: Small, normal ones—Color to be decided.
Roof: Asphalt shingles
Road: Access road around the building.

Being no further business the meeting was adjourned.

M. Anita Banks, Secretary

February 9, 2006

TO; RICHARD M. APPLEBY , JR.
HENRY F. GAMBACORTA
JOSEPH F. TONER

ITEMS FROM MEETING OF FEBRUARY 7TH.

ENCLOSED ARE: COPY OF PROPOSED BUDGET, TO BE VOTED ON AT
MARCH MEETING.

\
COPY OF OFFICERS AND COMMITTEE ASSIGNMENTS ALSO TO BE VOTED
ON AT THE MARCH MEETING.

COPY OF WETLAND PROGRAM AS REQUESTED FOR GAMBACORTA MARSH
BY THE ELEMENTARY WORKSHOP MONTESSORI SCHOOL.

WE ARE HAVING A SPECIAL MEETING ON WEDNESDAY EVENING,
FEBRUARY 15TH REGARDING THE "FAMILY FOUNDATION CHARTER
SCHOOL" DAVE SILLS TO PRESENT APPROVED PLANS ETC.

February 7, 2006

The meeting of the Board was held on Tuesday Evening, February 7, 2006 in the Trustees Room of the Old Town Hall.

Present Messrs. Quillen, DeAscanis, Gordon, Wilson, Indellini, Peden, Viola, Alfree, Gebhart and Ms. Banks (10) and Andrew P. Taylor, Esq.

Vice-President Quillen chaired the meeting due to President Gambacorta being absent.

Guests at the meeting were Ms. Dorsey Fiske, Mr. David Bird and Mr. Rich Pennell.

The meeting was called to order and began with a moment of silence.

There were no additions to the calendar.

The minutes of the previous meeting were corrected to read: Outreach Committee: Report that a Ms. Amy Dwyer met with Outreach regarding the wetland study.

The Treasurers report was accepted as submitted.

PROPERTY DEVELOPMENT COMMITTEE REPORT: Mr. Indellini reporting.

Happy Harry's: Would like to re-open the dialogue on the parcel.
The base lease would be 25 years (5 5year period options)

Initial Rent \$77,000 per year.

Rent increase every 5 years at the rate of 25% or appraised value, the lesser of the two during the base term and option period.

By motion, Property Development Committee was authorized to proceed with negotiations for Happy Harry's.

Trustees to approve the design of the building.

Farmers Market: Mr. Stat has been contacted regarding the new entrance promised sometime ago. He has replied that Landmark Engineering will put this project on priority and will keep us informed as to the progress.

Sailing Club: The letter for extension of lease has been given to Mr. Rich Pennell who has told us their Board meeting will be 2/16/06 and at that time the necessary papers will be signed and returned.

Zoning: Ms. Banks reported that Castle Dealership has inquired about having their parcel properly zoned, it is now Service Commercial and should be General Commercial. Ms. Banks will contact Mr. Jeff Bergstrom to get more information. Other properties that are not covered under the area appropriate zoning are according to Mr. Jeff Bergstrom are: Getty Station, Gambacorta Used Cars, Texaco Station, Burger King and Spallco. Information will be passed on and reported on at the next meeting.

Family Foundation Charter School: A computer rendition of the school was given P.D.C. at their meeting and shown at the Board meeting. After a long discussion as to the set back from the road, type of windows, roof, etc., it was decided to call a Special Meeting of the Board for the Architect, Contractor, Engineering Firm and representatives of Family Foundation to meet with the Board to discuss concerns. The Board was asked to compile a list of concerns to be discussed. Meeting is tentatively set for Wednesday Evening, February 15th if builder can furnish plans. Special Notice will be mailed out to the Board.

OUTREACH COMMITTEE REPORT: Mr. Viola reporting.

A meeting had been held with Ms. Amy Dwyer of the Montessori School whose students desire to adopt the wetlands at the Gambacorta Marsh. Motion made to approve this adoption. The necessary papers will be drawn up giving them the right of way to the wetlands.

PROPERTY MAINTENANCE COMMITTEE REPORT: Mr. Gordon reporting.

Banks Building: Main door and frame has been replaced. Some windows fixed and covered with plastic.

Lights are out in the elevator.

FINANCE COMMITTEE REPORT: Mr. Peden reporting.

Quarterly meeting had been held. PMC with a 9% increase and Wilmington Trust a 7% . Very pleased with report on investments.

A proposed budget was passed out to the Board, the items such as Library Doors and Painting, Repairs to Town Hall and Good Will Fire House were completed .

Finance Committee Report continued:

Items under Capital Budget include the balance of the \$100,000.00 pledged to the Senior Center over a 3 year period, needed repairs to the Banks Building and an addition to the Town Hall..

Budget to be voted on at the March meeting.

NOMINATING COMMITTEE REPORT: Mr. Viola reporting.

The proposed officers and committee assignments were passed out to the Board. Committee assignments were taken from response sheets.

Selection of officers and committee assignments to be at March meeting.

LIBRARY COMMITTEE:

No report:

Mr. Viola passed out a pamphlet from "Friends of the New Castle Library".

OPEN SPACE COMMITTEE:

No report.

BY-LAWS COMMITTEE:

No report

BATTERY PARK COMMITTEE:

No report.

GOOD WILL FIRE STATION COMMITTEE:

No report

COMMUNICATIONS:

None

The meeting was adjourned for an Executive Session.

M. Anita Banks, Secretary

January 10, 2006

The meeting of the Board was held on Tuesday Evening, January 10, 2006 in the Trustees Room of the Old Town Hall.

Present: Messrs. Gambacorta, DeAscanis, Quillen, Appleby, Gordon, Wilson, Peden, Viola, Alfree, Gebhart, and Ms. Banks (11) and Andrew P. Taylor, Esq.

Guest at the meeting was Ms. Dorsey Fiske.

The meeting was called to order and began with a moment of silence.

The monthly calendar was updated:

January 18th, Building Restoration Committee Meeting

January 23rd, Nominating Committee

January 25th, Budget meeting following quarterly report.

The minutes of the last meeting were approved.

The Treasurers report was accepted as submitted.

PROPERTY DEVELOPMENT COMMITTEE REPORT: Mr. Peden reported.

Happy Harry's: On going talks and negotiations—to be discussed in Executive Session.

Basin Road Parcel: -Still talking with Dr. Adeleke.

New Castle Sailing Club: Have not received acceptance from the City on ground swap. The Board will grant a three month extension on the lease making expiration date, May 31, 2006.

Banks Building: Have talked to Council President Blest about the Trustees taking over the “Banks Building”. It could be put on Councils agenda for next month. Necessary emergency repairs have been done.

Wilmington Trust Company—Drive In Bank: A letter received stating they intend to exercise their sixth five year option on August 13, 2006 and are requesting an additional five year option. Lease to be checked regarding an appraisal.

326 Associates: Attorney for Richard Stat has requested Trustees signing papers for a pending loan. Approval was given, however, P.D.C. and the Board are still awaiting 326 re-working of the entrance and the removal of the shed of salt , sand and dirt pile along the Frenchtown Road.

Mr. Taylor will communicate with Mr. Mammarella.

OUTREACH COMMITTEE REPORT: Mr. Viola reporting.

A letter relating to children from Montessori School (Elementary Workshop) regarding adopting the Gambacorta Marsh for a wetland study was received. Mrs. Tidball a former teacher will meet with Outreach to discuss this project on January 23rd at 2:00 p.m.

PROPERTY MAINTENANCE COMMITTEE REPORT: Mr. Gordon reporting.

Banks Building: The door and frame has been replaced as well as windows covered. The building needs a lot of work to be done.

Tennis Courts: The Appleby marker at the tennis court has been put back in place.

FINANCE COMMITTEE REPORT: Mr. Peden reporting.

Three quarters of the year being over, it appears we are in line with the budget. The 05-06 budget income was 946 thousand and for 06-07 could be 1 million. Budget is now being worked on for 06-07.

LIBRARY COMMITTEE:

No report.

OPEN SPACE COMMITTEE:

No report.

BY-LAW COMMITTEE:

No report

BATTERY PARK COMMITTEE REPORT: Ms. Banks reporting.

Ground safety zone to be inspected.

GOOD WILL FIREHOUSE COMMITTEE REPORT: Mr. Alfree reporting.

Mr. Alfree has asked their Board of Directors to look into outside financing for their proposed renovations.

COMMUNICATIONS:

Ms. Banks passed our copies of a letter from Michele Anstine, Director Read House and Gardens inviting the Trustees to share in the public archaeology and history program in New Castle. A workshop to be held January 22nd from 3 until 4 at a location to be determined.

A letter from City Council to New Castle Jaycees thanking them for contributing \$500.00 toward the heating of the Banks Building.

A notice that the second floor room of the Old Town Hall will be used by the New Castle Historical Society to promote window displays and attract more tourism.

Applications for scholarship program are available at the office.

Mr. Gebhart inquired of the Board the possibility of the Trustees participating in the cost of a survey of the Seniot Center Property. A motion was made and approved for Trustees to pay ½ the cost of the survey.

The meeting was recessed for an Executive Session to discuss property negotiations.

Following the Executive Session, the meeting was again called to order.

Property Development Committee was authorized to negotiate with Happy Harry's on a start of \$85,000.00 per year with a 5% escalation per year and an appraisal at 25 years.

Motion was approved, Mr. Wilson voting NO.

The meeting was then adjourned.

M. Anita Banks, Secretary

December 6, 2005

The meeting of the Board was held on Tuesday Evening, December 6, 2005 in the Trustees Room of the Old Town Hall.

Present Messrs. Gambacorta, DeAscanis, Appleby, Gordon, Indellini, Peden, Toner, Viola, Alfree, Gebhart and Ms. Banks (11) and Andrew P. Taylor, Esquire.

Guests at the meeting were Ms. Dorsey Fiske and representatives from Good Will Fire Co. to present and discuss the renovations to the Fire Station. Messrs. Majewski, Simpson, Hurd and Robinson along with Mr. Dan Wrightson of the architects office.

Mr. Wrightson discussed the need for male and female sleeping quarters, enlarging the radio room, adding new handicapped accessible restrooms, offices and made it known that the new renovations will be at either end of the building, since no structure can be put over the engine bays. Approximate cost to be 2 million dollars.

Mr. Majewski also mentioned that William Ervin Thatcher has put together 150 years of Fire Company history.

The regular meeting was called to order and opened with a moment of silence.

There were no additions to the monthly calendar.

The minutes of the November 05 meeting were corrected to read: OPEN SPACE—“Board to remember that 50% of Washington Greene parcel is to remain Open Space. The minutes were than approved.

The Treasurers report was accepted as submitted.

PROPERTY DEVELOPMENT COMMITTEE REPORT: Mr. Indellini reporting.

Reported on talks with Mr. Levin of Happy Harry’s and lease escalation clauses in lease.

Basin Road: Mr. Indellini had received the study done by VanDemark & Lynch on the wetland delineation done on this parcel.

New Castle Sailing Club: Still waiting on City to approve land swap.

Family Foundation Academy: waiting on the Board of Adjustment hearing which was being held at the same time as this meeting. No report was received.

OUTREACH COMMITTEE REPORT: Mr. Viola reporting.

Mr. Viola reported that he had received good feedback from the Appreciation Night.

PROPERTY MAINTENANCE COMMITTEE REPORT: Mr. Gordon reporting,.

Banks Building: A discussion was held on the condition of this building. Mr. Gordon spoke that the front door is need of repair, windows should be covered with plastic since the storm windows do not close properly . Trustees will pay for the heat.

The Board discussed the possibility of Trustees taking over this building, Mr. Taylor will look into the insurance etc.

The Appleby memorial at the Tennis Courts has been damaged and will be fixed.

FINANCE COMMITTEE REPORT: Mr. Peden reporting.

It is budget time and office will send out letters to those organizations that ask for financial assistance.

LIBRARY COMMITTEE

OPEN SPACE COMMITTEE

BY LAWS COMMITTEE

BATTERY PARK COMMITTEE

No reports:

COMMUNICATIONS: A letter was received from Mrs. Tidball, requesting permission for “Elementary Workshop School” to check on wildlife etc. at the Gambacorta Marsh. This was referred to Outreach.

The Board thanked Ms. Banks for refreshments at this meeting.

There being no further business the meeting was adjourned.

M. Anita Banks, Secretary.

November 1, 2005

The meeting of the Board was held on Tuesday Evening, November 1, 2005 in the Trustees Room of the Old Town Hall.

Present: Messrs. Gambacorta, DeAscanis, Quillen, Appleby, Gordon, Indellini, Wilson, Peden, Toner, Viola, Alfree, Gebhart and Ms. Banks (13) and Andrew P. Taylor, Esq.

Guests at the meeting were Ms. Dorsey Fiske, Mr. Thomas McDowell and Mrs. Elaine Ryan Watson.

Mrs. Watson inquired of the Board the status of the "Banks Building". Her interest was on behalf of her father John Ryan, who as a member of "The Senate" goes to the Delaware Street wharf and the Banks Building nearly everyday. "The Senate" had been told that the building was going to be closed for the winter since the Trustees do not pay for the heat. The Board assured Mrs. Ryan that they will meet with members of Council and work something out.

The meeting was then called to order and began with a moment of silence.

An open space meeting was added to the monthly calendar for November 21st at 7p.m.

The minutes were corrected to reflect a meeting of Outreach, October 24th, now scheduled for the fourth Monday of each month. Minutes were than approved.

The Treasurers report was accepted as submitted.

PROPERTY DEVELOPMENT COMMITTEE REPORT: Mr. Indellini reporting.

FERRY CUT-OFF: HAPPY HARRY'S:

Are in conversation with Mr. Levin and his attorney to negotiate a new building and access road.

BASIN ROAD PARCEL:

Doctors are still interested in parcel. Waiting to see how much land is useable.

NEW CASTLE SAILING CLUB:

Waiting on the City Solicitor to get back to us on the land swap that Council was presented last month.

WASHINGTON GREENE:

The lease has been signed with Family Foundation Academy. Some concerns had been expressed about the building, it will be built for them. Plans to go before Board of Adjustment.

416 DELAWARE STREET:

A motion was made and approved to have Allen Appraisers do an appraisal of this property which is adjacent to the Library.

326 ASSOCIATES :

Mr. Stat had submitted proposed new signage for Wilmington Savings Fund which was approved.

BANKS BUILDING:

A very involved discussion took place on the maintenance of the Building. The Board is not in favor of closing it for the winter and will talk with President of Council Blest and work out a means of keeping it open.

OUTREACH COMMITTEE REPORT: Mr. Viola reporting.

Arrangement have been worked out for the "Appreciation Party" being held on Thursday Evening, November 10th at the Arsenal on the Greene. Replies are coming into the office.

PROPERTY MAINTENANCE COMMITTEE REPORT: Mr. Gordon reporting.

Representative from Delmarva Power has contacted Property Maintenance Committee regarding trees on Trust property, which are in need of cutting. Permission was granted .

FINANCE COMMITTEE REPORT: Mr. Peden reporting.

Committee had met with the Banks on our investments with Wilmington Trust reporting up 12% and PNC up 8.10%. Accounts are growing. Appears that the Board is pretty much on budget for the year.

LIBRARY COMMITTEE REPORT:

No report.

OPEN SPACE COMMITTEE REPORT: Mr. Wilson reporting.

Meeting called for November 21st. Board to remember

BY-LAW COMMITTEE REPORT:

No report

BATTERY PARK COMMITTEE REPORT:

No report

GOOD WILL FIRE HOUSE COMMITTEE REPORT: Mr. Alfree reporting.

Had met with their membership to discuss renovations to the Fire Hall.

Their needs are an office, co-ed sleeping quarters, heat and ventilations renewed, a new radio room.

Architect is Homsey. The Design Development Estimates are by Wohlsen Construction Company.

It is reported also that the new addition etc. cannot go over the present bays,

Copy of plans and report are available in the office.

OTHER COMMITTEE REPORTS:

None

COMMUNICATIONS:

None

The regular meeting was adjourned for an Executive Session.

M. Anita Banks, Secretary

OCTOBER 4, 2005

The meeting of the Board was held on Tuesday Evening, October 4, 2005 in the Trustees Room of the Old Town Hall.

Present, Messrs. Gambacorta, DeAscanis, Quillen, Appleby, Gordon, Indellini, Peden, Toner, Viola, Alfree, Gebhart and Ms. Banks (12) and Andrew P. Taylor, Esq.

Guests at the meeting were: Senator Dori Connor, Ms. Nancy Coning, Ms. Dorsey Fiske and Mr. Thomas E. Geraghty.

Senator Connor spoke to the Board regarding the boat ramp at the end of Third Street and was informed by the Board that the Trustees had the boat ramp installed for the use of the Good Will Fire Company. She mentioned that the Fire Company told her that work was needed to be done on the ramp.

The meeting was then called to order and began with a moment of silence.

No additions were made to the calendar.

The minutes were amended to read: Library Committee Report, that the request for funding would be presented at a Library Council meeting rather than a bond bill meeting. The minutes were then approved.

The Treasurers report was accepted as submitted.

PROPERTY DEVELOPMENT COMMITTEE REPORT: Mr. Indellini reporting.

Ferry Cut Off: Continue to talk with “Happy Harry’s”

New Castle Sailing Club---Brosius-Eliason property:

The final plans for the transfer of properties between Brosius-Eliason Company, City of New Castle and Trustees has been received. The Board voted unanimously that this agreement by accepted,

SEE EXHIBIT ‘A’

Washington Greene: The lease was signed by the Trustees and returned to James T. Taylor, Esq. for Family Foundation Academy to execute.

Zoning of Trust Properties: Discussion on zoning of Trustees properties took place. It is recommended that nothing be done at this time.

OUTREACH COMMITTEE REPORT: Mr. Viola reporting.

Mr. Viola announced that the appreciation event be held on Thursday Evening, November 10,2005 from 5:30 p.m. to 7:30 p.m. at the Arsenal.

PROPERTY MAINTENANCE COMMITTEE REPORT: Mr. Gordon reporting.

Mr. Gordon reported that the walkway on the Battery has been sprayed and bushes cut back.

FINANCE COMMITTEE REPORT: Mr. Peden reporting.

The City is up to date on their payments for the police complex. Reminder of the quarterly meeting, Wednesday October 26th with the banks.

LIBRARY COMMITTEE REPORT: Mr. Viola reporting.

Mr. Viola reported on the prioritized list of requests submitted at the Library Council Meeting, New Castle being 8th on the list of 9 and of which only 8 will go forward. The request of \$345,000.00 would cover 50% of the cost of acquiring the property next to the Library and 50% of the first phase of architects work.

OPEN SPACE COMMITTEE REPORT: Mr. Alfree reporting.

Mr. Alfree spoke of the zoning of all Trustees properties. Suggested taking one property and show the pros and cons of re-zoning same.

BY-LAWS COMMITTEE:

No report.

BATTERY PARK COMMITTEE:

No report.

GOOD WILL FIRE STATION COMMITTEE: Mr. Alfree reporting.

Copy of the financial report for year ending December 31, 2004 was received and on file in the Trustees office. A meeting will be held on the 13th of October at which time expansion plans will be presented,

COMMUNICATIONS:

A thank you note was received from Ms. Banks for flowers sent when she was in the hospital and was welcomed back.

Mr. Gebhart inquired if other committee reports could be included on the monthly agenda such as the Tree Commission. Ms. Banks said a new item could be included as "Other Committee Reports".

Mr. Viola noted that the June 05 minutes "Friends of Bellanca" only spoke that the lease should be completed over the summer. A motion was made and unanimously approved to "Ratify the agreement that was made at the June meeting but was not recorded as such in the minutes that the Board authorize the signing of the lease between "Friends of Bellanca Airfield" and Trustees of New Castle Common at the point of which the Property Development Committee has expressed their agreement with the terms of the lease.

Senator Connor spoke that it be understood that the request made for the New Castle Library be \$300,000.00 toward the acquisition of the property and \$45,000.00 toward the first phase of architects work.

Senator Connor also inquired as to where the "Charter School" would be built, since she was not aware of it. School to be 1 floor, 38,000 square feet with 21 classrooms, a library and playground for grades 1 through 4 and leased to "Family Foundations Academy"

IT WAS PAY DAY AND THE BOARD EACH RECEIVED AN EAR OF INDIAN CORN ----AS SPELLED OUT IN THE CHARTER OF 1764.

There being no further business the meeting was adjourned.

M. Anita Banks, Secretary.

The meeting of the Board was held on Tuesday evening, September 13, 2005 in the Trustees Room of the Old Town Hall.

Present: Messrs. Gambacorta, DeAscanis, Quillen, Gordon, Indellini, Peden, Toner, Viola, Alfree, Gebhart and Andrew P. Taylor, Esq.

Guests at the meeting were: Ms. Dorsey Fiske, Mr. Robert Briggs, and Mr. Michael Hemphill.

