

**TOWN OF SOUTH BETHANY
TOWN COUNCIL MEETING MINUTES
DECEMBER 9, 2022
9:00 A.M.**

Please note due to Town Hall renovations, this meeting could only be attended via GoToMeeting.

Meeting Called to Order

Mayor Saxton called the December 9, 2022, Town Council meeting to order at 9:00 a.m.

Attendance and Absences

In attendance were Mayor Tim Saxton and Councilmembers Randy Bartholomew, Bob Biciocchi, Edie Dondero, Dick Oliver, and Tim Shaw; Town Manager Maureen Hartman, Town Clerk Matt Amerling, and Chief Jason Lovins. Councilmember Derek Abbott was absent. Online attendees: 6.

Public Comment

There were no comments.

Adoption of Minutes

Motion by Councilman Shaw, second by Councilman Oliver to adopt the November 15, 2022, Town Council Meeting minutes as amended. Motion carried 5-0-1 abstention.

Motion by Councilman Shaw, seconded by Councilwoman Dondero to adopt the November 15, 2022, Town Council Executive Session minutes. Motion carried 5-0-1 abstention.

Presentation by Brent Jett, PE, CFM, CC-P, Coastal Resiliency Group Leader, regarding resiliency study with use of ARPA funds

Mr. Brent Jett stated the National Oceanic and Atmospheric Administration (NOAA) projects the number of high tide flood days along the coast in Delaware will increase in the future. The number of flooding days doubled from 2000 to 2020 and is projected to potentially hit triple digits (one-third of the days) by 2050. Per the National Weather Service (NWS), a high tide flooding day occurs when the flood gauge on Jefferson Creek reaches an elevation of 2.6-feet. At this stage, many roads and back yards have tidal waters on them, even on bright sunny days with no precipitation. Mr. Jett said one of the challenges they found with regard to South Bethany was the fact that, per Town Code, bulkhead heights cannot be raised. Mr. Jett pointed out that the sea level rise will not be here tomorrow so there is time to prepare. Mr. Jett stated another challenge is the Town's definition of impervious doesn't agree with the Delaware Department of Natural Resources & Environmental Control (DNREC). There's a lot more runoff coming from the impervious substances than if it was just straight grass – especially since we're no longer getting two (2) inches of rain over 24 hours, but rather four (4) inches of rain in two hours. This is not just a South Bethany problem, but everybody along the coast has struggled with this issue. Mr. Jett said one of the other challenges is the parking in front of houses. The way the Code is written is that you can only have fifty percent (50%) of a lot width covered in a surface for parking. There are several cases within the Town currently that exceed this fifty percent (50%) coverage. Many areas in front of lots are covered from lot line to lot line with allowable material (i.e., gravel, shell, stone) that has been compacted over time, adding to the impervious rate and runoff from the Town's rights-of-way. Mr. Jett further stated another issue is the low elevation of Town roads, as he said fifteen percent (15%) to twenty percent (20%) of the roads in Town are below elevation two-point-five (2.5) feet, which is the elevation that NOAA has stuck as the flooding elevation. One of the last concerns is houses meeting Base Flood Elevations (BFEs). Houses that were raised do meet such elevations; however, houses with low-lying equipment such as HVAC, A/C, gas tanks, etc., are on the ground and run the risk of severe water damage. With low-lying equipment during a flood event, such equipment could be damaged, depending on when the flood event occurs. Mr. Jett recommends to keep conversations with DNREC and the Delaware Emergency Management

Agency (DEMA) going while they're paying for the upkeep of the dunes to protect the houses, but also to maintain beach access. Mr. Jett recommended looking at potential Code changes, grant opportunities, and a redesign of York Road to help with these issues. Mr. Jett stated there is still another opportunity to review these possibilities at a future Council meeting. Council agreed to give their comments on this draft to the Town Manager, who will forward them to Mr. Jett. Council agreed to try and hold a meeting on this soon after the holidays. Mr. Jett said South Bethany is probably ninety percent (90%) ahead of the rest of the people because it has a resiliency report now, whereas very few others do. Mr. Jett further stated other municipalities might have a committee looking at things here and there, they might have some ideas for a project, but South Bethany has a guiding document.

Discussion and possible action to approve a company to harvest the canals in 2023

Councilman Shaw introduced Mr. Chris Vanuga, Chairman of the Canal Water Quality Committee (CWQ). Mr. Vanuga stated after researching ways of harvesting the canals, the CWQ's recommendation for this upcoming year is to continue to rely upon DNREC to conduct the primary harvest and to contract Solitude as a back-up provider. Mr. Vanuga spoke with Solitude and selected two potential dates to harvest the Town's canals: the third week of April, and the second or third week in May. The cost would be approximately twenty-thousand dollars (\$20,000) per week for each of the two weeks selected. That amount includes \$5000 per week in mobilization costs and a per diem rate for harvesting operations. Mayor Saxton recommended Town Manager Maureen Hartman work with Solitude on the details and logistics of the project, including whether Solitude has a subcontractor who can move the algae to the dump location, because once the contract is signed, it will be up to Ms. Hartman to manage the contract. Councilwoman Dondero said she's not comfortable authorizing CWQ to go forward with the contract until it is determined how and where the Town will dump the algae. Councilwoman Dondero doesn't think the Town has the resources to be able to transport it to wherever it needs to go, neither in regard to staffing or equipment resources (i.e., the proper dump truck). Mayor Saxton stated he thinks it's important to turn the Solitude proposal over to the Town Manager to figure out whether to hire a dump truck company, as well as figuring out all the other logistics. Mr. Vanuga stated a reminder that Solitude has lots of contracts in their calendars and their "dance card" fills up quite quickly. He requested Council approve the contract today so that the CWQ can book Solitude's services now, and be prepared to move forward when and if the outstanding issues are resolved. Mayor Saxton reminded that the Town can't do much until it hears back from DNREC; and the Town should still rely on DNREC as the primary harvesting option.

Councilman Bartholomew motioned to provisionally approve fifty-thousand dollars (\$50,000.00) funding to enter into an algae harvesting contract with Solitude, pending receipt of the necessary approvals from DNREC and the finalization of project logistics. Councilman Shaw seconded the motion. Motion carried 6-0.

Possible action to appoint Richard Dallaire to the Bicycle and Pedestrian Safety Committee

Motion by Councilman Shaw, second by Councilman Biciocchi to appoint Richard Dallaire to the Bicycle & Pedestrian Safety Committee. Motion carried 6-0.

Leadership Reports

Mayor's Report – report submitted.

Town Manager Report – report submitted.

Police Chief Report – report submitted.

Treasurer Report – Councilman Bartholomew stated the report was submitted.

Committee and Commission Reports

Budget and Finance Committee – report submitted.

Canal Water Quality Committee – report submitted.

Charter and Code Committee – no report submitted.

Community Relations Committee – no report submitted. Councilwoman Dondero said her thanks to all Town staff and those helped with the first annual holiday tree lighting, which was a success as there was well over one-hundred (100) people in attendance, as well as delivering over twenty (20) boxes from the food drive.

Planning Commission – no report submitted.

Bicycle & Pedestrian Safety Ad Hoc Committee – no report submitted.

Adjournment

Motion by Councilman Oliver, second by Councilman Shaw to adjourn the December 9, 2022, Town Council Regular Meeting at 10:49 a.m. Motion carried 6-0.

Respectfully submitted,

Council Secretary

Town Clerk

Date of Approval