

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

Via Zoom
Delaware City, DE 19706
February 9, 2022
8:30 a.m.

Meeting Minutes

Board Members:

Bryon Short, Courtney Stewart, Ruth Ann Jones, Eric Smith, Neal Dangelo, Laura Lee, Dale Slotter, David Baylor, David Mangler, David Edgell, Paul Parets, Shawn Garvin

Staff:

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

Members of the Public:

Nicole Poore, Tim Konkus, Tara Barrett, Betty Barrett, Chris Castagno, Craig O'Donnell, Valerie Longhurst, Erica Lindsey, Jack Guerin, Mark Wise, Mary Bricker-Jenkins, Ray Gogola, Rick Boisclair, Rick Piecara, Susan Rahn, Tara Barrett, Tim Diliplane, Wendy Rogers

I. Call to Order

Mr. Short called the Fort DuPont Redevelopment and Preservation Corporation Board of Directors meeting to order at approximately 8:38 a.m.

II. Approval of Minutes

A. January 12, 2022 Meeting.

A motion was made to approve the minutes of the January 12, 2022 meeting by Mr. Parets, seconded by Mangler. A vote was taken, motion carried.

B. January 28, 2022 Meeting.

A motion was made to approve the minutes of the January 28, 2022 meeting by Mr. Parets, seconded by Mr. Slotter. A vote was taken, motion carried.

III. Treasurers Report

A. Financial Report. Mr. Scoglietti highlighted the following line items:

- Page 1, Lines 4010 State Appropriation & 4020 Roundabout – The requests for additional draw on funding are reflected; line 4010 increased \$450,000 and line 4020 increased \$400,000.
- Page 1, Line 4200 Real Estate Sales - No change since December.
- Page 3, Line 6713 Building 55-Chapel - Continued work on the Chapel, spending is up \$56,000 since December to \$114,000.
- Page 3, Line 6734 Building 23-Band Barracks – Spending is up \$37,000 to \$148,000 with \$112,000 last month.

- Page 3, Line 6738 Duplexes on OBL – Spending is up \$50,000.
- Page 4, Line 6748 Building 52-Tilton - Continued work.
- Page 4, Line 6768 DNREC Magazine – Spending is \$66,790 to date.
- Page 5, Line 7220 FDRPC RLF Repayment – Revolving loans, corporation reserves paid back \$200,000 as budgeted.
- Net income of \$1,737,855.91.

Questions:

It was asked what the DNREC Magazine is. The DNREC Magazine is a storage area with a locker for gun powder magazines and is part of the move from Grassdale to the Band Barracks.

A motion to accept the Financial Report as presented was made by Mr. Dangelo, seconded by Ms. Stewart. A vote was taken, motion carried.

IV. Legal

A. Lennar Amendment.

Mr. Forsten gave an update on the 5th amendment of the agreement for 130 units. The original agreement was signed some time ago with several amendments done as well as investigations. The proposed 5th amendment states there's a need for fill material on site due to dirt settling and compacting. The original agreement was structured for fees to the corporation of \$20,000 for each unit sold as well as a fee for each unit for site work, considered part of the lot finishing agreement of \$60,000 per unit; this is standard for most national home builders because they do not purchase lots without infrastructure in place. Lennar requires the seller to make improvements so they can come in and build the houses. The amended agreement includes additional funds to the corporation up front to do the rough grading necessary for the lot finishing. The main change is the additional funds to the corporation which will be credited against proceeds at closing. The permit and fee schedule has minimal changes; this was originally "TBD" in the agreement for which many don't apply in the state of Delaware as it's more of a corporate template form; impact fees are also included which will be discussed. A copy of the amendment along with a memo will be sent to the board for review as it was just received a few days ago.

Questions:

It was asked where the lots are located on the site. The area is between Wingate Road, which is adjacent to Officers Row and the river.

What are the future plans of the marina and shops? The entirety of our parcel is adjacent to the Army Corp area which will be the marina and shops.

V. Executive Director Report

- Bike Path.** Mr. Randol mentioned that the engineering for the bike path is underway and that the geotechnical investigation was done earlier in the month.
- Roundabout and Access.** Mr. Randol provided an overview of the roundabout and how it came to be approved by both DelDot and Delaware City.

Questions:

Were the plans sent to Delaware City? Mr. Randol replied that they had been provided on numerous occasions and that there had been meetings with city representatives to review the plans along with a site

visit to discuss alternatives. Mr. Randol also coordinated a meeting between Delaware City representatives and DelDot.

