

**TOWN OF SOUTH BETHANY  
TOWN COUNCIL WORKSHOP MINUTES  
OCTOBER 25, 2022  
10:00 a.m.**

**Meeting Called to Order**

Mayor Saxton called the October 25, 2022, Town Council Workshop Meeting to order at 10:00 a.m.

**Attendance and Absences**

In attendance were Mayor Tim Saxton and Councilmembers Derek Abbott, Randall Bartholomew, Bob Biciocchi, Edie Dondero, Dick Oliver, Tim Shaw; and Town Manager Maureen Hartman, Town Solicitor Stephani Ballard, Town Clerk Matt Amerling, and Canal Water Quality Chairman Chris Vanuga (via phone). Public attendee: 3, remote attendees: 0.

**Public Comment**

Rick Braid, 111 Brandywine Drive, said after the previous Council workshop regarding a proposal for specific items to be allowed in the rear yard setback, he would like Council to consider drafting a "view ordinance" in order to protect property owners' views due to tree planting or any other possible obstructions. Most of Council, as well as Solicitor Ballard, stated they would first have to review to make sure such an ordinance is legal but will look into it before deciding whether or not to go through the usual ordinance drafting and review process.

**Motion to go into Executive Session**

Councilman Dick Oliver motioned to go into Executive Session at 10:17 a.m. Councilman Bob Biciocchi seconded the motion. Motion carried 7-0.

**Executive session for strategy sessions, including those involving legal advice or opinion from an attorney-at-law, with respect to collective bargaining or potential litigation. 29 Del. C. §10004(b)(4).**

**Motion to reconvene the Town Council meeting and discussion and possible action on matters discussed in Executive Session**

Councilman Abbott motioned to reconvene the meeting at 10:50 a.m. and approve the action as discussed during Executive Session. Councilman Randy Bartholomew seconded the motion. Motion carried 7-0.

**Discussion with Canal Water Quality regarding options for algae harvesting**

Councilman Tim Shaw stated, due to the state of the canals this past spring/summer, the Town contacted the Delaware Department of Natural Resources and Environmental Control (DNREC) to come and clean up the algae in the canals; however, it was somewhat of a failure due to breakdown of equipment and staffing issues. Councilman Shaw stated the Town did contract with EnviroTech to go through and do a little bit of debris clean-up. Councilman Shaw, as liaison to the Canal Water Quality Committee (CWQ), said there are five (5) alternatives the CWQ is providing to the Town for review: the first option is to keep going with DNREC; the second, the Town buying the equipment and hiring staff to run it; third, buying the equipment and contracting out a company to come do the cleaning; fourth, simply contracting a company to come clean the canals; and fifth, to continue using DNREC's equipment but having Town staff operate equipment, but DNREC does have to research this first before confirming it's a feasible option. Councilman Shaw stated the issue with the Town taking on the responsibility is finding a place to dump the algae as DNREC has an agreement with the State parks where they can take it. Councilman Shaw said the CWQ recommends the Town either buy the equipment and hire staff (of which there would have to be at least two (2) people) to run it or buy the equipment and contract out a company to do the cleaning.

Councilwoman Edie Dondero asked where the Town would store the harvester machine. Councilman Shaw stated there is a company around here which would bring it out of the water, "shrink-wrap" it and store it until the Town is ready to use it again the following year. Councilwoman Dondero asked where the Town would access the canals. Mr. Chris Vanuga, chairman of the CWQ, said a member of the CWQ would give access from the ramp located on her property. Councilman Shaw said he spoke with a person near Harpoon Hannah's access, who said if the Town is willing to pay twenty dollars (\$20.00), the Town can have access that way. Councilman Derek Abbott said another option is in the Assawoman Wildlife Area where there is a very large and wide accessibility point. Mr. Vanuga presented a spreadsheet with costs for hiring two employees to man the equipment and that salaries need to be determined and confirmed. Councilwoman Dondero stated two (2) staffers for four (4) months seems like a lot and questioned if there is enough work to employ those individuals for four (4) months. Mr. Vanuga stated if it can be done in less time, that's fine, but there is room to consider possibly doing part-time. Councilwoman Dondero stated her concern is not so much the money as the livelihood in finding qualified people with the skillset to do such a job for a season. Councilman Abbott stated he thinks we should train the already-employed staff to do the job. Councilman Shaw said they spoke with DNREC, who said they would be willing to help with the training for operating such a machine. Councilman Randy Bartholomew asked how long the training would be and if there is any special certification involved. Councilman Shaw stated that the operator would need the appropriate license and training. Councilman Bob Biciocchi asked if South Bethany is the only town with this problem. Councilman Shaw stated they approached Fenwick Island proposing to share the equipment and its costs with them, but they were not interested. Councilman Biciocchi asked if the equipment is available to lease. Mr. Vanuga said not to his knowledge, but he could check. Mayor Saxton asked how long the equipment lasts. Mr. Vanuga said he knows it generally comes with a two-year warranty but in terms of how long the equipment will run, they would have to look more into that, but he knows of one that lasted ten years. Mayor Saxton said if a harvester lasts ten years, then it needs to be estimated in along with the depreciation schedule. This would factor in an additional fifteen thousand to twenty-thousand dollars more in the cost. Councilman Abbott stated Council does have to make a decision soon on which option to take so the Town can meet the timeline of ordering the equipment. Councilman Shaw said even if the Town goes with the second option, we still have to figure out where to dump the algae once it's been taken out. Mayor Saxton said the Town will need to look more into how the contracts work in regard to locking them in. Council agreed to keep DNREC on as a backup until a definitive choice has been made with these options. Town Manager Hartman reminded everyone that no matter which choice is decided, this would have to go out to bid for thirty (30) days due to the cost. Ms. Hartman asked if EnviroTech would be willing to run the equipment if the Town owned it. Mr. Vanuga stated yes. Mayor Saxton said any decision on this must be done at a regular Council meeting so when the CWQ is ready, they can bring it before Council for vote, but he would like to make sure the estimates are all there.

**Adjournment**

Motion by Councilwoman Dondero, seconded by Councilman Shaw to adjourn the October 25, 2022, Town Council Workshop meeting at 12:00 p.m. Motion carried 7-0.

Respectfully submitted,

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Council Secretary

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Town Clerk

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Date of Approval