

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

Via Zoom
Delaware City, DE 19706
April 13, 2022
8:30 a.m.

Meeting Minutes

Board Members:

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

Staff:

Carolann Wicks, 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:

Bill Rhodunda, Billie Travalini, Chris Castagno, Dale Saunders, Erica Lindsey, Jack Guerin, Mark Donaldson, Mark Wise, Michele Restucci, Nicole Poore, Pam Scott, Susan Rahn, Tim Dilliplane, Tim Konkus, Tim Slavin, Betty (Barrett?), Valerie Longhurst

I. Call to Order

Mr. Baylor called the Fort DuPont Redevelopment and Preservation Corporation Board of Directors meeting to order at approximately 8:30 a.m.

II. Approval of Minutes

Questions/Comments:

Mr. Smith asked if it possible to have a copy of the meeting recording to compare to the minutes. Mr. Baylor stated it will be looked into, an answer cannot be given at this time.

A motion was made to approve the minutes of the March 10, 2022 meeting by Mr. Parets, seconded by Ms. Stewart. A roll call vote was taken, motion carried.

III. Treasurers Report

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

- Page 1, Line 4010 State Appropriation – Drawn down the entire amount at this time, total of \$2,250,000; there's \$200,000 to be moved by the accountant.
- Page 1, Line 4500 – No changes to tax credits.
- Page 2, Line 6505-05 Bike Path – Increased about \$32,000 since February report as a result of preliminary engineering.
- Page 2, Line 6505 Professional Fess total – Increased about \$64,000 since February report.
- Page 3, Line 6716 Canal District – Increased about \$28,000 as some of the Canal District infrastructure work continues.
- Page 3, Line 6738 Duplexes on OBL – Increased about \$128,000 from last month.
- Page 4, Line 6741 Building 30-Stable – Increased about \$40,000, preparing for occupation by DNREC.

- Page 4, Line 6748 Building 52-Tilton – Increased with continued expenses including HVAC, elevator, maintenance, etc.
- Page 5, Line 7100 Common Area Maintenance – Increased about \$20,000 as we roll into spring.
- Page 5, Line 7200 Debt Expenses – No change.
- Net income of \$2,242,285.41.

Questions/Comments:

Mr. Smith asked about DNREC and their arrears. Mr. Scoglietti stated that they had just been billed prior to the March 2022 board meeting and they're fully paid up at this time. Rental agreements made with state agencies are billed at nominal charges and the charges are more for covering insurance rather than rent. Mr. Smith asked if there's a reason we don't rent them ourselves and collect the income. Mr. Scoglietti stated it may have been an arrangement when the corporation was founded and DNREC had been in those buildings originally but cannot officially say.

A motion was made to approve the financial report by Mr. Dangelo, seconded by Mr. Slotter. A roll call vote was taken, motion carried.

IV. Legal

This will be discussed in Executive Session.

Mr. Forsten gave a brief description of what would be covered in Executive Session. The corporation has received an agreement for 13 lots across from the Parade Grounds, a purchase of a parcel by a resident in the Canal District, and a personnel matter.

V. Executive Director Report

Ms. Wicks gave the following updates:

- Promenade scour hole:
 - Duffield did field inspection on Monday.
 - Next steps: Cut out area/backfill with aggregate/compact.
 - Permanent solution – revetment – stone riprap along canal embankment.
 - Waiting on permits from Corps and DNREC for revetment project to move forward.

Questions/Comments:

Mr. Baylor stated there was a special meeting at the community center Monday, April 11, 2022, regarding Fort DuPont House Bill 35. Residents are concerned with drainage on the promenade. A report from the engineers was requested to update the residents as soon as possible.

- Entrance and roadwork:
 - Duffield developed two new entrance alternatives for a total of 3 including roundabout for DeIDOT.
 - Meeting with DE Fire Depart to discuss emergency access; follow up meeting to discuss specific access through construction zone for both emergency vehicles and local residents.
 - Planning for a public meeting in May to review/discuss 3 entrance alternatives; pros/cons with each.
 - Army Corps land issue – It has been determined through an incorrect deed reference by the Army Corps that DeIDOT does not own the portion of Rte.9 where the new entrance is to be located. DeIDOT has an existing MOU with Army Corps detailing maintenance responsibilities of Reedy Point bridge. This MOU covers DeIDOT's roadway and bridge maintenance responsibilities. Modifying the MOU is being proposed as way to resolve ownership issue by transferring a portion of the Route 9 roadway right-of-way to DeIDOT. DeIDOT originally owned this portion of Route 9 prior to 1976.

