



## Board Meeting Minutes

Saturday, February 9, 2019

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, Nancy Glasgow, Tris Kruger, Jeff Sella, Marty Shecter, and Ellen Throop.

### **Others Present:**

Ruby Halligan (CAS), David Taylor (1 Bridge), Greg Pichler (20 Dune), Tim & Janie Switzer (1 Dune), Tucker Foreman (11 Dune), Paula Sella, Jay Sella, and Pam Baratta (25 Short), and Michael Moutzalias (Ocean Air Produce – 24 Beach Plum).

### **Review of January Board Meeting Minutes:**

The January Board minutes were reviewed. Margie motioned to approve the January Board Meeting Minutes. Ellen seconded. All in favor.

### **Property Manager's Report:** Ruby Halligan (CAS)

Three snow removal bids are still under review by the Board. Contract terms and comparative pricing still not resolved. Landscaping/maintenance bids are also still under review.

Ruby continues to contact Delmarva Power to resolve the missing street lights on 2 poles on the north end of Dune Road. Despite the confirmed work orders, Delmarva has still not replaced the lights. She will check again after February 15.

Violation letters sent certified mail to 53 Dune were returned as undeliverable and noise violation still unpaid. She posted the refused letter on door of 53 Dune on 1/29/19. Received phone call from owner who said they will send check.

She also reported that we had received payment on several past due balances. Sent letters to other unpaid balances to inform them that access to beach amenities will be suspended until payment is received. Violation letter sent to 6 Errett Road citing construction work without MBA permit—no response as yet.

Ruby is working with Steve Larsen and David Taylor on hiring process for seasonal employees. A majority of last season's employees expressed the desire to return. Ads for Community Patrol have been placed in the Cape Gazette, the Wave newspaper and on our

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MBA website and Ruby plans to attend the Ocean City Job Fair in March. Marty added that he would get a listing from INDEED and contact the Indian River School District to advertise summer positions to school staff.

Ruby is working with Pam Baratta on the beach, parking, and employee passes. She is also working with Steve to prepare a draft 2019/2020 budget.

She reached out to several businesses that could pick up overflow trash but has not found anyone who is licensed/insured.

### **President's Report:** Jeff Sella

Jeff recognized Michael Moutzalias (Ocean Air Produce). Michael presented a plan to replace the current 12X20 foot shed on the property with a 12X30 foot shed in order to expand indoor storage for equipment and produce. Several concerns were raised about dumpster enclosure, anchoring the structure, and the outdoor grill. Michael promised that the dumpster will be enclosed as much as possible and still provide safe access for the trash truck. He will anchor the shed to the ground if we request and stated that the small grill was only used for food cooking for employees. Margie recommended that the proposal go to the Commercial Committee (Judy Bennett) and be evaluated for conformance with our covenants before approval. All in favor of Judy reviewing and reporting back to the Board for Board approval.

Jeff asked Marty for an update on the Ad Hoc Committee for Route 1 pedestrian safety. Marty is still waiting for a response from CAS about having enforcement action by the Delaware State Police.

Board reviewed and approved the draft of the Rules Page to be placed in the Directory and also laminated for distribution in the spring package to property owners.

The revised Engagement Letter from Book Associates for the annual Compilation and Tax Return preparation was presented. Sharon moved and Margie seconded that Jeff sign the Engagement Letter. All in favor.

The Board briefly discussed alternate sources of income for MB. A committee composed of Ellen Throop, Margie Cyr, Pam Baratta and Paula Sella will meet and propose ideas to the Board.

### **Treasurer's Report:** Steve Larsen by email to Jeff Sella

The engineering firm that could prepare an Engineering Study necessary for applying to DNREC for a beach replenishment permit has agreed to prepare a more specific cost proposal. Rough estimate was \$20,000. If we proceed, we will have to include this cost in next year's budget.

Budget Committee will meet on February 28. Committee members are Steve, Jeff, Marty and Jeff Rivest. All budget requests should be given to CAS in the next week. Board must consider walkway maintenance, fog sealing Addy & Errett and the purchase and installation of an additional Mobi Mat.

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### **Committee Reports:**

#### **Building Committee:** Margie Cyr

31 Addy has requested permission to add boards on the inside of the Dune Road fencing along the property line to make it a solid fence and hopefully reduce the noise from Route 1. The Board discussed several issues including changing the outside look of the fence, creating a solid surface wind barrier more susceptible to wind damage, and also establishing a precedent of permission to modify MB fencing by any adjacent property owner. Board vote was 4 in favor and 4 against so permission was not granted.

29 Addy has requested additional time from the original 2 weeks approval on the removal of the Beach Plum fencing to 4 weeks in order to provide construction access to the property. Ellen moved and Judy seconded that the original contract be amended to provide the extra 2 weeks. All in favor.

