



**Board Meeting Minutes
September 30, 2023
Bethany West Meeting Room
and Via Zoom**

President Dave Wiecking called the meeting to order at 9:30 a.m.

Board Members in Attendance: Dave Wiecking, Paul Bradley, Margie Cyr, Kate Mounteer, Don Deraska, Kerry Hall, Holly Fluty Dempsey, George Rayburn, Bob Wood (via video link), and Cathy McCallister (Solutions Property Management)

Community Members: Peggy Taylor, Susan Hillebrecht, Scott Van Ness, Greg Pichler, Jim Dempsey, Mark McCulloh, Joe Woolman, Jerry Kafka, Harriet Weiner, Tom Glasgow, Aldona DeBold, Bill & Diane Gay, Jane Certo, Richard Certo, Carrie Maslen, Mary Vollmer, Ed Hendrick, Ellen and Alan Lescht

Don moved and Margie seconded that recording of any type of the meeting except for the Zoom recording initiated by the Board or its property manager is not allowed. All were in favor.

Meeting Minutes:

- Don moved and George seconded approval of the August 19, 2023 Board Meeting minutes. All were in favor.
- Paul moved and Don seconded approval *for accuracy only* of the September 2, 2023 Community Meeting. All in favor except George abstained.
- Paul moved and Bob seconded approval of the September 2, 2023 Board Organizational Meeting minutes, with one correction from Margie to include that she nominated Bob Wood for President, Holly seconded, but he respectfully declined. All approved except George abstained.

Property Manager's Report:

Cathy McCallister (Solutions Property Management) reported that she will be working with Holly to put out an RFP for landscaping services. Holly mentioned that she will be surveying the community first. The Republic contract for trash removal will also end in January, and although there are very few firms available, Cathy will try to secure three bids.

President's Report:

- Dave thanked Val Peizer (website / technology) and Bill Gay (commercial) for their service to the Board and the community. George moved and Holly seconded that Val and Bill be recognized with a small gift from the Association. All were in favor.

- Dave reported that the website will be transitioning to Solutions Property Management (SPM). Input about the menu structure for the new website is welcome. Dave also noted the need to have one official login per property for certain functions like surveys, while maintaining access to general website information for more people.
- There were 8 email blasts in September, all of which endeavored to send community members to the website so that they will get used to looking there for information. Holly noted that over-communication is better than under-communication.
- The Social Committee will continue to welcome new members to the community. SPM will be sure new members have a directory and access to the website. SPM handles resale packets for new owners.
- **Committee Chairs:** Dave announced committee chairs: Budget and Finance, Bob Wood; Building, Margie Cyr; Community Patrol/Security, Kerry Hall; Community Facilities, Don Deraska; Beach, Mark McCulloh.

A discussion took place about the importance of having a board liaison for commercial property owners. Bil Gay has chosen not to continue in that role. George volunteered to do it. Margie recommended Jon Capon. George will serve as committee chair and will ask Jon Capon to be involved.

Ad Hoc Committees:

- Don moved, Bob seconded Holly as Landscape Chair, all approved except Holly who abstained.
- Dave moved, Don seconded Paul as Nominating Chair, all approved.
- Kate will continue as Social Chair for the rest of month and will seek a replacement.
- Dave reported that we have been approached by a contractor for Sea Colony about beach replenishment efforts being considered, which would require our agreement to allow them on our property. Accordingly, Dave proposed a Sand Committee with Steve Larsen as chair, and Paul Bradley as a member. Bob moved, and George seconded the proposal; all approved.
- **Board Emails** Dave asked that any emails addressed to the board as a whole be answered by him, or he will forward them to the appropriate person. Holly asked that we address this further at a Board organizational meeting.

Treasurer's Report: Bob referred us to his written report that is posted on the website for the period ended August 31, 2023. We have effectively moved all the monies into Morgan Stanley and they are now invested into the CDs which are rolling based on policy on the website. We have about \$30,000 of money market funds in the beach replenishment account, and \$50,000 of money market funds in the capital account, both of which are earning interest and provide easily accessible funds. Bob is correcting some items that have been misclassified in the expense statement.

