

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 **Virtual** Quarterly Meeting at **10:00am on Friday, January 14, 2022,** at Town Hall, 104 Tidewaters, Henlopen Acres, Delaware.

PRESENT:

Joni Reich	Mayor
Tiffany Derrickson	Commissioner
John Staffier	Commissioner
Jeffrey Jacobs	Commissioner
Beatrix Richards	Commissioner
Richard Thompson	Commissioner
Thomas Roth	Town Manager
Lisa Michaels	Town Clerk
Glenn Mandalas, Esq.	Town Solicitor

ABSENT: Tim Hidell 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. Approval of Minutes

a. Board of Commissioner's Quarterly Meeting- October 8, 2021

A **motion** to approve the October 8, 2021 Quarterly minutes was made by Commissioner John Staffier and seconded by Commissioner Tiffany Derrickson. **Motion** passed unanimously.

b. Board of Commissioner's Board Meeting- December 10, 2021

There are several corrections to the December 10, 2021, minutes. Commissioner Jeffrey Jacobs noted that under item 4 Parking, Walter Stark, submitted a letter in favor of stricter parking rules in the cul-de-sacs. This letter was read during the meeting and should be mentioned in the minutes and included as part of the permanent record. There were also two grammatical errors mentioned by Mayor Reich. A **motion** to approve the December 10, 2021, Board Meeting minutes as corrected was made by Commissioner Jeffrey Jacobs and seconded by Mrs. Derrickson. **Motion** passed unanimously.

3. Treasurer's Report

A copy of the current financials through December 31, 2021, were included in the meeting packet. Mr. Jacobs noted that at midpoint of the Town's fiscal year there are no surprises in the Operating budget. All Town property taxes have been paid and Town gross receipts taxes are due the end of January. Gross receipts are expected to be above budget by 20%. Transfer Tax is currently below target and with no properties for sale in Town, it appears

there will be a short fall this fiscal year which will not affect the Operating budget. The Commissioners discussed that Sussex County will be dispersing extra transfer tax to each municipality based on previous distributions under the Recovery Act. Henlopen Acres is expected to receive \$100,000 which will offset the potential shortfall to the Capital budget. Mr. Jacobs also discussed that he and Town Manager Thomas Roth are continuing to explore banking alternatives to Fulton Bank. They have met with both County Bank and Community Bank and will make a decision soon. They are also working on moving the renewal dates of the Town's commercial insurance policies away from the end of the year holiday season as discussed at the previous meeting.

4. Town Manager's Report

A copy of the Town Manager's report for December and the security report are included in the meeting packet. Mr. Roth completed updates to the Comprehensive Plan and will have the Planning Commission review once more before presenting to the Commissioners. The pre-construction survey for dredging is completed. The street survey should be received within the next week. The State now offers vision coverage which is an optional addition to our health care package. A decision whether to offer will need to be made by March 31.

Mayor Reich commended the street department for the amazing job they did to clean up after the recent snow storm.

5. Unfinished Business

a. Review and possible resolution on an amendment to the definition of "Family" and to delete the definition of "Group Rentals" from Chapter 130-4, Zoning, Definitions

Commissioner Staffier made a **motion** to approve a resolution to hold a public hearing on the proposed amendment to Chapter 130-4 which would amend the definition of "family" to read, "A single person occupying a dwelling unit and maintaining a household, or two or more persons related by blood, marriage or adoption occupying a dwelling unit, living together as a social unit and maintaining a common household, or not more than three persons unrelated by blood, marriage or adoption living together as a social unit and maintaining a common household". This amendment would also delete the definition of "Group Rental" in its entirety. Commissioner Jacobs seconded the motion. The motion passed.

Additionally, the Board discussed Section 130-17.D, Permitted uses. Currently this section restricts the use of accessory structures to "use for family". Commissioner Staffier stated that this is unrealistic and the phrase should be deleted. Commissioner Jacobs **moved** to hold a public hearing to amend Section 130-17.D to delete the phrase "use for family". Commissioner Derrickson seconded the motion and the motion passed.

6. New Business

a. Review and possible action to add the definition of “Group Rental” to Chapter 95, Rental Property

Commissioner Jacobs made a **motion** to add the definition of “group rentals” currently found in Chapter 130, to Chapter 95, Rentals. Commissioner Derrickson seconded the motion and the motion passed.

7. Any other business that may come before the Commissioners

Mr. Roth presented a proposal from PKS & Co. to extend our agreement for the annual audit for an additional three years, with fee yearly increases of 3%, 2.1% and 2.4%. Commissioner Jacobs stated that he was very pleased with the performance by PKS & Co. and added confirmed that the Town’s audit committee is in favor of continuing with this firm.

8. Adjournment

Having no other business before the Commissioners, the meeting was adjourned at 10:58am.

Also in Attendance Virtually: Patrick Hurson 3 Zwaanendael
 Henry DeWitt 55 Fields End

Approved: April 8, 2022