14/16 Dune has a dumpster on the property. Margie will check with the owners to inquire about possible construction.

#### **Community Patrol Committee:** Steve Larsen by email

Most of the previous Community Patrol members have indicated that they would like to return this year. Ads placed in local newspapers and job search websites will be used to find any new candidates.

#### **Commercial Committee:** Judy Bennett

Produce stand will submit their plans for the new shed and Judy will review (see above comments under the President's Report).

The parking agreement with McDonald's is up for renewal in May. MBA must decide on parking availability for employees both behind McDonald's and along Bayberry between Route 1 and Beach Plum before renewal. Beach Patrol will need one on Dune Road and 5 pine side. Community Patrol will need one on Dune Road and 2 pine side.

#### **Beach Patrol Committee:** David Taylor

David will check rates paid by surrounding beaches to ensure we are competitive with wages.

David stated that most of the core group from last year will return this year. No rental house will be necessary for housing. Daily Beach Patrol will begin Saturday, May 25 through Monday, September 2. Weekend Beach Patrol will be available, weather permitting, September 7, 8, 14, 15.

Tentative dates are:

- June 27: MB Patrol Women's Competition
- July 7, 21 and August 4: Junior Guard picnics

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- August 15: Geoff Myers Lifesaving Invitational

Greg Pichler asked if there were any State regulations for lifeguard beach coverage. David replied that there were no regulations that he knew of, but we are well within the guidelines recommended by lifeguarding associations. Ellen will check with the Delaware Code to be certain.

### **Usage of Beach Committee:** Pam Baratta

Pam provided samples of the beach and parking passes for approval. Color this year will be red. After discussion, all wording was approved. Judy moved and Marty seconded that the passes be approved as amended. All in favor.

### **Legal Committee:** Ellen Throop

No change or movement in the Norman Lawsuit.

Ellen discussed the differences between terms – (1) guests, tenants, and owners and (2) beaches and walkways – and reminded us to be clear in our rules/descriptions.

Ellen, Jay Sella, Jeff, and Greg Pichler will combine the Privacy and Terms of Use Policies into one document and condense it to eliminate redundancies and non-applicable terms.

Document Request Process, Procedures for Violation Notices, Collection Policy and Drone Policies are still in process with the Legal Committee

1 Dune: no itemized bill from McCabe Landscaping has been received. Jeff will remind McCabe's to submit bill.

Ellen discussed whether we should join CAI (Community Association Institute) to benefit from the member benefits of information and training sessions. CAS and Ellen are members, so research options are available but attendance at events and classes is charged by individual membership category.

Tris moved and Sharon seconded that the following topics be discussed in the Executive Session: Herker and McCabe landscaping proposals, Republic Contract for trash service, Emerald Contract for snow removal, and Letter to Linda Smith. All in favor.

### **Community Facilities Committee:** Jeff Sella

The additional line of dune fencing is almost complete and has already helped to add additional sand to the dunes.

Dune Road striping for parking spaces will be done this spring. Jeff Sella will provide a schematic or other details to the Board about where the parking spaces will be located.

Last year, rather than hiring outside contractors to prepare the dune crossings, MB volunteers (Jeff and Alex Sella) used a Bobcat and ensured the proper layers of clay and sand were installed for the walkways. This not only saved considerable money but also ensured the proper depth of clay and sand and that approved materials were installed. With

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Board approval, the same process will happen this year in May. An additional Mobi Mat for a second walkway may be installed.

**Beautification Committee:** Tris Kruger

No report until landscaping contract completed.

### **New Business**

1 Dune: The Switzer's asked that 1 Dune be removed as an agenda topic until final decision has been made.

Jim Youniss informed Jeff that his brother, Dick Youniss (11 Bayberry) had died and asked if there was a way to inform the MB community. Board briefly discussed how to disseminate the information—website, etc. We agreed to send a blog to the community. The suggestion for a memoriam page on the website was tabled for March meeting.

### **Executive Session:**

Sharon moved and Marty seconded that the Board go into Executive Session at 11:18 am to discuss:

1. Contracts
2. Letter to Linda Smith
3. 14/16 Dune

The Board came out of Executive Session at 12:33 pm. As a result of the Executive Board Meeting, the Board voted:

1. Republic contract: still waiting for response to "back side" changes
2. Emerald contract: table acceptance until we talk to another possible vendor
3. McCabe: identifying method to ensure compliance with contract terms
4. Letter to Linda Smith: still waiting for a response
5. Margie will send a building permit package to 14/16 Dune property owners.

### **Adjournment:**

Sharon motioned to adjourn. Judy seconded.

The meeting adjourned at 12:35 pm.

### **Next Board Meeting:**

March 16, 2019 at 9:30 am at the Bethany-Fenwick Area Chamber of Commerce.

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**Respectfully Submitted,**

Tris Kruger, Secretary