Budget/Finance Committee: Dave raised the question about whether we need a new Reserve Study. Bob plans to propose next month a policy statement on use of reserves and operating

budget. This will include a conversation about a Reserve Study. Cathy McCallister offered to share information about reserve studies that she has.

Building: Margie reported that the Building Committee is really busy. She has been working closely with SPM.

- Upon Margie's recommendation, George moved, Don seconded that the entire construction bond in the amount of \$51,465 be returned to the owners of 28 Addy Road. All in favor.
- Saturday work may start on November 1.

Community Patrol (CP) / Security: Kerry is working on some proposed changes he will offer at the next meeting. Dave questioned what happens to the Community Patrol phone during the off-season, as that is the emergency number listed in the directory. Kerry will charge the phone and investigate its possibilities. Dave wants the phone answered throughout the year; long-ago policy was to have that number forwarded to the President's phone, but this has not been done for several years. Kerry also will recommend some bonuses to CP members based on a performance evaluation he created; these will be discussed in Executive Session.

Community Facilities (CFC): Don thanked Ron Thomas for all his work with facilities. The CFC report is on the website.

- Community work days are scheduled for Oct 7 and 8. Volunteers are directed to the website to sign up.
- The CFC handled a member's request to trim some height off a new dune fence.
- Parking spots along East Errett Rd need to be evaluated and re-stripped (in the spring)
- Drainage: continue to measure impacts of what is done; maintain existing swales (the preferred term). Community member Bill Graves will consult. Cathy (SPM) will contact contractor Harry Caswell to get a cost to blow out the buried pipes at the ends of the Pine Side roads. Holly asked if there is a schematic plan for the community drainage system, and if it could be made public. Dave said yes and yes.
- Don and Dave explored community property along Pine path to see if it could be better used, but found that MBA does not own as much land as he had thought. They will be replacing about 100 feet of fence at the back of Bridge Rd.

Landscape Holly reported on initiatives including removing invasive species and collecting pine needles. Clean pine needles, such as those blown off roofs, may be bagged and dropped at 25 Addy (or pick up can be arranged.)

- Kate asked if community members could volunteer to do work along Beach Plum. Holly would like interested members to email her before doing any work, but they should not be pruning bushes as there is a contract for that.
- Margie asked if we will be reaching out to Sussex Conservation to ask for help and advice about removing invasive species. Bob reported that there is \$50,000 for drainage maintenance in the budget; some of this *could* be used for ditch (swale) clean up including removal of invasive species.

- Holly will prepare a survey about landscaping needs to help inform the scope of work for the RFP for a new landscaping contract. Dave and Cathy are helping with the RFP.
- Dave reported that he found three of the property corners of the Delmarva Power substation in the ground. The fourth (nearest the Bridge Rd gate) was found lying on the ground a few feet away, but he has a good idea of where it should be. This is enough to start conversations with Delmarva Power about who should maintain what property.

Community Patrol / Security – Kerry asked Don about storing some of the equipment used by the Community Patrol. Don reported that he will take care of this. A discussion followed about where various vehicles will be stored during the off-season.

Beach Patrol – Mark McCulloh reported that it was a relatively quiet season until the last two weeks, when we were luckily fully-staffed, while many other area patrols were not. He expects a good number of returning guards next year. The “perks” our guards get are very important to maintain our staffing. The new guard shack worked well; the only consideration he requested would be to extend the roof to the east to provide a bit more cover. Mark will be recommending bonuses for members of the Beach Patrol, which will be discussed in Executive Session. Bob reported that we have money in the budget to cover that.

- Mark and Bob have reviewed the financial relationship we have with Indian Beach to provide guards, and are confident that we are charging them the correct amount. The insurance arrangement is also in order.
- Mark discussed fundraising through sale of t-shirts, and assured the community that everything that comes in goes directly to the lifeguards to be used for competitions.
- Margie raised concerns about accounting for the fundraising for guards, and suggested there be a separate entity for this. After some discussion, it was decided that we should have a separate accounting for this kind of activity. Dave assigned this to the Budget Committee.

