

Town of Henlopen Acres

104 Tidewaters
Henlopen Acres, DE 19971

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MINUTES: The Board of Commissioners of the Town of Henlopen Acres held their Quarterly Meeting at **10:00am on Friday, July 12, 2019** at Town Hall, 104 Tidewaters, Henlopen Acres, Delaware.

PRESENT:

Joni Reich	Mayor
Tim Hidell	Commissioner
Beatrix Richards	Commissioner
Richard Thompson	Commissioner
John Staffier	Commissioner
Thomas Roth	Town Manager
Lisa Michaels	Town Clerk
Glenn Mandalas, Esq.	Town Solicitor

EXCUSED:

Frank Jamison	Commissioner
Andrew Brittingham	Commissioner

[Minutes are Not Verbatim]

1. Call to Order, Pledge of Allegiance

The meeting was called to order by Mayor Joni Reich at 10:00 am.

2. Presentation by Kelly Valencik, Resilient Communities Partnership

Kelly Valencik from DNREC was joined by Paige Russell also from DNREC and Evan Miller from the City of Rehoboth Beach. They discussed the Resilient Community Partnership that Henlopen Acres is a part of. A copy of their presentation was included in the packet. The presentation highlighted the Coastal Municipalities Imperious Surface Coverage Project. The current project runs through September 2019 and will also be partnering with AECOM and KCI to evaluate and offer suggestions to participating towns on how to mitigate the effects of run off from impervious surfaces. A copy of the presentation will be put on the Town's website.

3. Approval of Minutes

a. Board of Commissioner's Quarterly Meeting-April 12, 2019

A **motion** to approve the minutes from the April 12, 2019 Quarterly Meeting was made by Commissioner Richard Thompson and seconded by Commissioner Tim Hidell.. **Motion** passed unanimously

b. Board of Commissioner's Budget Meeting-June 7, 2019

A **motion** to approve the minutes from the June 7, 2019 Budget Meeting was made by Mr. Hidell and seconded by Commissioner Beatrix Richards. **Motion** passed unanimously.

4. Treasurer's Report

A copy of the current financials and preliminary fiscal year end were included in the meeting packet. The Operating Budget showed a \$17,000 increase in cash which is \$14,000 over budget. The Operating Expenses were on budget. The Capital Budget is still preliminary as all invoices for the Tidewaters storm water project have not been received.. Mr. Roth was pleased to note the Town has no outstanding debt.

5. Town Manager's Report

A copy of the Town Managers report is included in the packet. There was not a security report included but there were no security issues to discuss. Mr. Roth plans on meeting with Senator Ernie Lopez to discuss crosswalks on Duneway. Mr. Roth is also setting up a meeting to discuss dredging at the marina. A questionnaire was received from the City of Rehoboth Beach asking for comments on their Comprehensive Plan. It will be forwarded to the Commissioners and the Chairman of the Planning Commission.

6. Unfinished Business

a. Ratify amendments to the budget approved on June 7, 2019

A **motion** to approve the amendments made to the 2019-2020 Budget that reflected increases in the Town employees' compensation at the June 7, 2019 meeting was made by Commissioner John Staffier and seconded by Mr. Thompson. **Motion** passed unanimously.

b. Review and possible action on Building and Property Maintenance Ordinance

Mayor Reich has received several comments in favor of adopting the Building and Property Maintenance Ordinance. Mrs. Richards suggest a longer period to allow for rectifying any issues. Currently the Ordinance draft calls for 14 days and Mrs. Richards recommends amending the Ordinance extending it to 30 days. Glen Mandalas Esq. agrees. Mr. Staffier suggests adding a clause to the rental license application certifying compliance to the Building and Property Maintenance Ordinance. This will be discussed further under item 6 C. A **motion** to adopt the Building and Property Maintenance Ordinance as amended was made by Mr. Thompson and seconded by Mr. Hidell. **Motion** passed unanimously.

c. Review of Chapter 95 Rental Property

The discussion continued on whether the Commissioners should take steps to further curtail the rental activity in Town. The current rental ordinance is included in the meeting packet. The rental license application will be updated to include certifying compliance to the Building and Property Maintenance Ordinance. Mr. Mandalas and the Commissioners discussed what rights the Town has in limiting rental activity. They discussed limiting the amount of weeks a home can be rented in a year, requiring all rentals be done through a realtor, and limiting rentals in the summer months. The Commissioners will solicit comments from residents by putting a note in the next newsletter and having a public workshop on rentals at the next Commissioners meeting in September.

