

TOWN OF SOUTH BETHANY TOWN COUNCIL REGULAR MEETING MINUTES MARCH 9, 2018

MEETING CALLED TO ORDER - Mayor Voveris called the March 9, 2018, Town Council Regular Meeting to order at 2:00 p.m., followed by the Pledge of Allegiance to the Flag.

ATTENDANCE

PRESENT: Councilmembers Don Boteler, Sue Callaway, Tim Saxton, Tim Shaw, Carol Stevenson, Frank Weisgerber, and Mayor Pat Voveris; Town Manager Maureen Hartman; Chief Troy Crowson; Finance Director Renee McDorman; and Administrative Assistant Pam Smith

LEADERSHIP REPORTS

- **Mayor's Report**—Submitted by Mayor Voveris:

Since my last report I joined local Mayors in pursuing continued efforts for A.C.T. (Association of Coastal Towns) and have attached draft minutes of our most recent meeting for review.

Beach replenishment is now slated to occur in mid-June. Our recent News Update detailed the particulars of the activity.

I have been in discussion with architect Pat Ryan for preparation of the bid package for Chief Crowson's proposed re-purposing of the PD building that he detailed on our Town website on February 20.

We have 2 employees to acknowledge this month. Chief Troy Crowson celebrated 30 years of service on March 8 and Finance Director Renee McDorman celebrated 15 years of service on March 5. The Council and I thank them for their diligence and dedication to our Town.

Thank you.

- **Town Manager's Report**—Submitted by Maureen Hartman:

- Conducted the beach vendor bid opening on February 5.
- Participated in Narcan training with the SBPD and obtained certification to administer it for Town Hall.
- Assisted Councilwoman Callaway with developing a new flyer for the Art in the Hall event.
- Attended the Budget & Finance Committee meeting on February 13 and have been assisting Renee with the preparation of the budget.
- Attended Hossick BOA hearing on February 16.
- Met with Town Solicitor to discuss documents for police department renovation and beach vendor bids.
- Met with Millville manager Debbie Botchie on February 20.
- Participated in an additional Budget & Finance Committee meeting on February 21.
- Participated in a DNREC/ACOE meeting in Lewes with Councilman Shaw regarding the beach replenishment for Bethany, South Bethany, and Fenwick Island.
- Met with a Sandpiper resident regarding regrading the dunes and replacement of beach walkway.
- The Chief and I have been trying to meet at least once a day or as schedules permit, to discuss Town business.

MARCH REMINDER

Town Council Regular
 Town Council Budget Workshop
 Town Hall Offices Closed

March 9, 2018
 March 22, 2018
 March 30, 2018

- **Treasurer's Report**—Submitted by Councilmember Boteler:

3/6/2018

Town of South Bethany
Monthly Treasurer's Report - As of Feb 28, 2018
 by Don Boteler, Treasurer



Fiscal 2018 Year-to-Date (5/1/17 – 2/28/18) Revenues and Expenditures

	<u>Adopted Budget</u>	<u>Amended</u>	<u>Total Budget</u>	<u>Actual</u>	<u>%</u>
Total Operating Revenue	\$2,278,867		\$2,278,867	\$2,074,587	91%
Total Operating Expenditures	<u>\$2,278,867</u>		<u>\$2,278,867</u>	<u>\$1,971,829</u>	<u>87%</u>
Revenue less Expenditures	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$106,213</u>	
Revenue from Grants/Donations	\$136,421	\$0	\$136,421	\$145,491	107%
Expenditures from Grants/Donations	<u>\$136,421</u>	<u>\$0</u>	<u>\$136,421</u>	<u>\$85,020</u>	<u>62%</u>
Revenue less Expenditures	\$0	\$0	\$0	\$60,471	
Capital/Reserve Revenue (from Fund Balance)	\$586,102	(\$150,788)	\$435,314	\$285,522	66%
Capital/Reserve Expenditures	<u>\$586,102</u>	<u>(\$150,788)</u>	<u>\$435,314</u>	<u>\$285,522</u>	<u>66%</u>
Revenue less Expenditures	\$0	\$0	\$0	\$0	
Total Revenue - All Funds	\$3,001,390	(\$150,788)	\$2,850,602	\$2,505,600	88%
Total Expenditures - All Funds	<u>\$3,001,390</u>	<u>(\$150,788)</u>	<u>\$2,850,602</u>	<u>\$2,342,371</u>	<u>82%</u>
Revenue less Expenditures	\$ -	\$0	\$0	\$163,229	

Fiscal 2018 (5/1/17 – 2/28/18) Summary of Year-to-Date Departmental Budget to Actual