Prior to the meeting, Mr. Hemphill presented a petition with over 100 signatures, representing City residents who want Bull Hill to be rezoned as Open Space Recreation, hereafter "OSR," instead of the current residential/commercial zoning. Mr. Hemphill indicated that this will remove any temptation to use the Bull Hill land for anything other than OSR purposes. Mr. Hemphill specifically indicated this petition is mutually exclusive of City Council's recent actions, which he and other petitioners do not support. Mr. Gambacorta referred the petition to the Property Development Committee. Messrs. Briggs and Hemphill left the room after this presentation.

The meeting was called to order at 7:40 p.m. and opened with a moment of silence.

The monthly calendar was updated with an Outreach Meeting on Monday, September 26 at 2 p.m.

The minutes of the previous meeting were corrected with respect to the Property Development Committee's report on 14th and Washington Street: **"The motion to lease this parcel was voted down and will remain on the market at the Trustees' discretion."**

The minutes were then approved.

The Treasurer's report was approved as submitted.

Mr. Peden reported that Mayor and Council had made payments for June and July and should be current by the end of September.

PROPERTY DEVELOPMENT COMMITTEE REPORT: Mr. Indellini reporting.

Ferry Cut-off:

The parcel being considered by Happy Harry's was appraised at \$669,375. Mr. Indellini felt the Trustees could do better. He also noted the importance of keeping

Happy Harry's local for the community. The Property Development Committee will be working with Hunter-Lott Realty on the rental agreement specifics.

Basin Road Parcel:

We are expecting a wetlands delineation within the next 30 days.

New Castle Sailing Club:

The lease expires February 2006. Mr. Indellini indicated that while we are mindful of the Club's desires, we need to resolve the parcel ownership change among us, Brosius-Eliason, and the City in changing ownership of the parcel.

Washington Greene:

Mr. Indellini reported that we have reached an agreement with Family Foundation Academy (FFA) for land designated for its charter school. FFA will be operated by former teachers from Christiana School District. We will require \$1 million more liability insurance coverage. This would be a four-year lease with the standard CPI increases. FFA met the financial due diligence requirements and has pre-approval for a loan, along with the necessary state funding. The target for opening is September 2006.

Mr. Indellini motioned that the agreement with FFA be approved and that the liability insurance be increased \$1 million. The motion was seconded and approved.

326:

Mr. Indellini reported that a non-disturbance agreement had been signed with 326 during the summer break. A motion was made, seconded, and approved to authorize this action.

Resolution #2005-19 by City Council (See Exhibit A.):

Mr. Gambacorta opened discussion on whether to respond to this resolution. (Reference Exhibit A that includes a letter from City Councilman DiMondi and a copy of the respective resolution.)

After discussion, there was consensus on developing a task force or committee to recommend how to proceed. Mr. Gambacorta indicated he would either appoint a committee or convene the board to address this further.

OUTREACH COMMITTEE: Mr. Viola reporting.

Mr. Viola motioned that the Trustees host an appreciation night in November for the various individuals on Trustees' committees. The motion was seconded and approved.

PROPERTY MAINTENANCE COMMITTEE REPORT: Mr. Gordon reporting.

New Library:

Painting is completed, and the front steps and sidewalk have been repaired.

Town Hall:

Painting is completed, and the cupola has been repaired.

Good Will Fire House:

Painting is completed, and the storm windows have been installed.

Former Millie's Diner site:

A new sewer line was installed over the summer.

FINANCE COMMITTEE: Mr. Peden reporting.

The Finance Committee met with the Trustees' bankers in July. Mr. Peden indicated that given the adverse effects of Hurricane Katrina on the economy, the 8% to 9% return on the portfolio expected by the bankers could be a challenge.

We have a strong cash position, with CDs totaling in excess of \$250,000 earning very competitive rates.

LIBRARY COMMITTEE REPORT: Mr. Viola reporting.

Mr. Viola indicated that Bill Lane led an effort to get the old book collection back into the building. Ned Hutchinson cataloged and shelved the collection.

Mr. Viola also indicated that the Library Committee will begin discussions with Mary Jane Keiser to acquire property for the library expansion. He noted that the State has a matching program for library expansion and that the Library is applying for 2007 funding. The State has a different reimbursement policy for property versus structures.

Mr. Viola shared that this project would be presented at a bond bill meeting on Thursday, September 15. The Library would be requesting 50% of the property acquisition cost and the upfront expense for architectural design work.

OPEN SPACE COMMITTEE:

No report

BY-LAWS COMMITTEE:

No report

BATTERY PARK COMMITTEE:

No report

GOOD WILL FIRE HOUSE COMMITTEE: Mr. Alfree reporting.

Mr. Alfree reported that his request for audited financial statements has not been addressed. Mr. Alfree and Mr. Gambacorta will prepare a letter to send to the Fire House.

COMMUNICATIONS:

Mr. Gebhart noted that he had donated a statue of William Penn to the Trustees.

Mr. Gambacorta indicated the need to convene for Executive Session, and Ms. Fiske left the room.

After Executive Session, Mr. Gambacorta reopened the meeting and then motioned to adjourn. The motion was seconded and approved.

M. Anita Banks, Secretary

August 22, 2005

TO ALL TRUSTEES:

A COPY OF THIS RESOLUTION WAS RECEIVED AT THE OFFICE ON FRIDAY.
SINCE IT INVOLVES TRUST PROPERTY, THOUGHT THE BOARD SHOULD SEE
IT PRIOR TO MINUTES COMING OUT.

ANITA

June 7, 2005

The meeting of the Board was held on Tuesday Evening, June 7, 2005 in the Trustees Room of the Old Town Hall.

Present, Messrs. Gambacorta, DeAscanis, Quillen, Appleby, Gordon, Wilson, Indellini, Peden, Toner, Viola, Alfree, Gebhart and Ms. Banks (13) and Andrew P. Taylor, Esq.

Prior to the meeting, a group photo was taken of the Board.

Guests at the meeting were: Ms. Susan Keyser, Ms. Karen Hayman, Ms. Bernadette Ruff, Ms. Lynn Sheridan, Ms. Marianne Caven, Mr. William Boyle, Mr. Robert Briggs and Dr. Conrad DiMichele. All guests being interested in the "Bull Hill Road Project:". Mr. Gambacorta pointed out to the group the "alley" on the map, however, it is also noted that the place to go would be to H.A.C. and ask that off street parking be exempt. No reply has come from the City to our letter and the group voiced their concern.

"See Exhibit A"

The meeting was then called to order and opened with a moment of silence.

The monthly calendar was updated adding an Outreach Meeting on June 27, 2005 at 2:00 p.m.

The minutes of the previous meeting were corrected to read:

"Finance Committee Report": showed a loss, but expect an 8 to 9% return for the year."

The minutes were then approved.

The Treasurers report was approved as submitted.

Mr. Peden reported that Mayor and Council had made **no** payment on the Police Station Complex since April 4, 2005.

Following a long involved discussion, the Secretary was instructed to write President of City Council stating that the **"Trustees will withhold any and all future payments to the City until this situation is resolved."**

Copy of the letter to be sent to President of City Council Blest and the Mayor and Council Members, plus all Trustees.

"See Exhibit B"

PROPERTY DEVELOPMENT COMMITTEE REPORT: Mr. Indellini reporting.

Ferry Cut-off:

All talks are on hold with Dr. Adeleke unless the restrictions are removed or amended with PPJ Properties, LLC (New Castle Family Care—Dr. James). Doctor will look at other alternative property.

Hunter-Lott Realty Company representing Happy Harry's is interested in the parcel and a motion was made to begin negotiations with them and to secure an appraisal of the property. Mr. Gary Parker to be contacted to appraise the property.

Basin Road Parcel:

Property Development Committee will contact VanDemark and Lynch to have them identify the wetlands.

New Castle Sailing Club:

Communications are going forward with Brosius-Eliason Company, Mr. Rick Armstrong on the Penn Street parcel going to the City, squaring up the other properties in the vicinity of the Sailing Club.

The Trustees have agreed to pay the engineering fees for this survey.

Castle Dealership:

Awaiting information from Mr. Bergstrom on applying to have the zoning changed from Service Commercial to General Commercial. Change request due to signage. Mr. Appleby voted NO.

Washington Greene:

Mr. Indellini reported he had requested financial information from "Family Foundation Academy" who is interested in land for a charter school.

14th & Washington Street:

Discussion was held on the inquiry from Mr. John Ioannoni for a sandwich shop at 14th and Washington Street. The Board had numerous negative messages from neighbors in the vicinity and the traffic pattern at that intersection was considered.

The motion to lease this parcel was **voted down and removed from the market.**

Friends of Bellanca:

The lease with "Friends of Bellanca" should be completed over the summer months.

Library Expansion:

The Board voted in favor of talking with Mrs. Mary Jane Robinson regarding the property at 420 Delaware Street (next to the Library).

Twin Span :

It is noted that the signature on the print is not that of a Trustee. Mr. Taylor to follow through on this with the State and Environmental Department.

Easements: (Getty Realty Company & Penn Mart:)

Mr. Taylor passed on checks from Parkowski, Guerke & Swayze, PA, escrow agent for DelDot North for a : permanent easement at Basin Road and Frenchtown Pike in the amount of \$30,700.00.. According to agreement Trustees of New Castle Common will forward a check for 25% of the proceeds (\$7,675.00) to Getty Realty Corp.

Another check for \$3,300.00 for the taking of the bus stop area and a check for \$3,000.00 for the taking of the permanent easement at New Castle Shopping Associates (Penn Mart).was received. According to agreement, Trustees of New Castle Common will forward a check for \$1,100.00 being 1/3rd of the proceeds for the bus stop and a check for \$1,000.00 being 1/3rd of the proceeds for the permanent easement to New Castle Shopping Associates, LLC.

OUTREACH COMMITTEE:

No report.

PROPERTY MAINTENANCE COMMITTEE REPORT: Mr. Gordon reporting.

New Library:

Painting is about 75% done, doors to be painted and hung.

Painting:

Painting at the Fire Station and the Town Hall are on the contractors schedule.

FINANCE COMMITTEE:

No report

LIBRARY COMMITTEE REPORT:

It is reported that the Library is applying for a 501C3 status.

There are a number of photos that need to be placed in the vault. Arrangements will be made to accommodate them. Discussion also on the Oil Painting of the Board, era early 1900's,(now in the Basement of the Library). Restoration and space to be looked into and possibility of becoming a budget item for next year.

OPEN SPACE COMMITTEE:

No report

BY-LAWS COMMITTEE:

No report

BATTERY PARK COMMITTEE:

To schedule a meeting with Councilperson Churchill during the summer.

GOOD WILL FIRE HOUSE COMMITTEE: Mr. Alfree reporting..

Mr. Alfree reported that his request for a financial statement or report has not been successful.

COMMUNICATIONS:

Ms. Banks reported that a Mr. Boyle of New Castle County Land Use Policy Council had inquired about a church having been on Rte 273, as well as a cemetery. Church reported to have burnt but graves go back to late 1700's.

No one on the Board knew of this property but could have been part when the Airport was put in.

There being no further business the meeting was adjourned for an executive session to discuss a real estate matter.

M. Anita Banks, Secretary

May 3, 2005

The meeting of the Board was held on Tuesday Evening, May 3, 2005 in the Trustees Room of the Old Town Hall.

Present Messrs: Gambacorta, DeAscanis, Quillen, Appleby, Gordon, Wilson, Indellini, Peden, Toner, Alfree, Gebhart, and Ms. Banks (12) and Andrew P. Taylor, Esq.

Guest at the meeting was Mr. Francis Lucia.

The meeting was called to order and opened with a moment of silence.

The monthly calendar was updated adding:

By-Law Committee Meeting, May 16th at 4:00 p.m.

Open Space Committee Meeting, May 16th at 5:00 pm.

Outreach Committee Meeting, May 23rd, 2:00 p.m.

The minutes of the April meeting were corrected to read “Good Will Fire House Report” that once they have received their financial report, it will be forwarded to the Trustees.

The minutes were then approved.

The Treasurers report was approved as submitted.

PROPERTY DEVELOPMENT COMMITTEE REPORT; Mr. Indellini reporting.

Ferry Cut-off: Van Demark and Lynch need to know the site for the Doctor, possibility of having to do a wetland delination.

Inquiry from Happy Harry’s for a building in the general area where Dr. Adeleke is interested in.

Motion made to give Dr. Adeleke 14 days to resolve the restriction with Dr. James or P.D.C. will work with Happy Harry’s for the 2.1 acres.

Basin Road Parcel: On hold with VanDemark & Lynch.

Dempsey’s Lease (Millies Diner) An easement will be worked out between Castle Dealership and Gambacorta.

The fact that a furniture vendor was using the property over the week-end was discussed but found that a permit was issued through the City

Washington Greene: Mr. Indellini reported on a meeting with “Family Foundation Academy” who is interested in the parcel for a school.

14th & Washington Street: Talking with Mr. John Ioannoni regarding a “sandwich shop”: haven’t received sufficient information to go forward. It seems to be area residents are against building a shop due to the traffic pattern. Mr. Lucia spoke on the traffic now on Washington Street and especially at that intersection.

Bull Hill: Board in receipt of two petitions against opening a road behind the houses on East Second Street (River Side 205 thru 219). The petition states that the road would be on Trustees land. The Board has asked Mr. Taylor to look into the matter of ownership.

A publication of “Saving New Amstel” a 1989 report done by Heite Consulting for the Trustees show this area had been a cemetery and potters field and before any earth-moving work is done an archaeological clearance should be obtained.

A letter will be sent to Council President William Blest, asking that permission be withheld on this project.

Del Dot: Mr. Taylor had copies of deeds needing signatures from State Highway Dept. for Quigley Boulevard extension—Frenchtown Road to Trader Lane.

Signing was approved. Subject to attorneys final approval of the language. Mr. Toner voting NO.

326 Associates Approval given for a new sign.

OUTREACH COMMITTEE REPORT: Mr. Quillen reporting.

Meeting held on April 25th, Mr. Viola was appointed Chairman. Reviewed the purpose of the committee as stated in the By-Laws and how they can accomplish their purpose. They will work on ways to improve public relations.

PROPERTY MAINTENANCE COMMITTEE REPORT: Mr. Gordon reporting.

Window at the Family Medicine unit has been replaced.

The tower at Town Hall is nearly finished.

The piece of plaster in the Council Room is being repaired.

The trailer recently purchased for transporting the mowers is now in use.

FINANCE COMMITTEE REPORT: Mr. Peden reporting.

Meeting with the Bank's held on April 27th show for the first quarter 8 to 9% return.

Following the Bank meeting, City Finance Chairperson John A. DiMondi and President of City Council Blest met with the Finance Committee. Many aspects of the City finances were discussed and Mr. DiMondi was told to get a better feel of the City Finances, The feeling is that annexation has caused the City extra expense with the 326 properties annexed.

LIBRARY COMMITTEE :

No report.

OPEN SPACE COMMITTEE:

No report

BY-LAWS COMMITTEE:

No report

BATTERY PARK COMMITTEE:

No report

GOOD WILL FIRE HOUSE COMMITTEE REPORT: Mr. Alfree reporting.

Copy of the audit report will be secured as soon as possible.

At their last meeting, the renovation plans were again discussed.

COMMUNICATIONS:

An inquiry from Mr. Harry Keyser regarding the oral video interviews he had done with local citizens some years ago, were located in the Library Vault. There about 13 tapes. Mr. Keyser asked if Trustees were interested in having them put on D.V.D's, the equipment would cost about \$325.00. After a discussion there was no interest in having videos re-done.

COMMUNICATIONS –CONTINUED.

A thank you note had been received from the Tidwell Family.

The use of Battery Park (Third Street & The Park) for a dumpster to be placed for the demolition of 3 houses on the east side of West Third Street was discussed. These properties belong to Cochrans. A verbal approval had been given for a POD to be placed behind # 47 (Gallagher's house) for 30 days or less, knowing that the owner would be responsible for any damage. As of this meeting no one had applied for permission in connection with the demolition. Contractor will have to use other means.

The Secretary was instructed to write a letter to Council President Blest, asking that 'permission be withheld until all areas are completely clear at Bull Hill.

There being no further business the meeting was adjourned.

M. Anita Banks, Secretary

February 1, 2005

The meeting of the Board was held on Tuesday Evening, February 1, 2005 in the Trustees Room of the Old Town Hall.

Present Messrs: DeAscanis, Quillen, Appleby, Gordon, Wilson, Indellini, Toner, Peden, Viola, Alfree, Gebhart and Ms. Banks (12) and Andrew P. Taylor, Esq.

Mr. Toner presided, due to Mr. Gambacorta being out of town.

The meeting was called to order and opened with a moment of silence.

The monthly calendar was updated:

Property Development Committee meeting being held the Monday before the meeting will now meet at **4:30 p.m.**

Open Space meeting to be February 9th at 4:30 p.m.

Outreach Committee will meet monthly now on the last Monday of each month at **2:00 p.m.**

The minutes of the previous meeting were corrected to read: “Millie’s Diner—Dempseys” that they be asked not to remove the skin from the building but rather **told not to remove the skin.**

The Treasurers report was accepted as submitted.

PROPERTY DEVELOPMENT COMMITTEE REPORT: Mr. Indellini reporting.

Ferry Cut-off: The entrance as proposed has come under another problem with planning.

Trying to arrange a meeting for February 7th at 12:30p.m to work out the problem with the City planner, Ms. Jacquelyn M. Seneschal.

A meeting had been held with Dr. James, Dr.Adeleke, their Attorneys and Property Development Committee, the reason being that Dr. James has exclusive rights to general medical practice at this site. Property Development Committee has been advised that the lease language can be worked out.

If this can be achieved, lease could be ready for the March meeting.

14th & Washington Street: The possible lease of this property to Mr. John Ioannoni, for a casual sandwich or sub-shop was discussed. After a considerable lot of discussion and feed-back, due to the traffic situation at this intersection, the Board voted **7 no, 3 yes, and 1 abstained.**

New Castle Sailing Club: No progress has been made on the parcel adjoining this lease. Mr. Taylor will attempt to contact Mr. Hearne, the City Solicitor.

Bellanca Hangar and Airfield: Mr. Viola reported that “Friends of Bellanca Airfield” were very pleased to see so many Trustees attend the “Saving America’s Treasurers” program at which time both U. S. Senators Biden and Carper announced a \$300,000.00 Federal Grant to the “Friends” from the federal “Saving America’s Treasurers>

A discussion took place on who and how the grant will be administered.

Millie’s Diner—Dempsey’s: Property Development have 5 interested parties at \$100,000.00 plus, return on this property. Going to have them write a letter with their very best bid. Mr. Parker will supply us a counsel letter. Bid will include building as well as the land, and the building can be kept or demolished.

OUTREACH COMMITTEE REPORT: Mr. Quillen reporting.

Committee would like to set up a regular time and date for meetings. The last Monday of each month at 2:00 p.m.

PROPERTY MAINTENANCE COMMITTEE REPORT: Mr. Gordon reporting.

New Library: New doors have arrived. Cost of doors and hanging same \$12,000.00
Painting bid \$5,200.00 and Repairs \$3,000.00

Old Town Hall: Bid for painting \$26,000.00 and repairs from \$7,000 to \$10,000.00.

Good Will Fire House: Bid for painting \$9,000.00, repairs \$3,000.00 and new storm windows \$3,000.00

Approximate cost of building repairs \$71,000.00

FINANCE COMMITTEE REPORT: Mr. Peden reporting.

The quarterly meeting was held on January 26, 2005. It being reported that PNC was up about 8% and Wilmington Trust about 10% on investments.

Mr. Peden passed out the "asking budget worksheets" for 2005-06 amounting to \$ 1,107,495.00. Each item will be looked at and revisions made prior to the March meeting.

NOMINATING COMMITTEE REPORT: Mr. Quillen reporting.

Copies of the nomination of officers as well as committee assignments for April 1, 2005 through March 31, 2006 were passed out. These assignments were taken from the forms filled out by the Board.

Voting to take place at the March meeting.

LIBRARY COMMITTEE REPORT: Mr. Viola reporting.

A group from the Library Committee had gone to the Bear Library to hear the report given on the State master plan.

OPEN SPACE COMMITTEE REPORT: Mr. Wilson reporting.

A walk through of some of the open space areas will be held February 9th.

BY-LAWS COMMITTEE REPORT:

No report

BATTERY PARK COMMITTEE REPORT:

No report.

GOOD-WILL FIRE HOUSE REPORT: Mr. Alfree reporting.

A letter has been expected from the Fire Company regarding the siren-pole. As of this date no letter has been received. Mr. Alfree will follow up on this.

The Fire Company is no longer interested in the Washington Greene property.

COMMUNICATIONS:

None

February 1, 2005

Page Four

There being no further business the meeting adjourned to an executive session to discuss matters of property.

M. Anita Banks, Secretary.

January 4, 2005

The meeting of the Board was held on Tuesday Evening, January 4, 2005 in the Trustees Room of the Old Town Hall.

Present, Messrs. Gambacorta, DeAscanis, Quillen, Appleby, Gordon, Wilson, Indellini, Peden, Toner, Viola, Alfree, Gebhart and Ms. Banks (13) and Andrew P. Taylor, Esq.

Guests at this meeting was Mr. Jeff Davis.

The meeting was called to order and opened with a moment of silence.

The monthly calendar was updated:

Outreach Committee	January 10 th , 7 p.m.
Property Maintenance	January 11 th , 4:30 p.m.
Reminder of Finance Quarterly meeting	January 26 th .

