

## Town of Henlopen Acres

104 Tidewaters  
Henlopen Acres, DE 19971

302-227-6411

fax: 302-227-3978

---

**MINUTES:** The Commissioners of the Town of Henlopen Acres held a Board Meeting at **10:00am on Friday, June 7, 2019** at Town Hall, 104 Tidewaters, Henlopen Acres, Delaware.

**PRESENT:**

Joni Reich	Mayor
John Staffier	Commissioner
Andrew Brittingham	Commissioner
Frank Jamison	Commissioner
Tim Hidell	Commissioner
Beatrix Richards	Commissioner
Richard Thompson	Commissioner
Thomas Roth	Town Manager
Lisa Michaels	Town Clerk

**[Minutes are Not Verbatim]**

**1. Call to Order, Pledge of Allegiance**

The meeting was called to order by Mayor Joni Reich at 10:02 am.

**2. Review and possible action on Building and Property Maintenance Ordinance**

Town Manager Thomas Roth notified the Commissioners that they would not be able to adopt this ordinance today because the announcements on the Town's website and in the Town newsletter stated that the Commissioners would be taking public comments at the July Board meeting. Commissioner Frank Jamison is concerned that the proposed ordinance doesn't include yard maintenance. At the previous meeting, Mr Mandalas had suggested that a property maintenance ordinance that was too specific in regards to yard upkeep would be difficult to enforce as some of those issues are subjective. Mr. Roth received two verbal comments both concerned that a property maintenance ordinance that sets minimum maintenance standards could be difficult to adhere to as a resident.

Commissioner Tim Hidell agreed as aesthetics are subjective. Mayor Reich comments that most other Coastal Towns have adopted the more stringent International Property Maintenance Code and feels what is proposed here is more simplistic.

Commissioner John Staffier recommended removing the word "plastic" on the first page under (1) as the Town doesn't allow plastic surfaces; and also to change the procedure of "Town Officials" issuing a citation as well as hearing the appeals, but rather having the Environmental Review Committee hear the appeals. Mayor Reich didn't agree because she felt the Town would be putting neighbors in a difficult decision of potentiating ruling against each other. This item will be discussed again at the July Board meeting.

### **3. Review of Chapter 95 Rental Property**

The current Rental Ordinance was discussed with a proposal to restrict it even further by limiting the total number of weeks a property can be rented within the year. Included in the meeting packet was a spreadsheet showing the homes currently being rented in Henlopen Acres with the income being generated by the property owner and the Town's Gross Receipt tax received. Several properties in Town are strictly rental properties and the Commissioners are concerned that could be in violation of the Zoning Code by becoming a commercial property. The Commissioners will need the Town Solicitor to advise as to the legality of restricting property owners' rights to rent. The Commissioners understand that some properties were purchased specifically to be rental properties, and if there is a change in the Rental Ordinance, the Town may have to grandfather the current rental homes for a period of time. This item will be discussed again at the July meeting.

### **4. Appointment of one member to the Tree Committee**

Mayor Reich recommended Jeffrey Jacobs of 24 Rolling Road to fill the opening on the Tree Committee. Mr. Jacobs's term would run until October 2021. A **motion** to approve the appointment of Mr. Jeffrey Jacobs to the Tree Committee was made by Commissioner Richard Thompson and seconded by Commissioner Paddy Richards. **Motion** passed unanimously.

### **5. Review and possible action on proposed budget for Fiscal Year July 1, 2019 through June 30, 2020**

A copy of the proposed budget for 2019-2020 was included in the meeting packet. . Both Commissioner Tim Hidell and Mayor Reich commented that the proposed budget is conservative and balanced. There is a recommended change in the water fees with the annual water rate increasing to \$440 per year for homes and \$66 per year for unimproved lots. There has also bee an increase in water connect/disconnect rates. It is recommended to increase the annual contribution to the Rehoboth Beach Volunteer Fire Department to \$2000 and a contribution to the Inland Bays of \$1000. The Town will also increase its Employer Matching contribution to the Employee 457 plan to 3%. The Capital Budget includes continued funding for the future dredging of the marina and also water interconnection with Rehoboth Beach. There was discussion of the ongoing drainage project on Tidewaters and also possible increases in Municipal Street Aid and the County Grant used for Security. A **motion** to approve the 2019-2020 Budget as proposed was made by Mr. Thompson and seconded by Mr. Staffier. **Motion** passed unanimously.

### **6. Adoption of the Tax Rate, Water Rates and Fee Schedule**

A **motion** to adopt the tax rate, water rate and fee schedule with the changes in the water rates and connection/disconnection fees for 2019-2020 was made by Commissioner Andrew Brittingham and seconded by Mr. Hidell. **Motion** passed unanimously

**7. Executive Session for the purpose of discussing personnel matters, in accordance with 29 Del. C. § 10004 (b)(9)**

A **motion** to enter Executive Session to discuss personnel matters was made by Commissioner Frank Jamison and seconded by Mr. Hidell at 11:10am.

A **motion** to come out of Executive Session was made at 11:22am by Mr. Hidell and seconded by Mr. Staffier at 11:35am.

**8. Any other business that may come before the Commissioners**

None

**9. Adjournment**

A motion to adjourn was made by Mrs. Richards and seconded by Mr. Thompson The meeting was adjourned at 11:35am.

**Approved 07/12/2019**