



Board Meeting Minutes

Saturday, July 21, 2018

The meeting was called to order at 9:30 am by the President, Jeff Sella, at the Bethany-Fenwick Area Chamber of Commerce.

Board Members Present:

Sharon Adams, Judy Bennett, Margie Cyr, Jim Dempsey, Tris Kruger, Steve Larsen, and Jeff Sella.

Others Present:

RuthAnn Barnes and Iris Hobbs (CAS), David Taylor (Beach Patrol Committee), Mary Byrd (Social Committee), Pam Baratta (Usage of Beach Committee), Ellen and Alan Lescht (51 Dune Road), Carol Tucker-Foreman (11 Dune Road), Jeff Rivest (24 Dune), Kerry Hall (5 Short), Paula and Jay Sella (25 Short), Nancy Glasgow (11 Errett), Shirley Rooney (135 Evergreen), Janie Switzer (1 Dune), Rita Cavanagh and Jerry Kafka (2 Dune), Gary Lubben (24 Dune), Glen Hamilton (7 Dune), Sharon Schoonover (16 Bayberry), Jennifer Kazemzadeh (6 Dune), Mike King (12, 13 Dune), Jeff Narmi and Kathy Boland (21 Dune), Anthony Nozzoli (4 Dune), Dick Creswell (5 Dune), Marty Schecter (19 Bayberry), and Reginald Seeto and daughter (47 Dune).

Review of June Board Meeting Minutes:

Two minor corrections were made to the June minutes. Margie moved to approve the minutes as amended.

At that moment, multiple community members attending the meeting interrupted to insist that they review the minutes before they were approved and to insist that the Dune Road paving be the issue for the meeting. Jeff asked that the discussion be scheduled for the August meeting but that was not accepted. Anthony Nozzoli (MBA homeowner and appointed spokesperson for the Middlesex Beach Preservation Coalition) confirmed that Jeff had agreed to put the paving issue on the agenda for August. A discussion followed for the next hour and 15 minutes. While someone asked that everything said be recorded in the minutes, it was difficult to keep up with the multiple comments and because, at times several people were speaking at the same time and some speakers did not wait to be recognized. Therefore, the statements and sentiments expressed in these minutes are recorded as best as possible. Someone asked why the comments from the June Listening Session were not in the June minutes. That session was a separate meeting to get community opinions, not a Board meeting, and therefore would not be included in Board minutes.

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The Board received a letter from the Middlesex Beach Preservation Coalition signed by Carol Tucker-Foreman, Alan Lescht, and Anthony Nozzoli stating that they represent a majority of Dune Road property owners who believe strongly that the Board's plan to widen Dune Road would be detrimental to their financial well-being. Jeff emphasized that the Board has not approved any plan to widen Dune Road at this time but is simply looking at various options before implementing the repaving as part of normal community maintenance. Dune Road is deteriorating and needs to be repaved since some areas are crumbling and sinking. The paving scheduled for October 2017 was put on hold so that those options could be evaluated. Jeff has communicated these options to many of the Dune Road residents by personal meetings, emails, and letters.

Carol Tucker-Foreman spoke about the issue of parking on Dune Road and felt that the widening was planned to create more parking spaces and also reduce the driveway widths of Dune Road properties. Jeff responded that the option to widen the road did not create any additional parking spaces. Several members of the Board responded that many of the concerns expressed by community members are not facts, but rumors and misinformation.

Reginald Seeto was concerned about costs and how MBA assessments are escalating. He asked whether we had a five-year base line budget for the community. Jeff stated that we have a one-year budget plan but did not have a five-year plan and invited him to join the Budget Committee to add his expertise. He did not agree to join at this time. He also expressed concerns that the Board has not been transparent about plans for future assessments. Jeff again invited him to join the Budget Committee.

Anthony Nozzoli spoke about adverse possession, legality of any decision to widen the road, a required permit from Sussex County Planning and Zoning, declining property values that would be attributable to any widening, costs to property owners, driveway widths and drainage problems. Other attendees commented on the various issues mentioned, including accusations of Board "favoritism and Board bias based upon the number of Board members representing the Pine Side of the community."

Jeff offered to appoint a group consisting of Anthony and a few Dune Road property owners, some members of the Board, and some pine-side property owners to discuss the issues and prepare a factual list of the options and issues to be presented to the entire Middlesex Beach community. Anthony and Jeff agreed to form the group and attempt to resolve the issues.

Alan Lescht wanted the Board to agree to provide four (4) months advance notice after any paving decision has been made and before proceeding with the paving. Board did not agree to any advance notice, but Jeff mentioned that Anthony would be aware of any decision prior to the commencement of any paving. One community member opined that Dune Road would be repaved and they would only discover the repaving when they returned to MBA. Jeff assured the community members that he would work with Anthony and that they will either agree to a solution or agree to disagree. Jeff also mentioned that procedurally any agreement that he might agree to would need to be approved by the Board.