The minutes of the previous meeting were amended to read—PDC –Bellanca/
‘The grant through “Save America’s Treasurers in the amount of \$300,000.00 is included in the 2005 federal budget recently passed by the Senate. The President is expected to sign the bill. Friends of Bellanca Airfield are working with Senator Thomas Carper’s office to plan a public announcement.”

The Treasurers report was accepted as submitted.

PROPERTY DEVELOPMENT COMMITTEE REPORT: Mr. Indellini reporting.

Ferry Cut-off: Still waiting on a final plan from VanDemark & Lynch for the entrance, the Board would like a letter of intent from New Castle Planning Commission. .

A meeting is set up with the two doctors, Dr. Adeleka and Dr. James along with their attorneys for January 19th or 20th at 5:30 p.m. in the Doctors office. Property Development will be represented by Messrs. Indellini, Appleby and Peden along with Andrew P. Taylor, Esq.

Basin Road: Mr. Indellini had met with a Mr. Thomas Ross and gone over the vacant property with him. No reply as of this date.

New Castle Sailing Club: Mr. Taylor has been in contact with Mr. Hearne and Mr. Weldin and discussed research on the meets and bounds of this property.

Bellanca Airfield: The hangar has been classified as one of “Save America’s Treasurers”

Through the office of Senator Thomas Carper, on January 13, 2005, a public announcement will be made of a grant of \$300,000.00.

The program will be at 2:00 p.m. at the hangar, Senator Carper will speak, as well as other invited guests. Mr. Denis Beaumont will represent “Friends of Bellanca Airfield” and Trustees President Henry Gambacorta will represent The Trustees of New Castle Common. Other guests will include City, State, County, as well as other U.S. officials.

All news items will be handled by the office of Senator Carper. Invitations will be extended by the Trustees of New Castle Common and Friends of Bellanca Airfield.

Application for National Register will be forwarded and to include only the hangar and that parcel of land.

326 Associates: (B.J’s) B.J’s having added a pharmacy to their operation, the sign on the front of the building will be replaced, adding this addition.

DEMPSEY’S (MILLIES DINER): A letter has been received from Mr. Dennis Spivack, attorney for Dempsey’s, stating they are not in a position of making any further rental payments following the December 04 payment.

Mr. Indellini has received numerous inquiries on this property. PDC is looking for at least \$100,000.00 return and he has four firm offers at \$100,000.00.

Dempsey’s will be asked not to remove the skin from the building.

14th & Washington Street : (Former Police Station Site) An inquiry has been received on this parcel of approximately 1/3rd acre for the construction of a sub-shop. PDC suggests a monthly return of approximately \$1,000.00 per month. Motion made and approved to go forward with negotiations.

PENN MART: Meeting to be held with appraisers and representatives from New Castle Shopping Associates, attorneys and members of PDC, on Thursday January 6th at 1:00 p.m.

OUTREACH COMMITTEE REPORT: Mr. Quillen reporting.

Meeting scheduled for January 11th.

PROPERTY MAINTENANCE COMMITTEE REPORT: Mr. Gordon reporting.

New roof on the New Library is completed.

FINANCE COMMITTEE REPORT: Mr. Peden reporting.

Check has been received from the State of Delaware, Community Redevelopment Fund in the amount of \$66,600.00.

Budget requests are due by January 19th.

Quarterly meeting to be held January 26th at 4:00 p.m.

LIBRARY COMMITTEE REPORT: Mr. Viola reporting: Study done by the State has been completed and a report will be given at the Bear Library on January 19th.

OPEN SPACE COMMITTEE: Mr. Wilson reporting.

Planning committee has forwarded to City Council request for the "Bull Hill Park" to be open space, council has approved same.

BY-LAW COMMITTEE:

No report

BATTERY PARK COMMITTEE:

No report

NOMINATING COMMITTEE:

_____ Meeting to be held on Tuesday Evening, January 25th at 7:00 p. m.

OTHER:

It having been brought to the Boards attention that we do not have a representative on the Tree Commission, C. H. Gebhart IV was appointed.

Being no further business, the Board adjourned for an Executive Session.

M. ANITA BANKS, SECRETARY.

December 7, 2004

The meeting of the Board was held on Tuesday Evening, December 7, 2004 in the Trustees Room of the Old Town Hall.

Present Messrs: Gambacorta, DeAscanis, Quillen, Appleby, Gordon, Wilson, Indellini, Peden, Toner, Viola, Alfree, Gebhart and Ms. Banks (13) and Andrew P. Taylor, Esquire.

Prior to the business meeting, Good Will Fire Company's Chairman of Board of Directors, David Majewski, Charles Hurd, newly elected President, William Simpson, newly elected Fire Chief and Vic Robinson, member of the Board of Directors appeared before the Board to discuss issues.

The siren only will be blown for testing, once per month, for a funeral of a member, or an emergency within the City.

As to the paging system, the 800 system serves its purpose within our local area, Wilmington Manor, Holloway Terrace, Minquadale, however New Castle County has pending a new paging system

A complete list was given to the Board of the 2005 officers and fire line personnel. Their Board meetings are held on the 3rd Wednesday of each month, 7:00 p.m. and the monthly company meeting the 1st Wednesday of each month.

The Washington Greene Site was put on hold, however, the group presented an "Existing Firehouse Expansion Project" with proposed additions and renovations. This is only a proposal, no cost figures are available at this time and they are not asking for permission at this time.

The Board thanked the group for attending our meeting and supplying information.

The meeting was then called to order and opened with a moment of silence.

ELECTION COMMITTEE REPORT: Ms. Banks reporting.

The certification of election was read:

William R. Emory	33 votes		
Chandler H. Gebhart, IV	348 votes	Total	381

Mr. Gebhart was declared the winner and took the oath of office in the presence of the Board, his wife and his parents.

The monthly calendar was updated, adding an Outreach Committee meeting 7:00 p.m. on December 21st.

The minutes of the previous meeting were approved

The Treasurers report was approved as submitted.

PROPERTY DEVELOPMENT COMMITTEE REPORT: Mr. Indellini reporting.

Ferry Cut-off: Awaiting final approval from DelDot for the entrance.

Basin Road: Have had another inquiry, will follow up on it.

Sailing Club: Mr. Taylor has papers prepared to negotiate the swap of property.

Bellanca : Agreement has been presented. Word has been received from the office of Senator Thomas Carper that a grant through Department of the Interior "Save Americas Treasures" has been applied for in the amount of \$300,000.00

Farmers Market: A plan was presented on the re-design of the parking lot at the Farmers market. The Board approved the plan.

Other: Dempsey's lease—Millie's Diner: Mr. Indellini recommended that an inspection be done of the property.

Motion made and approved to have Mr. Gary Parker do the appraisal on Penn Mart.

OUTREACH COMMITTEE REPORT: Mr. Quillen reporting.

Meeting called for December 21st with Little League.

PROPERTY MAINTENANCE COMMITTEE REPORT: Mr. Gordon reporting.

Roof at Library: Should be finished by end of the year.

Railing at Library: New railing at the rear entrance if finished.

Painting: Quotes have been received on the painting job for:

Fire Hall	Jamestown	\$ 8,880.00
Library	Celli	5,600.00
Town Hall	Peoples	24,650.00

Motion was made and approved to have Property Maintenance Committee contact these vendors and have them put us on the schedule for Spring.

FINANCE COMMITTEE REPORT; Mr. Peden reporting.

Mr. Peden reported that there cannot be anything added to the current operating budget.

LIBRARY COMMITTEE REPORT: Mr. Viola reporting.

Mr. Viola reported that the staff as well as the public are pleased with the new Library Director.

OPEN SPACE COMMITTEE:

N/R

BY-LAW COMMITTEE REPORT: Mr. Wilson reporting.

Reported that a meeting had been held with the committee and our attorney and working on the "conflict of interest".

BATTERY PARK COMMITTEE:

N/R

GOOD WILL FIRE HOUSE COMMITTEE: Mr. Toner reporting.

Mr. Toner commented that the appearance of the officers of the Fire Company showed their willingness to work with the Board.

OTHER:

Mr. Gebhart was asked to serve on committees previously held by Mr. Lane, namely Outreach Committee and Building Restoration Committee.

Ms. Banks was thanked for providing the refreshments for the meeting.

Being no further business was adjourned.

M. Anita Banks, Secretary

November 2, 2004

The meeting of the Board was held on Tuesday Evening, November 2, 2004 in the Trustees Room of the Old Town Hall.

Present: Messrs. Gambacorta, DeAscanis, Quillen, Appleby, Gordon, Wilson, Indellini, Peden, Viola, Alfree and Ms. Banks (11) and Andrew P. Taylor, Esq.

The meeting opened with a moment of silence.

IT WAS ANNOUNCED THAT ONE OF OUR MEMBERS HAS SERVED ON THE BOARD FOR 40 YEARS, SO IN RECOGNITION OF THIS, A PLAQUE WAS PRESENTED TO:

**FRANCIS J. DeASCANIS
FOR FORTY YEARS OF
LOYAL AND DEDICATED
SERVICE TO THE
TRUST AND THE COMMUNITY.
1964-2004**

The monthly calendar was updated changing PDC meeting on December 6th until 6:30 p.m. and adding a By-Law meeting on the 11th or 23rd.

The minutes of the last meeting were approved.

The Treasurers report was approved as submitted.

PROPERTY DEVELOPMENT COMMITTEE REPORT: Mr. Indellini reporting.

Ferry Cut-off: Discussion on the Board applying for a sub-division of 2.2 acres to accommodate Dr. Adeleke, reserving a 50' right-of-way next to the Wilmington Trust lease.

Basin Road: Still waiting to hear from Mr. Barthel.

Sailing Club: Meeting had been held with Messrs Shoemaker, Clif Hearn, Jas Weldin, Lew Indellini and Andrew P. Taylor, Esq. The matter is now in the City's hands.

Bellanca: "Friends of Bellanca Airfield" have been given copies of the lease for their review.

Penn Mart: Continue on with Mr. Gary Parker to represent the Board on appraisal.

Gambacorta—Carriage Realty: Del Dot is pushing to have the final coat put on the drive-way.

Miscellaneous Parcels: A discussion took place on the several miscellaneous parcels which are part of the Trust. The parcels discussed were Leon DeAscanis and Michael Haymen, the Board suggested if these parcels are to be sold, they would be at \$35.00 per square foot, survey etc. done at their expense. Mr. DeAscanis abstained and Mr. Wilson voted no.

OUTREACH COMMITTEE REPORT:

Mr. Quillen was elected chairman of the committee.

Little League has requested a meeting.

PROPERTY MAINTENANCE COMMITTEE REPORT; Mr. Gordon reporting.

New roof at the Library is being worked on.

Railing at the New Library is under construction.

Doors at the New Library are on order and should be arriving soon.

Accepting bids for painting, Good Will Fire Station, Old Town Hall and New Castle Public Library.

FINANCE COMMITTEE REPORT: Mr. Peden reporting.

Investments are doing as well as any.

Have received proof of audit and has been given the printed.

ELECTION COMMITTEE REPORT: Ms. Banks reporting.

Have but one candidate, Chandler H. Gebhart, IV, if no contest, registration could be cancelled leaving open registration be continued.

LIBRARY COMMITTEE REPORT: Mr. Viola reporting.

Mr. Dick Waters will be working with committee on the 4th, 5th and 6th of November. The state survey is for 5 to 10 years in the future.

A reception will be held on November 14th from 4 to 6 pm. at the Library to have the public meet Ms. Katie Newell.

OPEN SPACE COMMITTEE REPORT: Mr. Wilson reporting.

Copy of the Bull Hill Park Report having been forwarded with the agenda, was discussed and rezoning to OS&R was referred to P.D.C.

BY-LAW COMMITTEE REPORT; Mr. Wilson reporting.

Meeting to be held on 11th or 23rd to discuss "Conflict of Interest".

BATTERY PARK COMMITTEE REPORT; Ms. Banks reporting.

New slide has been delivered, but not as yet installed.

GOOD WILL FIRE STATION COMMITTEE:

N/R

COMMUNICATIONS:

None

There being no further business, the meeting was adjourned.

M. Anita Banks, Secretary

SEPTEMBER 28, 2004

MEETING NOTICE

**THE OCTOBER 2004 MEETING OF THE TRUSTEES OF NEW CASTLE
COMMON WILL BE HELD IN THE TRUSTEES ROOM OF THE OLD TOWN
HALL ON TUESDAY EVENING, OCTOBER 5 AT 7:30 P.M.**

AGENDA

**MONTHLY CALENDAR
MINUTES OF PREVIOUS MEETING
TREASURER'S REPORT
PROPERTY DEVELOPMENT COMMITTEE REPORT
OUTREACH COMMITTEE REPORT
PROPERTY MAINTENANCE COMMITTEE REPORT
FINANCE COMMITTEE REPORT
ELECTION COMMITTEE REPORT
LIBRARY COMMITTEE REPORT
OPEN SPACE COMMITTEE REPORT
BY-LAWS COMMITTEE REPORT
BUILDING RESTORATION COMMITTEE REPORT
BATTERY PARK COMMITTEE REPORT
GOOD-WILL FIRE STATION COMMITTEE REPORT
COMMUNICATIONS
EXECUTIVE SESSION**

M. ANITA BANKS, SECRETARY

POSTED: SEPTEMBER 28, 2004

September 14, 2004

The meeting of the Board was held on Tuesday evening, September 14, 2004 in the Trustees Room of the Old Town Hall.

Present, Messrs: Gambacorta, DeAscanis, Quillen, Appleby, Gordon, Wilson, Indellini, Peden, Toner, Viola, and Alfree (11).

Visitors at this meeting were Mr. Mark S. Zitz, Mr. Chandler H. Gebhart IV, and family members of Mr. Michael J. Alfree, Sr.

ELECTION COMMITTEE REPORT AND OATH OF OFFICE TO NEW TRUSTEE:

Mr. Quillen reported the results of the Trustee's election on June 19, 2004. This was held to replace Mr. Lawrence D. Kozak, whose 12-year term had expired. Including the absentee ballots, Mr. Michael J. Alfree, Sr. received 269 votes and Ms. Susan K. McLaughlin received 209 votes. Mr. Alfree was then unanimously elected and recognized by the Board. Mr. Gambacorta administered the oath of office. Mr. Alfree's family departed after he received the oath of office.

The meeting opened with a moment of silence.

There were no additions to the monthly calendar.

The minutes of the previous meeting were accepted as submitted.

With the exception of the budget versus actual results on the monthly drawdown report, the Treasurers report was accepted as submitted. The drawdown report will be corrected for the next meeting of the Board.

PROPERTY DEVELOPMENT COMMITTEE REPORT: Mr. Indellini reporting.

Ferry Cut-off:

There is a possible realignment of the Ferry Cut-off entrance by the City. Specifically, the City is considering changing the section the Trustees lease to New Castle Family Care. One department of the City has approved the redesign of the entrance, but another has not. Vandemark & Lynch proposed a solution by altering the City plan. Mr. Indellini is seeking aid from elected leaders.

Brightfields:

Mr. Barthel has requested clearance to construct mini-storage units on the Basin Road property. Of the total 4.9 acres, 1.9 acres are available for use. This will require a zoning change. Mr. Indellini made a motion to commence negotiations with Mr. Barthel, and this was accepted by the Board.

326 Associates:

The Board is withholding appraisal approval pending receipt of a redesign plan in 90 days (November). The on-site trailer has been moved inside the fenced area, and the dumpster has been removed. Mr. Wilson reported that the flea market clean-up is sporadic and taking 2 or 3 days to complete following weekends. This deteriorates the appearance of the town. Mr. Gambacorta requested Mr. Indellini to write a letter to the tenant regarding timelier clean-up.

Penn Mart:

Notification of arbitration over the appraisal of the small parcel (with the Route 13 entrance) was submitted. The tenant used an MAI-certified appraiser, so the Board will need to engage an MAI-certified appraiser for the arbitration, preferably a professional familiar with ground lease appraisals. Mr. Taylor recommended that the appraisal be completed as 1.) stand-alone and 2.) for the additional value it adds to the parking center. Mr. Appleby volunteered to make some contacts for written proposals.

Bellanca Hangar:

The Board will have to negotiate a lease with the Friends of Bellanca, who in turn, will negotiate a lease with CAP. The Board will offer its standard lease for this effort. By October, the Property Development Committee will propose a lease. There needs to be a specified time limit for performance. CAP's insurance coverage is for individual liability, vehicles, and \$100K damage to the Trustees, so this will not relieve the Trustees' need for coverage. Mr. Taylor has a draft agreement for CAP.

West Third Street—(Sailing Club):

Andy will be contacting the City Solicitor. Also, another survey likely would be required. Before incurring this cost, Mr. Toner suggested speaking with the City first. Andy will convene a meeting including Property Development, Brosius Eliason, and the City.

OUTREACH COMMITTEE:

Mr. Quillen indicated that the committee is in need of reorganization, as the leaders have resigned.

There also was discussion regarding Mr. Alfree's committee assignments. Mr. Gambacorta noted that Mr. Alfree should serve on the committees previously occupied by Mr. Kozak. Accordingly, Mr. Alfree is assigned to the Battery Park, Fire Station, and Election Committees. Mr. Indellini offered Mr. Alfree a position on the Open Space Committee, and Mr. Alfree accepted.

PROPERTY MAINTENANCE COMMITTEE REPORT: Mr. Gordon reporting.

New Castle Public Library:

The rail construction is in progress. Receipt of the roof materials and doors is pending. The condenser motor needs to be replaced, and the Library has requested the Trustees to pay \$2,200 for it. The Board approved Mr. Gordon's motion to purchase a new condenser for the Library.

Good Will Fire House:

The roof overhang over the outside stairs has been completed.

Penn Farm:

The new roof has been completed.

Old Library:

UV film is required on the eight windows and the skylight to prevent sun damage of the building contents. This will cost approximately \$3,000 and will be part of the restoration cost. Also, a phone line was required for the fire and burglary alarm system. Approximately \$50K will be recovered from the State.

FINANCE COMMITTEE REPORT: Mr. Peden reporting.

Mr. Peden reported that he met with the financial advisors in July. The Trustees are now investing in short-term bonds to hedge potential interest rate increases. Also, investments are being placed in larger cap stocks again. A 7-day unrestricted \$250,000 CD was opened at PNC Bank, earning approximately 2.25%. The PNC rate is more favorable than Wilmington Trust's.

Mr. Peden recommended changing the Trustees' auditor to Barbacane Thornton & Co. as a measure to save \$4,000 in annual auditing fees. A motion was made and accepted by the Board.

LIBRARY COMMITTEE REPORT: Mr. Viola reporting.

Mike Moskovics and Margaret Hassert resigned from the Library Committee. New members are: Barbara Alfree, Lynn Lambert, and Cynthia Robbins. Ongoing members include Chris Cashman, Phoebe Dill (chair replacing Beverly Flannigan), Kathleen Dunn, Bev Flannigan, Annette Nichol, and Corky Viola.

An offer was made to a new library director, and the announcement is pending acceptance by New Castle County.

OPEN SPACE COMMITTEE REPORT:

No report.

BY-LAWS COMMITTEE REPORT:

No report.

BUILDING RESTORATION COMMITTEE REPORT:

No report.

BATTERY PARK COMMITTEE REPORT: Mr. Quillen reporting.

A new sliding board is on order.

GOOD WILL FIRE HOUSE COMMITTEE: Mr. Toner reporting.

Mr. Toner read a letter from the Fire Company indicating that it wants to redeploy the siren used previously. The siren would be mounted on a 70' pole in the rear of the building; a permit is being pursued. The letter suggested that the Fire Company would

need to move outside the City limits if the siren were not deployed. Mr. Wilson suggested asking what it would cost to upgrade the present pager system, as this might be a better alternative. Mr. Toner will follow up with the Fire Company on this item.

COMMUNICATIONS: Mr. Gambacorta reporting.

Mr. William J. Lane resigned as a Trustee on July 30, 2004. Mr. Gambacorta declared a Trustee vacancy. Mr. Quillen recommended December 4, 2004 as the date of the next election. This date is available at the Fire House. Voting machines are impounded by the State until November 20, 2004, and Thanksgiving is the following weekend. December 4 is the soonest the election can be conducted and allows for ample time. Mr. Gambacorta indicated that Mr. Chandler H. Gebhart IV plans to file for election.

Mr. Wilson reported that Ms. Jan Churchill presented a 104-signature petition to City Council this evening to rezone Bull Hill boat yard as open space. The Council asked Mr. Wilson if the Trustees would consider rezoning the ferry wharf as open space. Mr. Wilson recommended that this matter be addressed by the Open Space Committee.

Mr. Indellini inquired about the cost of the railing for the wharf, and Mr. Peden indicated it is \$32,000.

Mr. Viola asked whether it was appropriate to send thank-you notes to the Library Committee to appreciate them for their service. Mr. Gambacorta stated yes.

Mr. Gambacorta requested Mr. Zitz to ensure that flowers were sent to Ms. Banks at Manor Care.

