

**TOWN OF SOUTH BETHANY
TOWN COUNCIL MEETING MINUTES
FEBRUARY 10, 2023
9:00 A.M.**

Meeting Called to Order and Pledge of Allegiance

Mayor Saxton called the February 10, 2022, Town Council meeting to order at 9:05 a.m., followed by the Pledge of Allegiance to the Flag.

Attendance and Absences

In attendance were Mayor Tim Saxton and Councilmembers Randy Bartholomew, Bob Biciocchi, Edie Dondero, and Tim Shaw; Town Manager Maureen Hartman, Town Clerk Matt Amerling, and Chief Jason Lovins. Councilmember Derek Abbott and Councilmember Dick Oliver were absent. Public attendees: 10.

Police Chief Recognition Ceremony for South Bethany Police Officers

Police Chief Jason Lovins distributed awards to Sgt. Patrick Wiley, Cpl. Shaun Baldasano, Officer Jahn Farrell, Police Administrative Assistant Coleen Meyer, and Bethany Beach Volunteer Fire Company (BBVFC) EMS Chief Phil Brackin. Chief Lovins introduced officer Matthew Wilson, whose been with the Town since October. Mayor Saxton presented the distinguished service award to Chief Lovins for his leadership and dedicated service.

Adoption of Minutes

Councilwoman Dondero mentioned in the December 9, 2022, minutes, on page two (2), on the fourth line, the word "Floor" should be "Flood," and regarding the Council discussion of a company to harvest the canals in 2023, the synopsis of the canal algae harvesting discussion is unclear in reflecting what was discussed; so, she requested that section to be revisited and revised accordingly.

Mayor Saxton and Council agreed to table the minutes until the next Council meeting.

Discussion and possible action on purchasing a traffic virtual messaging sign (Saxton)

Mayor Saxton stated he was bringing forth this item because he has heard nothing but positive things about the use of such a sign, which is located at the north end of Bethany Beach. Chief Lovins indicated that Bethany has had success with their virtual messaging sign (VMS). Mayor Saxton stated he thinks it would be a good idea to place one of these signs on the south end of South Bethany, just before vehicles going northbound come into Town. Chief Lovins stated what he likes about the VMS is that it's mobile and can be customized. Town Manager Maureen Hartman has prepared a letter to Representative Ronald Gray requesting assistance to purchase the sign through the Community Transportation Fund, or CTF. The Town is requesting nineteen-thousand dollars (\$19,000.00) for this sign, which will come out of the FY23 budget.

Councilman Shaw motioned to approve the moving of budgetary funds of up to twenty-thousand dollars (\$20,000.00) to cover the cost for immediate procurement and use of the virtual messaging sign for this upcoming summer season. Councilwoman Dondero seconded the motion. Motion carried 5-0.

Presentation and discussion on wind farms from Chris Bason, Ørsted

Mayor Saxton welcomed Chris Bason, from Ørsted, who provided an update to Council on the wind farms being proposed off the Delaware shore.

Mr. Bason stated the turbines are about 16-17 miles to from the Town of South Bethany. Mr. Bason said the lease Ørsted owns was completed around 2012, and is out far enough, away from shipping channels or bird migration areas. Mr. Bason stated the total of turbines will be from 50-70 and that the types of turbines being used is in response to the rapidly developing technology. Councilman Bob Biciocchi asked what Maryland wants for the money they are putting into this project. Mr. Bason stated Maryland has a renewable portfolio standard which requires them to use so much renewable energy, just like Delaware has; so their procurement process goes to satisfy that standard, and they have a carve-out with the offshore wind and the agreement with Maryland allows the costs for the wind farms to be built. Councilman Shaw asked how this would impact the price of electricity for those of us in Delaware. Mr. Bason stated it won't directly affect our bill because Maryland is paying for the project, but it should reduce electrical rates on our grid because of the large amount of this low-cost electricity which is coming in for the wholesale market. Mayor Saxton asked what the current height is from the top of the blade to the water surface. Mr. Bason stated they don't have any decisions made yet exactly on what turbines they're going to use, but that information will be in the construction and operations plan; but Ørsted does have some public filings with the state of Maryland which details the height switch that was made. Mr. Bason stated Ørsted is able to recycle about ninety-eight percent (98%) of the blades, but there are metal components which are more difficult to recycle; however, Ørsted is committed to recycling as much material as possible.

Public Comment

Al Rae, 131 Anchorage Drive, asked about the status of the beach replenishment. Mayor Saxton stated the Town received an email from the Delaware Department of Natural Resources and Environmental Control (DNREC) last week, notifying the Town that the awarding of the contract has been done. Mr. Rae requested more Mobi-mats for easier beach access, especially at "Sandpiper Village Beach," for people to get closer to the water.

Ed Nazarian, 20 Peterson Drive, questioned about the progress of the Town Hall renovations. Mayor Saxton stated the Town Hall renovations are moving along but there are some minor delays due to material availability. Mayor Saxton stated the entire building has its carpet out, the painting has started, and installation of security panels have been completed; however, he wouldn't anticipate the Town Hall being used until after April 1.

Councilwoman Dondero stated Council should give some recognition to Town Hall staff for continuing to work at Town Hall during the extraordinary, difficult conditions of dust, noise, mess and displacement. Ms. Dondero gave thanks to the staff for their patience, understanding, flexibility and even doing their own heavy lifting and moving.