	<u>Budget</u>	<u>Amended</u>	<u>Total Budget</u>	<u>Actual</u>	<u>%</u>
<u>Revenues:</u>					
Property Taxes	\$511,206		\$511,206	\$512,413	100%
Realty Transfer Taxes	\$355,000		\$355,000	\$397,067	112%
Gross Rental Taxes	\$540,000		\$540,000	\$554,509	103%
Grants	\$136,421		\$136,421	\$145,491	107%
All other revenue	\$872,661		\$872,661	\$610,597	70%
Appropriated Fund Balance	<u>\$586,102</u>	<u>(\$150,788)</u>	<u>\$435,314</u>	<u>\$285,522</u>	<u>66%</u>
Total Revenue	\$3,001,390	(\$150,788)	\$2,850,602	\$2,505,600	88%
	\$0				
<u>Expenditures:</u>					
General & Administrative Department	\$648,721	\$40,000	\$688,721	\$579,099	84%
Public Works Department	\$260,628		\$260,628	\$178,981	69%
Trash	\$317,865		\$317,865	\$264,890	83%
Public Safety Department	\$704,489	\$17,000	\$721,489	\$611,753	85%
Ambulance	\$74,306		\$74,306	\$59,155	80%
Beach Patrol Department	\$251,422		\$251,422	\$267,607	106%
Town Committee	\$29,495		\$29,495	\$10,343	35%
Grants	\$136,421	-\$25,338	\$111,083	\$85,020	77%
Other (Capital)	<u>\$578,043</u>	<u>-\$182,450</u>	<u>\$395,593</u>	<u>\$285,522</u>	<u>72%</u>
Total All Expenses	\$3,001,390	-\$150,788	\$2,850,602	\$2,342,371	82%

Highlights on Revenue

Revenues are tracking to budget.
 There are 5 properties with delinquent property taxes.

Highlights on Expenditures

Expenditures are tracking to budget.

- **Police Department Report**—Submitted by Chief Troy Crowson:

OHS Winter Speed/Seatbelt Enforcement

With the help of the Office of Highway Safety, the South Bethany Police Department participated in the “Winter Speed and Occupant Protection Enforcement Mobilization” from January 23rd through February 26th. The 2018 performance target regarding occupant protection is to decrease calendar year unrestrained crashes so that the unrestrained passenger vehicle occupant fatalities has a five year average of 28. It’s also to increase the five year seat belt use rate from 90% to 91%. The 2018 performance target regarding speed management is to reduce the five year base year average of 40 speed related fatalities to a five year average of 37.

5k Run to the Plunge

On Feb 4rd, 2018 Cpl. Burton attended the 5K Run to the Plunge, in Rehoboth to assist with traffic control. The 5K Run to the Plunge is a 5K run and walk that benefits the Special Olympics Delaware and is held in conjunction with the Lewes Polar Bear Plunge Weekend Festival.

Phoenix Awards

Officers Cpl. Burton and Cpl. Wiley are being awarded the Phoenix Award for their life saving actions during a motor vehicle accident with a cardiac arrest on August 7th, 2017 in Sea Colony West. The Phoenix Awards Ceremony will be held at Laurel Fire Department on March 10th, 2018 at 5:30 pm.

Administrative Assistant

The South Bethany Police Department’s Administrative Assistant, Dee Jensen has accepted a position with the Delaware Department of Justice and will be leaving our department after 3 years of service. Her last day will be Thursday, March 1st. We wish her well on her new journey and she will be missed.

The Administrative Assistant position will be open to applicants until March 15th, 2018. Applications can be found on our website at www.southbethany.org on the employment page.

February 20, 2018

Hello to all,

I would like to provide an update regarding the building project that was started nearly three years ago and detail our current standing and accomplished progression in addressing safety and building efficiency.

1. Originally when the building addition was approved by Town Council we had \$125,000 of funds committed from the Town along with a combined \$100,000 of donated funds from the Police Department. Further discussion occurred when the bid cost of the addition exceeded what Council originally approved as a reasonable contribution (\$125,000) towards the project and Council decided not to move forward with the addition and instead investigate avenues for re-purposing the building.
2. Efforts were then made to address the monetary concern with a focus to correcting the 5 major areas of risk as identified by Dr. Warren, an expert who was contracted to evaluate police facility renovations and expansion. The five areas of risk are as follows:
 1. Chain of custody
 2. Personnel and civilian safety

