



## BOARD MEETING MINUTES

December 14, 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 Munteer, Paul Bradley, Barbara Friedman, Kerry Hall, Alan Lescht, and George Rayburn.

**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:** George Rayburn moved, Kerry Hall seconded approval of the November 16, 2024 Board Meeting minutes. All were in favor.

**Community Comments:** None

**President's Report:** Dave Wiecking

- **Snow removal** - A contract has been agreed to with David Elechko of Shore Home Improvements. We will pay his extra insurance cost (\$600), which will be credited to MBA for first plowing, or kept if no plowing is needed.
- **Corporate Transparency Act (CTA)** – A preliminary court injunction in Texas means that we are not presently required to submit data on our corporate officers (Board of Directors). Paul Bradley is following developments and will keep us informed. (The Corporate Transparency Act was enacted in 2021 to combat illicit activity such as tax fraud, money laundering and terrorism financing, and requires many businesses to provide information on ownership.)
- **Corporate Seal** – Our Bylaws refer to a corporate seal. A new seal has been procured and is stored with our attorney, Mary Schrider-Fox.
- **Beach and Parking Passes** – Margie Cyr and Val Peizer are beginning to prepare the passes for the 2025 season.

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

**Committee Reports:**

**Budget/Finance Committee:**

- **Budget Preparation:** Bob Wood reported that the committee has started to develop a budget proposal in consultation with committee chairs. The budget will have three components: operating funds, capital reserves, and beach funds. We will continue to build our capital and beach funds. The budget preparation schedule will be the same as last year; it is anticipated the first draft of the budget

will be made available to the community after the January Board meeting, with comments being taken at the February meeting.

- **Beach Replenishment:** Sea Colony has permits in place that would allow them to dredge up to 150,000 cy of sand; our beach is about  $\frac{3}{4}$  the length of theirs so an MBA permit could be projected to allow about 112,000 cy. It is projected that MBA's cost for dredged sand to be placed flat on our beach would be \$3 million. (This does not include rebuilding dunes, dune walkways, etc.) Our current beach reserves are about \$800,000, and it is expected that this will increase to \$1.2 million by the end of next year. We will continue to build the reserves over time.
- **Transfer Tax:** The Association might be able to raise funds by charging a transfer tax when property ownership changes. Such a change would require a Covenants amendment. A community member had pointed out that most private communities in our area charge a flat fee at the time of property transfers. This topic was discussed briefly, with no action taken.

**Landscaping:** Barbara Friedman referred us to her written report.

- **Turf Maintenance Contract** – negotiations are underway with Chester River Landscaping for routine mowing and landscape maintenance, based on our mutual experiences working together this past year. It is anticipated that we will sign a 3 year contract. It was noted that approximately  $\frac{1}{3}$ <sup>rd</sup> of the total annual cost is for swale cleaning work.
- **Beach Plum Landscaping** - Plans for better maintenance and removal of weeds, bush trimming and removal of unwanted volunteer plants along Beach Plum Rd are being discussed.
- **Japanese Black Pines** - We may want to work as a community to protect the Japanese Black Pines that are growing on the Oceanside-mostly on private property. These are being destroyed by disease and pests along the Delaware Coast.
- **Signage Beds** - The Board approved in August an amount up to \$15,000 from capital reserves for landscaping of the 10 signage beds throughout the community.
- A question was raised about continuing maintenance of the pollinators' garden along Beach Plum Rd.
- Dave Wiecking will meet with two of our Community Patrol team, JoAnn and Christina, who have done watering and weeding in the past, and who will water the new plantings being done by Chester River.

**Community Facilities:** Don Deraska referred us to his written report.

- **Fencing:** A proposal was introduced to replace old fencing along Route 1 and at the back (west) ends of Errett and Short Roads, in the areas that were not completed last winter. Our new budget process of using capital reserves (capital improvement funds) for long-term capital projects allows us to replace all the fencing at one time, ensuring a consistent appearance, rather than piecemeal as operating funds would permit.