Social Kate reminded everyone about the Happy Hour scheduled for Oct. 21 from 5 – 7 at the home of Bob and Toni Wood.

OLD BUSINESS

Request for Tent on Beach, 38 Dune. The Board discussed this request, noted the covenant restriction against “tents” and what the intent of that restriction appears to have been. The board’s attorney, Mary Schrider-Fox provided an opinion that while the covenants prohibit tents, we could possibly consider canopies, but there would have to be a rule that pertained to the whole community rather than a single event. Her opinion will be shared with the Board members who have not seen it. Margie pointed out that there is a process for creating a new rule. George moved and Kate seconded that the Board pursue a discussion about the viability of putting temporary canopies up for special events on community property. Dave, Paul, Kate, Don, Kerry, Bob, and George approved. Holly and Margie opposed. The motion passed. Don suggested that this might be a survey topic for the community.

NEW BUSINESS

Proposed Covenants Amendment to prohibit any marijuana-related business in Middlesex. Dave reported that over 80% of survey respondents were in favor of prohibiting any marijuana-related business in Middlesex. Paul had drafted language, which was tweaked by Mary Schrider-Fox. Paul moved and Don seconded that we go forward with a mailing to the community to revise the covenants accordingly. All were in favor.

Middlesex Business Model – Don reminded the Board that Ron Thomas asked us to consider our business model, and made many recommendations.

COMMUNITY COMMENTS

- Susan Hillebrecht thanked the Board for making the meeting available by Zoom.
- Joe Woolman asked about an 80,000-gallon water leak related to the new guard shack. Bob and Dave reported that the cost was capped by the water company, and we only paid 300 or 400 dollars.
- Joe Woolman expressed concern that the ground behind the planter boxes on the south side of E. Addy Rd needs to be mowed. He also noted that the stretch of property along Rt. 1 looks shabby. Dave replied that these items will be addressed, and Holly reiterated that there will be a survey circulated to get more owner input about landscaping. Holly also reminded the community that more landscaping will cost more money.
- Susan Hillebrecht asked again that a “No Outlet” sign be posted on the east side of Beach Plum by Addy Rd. Dave mentioned that over the summer CFC had found and installed older “No Outlet to Kent Ave” signs at some streets and there had been requests for matching treatment on all roads.

Paul moved, and Don seconded to adjourn to Executive Session. All approved. 11:22 a.m.

Respectfully submitted,
Kate Munteer, Board Secretary

Executive Session topics discussed:

- Personnel: Community and Beach Patrol bonuses
- Guard Shack contract fulfillment
- Potential for real estate rental
- Legal consultation for property setback question
- Board Operational Meeting

9/23/2023 Community Facilities Committee Report

I apologize for not being able to make this Board Meeting but am available by email (donderaska@gmail.com or communityfacilities@middlesexbeach.org, which reaches all committee members) or phone (781-367-1271) for any questions or concerns.

Our committee currently consists of me and George Rayburn; Dave Wiecking demands to be involved in every detail, but we welcome any community member, especially someone on the younger side, or newer to the community, who wants to step in and learn about how much fun it is to care for our 133 +/- acres.

As mentioned in a recent email sent to the Community, we've created a "MBA Work Group" for folks who are available to volunteer with work that needs to be done around the community. Although a work in progress, the idea is to develop a list to send out a text message about upcoming projects so that anyone around/interested in helping can do so with as much notice as possible & a clear idea of the task/time commitment involved. Our group is up to 20 members now & I want to thank everyone who came out to help store the Mobi Mats & clean out/store beach walkway trash cans on 9/17 (Kate Munteer, Val & Jeremy Peizer, George Rayburn, Marty Schechter, Carol & Joedy Smith, Dave Wiecking & Bob Wood). We were able to polish this off in record time (under 2 hours) due to everyone's help & efficient work. Anyone who'd like to be put on this list please text or e-mail me (texting better though!). Again, there is NO pressure or expectation to do so & we realize that people will pitch in ONLY when they are around AND able to devote the time & effort needed.

