

<b>TOWN OF SOUTH BETHANY TOWN COUNCIL REGULAR MEETING MINUTES OCTOBER 12, 2012</b>
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**ATTENDANCE**

PRESENT: Mayor Pro-Tem Sue Callaway; Councilpersons Al Rae, Jim Gross, Pat Voveris, George Junkin, and Mark Damato; Town Manager Melvin Cusick; Lt. Linda O'Malley; and Administrative Assistant Pam Smith

EXCUSED ABSENCE: Mayor Kathy Jankowski

**MEETING CALLED TO ORDER**

Mayor Pro-Tem Callaway called the October 12, 2012, Town Council Regular Meeting to order at 7:00 p.m., followed by the Pledge of Allegiance to the Flag. Mayor Pro-Tem Callaway announced that Mayor Jankowski was in Ireland and her absence from this meeting was excused.

**FY 2012 AUDIT (SOMBAR & COMPANY)**

Mayor Pro-Tem Callaway introduced Mr. Tom Sombar of Sombar & Company who presented the highlights of the FY 2012 Audit Report and took questions from the Council and the audience. Mr. Sombar reviewed the Town of South Bethany's Audited Financial Statements and Supplemental Information for Fiscal Year Ended April 30, 2012, (With Comparative Year Analyses 2011, 2010, 2009) of which Council Members had a copy. The report is available for review at Town Hall. Overall the Town had in Total Assets \$3,412,701 and in Total Liabilities \$133,751. This produced net Total Assets of \$3,278,950.

Referring to the management letter from Sombar & Company which noted that the auditor had not encountered any significant difficulties, Councilman Rae inquired if there were minor problems. Mr. Sombar stated that the audit was a very smooth process. Noting that the Town is currently using both Edmunds and QuickBooks accounting systems, Mr. Sombar stated that they are recommending that the Town fully implement the Edmunds program and drop QuickBooks so that the Town is focusing on one program. Mr. Sombar said that there is a significant learning curve in learning how to use Edmunds. The Town Manager stated that the Town has started addressing that and the Town will be moving to one accounting system, Edmunds, before the next audit. Mr. Sombar stated that one of the inherent problems is that there is no software designed that is appropriate for a community the size of South Bethany.

Property Owner Sandy Raymond requested that reports or audits be projected electronically at the meeting for the property owners to follow along with. Mr. Sombar stated that next year he could bring extra copies of the report.

Mayor Pro-Tem Callaway thanked Mr. Sombar, the Finance Director, the Town Manager, Councilwoman Voveris, and the Budget and Finance Committee for their work regarding the audit.

**PROPERTY OWNERS' PARTICIPATION**

- Mike Matera (311 W. 9<sup>th</sup> St.) – Suggested that the Town look into putting in a boat ramp on Town property on Bayshore Dr. next to the town houses.
- Sandy Raymond (5 N. 3<sup>rd</sup> St.) – Stated that she was very pleased to read about the test lights on Ocean Drive noting that she has dogs and in the wintertime it is very lonely on Ocean Drive. Ms. Raymond stated that she hopes the Town will have more than just two lights on Ocean Dr.

- Kent Stephan (46 S. Anchorage Ave.) – Spoke about reforming some of the Town's ordinances, particularly ordinances that he believes work to decrease property values and diminish the ambiance of the town. Mr. Stephan believes these ordinances inhibit property owners' ability to maintain or improve their properties and in general the ordinances create an atmosphere where property owners who want to maintain or improve their properties suffer more financially than those property owners who do not want to maintain or improve their properties. The following are the two sections of the Town Code Mr. Stephan referred to:
  - § 145-17B . . . however, that no repair shall be permitted to that portion of a paved driveway or paved sidewalk located within any street right-of-way where 50% or more of such portion require repair.
  - § 145-14.3 . . . Permeable pavers may be used within the Town right-of-way along the front of the property, no wider than 50% of the lot width and no closer than five feet to any side boundary line.

To demonstrate that more people than just Mr. Stephan care about this, Mr. Stephan submitted a petition signed by 13 residents (from 13 different homes) on S. Anchorage Ave. which stated: We property owners of South Bethany believe that certain ordinances related to driveways need to be revised because they unnecessarily limit the ability of homeowners to maintain or increase the appearance and value of private properties with little or no offsetting benefit to the town. The ordinances in question prohibit owners of existing driveways from fully maintaining their driveways with the same types of materials that currently make up the driveway or prohibit the installation of permeable pavers across the entire roadside portion of existing driveways that span more than 50% of the frontage of their properties. Ordinances should be revised to permit existing driveways to be maintained with materials substantially similar to those currently constituting any driveway within the current dimensions of that driveway. Ordinances should also be revised to permit permeable pavers to be installed across the entire front of any existing driveway. The Town should also cease from encouraging roadside parking west of Rte 1.

