

TOWN OF SOUTH BETHANY TOWN COUNCIL REGULAR MEETING MINUTES FEBRUARY 11, 2011

ATTENDANCE

PRESENT: Mayor Jay Headman; Councilpersons John Fields, Bob Cestone, Tim Saxton, Sue Callaway, and George Junkin; Town Manager Melvin Cusick; M/Cpl. Eric Watkins; and Administrative Assistant Pam Smith

EXCUSED ABSENCE: Councilman Jim Gross

MEETING CALLED TO ORDER

Mayor Headman called the February 11, 2011, Town Council Regular Meeting to order at 7:00 p.m., followed by the Pledge of Allegiance to the Flag.

RESOLUTION PRESENTATIONS

On behalf of the Town Council and the South Bethany community, Mayor Headman presented Resolutions 1-11 and 2-11 to Senator George Bunting and Representative Gerald Hocker who were in attendance at the meeting. Mayor Headman stated that these two men have helped South Bethany in many different ways but tonight the Town is honoring them to say thank you for the work they have done to finish the Assawoman Canal dredging project. Senator Bunting and Representative Hocker addressed the Council Members and the South Bethany property owners. Senator Bunting thanked Representative Hocker for his work and stated that he appreciated the efforts of the Town of South Bethany and countless individuals through the years. Representative Hocker stated that people are seeing the benefits of keeping the Assawoman Canal dredged such as better water quality and more fish and crabs in the canal.

PROPERTY OWNERS' PARTICIPATION

- Ed Nazarian (20 Peterson Dr.) – Thanked the Council for approving yard waste pickup once a month on the second Tuesday.
- Lloyd Hughes (152 Layton Dr.) – Believes the Community Rating System annual mailing to property owners is out of date. Mayor Headman stated that the Town would follow up. Regarding beach replenishment, Mr. Hughes stated that the sand should be replaced with the same grain size that was originally there. Mr. Hughes gave Councilman Junkin letters regarding this issue. Mayor Headman asked Councilman Junkin to review the material and report back to Council and Mr. Hughes.
- Mary Suazo (7 S. 3rd St.) – Inquired about the beach walkways and the handicap accessible walkway. Mayor Headman stated that during the budget process Council is looking at ways to improve the walkways. Council is looking at purchasing Mobi Mats connected with a grant. Council is also looking at hand rails. The Town Manager stated that the Town has been told that the walkways and the handicap accessible walkway will be restored to what they were in 2007 after the initial project.

ADOPTION OF MINUTES

- **Town Council Workshop Meeting Minutes, January 27, 2011** – A motion was made by Councilman Cestone, seconded by Councilman Saxton, to accept the January 27, 2011, Town Council Workshop Meeting Minutes as amended by Councilman Junkin as follows:

Page 3, Paragraph 1: Change "Councilman Junking" to "Councilman Junkin".

The motion was unanimously carried.

- **Town Council Executive Session Minutes, January 27, 2011** – A motion was made by Councilman Cestone, seconded by Councilman Fields, to accept the January 27, 2011, Town Council Executive Session Minutes. The motion was unanimously carried.

ADMINISTRATIVE MATTERS

- **Appointment of Planning Commission Member**

Mayor Headman stated that he is nominating Dave Wilson to fill the vacant Planning Commission position. Mayor Headman said that Mr. Wilson graduated from the University of Maryland in Aeronautical Engineering and he worked for Pratt & Whitney for years. Mr. Wilson has headed up South Bethany's Water Quality Monitoring Program and has done an outstanding job and is extremely dedicated.

A motion was made by Councilwoman Callaway, seconded by Councilman Junkin, nominating Dave Wilson for the vacant Planning Commission position. The motion was unanimously carried.

- **Approval of 2011 Election Board**

Mayor Headman asked for a motion to approve the following nominations for the 2011 Election Board: Carolyn Marcello (third year), Bonnie Rae (second year), and Marge Schaefer. Council would also be approving Patricia Spangler as an alternate. A motion was made by Councilman Cestone, seconded by Councilman Fields, to approve the nominations. The motion was unanimously carried.

- **Establish Recycling Schedule**

Mayor Headman stated that starting September 2011 the State will require that the Town provide recycling at least every other week. The State will also require that every property owner in town be provided a recycling cart.