**Motion:** Margie Cyr moved, Paul Bradley seconded that an amount of up to \$55,000 be approved to replace old fencing along Route 1 and at the west ends of Errett and Short Roads, subject to approval of the actual contract by the Board.

Discussion: Might the west end fencing be affected by future DNREC/DeIDOT or MBA drainage work? Any culverts along Kent Ave (DeIDOT property) that are proposed to be replaced are not close enough to our fencing to be a concern.

Vote: All in favor. The motion passed 9-0.

### **Commercial:**

- **Fencing:** Several blocks of fencing along Beach Plum Rd are in poor shape; when talking with Eastern Shore Porch and Patio about our fencing needs we learned the contractor had been asked to provide a bid for the private stretch behind Seaside Village (between Bridge and Errett Rds). Current Covenants require commercial property owners to have 6' high fencing along Beach Plum Rd; the existing fence in this area was installed before this Covenants requirement was enacted (in 2015). As a community, we have an interest in how the fence looks.

**Motion:** Margie Cyr motioned to table discussion of fencing behind Seaside Village. Paul Bradley seconded. Bradley, Cyr, Friedman, Hall, Lescht, Rayburn, Wiecking, Wood voted in favor; Mounter opposed. The motion carried.

Marty Shecter reminded us that the commercial property owners are not our adversaries, but that we should all work in conjunction with one another

**Building:** Margie Cyr referred to her written report, and also reported that the Building Committee has approved return of the following deposits: \$3140 to 31 Errett; \$15,000 to 20 Errett. A final walkthrough of 113 Evergreen is scheduled.

**Community Patrol (CP) / Security:** Kerry Hall – nothing new to report.

- **AED** – Dave mentioned that he and Gary Graff had a discussion in September about MBA possibly purchasing a second portable AED for the guard shack. Kerry reported that he had discussed equipment needs with Gary recently and the subject didn't come up. The Board had investigated this issue in the past year and after consulting with legal counsel and considering other logistical factors did not move forward.
- **Parking passes** – There was a discussion about how many parking passes (hang tags and sticker) each property should receive. Each property currently gets three: two hanging and one sticker, and has the option of exchanging one of the hang tags for a second sticker. Any changes would need to be decided soon so that the passes may be ordered and printed on time. It was suggested that the sticker passes be made larger so select rules could be included, as they are on the hanging tags. There is an ad hoc committee addressing this, and its proposal will be forthcoming. It was recommended that we encourage bicycle parking along the dune crossings, rather than on street corners, where they interfere with possible golf cart parking. A received comment also asked that the Board consider ways to keep bicycles and

carts away from the existing handicapped parking spaces. The Beach Parking committee is also looking at how best to configure parking spaces for the increasing number of golf carts, which usually take up less space than cars.

**Beach Patrol:** No report.

**Sand:** No report.

#### **UNFINISHED BUSINESS**

- **Memorial Bench** A bench for Nora Alter’s mother, Maria, has been purchased (to be paid for by Nora) and will be installed near the Little Free Library on Beach Plum Rd.
- **Sports Courts** A draft survey on Pickleball, Basketball and other Sports Courts was presented for consideration. Some on the Board felt it needed more review, and some felt it was too skewed in opposition to sports courts. Board members are asked to provide questions and comments to Alan, Paul and Margie, who are serving as the committee addressing this topic. It was suggested that Mickey Matthews, whose has recently installed a sports court on his property, be invited to join the committee.

#### **NEW BUSINESS**

- **Employee Policy** - Alan Lescht reviewed our employment practices and made some recommendations including that we implement an anti-discrimination policy and requested that Board members review the draft Dave circulated and get back to him with comments or questions. Once we complete it, we’ll send it to our counsel, Mary Schrider-Fox, for review.
- **Bylaws** – Draft Bylaws revisions and amendments have been reviewed by our attorney and the Board members, and are ready to be circulated to the Community for comment before approval by the Board. Paul Bradley will compose a summary of the proposed changes.

**MOTION:** Kate Munteer moved, Bob Wood seconded that the revised Bylaws be circulated to the Members of the Association for review and comment. VOTE: All were in favor.