Other ideas for organizing our volunteer work will be to consider a REGULAR time for work sessions (possibly monthly or every two months) rather than just the Spring & Fall [though we'll continue these too] and posting a spreadsheet on the volunteer page of the MBA website of jobs that need to be done so that people can sign up & get these done.

I want to thank everyone who volunteered for the MBA Litter Patrol that we started this past season. This was very successful & almost all the feedback from everyone was that this is quite easy (and people were doing/continue to do this anyway) but it IS nice to have an organized effort. We'll plan to continue this & add Beach Plum Rd to the areas needing "patrolling." A bounty is still out for "Coors Light Guy" but seems like we're either picking up after him (or her) more efficiently or he's moved on to greener pastures where his (or her) cans may linger longer!!!

We're planning for a Fall Work party on Columbus Day weekend & will send out an email to the entire community/use the MBA Work Group List to provide details on time & tasks ASAP.

Basic "end of season" tasks are underway. Generally, the foot washes and Guard Shack plumbing are winterized in mid-October.

Other issues the CFC plans to tackle:

Signage:

Installation of Middlesex Beach signs in the median of Route 1 (signs are ready, but we need permitting & coordination with DelDot to have these installed). George Rayburn is coordinating this project with Ad-Art signs.

Consider installing down-facing lighting for the signs at the Bridge Rd entranceway in an Eco-friendly manner.

Fencing:

Replace the fencing in the gap of the split rail fence between Short Rd & the Sea Colony overflow parking lot (hopefully in a way that allows golf carts to still pass through as we suspect this is the reason someone took it upon themselves to remove this). For those wondering why we're doing this, the issue of bikers darting out onto Short Rd was raised as a safety/liability issue.

Fixing/replacing fencing along Rt 1 as needed (including replacing punch code locks/fixing gates/gate frames if needed), possibly including replacing portions (which should probably be paid for from our Reserves). Also considering swapping out combination locks on Kent Ave to the same type of punch code lock used on gates along Rt. 1, which would likely require similar types of metal gate frames.

The 1990's era fencing, including the gate, at the west end of Bridge Rd is beyond needing repairs. We're evaluating the MBA property along Pine Path between Bridge & Addy Rds, and are taking into account that we don't actually own the entire width. We believe there's room for a 6' wide path so that we can access our storage there from Middlesex Beach property, and also believe this footpath (entirely on the MBA side of a new fence) can extend to Addy Rd. This will help to maintain the privacy of our community and allow residents who walk/bike & jog there to loop between those two roads. There are significant underground Verizon cables in this area that might make this impractical. We are aware that Holly is planning a project in this general area.

Drainage:

Margie and Paul, in addition to Dave, will continue to be the main points of contact with DNREC and DelDOT regarding their evaluating of Kent Ave drainage and suggestions to the community. Dave wants to update his inventory of the various driveway culverts in the community, and Margie has volunteered to assist in this project. At the west ends of each street are buried sections of pipe; these need to be blasted out on a regular basis. We will get Solutions Property Management to arrange this work with the contractor that's done this for us in the past.

We will be performing maintenance of ALL swales (new preferred term rather than ditches) as part of the Columbus Day weekend work party, will be meeting with DNREC to discuss their plans for Kent Ave (sooner if there is any word from THEM or need to meet). We are looking into any past plans and deciding how best to evaluate the effect of the work that's been done on Bridge & Bayberry Rd (and comparing that to the roads that have yet to be worked on by Lyndon Hitchens of LH Excavating). We will be tapping the expertise of Bill Graves, one of our residents, in this regard. I'll also plan to reach out to and work with South Bethany & Sea Colony public works directors to coordinate our efforts in this matter.

