



BOARD MEETING MINUTES

October 19, 2024

Nally Homes, 33222 Coastal Hwy
and Via Zoom

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

Board Members Present: Dave Wiecking, Margie Cyr, Bob Wood, Kate Mounteer, Paul Bradley, Kerry Hall, Alan Lescht, George Rayburn, and Cathy McCallister, Solutions Property Management (SPM). **Not Present:** Barbara Friedman

Motion re: Recording Meeting Bob Wood moved, George Rayburn 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:

- Bob Wood moved, George Rayburn seconded approval of the September 21, 2024 Board Meeting minutes. All were in favor.
- George Rayburn moved, Kerry Hall seconded approval of the August 31 Board Organizational Meeting minutes. All were in favor.
- George Rayburn moved, Kerry Hall seconded approval *for accuracy only* of the August 31, 2024 Community Meeting minutes. All were in favor. These require approval by the members at the next community meeting.

Community Comments: None at this time.

Property Manager's Report: Cathy McCallister (Solutions Property Management) reported

- Republic Services, which provides our trash collection, has had some issues with staffing which has affected service. This is being addressed.
- Some questions have arisen about the services being provided by the Chester River mowing contract. We are working with them to clarify our expectations, particularly regarding pine needle collection and swale clean out. This contract expires end of December.
- A contract for new plantings at various signage beds (Beach Plum Rd, highway median, Bridge Rd entrance) is still being negotiated with Chester River. We will preserve the boxwoods at the street ends because community members requested this.
- Dave Wiecking reported that he has met with Jeremy Hager of Coastal Plant Care (Corporate name: Land Care Advisory Group (LCAG)) about pest management and plant trimming along community roads.
- SPM has tried to reach the owner at 27 Errett about their fencing along Beach Plum which appears to be falling. Having received no response, the Board asked Cathy to try to reach the owner by phone to ask if he will repair the fence, or if we can have it

repaired at his expense. If no response is received, it will be repaired as best it can from community property.

President's Report: Dave Wiecking

- Requested approval to renew Snow Plow contract with David Elechko, Shore Home Improvements. There was no objection.
- Should we use the same process as in the past to solicit cover photos for the directory? There were no objections to doing so. The process is that community members submit no more than three photos per person. The Board picks ten to submit to community vote.

Treasurer's Report: Bob Wood referred to the written report that is posted on the website for the period ended September 30, 2024.

- A question was raised about additional funds for the Chester River greenscaping contract, and whether this amount is in the budget. The reply was ~~that~~ these costs meet the criteria of a capital project, and the funds will be taken from our Capital Reserve account.
- A question was asked about whether the amount being paid to Community Patrol staff to water and weed in our planting beds was budgeted for. Bob reported that this was not specifically included in this year's budget, but that there are adequate funds available. This should be included in next year's budget.

Committee Reports:

Budget/Finance Committee: Bob Wood. Nothing additional-

Community Facilities: Don Deraska. See full written report. Some notes:

- George Rayburn will service our two Polaris vehicles.
- Guard Shack winterization is planned for this weekend. Thank you, Ken Griffin.
- We are slightly relocating the Bridge Rd dune crossing so that it is fully on community property. Don will inform adjacent neighbors.

Landscaping: (See Property Manager's Report.)

Drainage: Margie Cyr reported that DNREC and DeDOT have a new plan to address drainage along Kent Avenue. They need to get signed agreements from all property owners adjacent to the proposed work areas. There already is a working group of most of these owners. Margie will follow up with DNREC to get the latest version of the plan, which if implemented, is expected to cost upwards of \$1 million.

Commercial: Marty Shecter reported that our new commercial tenant, 19Dough1, will be open year-round, and will sell MXB items. Hats are currently in stock. He also expressed thanks for saving the boxwoods.

Building: Margie Cyr

- Return of building deposits: The Board previously discussed if it would be permissible for the Building Committee to return deposits without approval by the full Board. After the September meeting, it was determined that the Board had the authority to delegate this task to the Building Committee, but hadn't voted to do so. Kate Munteer moved "The Board delegates authority for return of building deposits in the full amount to the Building Committee, if no violations have been recorded." Margie Cyr seconded the motion. All present voted in favor.
- A Construction Monitor (Gary Graff) is touring the community twice a week on alternating Wednesdays, Thursdays, Saturdays and Sundays to monitor construction and verify compliance with rules. He will address issues directly with members or contractors if they are present. SPM will send us reports on Mondays.
- Saturday Exterior work by contractors may begin in November.

Social: Kate Munteer will try to find someone to take over the Social Committee.