At 11:14 a.m., Bob Wood moved, George Rayburn seconded to **adjourn to Executive Session**. All approved.

Board Reconvened at 12:17 p.m.

**Bob Wood moved, Margie Cyr seconded, that the meeting be adjourned at 12:17 p.m.** All voted in favor.

Kate Munteer, Board Secretary

*Approved January 18, 2025*

Executive Session topics discussed:

- Contract with Property Manager

## **Upcoming Meetings:**

Board: 1/18/25, 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

## **Committee Reports – December 2024**

### **Building Committee, Margie Cyr**

The Building Committee has approved a demolition with new house build on The Pine Side. The demolition is in process. We are expecting to receive application for another large project renovation. There are many active small projects. We are anxiously waiting for the completion of a few projects that have been working for more than a year and in one case, two years.

The Committee has begun its review of the Rules & Regulations for Construction and Other Work and will have a recommended revision for the Board's consideration at the January Board meeting.

### **Community Facilities, Don Deraska**

The Community Facilities Committee is planning to replace the community fencing along Route 1 south of Bridge Rd to Evergreen Rd. The work will be done by Eastern Shore Porch & Patio. Approval of this project will be on the agenda at the December Board meeting; and it is hoped the work will begin in early January. The fencing will be the same as that placed north of Bridge Rd last year (shadow box style with tighter spacing that will provide a bit more privacy & slightly higher than the existing fence). The west end of Pine Side streets Errett and Short will have fencing around the gates replaced also.

In order for this work to be done, we will have to trim back any branches or other growth to allow for the new fence to be replaced. Please be aware that there will be some time from when the old fence is removed and the new one installed so please make sure anything that could be stolen is secured.

I welcome any questions or concerns and wish everyone a Happy Holiday season!!

### **Drainage, Margie Cyr**

The broken pipe which runs under ground in the back yard of 3 Short prohibiting the flow of water from the ditch behind several other Short Road properties out to MBA's drainage pipes on Short Rd has been repaired by the property owner. This has been a long-standing problem (2021 and before); and the repair of the pipe should alleviate flooding issues at that side of MBA.

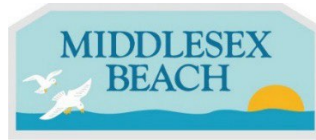
*Continues . . .*

### **Landscaping Committee, Barbara Friedman**

In our continuing effort to spruce up the appearance of Beach Plum Road, in the Spring, we plan to cut back/clear out some of the overgrown or volunteer trees and shrubs that have sprung up along the corners (which also somewhat obscure the views of the intersections) and in other places along Beach

Plum, including a large expanse between Bridge and Errett Roads, which is completely overgrown. Once that area is cleared, over the summer the Landscape Committee will be considering ideas for fall plantings along that stretch of road, so if any community member has thoughts or preferences for deer resistant and low maintenance plantings or design in that location, please feel free to pass them along to Barbara Friedman, [barbara.a.friedman@gmail.com](mailto:barbara.a.friedman@gmail.com). We are already working on landscaping the areas by all the Middlesex signage, but if anyone has ideas for landscaping in other common areas (for example, by the foot wash areas) please pass them along as well.

Financial Report Follows



**Financial Summary**  
**Month Ended November 30, 2023**

Attached are the balance sheet and income statement for Middlesex Beach for the period ending November 2023. Overall, the Association continues to operate in a prudent manner which is within its budget for the year. Key items to note include:

**BALANCE SHEET:**

- Operating bank balance of ~ \$425K (\$327K in checking and \$100K in MM account) to fund the remaining 4 months of operations.
- Construction Bonds have increased due to the collection of a new deposit for a new project located at 46 Dune Road.

