

FORT DUPONT REDEVELOPMENT AND PRESERVATION CORPORATION

BOARD OF DIRECTORS MEETING

Delaware City Fire Hall
815 5th Street
Delaware City, DE 19706
June 9, 2022
8:30 a.m.

Meeting Minutes

Board Members:

David Baylor, Bert Scoglietti (proxy for Ruthann Jones), Courtney Stewart, Paul Parets, David Baylor, Dale Slotter, Neal Dangelo, David Edgell, Eric Smith, Rony Baltazar Lopez, Shawn Garvin, Laura Lee (via Zoom)

Staff:

Shane Martin, June Interim Executive Director
Peggy Thomas, Site Manager
Richard Forsten, Counsel/Saul Ewing
Pam Scott, Counsel/Saul Ewing
Tim Slavin, Executive Director-Elect 7/1/2022
Karla Coleman, Temporary Admin Assistant

Members of the Public:

John McMahon (FDRPC Chair 7/1/2022), Mike Graci, Tim Konkus, Roberta DeLeo, Karen Igou, Erica Lindsey, Frank Burns, Jeff Flynn, Bill Rhodunda, Wendy Rogers, Chis Castagno (Zoom),

I. Call to Order

Mr. Baylor called the Fort DuPont Redevelopment and Preservation Corporation Board of Directors meeting to order at approximately 8:37 a.m. Mr. Baylor introduced John McMahon recently appointed by Governor Carney to be the next Chair of the FDRPC, and also introduced recently appointed Executive Director Tim Slavin. Both Mr. McMahon and Mr. Slavin will assume their roles on July 1st, 2022.

II. Minutes

Mr. Baylor asked if there were any questions or objections regarding the May 2022 meeting minutes. No questions were presented, and a motion was made to approve the minutes of the May 2022 meeting by Mr. Dangelo, seconded by Mr. Parets. A roll call vote was taken, motion carried.

III. Legal

Mr. Forsten stated the only issue for the Board today is the Corporation's Conflict of Interest Policy. Directors are asked to submit a statement (policy document) that they do not have any conflicts, and email

the signed document to Mr. Forsten. Mr. Baylor further commented that directors must return the signed COI Policy to the legal team before the next board meeting. Directors who do not return a signed COI Policy will be in conflict with the Corporation's rules and will not be permitted to participate in any meetings until a signed COI Policy is received. If a director has questions or issues regarding the policy and does not feel comfortable discussing in this forum should contact legal or Mr. McMahon or Mr. Baylor.

IV. Treasurer's Report

Mr. Scoglietti highlighted the following line items for the period ending May 31, 2022:

- ☐ Page 1, Line 4211, Real Estate Sales - An increase of \$50,000 over previous month from first deposit from Lennar per the agreement.
- ☐ Page 2, Line 4811, Old Battery Lane Duplexes -A second draw was made to fund continued renovations on the two duplexes.
- ☐ Page 3, Line 6505, Professional Fees - Increase of \$15,000 over April.
- ☐ Page 4, Line 6721, Roundabout - Increase due primarily to engineering costs.
- ☐ Page 4, Line 6734, Building 23 (Band Barracks) - Increase of approximately \$41,000 for renovations for relocated DNREC office.
- ☐ Page 5, Line 7100, Common Area Maintenance (CAM) - Not a significant increase, however, expected increase over the next few months for summer and fall maintenance.

Legislators will consider the state's FY23 budget in June, the Corporation has requested a \$2,250,000 appropriation for FY23. Mr. Baylor asked the Finance Committee to consider fuel costs in the FY23 budget in light of current high fuel costs. Mr. Slotter asked if roundabout expenses are mostly for engineering fees, Mr. Scoglietti stated yes. Mr. Smith inquired about the payment from Lennar which Mr. Scoglietti clarified was an initial installment. Mr. Smith also asked why the expenses for Building 23 (p. 4, Line 6734) were significantly over budget. Mr. Martin explained that there was extensive asbestos remediation which needed to be done, materials costs increased twenty percent, and there were lots of unknown or unexpected issues encountered during renovations.

