

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

**LOCATION: The Sanders Room at the Grassdale Center
108 Old Reedy Point Bridge Road
Delaware City, DE 19706**

March 16, 2016 – 8:30 a.m.

Meeting Minutes

Council Members:

Susan Frank
Dave Small
Kevin Kelley
Rick Geisenberger
Bert Scoglietti
Herb Netsch
Richard Cathcart
Laura Lee
Dale Slotter

Advisory Council Members:

Jeff Bross
David Turley

Staff:

Jeff Randol, Executive Director
Max Walton, Counsel
John Taylor, DOJ

Members of the Public:

Bob Malinowski
Tim Slavin
Rachael Phillos
Billie Travolini

I. Call to Order/Introductions/Announcements

Ms. Frank, Chair, called the Fort DuPont Redevelopment and Preservation Corporation Board of Directors meeting to order at approximately 8:40 a.m. and welcomed everyone for attending.

II. Minutes

Ms. Frank asked if there were any changes or comments to the February 17, 2016 minutes. With no comments, a motion was made by Mr. Kelley and seconded by Mr. Netsch to approve minutes from the February 17, 2016 Board meeting. Motion carried.

III. Treasurer's Report

The Treasurer's Report was presented by Mr. Scoglietti, a copy of which is attached hereto as Exhibit A. The net balance of unencumbered funds totaled \$385,060.23. Mr. Scoglietti reviewed the expenses and balances in both Operating and Capital accounts. It was noted that the \$53,572.17 shown as encumbered in the FY 2015 appropriation were funds under contract with Becker Morgan. The contract was entered into by DNREC. The contract will be cancelled and the remaining funds will be added to the Corporation's unencumbered funds. With no further comment, Mr. Cathcart made a motion to accept the Treasurer's report. The motion was seconded by Mr. Kelley. Motion carried.

IV. Legal

- A. MOUs. Mr. Walton updated the Board on status of the Agencies MOU and the National Guard MOU. Both MOUs have been executed.
- B. Property Transfer. Mr. Walton informed the Board that the property transfer was complete. The deed to three parcels of the Ft. DuPont complex, as well as the deed restrictions contemplated by the National Guard MOU were executed with OMB on March 14th and are now recorded. It was noted that the 17 acre McConnell track was excluded from the transfer due to last minute notice of a non-recorded and previously undisclosed restriction regarding transfer of that parcel. The Corporation was informed that the property had to remain with Fish and Wildlife in order to maintain its (Fish & Wildlife) funding. Since the property had little to no impact on the immediate plans for Fort DuPont, it was agreed by Counsel and the Corporation's Executive Director to remove the parcel from transfer for the time being. Options for transfer of that parcel will be investigated at a later date, but a chance remains that restrictions on the parcel could preclude transfer of it in the future.
- C. Agreement with DNREC SIRS. Mr. Walton summarized the environmental agreement that was executed prior to final property transfer, which is similar to the agreement previously executed for the spoils site. It was agreed that the Corporation would advise DNREC SIRS of development activities and where necessary will conduct remedial investigations to evaluate the soil, sediment, groundwater, and surface water. The Corporation will submit reports to DNREC. It was further agreed that the Corporation would engage a HSCA certified consultant to conduct the studies. The purpose of the agreement is to assure that appropriate testing is done prior to any development or soil disturbance.
- D. Section 6f. Mr. Walton updated the Board on the Section 6f property restriction. While nothing requires that the 6f lands on the complex be subject to any deed restriction, the Attorney General's office requested that we make the 6f lands a component of the deed. An exhibit showing the current 6f lands is attached to the deed, and such lands cannot be developed, except for public purposes, without revising the 6f provision.

- E. Fish & Wildlife (Boat Launch). Mr. Walton noted that, at the very last minute, less than a week before transfer, the Corporation was advised for the first time that a restriction on 12.5 acres of land relating to the boat ramp (heading from the boat ramp, along the canal, and up to the entrance) is encumbered by a previously undisclosed and unrecorded restriction contained in a prior memorandum of agreement. This necessitated placing an additional restriction into the deed that recognizes the memorandum of agreement.
- F. Mr. Walton congratulated the Board for now being the record owners of the complex minus the McConnell tract.
- G. Annexation. Mr. Walton then noted that the next step is annexation of the property into the City of Delaware City. He stated that before the Board is a resolution to request annexation of the property into the City. He further noted that if the Board approved the resolution, the Delaware City Council will consider its own resolution on Monday, March 21, to set the date for a special election on May 5. Mr. Walton also indicated that if the voters of the City approved the annexation on May 5, the City Council will consider the annexation request at its June meeting. On a motion made and seconded, the Board unanimously approved the resolution to request annexation into the City of Delaware City.

V. Executive Director Report

- A. Project Update & Schedule. Mr. Randol distributed and discussed both the project update and the schedule for annexation, remediation, demolition and Phase 1 construction. A copy of both are attached.
- B. General Liability Insurance. Mr. Randol informed the board that General Liability coverage was now in place. The coverage was bound 3/14/16 at a cost of \$37,589 a year. Insurance carrier is CAP Specialty.
- C. Health Insurance was discussed and was suggested that the Corporation's Chair send a letter to OMB and the Controller making a request that the Corporation be included in the state's benefit program. Motion was made by Mr. Kelley and seconded by Mr. Cathcart. It was noted in discussion that the Corporation would reimburse the state 100% and would decide how much the Corporation's employees would contribute. It was suggested that the Chair form a committee to review benefits. Motion was approved with Mr. Scoglietti abstaining.
- D. Verizon Demarcation Relocation. Mr. Randol stated that the Verizon contractors were on site working on the relocation. They have started running conduit and are on schedule to have the work completed 5/1.
- E. Remediation and Demolition work is underway and on schedule. Remediation bids on buildings 25, 39, 43 and 45 are being reviewed and will be presented at the April Board meeting.

- F. Board meeting dates were discussed. After polling the Directors it was agreed that the Board meetings would be held on the second Wednesday of the month at 8:30 am.

VI. Committee Reports

- A. Mr. Randol provided a written report from Mr. Curran, Chair of the Economic Development Committee. The committee held its meeting on March 14th. Six of nine members were able to attend. The committee reviewed the Master Plan and the emphasis of the discussion was on the canal district officer's row and the marina. Conversation trended toward whether the theme of the site is better suited as a destination location or as a more community driven location. Due to the fact that this was the initial meeting much of the conversation was about some new ideas and rehashing of some things that have been discounted due to the nature of the site. All in all the conversation was spirited and there is excitement for the project.

Ultimately, after the canal district, officer's row, and the marina district we need to decide what we want to be. One of the obvious anchors for the site is the educational component with the Colonial School District which would drive a more community based environment. The other suggestion was an amphitheater or stage of some sort for an outdoor concert or entertainment destination. The committee will be evaluating both options over the next 90 days. The committee will meet on a regular basis on the second Wednesday of the month at 4PM.

- B. Project Funding Committee. No Report
- C. Historic Preservation Committee. Mr. Turley, Chair of the Historic Preservation Committee updated the Board on the engagement of Cherilyn Widell and their efforts to develop the Guidelines and Standards for the project.

VII. New Business

None

VIII. Public Comment

Rachael Phillos raised question as to the master plan's potential conflict with the site of the former Wingate House.

Mr. Walton indicated that there was no need for the executive session placed on the agenda.

IX. Adjourn

Ms. Frank asked for a motion to adjourn. The meeting was adjourned at 9:50 am