Were all the plans presented to the city and who from the city signed off? As previously noted, the plans were made available to the city. Mr. Randol also noted that the roundabout was part of the city's subdivision approval for the Canal District.

Question was raised as to other options. Mr. Randol said that DelDot makes the decision on the best option, which they believed to be the roundabout. A traffic signal was ruled out due to the requirement for a third lane, which could not be installed on the Fifth Street bridge. A right in and right out option was also reviewed, but due to structural issues under the Reedy Point bridge along with flooding concerns, that option was also ruled out.

Mr. Short stated it's important to note that Del Dot makes the final call and that the plans for the roundabout were presented to the city.

Mr. Baylor's observation is that when it went to Del Dot, he believed the roundabout was the only option. The concern from the fire department is being able to get into the site during construction. Mr. Baylor said that he was concerned with those who live on the fort not being able to exit the site safely and that until the engineers, fire department, and Del Dot have signed off, construction shouldn't begin.

Mr. Short stated the points made are important and the corporation is being responsive as this discussion has been taking place for two and a half years.

Mr. Smith reviewed the 2021 minutes and didn't see a record of the board approving the roundabout. Mr. Short stated Del Dot makes the final decision and Mr. Parets clarified that the board's decision to allocate funds for construction of the roundabout was a vote in favor.

A meeting of the stake holders will be scheduled for next week to include the city administration and engineer, fire and police chiefs, engineers, and FDRPC.

C. Communications Report.

Ms. Buchanan stated that in the spring a newsletter was developed that is being sent via email, to legislators, printed and mailed to all Delaware City residents, and is available on the website. The newsletter contains updates on construction, preservation, bio basins, events and has been well received by the community.

VI. Committee Reports

A. Finance Committee.

i) Budget Revision.

Mr. Scoglietti stated that during the January board meeting it was planned to defer the discussion of the budget to this meeting however the necessary information was not provided to the board in time. For transparency, it's best to defer to the March meeting and the budget will be sent to the board again prior to the meeting so that a vote can be taken. The revision is being driven by the Lennar amendment and funds accrued this year falling into the next fiscal year in line with cash flow.

ii) FY21 Audit.

Mr. Scoglietti stated that in the January board meeting he asked the finance committee to review and made the following highlights:

- Four statements were presented.

- Income was \$735,000.
- The fiscal year 21 revenues were down due to historic credits realize in fiscal year 22.
- Small increases in capital assets.
- There's not a formal policy in place to allocate expenses that need to be capitalized.
- Journal entries were made.
- The credit card transactions were reviewed, and no concerns were stated.
- The auditors letter includes the above highlights.

Questions/Comments:

Mr. Short stated that audits have been completed on every year the corporation has operated.

B. Historic Preservation.

Ms. Lee reviewed the meeting held on January 26, 2022. The Lennar project was reviewed and will be further discussed at the next meeting on February 23, 2022, to which all are welcome to attend. One concern was the distance between the new structures and historic buildings; recommendations to not disturb the historic landscape are being worked on. A letter from the Friends of African Church Cemetery was forwarded to the committee regarding the marsh area concerns. Mr. Short will forward the letter to the board and a reply will be sent.

C. Governance & Personnel.

Ms. Stewart stated the committee discussed the list of responsibilities from Mr. Randol. The committee is working with the Perillo Group to find a replacement and have a signed contract.

Mr. Short requested a motion to go into Executive Session to discuss personnel matters. A motion to go into Executive Session was made by Mr. Mangler, seconded by Mr. Dangelo. A vote was taken, Ms. Jones did not vote as she had signed out of the zoom meeting, 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. Mangler. A vote was taken, motion carried.

D. Master Planning Committee.

No updates.

VII. Delaware City Communications

Mr. Baylor stated that the mayor is requesting participation in the selection of the new Executive Director.

Questions/Comments:

Mr. Short stated it's a great request and welcomes it.

VIII. New Business

Mr. Garvin stated it was brought to his attention by Longhurst that there's some confusion on Grassdale and what the requirements were for the sale. There seems to be confusion on state law which directed that property become part of Fort DuPont vs what requirements are for development. No permits or studies has been waived. Mr. Garvin clarified that all diligence has been taken, nothing has been waived.

IX. Public Comment

Jack Guerin made a public comment about the budget of \$30 million for purchasing open lands in Delaware. Grassdale sale is wrong by many accounts, environmental and others. Campgrounds would encroach and damage wetlands.

X. Adjourn

Mr. Short asked if there were any questions or comments and asked for a motion to adjourn. A motion was made by Mr. Parets, seconded by Mr. Dangelo. A roll call vote was taken, motion carried.