3. The right to privacy
 4. Prisoner escape risks
 5. Weapons safety.
3. To date we have completed Phase One of the plan with the separation of the evidence room and processing room, which were previously together in a multi-purpose room. This required new security protocols that included adding electronic card readers, repositioning security cameras, upgrading an exhaust fan and obtaining evidence lockers / detention bench. The improvements made with separating and eliminating this multi-purpose room during the first phase addressed all of the identified areas of risk for the evidence room /processing room and improved officer/civilian safety along with limiting liability in this area. Changes made were done utilizing approximately \$20,000 of grant funds.
 4. For the next phase of the project I consulted a contractor specializing in renovations in regard to separation of the current multi-purpose room that contains the kitchen, armory and locker room. Phase Two of building renovation is to address areas of risks identified, reduce liability and improve efficiency for this multipurpose room.
 5. Phase Two will include the separation of kitchen, armory and locker room. This phase will address identified area of risk #5, weapon safety by improving and relocating the armory by placing it in a more secure (alarmed) dedicated area. This also removes/reduces liability concerns of ammunition and chemicals being stored in a kitchen area, creating potential health hazards for its employees which addresses #2 of risks defined in personnel and civilian safety. Dispatcher relocation will address risk #3, the right to privacy. The current dispatcher area allows visitors a view of squad bay which means reporting persons, witnesses, victims and defendants can potentially be seen and violate their right to privacy. The kitchen will be moved from the locker room to address further health concerns (people changing where food is present) and right to privacy pertaining to locker room. The locker room with removal of armory will be able to be equipped and improved upon with addition of a shower which is commonplace for every Police Department in our area. The shower also addresses personnel safety for officers exposed to blood and other bodily fluids as well as decontaminating from exposure to OC (pepper) spray or any other chemical that could have an adverse effect on an employee's health.
 6. The consulted contractor projected costs for Phase Two to be in the range of \$60,000 to \$80,000 and the project will be put out to bid by Town Hall to obtain a more accurate projected cost by other qualified contractors. The Police Department has \$50,000 in donated funds to apply towards Phase Two and will be seeking more grant funding to supplement the cost of this phase as well. To date the only funds applied to the Police Department addition and now re-purposing project have been strictly grant funds (approximately \$45,000) and it is my intent to continue this practice covering as much as possible utilizing grant funding.
 7. Phase Three will be totally grant funded upon the completion of Phase Two and will include ballistic paneling and glass at dispatcher/ reception area to address identified risk of personnel safety.

Upon assuming my promotion to Chief I was assigned a list of goals and objectives by Council and the first among them was to "objectively assess our Police Department's operation, resources, equipment and personnel". The Police building is a big part of Town operations and resources and I began to consult experts regarding its functionality. I researched what would make it more effective and efficient regardless of personnel size and what liability concerns did our current set up indicate.

The first consultant involved in the project was Dr. Warren, a recognized expert in Police Facility Renovations and Expansion as well as risk management and liability. The building and its operations were assessed by Dr. Warren and the areas of risks were identified for all aspects of the current building.

Cpl. Kelly Burns of the Capital Police Department (Delaware) who was at the time in charge of assessing Police Departments to conform to Delaware Police Accreditation Commission (DPAC) standards assessed our building and the current set up failed by standards applied.

Addition design was drafted with the assistance of Dr. Warren and taking into account Cpl. Burns study to address the liability concerns and deficiencies of our current operation. Plans were designed for the addition through architect Patrick Ryan and incorporated changes required to limit liability and address efficiency concerns. As previously stated this addition endeavor was deemed to be too costly and evolved into a re-purposing project that was less cost prohibitive but could still improve efficiency and reduce liability identified in the Police Department.

This re-purposing project was broken down and prioritized in three phases. The completion of Phase One is a step towards liability reduction and improving efficiency in the area of the processing and evidence room, but the second two phases still need to be completed to meet the goals of eliminating/reducing identified risks and increasing efficiency for the entire building operation (I think there was some confusion at the last meeting where it was inferred I felt all safety issues had been addressed but I was speaking of progress towards Phase One and not the entire re-purposing project) .

To date all work and consultant fees have been covered strictly utilizing grant funding, and the total amounts to approximately \$45,000. Phase Two will have \$50,000 in PD donated funds being contributed and it is my intent to continue this re-purposing project utilizing as much grant funding as possible. I have demonstrated in my three and a half years as Chief my ability to obtain and utilize grant funding and have brought in approximately \$400,000 in grant funds for our Town to date. When the bid for Phase Two arrives we will have an accurate cost of the project and while I intend to continue my practice of utilizing grant funding a discussion may have to occur regarding a Town contribution.

My approach to this project from inception has been to focus on practicality and frugality in seeking basics in standards to operate both safely and efficiently. The course I am charting should prove viable for our Police Department for years to come. Regardless of department size it is critical we improve on safety and efficiency since these areas have been brought to our attention by an expert consultant in the field of Police Facilities and we should be making every effort to limit liability and provide employees and citizens a safe and efficient environment.

Respectfully,

Troy M. Crowson
Chief of Police

COMMITTEE REPORTS

- **Budget and Finance Committee** – Submitted by Councilmember Boteler:

Summary of February 13, 2018, Meeting

The Budget and Finance Committee (“Committee”) met on Thursday, February 13, 2018. All four of the property owner members of the committee – Chris Keefe, Joe Mormando, Steve Farrow and Don Boteler - were in attendance along with Town Manager, Maureen Hartman and Finance Director, Renee McDorman.

The Committee began with a discussion of funding options for the police building retrofit and agreed the full use of the Panco gift funds of \$50,000 would be appropriate. To fund the balance of the cost (full cost estimate ranges from \$60,000 to \$80,000), the Committee agreed that grant funds could be used, particularly since \$50,000 of grant funds were

committed to the original proposal to build a new addition to the building and a maximum of \$30,000 would be needed to supplement the Panco funds. Councilman Tim Shaw attended this portion of the meeting and noted that he was attending at the request of Mayor Voveris. Mr. Shaw participated in the discussion and spoke in support of the plan to improve the PD building.

The Committee then reviewed and unanimously approved the draft minutes of its January 25 meeting and unanimously approved those minutes.

