

**FORT DUPONT REDEVELOPMENT AND PRESERVATION CORPORATION
BOARD OF DIRECTORS MEETING**

Via Zoom
Delaware City, DE 19706
January 12, 2022
8:30 a.m.

Meeting Minutes

Board Members:

Bryon Short, Pam Scott, Ruth Ann Jones, Shawn Garvin, Dan Scholl, Dale Slotter, Eric Smith, Courtney Stewart, Daniel Episcopo, David Baylor, David Mangler, David Edgell, Laura Lee, Neal Dangelo

Staff:

Jeff Randol, Executive Director
Peggy Thomas, Site Manager
Crystal Pini-McDaniel, Administrative Assistant
Bert Scoglietti, Treasurer
Richard Forsten, Saul Ewing
Terry Buchanan, Social Media Proxy

Members of the Public:

Tim Konkus, Betty Barrett, Jack Guerin, Valerie Longhurst, Chris Castagno, Erica Lindsey, John Finnegan

I. Call to Order

Mr. Short called the Fort DuPont Redevelopment and Preservation Corporation Board of Directors meeting to order at approximately 8:34 a.m.

II. Approval of Minutes

A motion was made to approve the minutes of the November 10, 2021 meeting by Mr. Parets, seconded by Ms. Scott. A vote was taken, motion carried.

III. Treasurers Report

A. Financial Report for July through December 2021. Mr. Scoglietti highlighted the following line items:

- Page 1, Lines 4010 State Appropriation and 4020 Roundabout – Draws have been taken from the state with the numbers reflected of \$1,350,000 and \$75,000. A request was sent in January to draw \$450,000 from 4010 taking it to \$1,800,000 and \$400,000 from 4020 taking it to \$475,000.
- Page 1, Line 4200 Real Estate Sales – No changes.
- Page 3, Line 6716 Canal District – Net is up approximately \$11,000 with expenses about \$50,000 which includes a credit from Delmarva Power.
- Page 3, Line 6734 Building23-Band Barracks – Increase in spending by \$40,000 which reflects preparations for DNREC to move in.
- Page 3, Line 6738 Duplexes on OBL – Expenses are higher with renovations.
- Page 3, Line 6748 Building 52-Tilton – Expenses totaling \$10,510.23 which were not budgeted for were due to minor flooding and elevator repairs which were not expected.
- Page 4, Line 7125 Snow & Ice Removal – No expenses as of December but this will increase as we move into snow season with two storms already.
- Net income of \$1,080,666.88.

Questions:

Mr. Short asked where we stand with the FY21 audit. Mr. Scoglietti stated it was just received last week, it will be reviewed and distributed to the Finance Committee.

A motion to accept the Financial Report as presented was made by Mr. Mangler, seconded by Mr. Baylor. A roll call vote was taken. Motion carried.

IV. Legal

Mr. Short requested a motion to go into Executive Session to discuss legal matters. A motion to go into Executive Session was made by Mr. Parets, seconded by Ms. Stewart. A vote was taken, Ms. Scott abstained. A roll call vote was taken. Motion carried.

Executive Session - Legal

Mr. Short requested a motion to come out of Executive Session. A motion to come out of Executive Session was made by Mr. Baylor, seconded by Mr. Parets. A roll call vote was taken. Ms. Scott abstained. Motion carried.

Mr. Short requested a motion to hire a new law firm to represent FDRPC. A motion to hire Saul Ewing was made by Mr. Parets, seconded by Mr. Mangler. A roll call vote was taken. Ms. Scott and Mr. Baylor abstained. Motion carried.

Ms. Scott resigned from the FDRPC board due to her firm, Saul Ewing being chosen to represent the Corporation effective immediately and expressed that she was not involved in the selection process or Mr. Forsten being hired. Mr. Short thanked her for her service to the board.

Mr. Short requested a motion to go into Executive Session to discuss a personnel matter. A motion to go into Executive Session was made by Mr. Parets, seconded by Mr. Mangler. A roll call vote was taken. Motion carried.

Executive Session - Personnel

Mr. Short requested a motion to come out of Executive Session. A motion to come out of Executive Session was made by Mr. Parets, seconded by Mr. Baylor. A roll call vote was taken. Motion carried.

Ms. Stewart stated no further action is being taken today.

- A. Lennar Amendment. Mr. Forsten stated that Lennar is asking to extend their due diligence until the end of February 2022. Currently Mr. Forsten is awaiting the proposed amendment and is only requesting approval to extend due diligence until end of February 2022; Lennar may request other changes but at this time it's not known what those will be.

Mr. Randol stated the payment schedule may change with engineering and soil work. We should receive it within the next 2-3 weeks.

Mr. Parets asked if we need to make a motion and Mr. Forsten said yes.

Mr. Parets made a motion to extend the due diligence until February 28, 2022, seconded by Mr. Mangler. A roll call vote was taken. Motion carried.

V. Executive Director Report

Offer on Common Area Adjacent to lot 81. Ms. Thomas presented a proposal from the Donaldson family to purchase the small area adjacent to their lot; it's approximately a tenth of an acre. The offer is for \$2,500 and buyer

will cover all costs associated with the sale. FDRPC is currently required to maintain the lot. There are no open space requirements. There was discussion related to valuation; restrictions based upon open space requirements within the approved subdivision plan; and if it will cause any legal complications with other residents, the deed restrictions and master plan. Mr. Forsten stated that the deed restrictions and plan need to be reviewed and that the excess land procedures will not have to be followed as the rules for FDRPC is set up with more open rulings. Even if state law doesn't require it, we should still do due diligence and make sure we're getting fair market value.

The request was referred to counsel for further review.

VI. Committee Reports

A. Finance.

- i. Budget Revision. Mr. Randol stated this can be pushed until the February board meeting.
- ii. FY21 Audit. Mr. Short stated that Mr. Scogletti will review and review with the committee.

B. Historic Preservation. Ms. Lee stated that there has not been a meeting, but the Lennar plans will be reviewed closely and discussed at the next meeting. Discussions with potential rental groups are taking place for use of the former POW building to hold meetings.

Questions: Mr. Slotter asked if DHPC meetings are open to the public. Mr. Randol stated that they are open to the public and published on the FDRPC website.

C. Governance & Personnel.

D. Master Planning Committee. Mr. Randol stated that there was a meeting yesterday in which they reviewed the Lenar plans and will bring to the board for further review and discussion.

VII. Delaware City Communications

Mr. Short stated that he appreciates the communication between Delaware City and FDRPC. Mr. Baylor asked for a moment of silence for Bob Malinowski, who recently passed away. Mr. Malinowski had served on the city council and was very dedicated to the city.

VIII. New Business

No new business.

IX. Public Comment

Jack Guerin made a public comment as an advocate for the reversal of the Blue Water agreement on the basis that Grassdale was protected under. He also voiced concern that the corporation was conducting meetings in secrecy.

John Finnegan at 990 Port Penn Rd in Middletown and the former owner of Grassdale before the land was sold to the state, made a public comment that this land should be left as is and be kept as wetlands. There should be restrictions and that the board should not be permitted to do whatever they want.

X. Adjourn

Mr. Short asked if there were any further questions or comments. Hearing none, he asked for a motion to adjourn. A motion was made by Mr. Mangler, seconded by Ms. Stewart. A roll call vote was taken, motion carried.