**INCOME STATEMENT:**

**INCOME:**

- Nothing significant to report

**EXPENSES:**

- Administrative expenses – nothing significant to report
- Community Facilities – nothing significant to report
- Beach Activities – nothing significant to report
- Security – nothing significant to report
- Utilities – nothing significant to report

**MIDDLESEX BEACH ASSOCIATION****Balance Sheet****November 30, 2023****ASSETS****Current Assets****Checking/Savings****10000 · Bank Accounts**

10100 · Fulton Bank - Checking 326,904.04

10150 · Checking - Beach Patrol 383.00

10200 · Fulton Bank - MM 101,191.45

10600 · M&amp;T MM - Construction Bond 229,023.08

**Total 10000 · Bank Accounts** 657,501.57**10500 · Reserves**

Total 10510 · Morgan Stanley - Beach Reserve 683,278.33

Total 10520 · Morgan Stanley - Capital/Legal 576,328.53

**Total 10500 · Reserves** 1,259,606.86**Total Current Assets** 1,917,108.43**Fixed Assets**

12200 · Bldgs, Equip &amp; Land Improvement 371,444.44

12300 · Less Accumulated Depreciation -189,043.27

**Total Fixed Assets** 182,401.17**TOTAL ASSETS****\$ 2,099,509.60****LIABILITIES & EQUITY****Liabilities****Current Liabilities**

10650 · Construction Bond 229,021.08

**Total Liabilities** 229,021.08**Equity**

Total 10700 · Beach Reserve 666,306.47

Total 10800 · Capital Reserve 537,928.50

10900 · Legal Reserve 25,000.00

32000 · Retained Earnings 355,506.92

Net Income 285,746.63

**Total Equity** 1,870,488.52**TOTAL LIABILITIES & EQUITY****\$ 2,099,509.60**



**MIDDLESEX BEACH  
INCOME STATEMENT - NOVEMBER 2023**

	Current Period	Current Period	Current Period	Year-to-Date	Year-to-Date	Year-to-Date	2023-2024
	Actuals	Budget	Variance	Actuals	Budget	Variance	Annual
	November	November	Better / (Worse)	Apr - Nov	Apr - Nov	Better / (Worse)	Budget
<b>Income</b>							
10515 - Bank Interest Beach	508.61	-	508.61	16,971.86	-	16,971.86	-
10525 - Bank Interest Reserves	554.27	-	554.27	13,400.03	-	13,400.03	-
10505 - Interest Income	93.36	-	93.36	131.45	-	131.45	-
40000 · General Assessment	2,518.00	-	2,518.00	647,377.80	650,000.00	(2,622.20)	650,000.00
40100 · Capital Reserves	221.00	-	221.00	56,819.10	57,000.00	(180.90)	57,000.00
40200 · Beach Fund	336.00	-	336.00	86,385.60	87,000.00	(614.40)	87,000.00
40600 - Building Permit Fees	625.00	-	625.00	8,210.00	-	8,210.00	-
40250 · Beach Activity Shared Expense	-	-	-	10,500.00	10,500.00	-	10,500.00
41620 - Fines from Homeowners	-	-	-	100.00	-	100.00	-
41630 - Beach/Parking Pass Income	-	-	-	135.00	-	135.00	-
41700 - Misc Income	-	-	-	6,107.63	-	6,107.63	-
<b>Total Income</b>	<b>4,856.24</b>	<b>-</b>	<b>4,856.24</b>	<b>846,138.47</b>	<b>804,500.00</b>	<b>41,638.47</b>	<b>804,500.00</b>
<b>Expense</b>							
50000 · Administrative							
50020 · Compilation & Tax Preparation	-	-	-	5,480.00	5,000.00	(480.00)	5,000.00
50075 · Social Event and Hospitality	-	-	-	2,216.70	2,650.00	433.30	2,650.00
50100 · Taxes - Federal	-	-	-	2,959.00	-	(2,959.00)	12,000.00
50110 · Taxes - State	-	-	-	-	-	-	1,100.00
50120 · Taxes - Franchise	-	-	-	-	-	-	150.00
50130 · Taxes - Payroll	-	-	-	16,297.43	17,500.00	1,202.57	17,500.00
50200 · Insurance Deductible	-	-	-	-	-	-	2,000.00
50210 · Insurance Workers Comp	-	-	-	(774.00)	-	774.00	5,500.00
50230 · Insurance D&O	-	-	-	-	-	-	5,200.00
50240 · Insurance Property/Liability	-	-	-	-	-	-	18,500.00
50250 · Legal Fees	600.00	750.00	150.00	9,196.26	7,000.00	(2,196.26)	10,000.00
50260 · Management Contract	4,900.00	4,900.00	-	39,200.00	39,300.00	100.00	58,900.00
50270 · Management Other/Admin	-	-	-	1,052.24	-	(1,052.24)	1,500.00
50300 · Bethany Beach VFC EMS Fees	-	-	-	-	-	-	15,000.00
50310 · Admin. & Office Supplies	-	400.00	400.00	2,931.07	3,000.00	68.93	4,500.00
50312 · Directory	-	-	-	2,529.00	3,000.00	471.00	3,000.00
50320 · Recruiting	-	-	-	643.75	1,200.00	556.25	1,200.00
50321 · Payroll Processing Fees	-	-	-	940.29	2,000.00	1,059.71	2,000.00
50325 · Postage/Print/Copying	-	500.00	500.00	946.20	5,000.00	4,053.80	7,000.00
50345 · Reserve Study	978.00	-	(978.00)	978.00	-	(978.00)	-
50350 · Website	-	-	-	-	-	-	2,000.00
50355 - Bank Fees	11.00	-	(11.00)	328.43	-	(328.43)	-
<b>Total 50000 · Administrative</b>	<b>6,489.00</b>	<b>6,550.00</b>	<b>61.00</b>	<b>84,924.37</b>	<b>85,650.00</b>	<b>725.63</b>	<b>174,700.00</b>

