

**TOWN OF SOUTH BETHANY
TOWN COUNCIL MEETING MINUTES
DECEMBER 12, 2025
9:00 A.M.**

Meeting Called to Order and Pledge of Allegiance

Mayor Dondero called the December 12, 2025, Town Council meeting to order at 9:00 a.m., followed by the Pledge of Allegiance.

Attendance and Absences

In attendance were Mayor Edie Dondero and Councilmembers Randy Bartholomew, Bob Biciocchi (via Zoom), Mark Giler, Chris Keefe (via Zoom), Bob Shields and Cindy Van Horn; Town Manager Maureen Hartman, Chief Jason Lovins, and Town Clerk Matt Amerling. Public attendees: 1. Virtual attendees: 6.

Adoption of Minutes

Councilwoman Cindy Van Horn, Councilman Randy Bartholomew and Councilman Mark Giler found the summary of options for the trash bid confusing and requested further review. Councilman Bob Shields motioned to table the November 14, 2025, Town Council meeting minutes, seconded by Councilman Bartholomew. Motion carried 7-0.

Public Comment

Gerry Injaian, 406 Bristol Road, stated in the past 20 years, the days of flooding from rainfall have dramatically increased from three or four days per year to more than thirty, so, with regards to funding the proposed flood mitigation project, he wanted to encourage Council to move forward with taking action to mitigate the flooding.

First reading of Ordinance 221-25 to amend Chapter 17 regarding Participation in Meetings by Remote Electronic Access for Council, Committee, and Commission Members (Dondero)

Mayor Dondero read the significant changes to Town Code, Chapter 17, highlighting that these changes would apply to the Council, as the committees will follow remote access protocol as presented in the committee guidelines, which will be reviewed next. Mayor Dondero stated besides the striking of some antiquated items, the amendment essentially says that Council members can attend remotely no more than three times per calendar year, and council members are required to give no less than 24 hours' notice to the Mayor and Town Manager if they wish to participate remotely.

Councilman Mark Giler stated he was a little confused about the language under Chapter 17-4(C), where it states, "A member of the Town Council cannot exercise the option under this chapter for more than two consecutive Town Council meetings and/or Town Council workshops, and no more than three times per calendar year." Councilman Giler stated the use of "and/or" is ambiguous to him. Mayor Dondero stated the "and/or" simply means a Council member cannot miss two consecutive meetings whether it is a regular meeting or workshop meeting but asked Councilman Giler what he proposes. Councilman Giler proposed the sentence to read, "A member of the Town Council cannot exercise the option under this chapter for more than two consecutive meetings, including Town Council workshops, and no more than three times per calendar year." Council agreed on the change.

Discussion and vote to revise the Committee Guidelines Regarding Remote Participation

Mayor Dondero stated the only proposed changes to the committee guidelines are that committees will not have to follow Chapter 17 of Town Code; participation in meetings by remote access is at the discretion of the committee chairperson, subject to conformance with Title 29, Section 10006 of the Delaware Code; and the chairperson and a quorum of members must be physically present at the anchor location for all committee meetings. The ordinance removes the requirements that remote participation be limited to two times per year, and members shall only miss 20% of the meetings per year. Councilman Mark Giler he disagrees with these guidelines which requires the chairperson and a quorum of committee members having to be physically present at the anchor location for all meetings as such a requirement is stricter than what the State permits as well as it would put a burden on members who do not live in Town all year long. Councilman Randy Bartholomew stated he agrees with Councilman Giler, having a quorum for some groups or some committees in the room could be excessive, and he believes the last line beginning with "however" should be stricken.

Mayor Dondero stated having a quorum in the room for a committee meeting is important and she thinks Council has loosened the rules to allow people to participate by remote access when they need to, but she doesn't think it should be the default. The Delaware Code is the minimum, and the Town is not required to have remote participation for any meetings, so the Town can be stricter. In fact, two coastal communities, Bethany Beach and Rehoboth, do not allow any remote participation by committee members or by commissioners and council members. South Bethany has a more liberal policy than other communities already. Mayor Dondero thinks it's important that there's a quorum in the room, because she thinks something is lost when the majority of the committee is participating by Zoom. For some committees, it's difficult to have participation by Zoom when, for example, there may be inspection of maps or other physical documents and sometimes those documents are brought in at last minute so there's no way to get them to members attending remotely. Therefore, those members participating remotely can't participate in that discussion if they don't have access to the information that's in the room. The Town also tends to get people from the community coming into our meetings to listen in and what message does it send to the community if there's one person sitting at the dais and then five people up on Zoom? She wants everybody who's a resident, non-resident, part-time, full-time, to participate, but she thinks you need to show up in the room as much as possible. There are some folks who might never be able to participate in person, and that's fine, which is why the Town still allows for a few to attend remotely. But she feels strongly that there should be a quorum of the members of the committee in the room and she hasn't heard a reason as to why that is not good practice. Councilman Bob Biciocchi stated his agreement with the Mayor. Councilman Bob Shields stated he sees Mayor Dondero's point; however, he agrees with Councilman Giler and is concerned if Council makes the requirement of having to attend in person, it will cut out the participation of a significant population of citizens who have a lot of specific skills that he thinks the Town can benefit from. Councilman Shields understands there are some limitations to Zoom, but he thinks the ability to bring in more participants, and more expertise and more potential enthusiasm, outweighs any deficiencies from not being able to see maps or documents. He thinks requiring the chairperson plus one committee member to attend in person is an adequate representation to move ahead. Councilman Bartholomew agreed with Councilman Sheilds' suggestion. Councilwoman Chris Keefe stated she agreed with Mayor Dondero, and if someone signs up to be on a committee, they should be there in person and know that is what is expected of them. She knows the Town may be losing potential volunteers by having this requirement but thinks when a person signs up for a committee, they should accept the rules of the committee, and if that means that there has to be a quorum in person, they have to make an effort, and that's part of the deal. Councilwoman Cindy Van Horn stated she agreed with Mayor Dondero.