The Committee then reviewed the January financial reports, showing results for nine months of FY18. The Committee noted the greater than anticipated revenues from rental taxes, transfer taxes and building permits and the greater than anticipated spending on legal expenses. During a thorough discussion of the financial results, Committee members received satisfactory responses to questions and observations from Ms. Hartman and Ms. McDorman.

The Committee then conducted its second review of the FY19 budget. The Committee reconfirmed its assessments of anticipated revenue streams from its first review and confirmed that changes it had requested were reflected in the current draft budget. The Committee also confirmed its recommendations with respect to its first review of town committee budget submissions. (Town department submissions had not been completed and incorporated into the draft budget in time for the Committee's first review.) With all of the submissions then compiled and available for examination, the Committee began its second review with the draft budget showing a substantial deficit. The Committee thoroughly reviewed all spending requests and recommended certain reductions to start moving the budget toward balance.

The Committee agreed to a next meeting date of Wednesday, February 21, at 12:00 pm in Town Hall to make one final review before submitting its recommendations to the Town Council for its first budget review to be conducted at its budget workshop scheduled for February 22.

Summary of February 21, 2018 Meeting

The Budget and Finance Committee ("Committee") met on Wednesday, February 21, 2018. All four of the property owner members of the committee – Chris Keefe, Joe Mormando, Steve Farrow and Don Boteler - were in attendance along with Town Manager, Maureen Hartman and Finance Director, Renee McDorman.

The Committee conducted its third review of the FY19 budget. The Committee continued its work to review the budget and refine its proposed recommendations to the Town Council, focusing on changes that were requested during its second review. The Committee was satisfied that its recommendations would produce a budget with a modest surplus and authorized its recommendations to be included in the budget presentation to be made the following day at the Town Council's first budget review of the FY19 budget.

The Committee then discussed a parking proposal that was approved by the Town Council at its February 9 meeting and offered several questions pertinent to implementation of the changes, including whether the town could legally limit parking on the east side of Rt. 1 to property owners and their renters or guests using guest passes. Ms. Hartman and Ms. McDorman undertook to research this and related questions.

The Committee agreed to a next meeting date of Tuesday, March 20, 2018, at 12:00 pm in Town Hall.

- **Canal Water Quality Committee** – Submitted by Councilmember Weisgerber:

George Junkin has identified a DNREC Grant opportunity. A 1:1 cash match is required for this grant. It is a **Surface Water Matching Planning Grant**.

A SB Proposal needs to be submitted no later than 4:30 on March 28, 2018.

The Delaware Water Infrastructure Advisory Council (WIAC) developed the Surface Water Matching Planning Grant program to support the planning/preliminary engineering/ feasibility analysis of surface water improvement projects and activities that focus on the developed landscape to improve water quality in impaired watersheds in Delaware. The grants are intended for the planning/preliminary engineering/feasibility analysis of stormwater retrofits, green technology practices, stream and wetland restoration projects, small watershed studies, development of master surface water and drainage plans, and other point and non-point source water pollution control projects.

The two CWQ projects below have been finalized, approved and funded for 2018. Installation plans and execution are expected to begin April and completed end of May early June 2018. The Mitigation Analysis Project results will produce the reports that CWQC will review with SMEs Woods Hole Group, DNREC, Army Core and University of Delaware Oceanography to help render the best remediation approach to recommend to SB Town Council.

Floating Wetlands Project (May 2018)

The Delaware Department of Natural Resources and Environmental Control (DNREC) has awarded the Center for the Inland Bays (CIB) and the Town of South Bethany a grant to install 130 floating wetlands into the South Bethany dead end canals. It is expected that the installation will occur around May 19. The Town and South Bethany Property Owners Association (SBPOA) will solicit volunteers for planting and installing the wetlands.

Expectations are that the introduction of these floating wetlands will cause a reduction of nutrients within the South Bethany Canals which will result in less algal blooms. The mats will be concentrated at the canal dead ends. Each dead end will typically have an assembly of four to six floating wetlands which will form a floating island that is 8 feet wide by 16 or 24 feet long. These floating islands will be attached to the bulkheads.

In addition to the approximately 104 floating wetlands located at the dead ends there will be 26 individual wetlands attached along the bulkheads for homeowners who have volunteered to have a wetland attached to their bulkhead.

Floating wetlands have been used numerous places to reduce nutrients and minimize algal blooms. The wetlands require minimal maintenance. The plants are expected to remove nutrients and solids from the canal waters.

Feasibility Analysis to Mitigate High Concentrations of Nitrogen and Phosphorous in the South Bethany Canals Project (April/May 2018)

It is believed the high nutrient concentrations is coming from more than 60 years of legacy sedimentation “muck” that has been accumulating on the bottom of the canals before the nutrient reductions efforts discussed above were implemented. The results from core sample tests are expected to show that the muck does indeed contain high concentrations of nutrients.

- Bathymetric Survey to identify locations, depth
- Subbottom Profiling to volume of material
- Sediment Core sampling to identify material and concentrations of nitrogen and phosphorus

The specific objective for this project is to identify the characteristics (locations, depths, volumes, particle size, % organic matter, toxics, concentrations of nitrogen and concentrations of phosphorous) of the sediment that is on the bottom of our canals so that the required data is available to plan remediation approaches.