There being no further business, the meeting was adjourned.

for
M. Anita Banks, Secretary

June 1, 2004

The meeting of the Board was held on Tuesday Evening, June 1, 2004 in the Trustees Room of the Old Town Hall.

Present, Messrs: Gambacorta, DeAscanis, Quillen, Appleby, Gordon, Wilson, Indellini, Lane, Peden, Toner, Viola and Ms. Banks (12).

Visitor at this meeting was Ms. Susan K. McLaughlin.

The meeting opened with a moment of silence.

There were no additions to the monthly calendar.

The minutes of the previous meeting were corrected to reflect that the motion made and passed to withdraw the demolition application for the Old Hangar was made after the meeting was called to order.

The Treasurers report was accepted as submitted.

PROPERTY DEVELOPMENT COMMITTEE REPORT: Mr. Indellini reporting.

Getty Lease:

A "Dunkin Donut Sign" has appeared at the corner of Routes 141 and 273.

Mr. Indellini reported that he had spoken to the manager of the Getty station and he explained that they were only adding a counter to sell coffee and donuts brought in. TNCC is awaiting official word from Getty's attorney as to what they are actually doing.

Ferry Cut-off:

Awaiting mylars from VanDemark & Lynch so they can be presented to planning commission asking for a sub-division.

West Third Street—(Sailing Club):

A discussion took place once again regarding this property and since Brosius-Eliason refuses to absorb any costs, Mr. Indellini was authorized to contact the City Solicitor and work toward a solution without calling a special meeting during the summer.

Brightfields:

A temporary hold has been put on any negotiations for the Basin Road piece of property.

326 Associates:

We have been forwarded copies of a “ground lessor estoppel and agreement” regarding a pending financial transaction of 326 Associates.

This agreement was approved, but signatures withheld until the entrance way at Trader Lane and Route 273 is cleaned up. The mounds of dirt and old tires have been there now for several years.

OUTREACH COMMITTEE:

No report.

PROPERTY MAINTENANCE COMMITTEE REPORT: Mr. Gordon reporting.

New Castle Public Library:

New roof estimate from Francis Pollinger and Son has been received. \$80,000.00 is in the 2004-05 budget. Cost not to exceed \$95,000.00.

Good Will Fire House:

Bid has been received from “Three Little Builders” for the roof overhang over the outside stairs. Work to begin in Mid-June.

Penn Farm:

The lease has now been signed by Joseph & Elaine Quigley and Board will proceed with the new roof. Accepted quote from Francis Pollinger & Son, Inc.

FINANCE COMMITTEE REPORT: Mr. Peden reporting.

Mr. Peden reported that due to the increased checking account balance, a money market account may be opened at Wilmington Trust Company.

LIBRARY COMMITTEE REPORT: Mr. Viola reporting.

The Library Committee has received 10 applications for the position of Library Director. No decision has been made at this time.

ELECTION COMMITTEE REPORT: Ms. Banks reporting.

There are two candidates who have filed:

Michael J. Alfree, Sr.

Susan K. McLaughlin.

Open registration is available at the office and on Saturday June 12th between 1 and 6 p.m. and on Tuesday Evening, June 15th between 6 and 9 p.m. both at the Good Will Fire House.

A form will be available for voters not having proper identification to sign.

Election will be on Saturday, June 19th, 2004 between the hours of 10:00 a.m. and 6:00 p.m. at the Good Will Fire House.

OPEN SPACE COMMITTEE:

No report.

BY-LAWS COMMITTEE:

No report.

BUILDING RESTORATION COMMITTEE REPORT: .

Messrs. Lane and Gordon reporting.

The Old Library is nearly completed, except for some special lighting.

The Open House on May 14th sponsored by The Friends of Bellanca was very well attended.

BATTERY PARK COMMITTEE:

No report.

GOOD WILL FIRE HOUSE COMMITTEE:

No report.

COMMUNICATIONS:

None.

There being no further business, the meeting was adjourned.

M. Anita Banks, Secretary

April 5, 2005

The meeting of the Board was held on Tuesday Evening, April 5, 2005 in the Trustees Room of the Old Town Hall.

Present, Messrs. Gambacorta, DeAscanis, Quillen, Appleby, Gordon, Wilson, Indellini, Peden, Toner, Alfree, Gebhart and Ms. Banks (12) and Andrew P. Taylor, Esq.

Guest at the meeting was Mr. Jeffrey Davis.

The meeting was called to order and opened with a moment of silence.

The calendar was updated adding:

4/25/05 2:00 p.m. Outreach Committee Meeting—Town Hall

4/28/05 A Walk-A-Thon by the Planning Commission. Mr. Wilson asked for reimbursement for refreshments.

The minutes of the March meeting were corrected to read, “Open Space Committee” that there was no motion to rezone property along the river.

The minutes were then approved.

The Treasurers report was approved as submitted.

PROPERTY DEVELOPMENT COMMITTEE REPORT: Mr. Indellini reporting.

Ferry Cut-off: Still have not received approval of entrance, meeting to be held in Dover on April 6th. Mr. Appleby will attend along with Vandemark & Lynch’s Ms. Molly Mackel.

Basin Road Parcel: Still talking with Mr. Barthel. .

New Castle Sailing Club: Mr. Taylor has been in touch with Mr. Hearn, Mr. Shoemaker and Mr. Bergstrom regarding the paper street. One street shown goes through the center of Fifth Street.

OUTREACH COMMITTEE:

No Report.

PROPERTY MAINTENANCE COMMITTEE REPORT: Mr. Gordon reporting.

A contract for HVAC services is being signed with National HVAC Service, cost \$4,692.00 covering 4 buildings: Town Hall, Good Will Fire House, New Castle Public Library and the Old Library Museum.

A heat exchange unit was repaired by National at the Medical Center.

Window over the entrance door at the New Castle Family Medicine is in need of replacement.

FINANCE COMMITTEE REPORT: Mr. Peden reporting.

Reminder that the quarterly meeting will be held on April 27th at 4:p.m.. Town Hall.

Mr. Peden also commented on the 04-05 budget coming in at about 98.5% at which he was pleased and thanked the Board members.

LIBRARY COMMITTEE:

No report

OPEN SPACE COMMITTEE:

No report

BY-LAWS COMMITTEE:

No report

BATTERY PARK COMMITTEE REPORT: Ms. Banks reporting.

Ms. Banks reported that Dr. Padmalingam had contacted her regarding securing funds from the Board to clean up the shore-line from the flag pole to the cat-walk on Battery Park.

Ms. Banks reported that she told him she would not ask the Board for funds as it is not the responsibility of the Trustees to keep that shore-line clean, due to the change of tides.

Following a discussion, the Board agreed with Ms. Banks not to appropriate funds for this project.

GOOD WILL FIRE HOUSE REPORT: Mr. Alfree reporting.

The request for the portable sign at “Millie’s Diner” was withdrawn as they were no longer interested in securing it.

The latest financial report of the Fire Company will be forwarded to the office by their accountant.

A letter was received from Chief William J. Simpson concerning the fire siren:

“It is to be sounded for the last alarm for a deceased firefighter, as an emergency backup to the present radio paging system, for testing at Noon on the first Saturday of each month and for any use deemed as necessary by the City of New Castle Emergency Planning Committee”.

A meeting on the renovations to the fire house was postponed by their Board.

COMMUNICATIONS:

Ms. Banks suggested a contribution be sent to “St. Peter’s Work Force” in memory of John H. P. Tidwell, a former Trustee, elected January 30, 1982 and served for 12 years. A resolution will also be sent to the Tidwell family.

Ms. Banks reported also that a member of the “Day in Old New Castle Committee” had contacted her about the Old Town Hall being open for the Day. Mr. Quillen and well as Mr. Wilson agreed with Ms. Banks that since the past several years so few people have visited the building, it was decided to remain closed this year. There is hope that future years signs and publicity will encourage more visitors.

Mr. Alfree thanked Ms. Banks for getting his desk plate and inquired about a new group picture.

Mr. Gebhart reported that the Tree Commission will plant a tree in Battery Park in memory of Mr. Tidwell and that the trees on Battery Park that were removed for safety etc. will be replaced before a Day in Old New Castle.

The regular meeting was adjourned for an Executive Session to discuss leasing of property. At this point in the meeting, Mr. Henry Gambacorta asked to be excused.

Following the Executive Session, the regular meeting was again called to order, President Gambacorta having been excused, Vice-President Quillen presided.

There were two bids received for the property at 100 duPont Highway, former lease with Dempsey's / "Millie's Diner".

1. Carriage Realty maximum bid was \$133,000.00 per year.
2. Castle Dealerships offered to pay \$2,500.00 per year more than the highest offer or \$135,500.00.

A very involved discussion was held and subject to financial information and a mutual cross easement of the property, the Board boted 7-3 in favor of Castle Dealership. Mr. Indellini opposed and Mr. Toner not voting.

Lease negotiations will go forward.

The matter of leasing the parcel at 14th & Washington Street to Mr. John Ioannoni for a casual sandwich or sub-shop was again brought before the Board, having been turned down at the February 1, 2005 meeting.

Mr. Ioannoni assures the Board that the traffic pattern is not a concern and the Board voted 6 to 4 to resume talks with him and have him present a building plan as well as a parking diagram.

There being no further business, the meeting was adjourned.

M. Anita Banks, Secretary

May 4, 2004

The meeting of the Board was held on Tuesday Evening, May 4, 2004 in the Trustees Room of the Old Town Hall.

Present Messrs. DeAscanis, Quillen, Appleby, Koczak, Gordon, Wilson, Indellini, Lane, Peden, Toner, Viola and Ms. Banks (12) and Andrew P. Taylor, Esquire.

Due to Mr. Gambacorta being out of town, Mr. Toner chaired the meeting.

Visitors at this meeting were: Councilman Joseph DiAngelo, Mr. John DiMondi, General Francis Ianni and Mr. Kenneth Freemark.

The meeting opened with a moment of silence.

Mr. Toner then acknowledged Mr. DiMondi, who had written a letter to the Board.
SEE EXHIBIT 'A'

Since no one of the Board had a question on the letter, Mr. DiMondi did not wish to speak.

Mr. Toner then acknowledged Councilman DiAngelo who commented on there not being a formal request for funds from the City.

Mr. DiAngelo did comment on the letter seeking funds for the wharf railing. The matter was tabled until word is received from a new insurance carrier for the City.

General Ianni and Mr. Kenneth Freemark were acknowledged. All of the Board had received the report booklet prepared by "Friends of Bellanca", which was to be received at the May meeting.

A motion was made and passed that the application for demolition of the hangar , applied for in January 2003, be withdrawn.

A discussion was held on proposed standard lease with "Friends of Bellanca" so that they could go ahead with plans which are laid out in the report.

"Friends of Bellanca" are applying for non-profit status, be it understood that if the project should fail, everything would revert back to the Trustees.

The business meeting was then called to order.

There were no changes on the monthly calendar.

The minutes of the previous meeting were approved.

The Treasurers report was accepted as submitted.

PROPERTY DEVELOPMENT COMMITTEE REPORT: Mr. Indellini reporting.

“Hangar Property”:

Motion made and approved to continue dialogue through the summer with “Friends of Bellanca” for the terms of a lease.

Ferry Cut-Off Property:

Information has been received from VanDemark & Lynch regarding entrance location. It appears that the entrance would have to go closer to the Bank with a turn lane , getting it away from the Sixth & Chestnut Street intersection. Traffic study to be done by VanDemark and Lynch.

Continue to proceed with a lease with Dr. Kamar T. Adeleke.

Third Street—Vic. Sailing Club:

A very involved discussion took place over this piece of property. Mr. Shoemaker of Brosius-Eliason is refusing to pay for any survey.

It is now suggested that the Trust, the City and Brosius-Eliason all go over the plans in an attempt to finalize the problem to the satisfaction of all.

Bright Fields—Basin Road Property:

We are still talking with BrightFields (Ms. Young) on the Basin Road property. Trying to work out if the Trust leases the land and builds the building or if we lease the land and they build the building.

326 Associates:

Mr. Stat has been in touch regarding the re-design of the parking lot at the Farmers Market and cleaning up the entrance area off of Route 273.

Penn Farm—(Quigley's)

Mr. Taylor reported that David Quigley's name has been removed from the lease.

The Quigley's still have not signed the lease, it being held up on the repairs, maintenance issues. The Board has agreed to replace the roof on the house but still needs to gain entrance into the house to see what other major repairs are needed.

Any arrangements made on repairs would be for the remaining time on the current lease.

OUTREACH COMMITTEE:

No report.

PROPERTY MAINTENANCE COMMITTEE REPORT: Mr. Gordon reporting.

The maintenance committee is ready to go ahead with the roof at the Penn Farm house.

FINANCE COMMITTEE REPORT: Mr. Peden reporting.

The Finance Committee had their meeting with the Banks on April 28th and they expect a raise in the prime rate, a 4% growth over the year and our investments are back to the 1999 level.

LIBRARY COMMITTEE REPORT: Mr. Viola reporting.

Mr. Viola read the letter presented to Ms. Sally Brown for her 19 years of service to the community on Sunday, May 2nd at the reception held in the Library.

SEE EXHIBIT 'B'

The reception was attended by about 60 people and paid for by the Trust.

OPEN SPACE COMMITTEE:

No report.

BY-LAWS COMMITTEE:

No report.

BUILDING RESTORATION COMMITTEE REPORT: Mr. Lane reporting.

Restoration work at the Old Library is finished except for some lighting. It however, will be ready for the opening of the exhibit on May 14th "Remembering Bellanca", presented by "Friends of Bellanca" and the New Castle Historical Society.

BATTERY PARK COMMITTEE REPORT: Ms. Banks reporting.

The safety "ground cover" has been expanded around the playground equipment.

GOOD WILL FIRE STATION:

No report.

COMMUNICATIONS:

Letter received from the University of Delaware inviting a Trustee to participate in a workshop, Tuesday May 18th in Munroe Hall. Subject to be "Archaeological Preservation".

Mr. Appleby, having just recently met with Fulbright Scholars, volunteered to participate in this workshop.

A letter from City Administrator Robert W. Martin on the possibility of re-locating the Buttonwood Park from its current location to the area adjacent to the Old Buttonwood School.

Mr. Taylor will communicate with the City's attorney, reminding him that we are in litigation over the Buttonwood School property.

SEE EXHIBIT 'C'

ELECTION COMMITTEE:

Since Mr. Koczak 12 year term is up on May 9th 2004, and does not wish to seek re-election, the Election Committee proposes an election be held on June 19th, 2004.

SEE EXHIBIT 'D'

After some discussion, the Board declared a vacancy on the Board and authorized the Committee to go forward with an election.

OTHER NOTES:

It was noted that Mr. Koczak retired from the U. S. Post Office this past week and will be missed by the many people he served. The Board applauded his retirement.

Mr. Koczak was congratulated on his 12 years of service on the Board.

Mr. Koczak in turn thanked all of the Board members for their help and spoke of how he enjoyed the 12 years.

Being no further business, the meeting was adjourned to an executive session to discuss the Buttonwood litigation.

M. ANITA BANKS, SECRETARY.

EXECUTIVE SESSION

UPDATE ON BUTTONWOOD SUIT

Mr. Taylor spoke to the Board regarding the status of the Buttonwood Suit in Court of Chancery, and suggested setting up a mediation session with another mediator, possibly a retired vice-chancellor to advise us if depositions are needed.

Mr. Taylor has already submitted the interrogatories for the Civic Association to answer.

MEETING RESUMED:

The Board approved the outline given by Mr. Taylor and voted to follow his advise.

If Trustees are needed to answer in Court, Messrs. Appleby, Gambacorta, Indellini and Viola would represent the Board.

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED.

M. ANITA BANKS, SECRETARY.

February 3, 2004

A meeting of the Board was held on Tuesday Evening, February 3, 2004 in the Trustees Room of the Old Town Hall.

Present Messrs. Gambacorta, DeAscanis, Quillen, Appleby, Koczak, Wilson, Indellini, Peden, Toner, Viola and Ms. Banks (11) and Andrew P. Taylor, Esq.

The meeting began with a moment of silence.

No additions were made to the calendar.

The minutes of the previous meeting were approved.

The Treasurers report was approved as submitted.

PROPERTY DEVELOPMENT COMMITTEE REPORT: Mr. Indellini reporting.

Centerpoint—Hangar Property:

At the P.D.C. meeting, a Mr. Ken Freemark, President of Delaware Architecture Foundation spoke to the committee regarding the hangar and related property.

Mr. Freemark presented a lengthy report on CAP and is of the opinion that parcel #4 become a part of this discussion.

The committee having heard the report, made a motion to put a hold on parcels # 3 and 4 until May 1, 2004.

PDC are in hope to have a report prior to the May 1st date giving time before the meeting to consider what this Foundation has been able to put together.

Mr. Indellini will contact Mr. P. Gerald White, informing him of the hold on parcel #4.

Ferry Cut-off Property:

PDC has not received any word from Hospice, however, Mr. Taylor has been in contact with their lawyer and reports that they were interested but that the rent would be more than they can afford.

Mr. Indellini reported that he had received an inquiry from a realtor regarding a medical group interested in the property.

Washington Greene: (Good Will Fire Co.)

Mr. Indellini and Mr. Koczak reported that they have been unsuccessful in holding a meeting with the Fire Company, President and Board of Directors, all that the Board has is the request signed by Fire Chief Majewski for the Washington Greene site.

The Board requested the Secretary to write a letter requesting a letter of intent signed by the President and Board of Directors to be received by March 1, 2004. A copy of the proposed lease will be included with the letter.

If letter of intent is not received, the Board will actively pursue the leasing of this parcel.

Basin Road Parcel:

PDC having talked with "Brightfields" at the committee meeting, and awaiting a reply.
Mr. Taylor will follow up with a letter.

326 Associates:

A letter has been sent to Mr. Richard Stat advising him of the trash complaint.

Penn Farm:

A very involved discussion took place on the lease with the Quigley's

The name of David Quigley has been removed from the lease.

The Board approved leaving the rent as is for the 5 years and if there is a profitable year, to ask for tax return and adjust the rent accordingly.

Other:

Officers of the Board were authorized to sign a non-disturbance agreement for 326.

OUTREACH COMMITTEE:

No report.

PROPERTY MAINTENANCE COMMITTEE REPORT: Mr DeAscanis reporting.

The front doors at the Public Library need to be replaced.

Committee will look into painting at the Library. .

FINANCE COMMITTEE REPORT: Mr. Peden reporting.

Mr. Peden reported on the recent Finance Meeting with PNC and Wilmington Trust.

The proposed budget for April 2004 through March 2005 was presented and will be voted on at the March meeting.

The police station payments to begin March 1st.

NOMINATING COMMITTEE REPORT: Mr. Peden reporting.

The proposed officers and committee assignments were presented and to be voted on at the March 2004 meeting.

LIBRARY COMMITTEE:

OPEN SPACE COMMITTEE:

BY-LAW COMMITTEE:

No Reports:

BATTERY PARK COMMITTEE REPORT: Ms. Banks reporting.

Awaiting a price on a new slide.

FIRE STATION COMMITTEE REPORT: Mr. Koczak reporting.

Waiting on a meeting date.
Page Four

February 3, 2004

There being no further business, the meeting was adjourned.

M. Anita Banks, Secretary.

December 2, 2003

The meeting of the Board was held on Tuesday Evening, December 2, 2003 in the Trustees Room of the Old Town Hall.

Present Messrs. Gambacorta, DeAscanis, Quillen, Appleby, Koczak, Gordon, Wilson, Indellini, Lane, Peden, Toner, Viola, and Ms. Banks (13) and Andrew P. Taylor, Esq.

Visitors at this meeting were Dr. Joanne Viola, Ms. Cynthia Byham. Ms. Sally Monigle and Mr. & Mrs. Henry Patchak.

The meeting was called to order, beginning with a moment of silence.

The first order of business was the report of the Election Committee, which is herein contained and becomes a part of the minutes of this meeting.

“The Election Committee does certify that pursuant to a resolution adopted by the Trustees, an election was held in the Good Will Fire House, in New Castle, Delaware, on Saturday the 15th day of November, 2003 to fill a vacancy in the Trustees caused by the death of Clay Bridgewater, and that the following is the result of the voting.

Michael J. Alfree, Sr.	192
Somasunderam Padmalingam, M.D.	94
Herbert A. Swanson	67
Carlo Viola	<u>456</u>
	809

Mr. Viola was declared the winner.

President Gambacorta administered the oath of office to Mr. Carlo Viola and was welcomed by all.

President Gambacorta asked that Mr. Viola serve on the committees that Mr. Bridgewater had been on, namely, Battery Park, Finance and Outreach.

The monthly calendar was updated adding an Open Space meeting on Monday, December 15th at 4:30 p.m., Town Hall.

The minutes of the previous meeting were approved.

The Treasurers report was accepted as presented.

PROPERTY DEVELOPMENT COMMITTEE REPORT: Mr. Indellini reporting.

Centerpoint:

A meeting had been held on November 3, 2003 with Mr. Paul McConnell and his proposals for parcel 3 & 4 are **not** acceptable.

See Exhibit B.

