

**TOWN OF SOUTH BETHANY  
TOWN COUNCIL MEETING MINUTES  
JUNE 14, 2024  
9:00 A.M.**

**Meeting Called to Order and Pledge of Allegiance**

Mayor Dondero called the June 14, 2024, Town Council meeting to order at 9:01 a.m., followed by the Pledge of Allegiance.

**Attendance and Absences**

In attendance were Mayor Edie Dondero and Councilmembers Randy Bartholomew, Bob Biciocchi, Chris Keefe, Tim Shaw, and Bob Shields; Town Manager Maureen Hartman, SBPD Chief Jason Lovins, and Town Clerk Matt Amerling. Public attendees: 9. Virtual attendees: 9.

**Public Comment**

Jack Whitney, 105 Boone Road, stated he was shocked and dismayed when he was told by friends in Lewes there was a water quality advisory for South Bethany. He thinks the health and safety of residents should take priority over other less urgent needs, and the residents should be notified of these things. He was told by the Town Manager that the Town did what the Delaware Department of Natural Resources and Environmental Control (DNREC) required, and that the Town had posted it on the bulletin boards along Ocean Drive; but he doubts people stop and read those boards before going on the beach. He would like Council to consider that if there is an alert – particularly from DNREC – the Town should post more signage and alerts so people can make up their own minds on whether they want to go in the water. He also wanted to alert Council to a section of right-of-way (ROW) located on York Road, between Boone Road and Carlisle Road, which was currently being obstructed by an end-of-canal project, which violates Town Code because it states a ROW should not be obstructed; and for the good reason of it being a safety issue for people to be able to walk alongside the road. He doesn't think the end-of-canal beautification project should ever trump safety. He is asking the Town to please remove this obstruction.

Betty Bohlman, 37 S. Anchorage Avenue, stated she is a little concerned about the recent articles in the Coastal Point newspaper and on the news about the Association of Coastal Towns (ACT) closed-door meetings with U.S. Wind for two years. She stated she is hoping Council could clarify exactly when these meetings occurred, what was discussed, whether the Town paid for a consultant fee out of town coffers and, did this have anything to do with brokering a deal with U.S. Wind. The Town and its residents must determine if this deal is to the benefit of the citizens – and maybe to the detriment of our ocean – because she is more concerned about sea life. Her concern is also the transparency of our officials and making sure there aren't any important decisions being made behind closed doors.

**Adoption of Minutes**

Councilman Bob Shields motioned to approve the May 10, 2024, Town Council meeting minutes, seconded by Councilman Randy Bartholomew. Motion carried 6-0.

Councilman Bob Biciocchi motioned to approve the May 20, 2024, Town Council Organizational meeting minutes, seconded by Councilwoman Chris Keefe. Motion carried 6-0.

**Presentation of Resolution 4-24, honoring Cpl. Shaun Baldasano**

Mayor Dondero presented Cpl. Shaun Baldasano with Resolution 4-24, recognizing his 2023 South Bethany Police Officer of the Year Award and his recent service in the US Air National Guard.

### **Discussion of DNREC Beach Advisory and notification process**

Mayor Dondero stated in the late afternoon of June 4, the Town was notified by DNREC that a water quality test sample from our beach showed a higher-than-normal bacteria level. DNREC issued a swimming advisory that the Town was advised by DNREC would only be in place for 24 hours, and that re-testing the next day would probably result in a lower bacteria level, which it did. Town Manager Maureen Hartman stated the last time such an advisory was put in place was in 2017 – with the second time happening during COVID when the beach was closed. Town Manager Hartman stated after DNREC contacted the Town in the late afternoon of June 4, about a little over an hour before the beach closed, the Town immediately put up the notices provided by DNREC on the Town bulletin boards located along Ocean Drive and notified the Town beach patrol of the situation. The next morning, less than 24 hours later, DNREC lifted the advisory. The Town could have sent an email blast, but that email would not reach any visitors (who are not signed up to the email list); however, if Council approves, the next time this event happens, the Town will put out an email blast, post the printed-out advisory at the end of each beach walkway, and post the advisory on its website. Town Clerk Matt Amerling has already created a banner at the top of the home page directing residents how to sign up for DNREC notifications of beach advisories.

Councilman Bartholomew stated, based on the comments, he does suggest as soon as the Town receives notification from DNREC, the Town should take all the steps Town Manager Hartman suggested. Councilman Biciocchi agreed with posting the notices on the walkways, especially since visitors don't have access to the email blast notifications. Mayor Dondero agreed and stated this process is just for an advisory and not a beach closure, which would be a very different process; and the Town wants to make sure it isn't inciting a panic with the public. Councilman Bartholomew stated he's sure when the notification is sent electronically, the South Bethany Property Owners Association (SBPOA) will also distribute it as soon as possible; but if there are residents who are not subscribed to the Town's email notification list, he is not going to worry about them because they should be subscribed to the list. Councilman Bob Shields stated he thinks it would be a good idea to post these advisories on the backs of the lifeguard stands as well so people can also see them there. Town Manager Hartman stated she appreciated the idea, but the problem with that is the lifeguard stands are laid down every day when lifeguards go off duty (around 5 p.m.), so people going out to swim after 5 p.m. would not see the signs on those chairs.

