

**TOWN OF SOUTH BETHANY
TOWN COUNCIL MEETING MINUTES
DECEMBER 13, 2024
9:00 A.M.**

Meeting Called to Order and Pledge of Allegiance

Mayor Dondero called the December 13, 2024, Town Council meeting to order at 9:02 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, Bob Shields, and Cindy Van Horn; Town Manager Maureen Hartman, SBPD Chief Jason Lovins, Code Enforcement Constable Joe Hinks, Code Enforcement Assistant Ryan Dacey, and Town Clerk Matt Amerling. Public attendees: 6. Virtual attendees: 6.

Mayor Dondero read the following statement:

"By now, property owners should have received their new property assessment from Sussex County. If you have not received your assessment, or if you have any questions about it, or if you wish to appeal the assessed value of your property, you may contact Tyler Technologies. They are the company hired by the County to perform the assessments. The contact information for Tyler Technologies can be found at the banner atop the homepage of the South Bethany website. There is also a link in the banner to more information about the reassessment project. Please note that Town staff is unable to provide detailed information about your assessment.

Please also note that it is not possible, at this time, to determine the amount of your new property taxes, as the tax rate has not yet been set by the County, the school district, or the Town of South Bethany. The County and school district will set their new rate in the spring, once the appeals process for the reassessments has ended. As we move through the budget process in the next several months, the Town of South Bethany will be using the new assessments to determine its municipal tax rate for the coming fiscal year."

Public Comment

Joan Marini, 300 W. 8th Street, stated there's now an active lawsuit filed against the U.S. Bureau of Ocean Energy Management (BOEM) by the town of Ocean City, and numerous co-plaintiffs challenging the BOEM approval process for the US Wind project for violation of Delaware, Maryland and Federal protection policies for marine mammals and migratory birds. She would encourage concerned South Bethany property owners to communicate to members of the South Bethany Council as to whether they favor South Bethany joining this lawsuit. It's in the South Bethany collective interest – economically and environmentally – to join this lawsuit, and she encourages the Town to do so.

Adoption of Minutes

Councilman Bob Biciocchi motioned to approve the November 8, 2024, Town Council meeting minutes, seconded by Councilman Bob Shields. Motion carried 6-0-1 with an abstention by Councilman Shaw.

Councilman Randy Bartholomew motioned to approve the November 8, 2024, Town Council Executive Session meeting minutes, seconded by Councilman Biciocchi. Motion carried 6-0-1 with an abstention by Councilman Shaw.

Update on stormwater infrastructure maintenance project provided by Town Staff

Town Manager Maureen Hartman reported that staff have located at least two drainage pipes that are in need of repair and/or replacement, located on South Anchorage Drive and Black Gum Drive. She and Code Enforcement Constable Joe Hinks have requested an estimate from contractors for the necessary work on each. Town Manager Hartman also reported that risers are being added

where needed to storm drains, effectively raising their height above grade to permit them to drain efficiently. Mayor Dondero asked if there is money in this year's operating budget to cover the cost of the pipe replacement on South Anchorage Avenue and Black Gum Drive. Town Manager Hartman stated there is for South Anchorage, but she didn't get the cost yet for Black Gum Drive.

Mr. Hinks stated the Town has installed two check valves that are working as anticipated, and they are located on York Road. The check valve installed there showed that the drain basin across the street had been severed at some time in the past, so it is now connected and fully operational and working as anticipated. There are a couple more locations the Town is researching for placement of additional valves, specifically at the corner of Carlisle Drive and at the Cattail Road/Tamarack Drive intersection. The Town is in discussions with the valve vendor for some possible solutions to address those unique situations. Ultimately, staff is hoping to install these check valves throughout the entire town.

Code Enforcement Assistant Ryan Dacey stated he has been overseeing the hydro jetting process and they are currently on the second round of jetting, which includes Layton Drive, Tamarack Court, the corner of Cattail Road and Tamarack Drive, Brandywine Drive, New Castle Drive, Carlisle Drive, and Bristol Road. The Town is adding more streets for the third round of jetting. Mr. Dacey reported he has also been cleaning the basins beneath the storm gates and removing debris. Recent cleanouts have occurred on Brandywine Drive, Victoria Road, Rebecca Road, Bristol Road, Plymouth Road, Carlisle Drive, and Boone Road.