It was discussed at length if parcel 4 should be marketable for a single tenant and Mr. P. Gerald White will be asked to market this parcel, on a hourly basis. Motion was passed. Mr. Wilson voting NO and Mr. Viola abstained.

Ferry Cut-off:

No feed back as yet from Hospice.

Good Will Fire Company:

Rough draft of the lease was presented to PDC at their committee meeting on Monday, December 1st.

The original request for this parcel "Washington Greene" came in August 2003 from Chief Dave Majewski.

Penn Farm:

The lease was hand delivered by Mr. Taylor, have not heard from Mr. Quigley as yet. The sons name has been removed from the lease.

The maintenance on the house is their responsibility.

Washington Park:

City still requests land for a Park.

A motion was made, setting aside a parcel namely 14th Street for a park at Washington Park.

Other:

A very involved discussion took place on other items between the City and the Trustees which are not completed, i.e. Third Street and now parks. The Mayor is claiming the Trustees are the Park Commission for all parks, however, in 1941 Battery Park was the only park in the City.

Nothing was resolved.

Mr. Taylor spoke that since the City has a new City Solicitor, that he could set up a meeting with him to discuss some of the outstanding issues.

OUTREACH COMMITTEE:

N/R

PROPERTY MAINTENANCE COMMITTEE REPORT: Mr. Gordon reporting.

Dialysis Center:

Mr. Toner spoke that the nurses at the Dialysis Center are very appreciative of the lights having been installed. They now feel safe entering and exiting the building in the dark for the first time.

Mr. Gordon reported that Mr. Toner just gave his report!!

The new rail has also been installed at the Dialysis Center.

Mr. Gordon is trying to get prices on the roof covering the outside steps at the Fire Station and also on the brick work at the New Library.

FINANCE COMMITTEE REPORT: Mr. Peden reporting.

The Chief, Kevin McDerby , moved into the new Police Station today.

Ms. Banks to contact Chief McDerby to set up a time for the Trustees and their spouse to have a guided tour of the new station within the next couple of weeks.

Interest on this loan is Prime less ½ or 3.5.

LIBRARY COMMITTEE:

N/R

**OPEN SPACE COMMITTEE: **

N/R

BY-LAWS COMMITTEE :

N/R

BUILDING RESTORATION COMMITTEE REPORT: Mr. Lane reporting.

Still working on the Old Library.

Mr. Gordon spoke of the old chairs used around the Board table many years ago and are in the Library and he would like to see them used in our meeting room now in place of the folding chairs.

BATTERY PARK COMMITTEE REPORT: Ms. Banks reporting.

Maintenance is in need of mulch (ground cover). For the first time, Boyce Associates have requested payment up front.

GOOD WILL FIRE HOUSE COMMITTEE REPORT: Mr. Koczak reporting.

Awaiting the lease.

COMMUNICATIONS:

Letter from "Green Delaware" asking Trustees to take a stand against a garbage incinerator being built possibly at Pigeon Point or Cherry Island.

This should be a City issue.

Thank you note from "Mike and Barbara Alfree" for our commitment to a professional election process.

Thank you letter from the family of Clay Bridgewater.

Ms. Banks was thanked for the refreshments at tonights meeting.

There being no further business, the meeting was adjourned.

M. ANITA BANKS, SECRETARY

November 4, 2003

The meeting of the Board was held on Tuesday Evening, November 4, 2003 in the Trustees Room of the Old Town Hall.

Present Messrs: Gambacorta, DeAscanis, Quillen, Koczak, Gordon, Wilson, Indellini, Lane, Peden Toner and Ms. Banks (11) and Andrew P. Taylor, Esquire.

Visitors at this meeting were: Senator Dori Connor, Maj. General Francis A. Ianni, Ms. Robin Bodo, City Council President Christopher Castagno, Ms. Sally Monigle, Mr. Edward Hutchinson, Mr. Michael Alfree and Mr. Carlo Viola.

Prior to the business meeting, Senator Dori Connor spoke to the Board about the Community Development Funds secured for New Castle.

Council President Castagno invited the Board to Council meeting on the 11th when Mr. Wayne Smith of Janney Montgomery Scott, Inc, bond underwriters, will answer questions etc. and on November 20th a larger public meeting, location to be announced, To explain the mechanics of a bond and answer more questions.

“Friends of Bellanca”, Ms. Sally Monigle, Mr. Robin Boda and Maj. General Ianni , were present and spoke regarding the hangar being placed on the National Register of Historic Places.

Since the Board has not had sufficient time to discuss all of the issues and have all the questions answered as to what could be done with the property if on the Register. It was decided that since the Board has given “Friends of Bellanca” until April 1, 2004 to present an economically viable plan for the property, that the Board delay the process of applying for the National Register.

The meeting was called to order, beginning with a moment of silence and remembering Robert W. Martin, City Administrator whose wife passed away today.

No additions were made to the monthly calendar.

The minutes of the previous meeting were approved.

The Treasurers report was approved as submitted.

PROPERTY DEVELOPMENT COMMITTEE REPORT: Mr. Indellini reporting.

Centerpoint:

A meeting had been held with Mr. Paul McConnell and Donald N. Isken, Esquire, regarding the parcel which contains the hangar. Will await a letter on the outcome of this meeting.

The "Friends of Bellanca" with Board approval, had already applied to have the hangar placed on "National Register of Historic Places" with a public meeting being held on Wednesday November 12th.

The Property Development Committee objected to having the whole 5.7 acres included in this application and would like more time to understand the pros and cons of having it placed on the Register.

A motion was made to have this application delayed. A notarized letter will be sent to Mr. Daniel Griffith, State Historic Preservation Officer. The motion was carried 7 to 3 with Messrs. Gordon, Lane and Ms. Banks voting to proceed with the application.

Ferry Cut-off Property:

Awaiting a reply from Hospice, who is scheduled to meet next week.

Have had an inquiry also regarding a 4,000 sq. ft. building. Mr. Indellini will follow up on this with other parcels that are or will be available.

Good Will Fire Company:

Lease for the Washington Green site is ready for signatures.

Penn Farm---Quigley's:

A new lease to be signed, leaving David Quigley off, per the Quigley's request. New rental to be \$10,350 per year or \$2,587.50 per quarter. Also, all inside repairs to the house are the responsibility of the tenant.

West Third Street Property—Marini:

Mr. Indellini has had no success in contacting Mrs. Marini regarding the West Third Street property. He has left messages but has had no return call.

Mr. Indellini has also talked with the City regarding the swap with Brosius-Eliason and the widening of West Third Street from South.

Washington Park:

The request for land for a park in Washington Park is still open.

Board has been waiting on other City involved issues not completed, i.e. Fourth and Chestnut Street, Brosius-Eliason land swap, etc.

326 Associates –Farmers Market:

It having been noted that tarps are covering salt etc. in the vicinity of the new entrance along with 2 dumpsters, Mr. Stat has been contacted and asks that he be given until spring when the parking area is to be redone.

OUTREACH COMMITTEE:

N/R

PROPERTY MAINTENANCE COMMITTEE REPORT: Mr. Gordon reporting.

Railing at the Dialysis center as well as the new lights will be completed by the end of next week.

FINANCE COMMITTEE REPORT: Mr. Peden reporting.

Committee had a meeting with the Bank's on October 22nd and portfolio is up 20% since March 31, 2003.

Transfer has been made from JP Morgan to P.N.C.

Audit report from Gunnip shows rental, taxes and sewer all as income. True rental income is about \$800,000.00.

The loss shown on investments as of March 31, 2003 has been recouped as of November 1, 2003.

Police station is 98% complete. Chief will move in during December and an open house will be held on January 7th, 2004.

To date, the Trustees have funded \$1,327,817.06 and the final will be approximately \$1,900,000.00. Repayment should begin January 2004.

The question was asked if the City Bond bill is passed, will they have the money to repay both the Police Station and the Bond? Mr. Peden said their income has gone up considerably and there is a 20 year contract on the Police Station.

LIBRARY COMMITTEE:

N/R

Ms. Banks spoke that a volunteer doing cataloging at the Library had made contact with the Office stating that he had found books signed by George Read, Sr., George Read, Jr., Nicholas Van Dyke, Thomas Stockton, Kensey Johns and several others. Many of the books are first editions. The outer bindings are in deplorable condition, however, the book should be preserved.

Mr. Edward Hutchinson, a guest at this meeting, identified himself as the volunteer that had contacted Ms. Banks. The cost to have the books repaired would certainly be exorbitant.

Mr. Lane reported that since the Library is looking for more space, that the Original Collection should be moved back to the Old Library since it will now be climate controlled.

ELECTION COMMITTEE REPORT: Ms. Banks reporting.

Election set for Saturday, November 15, 2003 from 10 a.m. to 6 p.m. at Good Will Fire House.

We have four candidates: Michael J. Alfree, Sr.
Somasunderam Padmalingam, M. D.
Herbert A. Swanson
Carlo Viola

As of November 4th, we have 34 absentee ballot requests. Last day to obtain an absentee ballot is November 10th and must be returned by 5:00 p.m. November 14th.

There will be 3 voting machines and the alphabet divided into 4 stations.

ALL VOTERS MUST HAVE PROPER IDENTIFICATION.

The matter of a “run-off” election was discussed and the Election Committee recommends December 6th if it be necessary. There would be no registration prior to the election, however, absentee ballots would be available. The motion made was carried, Messrs. DeAscanis and Wilson voting NO.

OPEN SPACE COMMITTEE:

N/R

BY-LAWS COMMITTEE REPORT:

The question that the Election Committee had concerning a member of City Council, or Municipal Services Commission being a candidate was discussed.

Mr. Cooch is looking into a By-Law amendment covering this issue.

BUILDING RESTORATION COMMITTEE REPORT: Mr. Lane reporting.

A bit slower than anticipated on the work being done.

A meeting will be called when project nears completion.

BATTERY PARK COMMITTEE REPORT: Ms. Banks reporting.

Have found that the second slide is going to need replacing before another year.

GOOD WILL FIRE HOUSE COMMITTEE:

N/R

COMMUNICATIONS:

City Calendar: Text of previous years on Trustees was mailed to each member. Only one with corrections received for the new year.

Letter of thanks from the Arasapha Garden Club for the donation to help with the Christmas Decorations in town.

Letter from American Diabetes Association regarding using the hangar for their 2004 Diabetes Ball. Mr. Indellini will so notify them that the hangar is not in the condition to have a "black tie gala" held there.

There being no further business, the meeting was adjourned.

M. Anita Banks, Secretary

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The question that the Election Committee had concerning a member of City Council, or Municipal Services Commission being a candidate was discussed.

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BUILDING RESTORATION COMMITTEE REPORT: Mr. Lane reporting.

A bit slower than anticipated on the work being done.

A meeting will be called when project nears completion.

BATTERY PARK COMMITTEE REPORT: Ms. Banks reporting.

Have found that the second slide is going to need replacing before another year.

GOOD WILL FIRE HOUSE COMMITTEE:

N/R

October 7, 2003

The meeting of the Board was held on Tuesday Evening, October 7, 2003 in the Trustees Room of the Old Town Hall.

Present Messrs. Gambacorta, DeAscanis, Quillen, Appleby, Koczak. Gordon, Indellini, Lane, Peden, Toner and Ms. Banks (11) and Andrew P. Taylor, Esq.

Prior to the meeting, the Board arrived to find the Buttonwood Civic Association picketing out in front of Town Hall, since the suit they filed against Trustees is still pending.

The meeting opened with a moment of silence.

The calendar was updated, adding a Building Restoration Committee Meeting on October 23rd at 5:30 p.m.

The minutes of the previous meeting were approved.

The Treasurers report was accepted as submitted.

PROPERTY DEVELOPMENT COMMITTEE REPORT: Mr. Indellini reporting.

Centerpoint:

The parcel behind the hangar was discussed and are awaiting Mr. McConnell to lease this, however, we need to check-out the necessary parking spaces needed for the hangar if it is to become a museum.

It was also discussed that if Mr. McConnell is not interested, a “FOR LEASE” sign should be put up.

Ferry cut-off:

Will await going for sub-division until something is resolved with the inquiry from Hospice.

Also, the Highway Department is going to need a 10’ right-of-way when they re-do the Ferry Cut-off.

Washington Greene;

Preparing a lease with Good Will Fire Company and asking for a time line of 40 months for construction to begin.

Penn Farm: (Jos. Quigley)

Had an appraisal done on the house only, and current rental value is \$950.00 per month.

The current monthly rental is \$690.00 or (\$8,280.00) per year for the entire parcel.

The new monthly rental is proposed to be an increase of 25% or \$862.50 per month or (\$10,350.00) per year for the entire parcel.

On a new lease, the Quigleys have asked that David Quigley's name be removed.

Discussion also took place on the maintenance of the house and out buildings as well as the portion of land being farmed.

A new lease will be prepared.

326 Associates:

Mr. Richard Stat has requested approval to change signage. Motion made and approved to permit 326 to make the necessary changes.

Penn Mart: (New Castle Shopping Associates)

An inquiry has been made regarding putting the two leases into one.

An appraisal has been done on the large parcel as well as one done by DelDot. An appraisal will have to be done on the small parcel, frontage on Rte. 13.

Mr. Taylor will be working with Penn Mart's attorney.

OUTREACH COMMITTEE REPORT: Mr. Lane reporting.

The Little League held an awards ceremony on September 27th and in connection had a dedication of the new lights.

PROPERTY MAINTENANCE COMMITTEE REPORT: Mr. Gordon reporting.
Dialysis Center:

Ramp has been installed and new rails will follow.

Lighting is being installed on 2-30' poles with 4 400 watt flood lights and on the island, 2 400 watt flood lights are being put up.

Library:

Steps and front pavement are in need of repair. As of this date, only one bid has been received. Will await other bids.

FINANCE COMMITTEE REPORT: Mr. Peden reporting.

JPMorgan account was liquidated on October 3rd and funds transferred to PNC Bank.

At the Finance Meeting on October 22nd, PNC will suggest ways to invest same.

Police Station is 85% completed, now paying the vendors direct. Expect a formal open-house sometime in late November.

LIBRARY COMMITTEE:

N/R

ELECTION COMMITTEE REPORT: Ms. Banks reporting.

As of this date, we have only one candidate, Carlo Viola.

We have had 2 registration times plus the open registration with 41 persons having registered.

The next registration date is Saturday, October 11th from 1 p.m. to 6 p.m. at the Good Will Fire House and on Monday Evening, October 27th from 6 p.m. to 9 p.m. at the Good Will Fire House, plus the open registration at the office from 10 a.m. to 3 p.m. daily.

Last date to register is October 27th.

**ELECTION DAY IS NOVEMBER 15TH, 2003
FROM 10 A.M. UNTIL 6 P.M.
GOOD WILL FIRE HOUSE.**

OFFICE REPORT: Ms. Banks reporting.

Mr. Robert Briggs of Insurance & Financial Services has informed us that the insurance will be placed with Alliance Insurance dealing with non-profit organizations.

The "Marker Dedication" will take place at the Hangar on October 9th, 2003 and Messrs. Indellini, Quillen, Gordon and DeAscanis and Ms. Banks have indicated they can attend.

The agreement with the State for the posts of the traffic signal at 141 and 273 was made out with the City. Since this has already been installed on the "Police Station Site" new papers will be forwarded for signatures to the Trustees.

Brite-Fields (formerly Wik Associated) have inquired about the status of the contained still at the Hangar Site.

As of September 30th, all City, County and School Taxes have been billed and paid in full by the tenants and in turn paid to the City and County and State for the School Tax.

BY-LAWS COMMITTEE REPORT:

It having been reported that a member of City Council intends to file for the Trustees, a discussion took place and the Board is of the opinion that before the By-Laws just adopted, are completed and printed and bound that an amendment is adopted, being that no City Official or Member of Municipal Services be eligible to file as a candidate.

Necessary copies of charters have been sent to Mr. Edward W. Cooch, Jr.

BUILDING RESTORATION COMMITTEE REPORT: Mr. Lane reporting.

Mechanical work being done, and progressing at the Old Library.

BATTERY PARK COMMITTEE REPORT: Mr. Quillen reporting.

A slide is in need of replacement. This could be one that was an initially installed on the park.

October 7, 2003

Page Five

GOOD WILL FIRE HOUSE COMMITTEE REPORT: Mr. Koczak reporting.

Property Maintenance is looking into a roof over the outside stair way.

OPEN HOUSE AT THE FIRE HOUSE IS ADVERTISED FOR OCTOBER 25TH.

COMMUNICATIONS:

None.

OTHER:

Discussion was held on the request last month from Mr. John Wheeler of 108 West Third Street.

Mr. Indellini will attempt to contact Mrs. Marini.

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED TO AN EXECUTIVE SESSION.

M. ANITA BANKS, SECRETARY

October 7, 2003

Page Six

Following the Executive Session, the meeting was again called to order.

Items relating to the New Library were discussed and Mr. Lane and Ms. Banks will attempt to find all of the necessary parts of agreements.

There being no further business, the meeting was adjourned.

**IT HAVING BEEN THE CUSTOM FOR MANY YEARS, THE BOARD
WAS PAID WITH THEIR EAR OF INDIAN CORN AS STATED IN THE
CHARTER.**

M. ANITA BANKS, SECRETARY

September 9, 2003

The meeting of the Board was held on Tuesday Evening, September 9, 2003 in the Trustees Room of the Old Town Hall.

Present Messrs. DeAscanis, Quillen, Appleby, Koczak, Gordon, Wilson, Indellini, Lane, Peden, Toner and Ms. Banks (11) and Andrew P. Taylor, Esquire.

In the absence of President Gambacorta, Vice-President Indellini chaired the meeting.

Prior to the meeting, "Friends of Bellanca" presented an update on "Save the Hangar".

SEE EXHIBIT "A"

Ms. Sally Monigle and Mr. Carlo Viola attended the meeting and Mr. Viola presented a short video on the "Miss Veedol's" visit in July and a return visit scheduled for August 2004.

The "Friends of Bellanca" also invited the Trustees to co-host a dedication of an historic marker to be placed on the property, October 9th, to which the Board agreed to participate.

Plans for more clean-up scheduled for Saturday, September 13th.

The "Friends" are hoping to continue talks with C.A.P. (Civil Air Patrol) and to get their cause out to more people through publicity and awareness.

*****Later in the PDC report, "Friends of Bellanca" were given six additional months to present plans for restoration of the hangar.

Mr. Robert S. Appleby, President of Municipal Services Commission, spoke to the Board requesting a continuance of the easement to serve Staples. All of the legal work to be handled by Mr. Richard Stat's attorney. Also, the easement through Penn Farm has never been completed.

The question of the "test well" being put in Buttonwood was asked and Mr. Appleby stated that it could be a financial crunch at this time but if we need it done, it will be pushed ahead.

Mr. John Wheeler of 108 West Third Street appeared before the Board to discuss the property at 101 West Third Street (Marino). Mr. Wheeler has secured the services of Attorney Chuck Gruver, to look into zoning and variances on the property. Safety issues for the park and recreation is also a real concern.

Mr. Wheeler asked that appraisals be done on this property, if a building could be built and if it remains open space. He also asked for a point of contact for his Attorney to work with and asked the Trustees to exercise leadership,

Mr. Wilson spoke that the Trust must consider each property owner and would have felt better about this if Mr. Wheeler had a signed petition to present.

Before leaving the meeting our guest asked about a reply to Mr. Wheeler's request and if we so desire, we will assign a point of contact and committee to work with him.

Our guests also inquired before leaving about the historic marker. The Board agreed to co-host the invitation to the dedication of the marker on October 9th.

The business meeting was called to order with a moment of silence, remembering our good friend "Clay Bridgewater".

BY-LAW COMMITTEE REPORT: Mr. Wilson reporting.

The recently amended By-Laws having been mailed to all Board members in late August were by motion approved.

VACANCY ON BOARD DECLARED:

Due to the death of Clay Bridgewater on June 6, 2003, a vacancy is declared on the Board.

SEE EXHIBIT "B"

Open registration at the TNCC office is new, plus flyers will be inserted in the Municipal Services Commission billing of October 1st, giving registration dates as well as an election date of November 15, 2003.

The registration and election dates were approved by the Board.

No additions were made to the monthly calendar.

The minutes of the previous meeting were approved.

The three monthly Treasurers reports were approved as submitted.

Ms. Banks presented a report on the 2003-2004 Property Taxes which becomes
EXHIBIT "C"

PROPERTY DEVELOPMENT COMMITTEE REPORT: Mr. Indellini reporting.

Centerpoint:

A very long involved discussion took place on the hangar property, especially since this was the original date set for a decision to be made to save or demolish it.

Mr. Paul McConnell is still interested in the property, however, at the present time does not have a firm tenant.

It was discussed that we market part of parcel 3 and parcel 4.

"Friends of Bellanca" have Civil Air Patrol interested in the hangar.

A motion was made and approved to allow "Friends of Bellanca" six more months.

Ferry Cut-off Property:

Sub-division has been done by Van-Demark & Lynch, showing a new entrance off of Route 9, doing away with the St. Francis entrance. Since this was done, Delaware Hospice has inquired about the remaining parcels and are interested and would like to continue talks toward a 45,000 sq. ft. building.

PDC will hold off going to the City with the sub-division until something is finalized.