Council came to the consensus of having the Town staff place the swimming advisories at the end of each beach walkway, as well as sending out an email notification blast and placing it on the Town website.

### **Discussion and possible action on Resolution 5-24, recognizing former Councilman Derek Abbott and Resolution 6-24 recognizing former Mayor Timothy Saxton**

Councilman Bartholomew motioned to approve Resolution 5-24 as presented, seconded by Councilman Shaw. Motion carried 6-0.

Councilwoman Chris Keefe motioned to approve Resolution 6-24 as presented, seconded by Councilman Shaw. Motion carried 6-0.

### **Discussion and possible action to appoint Alicia (Lisi) Biciocchi as Chair for the Community Relations Committee**

Councilwoman Chris Keefe motioned to appoint Alicia Biciocchi as Chair of the Community Relations Committee (CRC), seconded by Councilman Biciocchi. Motion carried 6-0.

### **Discussion and possible action to appoint a Planning Commission member and Council Point of Contact**

Mayor Dondero stated she would like to appoint Bob Shields as the Planning Commission Point of Contact. Councilman Shields stated since the commission members are very vital to the Town he would like to have some kind of interview process of the applicants before Council selects one. Mayor Dondero proposed Council asking questions of the applicants at the next Council meeting. Council agreed to question Planning Commission applicants at its next meeting. Councilman Shaw motioned to appoint Bob Shields as Point of Contact to the Planning Commission, seconded by Councilman Bartholomew. Motion carried 6-0.

### **Committee Assignments – Appointment and possible action on Chairperson/Liaison and Members for the Resiliency Committee**

Mayor Dondero requested Council's approval to stay on as Resiliency Committee chair for the time being until Council finds a new chairperson. Councilman Biciocchi motioned to keep Mayor Dondero as chair of the Resiliency Committee and appoint applicants Rick Braida, Arthur Burrill, Joan Marini, and Michael Powell as committee members, seconded by Councilman Shields. Motion carried 6-0.

### **Discussion and possible action regarding General Code's Analysis and Comment of the Town Code**

Town Finance Director Renee McDorman, Town Code Enforcement Constable Joe Hinks, Police Chief Jason Lovins, and Town Manager Hartman worked with Town Solicitor Stephani Ballard to answer about 80 questions submitted by the consultant, General Code, regarding their concerns or comments on our Code. Town staff went through and answered 77 of the 80 questions. Because there were some questions staff could not answer, they met with Councilman Shaw and went through several they wanted him to start working on with the Charter and Code Committee (C&C). Councilman Shaw has been working with Chief Lovins right now due to some aspects being related to the police department, and then Charter & Code will meet next week to review. The next step after that will be for General Code to compile a draft, including all of the changes related to the 80 questions, which will come back to Council for a full review and vote. Mayor Dondero asked if the changes can all be approved under one ordinance review. Town Manager Hartman stated yes. Councilman Shields stated he is very interested in the safety aspects of the Code, and he feels the Town's current Code is inefficient regarding safety aspects of the Town, particularly the lack of definition of a director of public safety. He asked if this will be a time Council can put such recommended amendments in the Code? Town Manager Hartman stated this Code review deals more with "housekeeping issues," like comparisons with statutory provisions, and conflicts and ambiguities. What Councilman Shields is proposing is drafting an ordinance, and that will have to be brought to Council. Mayor Dondero stated what Councilman Shields is talking about can be proposed under a regular ordinance process or be a part of "phase 2" of the entire Code review; but, for now, this current process is all about the "housekeeping" of which Town Manager Hartman mentioned.

### **Discussion and possible action to reinstate President's Day as a holiday for eligible employees.**

Mayor Dondero stated this came about recently when she inquired about the Juneteenth holiday, which is now added to the federal holiday calendar, and is observed by the Federal Government and many municipal offices. Mayor Dondero asked Town Manager Maureen Hartman about observing Juneteenth, but because Juneteenth can fall on any day of the week, and it is in the middle of the summer season, which is the Town's busy time of year, Town Manager Hartman suggested we do not close Town offices on Juneteenth; however, President's Day – which, up until 2020, was a staff observed holiday – got taken off the holiday calendar during discussions that were happening in 2020 regarding the policy manual and looking for opportunities for cost savings

for the Town. Mayor Dondero is requesting President's Day be added back in the personnel employee manual as an observed holiday for eligible employees. Councilman Bartholomew stated he inquired with staff to make sure when this holiday was taken that there was not substitute day or days off added, which there was not. Councilman Shields asked if allowing floating holidays would be a solution. Town Manager Hartman stated floating holidays do not work with such a small staff. Councilman Bartholomew motioned to approve reinstating President's Day as a holiday for eligible employees, seconded by Councilman Shaw. Motion carried 6-0.

