

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 9, 2021** at Town Hall, 104 Tidewaters, Henlopen Acres, Delaware.

PRESENT:

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

EXCUSED: 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 10:01 am.

2. Approval of Minutes

a. Board of Commissioner's Special Meeting- April 21, 2021

A **motion** to approve the meeting from the April 21, 2021 Board of Commissioner's meeting was made by Commissioner Tim Hidell and seconded by Commissioner Jeff Jacobs. **Motion** passed unanimously.

b. Board of Commissioner's Budget Meeting- June 11, 2021

Mr. Hidell requested a correction to the Board of Commissioners Budget meeting minutes from June 11, 2021. On page 2, item 5, Mr Hidell would like the minutes to reflect that the Town may have the potential to decrease the tax rate, if the tax revenue increases after Sussex County completes their re-assessment of all properties as previously mentioned. A **motion** to approve the Board of Commissioners Budget meeting minutes from June 11, 2021, as corrected, was made by Commissioner Paddy Richards and seconded by Commissioner John Staffier. **Motion** passed unanimously.

3. Treasurer's Report

A copy of the financials for the fiscal year end June 30, 2021 are included in the meeting packet. Treasurer Jeff Jacobs noted the fiscal year is expected to close better than expected with income being \$266,000 above expenses. Revenue was higher than previously

budgeted due to several factors: Increased rental income, increased transfer tax income and federal government stimulus received in May of \$38,000. Expenses were also less than projected due to marina dredging being delayed to the fall of 2021 as was the water plant master control panel.

4. Town Manager's Report

The June Town Manager's report and security report are included in the meeting packet. Also included is a draft of the Annual Comprehensive Plan update. Mr Roth noted the Planning Commission will be meeting at 2pm to continue reviewing the Zoning Code definitions. The Environmental Review Committee will be meeting on July 13 to review new home plans for 8 Dodds Lane. There have been 21 homeowners sign up for a tree evaluation. The master control panel for the water plant was sent out for bid but no contractors came forward. The engineer who prepared the bid documents will prepare a proposal for review. Town Hall will be preparing for the annual financial audit in August by PKS Company. There have been five candidates register for two open seats on the Board of Commissioners. The filing deadline is today at 430pm. Mr Roth also reviewed the rules for voter registration. The deadline to register to vote is Thursday July 29. Mr Roth would like to discuss some parking issues in Town and rework the parking pass system for the cul-de-sacs. There was an extensive discussion on parking overflow at the cul-de-sacs and issuing parking tickets. There is a general feeling by the Commissioners and Mr Roth that there is a larger volume of cars at the cul-de-sacs this year and also there are some people who are not residents and/or renters parking in the cul-de-sacs. The Commissioners would like to get feedback on parking from the residents once a new proposal is submitted .

5. Unfinished Business

None

6. New Business

a. Review and possible resolution on amendments to Chapter 130-4, Zoning

A list of proposed changes to the Zoning Code, Chapter 130-4 Definitions was included in the meeting packet. The Planning Commission has submitted some revisions to the Zoning Code definitions for approval by the Board of Commissioners. The Commissions approved all the proposed changes except for the definition of "Lot Area". The Commissioners would like Mr Roth to review that definition with Town Solicitor Glenn Mandalas. The Planning Commission will continue to review and update the Zoning Code and submit proposed changes to the Board of Commissioners. The next step in the approval process of the submitted revisions will be to hold a Public Hearing. A **motion** to hold a Public Hearing to review the proposed changes to the Zoning Code, Chapter 130-4 Definitions was made by Mr Hidell and seconded by Mr Staffier. **Motion** passed unanimously. The Public Hearing will be held before the Board of Commissioners Quarterly meeting on October 8 2021 at 10:00am.

b. Appointment of three members to the Audit Committee

The three-member Audit Committee is appointed annually. Mayor Reich recommended Terry Jacobs, 28 Tidewaters for reappointment and she

recommended Ray Murphy, 61 Fields End, and Scott Riegel, 17 Tidewaters for appointment to the Audit Committee. A **motion** to approve Terry Jacobs, Ray Murphy and Scott Riegel to the Audit Committee was made by Mr Staffier and seconded by Mr Hidell. **Motion** passed unanimously.

c. Appointment of one member to the Planning Commission

Mayor Reich recommended David Robinson, 8 Tidewaters, for appointment to the Planning Commission to complete the term of Tim Lyons thru March 2023. A **motion** to approve David Robinson for appointment to the Planning Committee was made by Mr Hidell and seconded by Mr Staffier. **Motion** passed unanimously.

d. Appointment of one member to the Board of Elections

A member of the Board of Elections filed their candidacy for the Board of Commissioners after the agenda for today's meeting was posted. This requires them to be replaced on the Board of Elections. Mayor Reich recommended Frederica Noland, 44 Pine Reach, for appointment to the Board of Elections to replace Tiffany Derrickson. A **motion** to approve Frederica Noland to the Board of Elections was made by Mr Staffier and seconded by Mrs Richards. **Motion** passed unanimously.

e. Removal of registrants from the voting roll

A list of registrants to be removed from the voting roll was included in the meeting packet. This list includes all the residents/property owners who moved, sold their property, or passed away within the last year. A **motion** to approval removal the registrants as submitted was made by Mr Staffier and seconded by Mr Hidell. **Motion** passed unanimously.

7. Any other business that may come before the Commissioners

Mayor Reich gave an update on the proposed Canal Pointe dock. Sussex County did put restrictions on the size of the proposed dock by Canal Pointe which was one of the requests made by the residents of Henlopen Acres. Canal Point is challenging the ruling by Sussex County and has petitioned to allow for a 30ft dock instead of the 16ft dock that was approved. Henlopen Acres will continue to stay involved and is concerned about the loss of the buffer vegetation along the canal as required by the county.

Mr Roth and Solicitor Mandalas then discussed Senate Bill 94 which was recently passed making amendment to FOIA regulations and virtual meetings. Mr Mandalas recommends the Town make a formal policy on virtual meetings and make it standard across all Board and Committee meetings. The Town will consider allowing broadcasting meetings to allow residents to view virtually but for now will monitor what other towns are doing to handle the situation.

8. Adjournment

A **motion** to adjourn was made at 11:18 am by Mr. Hidell and seconded by Mr. Staffier.

Approved 10/08/2021