Washington Greene:

Good Will Fire Company have, by letter, expressed their interest in acquiring "Washington Greene" for a new fire station. His would include 3 acres of land and set a 3 to 5 year time line. A gratis lease to be drawn up with Fire Company.

Buttonwood Civic Association:

Law suit against Trustees is referred to Executive Session.

Penn Farm:

Since the last five year option on the Penn Farm was up for renewal in February, PDC will be doing a market value appraisal of the house etc.

Old City Garage—Fourth & Chestnut Streets:

Councilman DiAngelo has contacted PDC about rezoning the Old City Garage parcel to OS&R before it is turned over to the Trustees.

Parkland:

The City is still interested in land for a park in Washington Park.

326 Associates:

Approve the utility easement with Municipal Services.

Approve a small addition to the BJ's building

Staples—Non disturbance agreement approved .

American Appliance—Non disturbance agreement also approved.

Old Railroad Property Behind Washington Greene:

Motion made and approved **not** to accept the strip of Railroad property behind Washington Greene.

New Castle Sailing Club:

Nothing resolved on this property with Brosius-Eliason, to talk with City Solicitor Kavanaugh.

OUTREACH COMMITTEE REPORT: Mr. Lane reporting.

Little League:

The lights have been installed at the major field. Dedication to take place later.

PROPERTY MAINTENANCE COMMITTEE REPORT: Mr. Gordon reporting.

Dialysis Center:

Another ramp is needed; when going for a permit, Mr. Bergstrom required a stamped drawing which cost \$1,800.00. Awaiting prices on job.

Good Will Fire House:

Still getting water in the basement, going to have a roof installed over the outside stairwell. Will get quotes.

New Library:

Need to get prices on relaying brick sidewalk and repair the steps.

Sluice Gate: Second Street:

A grate at the 2nd street sluice gate has been stolen.

Yard Waste:

Mr. Jim Weldin of the City has requested a place to dump yard waste and it is suggested that the site next to the dirt pile at Dobbinsville be used.

FINANCE COMMITTEE REPORT: Mr. Peden reporting.

Market is up about 5% since April. Have bonds coming due and replacements will be at a much lower return.

Police Station is moving forward, dedication is set for October 15th, inside of building will not be finished at that time.

Finance Committee asks for time in Executive Session.

LIBRARY COMMITTEE REPORT: Mr. Lane reporting.

Committee is working on best way to serve the community. Looking into making the basement handicapped accessible. There are funds available from the State and will look into any County funds that might be there.

OPEN SPACE COMMITTEE:

No report.

BUILDING RESTORATION COMMITTEE REPORT: Mr. Lane reporting.

Gear Mechanical Company was awarded the H/VAC bid at \$75,247.00.

Grant from Community Development is on a 60/40 basis and for \$66,600.00

BATTERY PARK COMMITTEE:

No report

GOOD WILL FIRE STATION COMMITTEE REPORT: Mr. Koczak reporting.

Foyer window is still leaking.

Parking lot is sinking in places and will have to be addressed.

COMMUNICATIONS:

Ms. Banks reported that many thank you notes have been received from Scholarship recipients.

Being no further business, the meeting was adjourned to an Executive Session.

M. Anita Banks, Secretary

September 9, 2003

Page Seven

Following the Executive Session, the meeting was again called to order.

A motion was made and approved to have the Finance Committee combine certain JP Morgan accounts back into accounts of PNC, where they originally came from.

Being no further business, the meeting was adjourned.

M. Anita Banks, Secretary

SEPTEMBER 2, 2003

TO: ALL TRUSTEES,

DURING THE SUMMER BREAK, SEVERAL ITEMS OF INTEREST HAVE
TAKEN PLACE, ALL OF WHICH YOU DO NOT HAVE COPIES FOR YOUR FILES.

RESOLUTION ON THE DEATH OF CLAY BRIDGEWATER

PRESIDENTS APPOINTMENT TO PLANNING COMMISSION
THOMAS H. WILSON

M. ANITA BANKS, SECRETARY

JUNE 13, 2003

TO ALL TRUSTEES:

FROM: ANITA, AT THE OFFICE.

ENCLOSED ARE SEVERAL LETTERS SENT OUT AND SEVERAL RECEIVED
SINCE OUR MEETING ON THE 3RD.

THE LETTER CONCERNING THE WALKWAY, THOUGHT ALL TRUSTEES
SHOULD BE AWARE OF THAT CHANGE.

June 3, 2003

The meeting of the Board was held on Tuesday Evening, June 3, 2003 in the Trustees Room of the Old Town Hall.

Present, Messrs. Gambacorta, DeAscanis, Quillen, Koczak, Gordon, Wilson, Indellini, Lane, Peden, Toner and Ms. Banks (11) and Andrew P. Taylor, Esquire.

Prior to the meeting, "Friends of Bellanca": presented an update on their progress to "Save the Hangar". Ms. Jan Churchill, Ms. Sally Monigle and Mr. Carlo Viola were in attendance and Mr. Viola spoke on the activity since the May meeting and expressed thanks to the Board for the time extension until September 9th.

"SEE EXHIBIT A"

Also in attendance were City Council President Christophen J. Castagno and Councilman Joseph J. DiAngelo who reported on a recent meeting with Mr. Nathan Hayward, Secretary of Department of Transportation, State of Delaware, regarding the Route 273 corridor. Since much of the land along the corridor between Route 141 and Route 13 belongs to the Trustees, the Board was in agreement that a **study** should be done.

The meeting was called to order and began with a moment of silence.

The monthly calendar was updated adding a Restoration Meeting on June 5th and a By-Law Meeting of June 18th.

The minutes of the previous meeting were approved.

The Treasurers report was approved as submitted.

PROPERTY DEVELOPMENT COMMITTEE REPORT: Mr. Indellini reporting.

Centerpoint:

The report from the Friends of Bellanca covers this item.

Sub-Division—Professional Center—Ferry Cut-off:

Plans have been received from Vandemark & Lynch, showing possibly a new entrance to the Center. Motion made and approved to submit these plans to the City for sub-division.

Washington Greene:

Mr. Indellini reported that he had spoken with Mr. Michini of Coldwell Bankers and that a contract would be 90 days plus 30 if it is someone having been brought by Mr. Michini for him to receive commission. The Board approved this arrangement. Mr. Toner voting NO.

Basin Road Parcel:

All negotiations are off with Mrs. Gibellion-Schultz.

New Castle Family Care:

Lease ready for signatures. Dr. James has asked for exclusion on the Center, meaning no other doctor being brought in. If this was the case, according to her lease, if another doctor was also in business, she would be able to break her lease in 60 days. Rent adjustment over a 10 year period.

New Castle Sailing Club:

Awaiting City to act on property swaps.

Planning Commission:

Mr. Stan Sykora presented to PDC meeting, a proposed “Doggie Park” behind the houses on East Second Street (Lunt property). The proposal was well received at the committee meeting, However, Mr. Sykora did not have a presentation for the Board.

Buttonwood Civic Group:

Buttonwood Civic Association has asked to use the parcel next to the “Old School” for a scrimmage football field.

A long and involved discussion took place and a motion was made to **NOT** allow Buttonwood Civic Association to use this field for football scrimmage.

326 Associates—“Staples”:

Staples have asked that papers be signed allowing, if an occasion occurs, signage or design to be changed. Papers to be signed and returned.

Twin Span Industrial Park:

A new mylar was submitted to the Board for proper signatures, since the section where property owner signs was signed by someone, but not a Trustee, on the original mylar.

After an involved discussion, a motion was made and carried for the Trustees **not to sign** the mylar since there are still items not resolved.

Sign at foot of Washington Street:

The Gambacorta sign which had been placed at the foot of Washington Street was removed immediately after our last meeting.

Old Hangar:

The asbestos survey proposal by Wik Associates was approved to be done and the \$2,955.00 to be charged to property maintenance,

Centerpoint—Amazon Lease:

The request from Amazon.com to have speed humps installed, was okayed.

OUTREACH COMMITTEE REPORT: Mr. Lane reporting.

A request had been received from National Heritage Program to go onto Trust property to explore wild life and plants, etc. in the vicinity of the Dyke. Approval was given.

PROPERTY MAINTENANCE COMMITTEE REPORT: Mr. Gordon reporting.

The Battery Walkway, below the Sailing Club will be closed from mid June through September for the repairs to the Sluice Gate.

Working on the lights at the Professional Center, have the circuits identified.

A tree in Van Dyke Village needs to be cut down.

FINANCE COMMITTEE:

No report

LIBRARY COMMITTEE REPORT: Mr. Lane reporting.

In researching limits of Library Committees terms, an interesting article was found from 1956, where the budget was \$1,600.00 and the hourly rate for the Librarian was raised from \$1.00 to \$1.50 per hour.

OPEN SPACE COMMITTEE:

No report

BUILDING RESTORATION COMMITTEE REPORT: Mr. Lane reporting.

Committee meeting on Thursday, June 5th at 4:00 p.m. with Paragon Engineering.

BATTERY PARK COMMITTEE:

No report.

FIRE STATION COMMITTEE:

No report

COMMUNICATIONS:

A thank you letter was received from the Flower Beautification Committee, thanking the Board for their contribution.

A thank you letter was read from Ms. Christine Knox, a scholarship recipient, thanking the Trustees for their help throughout her college years, even increasing the amount of the scholarship each year. Ms. Knox graduated at the end of May with a Bachelor of Science degree in Operations Management and Marketing.

A letter from Peter Octavio, requesting permission to put nesting boxes in the marsh area , was approved.

There being no further business, the meeting was adjourned.

M. Anita Banks, Secretary

May 6, 2003

The meeting of the Board was held on Tuesday Evening, May 6, 2003 in the Trustees Room of the Old Town Hall.

Present Messrs. Gambacorta, DeAscanis, Quillen, Appleby, Koczak, Gordon, Wilson, Indellini, Lane, Peden, Toner and Ms. Banks (12) and Andrew P. Taylor, Esq.

Prior to the meeting, "Friends of Bellanca" presented a report on their progress to date to "Save the Hangar". Mr. Carlo Viola spoke on behalf of the group and made a computer photo presentation, courtesy of Ms. Kathy Dunn. Also in attendance were Ms. Jan Churchill and Ms. Sally Monigle. They presented a handout giving us a summary of activities and contacts made thus far and a list of significant interests such as a site visit by a part of the Bellanca Family. The group will have another report for our June 3rd meeting.

Mr. Viola also spoke that Ms. Jan Churchill had been given an award for excellence in Aviation Community Service, just on May 2nd and that the award is titled the "Miss Mary Biggs Award". Miss Biggs and her brother John, operated the first public use airport in Delaware on the "Stockton Farm" leased from the Trustees.

The meeting was called to order and began with a moment of silence.

The monthly calendar was updated adding a Building Restoration Committee meeting on May 14th at 4:00 p.m.

The minutes of the previous meeting were approved.

The Treasurers report was accepted as submitted.

PROPERTY DEVELOPMENT COMMITTEE REPORT: Mr. Indellini reporting.

Centerpoint:

Report having been made by "Friends of Bellanca", discussion on McConnells position for that parcel took place. Mr. Indellini will follow up on his status.

May 6, 2003

Page Two

Centerpoint—continued:

The discussion went on as to the Board giving “Friends of Bellanca” more time than June 3rd.

A motion was made to extend the deadline date to September 9th on the hangar with a progress report in June.

Ferry Cut-off: Professional Center:

Have only received preliminary plans from Vandemark & Lynch.

Washington Greene:

Mr. Indellini has been in touch with Mr. Michini of Coldwell Bankers and explained to him that the Board objected to the “exclusive rights” section of his proposal. No reply has been received at this date from Mr. Michini.

Basin Road Property:

Mrs. Gibellino-Schultz has replied that the asking price is too high, negotiations are on hold for now.

New Castle Family Care:

Lease is being finalized. Dr. James has raised the question of exclusivity.

The Board believes that if the Professional Center is developed, Doctors which would accompany or compliment her profession should be allowed.

Rent basis would be \$13.20 per square foot, with an escalation of \$.50 per year, possibly on a 3 year basis, rather than 10 years.

The Board authorized Messrs. Indellini, Gambacorta and Peden to finalize the lease if these things can be worked out.

May 6, 2003

Page Three

New Castle Sailing Club:

City has been given papers to correct the dispute over ownership of certain land with Brosius-Eliason. Awaiting final word from the City.

Good Will Fire Company:

Representatives from the Fire Company were to have attended the PDC meeting on Monday Evening, May 5th but did not appear. Will set another time for them.

Penn Farm: (Quigley's) :

Last five year option is now due. Suggested having someone from Patterson-Woods look at the house value, then go forward from there.

326 Associates:

A new 50,000 square foot building to be erected,. 20,000 square feet of which to be leased to Staples.

Plans were accepted and will be signed.

Other Items:

Sykora----Tree?

Gambacorta----Sign at foot of Washington Street.

Twin Span-----Gate operation on Glebe Road

Hinton----South Street ----settlement.

Old City Garage----Office to write another letter.

OUTREACH COMMITTEE REPORT: Mr. Lane reporting.

Little League held their opening day on April 26th and was well attended.

75 letters have been sent to Little League area neighbors, regarding lighting the field. Office has not had any calls of negative nature.

Commerce Bank has donated \$7,500.00 to help with the lighting.

PROPERTY MAINTENANCE COMMITTEE REPORT: Mr. Gordon reporting.

Finial on the fire house has been completed.

Neighbor on LaSalle Avenue had some flooding, DelDot has cleaned out the area blocked by the beaver.

River walkway will be closed from June 16th through September to make repairs to the sluice gate.

FINANCE COMMITTEE REPORT: Mr. Peden reporting.

Quarterly meeting had been held on April 23rd. After 12 quarterly losses, we have one quarter gain. Our investments are 50% stocks, 50% bonds and 65% stocks and 35% bonds.

Mr. Peden also thanked the Board for the donation sent to Hospice in memory of his Mother.

LIBRARY COMMITTEE REPORT: Mr. Lane reporting.

Looking into ways to offer future services.

OPEN SPACE COMMITTEE:

No report.

BY-LAW COMMITTEE REPORT: Mr. Wilson reporting.

Committee meeting held on April 22nd and reviewed and made minor changes in the By-Laws.

Copy given to each Board member for their review. If no corrections, final copy to be issued at the June 3rd meeting.

BUILDING RESTORATION COMMITTEE REPORT: Mr. Lane reporting.

Renovations to the Old Library: Paragon Engineering Corp. submitted a proposal for mechanical and electrical engineering services.

Design a new HVAC system to serve the Museum

Design of electrical service for the new HVAC system

PEC will provide the services of an Architect, as required, to design an enclosure around the ductwork serving the balcony.

PEC will provide construction documents suitable for bidding. These documents will include drawings, technical and Division 1 front-end specifications.

PEC will attend the bid meeting and provide normal construction phase administrative services.

PEC will also review contractor's request for payments.

PEC proposes a lump sum fee of \$9,000.00 for the above work

BATTERY PARK COMMITTEE REPORT: Mr. Quillen reported.

A rough sketch has been presented by the Beautification Committee of a planting of roses around the park side of the parking lot at Third Street. Details to be worked out.

FIRE STATION COMMITTEE:

No report.

There being no further business, the meeting was adjourned for an executive session.

M. Anita Banks, Secretary

May 6, 2003

Page Six

Following the executive session, which was called to consider an Executive Secretary,

The meeting was recalled to order and the result of the ballot for an Executive Secretary resulted in no one was hired.

M. Anita Banks, Secretary

March 1, 2005

The meeting of the Board was held on Tuesday Evening, March 1, 2005 in the Trustees Room of the Old Town Hall.

Present Messrs. Gambacorta, DeAscanis, Quillen, Appleby, Gordon, Wilson, Indellini, Peden, Toner, Viola, Alfree, Gebhart and Ms. Banks (13) and Andrew P. Taylor, Esq.

Guests at the meeting were Messrs. Jeffrey Davis, Joseph DiAngelo, John Houben, and William Robinett.

The meeting was called to order and opened with a moment of silence.

The minutes of the previous meeting were approved.

The Treasurers report was approved as submitted.

PROPERTY DEVELOPMENT COMMITTEE REPORT: Mr. Indellini reporting.

Ferry Cut-off: A meeting with the Highway Department is scheduled for March 23rd or 30th.

A very involved discussion took place on the entrance off Route 9 and the New Castle Ordinance amending Chapter 230, zoning of the code of the City of New Castle.

Basin Road Parcel: Mr. Barthel has been in touch with Mr. Indellini and is inquiring as to what is wetlands on this site.

Sailing Club: Mr. Taylor has been in touch with Mr. Shoemaker and Mr. Hearn regarding the paper street. Mr. Bergstrom is locating a map showing the paper street through the Brosius-Eliason property. Once this map is located a draft of an agreement can be prepared.

Heyman Property, 2nd & Chestnut Street: The matter of the Heyman property being over on Trustees property was discussed and the Board **does not** at this time wish to sell any property. Mr. Taylor will send the Heymans a letter explaining that they may use the property with no further additions.

Millies Diner—Dempsey's: Mr. Indellini has five bids on this parcel of at least \$100,000.00 per year. Property Development Committee has decided to hold a live bid meeting on March 21st at 1:00 p.m. in the Town Hall and lease will be awarded to highest bidder at the next Board meeting.

Washington Greene: An inquiry has been received from Patterson-Wood Associates working with a charter school that is interested in this site.

The school to be called "Family Foundation Academy" and would serve about 300 students, grades one through four. The charter has been submitted to Delaware State Department of Education for review and approval. Mr. Indellini will follow up on this request.

Parcel, 2nd & Chestnut Street: A letter was sent to the Open Space Committee from Mr. Christopher Hemphill regarding the property along the river. No action was taken at this meeting regarding any rezoning.

OUTREACH COMMITTEE REPORT:

No report.

PROPERTY MAINTENANCE COMMITTEE REPORT

No report.

FINANCE COMMITTEE REPORT: Mr. Peden reporting.

The budget for fiscal year 2005-2006 was presented and approved in the amount of \$946,845.00.
SEE EXHIBIT 'A'

The matter of the Fiber Link Line was discussed and decided to look into it with the City.

NOMINATING COMMITTEE REPORT: Mr. Quillen reporting.

The Board unanimously voted to accept the report of the Nominating Committee for Officers and Committee Assignments for the 2005-2006 Fiscal Year.

SEE EXHIBIT 'B'

LIBRARY COMMITTEE REPORT: Mr. Viola reporting:

For some time, the Library Committee has been considering ways to improve service to the community. A Mr. Dick Waters recently completed a statewide Library Master Plan Study. His recommendations were presented at a 3 day session held in the Methodist Church Meeting Hall and considered several alternative plans for the Library. All plans presented were based on the library remaining at its current location and would meet historic area guidelines for historic preservation and compatibility.

More recommendations are due in the next several months.

OPEN SPACE COMMITTEE REPORT: Mr. Wilson reporting.

Committee had a meeting and walked some of the area of open space.

BY-LAW COMMITTEE REPORT:

No report.

BATTERY PARK COMMITTEE REPORT:

No report

GOOD WILL FIRE HOUSE COMMITTEE REPORT: Mr. Alfree reporting.

A letter requesting the portable sign left at the Millie's Diner was read. Permission was given for the Fire Company to secure the sign and use it with discretion.

The Board also asked Mr. Alfree to secure a copy of the latest audit report of the Fire Company.

OTHER:

A letter was received from Mr. Chip Patterson, Chairman of the Tree Commission giving the Board an overall report on the "Tree Issue".

Being no further business, the meeting adjourned for an Executive Session.

M. Anita Banks, Secretary

APRIL 1, 2003

The meeting of the Board was held on Tuesday Evening, April 1, 2003 in the Trustees room of the Old Town Hall.

Present Messrs. Gambacorta, DeAscanis, Quillen, Appleby, Koczak, Wilson, Indellini, Lane, Toner and Ms. Banks (10) and Andrew P. Taylor, Esq.

Mr. Francis J. DeAscanis passed the gavel to the newly elected president, Mr. Henry F. Gambacorta.

The meeting began with a moment of silence.

The calendar was updated adding an Outreach Meeting, April 14th at 7:00 p.m.

The minutes of the previous meeting were approved.

The Treasurers report was accepted as submitted.

PROPERTY DEVELOPMENT COMMITTEE REPORT: Mr. Indellini reporting.

Centerpoint—The Hangar:

Mr. Indellini has spoken with Mr. McConnell to let him know what is happening with the parcel he is interested in.

Mr. Indellini also spoke of the group working on “**SAVE THE HANGAR**” and Ms. Sally Monigle and Ms. Jan Churchill both being in attendance, Ms. Monigle spoke that Mr. Rob Howard has been contacted to do a structural study of the building and Dr. David Ames of the University of Delaware along with two graduate students to do a documentation of the hangars truss system. The structural study would cost \$950.00 and the Property Development Committee, at their meeting recommended that the Board **not** fund this study. After further discussion a motion was made that the Board accept the recommendation of PDC not to fund this structural study as it was made clear to the “Save the Hangar Group” in the beginning that the Board would **not fund** any studies. The Board vote was 4 yes, 6 no.