After the characteristics of the bottom have been documented, remediation approaches will be considered.

- **Charter and Code Committee** – Submitted by John Fields, Chair:

The Charter and Code Committee has not held a meeting since the last Council meeting in February, 2018, therefore the Committee has nothing to report at this time.

- **Communications and Public Relations Committee** – Submitted by Councilmember Stevenson:

A Valentine Themed Pot Luck was held at the Town Hall on Saturday, February 10, 2018. This well attended event gave town citizens a very nice venue to meet old and new neighbors. A number of folks new to our town attended and were warmly welcomed by all.

The Committee met today, March 9, at 10 am to prepare a mailing to go out with all rental licenses. The letter included timely advice and pertinent information such as Suggestions for Improving Properties; Important Contact Information; Emergency Numbers; Trash, Recycling and Yard Waste Schedule Information; Town and Beach Rules; and a Schedule of Summer Activities.

The annual outreach to our local Realtors was to be a breakfast held on March 22 however this has been cancelled due to illness of the Chairman.

Future activities planned will be carried out as planned. They include the annual Band Concert at Town Hall on July 3. Two movies are planned, one on July 11 and the last one on Saturday, August 11. The August 11 event will feature a hot dog picnic prior to the movie. An entry in the Bethany Beach Independence Day Parade will also be part of the summer activities. The Committee will continue our very popular summer exercise and boot camp program and yoga offerings on the beach. Both volunteers who teach these classes are South Bethany Residents! Sites of all activities on the beach will naturally be adjusted to accommodate the upcoming beach replenishment project.

The Annual South Bethany Boat Parade will now be organized by the SBPOA with Joe Conway as Chairman. The town, police, and local coast guard auxiliary will support this effort as we have in prior years and look forward to another exciting and fun event on Sunday, July 1.

- **Community Enhancement Committee** – Submitted by Councilmember Callaway:

CEC Next Meeting will be held on Monday, March 26, 2018 at 10:00 AM

2018 Photography Exhibit

An Email News Update and Flyer announcing the 2018 Photography Exhibit has been emailed to South Bethany property owners each Friday since February 9. Thus far, 12 photography submissions have been received. All submissions are due by March 21. All photos received will be reviewed at the March 26 CEC meeting.

CEC Community Education Flyer

A draft flyer on the topic of Power Washing Houses focused on removing mildew and mold from home exteriors. The FINAL draft was reviewed and approved by the Town Manager and Code Inspector. The flyer will be distributed in March to encourage the spring cleaning of home exteriors.

CEC Proposed New Initiative

CEC continues to take planning steps toward the development of the proposed South Bethany Fitness Area. We have had discussions with Liberty Parks and Bob Ehemann of DE Parks.

CEC Adopt-A-Canal End Program

In February, the CEC received an application for the adoption of the New Castle Road End. The CEC will meet with the adopters in March/April to discuss design options. This adoption is the 36th adoption in the program. Additional Adopt signs and new wire stands are being ordered.

ADOPTION OF MINUTES – FEBRUARY 22, 2018, TOWN COUNCIL BUDGET WORKSHOP MEETING

A motion was made by Councilmember Boteler, seconded by Councilmember Shaw, to accept the February 22, 2018, Town Council Budget Workshop Meeting Minutes. The motion was unanimously carried.

POLICE DEPARTMENT BUILDING RE-PURPOSING INITIATIVE - DISCUSSION AND POSSIBLE VOTE ON RYAN ARCHITECTURE, LLC PROPOSAL FOR ARCHITECTURAL DESIGN SERVICES FOR INTERIOR RENOVATIONS AT THE SOUTH BETHANY POLICE DEPARTMENT (\$3,800.00) (MAUREEN HARTMAN)

The Town Manager reviewed the proposal from Ryan Architecture for interior architectural services for the Police Department Building.

Per the proposal, Basic Services will include: 1) Field Measure the relevant interior spaces, 2) Prepare a Demo and New Floor Plan, 3) Conduct IBC/ANSI/NFPA Code Review, 4) Prepare Wall Section, Notes and Misc. Details, 5) Prepare Door and Finish Schedules, 6) Prepare Specifications, 7) Prepare up to 2 addenda during the Bidding Phase, and 8) Prepare 2 hard copies of the Bidding Documents. Compensation for services will be a fixed fee of \$3,800.00. Attendance at meetings are an additional service and will be billed at \$165/hour portal to portal.

Per the proposal, the following services are not part of Ryan Architecture's services and will be provided by other professionals/contractors engaged by the Town: 1) Mechanical/Electrical/Plumbing/Fire Protection, Design & Engineering, 2) Telecommunications/Data/Alarm Systems Design, and 3) Construction Cost Estimating Services. Mayor Voveris spoke with Mr. Ryan regarding these three items and reported the following: 1) With the exception of Mr. Ryan's electrical representation needed for the Fire Marshall, Item 1 will be provided by the bidder, 2) Item 2 would be determined by Chief Crowson working with the Town vendor, and 3) Item 3 would be determined by the bidder.

