



Board Meeting Minutes

Saturday, December 15, 2018

The meeting was called to order at 9:35 am by the President, Jeff Sella, at the Bethany-Fenwick Area Chamber of Commerce.

Board Members Present:

Sharon Adams, Judy Bennett, Margie Cyr, Nancy Glasgow, Tris Kruger, Steve Larsen, Jeff Sella, Marty Shecter, and Ellen Throop.

Others Present:

Mary Grimm (CAS), Ruby Halligan (CAS), David Taylor (Beach Patrol Committee), and Greg Pichler (20 Dune).

Review of November Board Meeting Minutes:

The November Board minutes were reviewed and several edits were proposed. Ellen then motioned to approve the November Board Meeting Minutes as amended. Nancy seconded. The November Board Meeting Minutes were approved as amended.

Property Manager's Report: Mary Grimm & Ruby Halligan (CAS)

Mary introduced Ruby as our new Property Manager to replace RuthAnn Barnes.

Ruby provided several bids (Emerald Lawn and Landscaping, Herker Building and Lawn Maintenance, and Hall Distributors, LLC) to provide snow removal for Middlesex. Two bids were per snowfall total and one was per hour. We will need to investigate the per hour charge in order to compare bids. Ellen will review contract language before we approve a contractor.

Bartlett Tree Experts submitted a bid to spray for tent caterpillars on MBA property along Dune Road. The bid was for two sprayings (\$332 each) for best results. A bid for individual homeowners has been requested since most infected trees are on private property.

Ruby, Tris and Jeff met with John Williamson of Herker Landscaping to discuss a proposal for landscaping maintenance. Herker will submit a proposal.

Delmarva Power has still not replaced the two street lights that were removed when new poles were installed on Dune Road. Ruby has contacted them 4 times and secured confirmed work orders for two lights on Dune Road poles but replacement has not been done. Judy stated that she will give Ruby a contact name for Delmarva.

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Letters announcing Dune Road paving timeline were mailed to Dune Road residents. Violation letter to 53 Dune was sent via certified mail. Letter was sent to 30 Beach Plum regarding the outstanding fine.

The annual Public Notice was placed in The Wave regarding private streets, roadways, walkways and beach areas in MB. Notice scheduled to run 12/4/18 and 12/11/18.

President's Report: Jeff Sella

Jeff asked Marty about his progress with DelDot regarding the safety issues related to crossing Route 1. Marty has contacted the State Police regarding enforcement of traffic regulations that require vehicles to STOP and YIELD to pedestrians in the walkway.. He confirmed that the YIELD does apply to 4-lane highways and has requested assistance from Delaware State Police on increasing enforcement by issuing tickets. Board discussed the safety concerns with pedestrian reliance on all lanes complying with the regulation and whether it is safer to assume all lanes will not comply with the YIELD. Marty will continue to seek possible safety solutions, including once again requesting a traffic light.

Committee Reports:

Building Committee: Margie Cyr

27 Addy and 115 Evergreen put markers along the side boundaries that enabled Building Committee to confirm that side setbacks were in compliance.

4 Bridge submitted a permit for removal of trees on the property and also to remove a tree on MB property. After examining the property, the Building Committee recommended that the request to remove the tree on MB property be denied. Ellen moved and Steve seconded that the refusal to grant permission to remove the tree on MBA property because the tree was not dead/dying nor a safety concern, be ratified by the Board. All in favor.

Two projects (29 Addy and 26 Dune) are using contractors new to MB and require increased coordination with the Building Committee. 26 Dune waiting for DNREC approval.

Commercial Committee: Judy Bennett

The Produce Stand is renewing their 5-year permit with the County to erect a tent on the property. They also plan to add a shed to the existing building. Margie will send Judy a Building Permit Package so that Judy can ask the property owners, not the tenant, to complete the required forms to ensure all buildings comply with current regulations before beginning any construction. The Board took no action as a completed plan application was not submitted.

Mrs. Dryden informed Judy that the Donut business and the other food truck (Acai Bowls) will not be returning next season.

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Treasurer's Report / Budget / Finance: Steve Larsen

We are running slightly over budget in some categories. Some expenses are over budget (Security, Landscaping, Workman's Comp) but we are under budget in several other categories. We need to be conscious of spending the last four months and be cognizant of separating Reserves from Operating. Dune Road paving is estimated at \$50,000 from this year's budget since paid part of the expense was paid when the original contract was signed.

Budget planning for next year will begin in January working first with Committee Chairs. Jeff will send the Excel spreadsheet used for budget planning to Steve. The majority of the budget is fixed—management contract and payroll for beach patrol and community patrol.