Ferry Cut-off—Professional Center:

VanDemark and Lynch has presented a proposal to sub-divide the property into parcels at a cost of \$9,200.00. The Board approved this survey and sub-division plan.

Washington Greene:

A very involved and detailed discussion took place on the presentation having been made at the Property Development Committee meeting by Mr. Domenick Michini of Coldwell Bankers Commercial, on marketing the Washington Green parcel. His proposal being 6% in advance of a 10 year lease with **exclusive rights**.

The Board **rejected** the exclusive rights part and will contact other realtors.

The matter of the parcel being zoned for funeral home was discussed and want the realtor to open his search for a business to comply with the suggested "Comprehensive Plan" to be institutional or mixed use and the Board would try to accommodate with an application for a zoning change. The Board still has the final say on what would be put on this parcel.

Basin Road Property:

Mrs. Carmella Gibellino-Schultz, T/A Skin Care School and Center, has been in contact with Mr. Indellini and PDC will attempt to work out terms etc., acceptable to both parties.

New Castle Family Care (St. Francis Site at Professional Center):

Working with Dr. Phyllis Phillips James and her attorney on a lease, if not completed by April 30th, will extend the present lease until new one is finalized.

Ms. Banks reminded PDC that a \$1,000.00 maintenance item exists in the present lease and should possibly continue.

New Castle Sailing Club:

Appraisal was given and Mr. Lane has information from Brosius-Eliason Company on the land ownership question at the foot of Third Street which will be forwarded by letter to the Mayor and City Council

‘SEE EXHIBIT ‘A’

Page Three

April 1, 2003.

Penn Mart Easement:

Discussion on amount of space is needed by Artesian for their project. Will go on the formula DEL DOT uses for a temporary easement.

Twin Span:

PDC had a meeting with Mr. Geddes and Twin Span will take care of the triangle maintenance including the swail.

Mr. Geddes will also follow up on the signature on the set of plans.

Twin Span has supplied only 2 remote controls for the gate at Glebe Road. We understand through Mr. Jeff Bergstrom that each police car as well as each piece of fire apparatus needs one. Mr. Indellini will talk with the City.

Old City Garage—Fourth & Chestnut Street:

Since the City election will be this month, and the Board has heard nothing from the City on the return of this parcel, a letter will be sent to Mayor and City Council immediately.

OUTREACH COMMITTEE REPORT: Mr. Lane reporting.

Opening Day for Little League is scheduled for April 12th, weather permitting.

Little League still hope to light the fields this year.

PROPERTY MAINTENANCE COMMITTEE REPORT:

Dumpster behind Wilmington Trust is still an issue. Mr. Confer wants something done to hide it.

Mr. Toner reported that the walkway between the Sailing Club and the Range Light needs attention.

Page Four

April 1, 2003

FINANCE COMMITTEE:

Quarterly Meeting, April 23, 2003.

LIBRARY COMMITTEE:

- No report.

Ms. Banks questioned why the Board ever approved funding restoration of the Rogers painting, which was done last month.

Also the large mirror stored in the basement of the Library was given to the Trustees from the Century Club. Mr. Lane reported the Library would like to sell it and apply the proceeds to the restoration of the painting.

OPEN SPACE COMMITTEE:

No report

BY-LAWS COMMITTEE REPORT: Mr. Wilson reported.

Meeting to be held on April 22nd at 7:00 p.m. in the Old Town Hall.

All current members of the committee were re-appointed.

BUILDING RESTORATION COMMITTEE REPORT: Mr. Lane reporting.

A meeting will be held with members of the Historical Society and Paragon Engineering on Wednesday April 9th at 4:00 p.m.

Page Five

April 1, 2003

BATTERY PARK COMMITTEE REPORT: Ms. Banks reporting.

Beautification Committee has asked for permission to tag the trees in the Park with the names of the different types. Also has inquired if the Board would like plantings around the parking lot on Third Street. It was decided that the Board would like to see a sketch of what is proposed.

New nets are needed on the tennis courts.

A letter and a proposal was received from the City regarding a hand carved sign suggested for Battery Park. Will contact all members of the committee before making a decision on the sign which would cost \$1,200.00.

FIRE STATION COMMITTEE REPORT: Mr. Koczak reporting.

Steering Committee of the Fire Company has a meeting scheduled to which Mr. Koczak will be attending.

COMMUNICATIONS:

Ms. Banks reported that a number of thank-you notes were received from students as well as parents with the applications for scholarships.

There being no further business, the meeting was adjourned to an executive session.

M. Anita Banks, Secretary

Page Six:

April 1, 2003

Following the executive session, the meeting was again called to order:

The Executive Session held on the candidates submitted by the committee for the position of Executive Secretary, the following motion was made:

“To vote on the 2 candidates at the May meeting, taking into consideration the recommendation of the committee, also have members of the Board try to get to know the candidates and the vote to be all 13 members. Paper ballots will be used with 3 spaces, the two names and none of the above. If a member of the Board is unable to attend the meeting, they may vote absentee.”

There being no further business, the meeting was adjourned.

M. Anita Banks, Secretary

March 4, 2003

The meeting of the Board was held on Tuesday Evening, March 4, 2003 in the Trustees Room of the Old Town Hall.

Present Messrs. DeAscanis, Gambacorta, Appleby, Koczak, Gordon, Wilson, Indellini, Lane, Peden, Toner, (10) and Andrew P. Taylor, Esquire.

The calendar was updated, adding a Building Restoration Committee Meeting on March 12th at 4:00 p.m.

The minutes of the previous meeting were approved.

The Treasurers report was accepted as submitted.

PROPERTY DEVELOPMENT COMMITTEE REPORT: Mr. Indellini reporting.

Centerpoint---The Hangar:

A discussion having been held at the committee meeting of PDC on the hangar, a motion was made to delay demolition for 90 days.

Mr. Carlo Viola, Ms. Jan Churchill and Ms. Sally Monigle were in attendance and Mr. Viola spoke of findings this group has made; looking into National Register, Delaware Aviation Hall of Fame and since this is the 100th Anniversary of Aviation, all means should be exhausted to save this hangar. Mr. Viola also spoke on the unique construction of the building, especially the roof.

The Board approved Mr. Viola following up on National Register with the help of Ms. Robin Boda from the State.

Following a discussion, the Board approved the motion to extend demolition for 90 days or until June 2, 2003.

Sailing Club:

A market value figure has been obtained for this parcel of \$30,000.00. A new lease cannot be signed as long as the Brosius/Eliason overlap exists.

Mr. Lane will speak with Mr. Shoemaker and try to get this resolved either by adverse possession or a donation with a tax write-off for them.

St. Francis Unit—Professional Center:

P. Gerald White has supplied PDC with figures and Dr. James, T/A New Castle Family Care, Inc. would like to lease the whole facility. Working on the lease.

Ferry Cut-off Parcels:

Information has been researched and turned over to VanDemark and Lynch to do the sub-divisions.

Washington Greene:

Mr. Domenick Michini of Coldwell Banker Realty made a presentation at the PDC committee meeting on “How he can market our leases for us.” Property Development Committee suggested the Washington Greene

Basin Road Property:

Information has been forwarded to Zomeled LLC for a “Skin Care School”. Waiting to hear back from them.

Easement at Penn Mart:

Water line is being installed along Basin Road. Will check into this.

Buttonwood:

Zenith has given up the “Holcomb House” and Buttonwood Association wants land to have building moved and put on. After a very involved discussion, no action was taken.

OUTREACH COMMITTEE:

No report.

PROPERTY MAINTENANCE COMMITTEE REPORT: Mr. Gordon reporting.

Dialysis Center: Snow on ramp, which was dangerous, had gutters put up and ice breakers installed on the roof.

Van Dyke Village: Enforcement has been put on hold, since the main violator passed away.

Other: Have trapped several more beavers.
Awaiting another bid on the New Library roof.

FINANCE COMMITTEE REPORT: Mr. Peden reporting.

The budget as presented at the February meeting was accepted and approved for the fiscal year 2003-2004.

ELECTION OF OFFICERS AND COMMITTEE ASSIGNMENTS: Mr. Peden reporting.

Officers and Committee Assignments were approved as submitted.
(Copy enclosed)

LIBRARY COMMITTEE REPORT: Mr. Lane reporting.

Mr. Lane presented the name of "Nanette Nichol" to serve on the Library Board, which was approved by the Board.

A painting by Mr. Lausette Rogers, given to the Library, is in need of restoration. The cost of restoration is \$6,250.00, and the Library Committee will give \$2,250.00 towards this project if the Trustees will underwrite the \$4,000.00.

A motion was made and approved with discussion to have painting restored.

The matter of the large mirror also in the basement of the Library was discussed.

OPEN SPACE COMMITTEE:

No report

BY-LAW COMMITTEE:

No report

BUILDING RESTORATION COMMITTEE REPORT: Mr. Lane reporting.

Old Library:

A discussion was held on the possible restoration of the Old Library. Since the Board should have money left at the end of the current fiscal year, the Restoration Committee would like to start with following the specifications from Gredell and Associates and bring election up to code, install HVAC and hire a general contractor, and move forward. Limit on cost \$85,000.00 to \$90,000.00.

A motion was made , 6 yes, 3 no and 1 abstained. Motion approved.

BATTERY PARK COMMITTEE:

No report

FIRE STATION COMMITTEE:

No report

COMMUNICATIONS:

None.

These minutes written from notes of Mr. Wilson and tape.

M. ANITA BANKS, SECRETARY.

February 4, 2003

The meeting of the Board was held Tuesday Evening, February 4, 2003 in the Trustees Room of the Old Town Hall.

Present Messrs: DeAscanis, Quillen, Gambacorta, Appleby, Bridgewater, Gordon, Indellini, Lane, Peden, Toner and Ms. Banks (11) and Andrew P. Taylor, Esq.

The meeting was opened with a moment of silence.

The calendar was updated changing the Property Maintenance Committee meeting to March 3rd at 3:00p.m.

The minutes of the previous meeting were approved.

The Treasurers report was accepted as submitted.

PROPERTY DEVELOPMENT COMMITTEE REPORT: Mr. Indellini reporting.

Centerpoint—“The Hangar”:

As a last effort to preserve the hangar, Mr. Indellini went to New Journal to have them do an article. Several inquiries have been made but no one interested in its preservation. A Mr. David Moffitt of Delaware Aviation Hall of Fame, sat in on the interview with the News-Journal and was interested, but as many are, lacking funds to preserve and maintain such a structure.

Sixty days, as discussed before will be up in early March. The demolition permit has been secured and a new lease with McConnell will be ready by the next meeting and the hangar can be history.

Sailing Club:

PDC had asked Allen Appraisal Company to do an appraisal, several months ago. They are not inquiring if we wouldn't want a figure for income basis. Still nothing is resolved with Brosius-Eliason Company on ownership. Will await income basis figure.

St. Francis Unit—Professional Center:

Dr. James would like to lease the whole building. PDC has contacted P. Gerald White of Cushman and Wakefield to give us a high/low rental per square foot..

Mr. Taylor will contact Dr. James attorney and secure a personal financial statement or guarantee.

Sub-division---Ferry Cut-off:

Still have not gotten the deed search

Basin Road Property—(Camponelli):

Inquiry has been received for a “Skin School”. Necessary copy of appraisal and lease has been forwarded to the attorney.

Del-Dot:

Del Dot plan on doing sidewalks vic. of Penn Mart in the spring. Mr. Taylor and Mr. Spivack are working on agreement.

Dempsey’s---Gambacorta:

A sewer problem occurred and Cooper Brothers were called, using a camera, found grease causing the problem. Dempsey’s were notified to take care of the problem. TNCC office will follow with a note.

Twin-Span:

Maintenance of the swirl still needs to be defined.

OUTREACH COMMITTEE REPORT: Mr. Lane reporting.

Mr. Lane reported that the “Committee Appreciation Evening” held on January 23rd was well attended and enjoyed by all.

Outreach Committee has met with “Little League” and they are moving ahead for spring. They would like to light one, possibly two fields this year. They have canvassed neighbors on 13th and 14th Street and no objection has surfaced.

They also would like to increase the size of the water line so they could irrigate the fields.

Little League will work with Municipal Services on the water line and installing the lights.

A line item of \$5, 000.00 is asked for in the 2003-04 budget.

**PROPERTY MAINTENANCE COMMITTEE REPORT: Mr. Gordon reporting.
Van Dyke Village:**

30 letters have been sent to residents of Casimir Drive and Stuyvesant Avenue, as of this meeting. 29 certified mail cards have been returned, 15 signed papers and 1 letter.

Stockton and Wilmington Manor Gardens:

Mr. Taylor said if we identify the location, he could help us with owners names. Ms. Banks has a copy of the last mailing in 1990, but many properties have changed ownership.

New Library:

Mr. Gordon reported that monies have been requested for a new roof on the New Library in the amount of \$40,000.00, however, that would have been for an asphalt roof. The Committee believes the building warrants a copper roof at an estimated cost of \$131,000.00. This expenditure is on hold, possible could be covered over several years.

FINANCE COMMITTEE REPORT: Mr. Peden reporting.

Finance Committee met with investors on January 22nd and they “just do not know”.

Mr. Peden presented the budget to be approved in March. Noting insurance and scholarships, Fire Company and Tree Commission as well as list of items requested by the City

NOMINATING COMMITTEE REPORT: Mr. Peden reporting.

The proposed officers and committee assignments were presented. If anyone wishes to be on or off of a committee, it should be done before the next meeting.

LIBRARY COMMITTEE:

No report.

OPEN SPACE COMMITTEE:

No report

BY-LAWS COMMITTEE:

No report.

BUILDING RESTORATION COMMITTEE REPORT: Mr. Lane reporting.

Old Library repairs were discussed. Committee will meet on February 19th at 4 p.m..

BATTERY PARK COMMITTEE:

No report.

GOOD WILL FIRE STATION REPORT: Mr. Indellini for Mr. Koczak.

Mr. Koczak has requested plot plans for the Glebe property as well as Professional Center property to give to the architect

Windows on the Fourth Street side of the building are leaking. This was referred to Property Maintenance Committee.

OTHER:

Mr. Toner suggested looking into the triangle owned by St. Peters Church at Sixth Street and Ferry Cut-off, subject to environmental issues.

COMMUNICATIONS:

Ms. Banks had picked up the copies of the group photo for each member to have.

NOTED:

The Board would like to "Old City Garage Property" returned before April.

Letter to be drafted and sent to Mayor and City Council, Planning Commission, etal that unless full approval has been given, the City is not to offer or negotiate with anyone any property that belongs to the Trust.

There being no further business, the meeting was adjourned for an Executive Session.

M. Anita Banks, Secretary.

January 7, 2003

The meeting of the Board was held Tuesday Evening, January 7, 2003 in the Trustees Room of the Old Town Hall.

Present Messrs. DeAscanis, Quillen, Gambacorta, Appleby, Koczak, Bridgewater, Gordon, Wilson, Indellini, Peden, Toner and Ms. Banks (12) and Andrew P. Taylor, Esq.

The meeting was opened with a moment of silence.

The calendar was updated, adding the New Castle Community Progressive Club breakfast on Saturday, January 25th at 9:00 a.m., Ramada Inn.

The minutes of the previous meeting were approved.

The Treasurers report was accepted as submitted.

PROPERTY DEVELOPMENT COMMITTEE REPORT: Mr. Indellini reporting.

Centerpoint:

Mr. McConnell is still interested in parcel 3 and 4. Discussion was held on the hangar. Mr. Bridgewater had someone make an inquiry just today and Mrs. Jan Churchill has had several groups express an interest, but no funds. Mr. McConnell has agreed to move this structure.

Since no one has come forward with a **solid inquiry** a motion was made and approved to apply for a demolition permit immediately.

Sailing Club:

Awaiting the appraisal from Allen Appraisers.

Twin Span:

The Gate is installed and the road is closed. Trying to work out a maintenance plan to maintain the swale where tractors can't reach.

Ferry Cut-off:

Awaiting sub-division from VanDemark & Lynch and title search.

Request from City:

Request from City for parkland is still on hold.

Request for sign:

Letter received from "Park Salon" requesting permission to erect a sign on West Third Street, vic. of Foundry Street, directing customers to the rear of 208 Delaware Street was denied. Owner will be so notified.

It was noted that a CPI increase is due on Amazon.com parcel. Ms. Banks has just received the copy and McConnell Development will be so notified.

OUTREACH COMMITTEE REPORT: Mr. Quillen reported.

An Appreciation Party, for those who serve on Committees of the Trustees and Trustees and their spouse or guest, will be held Thursday Evening, January 23, 2003 from 6:00 p.m. until 7:30 p.m. at the Arsenal in Old New Castle. All Trustees are urged to attend.

PROPERTY MAINTENANCE COMMITTEE REPORT: Mr. Gordon reporting.

Mr. Gordon reported that inspection had been done on the properties in Van Dyke Village (Casimir Drive and Stuyvesant Avenue area) and that more than one property owner is encroaching on Trust property. Letters will be send to 30 residents, certified mail, return receipt.

The culvert problem behind Wilmington Manor Gardens being clogged by the beaver, DelDot has agreed to look into this obstruction.

FINANCE COMMITTEE REPORT: Mr. Peden reporting.

Papers are ready for signatures and seals as well as signature cards, setting up a new account just for the police station with PNC.

Interest is still at prime less ½%.

LIBRARY COMMITTEE:

No report.

OPEN SPACE COMMITTEE:

No report.

BY-LAWS COMMITTEE REPORT: Mr. Wilson reporting.

Committee had a meeting on January 6th.

BUILDING RESTORATION COMMITTEE REPORT: Mr. Gordon reported.

Will schedule a meeting to formulate work on the Old Library.

BATTERY PARK COMMITTEE:

No report.

GOOD WILL FIRE STATION COMMITTEE:

No report

COMMUNICATIONS:

A thank you note was received from the "Spirit of Christmas" committee, thanking the Trust for the monetary contribution.

A thank you note received from Arasapha Garden Club, thanking the Trust for their generous grant and helping make the town festive at Christmas.

FROM THE OFFICE:

28 Environmental Letters were sent out and 17 have been completed, the balance will get a reminder next week

12 Letters for Budget requests have been sent, 6 have been returned, due date 01/11/03.

Forms for nominations of officers and committee assignments being passed out at this meeting, ask that they be returned by 01/11/03.

Nominating Committee, comprising of Chairman of Finance, Outreach, Property Development and Property Maintenance will meet on 01/20/03 at 4:30 p.m.

NOTE:

A group of fifteen Fulbright American Studies Scholars visited New Castle on January 7th and were greeted by officials of the City and exposed to the history of New Castle. Mr. Richard M. Appleby, Jr., spoke to the group, explaining the Trustees.

There being no further business, the meeting adjourned for an executive session.

M. Anita Banks, Secretary

December 3, 2002

The meeting of the Board was held Tuesday Evening, December 3, 2002 in the Trustees Room of the Old Town Hall.

Present Messrs. DeAscanis, Quillen, Gambacorta, Appleby, Koczak, Bridgewater, Gordon, Wilson, Indellini, Lane, Peden, Toner and Ms. Banks (13) and Andrew P. Taylor, Esq.

The meeting was opened with a moment of silence.

The calendar was updated adding:

Outreach Committee Meeting, Wednesday, December 18th at 4:00 p.m.

Executive Secretary Search, Thursday, December 19th at 3:00 p.m.

The minutes of the previous meeting were approved.

The Treasurers report was accepted as submitted.

PROPERTY DEVELOPMENT COMMITTEE REPORT: Mr. Indellini reporting.

Centerpoint:

Property Development Committee recommends going forward with leasing parcel #4. Motion was made and approved. This would be leased to McConnell Development.

Discussion on the hangar was very involved. Property Development has talked with the Delaware River & Bridge Authority, Pilots Association and Historic Aviation Group, and many local citizens. There is interest in the hangar if we were to restore it and maintain it for their use but none have an interest otherwise. Have not been successful in contacting any of the Bellanca family.

A motion was made that if we are still unable to get anyone interested, that the building be torn down. Deadline for this, March 31, 2003.

After another discussion, a motion was made to table the above motion for another month. Mr. Wilson voting NO.

New Castle Sailing Club:

Building and land appraisal being done by Allen Appraisal Company.

Twin Span Industrial Park:

A very involved discussion took place on the contract with Twin Span, in particular why the Glebe Lane is not closed to traffic beyond the cemetery. It being reported that the truck terminal operator had not accepted using the new road.

A final motion was made and approved to “Petition the City to close the gate on Glebe Lane (6th Street extended) pass the cemetery.”

Professional Center—Ferry Cut-off:

Continue to work on it.

Washington Park—Parkland:

This item put on hold.

Planning Commission:

Comprehensive Plan showing open space parcels (undeveloped property) was passed around to the Board. Copies will be sent to the Board from the office.

Old City Garage—4th & Chestnut Street:

City is willing to give back this parcel and the Trustees will accept this with an environmental certification. Motion was made and approved.

Other:

A check was received for \$2,600.00 from DelDot for sidewalks along the Basin Road parcel, behind Schoolside Apartments.

OUTREACH COMMITTEE REPORT: Mr. Lane reporting.