Mr. Scoglietti noted the Corporation currently has a variable rate mortgage note with Applied Bank and would like permission to explore fixed rate refinancing options. A motion authorizing Mr. Scoglietti to secure options for refinancing of the Applied Bank loan was made by Mr. Dangelo, seconded by Mr. Slotter. A roll call vote was taken, the motion carried.

A motion to approve the Treasurer's Report was made by Mr. Edgell, seconded by Mr. Parets. A roll call vote was taken, motion carried.

V. Executive Director's Report

Mr. Martin (Interim Director for June) provided the following construction updates:

Building 23 (Band Barracks) - Renovations are completed with the exception of the alarm.

Building 30 - This is the future DNREC Repository. Construction is expected to start within two weeks.

DNREC Maintenance Shop - This will be located along Powers Lane and construction is expected to get underway in August of this year.

Old Battery Lane Duplexes - Most of the exterior work is done, expected to be complete by the week of June 13. After that, interior work will get underway. A sewer main needs to be installed that runs the length of the road, and that work is expected to begin in September.

Canal District - Street lights are being coordinated between Delmarva Power and Fort DuPont. The lights are on back order so it may be some time before lights are installed. Final blacktop in the district is expected to be completed in August.

Marina Village - Plans continue to move forward. Surcharge and E&S (Erosion & Sediment) plans have been submitted to DNREC.

Mr. Baylor asked about the current status of the Theater, Mr. Martin stated recent work included re-pointing brick and exterior painting, but currently no other work is scheduled. Mr. Smith asked for an update on the scour hole on the Promenade. Mr. Martin explained an under drain will be installed and the plan has been approved by DNREC, Delaware City and the contractor who will do the work.

Mr. Slavin commented he has been working with the Fort DuPont staff and gathering information regarding administration, operations and construction. He stated an item of focus for him is communication between the Corporation, the Board and the public and how to improve it. Mr. Slavin also stated he has requested grants from the Community Redevelopment Fund for the Chapel, Theater and POW Building. If approved, the funding would allow those historic structures to be renovated sooner rather than later.

VI. Committee Reports

A. Finance - Mr. Scoglietti stated the committee has not met recently, but is scheduled to meet very soon to finalize the FY23 budget.

B. DHPC – Ms. Lee stated the committee met on April 25th and again on May 9th for a special meeting regarding the proposed townhomes along Old Elm Avenue. During that meeting, general questions were presented and referred to Fort leadership for follow-up.

C. Master Planning Committee - No updates to report; committee has not met recently but is expected to meet after new leadership takes over in July.

D. Governance & Personnel – Mr. Dangelo stated an RFP has been created to solicit proposals for property management and leasing services. An RFP notice will be posted to the Fort's website and in the News Journal. Mr. Thomas noted the RFP references twenty residential units, however, there are currently ten rentable units, fourteen after the OBL duplexes are leased. Ms. Thomas also inquired about a complete bid package for Mr. Martin to give to potential bidders. Mr. Dangelo stated the bid package should consist of the RFP document, cover letter and lease detail spreadsheet. Mr. Baylor stated the committee would provide a summary for Ms. Thomas to post in the News Journal.

Mr. Baylor pointed out that Mr. Dangelo has been added to the Governance and Personnel Committee.

