

**TOWN OF SOUTH BETHANY
TOWN COUNCIL WORKSHOP MEETING MINUTES
JUNE 23, 2023
9:00 A.M.**

Meeting Called to Order and Pledge of Allegiance

Mayor Saxton called the June 23, 2023, Town Council Workshop meeting to order at 9:02 a.m., followed by the Pledge of Allegiance to the Flag.

Attendance and Absences

In attendance were Mayor Tim Saxton and Councilmembers Derek Abbott (via Zoom), Randy Bartholomew, Bob Biciocchi, Edie Dondero, Chris Keefe, and Tim Shaw; Town Manager Maureen Hartman, Chief Jason Lovins, Town Code Enforcement Constable Joe Hinks, and Town Clerk Matt Amerling. Public attendees: 2. Virtual attendees: 1.

Public Comment

There were no comments.

Presentation of Resolution 5-23, Recognizing Councilman Dick Oliver (Mayor)

Mayor Saxton presented Dick Oliver with a signed version of Resolution 5-23.

Discussion on Resiliency Implementation Plan

Councilman Bob Biciocchi stated he thinks the resiliency implementation plan provided by GMB is a good report but it's lacking in specificity of a solution and problems that could be referenced here were inadequately addressed. He believes that it's a good start to get topically focused, but it's lacking in terms of any kind of conclusion. Councilwoman Edie Dondero stated that there's a lot of good information in the report to give the Town a good start, although there is some specificity lacking in certain areas and she thinks the intent of this was just kind of a first pass. It does force us to think about what direction we want to go, and what our priorities are. Councilman Tim Shaw stated he thinks Councilman Biciocchi's comments pretty much reflect his view, which was he somewhat expected a bit more specificity and potentially a listing of a couple of very specific projects, as well as a little more detail.

Councilman Randy Bartholomew stated he thinks there's no real significant updates from the last iteration, but it's a good first step. Councilwoman Chris Keefe stated her expectation for a report like this would be far better than what Council received, and she feels like we did not get our money's worth. Councilman Derek Abbott stated he echoes Councilman Biciocchi's and Councilman Shaw's assessment that he was underwhelmed with the report and expected more specificity; however, it is a good starting point toward forming a standing committee to address these issues discussed. Mayor Saxton stated based on the report Council received, he didn't expect much, but he does agree with Councilman Abbott that there are some nuggets in the report Council can work with. Mayor Saxton stated some of the suggestions such as the berm on Canal Drive and raising the bulkheads are legitimate things to consider; but the problem for him is that the water must go somewhere, and anything done will push the water somewhere else. Mayor Saxton stated Council must consider where the water is going as well as having to work with DNREC and the U.S. Army Corps of Engineers.

After discussion, Council agreed to form a standing sea level rise committee, possibly consisting of five overall members: two Council members and three residents, with Councilman Biciocchi as one of the Council members.

Discussion to consider restrictions, such as time of year, hours, or other various issues regarding construction activities

Councilwoman Dondero stated due to complaints from residents regarding increasing noise and traffic issues resulting from construction work, she decided it's time to take a look at that portion of the Code. Councilwoman Dondero stated she distributed a copy of the current Code regarding construction hours as well as her proposed changes, which consist of shortening the daily hours of construction during the summer months of May 15 to September 15, from the current 8 a.m. to 6 p.m., to 8 a.m. to 4 p.m.; as well as prohibiting construction on holidays all year as opposed to the current limit of holidays falling between May 15 to September 15. Councilman Bartholomew stated that he would propose a stop time of 5 p.m. Councilman Abbott agrees with the hours; however, regarding the holidays, there should be some wording included so as to permit homeowners to do their own work on those days. Councilwoman Dondero stated the language is in the ordinance draft. After a lengthy discussion, Council agreed to change the permissible hours from 8 a.m. to 6 p.m., to 8 a.m. to 4:30 p.m.