After discussion, a motion was made by Councilmember Saxton, seconded by Councilmember Weisgerber, to move forward and approve the proposal from Ryan Architecture for interior architectural services for interior renovations at the South Bethany Police Department. The motion was unanimously carried.

BUDGET AMENDMENT – DISCUSSION AND POSSIBLE VOTE TO APPROVE A SALARY AMENDMENT FOR THE PUBLIC WORKS SEASONAL EMPLOYEE TO BEGIN WORK IN MARCH 2018

The Finance Director reviewed the requested Budget Amendment. She stated that in the past the Maintenance Supervisor has included labor costs in the Public Works budget for contractors to do mulching and sand fencing work. This year instead of hiring a contractor the Maintenance Supervisor would like to bring on the seasonal Public Works employee 30 to 45 days for the current fiscal year to assist with the walkway/dune sand fencing project, reduction of flower beds on Rt. 1 and mulching for the current flower beds project, and assist with the York and Carlisle drainage (check valve) project. This person has worked for the Town the last two seasons as the seasonal Public Works employee. This employee would be a W-2 employee whereas contractors are W-9 employees. The Finance Director said there is money in the Public Works budget to move to salaries and it will not change departmental budgeted amounts. The Finance Director stated that this would change the Public Works seasonal position from five months to seven months.

Mayor Voveris said this seasonal position is relatively new and it started as three months and then went to four months, and then went to five months, and now it is a request for seven months. Mayor Voveris said this is a very long season. Mayor Voveris said if a contractor comes in they complete the project, the Town pays them, and they are done. Mayor Voveris said if you have an employee you have to find work for the 40 hours a week. The Town Manager said they did talk today about bringing the employee in for 30 hours a week up until May 1.

It was noted that the employee will not qualify for benefits. The Finance Director added that the employee will not qualify for pension contributions this year, but it is getting close to that. Councilmember Callaway suggested getting through this year and then revisit the whole layout of the Public Works staff. The Town Manager said she would like to revisit the whole layout after the season is over to see what the structure is moving forward.

Councilmember Shaw said his concern is that as a W-2 employee the Town has now got someone who could start having to do some overtime and suddenly the threshold has been crossed where the employee has to be treated as a whole compensational employee. The Town Manager and the Finance Director agreed that they want the Maintenance Supervisor to try and maybe limit this employee to 30 hours a week.

It was noted that the Public Works department cannot do away with contractors altogether because there is some work the department cannot do.

A motion was made by Councilmember Boteler, seconded by Councilmember Saxton, to approve a salary amendment for the Public Works seasonal employee to begin work in March 2018 per the following Budget Amendment Request:

Budget Amendment Requests:

The following Expenditure Budget Amendments are requested within the scope of the Budgetary Guidelines Policy and will not change departmental budgeted Amounts.

		Original Budget	Amended Budget	Total Budget	YTD	Balance
01-100-5240	PW - Salaries - PT/Seasonal	9,600.00	4,700.00	14,300.00	10,680.00	3,620.00
01-250-5145	PW - FICA	7,006.00	300.00	7,306.00	5,842.91	1,463.09
01-250-5297	PW- Landscaping Materials/Mulch	6,000.00	-3,800.00	2,200.00	373.58	1,826.42
01-	PW- Canal Maintenance	6000.00	-1,200.00	4,800.00	0.00	4,800.00

Total Transfer Amount Requested: \$ -

Justification:

The requested transfer is required to allow the Public Works department to re-hire a seasonal employee for 30 to 45 days to assist with the following projects:

- Walkway/Dune sand fencing project
- Reduction of flower beds on Rt. 1 and mulching for current flower beds
- Assist with York and Carlisle drainage (check valve) project

Employee will be paid \$15 per hour and will be working approximately 30 to 45 days in the current fiscal year

Stating that this was not something she could support, Mayor Voveris asked for a roll call. The voting was as follows:

FOR THE MOTION: Councilmembers Boteler, Saxton, Callaway, Stevenson, and Weisgerber

AGAINST THE MOTION: Mayor Voveris and Councilmember Shaw

The motion carried with a 5-2 vote.

DISCUSSION AND POSSIBLE VOTE ON TASKING THE CHARTER AND CODE COMMITTEE TO AMEND TOWN CODE CHAPTER 104, PROPERTY MAINTENANCE, ARTICLE II, GRASS AND WEEDS, § 104-8, NOTICE; ENFORCEMENT; APPEALS; PENALTIES FOR OFFENSES AND TOWN CODE CHAPTER 114, SOLID WASTE, ARTICLE III, SOLID WASTE MANAGEMENT, § 114-7, ANNUAL NOTIFICATION; VIOLATION; PENALTIES; NOTICE; ENFORCEMENT; AND APPEAL

The Town Manager reviewed her memo to Town Council which was in the Town Council meeting packet. The memo stated that the annual notification via first-class mail requirement is costly and it is time-consuming for staff. The memo also stated that with codification of all ordinances available on the Town's website, flyers & pamphlets available at Town Hall, and with yearly reminders in the newsletter that lawns must be mowed, and garbage must be disposed properly, the Town is asking for removal of the "annual notification via first class mail" in each ordinance.