### **Leadership Reports**

Mayor's Report – Report submitted. Mayor Dondero stated she hopes everyone is or will be, joining the Constant Contact email alert system after this meeting, as it is easily accessible from the top of the Town website. Yesterday, the Town sent out an email to all residents subscribed to the Town's email alert about the Assawoman Canal Dredging Project, which has been underway for quite some time and is finally reaching South Bethany. The dredge has been working southward from Whites Creek and in approximately 6 to 7 days, it will be here. The DNREC contractor who is managing the project just relocated a booster pump that is pumping the dredge spoils over to the wildlife area; it has been shifted further south along the canal and it will be running continuously 24 hours a day – as it has been since February – until the dredge reaches here. Once the dredge reaches here, the pumps will be shut off, and you may hear some noise from the dredge going back and forth. DNREC has been running behind schedule all along on this project, because they underestimated the extent of items in the canal such as stumps, vegetative material and the like; so, it's taking a lot longer than anticipated. DNREC is planning to be finished by July 12th. The Town wanted to make everybody aware to please use caution. If you're out there boating, or if you're in kayaks, paddle boards, etc., that heavy equipment will be running, and this activity will be going on for a few weeks, so please be vigilant and be safe. Mayor Dondero stated the dredging is not stopping at the end of the canal or going down the Town's canals, but is running all the way to the bay, and when they reach Little Bay, they are done. Mayor Dondero also wanted Council to recognize the passing of long-time South Bethany resident Kent Stephan, who dedicated a lot of time and energy and effort to this Town through various committees on which he served. On behalf of the Council, she offered condolences to Kent's wife Bobbe and family.

Town Manager Report – Report submitted. Town Manager Hartman thanked the South Bethany Property Owners Association (SBPOA) for purchasing five benches to place along the beach walkways. She also thanked the resident volunteers and staff who helped on Election Day.

Police Chief Report – Report submitted.

Treasurer Report – No report submitted. Councilman Randy Bartholomew stated the year-end statement was distributed this past week, and they will not be submitting a May Treasurer's report so attention may be focused on the audit.

### **Committee and Commission Reports**

Budget and Finance Committee – Report submitted. The first fiscal year meeting will be on June 19 at 9 a.m.

Canal Water Quality Committee – Report submitted. The CWQ is going to have a series of discussions, workshopping the scope of the committee and the prioritization that this administration wants to accomplish mostly around the dredging. Councilman Biciocchi will be bringing to Council a presentation plan as to what the CWQ procedures support and what the Council may want to do over the summer.

Charter and Code Committee – No report submitted. The first meeting will be held on June 20 at 10 a.m., and Councilman Shaw did have meetings with Town Code Enforcement Constable Joe Hinks and Town Manager Hartman to go over the process and changes to the Code. He is working on about four different chunks of the Code that Town Manager Hartman requested he review, and Charter & Code will be bringing that back shortly, but they first need to get some input from the Town Solicitor.

Community Relations Committee – Report submitted. The lifeguard welcome event was well attended. The “Coffee with Council” event, which will have a new name, will be held on Friday, June 21, 2024, at 9 a.m., outside of Town Hall (if it rains, it will be held inside Town Hall). The movie on the beach this year will be “Wonka,” and it is scheduled for July 30. The fall bonfire is scheduled for October 4, 2024, with a rain date of October 5. Councilwoman Keefe presented Council with a brief on the committee’s discussion and possible suggestions regarding meeting times, which will be posted on the website.

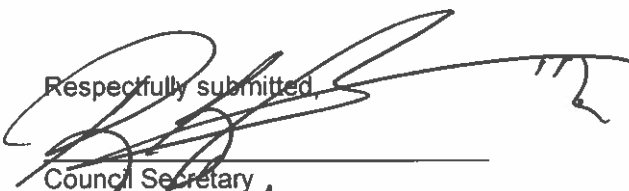
Planning Commission – No report submitted; first meeting will be held on July 8, 2024.

Resiliency Committee – No report submitted. Mayor Dondero stated the next meeting will be held as soon as possible.

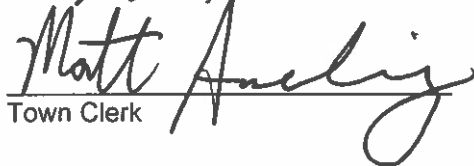
**Adjournment**

Motion by Councilman Biciocchi, seconded by Councilman Shaw, to adjourn the June 14, 2024, Town Council Regular Meeting at 9:52 a.m. Motion carried 6-0.

Respectfully submitted,



Council Secretary



Town Clerk

7/12/24  
Date of Approval