



Board Meeting Minutes

Saturday, September 21, 2019

The meeting was called to order at 9:32 am by the President, Margie Cyr, at the Bethany-Fenwick Area Chamber of Commerce.

Board Members Present:

Margie Cyr, Nancy Glasgow, Steve Larsen, Alex Sella, Jeff Sella, Marty Shecter, and Ellen Throop. Tris Kruger and Mike O'Mara joined by phone.

Others Present:

Ruby Halligan (CAS), Greg Pichler (20 Dune), Carol Tucker-Foreman (11 Dune), Joe Raskauskas (30 Beach Plum), Tim & Janie Switzer (1 Dune), Dennis Urso (GBA) and Ben Cushing (GBA) by telephone.

Beach Replenishment:

Steve provided background history of our beach and the previous restoration. We currently do not have a beach replenishment permit. This is a permit that allows MBA to participate in any future beach replenishment project. The previous permit was not renewed.

Steve and Jeff met with Sea Colony when Bethany and So. Bethany were replenishing their beaches. During that meeting Sea Colony revealed that they had reapplied for a beach replenishment permit and had received a favorable permit. They used Gahagan & Bryant Associates (GBA) to prepare the necessary studies and submit the permit application.

The goal is to obtain a beach replenishment permit that will allow MBA to participate in any future replenishment project.

There are three different permits that MBA has used: beach scraping, dune and walkway maintenance and beach replenishment. The scope of this work will only be related to the beach replenishment permit application. The estimated time to completion time is four months.

The cost of the contract does not include permit fees. This is a fixed fee contract and MBA will be billed monthly by GBA.

There will be a contract that will be sent to MBA for review and signature.

Introduction of Non-Board Members:

Margie asked all non-Board members to introduce themselves.

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Review of Meeting Minutes:

The August 31, 2019 Board minutes for the 9:00 AM Board meeting and the Organizational Meeting were reviewed. Nancy motioned to approve, and Marty seconded, to approve both sets of minutes. All in favor.

Property Manager's Report: Ruby Halligan

Chuck Taylor is working on various landscaping issues.

Alex Sella is working on replacing the guard rail on Bridge that was damaged by a Dollar General Truck. The insurance company has issued a check for \$1,200.

CAS was holding the keys for six properties in MBA. Three of the property owners have picked up their keys and arrangements are being made with the other three.

Second notices have been sent to property owners with unpaid fees. Final notices will be sent.

Ordered 10 "Private Property/No Trespassing" signs for placement along Kent Ave.

Bills have been sent for Lifeguard sharing. A total \$10,105 with \$4,415 sent to North Indian Beach and \$5,690 sent to Indian Beach.

Deposit check was sent to Matt's Paving for the fog sealing work on Addy & Errett.

Monthly financial statements were corrected for erroneous coding of expenses with these corrections reflected on the August financial statements.

President's Report: Margie Cyr

Margie thanked Sharon Adams and Judy Bennett, in absentia, for their service on the Board and to the Community.

Margie welcomed Alex Sella and Mike O'Mara to the Board

Margie discussed how she has spent the last few weeks learning about aspects of the Community. She noted that items that on future agendas are:

- Renewal of the CAS contract
- The possible creation of additional ad hoc committees to address the needs of the Community
- Permits for the beach, replenishment and beach scraping
- Involvement of as many community members as possible

Margie disclosed that she uses Ray Book as her personal CPA and that Book & Associates audits the Dover Library Foundation of which she is the Secretary/Treasurer. Book & Associates prepares the current compilation of the Books and Records for Middlesex Beach. Book & Associates and the Library Foundation do not see a conflict. The MBA Board concurred.

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Treasurer's Report: Steve Larsen

Last year was Steve's first year as head of the Budget committee and he wants to start the budget process earlier this year. Three areas comprise the bulk of the budget and the transparency is needed for:

- Community Facilities
- Beach Patrol
- Community Patrol

We also appear to be ahead of the budget; but the September financials which will offer a clearer picture. Final payroll for both Beach Patrol and Community Patrol will be reflected on the September financials.

Steve requested that CAS create a spreadsheet of payroll. This will assist him in the budgeting process.

Steve reminded each committee chair that the final budget needs to be approved by the Board at the March Board meeting and then sent to the Community for approval at the May meeting.

Committee Reports:

Building Committee: Margie Cyr

- 41 Dune (currently tabled)
- 29 Addy – A new contractor is being sought for the project
- 1 Dune – Demo permit issued and work commenced
- 11 Bayberry – Demolition permit issued and work commenced & tree removal permit issued and work commenced
- 16 Addy will be renovating their interior

Community Patrol Committee: Steve Larsen

A personnel issue will be discussed in Executive Session.

Commercial Committee:

The Produce Stand has been cleaned up and closed for the season. Marty has discussed with the property owner the need to submit a permit for operations for the 2020 summer season as soon as possible.

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Community Facilities:

CAS will order revised Non-Smoking Signs for the beach walkways due to the error by the sign company.

Culvert work at 18 Bayberry will be done in October. There is potential for additional work by the property owner.