Mr. Stephan stated that when he went out to get signatures for the petition he had no turn downs and the response was enthusiastic. Mr. Stephan stated that when the Town does things where people can't see the benefit, people start to lose confidence in the Town. Mr. Stephan noted that real estate experts say the outward appearance of a home from the street has something to do with the property value. Mr. Stephan believes these ordinances hurt property values. Mr. Stephan stated that he had ideas to share with Council. Mayor Pro-Tem Callaway asked that Mr. Stephan leave his ideas with Council and possibly at its next workshop Council will make a decision on how the Council wants to respond to Mr. Stephan and what the next steps are.

### **ADOPTION OF MINUTES**

- **Town Council Regular Meeting Minutes, September 14, 2012** – A motion was made by Councilman Junkin, seconded by Councilman Damato, to accept the September 14, 2012, Town Council Regular Meeting Minutes as amended as follows:

Page 2, Meet the Mayor, First Bullet: Change ". . . and **my** progress" to read ". . . and **her** progress".

Page 5, Ordinances and Resolutions, Third Paragraph: Change "Because some people think this is to **excess** . . ." to read "Because some people think this is too **excessive** . . ."

Page 6, § 17-3 Conditions necessary: Align "F" with "A, D, and G".

Page 8, Community Enhancement Committee, Second Paragraph: Change "**Between** the News Update and the letter that was mailed . . ." to read "**In response to** the News Update and the letter that was mailed . . ."

Page 8, Community Enhancement Committee, Third Paragraph: Change "Therefore the Town will be **getting** a \$3,500 tree grant . . ." to read "Therefore the Town will be **receiving** a \$3,500 tree grant . . ."

The motion was unanimously carried.

- **Town Council Workshop Meeting Minutes, September 21, 2012** – A motion was made by Councilman Junkin, seconded by Councilwoman Voveris, to accept the September 21, 2012, Town Council Workshop Meeting Minutes. The motion was unanimously carried.

### **LEADERSHIP REPORTS**

- **Mayor's Report**—In Mayor Jankowski's absence, Mayor-Pro Tem Callaway reported:

The Financial Administrator, Administrative Assistant, and Mayor Jankowski met on September 19 with a representative from Solutions Plus to discuss the Town's current and future needs for the capability of remote access for council and committee meetings. The first steps will be to allow members to call into the meeting. There will only be two way verbal communications. This is all depending on whether Council passes Ordinance 164-12 tonight. Solutions Plus is working with the Town to develop cost scenarios to present to the Council and Budget and Finance Committee.

The Town met with the Town's auditor on September 20 to review the audit. Mayor Jankowski noted that the Town has eight months of operating reserves.

September 21 Town Council Workshop Meeting – Met with Bryan Hall, Principal Planner with the Office of State Planning Coordination, State of Delaware regarding the Town's requirements for the Comprehensive Plan.

On September 23 Councilwoman Sue Callaway, Councilwoman Pat Voveris, Town Manager Melvin Cusick, Renee McDorman, Pam Smith, Dee Burbage and Mayor Jankowski attended the annual conference of the Delaware League of Local Governments in Dover. Barrett Edwards (who happens to be South Bethany's town attorney) presented an interpretation of the Freedom of Information Act (FOIA) and the changes made to FOIA. And best of that day was that out of 57 Delaware municipalities, Pam Smith received the Delaware League of Local Governments' Municipal Clerk of the Year Award.

On September 24 Mayor Jankowski attended the State Road 26 Working Group Meeting, the first planning meeting for the Rt. 26 expansion planned for the fall of 2013. Any current construction you see will be related to the utility companies moving utilities to get ready for the actual construction. All businesses will be open during that time. They are looking carefully at detour routes and adjusting work times during the summer to only work Tuesday through Thursday. From 6 a.m. Friday to Monday at 9 p.m. in the summer there will be no work. The next meeting is in January.

On September 26 Council Members Sue Callaway, George Junkin, and Kathy Jankowski travelled to Philadelphia to meet with Director Shawn Garvin of the EPA's Mid-Atlantic Region and gave a presentation explaining South Bethany's canals and water quality situation and requested funding. The Town did not receive any funding, but maybe someday the Town will yield some results from the meeting. The EPA did recommend some resources, and the Town has followed up on those recommendations. Mayor Pro-Tem Callaway thanked Councilman Junkin for his work on the presentation.

