



Board Meeting Minutes

Saturday, April 27, 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, Tris Kruger, Jeff Sella, Marty Shecter, and Ellen Throop.

Others Present:

Ruby Halligan (CAS), David Taylor (1 Bridge), Janie Switzer (1 Dune), Jerry Kafka & Rita Cavanagh (2 Dune), Carol Tucker-Foreman (11 Dune), and Jim Martin (guest of T. Kruger).

Review of March Board Meeting Minutes:

The March 16 Board minutes were reviewed. Ellen motioned to approve the March 16 Board Meeting Minutes. Judy seconded. All in favor.

The minutes of the Special Teleconference Board Meeting on April 10 were reviewed. Tris motioned to approve the April 10 minutes. Ellen seconded. All in favor.

Ellen made a motion to ratify the April 10 decision to approve the 2019/2020 budget and submit the proposed assessment of \$2350 to the Community. Marty seconded. All in favor.

Homeowner Request: Janie Switzer

Jeff recognized Janie Switzer who asked to read a statement related to the Switzer's experience with the violation process related to unauthorized removal of landscaping (mature trees) on MB community property. The violation process began in August 2018 and has been an ongoing issue, primarily because of the need to determine the dollar amount of the damage.

Jeff responded to the homeowner about the various invoices that were sent. One was sent in error, one was sent without the landscaper itemizing the damage (\$1150), and then the itemized invoice that was requested by the Switzer's was sent (\$3500). The \$3,500 figure was because the landscaper was instructed to calculate the replacement cost of the mature landscaping that was removed and therefore the cost was higher.

Board voted to discuss a resolution in Executive Session.

April 27, 2019 MBA Board Meeting Minutes

Property Manager's Report: Ruby Halligan (CAS)

Contacted the Delaware State Police about Route 1 pedestrian crossing safety issues and they would not commit to any specific plan. Marty volunteered to contact DelDOT.

Republic contract has been finalized. No vendor found yet to call when excess trash is noted on properties. Suggestion to call "1-800-Got Junk".

A dumpster for household bulk pickup will be delivered to East Addy Road on Friday, May 3, and will be picked up on May 13. If the dumpster is full prior to May 13, a second dumpster will be placed on East Addy.

Clark Tree Service will have a curbside Bulk Brush Pickup on May 13.

McCabe & Sons Landscaping contract has been approved.

Delmarva Power has replaced the two lights on Dune Road. Wires laying on the ground are not Delmarva wires. Cable company will check to see if they are cable wires.

Check for outstanding balance at 5 Errett received.

Happy Hour information finalized by Mary Byrd and flyers printed. Flyers will be in annual meeting packets.

President's Report: Jeff Sella

Jeff discussed the McCabe landscaping contract and noted that Chuck and Peggy Taylor agreed to monitor completion of monthly tasks.

A Jeep was reported driving on our beach on Easter Sunday. If this occurs again, anyone who sees it should report it immediately to the Delaware State Police.

The entire police force in South Bethany has resigned. Fenwick Island, Ocean View, and Delaware State Police will provide partial coverage. MB residents should be aware that speeding on Route 1 may increase due to lack of enforcement.

A Special Event Request from Jerry Kafka and Rita Cavanagh (2 Dune) for a wedding on the beach on Sunday, June 2 was received. Wedding will be small (less than 25 and no chairs on the beach), only the ceremony will be on the beach (reception in the house), and all cars will be parked in private driveways. Sharon moved and Marty seconded that the Request be approved. All in favor. Community Patrol will be notified.

Jeff and Ellen met with J. Raskauskas to discuss various issues. Jeff will circulate a report.

Committee Reports:

Building Committee: Margie Cyr

Large projects:

- 27 Addy: addition to existing house. Project completed.
- 115 Evergreen: scheduled for completion by June 30.

April 27, 2019 MBA Board Meeting Minutes

- 119 Evergreen: small addition. Scheduled for completion by June 30.
- 13 Short: addition to an original cottage. Scheduled for completion by June 30.
- 45 Dune: new home. Water line to the property needs to be enlarged. Not sure at this point how it will affect Dune Road so waiting for more information. Scheduled to be completed by June 30.
- 26 Dune: major renovation. Scheduled for completion by June 30.
- 27 Errett: addition to an existing house. Margie is concerned that this project will not meet the June 30 deadline.
- 29 Addy: major gutting of an existing structure and doubling square footage. Owner says project will not complete by June 30, but goal is to have exterior completed and project ceased by June 30. Project will begin again after Labor Day.

Two projects are waiting for a final decision from the Board:

- 32 Dune: would like to replace landscaping on MB community property.
- 31 E. Addy: requested permission to place wooden pickets into the spaces on the east side of the MBA fence that borders Route 1.

Commercial Committee: Judy Bennett

Judy called Mike Moutzaias (Ocean Air Produce) to inform him that the permit for changes to the produce stand had been approved. She left a message but has not heard back from him.