Review of June Board Meeting Minutes (continued):

Margie moved again that the June Board Meeting Minutes be approved as amended. Jim seconded. All in favor.

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Mailbox Issue – 53 Dune:

Jeff asked the property owner at 53 Dune if the mailbox that was installed by a parking space could be removed or moved away from the parking space. Owner needs mailbox for deliveries but agreed to meet to see if a different placement was feasible.

Property Manager's Report: RuthAnn Barnes (CAS)

RuthAnn asked if the Board would approve establishing an ICS (Insured Cash Sweep Account) to move Association funds that are over the FDIC limit in current accounts to another account. Jim moved, and Judy seconded, that the sweep account be approved. All in favor.

In order to process tax filings, Book and Associates need a copy of our Articles of Incorporation. RuthAnn will obtain the document.

President's Report: Jeff Sella

The resident whose umbrella was damaged by one of our beach patrol umbrellas has been approved for a reimbursement of \$60. Jeff discussed two incidents on the night of July 7 when someone entered the surf on the Middlesex/South Bethany beach border and had to be rescued by Great Lakes Dredging and Dock company employees. South Bethany police detained the person as he ran across Route 1.

There was a second incident involving large aerial fireworks that was shut down by our Community Patrol with some assistance from employees of Great Lakes Dredging and Dock.

Three Special Event Requests were approved:

1. Pumpelly – Margie moved, and Sharon seconded. All in favor;
2. Woolman – Sharon moved, and Margie seconded. All in favor;
3. Courtis – Sharon moved, and Jim seconded. All in favor.

Mobi Mats – An application to DNREC will be submitted for a Mobi Mat on our beach access. The original plan to install it on Addy Road must be changed as Addy is too steep for installation of the mat. Evergreen was suggested as an alternate site since handicapped parking is available there. Sharon moved, and Judy seconded that the Mobi Mat be installed on the Evergreen beach access instead of Addy. All in favor. The next step is to submit the application to DNREC.

Safety and Security: Steve Larsen

There have been some instances of speeding and ignoring STOP signs in the community. One instance at Bridge and Dune Roads almost injured one of the Community Patrol employees. Steve will compose a letter to the owner of the property whose renter almost hit our employee stating what happened and asking that they reinforce to renters/guests that they obey our traffic regulations. He also would like some communication to remind all residents and guests/renters to obey our traffic regulations. RuthAnn ordered three new

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portable STOP signs to place at Dune and Bridge Roads. Parking Violations forms have been received and given to Steve for distribution.

Marty Schecter would like to ask DeIDOT to place "Yield to Pedestrians" signs at the Route 1 crosswalks. Some felt that the Yield signs might pose more danger to pedestrians since sometimes not all lanes of traffic will stop. Marty will discuss with DeIDOT. He will also request that the sign blocking the electronic speed sign be moved away from the sign.

Middlesex Beach Merchandise / Usage of Beach Committee: Pam Baratta

Pam had some samples of the Middlesex Beach t-shirts that are for sale and asked for permission to advertise the merchandise on the MBA website. Jim moved, and Margie seconded that permission to advertise on the MBA website be granted. All in favor.

Beach Patrol Committee: David Taylor

David stated that our Junior Guards won the Junior Guard competition.

Executive Session:

The Board unanimously voted to go into Executive Session at 11:15 a.m. to discuss:

1. Normal lawsuit
2. 21 Dune
3. 48 Dune
4. Harassment letter
5. 13 Bayberry
6. 1 Dune
7. 12 Errett
8. CAS proposal

Judy Bennett recused herself from the meeting during the discussion of the Norman lawsuit.

The Board came out of Executive Session at 12:50 p.m. As a result of the Executive Session, the Board voted:

1. Norman lawsuit continues
2. 21 Dune – violation letter and fine for landscapers working on non-authorized day
3. 48 Dune – violation letter and fine for not following emergency procedures for construction and noise on non-allowed day
4. Letter sent asking recipient to end harassment of our current employees
5. 13 Bayberry – violation letter sent for fence constructed without a permit and installed

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during non-authorized construction days. Owner must submit permit. Steve will draft the letter.

6. 1 Dune – bill will be sent for replacement of landscaping on MBA property that was removed by homeowner
7. 12 Errett – fine approved for working after construction hours
8. CAS proposal – will be discussed in a separate meeting

Assessment Question:

A question was asked by CAS as to proper assessment for one house situated on two lots. The house has historically been assessed as one improved and one unimproved. Sharon moved, and Margie seconded that assessment be grandfathered to continue at one improved and one unimproved lot for the present owner but that the assessment will be changed to 2 improved lots if the property is transferred to a new owner. Vote was 5 in favor and 1 opposed.

Adjournment:

Margie moved to adjourn. Judy seconded. All in favor.

The meeting adjourned at 1:00 p.m.

Next Board Meeting:

July 21, 2018 at 9:30 am at the Bethany-Fenwick Area Chamber of Commerce.

Respectfully Submitted,

Tris Kruger, Secretary