VII. Delaware City Communications - Mr. Baylor provided the following updates and comments:

- MOU for Streets - A few months back, Delaware City Council passed a resolution for a MOU between the City and Fort DuPont regarding streets. Delaware City wants to engage with FDRPC's new leadership to move discussions forward. There are several issues to work out and there will be future meetings- some will not be public, but most *will* be public - to address various issues regarding streets, stormwater management, open space, and police services. Mr. Baylor emphasized this process will be conducted with public input.
- Garbage Service - Garbage pickup in the Canal District is the responsibility of the City; if there are problems with service, residents should contact the City.
- Resident Concerns - If Fort DuPont residents have issues or complaints regarding the Fort, they are asked to go the Corporation *first* and allow the Corporation the opportunity to resolve issues before contacting the City because this is where first, because that is where (the process) should start.
- Entrance Improvement Project - Mr. Baylor provided a brief history of the entrance area. A Traffic Impact Study (TIS) was completed and DelDot permitted new construction of 50 units until the entrance to the Fort was improved. It was later re-evaluated, expanded to 55 units, then expanded to 65 units (current), with the understanding once the roundabout was completed, new construction could continue. The later agreement between Fort DuPont and Blue Water Development called for the roundabout to be completed to facilitate the campground. Prior to the roundabout construction starting this spring, various parties raised concerns and the work was halted, and all future options would be brought to the public for review.

In the meantime, it was learned the section of roadway between the 5th Street bridge and the Reedy Point Bridge belongs to the Army Corps of Engineers (ACOE). The ACOE and DelDot are now working on an agreement to give DelDot authority over that section of roadway. Entrance work is on hold, no permits can be issued, until this transfer takes place.

Legislators will meet with city officials and engineers to review the identified entrance options. After that, there will be public meetings to present the options and get the public's input. DelDot has stated provisions will be made during construction so that the road will not have to be completely shut down, which eliminates the need for using the Promenade as an emergency access road.

The ACOE is ready to issue an RFP for the St George's bridge which will mean closing the bridge completely for eighteen months, or allowing one way traffic only, for 24 months. ACOE will also issue another RFP for Reedy Point Bridge soon. Therefore, the Fort entrance is time sensitive so that the project is not caught in between work on the bridges. There will be adequate public notice for public workshops.

Mr. Baylor asked Mr. Slotter, Mr. Smith, Mr. Parets or Ms. Lee if they had any additional comments to add regarding Delaware City communications. Mr. Smith stated he heard comments at a recent council meeting the wastewater treatment plant is at capacity. Mr. Baylor stated that is yet to be determined - New Castle County will need to do an inspection of its sewer system to determine capacity because the city does not have the technical expertise to inspect sewer systems.

VIII. New Business – Mr. Baylor commented that HB355 is expected to be signed by the Governor soon. Once that takes place everyone will receive an email about what will happen.

Ms. Lee said residents have expressed concern regarding the pond at 1303 Officers Row, is there a maintenance issue? Mr. Martin responded the pond has been drained, will be filled again, a pump

installed to keep water moving and a fence put around it for safety. Ms. Lee gave an update for the DHPC (see VI. Committee Reports, above).

Mr. Parets commented he didn't agree with Mr. Baylor participating as a non-voting board member on the grounds it would be a conflict of interest. Mr. Parets stated when the board was expanded to include five members from Delaware City to give the city a fair voice in the expanded board. Mr. Parets encouraged Mr. Baylor to continue his role as a voting board member once he is no longer Chair. After some discussion, Mr. Baylor summarized he feels it's in the City's best interest he is not a voting member. Mr. Forsten commented there could be future issues on which the Fort and City are not aligned, and to avoid any potential conflict, it's in the best interest of the Corporation and the City for the Town Manager to be a non-voting member.

IX. Public Comment – Frank Burns stated after reading the recent article in the Weekly, he has concerns about language in the legislation that allows the Corporation to sell or rent Fort DuPont property free from any constraints other than applicable Delaware law. He stated he is not accusing anyone or expecting any malfeasance, however, believes this creates an open door for possible corruption. He encouraged the Board to approach legislators about placing parameters on such authority.

Karen Igou commented on the importance of wetlands, and she brought handouts she created about wetlands, which she left for the public to take. She expressed concerns about the wetlands at Grass Dale and their role in helping with flooding. She spoke with Mr. Burbage's office (Blue Water Development) and stated they are helping her consider leading a watch group that would help the project move forward with less impact on wetlands.

Mike Graci asked if any consideration has been given to the feasibility of integrating solar resources at the Fort.

X. Adjourn - A motion to adjourn the meeting was made by Mr. Parets, seconded by Mr. Garvin. Motion carried.