Councilman Biciocchi asked, per the committee guidelines, if a monthly report is always required from committees even if there was no meeting. Mayor Dondero stated if there was no meeting, the chair may simply state there was no meeting so there is no report and that should suffice.

Councilman Biciocchi motioned to approve the committee guidelines as presented, seconded by Councilwoman Van Horn. Motion carried 4-3 (with Councilman Bartholomew, Councilman Giler and Councilman Shields voting no).

Request from Resiliency Committee to Fund Flood Mitigation Project

Mayor Dondero presented a request from the Resiliency Committee to issue a request for proposal (RFP) for flood mitigation projects on secondary streets branching off York Road, with an estimated cost of \$95,000 for engineering analysis and recommendations, to be funded from Town reserves since grant opportunities have been exhausted. Councilman Shields stated he is in support for this, but his concern is how long it takes to get everything approved, so he is advocating for a design-build approach to accelerate the timeline. Council agreed to proceed with issuing a general RFP, similar to what AECOM was given for the York Road project, to explore options for mitigating flooding impacts; and acknowledged the need for a thorough process due to the use of taxpayer funds, while aiming to move forward efficiently. Council agreed for the Town Manager to draft an RFP and have Council review it.

Discussion of continuation of exercise and food concessions on the beach

Town Manager Maureen Hartman stated the Town has been doing bids for beach concessions for the last couple of years, and she's heard from some Council members and residents, asking if the Town has to do the exercise on the beach, and whether we have to do the vending on the beach. Town Manager Hartman stated since the current two-year vending contract is up, and the exercise contract is yearly, she thought she'd bring it forth to see if the Council would be interested in changing anything – either getting rid of it, or continuing forward and changing it, or keeping it as is. Council discussed concerns about space constraints and traffic patterns on the reduced beach size, but Council agreed to allow up to two vendors instead of one for both concessions and exercise bids, with a requirement that vendors must be located on the beach rather than on Ocean Drive.

Leadership Reports

Mayor's Report – Report submitted. Mayor Dondero commended the South Bethany Police Department (SBPD) and Officer Chase Morris for his professional conduct and handling of a difficult arrest. Mayor Dondero reported she and Town Manager Hartman had recently hosted a visit from Lieutenant Governor Kyle Evans Gay with whom they spoke about beach replenishment, resiliency challenges and other issues. Mayor Dondero also recently spoke at length with Senator Blunt-Rochester's staff regarding beach replenishment funding concerns and resiliency needs. She also noted that the beach crossovers – except for the ADA ramp – had been repaired and thanked DNREC for their efforts. Lastly, she offered big thanks to the Public Works Department for all their work on decorating for the holidays.

Town Manager Report – Report submitted.

Police Chief Report – Report submitted. Council requested Chief Lovins include Sussex County Southeast Regional Police Accountability Committee (PAC) meeting updates and a website link in future reports.

Treasurer Report – Report submitted.

Committee and Commission Reports

Bicycle & Pedestrian Safety Committee – Report submitted.

Budget and Finance Committee – Report submitted.

Canal Water Quality Committee – No report submitted. The next meeting will be Monday, December 15, 2025, at 10 a.m.

Charter and Code Committee – No report submitted.

Community Planning Advisory Group – Report submitted. The group had its last meeting on December 2, and Council will review a final report in February.

Community Relations Committee – No report submitted.

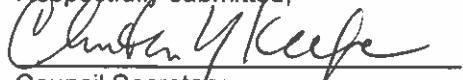
Planning Commission – No report submitted.

Resiliency Committee – Report submitted.

Adjournment

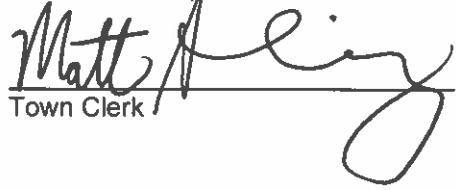
Motion by Councilman Biciocchi, seconded by Councilwoman Keefe, to adjourn the December 12, 2025, Town Council Regular Meeting at 10:22 a.m. Motion carried 7-0.

Respectfully submitted,



Council Secretary

Town Clerk



1/9/2026

Date of Approval