Councilwoman Dondero stated the one thing that our Code doesn't address is landscaping activity, particularly noise-generating landscaping activity such as use of leaf blowers, chainsaws, and large lawnmowers. She thinks those should be restricted to the same time as construction activity. Councilwoman Dondero stated she doesn't think the correct placement for such an ordinance is in Code Chapter 42-14.3, but rather a place such as Chapter 104, property maintenance. Councilman Shaw stated the Town can be more specific in the property maintenance chapter regarding what specific property maintenance activity is permitted and what is prohibited, such as leaf-blowing and use of a chainsaw. Councilman Biciocchi stated he agrees to some degree but thinks, particularly during the summer, that lawn maintenance performed by an outside company as opposed to a property owner should be prohibited on weekends as well during the summer months, due to the big trailers these companies arrive in and how much parking space they take up. Councilman Bartholomew stated he is fine with the grass-cutting and leaf-blowing, but he does not agree with having a chainsaw work during that time period.

Councilwoman Dondero stated another issue to discuss is whether to prohibit pile-driving during the summer months since she has had an extensive conversation with Town Code Enforcement Constable Joe Hinks about this issue, she's gone back and forth, and she personally doesn't support the prohibition of pile-driving in the summer. Mr. Hinks stated he would discourage restricting pile-driving during the summer months because, first, there is always a rush for the one pile-driving company to get the job done during the permitted period, and any problem, such as equipment malfunction, weather, etc., can arise and put a lengthy pause on the job. Councilman Shaw suggested putting a daily time limit on pile-driving activities as opposed to a seasonal restriction. Councilman Bartholomew and Councilwoman Keefe stated they concur with Joe's opinion on this topic. Mayor Saxton doesn't agree with Joe, as there are architects who know what they can and cannot do in this Town and they still bring plans which delay any plans. Mayor Saxton stated he wouldn't mind limiting the pile driving from the dates of June 15 to September 7, but it should be prohibited for a time due to other residents also not liking the noise and tremors it creates, as well as the fact that Council does have a responsibility to make sure the Town is attractive for rental activities. Mayor Saxton stated he thinks during the Town's peak season, it's not an unreasonable request. Councilman Biciocchi stated his opinion is to default to Joe on this topic. Mayor Saxton stated the Town Solicitor and staff can work on definitions of specific wording and the property maintenance amendments can go to the Charter & Code Committee.

Discussion on management procedures for hiring employees

Council agreed upon having Town Manager Hartman and Chief Lovins do the hiring and firing of staff, but Council will get involved when the hiring or firing in regard to department heads, specifically the Town Manager and Chief of Police.

Presentation of Treasurer's Report and Reserves projected to April 30, 2024

Councilman Bartholomew provided Council with a snapshot of where the Town is with cash reserves. There should be about \$4,800,000 at the end of fiscal year 2023 which includes an estimated \$800,000 of surplus from operations in the fiscal year 2023 as identified in column H of the schedule provided. The ARM started with a balance of about \$1,800,000 as of 4-30-2022 and will require an allocation based on the ARM policy of about \$489,000 to get to the desired \$2,100,000 at the end of fiscal year 2024. Also, the 4-month operating reserve would need to increase by \$68,000 to achieve that desired balance of \$817,000. Councilman Bartholomew further noted that the Town Hall Renovation will require further expenditures in fiscal year 2024 to complete the project. The remaining funds in the reserves are allocated to stormwater, drainage and other infrastructure projects. These amounts are estimates pending the audited results and will be brought back to Council at that time.

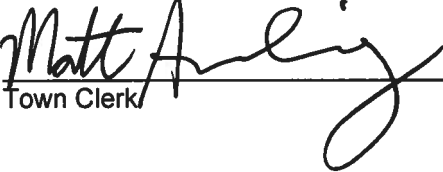
Adjournment

Motion by Councilwoman Dondero, second by Councilman Shaw, to adjourn the June 23, 2023, Town Council Workshop Meeting at 10:21 a.m. Motion carried 6-0.

Respectfully submitted,



Council Secretary



Town Clerk

7/14/2023
Date of Approval