Community Patrol: Kerry Hall

- Bonus checks, performance reviews and thank you letters have gone out.
- Equipment has been inventoried and stored. This includes the golf cart.
- There was a question about if we need a new or second phone for the patrol. This is still being determined.
- Use of Scanner: will we continue to scan QR codes on beach passes, or will a paper check list suffice? This is to be discussed at a future meeting. We need evidence to show we are enforcing our private beach.

Beach Patrol: Mark McCulloh, no report.

Sand: We need to put a notice in the local newspaper twice per year, October and March, attesting to the private status of our beach and community. SPM will handle this once they have received the text for the notice.

UNFINISHED BUSINESS

- Margie Cyr will follow up with Nora Alter regarding plans for a **memorial** for her mother.
- **Beach Side Parking:** Bob Aberbach, Virginia and David Liddle, Cindy Keller, and Solange Mintz, Margie Cyr, along with President Dave Wiecking, will comprise the group addressing Beach Side parking configurations so we can maximize available parking for various vehicle types.
- **Pickleball, Basketball, Noise and Lighting:** Paul Bradley and Alan Lescht are leading the effort to address whether we should be making any guidelines or rules regarding sports courts and their use. Community comments are being solicited. Paul will share a collection of articles about these topics with the Board, and asks members to review these carefully before making any decisions. The Board agreed that Paul may invite a

pickleball advocate who works with communities on noise abatement to speak with us at our next meeting.

NEW BUSINESS

- **Beach Replenishment:** Alan Lescht asked if our reserves are adequate to replenish our beach in case of a major hurricane or storm. A lengthy discussion ensued, and Bob Wood noted that the company that does our Reserve Study is expressly unable to give an estimate for the cost of replenishing our beach and dunes. Paul Bradley reiterated that no company is able to estimate a cost for beach replenishment. We believe we need at least \$1 million, and Beach Reserves are currently around \$940,000. With careful investment, and by not dipping into Reserves for operational costs, this account should continue to grow.

Margie Cyr noted that we can't replenish our Beach without permits from the Army Corps of Engineers and DNREC. We had a permit that expired. The Board had re-started the permit process in 2019 or 2020, but the consultant helping us said we would not be successful at getting a permit. Since then, we believe the rules have changed, and the Sand Committee (Steve Larsen, Dave Wiecking, Paul Bradley and Margie Cyr) are actively working to get new 10-year permits.

Move to Executive Session: Bob Wood moved, George Rayburn seconded that we move into Executive Session at 11:08 a.m. for the purpose of addressing personnel matters and Bylaws. All approved.

The Board reconvened in open session at 11:30 a.m.

Adjournment: George Rayburn moved, Paul Bradley seconded that the meeting be adjourned. All were in favor. 11:30 a.m.

Kate Munteer, Board Secretary

Approved 11/16/24

Executive Session topics discussed:

- Personnel
- Bylaws
- Communication with Members
- Corporate Transparency Act

Upcoming Meetings:

Board: 11/16/24, (tentative: 12/14/24), 1/18/25 (or 1/11/25 if Dec. not held), 2/15/25, 3/15/25, 4/19/25, 5/17/25, 6/21/25, 7/19/25, 8/16/25 Community: 5/3/25, 8/30/25

October 2024 Committee Reports

Middlesex Beach Association

Building Committee, Margie Cyr

The Building Committee used the 2012 Construction Monitor contract as a basis for developing a Scope of Work for the potential hiring of a Construction Monitor by MBA to assist the Committee with oversight of the various construction and other work projects going on in the community. This draft Scope of Work was sent to President Dave and Solutions Property Management for review. Dave spoke with an MBA employee to determine interest in assuming that work. Consideration of MBA's hiring of a construction monitor was placed on the September Board meeting's agenda. At that meeting, Solutions offered to take over the management of the work being done by a Construction Monitor as part of Solutions' weekly community drive-arounds and that this would be included as no extra cost to MBA but to fulfill part of their contractual obligations. The Building Committee is working with Cathy to determine if the level of oversight Solutions provides can reduce the oversight work that the Building Committee has previously covered.

There are currently eleven (11) active large projects. The Building Committee has been made aware that two (2) others can be expected. There are currently twenty-four (24) active small projects.

Complaints were received about noise caused by tree work being done on Saturday, October 12, 2024. On a site visit, it was observed that the contractor was doing stump grinding on a very large stump using a motorized saw/stump grinding machine. There is an active permit for tree work at this location. The contractor was advised that work on Saturday was not allowed until November. He stopped work. Because this was a second violation for the same project, the property owner was issued a formal violation for work on a day not allowed.