The McDonald's lease for 10 parking spaces (6 on Addy and 4 on Beach Plum) was discussed. Marty moved and Sharon seconded that the lease be renewed with a 4% increase from \$2500 to \$2600 per year. All in favor.

The Atlantic Shoals sign has been damaged. Judy will contact the owner.

Community Patrol Committee: Marty Shecter for Steve Larsen

Methods of communication (radios or cell phones) between the Guard House and the Beach Patrol stand at Bridge Road were discussed. David Taylor preferred that cell phones be used instead of radios.

Video cameras were discussed. Ellen reminded the Board that specific policies and procedures for their usage must be implemented before any are installed.

Community Facilities Committee: Jeff Sella

Still waiting to get a second quote for fog sealing two roads. Ruby is having difficulty finding vendors willing to quote.

Material for maintenance of the dune crossings has been ordered and will be delivered the week before Memorial Day. Jeff will be working with his sons that week to prepare the

April 27, 2019 MBA Board Meeting Minutes

walkways for the summer season.

Joe Woolman sent an email requesting Mobi Mats on all dune crossings. Mats are still in testing process and we try to place the mats on walkways that are not too steep and also near handicapped parking spaces. Cost is also a factor in the decision.

Road striping has been completed on Dune Road. Some parking areas have decorative items (stones) in the space which will need to be moved.

The Board applauded Alex, Nick, and Jay Sella on the professional completion of the striping on Dune Road and Beach Plum Road and also thanked the Sella family for not only all the free labor but also on the donation of all the supplies of paint and tools needed to complete the task.

Board will consider discussions with owners and the post office for possibly moving mailboxes on the west side of Dune Road to the east side.

Beach Patrol Committee: David Taylor

Hiring is on schedule. Employee paperwork is in progress.

Beautification Committee: Tris Kruger

Tris met with members of the Beautification Committee. Two projects will be considered—planting additional trees along the Route 1 fence and adding plantings by the power plant fence on Bridge Road. Ruby will get a bid from McCabe.

Legal Committee: Ellen Throop

- Norman lawsuit: Ellen mentioned a possible hearing but no information was received from MBA attorneys.
- 1 Dune: move to Executive Session.
- Jeff and Jay Sella will complete a next draft version of the Privacy Policy/Terms of Use for the Website.
- Collection Policy: policy was sent to Mary Schrider-Fox for review and her comments were reviewed. Ellen moved and Judy seconded that we adopt the policy with the edits suggested by Mary but leaving in #11. All in favor.
- Rules of Conduct for Board Members: tabled until next month.
- Rules of Conduct for Employees: Sharon moved and Marty seconded that we adopt the rules of conduct with the suggested edit. All in favor.
- Rules Enforcement Procedure—Financing Resolution: Judy moved and Marty seconded that the document be submitted to Mary Schrider-Fox for legal review. All in favor.
- The Middlesex Beach sign that was stolen from the Guard House last year has been

April 27, 2019 MBA Board Meeting Minutes

recovered.

- Document Request Process: still in process.
- Drone Policy: will remain unchanged at this time.

New Business

Marty asked about policies of dealing with improper behavior towards Beach Patrol and/or Community Patrol.

41 Dune: Tris Kruger brought documentation related to the violation notice he received. Documents included a copy of the covenants in effect at the time of construction, building plans submitted and approved in August 2014 for construction in the Fall of 2014, and the grandfathering statement in the covenants adopted in May 2015. Board will consider the facts in Executive Session.

32 Dune: request to remove and reinstall plantings on community property adjacent to homeowner was discussed. Jeff, Marty and Tris to visit property to evaluate.

Executive Session:

Sharon moved and Judy seconded that the Board go into Executive Session at 11:59 am to discuss: (all in favor)

1. 30 Beach Plum
2. 14-18 Beach Plum
3. 1 Dune
4. 41 Dune – T. Kruger will leave Executive Session

The Board came out of Executive Session at 12:54 pm. As a result of the Executive Board Meeting, the Board voted:

1. 30 Beach Plum: permit fee determined not to be required at the time of the project. Board will rescind the permit fee and the fine. Trash rebate entitlement will be mailed.
2. 14-18 Beach Plum: no violation. Closed.
3. 1 Dune: bill for \$1102.50 based on a quote for new, less mature, landscaping to replace the mature landscaping that was removed will be mailed. If homeowner accepts and pays within 30 days of invoicing, violation will be closed.
4. 41 Dune: tabled for additional information.

Adjournment:

Sharon motioned to adjourn. Judy seconded.

The meeting adjourned at 1:14 pm.

April 27, 2019 MBA Board Meeting Minutes

Next Board Meeting:

May 4, 2019 at 9:00 am at St. Martha's Episcopal Church. Community Meeting to follow at 10:00 am.

Respectfully Submitted,

Tris Kruger, Secretary