A motion was made by Councilmember Saxton, seconded by Councilmember Shaw, to task the Charter and Code Committee to amend *Town Code Chapter 104, Property Maintenance, Article II, Grass and Weeds, § 104-8, Notice; enforcement; appeals; penalties for offenses* and *Town Code Chapter 114, Solid Waste, Article III, Solid Waste Management, § 114-7, Annual notification; violation; penalties; notice; enforcement; and appeal* to keep the notification requirement but remove the annual notification via first-class mail requirement. The motion was unanimously carried.

PROPERTY OWNERS' PARTICIPATION

- Carolyn Marcello (8 S. 9th St.) - Announced that on March 30, Good Friday, there will be a pro-life event along Route 1.
- Sandy Raymond (5 N. 3rd St.) – Thanked Council for the news blasts/blurbs that are posted. Ms. Raymond said the information is very helpful.
- Daniel Cowell, MD (110 Henlopen Dr.) – Dr. Cowell reviewed the following letter which he had previously sent to the Town Council:

Mayor Voveris and Members, South Bethany Town Council

RE: The South Bethany Police Department

I believe that the members of our Town Council do their best to promote the interests of all our citizens and to sustain the quality of life we have here in South Bethany. However, notwithstanding efforts taken by the Council to address concerns expressed by the SBPD, I am of the opinion that problems have not been fully resolved with respect to some of those issues:

MORALE: I do not believe that the uncertainty among officers engendered by the (alleged) desire to "outsource" the functions of the SBPD (whatever the source and whether true or not) has ever been fully dispelled by the several disclaimers put forth by the Council. On the

contrary, my sense is that the reluctance of the Council to commit to the full funding of the professionally recommended changes/modifications to the SBPD building (even over time and in a phased manner) suggests the Council has strong reservations about the project (for various reasons, eg. not to increase taxes, obtain loans, etc.). I believe this caution has resulted in a sense of uncertainty that is not lost on the rank and file of the SBPD. I wouldn't be surprised to see our Town lose officers over the coming months as a result. Nor should the Council be surprised if that happens.

The morale of First Responders (fire, police and emergency service workers) is critical and different from that of other workers. First Responders must undergo strict training and are responsible for the safety and lives of others—as well as their own. The morale of First Responders is based on trust in the competence and commitment of each member of the team—as well as in the trust and support of higher-ups who set the policies, provide the resources and the administrative and political back-up they need in order to execute the functions of their jobs. In this case, the "higher-ups" are the collective members of the Town Council.

FINANCES: Cost considerations preventing further funding for the original SBPD project espoused by some Council members lack validity in my view. The reason is that, in my understanding, virtually all the expenditures for the changes made to date (i.e., \$45,000 for the "re-purposing", including the soil boring and architectural drawings) have come thus far from grant funds obtained by the SBPD itself. In terms of priorities, what is more important than maintaining public safety and avoiding the notoriety suffered by other jurisdictions regarding illicit drug use and attendant crime?

In my recollection, the town had originally proposed \$125,000 toward the cost of needed renovations/building, but deferred funding pending clarification of costs originally proposed by the architect. Ultimately, it was decided that 3 cost estimates were too high and alternatives to raise the unplanned cost were considered to be unacceptable. If \$125,000 were available then—why the apparent reluctance to commit to Phase II and Phase III now? (especially since the SBPD has underwritten the cost of Phase I). Or is it thought that partial measures adopted by the Council toward the plans and problems of the SBPD is sufficient and "enough" has already been done(spent)? If so, I believe the Council is mistaken.

Moreover, personnel considerations aside, this reluctance to commit to completing building recommendations has exacerbated a continuing decline in the SBPD morale. If you doubt this, ask relevant questions of the right people—and you'll get a different picture than the one you may now have.

Furthermore, if I understand Chief Crowson's letter to the Council in February 2018 correctly, he intends to try to underwrite the costs of remaining Phases from grant funds which he already has and will try to obtain more in the future (but without assurance he will be able to do so). Hence, it appears that the overall costs to the town of bringing the SBPD up to state-of-the-art standards, is largely being borne(unfairly) by the SBPD itself. In this regard, I believe the Chief has done a superb job of maximizing his resources, while striving to bring the Department up to recognized standards, keeping criminal activity very low and recruiting and (thus far) retaining qualified personnel. Should morale continue to dip, as I believe it already has, retention may shortly become a pressing problem as we head into the traditional need for increased SBPD services in the Spring and Summer periods—a worrisome thought indeed— without sacrificing 24 hour coverage in our Town.

PERSONNEL: The Council has spent taxpayer money to commission a consultant group to study the SBPD and make personnel recommendations thereon. It was their report (CPSM) that was used to make the decisions regarding salaries, grades and other matters concerning the SBPD. Why was that report never made public? (I believe that no "client privilege" can be claimed unless the report resulted from actual conferral with an attorney in the course of

producing the report). Non-transparency on this issue has likely contributed to the detriment in morale which I am trying to bring to your attention.