The Outreach Committee proposes a “Recognition Cocktail Party” to thank volunteers on Trustees Committees, at the Arsenal on January 23rd or 24th, 2003. The invitation also includes all Trustees and spouse or guest. Plans are going forward.

PROPERTY MAINTENANCE COMMITTEE REPORT: Mr. Gordon reporting.

Property owner Lilly at 137 Casimir Drive, Van Dyke Village, has debris behind his property. Notice will be sent to remove it within 30 days.

Good Will Fire Hall: Fill dirt has been placed and planted with seed around the building in hopes of elevating the dampness problem in the basement. The final is also being worked on.

Have trapped some Beavers and hope this will take care of clogging the culvert.

Property Maintenance Continued:

Sluice Gate—Third Street: Soil Conservation has notified the City that the contract is ready to be put out for bid. The City in turn has sent the Trustees a letter requesting \$16,500.00. The total cost of the project to be \$400,000.00. \$300,000.00 will come from the 21st Century Fund, \$80,000.00 from the Highway Department and \$3,500.00 from the City of New Castle, needing the balance to be at least pledged before it can be bid.

A motion was made and approved to pledge the \$16,500.00, putting it in 2003-2004 budget it at all possible.

FINANCE COMMITTEE REPORT: Mr. Peden reporting.

The new “Police Station” to be built at 820 Wilmington Road on the Municipal Services site: the following motion was made and approved.

“That the Trustees approve the new agency agreement with PNC Bank, Delaware and the Trust will borrow approximately \$2,000,000.00 for construction of a new Police Station and Municipal Services building, to be secured with marketable securities held at PNC Bank, Delaware.”

A copy of this resolution will be forwarded to PNC immediately.

LIBRARY COMMITTEE:

No report.

OPEN SPACE COMMITTEE REPORT:

A meeting had been held and Mr. Indellini was made Chairman of this committee. Meetings will only be held when necessary.

BY-LAW COMMITTEE REPORT: Mr. Wilson reporting.

Meeting had been held and worked on corrections needed. The “Election” section is being brought up to date and will be ready for review. Aim is to have final draft ready for the beginning of the next fiscal year.

BUILDING RESTORATION REPORT: Mr. Lane reporting.

The new picture of the Board has been received and will be framed and hung.

BATTERY PARK COMMITTEE:

No report.

GOOD WILL FIRE STATION COMMITTEE REPORT: Mr. Koczak reporting.

Thanking Property Maintenance for having the repairs done.

COMMUNICATIONS:

Ms. Banks reported that:

Audit reports have been received and are being labeled for mailing.

Applications for Scholarship have been sent to the students, schools, churches and are available at the office.

Have received 29 applications for the Executive Secretary position.

Mr. DeAscanis thanked the Board for their prayers and concerns for his family and especially for his brother.

Mr. Taylor is working with Mr. Cavanaugh on a Trust Agreement and City to accept all liability and taxes on the Police Station project.

Ms. Banks was thanked for providing the refreshments at the meeting.

There being no further business, the meeting was adjourned.

M. Anita Banks, Secretary

November 5, 2002

The meeting of the Board was held Tuesday Evening, November 5, 2002 in the Trustees Room of the Old Town Hall.

Present Messrs. DeAscanis, Quillen, Gambacorta, Appleby, Koczak, Bridgewater, Gordon, Wilson, Indellini, Lane, Peden, Toner and Ms. Banks (13) and Andrew P. Taylor, Esq.

Prior to the meeting, a group photo was taken of the Board.

The meeting was opened with a moment of silence.

The calendar was updated adding:

Executive Secretary Search Committee, November 14th, 4:p.m. Office
By-Law Committee Meeting, Monday, November 25th, 7p.m. Town Hall
Moving the PMC Meeting to Tuesday, November 26th at 4:30 p.m. followed
by an Open Space Meeting, November 26th at 5:30 p.m. Town Hall

The minutes of the previous meeting were approved.

The Treasurers report was re-issued showing correction on petty cash and Library furniture.

PROPERTY DEVELOPMENT COMMITTEE REPORT: Mr. Indellini reporting.

Centerpoint:

A very long discussion took place on the Centerpoint sub-division. McConnell Development would like to lease parcel 3 and parcel 4, which includes the old hangar. Discussion as to what can or should be done with the hangar, if it is one of the very few or the only one of its kind existing.

Mr. Indellini attended a meeting recently with members of the Historical Society and received information on trying to get the hangar on the National Register. This would be fine but the question still exists as to who will maintain the structure and for what purpose.

The Board agreed that all efforts should be looked into:

Should the hangar be relocated ?

Whose responsibility is it for the upkeep ?

Contact someone of the Bellanca family.

Ask Ms. Jan Churchill for input.

Contact Mr. Frank Shahan at the New Castle County Airport to see if there is
Interest in moving the hangar to the Airport.

After receiving as much information as possible, the Board may be able to come up to a final decision.

Mr. McConnell still has the option on these two parcels.

New Castle Sailing Club:

Mr. Taylor is still looking into ownership of the land and Mr. Indellini is to have an appraisal done by Allen Appraisals.

Twin Spans Industrial Park:

A meeting had been held with Twin Span representative, Messrs. Martin, Bergstrom and Castagno and we find that the gate has been installed, but in the wrong place. It is in front of the cul-de-sac rather than behind it. In order to close Glebe Road (Sixth Street Extended) there must be sufficient roadway for two large trucks to pass.

The swale is not where it is supposed to be and curb cut was not put in as requested. The tractor now must go through Municipal Services to do their cutting. The absence of the curb cut was okayed by Mr. Martin without TNCC knowledge.

The Board asked that the City stay out of things which the Trustees should answer.

The final date for all of the above to be corrected is December 31, 2002.

Ferry Cut-off Sub-Division:

Going to have the parcel sub-divided into possibly 5 additional parcels. Van deMark and Lynch will be contacted to do this job. The original layout was done in 1994 and will be considered. Electric, water and sewer are already available.

Parkland for Washington Park Area:

This will be put on the City agenda for December.

Fulton Property—Fourth & Chestnut Street:

Parcel swap has been accepted as shown on the second plan that was submitted by Mr. Wijkowski.

Alpha Real Estate:

Mr. Rocco Carzo, III, has requested assigning his lease at 196 N. duPont Highway, (Tremont Motel) to his sub-tenant, Rhambai Patel.

A motion was made and passed to **not** assign the lease.

Mr. Carzo will be so notified.

Gambacorta: (Carriage Realty):

Found that sewer connection had to be corrected. Cooper Brothers installed pipes to tie in with Dempsey's. All of this to be done before final asphalt is put down.

Buttonwood School:

Papers were finalized last month on this property.

OUTREACH COMMITTEE REPORT: Mr. Lane reporting.

Little League:

Lease is signed for another year. (Extended until September 1, 2003)

Their Board of Directors would like to light the fields.

Appreciation:

Outreach Committee would like to arrange for an Appreciation Party, sometime after the holidays, showing the Boards appreciation to those who serve on committees of the Trust.

PROPERTY MAINTENANCE COMMITTEE REPORT: Mr. Gordon reporting.

Good Will Fire Station:

Working on having the finial at the Fire House repaired: taken down, rebuilt and covered with fiberglass and at a cost of approximately \$6,000.00. Work is being done by AJR Construction, (Angelo Rispoli).

FINANCE COMMITTEE REPORT: Mr. Peden reporting.

Quarterly meeting was held on October 23rd with all three agents. Portfolio is coming back.

LIBRARY COMMITTEE REPORT: Mr. Peden reporting.

The new furniture bought, has now been placed in the Rodney Room.

The new Library Endowment Fund has already reached \$9,000.00.

OPEN SPACE COMMITTEE:

Will have a meeting following Property Maintenance on November 26th in the Town Hall.

BY-LAW COMMITTEE:

Will hold a meeting on November 25th at 7:00 p.m., Town Hall.

BUILDING RESTORATION COMMITTEE REPORT: Mr. Lane reporting.

Old Library:

The Old Library outside painting has been done.

Town Hall:

The last "old" picture has been restored.

The property maps have been installed in the Trustees Room.

BATTERY PARK COMMITTEE:

No report.

FIRE STATION COMMITTEE REPORT: Mr. Kozak reporting.

Their committee has selected Wayne Hughes of Alexandria, Virginia as architect for a new building.

COMMUNICATIONS:

A letter was read from a committee sponsoring "Spirit of Christmas" on Saturday, December 14th and asking for a donation toward a banner or the events of the day. A one time donation of \$200.00 was authorized be made.

Mr. Appleby abstained from voting.

A letter from City Administrator Robert W. Martin was received regarding the 3rd street dyke (along the walkway path) stating the City needs \$16,500.00 in matching funds before this project can be advertised.

The letter will be returned to Mr. Martin and Mr. Appleby will check with Mr. Larry Ireland on this matter.

On Friday, November 8th at 10:30 a.m. Veterans Day will be remembered at Fort Casimir Memorial Park and all are invited to attend.

There being no further business, the meeting adjourned for an executive session to discuss a negotiation on a real estate lease.

M. Anita Banks, Secretary.

October 1, 2002

The meeting of the Board was held Tuesday Evening, October 1, 2002 in the Trustees Room of the Old Town Hall.

Present Messrs. Quillen, Appleby, Koczak, Bridgewater, Gordon, Wilson, Indellini, Lane, Peden, Toner and Ms. Banks (11) and Andrew P. Taylor, Esquire.

Due to President DeAscanis being absent, Vice-President Lane chaired the meeting.

The meeting opened with a moment of silence and with our own special prayers for the brother of President DeAscanis and their family.

Prior to the business meeting, Mr. Robert Briggs of Insurance and Financial Services, spoke to the Board regarding the increase in insurance rates of about 40% and reported that over the last 5 years, the Trustees have had 117% loss or \$157,310.00. Mr. Briggs was asked what items were covered in this loss and discussion took place on, as he reported, a slip and fall at Pizza Hut a lease of 326 Associates. Mr. Briggs will look into why the Trustees are being charged for this claim and report back.

NOTE: Mr. Briggs called the office on Wednesday 10/02/02 and reported that \$125,000.00 of the \$157,310.00 loss is actually the reserve being set up due to the Murphy vs. Trustees claim not as yet settled.

Mr. Stan Sykora of the New Castle Planning Commission spoke to the Board regarding the progress being made on the Comprehensive Plan and passed out a report which becomes.....EXHIBIT 'A'

The business meeting was called to order.

No additions were made to the calendar, a reminder of the Finance Committee quarterly meeting on the 23rd.

Minutes of the previous meeting were approved.

The Treasurers report was accepted as submitted.

PROPERTY DEVELOPMENT COMMITTEE REPORT: Mr. Indellini reporting.

Fulton Property:

The request for a parcel of land on Chestnut Street at Fourth (184 E. 4th St.) was discussed and the offer to sell at \$35.00 per square foot, brought this piece of land out of reason.

Mrs.Fulton, having been in attendance, owns a piece of ground on the opposite side of Chestnut Street and is willing to swap parcels.

Mr. Indellini will contact Mr. Robert Wijkowski regarding this swap. Mrs. Fulton was in agreement with this concept.

Motion was made and approved to do a land swap.

Centerpoint:

Waiting to hear from Mr. McConnell on his history study of the hangar.

Buttonwood School:

Mr. Taylor has the deed to be sealed and will be in touch with their attorney, Mr. Jacob Balick. The Civic Association has obtained their 501 C (3) rating.

Sailing Club:

The matter of ownership of the parcel of land was once again discussed. There are indications that by adverse possession this can possibly be settled. Mr. Indellini will go forward with an appraisal.

Twin Span Industrial Park:

The drawings "As Built" still have not been received.

The cul de sac has been presented to the Church and approved.

Motion made and approved that if there is no construction activity by October 13, 2002, we take action.

Penn Mart Shopping (New Castle Shopping Associates):

Representatives met with PDC on Monday, September 30th and they are getting their own appraisal. Find that their attorney is Mr. Dennis Spivack.

St. Francis---Professional Center:

The appraisal has been received from Allen Appraisal Associates and they recommend sub-dividing the parcel. (The original drawings showed a number of parcels)

A motion was made and approved to sub-divide the parcel into 5 or more, also to refer to the early development drawings.

Basin Road Property:

The appraisal has been received on this parcel as well.

City's request for Parkland at Washington Park:

PDC will set up a meeting with Planning Commission and City Council representatives to discuss this further.

Basin Road Sidewalks:

Still working with Del Dot on the easements.

OUTREACH COMMITTEE:

No report.

PROPERTY MAINTENANCE COMMITTEE REPORT: Mr. Gordon reporting.

Railing at the Old Library has been repaired.

Beaver problem on property blocking drainage.

Estimate on the vandalism done in the hangar is approximately \$5,500.00. (87 Steel window frames and all lights and tile) A copy of the estimate is being sent to Delaware Center for Justice.

FINANCE COMMITTEE REPORT: Mr. Peden reporting.

Audit report has been received and being prepared with the supplemental information for printing.

LIBRARY COMMITTEE REPORT: Mr. Peden reporting.

“Friends of the Library” has been disbanded, their monies will be given to the Library.

A new program has been established “An Endowment Fund” in cooperation with the Delaware Community Foundation. The revenue generated will be used for special enhancements, equipment etc. which is not within the normal budget.

Mr. Peden will keep the Board informed about its progress.

OPEN SPACE COMMITTEE:

No report.

BY LAWS COMMITTEE:

No report.

BUILDING RESTORATION COMMITTEE:

No report.

BATTERY PARK COMMITTEE:

No report.

GOOD WILL FIRE STATION COMMITTEE REPORT: Mr. Koczak reporting.

The cupola is being worked on. The window in the entry vestibule is leaking. Have asked PMC to look into window.

COMMUNICATIONS:

Several thank you notes have been received for the scholarships.

City Council President Castagno, being in attendance spoke that a new permit program will be introduced on October 8, 2002 to which the Board is invited.

In October 9th, 2002 at Noon, the ground breaking for the new NEW CASTLE CITY POLICE and MUNICIPAL SERVICE BUILDING will take place and the Board is invited to attend.

There being no further business, the meeting was adjourned for an executive session.

M. Anita Banks, Secretary

September 10, 2002

The meeting of the Board was held Tuesday Evening, September 10, 2002 in the Trustees Room of the Old Town Hall.

Present Messrs. DeAscanis, Quillen, Gambacorta, Koczak, Bridgewater, Gordon, Wilson, Indellini, Lane, Peden, Toner and Ms. Banks (12) and Andrew P. Taylor, Esq.

The meeting opened with a moment of silence and in remembrance of September 11, 2001.

No additions were made to the monthly calendar. Mr. Quillen added that the British Car Club Show will be on Battery Park, September 29, 2002.

The minutes of the previous meetings were approved. Mr. Quillen questioned if there should be minutes from Executive Sessions. Mr. Taylor will check to see if they are required to be part of the minutes.

The Treasurers reports were approved as submitted.

PROPERTY DEVELOPMENT COMMITTEE REPORT: Mr. Indellini reporting.

Centerpoint:

Lease to be drawn with Mr. Paul McConnell for Parcel 3 and 4 with the same appraisals and CPI's as Amazon.Com and lease to expire in 2077.

Mr. McConnell is doing a preservation study on the hangar.

Tax abatement was discussed on the Amazon building. Year 2002-2003 will be at 50% on the building.

Soda Towne:

The old building has been demolished and steel has been erected for a new building. There was an environmental problem with old tiles, etc. and cost approximately \$2,000.00. Van Demark & Lynch also has submitted an invoice for engineering services for final plan.

Mr. Henry Gambacorta abstained from voting.

Buttonwood School Property:

Buttonwood Civic Association now is a 501 C Agency. Trustees are ready to transfer property to them.

Mylars are signed and ready to go to Recorder of Deeds for sub-division.

New Castle Sailing Club:

Still working on clarification of ownership of land.

New information from New Castle County shows an additional parcel and deed back to 1900. Mr. Taylor will look into this.

Twin Span Industrial Park:

A very involved discussion took place on the items not completed.

A motion was made and approved that “If east sixth street is not closed by September 22, 2002, by an electronic gate, they must comply with the terms of the lease”. This gate was to have been operational no later than the opening of the new road.

Other non-addressed items such as catch basin, approval of sign and curb cuts will be dealt with when they reply to the road closure.

Penn Mart—New Castle Shopping Associates:

Representatives will meet with Property Development Committee on September 30, 2002 to discuss lease.

St. Francis Unit—Professional Center:

An inquiry has been received from Dr. James, that she is interested in taking over the lease when the lease with St. Francis expires on April 30, 2003. Property Development Committee will get an appraisal and work on a lease accordingly.

Ferry Cut-off and Basin Road Property:

Awaiting an appraisal from Allen Appraisals before contacting Mr. Alan Perry of Montchanin Developers who has expressed an interest in a portion of property.

Request for Parkland at Washington Park:

Discussion took place on this request and it was decided to await the Planning Commissions report.

Greenway:

An involved discussion was held on the possible Greenway Walk being located through the old train track area in the vicinity of Washington Greene. The Board is not in favor or interested at this time to be a part of this project.

Fulton Property—184 East Fourth Street:

An inquiry has been received from Mrs. Norma Jane Fulton as to an encroachment on Trustees property of a chimney.

The Board approved selling the parcel at \$35.00 per square foot and the Fultons paying all costs of transfer. A survey has already been completed.

The Fultons will be so notified of the Boards actions.

New Entrance to Farmers Market:

Construction of the new road will begin September 16, 2002, A-Del Construction was the low bidder.

Mr. Indellini will visit the Quigley's, the Penn Farm tenants, and advise them how much ground will be used for the new entrance.

Basin Road Easements for Sidewalks:

State Highway Department temporary easements will be signed for the east side of Basin Road and in the vicinity of the Getty station

BJ'S Liquor Store:

Approval was given for the plans of the liquor store adjoining BJ's.

It was also noted that the temporary storage trailers will no longer be needed and will be removed.

OUTREACH COMMITTEE:

No report.

PROPERTY MAINTENANCE COMMITTEE REPORT: Mr. Gordon reporting.

New roof has been put on the equipment building at Battery Park.

Ms. Marian Young of Wik Associates has made contact regarding the piece of property at 7th & Washington known to us as an "Abex Parcel".

Denrec has 3 wells on this property and area needs to be kept clear of trees and brush. Mr. Taylor will check to see if Abex is responsible for this maintenance.

New Library: New sills are being put in windows.

Dialysis Building: Have installed 2 panes of glass.

Fire Station: Finial on the cupola is leaking and will need major repairs.

Second Street behind Town Hall: Pipe fence has been hit.

FINANCE COMMITTEE REPORT: Mr. Peden reporting.

Loan has been secured from PNC for the Police Station at prime minus ½ point or 4.25%, up to two million dollars with no fees.

After an involved discussion the following motion was made and approved.

‘That the Trust borrow 2 Million dollars for the new police station and use part of our assets at PNC as collateral.’

Attached to the minutes of the June meeting were details of the transaction between the City and Trustees for the former Van’s property (Old City Garage). The details spell out that if at any time the City should offer this property for sale, it must be sold back to the Trustees for the same amount (March 07, 1972)

Since the City did not use this parcel for the police station, A motion was made and approved to move forward with requesting the City to return this property.

Taxes:

Ms. Banks reported that the Tax Bills this year were very complicated, especially with the annexation bills. That billing was completed then had to be re-billed. There were 32 annexation bills for an assessment of \$17,398,500.00 and billing of \$75,500.00.

The normal city, county and school tax bills: 78 properties, 219 bills, assessment of \$32,838,200.00 or total tax of \$697,670.00 of which \$57,948.00 belongs to the Trustees and \$638,700.00 comes from the tenants.

Ms. Banks was thanked for getting this job done.

LIBRARY COMMITTEE:

No report

OPEN SPACE COMMITTEE:

No report

BY-LAW COMMITTEE:

No report.

BUILDING RESTORATION COMMITTEE REPORT: Mr. Lane reporting

The 1914 picture of the Trustees has been re-done, new glass, acid free mat and the original frame. Will continue with the restoration of other photos.

Old Library: Painting contract given to Jamestown Painting in the amount of \$6,600.00

The matter of having a new group picture done was discussed and will try for October 1, 2002.

The maps being brought from the Library was again discussed.

BATTERY PARK COMMITTEE REPORT: Ms. Banks reporting.

Enclosed with the minutes and agenda was another letter from Mr. Chris Confer regarding the dumpster.

The dumpster should stay where it is now for safety reasons. If planting was permitted it must be made clear Trustees are not responsible.

GOOD WILL FIRE STATION COMMITTEE REPORT: Mr. Koczak reporting.

Problem with the cupola is being handled by Property Maintenance.

COMPUTER:

Fully functional system is now installed at a cost of \$4,515.00.

CORRESPONDENCE:

A thank you from Alzheimers Association for donation made in memory of Marian Kee Tobin, (Mrs. J. Herbert Tobin).

SCHOLARSHIP REPORT:

The yearly report has been received by the Board and a "Thank You" will be sent to the Committee for all their work and the great report.

A motion was made for an Executive Session.

Following the Executive Session, there was no further business and a motion was made to adjourn.

M. Anita Banks, Secretary.