

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

Via Zoom
Delaware City, DE 19706
March 10, 2022
8:30 a.m.

Meeting Minutes

Board Members:

Bryon Short, Ruth Ann Jones, Eric Smith, Courtney Stewart, Neal Dangelo, David Baylor, David Mangler, David Edgell, Shawn Garvin, Dan Scholl

Staff:

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:

Pam Scott, Alexa Adams, Erica Lindsey, Jack Guerin, Jeffery Curtis, Michele Restucci, Nicole Poore, rpiecara, Sharon Piegara, Valerie Longhurst, WDEL News, Wendy Rogers, Tim Konkus, Betty (Barrett?), Chris (Castagno?)

I. Call to Order

Mr. Short called the Fort DuPont Redevelopment and Preservation Corporation Board of Directors meeting to order at approximately 8:35 a.m.

II. Approval of Minutes

Questions/Comments:

Mr. Baylor commented that he reviewed the minutes and had some technical differences; he requested that all future meetings be recorded. Mr. Short will get advice from legal counsel.

Mr. Short requested a motion to approve the February 9, 2022 minutes. A motion was made to approve the minutes of the February 9, 2022 meeting by Mr. Dangelo, seconded by Ms. Stewart. A vote was taken, motion carried.

III. Treasurers Report

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

- Page 1, Line 4015 Bike Path Funding – Received the first sum from DNREC of \$900,000; later in the meeting when the revised budget is discussed; approximately half has been drawn.
- No other revenue changes.
- Page 3, Line 6716 Canal District – Infrastructure, increase of about \$100,000.
- Page 3, Line 6734 Building 23-Band Barracks – Up about \$50,000 from last month and there will be a corresponding budget increase further in the report due to increases in material costs and additional unexpected costs including installing internet.
- Page 3, Line 6738 Duplexes on OBL – Up about \$80,000 from last month.
- Page 4, Line 6748 Building 52-Tilton – Up about \$10,000 from last month; this will continue to have expenditures even though it is vacant due to maintaining the building.
- Page 5, Line 7125 Snow & Ice Removal – Minimal expenditures this year of \$4,550 which was from materials.

- Net income of \$2,257,868.84

Questions/Comments:

A question was asked regarding Officers Row real estate sales, was it only one lot in this fiscal year and are we expecting any others? One settled this fiscal year, but no others are anticipated.

A question was asked about legal bills from Connolly Gallagher after Max's resignation in August of 2021. Lisa with Connolly Gallagher was involved in handling an eviction proceeding which is in the process; Max has not performed any work for the corporation since his resignation.

Director Baylor expressed his understanding that Max and the firm would no longer be representing the corporation and was not aware of any eviction proceedings, especially a former employee. The tenant made a statement to the board a few months ago. Chair Short stated that the matter was before the court and the Corporation would adhere to the court's determination. Director Baylor state that it's noteworthy, it should be mentioned in the Executive Director report; legal action should be shared with the full board.

A question was asked about the DNREC \$10,500 rent, it seems disproportionate with other rental properties on the site, and it appears they're in the arrears about 7 months. Mr. Scoglietti will review the lease, etc.

Mr. Short requested a motion to approve the financial report as presented. A motion was made to approve the financial report by Mr. Dangelo, seconded by Mr. Mangler. A role call vote was taken, motion carried.

IV. Legal

A. Lennar Amendment.

This will be discussed in Executive Session.

V. Executive Director Report

Mr. Short shared on the corporation's behalf the round-a-bout meeting that was organized by the legislators which included the corporation and its engineers, the city and its engineers, mayor of Delaware City, first responders, the legislators, and the department of transportation. The meeting was productive, and everyone wants to make sure that the traffic improvements on the site have been vetted. The result of the meeting was the corporation's engineers would put together some plans of what might work on the site then share with the city's engineers as well as get pertinent information to DelDot as they own that section of the road and will have final approval. The options will be examined by the group. At this time the corporations' engineers have provided a traffic count to the department of transportation as well as the master plan and realistically what will be happening on site in the next twelve months. All the plans, pros, and cons for each option will be shared with the public. Time is of the essence to get the project started as it's already been delayed.

The money related to the bike path received in the bond bill; there is significant activity happening including engineering and studies; all this needs to be completed before dirt can be put down.

VI. Committee Reports

A. Finance Committee.

i) Budget Revision.

Mr. Scoglietti stated this would be discussed in Executive Session as a lot is dependent on the **Lennar** Amendment.

B. Historic Preservation.

Nothing to report.

Questions/Comments:

A comment was made that according to guidelines the notice and agenda for the meeting should be sent seven days in advance of the meeting; it was asked that this would be followed.

C. Governance & Personnel.

Nothing to report.

D. Master Planning Committee.

Nothing to report.