The Budget Committee met and reviewed our Reserve Study. Steve suggested that all Board members read the Reserve Study. Jeff will make sure that the Reserve Study is on the website so that it is available to all MB property owners.

Community Facilities Committee: Jeff Sella

Dune Road paving has been completed. There are a few minor issues with the gravel and they need to raise some MBA pavers at Bridge to meet the asphalt. These minor issues will be addressed by Matt's Paving. Gravel stopped short of each street corner.

Jeff asked that the Board approve moving the funds (\$50,000) needed to pay the outstanding balance due for Dune Road paving from the Reserve Account to the Operating Account. Sharon moved and Marty seconded that the required funds to pay Matt's Paving for Dune Road be moved from the Reserve Account to the Operating Account. All in favor.

Jeff asked that the Board approve spending \$1079 to repair our Polaris vehicle. Sharon moved and Marty seconded that the repairs be approved. All in favor.

Beach Permit from DNREC – Steve spoke with Jennifer at DNREC to confirm the status of our beach permits. We have a current scraping permit but do not have a permit to replenish the beach. Our scraping permit is good through November 2019—renewal needs to be done a few months before the expiration date. Obtaining a replenishment permit would be necessary before we would be eligible to participate in any future beach replenishment. At the current time, our beach is in good shape—both in height of the dunes and the width of the dunes and beach. However, should we ever need beach replenishment, the permit would have to be in place. The permit would require that we do an Engineering Study—Steve will try to obtain some pricing estimates. He will also attempt to get a copy of the current Sea Colony replenishment permit.

Beach Patrol Committee: David Taylor

Recruitment of Beach Patrol personnel will begin in January. David sent a document concerning the Junior Guard Program to the Legal Committee for review.

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Beautification Committee: Tris Kruger

Tris, Jeff, Chuck Taylor and Ruby met with Herker Landscaping to discuss a proposal for MB landscaping maintenance. Herker submitted a proposal. Contracts will be discussed in Executive Session. The MB property adjacent to the power station on Bridge Road needs some additional landscaping – Tris will investigate planting some trees, most likely Green Giants.

Legal Committee: Ellen Throop

Bill sent to 1 Dune to repair and replace landscaping removed from MB property.

Letter is approved to be sent to Linda Smith (RPM) requesting payment for various losses, penalties and expenses that occurred during RPM management. Letter will be sent when appropriate address is obtained.

Mary Grimm and the Board discussed the proposed property management contract for 2019. Four issues were discussed—frequency of inspections, new owner packages, monthly Board meeting hours, and Schedule A charges. Inspections will occur at least two times per month. Jeff will schedule Dave and Joe to supplement these inspections along with their current maintenance time in the community. Language will be inserted in the contract to clarify that the expenses of new owner packages will be charged to the new homeowner. Contract will specify monthly Board meetings will be covered for 2 to 2 1/2 hours per meeting. No Schedule A expenses will be charged without prior approval by the Board. After these terms are clarified in the contract, we will approve.

Greg Pichler provided the Privacy Policy and the Terms of Use Policy for the website. Privacy Policy deals with sharing of information and the Terms of Use Policy deals with behavior of the users.

Other legal issues will be discussed in closed session.

Executive Session:

The Board unanimously voted to go into Executive Session at 11:26 am to discuss:

1. Contracts: Property Management, Landscaping, Trash Removal, and Landscaping
2. Raskauskas Document Response
3. Board response to property owner question
4. Delinquencies
5. Norman lawsuit

Sharon moved and Nancy seconded that the Executive Session be adjourned at 12:49 pm. As a result of the Executive Board Meeting, the Board voted:

1. Steve Larsen will clarify the schedules and monthly rates for the Republic trash and recycle contract.

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2. Snow removal contract needs clarification to compare costs
3. CAS contract for Property Management will be signed after Ellen reviews the language for the 4 requested changes. Sharon moved and Marty seconded that we sign the contract if the 4 requested changes are included. Seven votes in favor. Two votes abstained.
4. Ellen will review the Herker Landscaping contract and request some changes to the terms. Judy moved and Ellen seconded that we accept the contract if terms are acceptable. All in favor.
5. Ellen will address the Document Request and also draft a response from the Board to a property owner question.
6. Six delinquent accounts were discussed and actions for each defined.
7. Norman lawsuit continues.

Adjournment:

Marty motioned to adjourn. Ellen seconded.

The meeting adjourned at 12:50 pm.

Next Board Meeting:

January 19, 2019 at 9:30 am at the Bethany-Fenwick Area Chamber of Commerce.

Respectfully Submitted,

Tris Kruger, Secretary