7. New Business

a. Review and possible action on license agreement for bridle path

The property in question, 57 Tidewaters, submitted building plans for a new residence that were approved in December 2017, which did not include a driveway

built in the bridle path. The completed home with final survey has the driveway approximately two feet in the bridle path. The Town has requested the homeowner move the driveway out of the bridle path. The homeowners have retained legal counsel and their counsel and Mr Mandalas will engage in discussions on how to rectify the situation. Mr. Mandalas will keep the Commissioners updated on any progress made.

b. Review and possible action on amendments to Chapter 114, Trees

The Tree Committee has presented the Commissioners with a draft Ordinance for Protection of Town Trees during Construction. The Tree Committee also presented a Tree Removal Application for use when a homeowner wants to remove a Town tree. There was an extensive discussion on trees among the Commissioners and the Chairman of the Tree Committee, John Scheurer. Everyone is in agreement that the Town needs to continue to be proactive in protecting and maintaining the current tree canopy by continuing to plant new trees each year and trying to keep as many of the current trees as possible. The Commissioners also discussed having a minimum tree density per lot and asked the Tree Committee to work on some suggestions. A **motion** to adopt the Tree Protection Ordinance and approve the use of the Tree Removal Application was made by Mrs. Richards and seconded by Mr. Thompson. **Motion** passed unanimously.

c. Discussion on §C-21 of Charter, Supplemental Assessments

There is currently a provision in the Charter that allows the Town to invoice property taxes quarterly if a property is reassessed by the County. Mr. Roth would like to exercise that option. The Commissioners agreed.

d. Discussion and possible action on Investment Policy

The Investment Committee has interviewed several other investment firms in a desire to switch from Brown Advisory. The Committee is unanimously recommending a switch to the firm of Farr Miller & Washington. The investment fees are lower and the Committee believes their investment strategy better aligns with the Town's risk profile. The Commissioners agreed. A **motion** to approve switching to the investment firm of Farr Miller & Washington was made by Mr. Staffier and seconded by Mrs. Richards. **Motion** passed unanimously.

e. Appointment of two members to the Board of Adjustment

Mayor Reich has recommended Leigh Jamison, 90 Tidewaters and Norma Lee Derrickson, 49 Tidewaters for appointment to the Board of Adjustment.

f. Appointment of three members to the Audit Committee

Mayor Reich has recommended Jeffrey Jacobs, 24 Rolling Road and Thomas Rinker, 99 Tidewaters for reappointment to the Audit Committee. She has also recommended Nathalie McGregor, 3 Pine Reach for appointment.

g. Appointment of three Election Officers

Mayor Reich recommended for re-appointment as Election Officers, Barbara Shortley, 59 Pine Reach and Elinor Boyce, 11 Tidewaters. She also recommended Betsy Wilgis, 32 Tidewaters for appointment.

h. Appointment of three members to the Board of Elections

Mayor Reich recommended for re-appointment to the Board of Elections, Bruce Moore, 14 Tidewaters and Tiffany Derrickson, 54 Rolling Road.

She also recommended Sallie Jones, 31 Rolling Road for appointment. A **motion** to approve all the appointments and reappointments as recommended by Mayor Reich was made by Mr. Thompson and seconded by Mr. Staffier. **Motion** passed unanimously.

i. Removal of registrants from the voting roll

A list of registrants to be removed from the voting roll was included in the packet. A **motion** to approve the removals as listed was made by Mr. Staffier and seconded by Mr. Hidell. **Motion** passed unanimously.

8. Any other business that may come before the Commissioners

Mr. Roth informed the Commissioners that next year will be the 50th Anniversary of the Town of Henlopen Acres. Mayor Reich would like to see an Anniversary Committee formed and a celebration planned.

9. Adjournment

A **motion** to adjourn was made by Mrs. Richards and seconded by Mr. Hidell. The meeting was adjourned at 11:41am.

Also in Attendance:	Scott Cameron	Cape Gazette
	Henry DeWitt	55 Fields End
	Wendy Jacobs	24 Rolling Road
	John Scheurer	62 Tidewaters
	Barbara Shortley	59 Pine Reach
	Walter Stark	4 Rolling Rd

Approved 10/11/2019