Councilman Junkin stated that the Council made a position at the January 27, 2011, Workshop Meeting that was slightly different than what Council really wanted to do.

A motion was made by Councilman Junkin, seconded by Councilman Saxton, that effective May 15, 2011, recycling be picked up every Friday from May 15 to September 15, and that recycling be picked up every other Friday from September 16 to May 14, 2012. After a discussion, the motion carried with a 5-1 vote.

LEADERSHIP REPORTS

- **Mayor's Report**—Mayor Headman reported:

The following meetings will take place in March: A meeting with the lawyers regarding Mediacom and a meeting regarding the Assawoman Canal Walkway.

- **Town Manager's Report**—Melvin Cusick reported:

The Code Enforcement Constable's Report was available on the sign-in table.

Beach Patrol tryouts are scheduled for March 5, 6, 12, and 13. Anyone interested in trying out for the Beach Patrol should call Town Hall.

Curbside yard waste collection is scheduled for the second Tuesday of each month beginning March 8, 2011. The contractor is MAG Enterprises. The same rules apply to the yard waste

as when Allied Waste was picking up the yard waste. Mr. Nazarian inquired if the expense would be passed onto the property owners. Mayor Headman said that is an option but Council is still in discussion regarding that.

Beach replenishment has started in Bethany Beach. Once they are finished there they will move to South Bethany. Once they finish pumping sand, the State will come in and push the dune back up and rebuild the walkways.

Mayor Headman recognized the Town Manager for his work on the yard waste pickup and the trash schedule.

- **Treasurer's Report**—Tim Saxton reported as of January 31, 2011:

Balance Brought Forward	\$ 1,779,667
January Revenue	\$ 75,050
January Disbursements	\$ 100,462
Balance	\$ 1,754,255

The Town is doing extremely well regarding the budget this year. The Town will exceed revenue expectations in the budget. The Town Manager and his Department Heads have done a very nice job of maintaining costs while at the same time the Town was able to do some things that were not planned such as beach cleaning and getting the Beautification Committee back on schedule. Councilman Saxton believes the Town will be able to meet all of the expectations of funding reserves for the year.

- **Police Department Report/Questions**—M/Cpl. Eric Watkins reported for the month of Jan., 2011:

- Jan. 6 Suspicious person complaint on Black Gum Dr. This was actually a wrecking company that was removing a disabled vehicle. They were not stealing the car as was originally reported to the police.
- Jan. 9 False alarm on Evergreen Rd. The residence was secure.
- Jan. 9 Possible prowler complaint on Kewanee St. Units checked the area and could not locate anyone.
- Jan. 11 Suspicious vehicle on S. Ocean Dr. This was a person who was doing work inside.
- Jan. 16 Open door on W. 11th St.
- Jan. 16 Violation of local code on S. 5th St. – prohibitive construction. The site was shut down and there was a summons issued.
- Jan. 17 Assisted Bethany Beach Police with a stolen vehicle.
- Jan. 20 Agency assist for the house fire on S. 3rd St.
- Jan. 21 Agency assist with the Fenwick Island Police. They had a traffic stop involving a large number of illegal aliens in a van.
- Jan. 22 False alarm on Petherton Dr. The residence was found to be secure.
- Jan. 23 Assisted Station 70 with a water leak inside a residence on Black Gum Dr.

- Jan. 23 Theft from S. 3rd St. Unknown subjects removed property from underneath the victim's residence.
- Jan. 24 Apprehended a local fugitive on Rt. 1 that was wanted for some capiases out of the Court of Common Pleas.

Ms. Marcello asked M/Cpl. Watkins what award he had received this morning. He replied that it was the Chamber of Commerce Officer of the Year Award for each of the Police Departments.