Questions/Comments:

- Mr. Slotter asked about the impact on permit process for new construction due to delays in the roundabout and what is the timeline. Ms. Wicks stated yes, it's already been delayed, and next steps will be affected by which option of the three is chosen and the timeline going forward; if another design is chosen other than the roundabout it would be significant setback.
- Lennar / Marina Village:
 - Provided update on 4/8 to Lennar on entrance design status.
 - Lennar expressed concerns with delay of construction and Corps of Eng. property issue.
 - Both Lennar and FDRPC want to continue forward with concept plan presentation to City Council in May but understanding plans are contingent upon new Route 9 entrance resolution.
- Blue Water/RV Park
 - Pre-construction meeting held 3/29 giving them notice to proceed.
 - Demolition of Grassdale building is one of the first construction items for their site work. Therefore, relocation of all DNREC employees and repository items is a critical path issue.
- Blue Water and Grassdale relocations:
 - Office Relocation to Building #23:
 - Fire Suppression system needs to include alarm and monitoring system that connects to DE City Fire Dept Department. The system was originally part of the Tilton Building's system but was disconnected when the Tilton system was disconnected.
 - Originally part of Tilton bldg. system but was disconnected. Was not considered in the bldg. office space upgrades; previous tenants left in 2020.
 - New alarm and monitoring panel is required; 3–4-month timeframe for delivery and additional time needed for review by Fire Marshal and then a certificate of occupancy can be obtained.
 - Potential Interim solution – move 7 office staff into FD office building. Coordination with DNREC is needed to determine viability.
 - Carpenter Shop:
 - Repository move started 4/11/2022 and is ongoing.
 - AC and humidifier to be added.

Questions/Comments:

Mr. Garvin stated that DNREC hasn't agreed to anything and it's up for discussion, DNREC only agreed to one move. Ms. Wicks stated we're working on a solution even if it's not ideal.

VI. Committee Reports

A. Finance Committee.

i) Budget Revision.

Mr. Scoglietti stated this was originally shared and reviewed at the January 2022 board meeting, but no vote was requested at that time, but the hope was that it would be voted on in the February meeting. The February board package did not include the document, so it was moved to the March meeting, however there was other issues being dealt with and it wasn't addressed. Most of the changes are due to the Lennar projected being delayed until FY 2023, both on the revenue and expenses sides.

Mr. Scoglietti highlighted the following line items:

- Page 3, Line 63 Bike Path & Levee – \$900,000 has been received to date.
- Page 4, Line 107 Grassdale – Final number was \$1,406,000.
- Page 4, Lines 108 & 109 Marina Village – This is the bulk of the revenue not being realized in FY2022.

- Page 4, Line 130 OBL Duplexes – Category of historic tax credits; completion pushed to FY 2023 due to the status of the buildings.
- Page 4, Line 132 Chapel – Category of historic tax credits; completion pushed to FY 2023.
- Page 6, Line 246 Tilton Building – Added for revisions and will probably be around \$100,000 once completed.
- Page 6, Line 248 Duplexes on OBL – Reduction to \$650,000 due to changes in which buildings are in FY 2022 vs. FY 2023.
- Page 7, Line 273 Round-a-bout – Changes due to bids on projects, will be reviewed in the future since the project has been delayed.
- Page 7, Line 283 Demolition – Two duplexes on Old Battery Lane could not be saved, cost to demo \$125,000.

Questions/Comments:

Ms. Stewart asked if the change in tax credits for the duplexes is due to the delay in completing the duplexes and not the change in the tax credits themselves. Ms. Scoglietti stated yes, it's just due to the delay of the buildings.

Mr. Slotter asked if Fortify Festival is still taking place. Ms. Wicks stated it has been cancelled this year due to the transitions and changes occurring.

A motion was made to approve the revised FY 2022 budget as presented by Mr. Parets, seconded by Ms. Stewart. A roll call vote was taken, motion carried.

B. Historic Preservation.

Ms. Lee stated there was to be a March 23, 2022 meeting however it was cancelled due to no agenda items. The next meeting will be Wednesday, April 27, 2022 at 4:00 PM.