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Drainage, Margie Cyr

On September 26, 2024, Paul, Margie, and Dave met with Tyler Brown of DNREC for an update on the drainage situation along Kent Ave and the Assawoman Bay area. DNREC and DelDOT have a revised plan that is almost complete with a few modifications being considered. This finalized plan should be available within a few weeks. Tyler will send it to us for our review. The plan includes the installation of underground piping from the MBA side of Kent Ave running under Kent Ave and out to Assawoman Bay along Kent Ave with outflow south of the bridge by Bahamas Beach Cottages. Easements will need to be agreed to by all the property owners along the route. The project is expected to cost around \$1 million.

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Community Facilities, Don Deraska

General: I appreciate the help and feedback from the Community and welcome anyone interested in joining the Community Facilities Committee to contact me by e-mail (donderaska@gmail.com) or text (781-367-1271). Also appreciate the alerts from everyone about things that need to be addressed..."If you see something - say something" works for me!

Roads/signage: We need to decide about which roads to reseal (reviewing “alligating” of existing roads, etc.) and plan to repaint center lines along west side roads between Beach Plum Rd & Rt 1 (they are quite faded).

We have new signs to replace existing worn ones and will get these installed - including a new additional “no left turn” sign to install on the south end of Bridge Rd across from Dollar General.

Drainage: It’s clear that Chester River Landscaping has NOT been performing the swale maintenance that we requested/expected. We had asked for this to be done four times during the year (removing pine needles/leaves/organic matter, growing plants, rocks/sticks or any other debris), but at least the work crew that was here seemed to think they only needed to weed whack the street half of swales when I went out to speak with them last week. I’ll ask Donna to address this by setting up a meeting with someone from Chester River here in MBA and I will plan to be there,

We need to decide about replacing culverts under driveways (most likely starting on Evergreen Rd) in a systematic manner.

Guard Shack area: Ken Griffin will be winterizing the plumbing in the Guard Shack and foot baths on 10/17. I will help him with this.

Beach Walkways/Dunes: Mobi mats were stored for the winter by me, Dave & Marty - we’ll look into repairing our most worn mat(s) if possible and will probably be ordering some more with a plan to have the Bayberry crossing FULLY matted out next season and consider adding mats to the remaining crossings over time. Lifeguard chairs are also put away. Walkway signage with appropriate wording about no Lifeguards on duty is up.

Many thanks to Kate Munteer & Chris Kurtzman for helping Dave and I to start the process of “migrating” the Bridge Rd dune crossing a couple of feet to the north so that it sits more correctly on community property (apparently it seems to have drifted southward over time as posts & fencing was installed). We took down most of the posts and all the boards along the north side and installed roping to keep folks off the dunes. We’ll plan to let nature redistribute the sand, then finish this up and reinstall posts & boards there (in the proper position) in the Spring. Likewise, some of the posts along the southside were removed and will be reinstalled as the remaining posts are moved a bit northwards. We should plan to replace the flagpole which is currently jury rigged and hanging on by a literal thread!

Looking into how to fix the pavers in front of the Guard Shack — there’s a couple of tripping hazards that developed with settling which needs to be attended to, but it’s hard to do without taking up ALL the pavers and resetting them...a bit beyond my abilities! We may have to get help.

Fencing: We need to construct new gates (using the metal frames we have) and replace the existing gates (starting at the west end of Bridge Rd) and will plan to standardize all locks to the same punch set system when we do so. Replacing the post & chain @ the west end of Addy Rd leading to Pine Rd with a vehicle-width gate is also still in the “To Do” list as is reinstalling some split rail fencing that allows for golf carts to pass through on the opening between Short Rd and the Sea Colony overflow parking lot to our north.

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Landscape, Barbara Friedman

- Ongoing review of Chester River Landscaping performance under 2024 lawn care contract
- Ongoing consideration of proposed contractual language and duties for 2025 lawn maintenance contract with Chester River
- Meeting with Coastal Plant Care arborist to determine how best to trim, shape and maintain the trees and large bushes along Community property; review of proposed agreement regarding the same and fertilization; consider moving toward pine bark mulch bed cover rather than pine needles for aesthetic appeal as well as better weed control and holding moisture
- Reviewing Chester River proposal for new plantings around and adjacent to all “Middlesex Beach” signage; an enthusiastic ad hoc committee lobbied to keep the older boxwoods that are behind the street signs, rather than removing and replacing them. It was agreed that the boxwoods would not be removed, but pruned for containment and shaping in early spring. We will keep an eye out for new growth, and if, after the 2025 growing season, they don’t “come back,” their viability will be reassessed.
- Clean up of the pollinator gardens along Beach Plum - most plants have been pruned down, but pruning of the milkweeds should optimally be done in late fall/early winter, so these will be cut down in late November. Also, community members should be aware that milkweed is toxic to pets (and humans) so care should be taken to not let pets walk and sniff around the milkweed garden
- Phragmite (invasive plants) removal from community property and culverts by spray pesticide is still on the table and can be done this fall, or we can cut them back and spray next spring. Will follow up on this

End