COMMITTEE REPORTS

- **Beautification Committee** – Councilwoman Callaway reported:

At the January 27, 2011, Workshop Meeting, the Beautification Committee presented to the Council their recommendations for tree planting along the median. Council approved the process. Councilwoman Callaway and Councilman Junkin have been working closely together to keep what the Beautification Committee is doing aligned with improving water quality. Referring to a PowerPoint Review which Councilman Junkin and Councilwoman Callaway prepared for Council, Councilwoman Callaway asked if there were any questions. There were none. Councilwoman Callaway said it is going to be a gradual plan. She has been working with the Maintenance Supervisor looking at what sites can be done, the costs for excavation, and making sure rain gardens are developed. Last week Councilman Junkin and the Maintenance Supervisor met with DeIDOT to go over the plan. DeIDOT was very supportive. On February 10, 2011, Councilwoman Callaway and the Maintenance Supervisor met with Kyle Hoyd from the Forestry Service of the Delaware Department of Agriculture to discuss the tree grant and the application process. It looks like the final application for the tree grant will come out in mid March with a due date of July. This schedule allows for tree plantings in the fall.

Councilman Saxton inquired if the FY12 funding requested between the Beautification Committee and the Water Quality Committee is adequate for the beautification plan presented at the January 27, 2011, Workshop. Councilwoman Callaway replied yes. Councilman Junkin stated that the plan will be done within the constraints of the funds, and it will be done so that the rain gardens can meet the water quality goal.

- **Budget and Finance Committee** – Councilman Saxton reported:

The Budget and Finance Committee met today and has the first draft of the FY12 Budget. The draft budget is balanced. The draft budget should be in Council's boxes by next Friday. Councilman Saxton stated that most of Council's requests were put in the budget except one which was moved to long range planning.

The Budget and Finance Committee Meeting for Public Input Regarding the FY12 Budget is scheduled for March 19, 2011, at 1 p.m. at Town Hall.

The Budget and Finance Committee decided to fully fund the long range planning fund this year. The ultimate goal is that there will always be funding for long range projects/capital asset replacement and it will relieve the burden on the property tax side.

Councilman Saxton thanked the Budget and Finance Committee for the hard work they have done developing the long range plan.

Ms. Suazo inquired what information the public will have before the March 19 Budget and Finance Committee Meeting for Public Input Regarding FY12 Budget. Councilman Saxton

stated that the draft budget would be posted on the Budget and Finance Page of the Town's website after Council has discussed it and before the March 19 meeting.

Ms. Suazo inquired about two of her concerns: Increasing the staff's salaries and increasing the police patrol in the summertime. Councilman Saxton stated that the Budget and Finance Committee is recommending salary increases for this year.

- **Canal Water Quality Committee** – Councilman Junkin reported:

Oyster Gardening – Councilman Junkin has been talking to EJ Chalabala and Allan Allenspach regarding using funds in the FY11 Budget and the proposed funds in the FY12 Budget for buying spat and cages for the oysters to grow. Mr. Chalabala is looking at different baskets, ones that don't need the floats and are cheaper.

Councilman Junkin has talked to Marianne Walch, and DelDOT is getting ready to put out a contract for a complete clean out of the forebay which should be done by June.

- **Planning Commission** – Councilman Junkin reported:

Tonight Council approved Dave Wilson to serve on the Planning Commission.

The Planning Commission did an excellent job of coming up with a survey document which they presented at a Workshop a few months ago. Council made comments regarding the survey document and the Planning Commission incorporated Council's comments into the document. The updated survey document was sent to Martin Wollaston, a policy scientist from the University of Delaware Institute for Public Administration, who looked it over (free of charge) and made some very good comments. Council Members have reviewed his comments. Council will review the survey document at the February 24, 2011, Workshop Meeting.

- **Richard Hall Memorial Park Committee** – Councilman Fields reported:

Councilman Fields stated that Mayor Headman has asked that the Richard Hall Memorial Park Committee make a final report at a public Council meeting.

On November 18, 2010, the Town mailed out 1,297 surveys to property owners in the Town of South Bethany. This survey was developed by the Richard Hall Memorial Park Committee. Of the 1,297 surveys that were mailed out, 941 surveys were returned by the deadline date of December 10, 2010. The results of the survey were: 760 support leaving the Richard Hall Memorial Park in its current state, 166 support the development of a recreational area within the Richard Hall Memorial Park, and 15 have no opinion about this issue. These surveys were counted on December 16 and the results were reported to the public on that date. At a subsequent Town Council meeting a motion was made and passed unanimously that the South Bethany Town Council resolves to keep the Richard Hall Memorial Park in its current state.

ADJOURNMENT

A motion was made by Councilman Fields, seconded by Councilman Cestone, to adjourn the February 11, 2011, Town Council Regular Meeting at 8:05 p.m.