Fog sealing of Addy & Errett is scheduled for October. Additional details are needed for community notification.

Alex proposed the addition of another line of dune fencing. Marty moved and Alex seconded the installation, over the winter, of an additional line of dune fencing approximately 20 feet to the east of the most easterly existing dune fence. The motion was unanimously approved (Mike O'Mara was no longer in attendance).

Alex discussed adding crushed rock and additional privacy fencing at the west end of Bayberry. Jeff moved and Marty seconded. The motion was unanimously approved (Mike O'Mara was no longer in attendance).

Legal Committee:

The Bennett lawsuit is in the Discovery phase. The Board agreed to participate in another round of mediation. Until August 31, 2019, Jeff was the President and point person for MBA in this lawsuit. Ellen moved and Marty seconded that Jeff remain as the point person for this litigation. All in favor (Mike O'Mara was no longer in attendance).

Ellen reviewed the latest draft of the rules of conduct for Board members. There was discussion about having two sets of rules: one related to discussions that occur in Executive session and those that occur in regular session. Several Board members argued for lesser restrictions related to discussions during regular Board meetings. Ellen will modify and circulate another draft of these proposed rules for the next Board meeting.

The rules related to Document Requests and the process are tabled.

There is a need to identify and review all rules passed by the Board since the last set of covenants were passed. These rules need to be captured for reference. Ellen says that the process for rules adoption needs to be changed. She will work on a draft.

Beach Patrol Committee:

Nancy presented for David Taylor.

The Beach Committee will meet to discuss lifeguard bonuses along with a one-time bonus for Colin Crandell for 25 years of service. Recommendations will be presented at the October Board Meeting.

Alex and Justin have reviewed the design of the beach patrol stands in Sea Colony and Middlesex Beach. A proto-type has been built; it is currently sitting in the driveway at 25 Short Road.

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All five of the current chairs are in disrepair. With Board permission, Alex can build the other four. The decision will be made at the October Board meeting.

Social Committee:

Mary Byrd submitted her report in absentia.

New Business:

Margie spent time with each prior committee chair and several employees to obtain a better understanding of the functions and responsibilities of each. Margie requests the Board approve the following committee chairs:

- Building---Jeff Sella
- Budget/Finance---Steve Larsen
- Patrol---Mike O'Mara
- Commercial---Marty Shecter
- Community Facilities---Alex Sella
- Legal---Ellen Throop
- Beautification---Tris Kruger
- Beach Patrol---David Taylor
- Social---Mary Byrd
- Nominating---Jeff Sella (Past President)

A discussion took place about whether the Chair of each committee should be a Board member. Steve moved that Board members should have the right of first refusal for any Chair position.

There was discussion about whether this would be too restrictive; and the possibility of creating co-Chairs. It was agreed that this would be too cumbersome. It was agreed that each committee needs a Board member, in addition to the President (who serves on every committee).

Tris moved to approve the committee chairs, as presented by Margie; Alex seconded the motion. The vote was six for, one against and one abstain (Mike O'Mara was no longer in attendance).

Meeting Format:

Margie hopes to shorten the length of the Board meetings:

- The target will be two hours with up to an additional hour for Executive Sessions.

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- Speakers may be placed on a time limit.
- Each committee chair should circulate written reports prior to the Board meeting, including any minutes from committee meetings.
- It was agreed that each Community Member would introduce themselves at the beginning of the meeting and state any topic that they wish to address. They will then be allowed a period of time to speak on each topic, as it is addressed by the Board.

Recognition of Former Board Members:

It is customary to provide a gift certificate to departing Board members. Marty moved and Tris seconded that Sharon Adams and Judy Bennett be recognized and thanked for their service with a \$100 gift card. All in favor.

Beach Scraping:

MBA's current permit expires in November. It was agreed that it should be renewed. Ruby will obtain the necessary application and complete it for Margie's signature.

Special Event Request:

Greg Pichler has requested permission to host a party at house along the format of a happy hour on October 19, 2019. Tris moved for approval and Alex seconded. All in favor.

Dogs on the Beach:

This issue was tabled until the October meeting.

Community Member Comments:

- Joe Raskauskas
 - Trash rebate
 - DeMarie property conditions
 - Legal Committee membership
- Greg Pichler
 - Special Event request
 - Dogs on the Beach
 - Rental Fee
- Tim Switzer--Community Members at board meetings
- Jamie Switzer-- Board meeting reminders

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- Carol Tucker-Foreman
 - Board agendas
 - Code of Conduct

Executive Session:

Marty moved and Nancy seconded to go into Executive Session to discuss a personnel issue to and to review the Bennett lawsuit. All in favor.

Executive Session started at 12:40 and ended at 12:52.

The status of the Bennett lawsuit was discussed; and, we will need to create and adopt a process for Rule adoptions.

Adjournment:

Nancy moved and Ellen seconded that the meeting be adjourned.

Next Board Meeting:

October 19, 2019 after the Community Meeting at the Bethany-Fenwick Area Chamber of Commerce.

Respectfully Submitted,
Jeff Sella & Nancy Glasgow