Discussion and possible action on adoption of 2023 Sussex County Tax Assessments for the Town of South Bethany 2024 Fiscal Year (May 1, 2023, to April 30, 2024)

Councilman Bartholomew motioned to approve the adoption of 2023 Sussex County Tax Assessments for the Town of South Bethany 2024 Fiscal Year. Councilman Shaw seconded the motion. Motion carried 5-0.

Resolution 1-23 adopting the 2022 Sussex County Delaware Multi-Jurisdictional Hazard Mitigation Plan (HMP)

Town Manager Maureen Hartman stated this resolution adopting the County Hazard Mitigation Plan (HMP), is a revision of the existing one adopted in 2017 and keeps Sussex County municipalities eligible for receiving assistance, should a natural disaster occur (i.e., flood, hurricane, etc.). Ms. Hartman stated that adoption of the County HMP, keeps the Town eligible for State and Federal assistance grants.

Councilwoman Dondero motioned to adopt Resolution 1-23. Councilman Shaw seconded the motion. Motion carried 5-0.

Discussion and possible action on the approval of the 2023 Election Board Judges

Motion by Councilman Shaw, second by Councilman Bartholomew to appoint Pat Weisgerber, Brad Gough, and Sandra Roberts, with John Stefani as an alternate, as the 2023 Election Board Judges. Motion carried 5-0.

First reading for Ordinance 210-23 to Amend Chapter 134 to update the language with regards to the speed limit for specific roads within the Town limits of South Bethany; and to update the language with regards to a date change for vehicle entrance on Black Gum Drive and Kent Avenue. (Dondero)

Councilwoman Dondero stated this ordinance is merely a "housekeeping ordinance" to amend changes to Town Code Chapter 134-2, particularly section A and F, which were voted on at previous Town Council meetings, respectively August 12, 2022, and February 12, 2021. Councilwoman Dondero stated the amendment being proposed to section A is to read: "It shall be unlawful for any person to operate an automobile, truck, self-propelled piece of equipment or any other type of motor vehicle on any street within the corporate limits of the Town at a speed greater than 20 miles per hour, with the following exceptions: on Delaware Route 1 (Coastal Highway), where it shall be unlawful to exceed the speed limits as posted by the State Department of Transportation; and on Evergreen Road, Russell Road, Canal Drive, Tamarack Drive, Cattail Road, and Black Gum Drive, at a speed greater than 15 miles per hour." Councilwoman Dondero stated she would like a slight change of the language to read: "It shall be unlawful for any person to operate an automobile, truck, self-propelled piece of equipment or any other type of motor vehicle on any street within the corporate limits of the Town at a speed greater than 20 miles per hour, with the following exceptions: on Delaware Route 1 (Coastal Highway), where it shall be unlawful to exceed the speed limit as posted by the State Department of Transportation; and on Evergreen Road, Russell Road, Canal Drive, Tamarack Drive, Cattail Road, and Black Gum Drive, where it shall be unlawful to exceed a speed greater than 15 miles per hour."

Councilwoman Dondero stated the amendment being proposed to section F is to read "It shall be unlawful for any vehicle to enter Black Gum Drive from Kent Avenue from 10:00 a.m. to 1:00 p.m. annually starting the Friday of Memorial Day weekend and ending on the Tuesday after Labor Day weekend." Councilwoman Dondero stated she would like a slight change of the language to read: "It shall be unlawful for any vehicle to enter Black Gum Drive from Kent Avenue during the hours 10:00 a.m. to 1:00 p.m. annually during the season beginning the Friday preceding Memorial Day and ending on the Tuesday after Labor Day." Mayor Saxton and Council agreed to Councilwoman Dondero's amendments, which will reflect on the second reading of the ordinance when it comes before Council. Mayor Saxton declared the First Reading of Ordinance 210-23.

Leadership Reports

Mayor's Report – report submitted.
Town Manager Report – report submitted.

Police Chief Report – report submitted.
Treasurer Report – report 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 – report submitted. Councilwoman Dondero stated the CRC was working with the CWQ to hold some programs this spring, particularly around Earth Day.
Planning Commission – no report submitted.
Bicycle & Pedestrian Safety Ad Hoc Committee – no report submitted. Councilman Biciocchi stated the committee will be meeting in late February.

Motion to go into Executive Session

Councilwoman Dondero motioned to go into Executive Session at 10:35 a.m. Councilman Shaw seconded the motion. Motion carried 5-0.

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

Councilman Shaw motioned to exit Executive Session and reconvene the Town Council meeting at 11:52 a.m. Councilman Bartholomew seconded the motion. Motion carried 5-0. Councilwoman Dondero motioned to approve the actions on item one discussed during Executive Session. Councilman Shaw seconded the motion. Motion carried 5-0. Councilman Shaw motioned to approve the actions on item two discussed during Executive Session. Councilman Bartholomew seconded the motion. Motion carried 5-0. Councilman Shaw motioned to approve the actions on item three discussed during Executive Session. Councilman Bartholomew seconded the motion. Motion carried 5-0.

Adjournment

Motion by Councilwoman Dondero, second by Councilman Shaw to adjourn the February 10, 2023, Town Council Regular Meeting at 11:55 a.m. Motion carried 5-0.

Respectfully submitted,



Mayor



Town Clerk

3/10/23
Date of Approval