Discussion of proposed noise ordinance (Shaw)

Councilman Tim Shaw stated the intent of this ordinance is to try to provide both the police officers and Code Enforcement a basis in our Code for being able to take an action when there's a report of people causing a significant, noisy disturbance in the later hours. The intent of this ordinance is to define something the Town is calling a "quiet period," which would be from ten o'clock p.m. to eight o'clock a.m. As far as enforcement goes, a citation or some other type of process can be served on either the property owner, should the owner be present, or the person who signed the rental agreement. Council raised concerns about the subjective nature of what is considered a loud noise, and the need for clearer definitions. Mayor Dondero and Town Manager Hartman stated they do not think the Code Enforcement Constable has to be added to the ordinance since most of the response and enforcement will fall to the police department due to the occurrences being after normal working hours. Mayor Dondero advised that the Charter & Code Committee can create a first draft to bring to Council.

Second Reading of Ordinance 215-24 to Amend Chapter 138, Absentee Voting, in relation to language regarding voting eligibility

Councilman Shaw read off the proposed amendments to the chapter under the ordinance.

Motion to approve Ordinance 215-24 to amend Chapter 138, Absentee Voting

Councilman Shaw motioned to approve Ordinance 215-24, seconded by Councilman Shields. Motion carried 7-0.

Discussion and possible action to assist Bethany Beach Volunteer Fire Company in obtaining a grant for an emergency command vehicle through DelDOT's Community Transportation Fund (CTF) (Hartman)

Town Manager Hartman presented a proposal to obtain a grant which will assist the Bethany Beach Volunteer Fire Company (BBVFC) in purchasing an emergency command vehicle through DelDOT's Community Transportation Fund (CTF). The fund requires a municipality to accept the grant, which can then be passed through to the Fire Company. The vehicle, costing \$65,185, would serve as a command post for emergency services, facilitating communication between different agencies. Councilman Bartholomew motioned to approve assisting the Bethany Beach Volunteer Fire Company by obtaining a grant through DelDOT's CTF, seconded by Councilman Shields. Motion carried 7-0.

Discussion and possible action to approve a proposal with the University of Delaware's Institute for Public Administration to provide planning and technical assistance services (Dondero)

Mayor Dondero stated Town Manager Maureen Hartman and she reached out to the staff of the University of Delaware's Institute for Public Administration (IPA) program after seeing some work that they had done with other communities related to resiliency planning. They talked with them about the need to educate town residents about coastal resiliency and the infrastructure projects that are needed, and to conduct public engagement sessions to assess residents' priorities for some of these large-scale capital projects the Town is looking at in the coming years. This proposal would be to hire the staff of the IPA, have them work directly with a working group of South Bethany representatives to host a series of public engagement workshops and conduct a resident survey. The working group will meet several times with the IPA team to coordinate that information. This will be a precursor to comprehensive planning. Councilman Bartholomew motioned to approve the proposal with University of Delaware's IPA to provide assistance services, seconded by Councilman Shields. Motion carried 6-0-1 with an abstention by Councilman Biciocchi.

Leadership Reports

Mayor's Report – Report submitted. Mayor Dondero stated they were hoping to have the AECOM presentation today regarding the York Road flood mitigation project, but that was delayed until after AECOM meets with the Resiliency Committee on December 19. She advised that Council may need to meet in January as a result.
Town Manager Report – Report submitted.
Police Chief Report – Report submitted.
Treasurer Report – Report submitted.

Committee and Commission Reports

Budget and Finance Committee – Report submitted, and their next meeting will be in late January.
Canal Water Quality Committee – Report submitted
Charter and Code Committee – Report submitted.
Community Relations Committee – Report submitted, and their next meeting is Wednesday, December 18, at 10 a.m.
Planning Commission – Report submitted.
Resiliency Committee – Report submitted.

Adjournment

Motion by Councilman Shields, seconded by Councilman Biciocchi, to adjourn the December 13, 2024, Town Council Regular Meeting at 10:11 a.m. Motion carried 7-0.

Respectfully submitted,

Council Secretary

Town Clerk

Date of Approval

2/14/2025