Ms. Lee gave the following updates:

- Marina Village – It was discussed to meet on site to see the layout as proposed by Lennar but as things have moved forward a discussion should at least take place and will be discussed at the next meeting.
- The proposed construction adjacent to the Chapel across from the Parade Ground will be discussed at the next meeting; this area has much higher architectural requirements.

C. Governance & Personnel.

This will be discussed in Executive Session.

Mr. Baylor stated the board will be reviewing a potential candidate for the Executive Director position.

D. Master Planning Committee.

Nothing to report.

Questions/Comments:

Currently the committee is Mr. Smith, Mr. Slotter, and Mr. Dangelo but there is not a chair as Ms. Scott stepped down. This has been tabled until the May 2022 board meeting.

VII. Delaware City Communications

Mr. Baylor gave the following updates:

- There was a special meeting at the community center Monday, April 11, 2022, regarding Fort DuPont House Bill 355. The bill was introduced by Senator Longhurst and deals with the reorganization of the board and administrative matters. A vote was taken by City Council to support the bill.
- Regarding the sink hole on the promenade, it is being addressed and updates will be given at the city council meeting on April 25, 2022.
- Down the road, the MOU regarding the streets will be addressed; the city solicitor and Fort council will work through it before it's brought to the board.
- The transfer of Branch Canal and 5th Street Bridge from Army Corp of Engineers to FDRPC is in process; engineers will review the whole area.
- Continued discussions are encouraged between the city and the board to mitigate misinformation going forward.

VIII. New Business

Ms. Wicks stated that Mr. Jeff Randol, residing at 1303 Officers Row, has asked for some leeway and an extension on his lease until the end of May to give additional time for procuring a new job and residence. Mr. Forsten's legal advice was there are two avenues in which to go with the first being that the board can decide to stick to the original agreement and not make a motion and the second is being that the board can accept and/or offer a compromise changing the rent amount as well as have a document signed that Mr. Randol will vacate and turn over the property by June 1, 2022. Mr. Forsten confirmed that during the transition Mr. Randol was very helpful and cooperative; to continue with a working relationship may be the best way to go. The lease is month to month and in February the agreement was made that he would vacate by April 30, 2022. If he does not vacate premises by May 1, 2022, documents can be filed with JP Court of Delaware but that may take several months as well as cost the corporation over \$5,000 with a hearing not occurring until at least June. Discussion included the current agreement, the cost of rent including what the market rate may be, and of public perception. No motion was made.

Mr. Edgell was contacted by Laura Afee, a professor of Landscape Architecture at the University of Delaware. The senior class has done a project on the landscape at Fort DuPont. The report will be presented May 26, 2022 at 3:30 PM at Townsend Hall. Information will be forwarded to Carolann and the board.

Mr. Baylor requested that going forward the Executive Director informs the board and the public during new business to review any approved permits.

IX. Public Comment

Mr. Dan Saunders stated that he appreciates the way in which the meeting was run, the openness, and the updates. As a member of city council, he's looking forward to moving forward.

Ms. Billie Travalini asked about the updates on the full history and / or dedication to the children of Governor Bacon so that the full history of the site is recognized (1948-1984). She suggested maybe something tied in with the theater. Mr. Baylor stated that he will look into this, work with the historic group and help it move forward as Senators Longhurst and Poore are in favor.

Mr. Jack Guerin with fightdeccorruption.com asked regarding an update on the email that was sent March 24, 2022 to Secretary Gardner, Senators Longhurst and Poore, and acting chair David Baylor which asked for an update on the sale of Grass Dale. Mr. Baylor stated that the email will be answered by legal counsel by a document being read into the record at the May 2022 board meeting and asked Mr. Forsten to confirm which he did.

X. Executive Session

A motion to go into Executive Session was made by Mr. Parets, seconded by Ms. Stewart. A roll call vote was taken, motion carried.

Executive Session

No motions were made from Executive Session. The offer to purchase open space in the Canal District was reviewed but no motion was made; no action was taken by the Board of Directors.

Mr. Baylor announced there will be a special board meeting on Thursday, April 21, 2022 at 8:30 AM via zoom to discuss the Executive Director candidate.

XI. Adjourn

A motion was made by Mr. Parets, seconded by Mr. Garvin.