Guard Shack area:

To the east of the new shack are several items that were basically crammed into the available space as the shack was being finished and the season was starting. We intend to

evaluate everything in this area and try to determine if there's a better arrangement. Items in this space include the MBP shower, water fountain, foot wash, lifeguard board storage box and bike rack. We would like to fit in a small bench or table so employees don't have to eat lunch while sitting on the steps to the bathroom, in addition to seeing if there's a way to provide space out of the rain.

This work would be completely outside of any punch list to be discussed with Champs, the contractor who built the shack this past spring.

Beach Walkways:

We will be fixing/adjusting trash enclosures, maintaining foot baths (including digging these out as needed) and make sure pavers/walkways are maintained/safe. We'll consider adding additional Mobi Mats to the existing two, however these are a significant expense (about \$2500 each 50' section; at least 4 required each crossing) and there are technical issues about placing them (the Polaris vehicles tend to bunch these & wear them down so the Beach Patrol will be limited in using them on walkways with mats, the Bayberry walkway is angled so that placement of mats that come in fixed lengths will be a challenge, etc.). We'll also consider a suggestion made by a community member that we rotate walkways with Mobi Mats on an annual basis – something we should probably poll the community about.

Dunes:

Dave Wiecking & I will be meeting Mike Jandzen (from Aquatic-Marine, LLC) on 9/25 to get his recommendation on maintenance of our Dunes. Mike's company redistributed the sand from our "perpendicular" dunes to the easternmost dune line & installed the dune fencing for us back in the Spring. We'll plan to plant dune grass around January or February-possibly targeting only specific areas because overall we have good coverage. This is something we may pay Aquatic-Marine to do for us this year, or tackle with volunteers as has been done many times in the past (but not recent past).

Bridge Rd pedestrian barricade:

We are planning to fix the section that has been broken for some time now, using the last leftover piece from the original construction.

Landscaping:

We will continue to coordinate & work closely with Holly & the Landscaping Committee to support them as needed. We recognize that "anything that is growing, or is planned to be growing, is the responsibility of the Landscaping Committee."

Vehicles:

George Rayburn has taken it upon himself to become certified in Polaris repair/maintenance. He has gone over the 1 year old electric Polaris (named "EVie"), and will do the 5 month old gas Polaris (named "Isabella"; Holly calls it "Bella"; Dave calls it "Izzy") soon. George bought and donated to the MBA a jack for these vehicles, and is creating maintenance log books (this includes the CP's golf cart), in addition to maintenance schedules. Dave has given George the unofficial title of "Minister of the Fleet".

In the offseason, Isabella will reside out of the elements in Dave's garage, which he can open remotely should someone else need access. EVie will be mostly used by the Landscaping Committee, and will be stored out of the elements as much as possible. Both vehicles will be used for various community projects off and on throughout the offseason.

During this past summer, Isabella has been used by the Beach Patrol, and EVie was available to committee members for projects. There was a period of time this summer when the CP's golf cart was in the shop, and they used EVie for their patrols, including on occasion at nights on the beach. The golf cart is already in storage at Long Neck Golf Carts for an extremely minimal fee, and will be delivered back to us in the spring fully maintained. However, based on a suggestion by Kerry, we will be working with the other Committees to see if there's truly a need for the golf cart in addition to the 2 Polaris's (Polaris?), and/or whether we could sell it for enough to make it worthwhile.

MBA also owns a trailer, which can be towed by either Polaris, and a wheeled landscaping rake, purchased many years ago which has occasionally been used to clean debris off the beach. Each one has narrow tires that make using them on the beach rather problematic (especially towing with EVie), and George will be investigating whether it would make sense to get larger tires/wheels for either in order to make them more useful.

Kudos to George for taking on these tasks!

Additionally, we stand ready to assist the Budget Committee should the decision be made to update our Reserve Replacement Study.

I realize this report is quite detailed & wordy, but I wanted to give an overview of what we're planning for the offseason and promise to keep future reports streamlined.