**MIDDLESEX BEACH**  
**INCOME STATEMENT - NOVEMBER 2023**

	Current Period	Current Period	Current Period	Year-to-Date	Year-to-Date	Year-to-Date	2023-2024
	Actuals	Budget	Variance	Actuals	Budget	Variance	Annual
	November	November	Better / (Worse)	Apr - Nov	Apr - Nov	Better / (Worse)	Budget
<b>51000 · Construction</b>							
51600 · Construction Height Survey	-	-	-	-	800.00	800.00	1,200.00
<b>Total 51000 · Construction</b>	-	-	-	-	800.00	800.00	1,200.00
<b>57000 · Community Facilities</b>							
57010 · Maintenance & Repair	38.98	1,750.00	1,711.02	4,030.08	13,000.00	8,969.92	20,000.00
57020 · Beach Maintenance	-	-	-	13,651.35	12,000.00	(1,651.35)	12,000.00
57030 · Drainage	-	-	-	2,897.12	-	(2,897.12)	50,000.00
57040 · Guard House Operations	-	-	-	926.74	10,000.00	9,073.26	10,000.00
57050 · Road Maintenance	-	-	-	31,875.00	32,000.00	125.00	32,000.00
57060 · Walkway Maintenance	-	-	-	535.69	3,000.00	2,464.31	3,000.00
57070 · Signage - Traffic & Beach	225.00	1,000.00	775.00	635.00	2,500.00	1,865.00	4,000.00
57080 · Vehicle Operations & Maint	-	75.00	75.00	2,206.93	800.00	(1,406.93)	1,000.00
57090 · Storm Clean Up	-	-	-	7,000.00	7,500.00	500.00	15,000.00
57100 · Snow Removal	-	-	-	-	-	-	2,200.00
57110 · Landscape Contract	1,475.00	1,750.00	275.00	10,764.38	13,000.00	2,235.62	20,000.00
57120 · Plantings, Tree Care, Irrigatio	1,700.00	1,750.00	50.00	4,501.67	13,000.00	8,498.33	20,000.00
<b>Total 57000 · Community Facilities</b>	3,438.98	6,325.00	2,886.02	79,023.96	106,800.00	27,776.04	189,200.00
<b>58000 · Beach Activities</b>							
58100 · Lifeguard Payroll	-	-	-	117,777.56	117,700.00	(77.56)	117,700.00
58200 · Certifications	-	-	-	1,300.00	4,000.00	2,700.00	4,000.00
58300 · Uniforms	-	-	-	5,870.60	7,000.00	1,129.40	7,000.00
58400 · Equipment	1,356.80	-	(1,356.80)	4,186.31	4,500.00	313.69	4,500.00
58500 · Beach Programs/Competitions	-	-	-	2,539.80	3,500.00	960.20	3,500.00
<b>Total 58000 · Beach Activities</b>	1,356.80	-	(1,356.80)	131,674.27	136,700.00	5,025.73	136,700.00
<b>60000 · Security (Beach/Parking)</b>							
60100 · Security Payroll	-	-	-	59,107.81	54,000.00	(5,107.81)	54,000.00
60200 · Passes	-	-	-	4,252.00	4,000.00	(252.00)	4,000.00
60300 · Uniforms	-	-	-	1,700.00	1,700.00	-	1,700.00
60400 · Supplies	-	-	-	1,094.48	500.00	(594.48)	500.00
60500 · Equipment	-	-	-	1,389.98	1,700.00	310.02	1,700.00
60600 · Telephone - Cell	-	25.00	25.00	267.77	200.00	(67.77)	300.00
60700 · Night Security	-	-	-	-	16,000.00	16,000.00	16,000.00
<b>Total 60000 · Security (Beach/Parking)</b>	-	25.00	25.00	67,812.04	78,100.00	10,287.96	78,200.00
<b>61000 · Utilities</b>							
61100 · Electricity - Grd. Hs., St. Lt.	402.36	400.00	(2.36)	3,103.24	3,400.00	296.76	5,000.00
61200 · Water	36.96	75.00	38.04	957.33	700.00	(257.33)	1,000.00
61300 · Trash Collection	6,028.77	5,075.00	(953.77)	42,404.98	40,600.00	(1,804.98)	60,900.00
61400 · Trash Rebate Program	-	-	-	6,285.40	10,600.00	4,314.60	10,600.00
61500 · Sewer	82.50	-	(82.50)	206.25	-	(206.25)	
<b>Total 61000 · Utilities</b>	6,550.59	5,550.00	(1,000.59)	52,957.20	55,300.00	2,342.80	77,500.00