I urge the Council to take a close (another?) look –and to monitor, the morale of the SBPD – on which we have always relied for the safety and protection of our Town—and concerning which we have always been justly proud.

Respectfully,
Daniel D. Cowell, MD
110 Henlopen Dr.

The Mayor thanked Dan for taking the time to write the Council and attending the meeting to express his thoughts. Here are her remarks that she read aloud.

Change is not always easy, but we owe change a chance.

Let's look at some positive points:

- We kept the Police Department. There was no outsourcing.
- No one lost their job
- No one lost their rank
- Everyone got a raise in January
- Everyone is getting another raise in May
- We are working with the Chief to renew his contract
- We are working to improve the building per the Chief's recommendations

The CPSM report came through our attorneys and is considered client privileged. If the Council wants to make the document public they can certainly talk about that. CPSM made recommendations we did not consider. What we considered and put in place has been publicized and very transparent. I see no benefit to publicizing the full report. Actions taken are what is important.

Morale? I have concerns about employee morale and have fully supported employees for my 7 years of service. I have also had concerns about morale of the Council for the last 6 to 8 months. No one ever expects to step up and serve in these chairs and have the magnitude of responsibility this Council has had.

South Bethany is a good place to work. Our jobs, our benefits, our environment, our townspeople all factor into this.

It is time to get down to the business at hand and focus on moving forward.

Councilmember Saxton stated that Mayor Voveris did a nice job summarizing how Council worked and the angst Council went through making decisions especially through the past summer. Regarding the repurposing of the police building, Councilmember Saxton stated that when Council took a vote Council basically said it will spend between \$60,000 and \$80,000 on the project. Councilmember Saxton said there has been a focus on this discussion on what the Town had in reserves. Councilmember Saxton stated that when the Town was looking at the original police building renovations (Councilmember Saxton was not on Council at that time) he remembers the discussions in the Budget and Finance Committee for an agreement and the Chief committed to find \$100,000 in grant money and the process to get them remain today - they have not been taken away as an option for this town to get that job done. Chief Crowson stated that the department has spent \$45,000 of that so what remains is \$50,000. Councilmember Saxton stated that the Police Department utilized every year, historically, the Sussex County grant worth \$25,000. Councilmember Saxton applauded Chief Crowson for using the \$45,000 but stated that the Police Department still

has access to another \$100,000 because of the way the process works. Councilmember Saxton said the town has infrastructure issues, water quality issues, and other issues that are competing for a minimal amount of dollars. If Council can work with Chief Crowson to do the repurposing project all on donated money and grant money then we have that \$80,000 in reserves to maybe do some work on infrastructure such as work on the roads.

Mayor Voveris said when bid amounts come in Council will make a decision on awarding the bid and about the financing. Mayor Voveris stated that she understands Councilmember Saxton's point in wanting to use grants. Chief Crowson does get \$25,000 from Sussex County every year, but for the last two years he has used that money (\$45,000) towards things for the building - soil boring, designs, etc. Mayor Voveris stated that the Police Department has \$50,000 left in the Panco fund and what a wonderful way to use an owner's donation to the Police Department – to enhance the police building. Mayor Voveris thinks Chief's Crowson is concerned about continuing to tap into the Sussex County grants because he is running out of some things that he normally uses those grants for. In the end Council is going to have to have a discussion about whether it is more grant money or whether it is partnering with the Town. Mayor Voveris thinks Council wouldn't be going out on bid if it didn't have the intention to finally get this project done. Mayor Voveris stated that she has been working on this with Chief Crowson no short of three years and it is time to get it done. Mayor Voveris stated that Chief Crowson has come up with a wonderful plan which was acknowledged by the architect as encompassing.

Councilwoman Stevenson spoke to Chief Crowson about morale issues and said that morale comes from the top and he as Chief needed to work on addressing and correcting that. Chief Crowson stated that morale is also based on changes that are made.

- Sandy Raymond (5 N. 3rd St.) – Ms. Raymond stated that she hopes the Police Department has the manpower this summer season to keep the town safe. Chief Crowson stated that the department is fine at six officers but if the department were to lose anything else it would greatly impact the department. Chief Crowson stated that he thinks they are going to have a short staff this summer and will have to adjust with anticipation of another officer leaving. Mayor Voveris noted that it is with anticipation of another officer leaving – there has been no notice. Mayor Voveris thinks that with the Chief's 30 years' experience he will figure out a plan. Chief Crowson expressed concerns about the Town not utilizing part-time employees which would help accommodate some short comings if the department were to lose a full-time officer.
- Steve Walker (144 Elizabeth Way) – Stated that the Police Department is one of the reasons he bought property in South Bethany. He hopes South Bethany continues to have a well-built Police Department that stays in South Bethany.

ADJOURNMENT

A motion was made by Councilmember Weisgerber, seconded by Councilmember Saxton, to adjourn the March 9, 2018, Town Council Regular Meeting at 3:40 p.m. The motion was unanimously carried.