Questions/Comments:

A comment was made that the FDRPC act states that at all times there should be a board approved master plan. A copy was requested to be sent to board members.

Comments were made by Representative Longhurst as followed:

- Redistricting lines were drawn, and she will be the representative until the end of November 2022.
- She will remain part of the Fort DuPont project.
- Thanked Bryon Short and the board for all their hard work and service.
- It was asked about the markers for the children of Fort DuPont and what the update is. Mr. Short doesn't know the status of the markers however the video does include recognition of the issue; the Fort supports the importance of the past issue. Mr. Short will follow up on what the commitment was.
- One of the issues is the Grassdale sale and asked what the permit process was as well as it to be shared with the public going forward with updates. Mr. Short agreed that the process should be shared going forward as well as other means for it to be shared with the public. Mr. Short also clarified that the corporation no longer owns the property. This project follows the same process any other projects in the state. Status updates will be provided going forward.
- Emails have been received about the property and rv park, letters of response were sent to the parties; the letter will be shared with the board.
- A piece of legislation is being worked on in regards of the future of the project to revamp the board makeup, environmental safeguards, personnel safeguards, and transparency on new development. Public meetings will be held. This will be sent to the board for review. Moving forward with the new Executive Director is going to be key.

Mr. Short thanked Representative Longhurst for the updates and looks forward to reviewing the legislation and moving forward together.

Senator Poore stated that she echoes Representative Longhurst's words and thanked the board for all their hard work. Development is key to the success of Delaware City to produce revenue as well as preserving the Fort which has needed it for quite some time. Senator Poore appreciates the improved communication and thanked the first responders that attended the meeting regarding the round-a-bout. All information will be brought to the public.

Mr. Short requested a motion to go into Executive Session. A motion to go into Executive Session was made by Mr. Garvin, seconded by Mr. Smith. A roll call vote was taken, motion carried.

Executive Session

Mr. Short requested a motion to come out of Executive Session. A motion to come out of Executive Session was made by Mr. Dangelo, seconded by Ms. Stewart. A roll call vote was taken, motion carried.

Mr. Short requested a motion in regard to Executive Session. A motion was made by Mr. Dangelo that the personnel and governance committee be authorized to negotiate and sign an independent contractor agreement with Carolann Wicks to be the interim Executive Director of the terms and conditions discussed in Executive Session and at that the agreement be entered into as soon as the agreement is prepared, seconded by Ms. Stewart. A roll call vote was taken, motion carried.

Mr. Short made a comment on Carolann Wicks; she's someone he's known for a long time, is a well-respected professional, an engineer, and has managed large entities. We're fortunate she's stepped up and she's ready to start as soon as a contract is executed.

Mr. Short asked if there were any other motions regarding Executive Session. A motion was made by Ms. Stewart that the corporation enter into a 6th amendment with Lennar which has Lennar providing \$1,000,000 in construction financing to the corporation for the site improvements to be performed by Lennar and make other minor adjustments to the contract as discussed in Executive Session including more detailed site improvement descriptions and adjusting the timelines for the contract, seconded by Mr. Dangelo. Mr. Baylor made a comment that when he votes it's only as a board member but his vote is not an indication of the Delaware City's position on the project. A roll call vote was taken, motion carried.

Mr. Short stated that more details on the Lennar project will be shared with the public.

VII. Delaware City Communications

Mr. Baylor mentioned that there are concerns from the Fort residents regarding the Delmarva gas conversion and some misunderstanding as to the city's role. This not a Delaware City project. Delmarva has committed to the project and its completion; a letter will go out shortly if it hasn't already. The letter states the residents have two options: to continue to work with the contractor or opt out and seek their own contractor.

Mr. Baylor mentioned communications regarding work for the round-a-bout; the engineer and city manager would like to continue to be part of the conversations going forward.

VIII. New Business

Nothing to report.

IX. Public Comment

Ms. Lindsay at 905 A 5th Street in Delaware City. City Manager Baylor mentioned the WDEL article published today regarding the eviction of Chris Robinson. She asked if anyone on the board would support his efforts to remain in his home or has any comments. Mr. Short thanked Ms. Lindsay for her comment and stated that the board does not make public comments on personnel matters and in regard to the eviction the court is the final deterrent as what is legal with respect to the matter.

Mr. Konkus at 302 Canal Street in Delaware City. Regarding the DNREC list of environmental issues, these haven't been discussed in a board meeting; the public should know what the violations are. In addition, the PPP loan taken by the corporation; the SBA is looking at who may have misled what their need was. His concern is there wasn't a need for this loan to be taken out.

X. Adjourn

Mr. Short asked for a motion to adjourn. A motion was made by Mr. Baylor, seconded by Mr. Scholl, a roll call vote was taken, motion carried.