**MIDDLESEX BEACH  
INCOME STATEMENT - NOVEMBER 2023**

	Current Period Actuals November	Current Period Budget November	Current Period Variance Better / (Worse)	Year-to-Date Actuals Apr - Nov	Year-to-Date Budget Apr - Nov	Year-to-Date Variance Better / (Worse)	2023-2024 Annual Budget
70000 · Other Expenses							
70100 · Operating Contingency	-	-	-			-	3,000.00
Total 70000 · Other Expenses	-	-	-	-	-	-	3,000.00
Total Expense	17,835.37	18,450.00	614.63	416,391.84	463,350.00	46,958.16	660,500.00
Net Ordinary Income	(12,979.13)	(18,450.00)	5,470.87	429,746.63	341,150.00	88,596.63	144,000.00
Other Expense							
80000 · Capital Reserve Expenditures							
80100 · Capital Reserv Expenditures	-	-	-	-	-	-	-
Total 80000 · Capital Reserve Expenditures	-	-	-	-	-	-	
81000 · Beach Fund Expenditures							
81100 · Beach Fund Expenditures	-	-	-	-	-	-	-
Total 81000 · Beach Fund Expenditures	-	-	-	-	-	-	-
82000 · Fund Transfer Activity							
82100 · Transfer to Capital Reserve Fun	-	-	-	57,000.00	57,000.00	-	57,000.00
82200 · Transfer to Beach Fund	-	-	-	87,000.00	87,000.00	-	87,000.00
Total 82000 · Fund Transfer Activity	-	-	-	144,000.00	144,000.00	-	144,000.00
Total Other Expense	-	-	-	144,000.00	144,000.00	-	-
Net Income	(12,979.13)	(18,450.00)	5,470.87	285,746.63	197,150.00	88,596.63	-