September 29 "Meet the Mayor" Coffee – Some of the topics of concern were debris in the Assawoman Canal, questions about South Bethany apparel, an additional handicap ramp, and questions about smoking on the beach. The next "Meet the Mayor" Coffee will be held on Saturday, October 27, from 9 a.m. to 11 a.m. at Town Hall

On September 29 Mayor Jankowski attended the Center for the Inland Bays (CIB) "Thanks for Giving Barbeque" at the James Farm Ecological Preserve. Mayor Jankowski had the opportunity to speak with Chris Bason, Director of the CIB, to get more ideas about cleaning up the water in the canals. Mayor Jankowski is also contacting some regional government officials to see if South Bethany can come together with other towns to get more momentum for some of South Bethany's initiatives.

Mayor Pro-Tem Callaway and the Town Manager attended the September 7 SCAT Steering Committee Meeting at the Georgetown Airport. The guest speaker was Deputy Attorney General Jason Staib, whose responsibility is to focus on promoting a better understanding of FOIA regulations and FOIA changes. He is initiating a public outreach campaign with sessions held around the state in November and December to clarify how towns can best comply with FOIA requirements.

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

The Bethany Beach Volunteer Fire Company Ambulance Service Monthly Report and Quarterly Report were on the sign-in table. The Town Manager stated that the monthly report compares last year to this year and shows an increase in the number of calls in the area.

The Town passed its five-year recertification with the National Flood Insurance Program. The inspector reviewed elevation certificates and Town ordinances.

The Town has received preliminary approval of its Community Rating System five-year certification. The Town attained a classification of 8, which gives South Bethany property owners who have flood insurance a 10% discount on their flood insurance. This amounts to \$83,405 a year which in the last five years has saved South Bethany residents over \$417,000 in insurance premiums.

Mr. Roche inquired about the Code Enforcement Constable inspection of trees overhanging the canals. The Town Manager said the Code Enforcement Constable has done the inspection and is working on the violation letters to send out. The Town Manager stated that there were quite a few violations.

- **Treasurer's Report**—Pat Voveris reported as of September 30, 2012:

**MONTHLY:**

August Balance Brought Forward	\$ 1,901,703.86
September Revenue	\$ 376,608.94
September Disbursements	\$ <u>145,915.48</u>
Balance	\$ 2,132,397.32

**YEAR TO DATE PROFIT AND LOSS:**

Total Revenue	\$ 1,614,604.00
Total Expenditures	\$ <u>1,087,247.00</u>
Excess Revenue	\$ 527,357.00

**OPERATING BUDGET RECAP:**

- Revenue is at 72%.
- Expenses are at 52%.

**HIGHLIGHTS ON REVENUE:**

- For Property Tax the Town has 12 delinquent owners for an amount of \$6,691.96. This includes \$6,173.36 in taxes and \$518.60 in late fees.
- Transfer Tax came in at \$22,966.60 or 48% more than the same month last year. For the same 5 months of last budget the Town is ahead by 3.7%. The Town budgeted \$225,000 for FY 2013 and is now at 63% of budget for 5 months of the cycle. September numbers surpassed the same month in four of the last five years.
- The Finance Director heard from one of the attorney offices in Bethany that there are three new closings coming through, so October numbers might also bode well.
- The Town has collected \$25,295 from Parking Permits which is 97.3% of the budget number of \$26,000.
- The Town has collected \$3,219 in Penalties/Fines where just \$500 was budgeted. Thanks to the Code Enforcement Constable.
- Parking Tickets are up from last month. The Town budgeted \$12,600 and is at \$10,407 or 82.6%. Thanks to the Police Department.

Councilman Rae asked what the Budget and Finance Committee's intent was to help deal with converting from two accounting systems (QuickBooks and Edmunds) to one accounting system (Edmunds). Councilwoman Voveris stated that Budget and Finance Committee Member Tony Caputo, who was an auditor from the City of Rochester, has implemented systems like Edmunds and is working with the Finance Director to fully implement Edmunds before the next budget.

- **Police Department Report/Questions**—Lt. Linda O'Malley reported for the month of Sept, 2012:

- Sept. 3 Three bicycles stolen from a residence on Sea Side Dr. and at the same time a body board was reported stolen from another residence on Sea Side Dr. During this same time, a body board was recovered at another residence on Sea Side Dr.
- Sept. 7 Agency assist for Bethany Beach which involved a consent search.
- Sept. 10 Alarm on Plymouth Rd. There were no signs of burglary or forced entry.
- Sept. 13 Open door discovered on patrol on Canal Dr. There was no sign of forced entry.
- Sept. 13 Assisted DSP in reference to a vehicle in the ditch near Walgreens.
- Sept. 13 Assisted Bethany Beach with a traffic stop.
- Sept. 13 Alarm on W. 4<sup>th</sup> St. No signs of forced entry.
- Sept. 14 A motorcycle chase occurred that ended up in Dewey Beach, Bethany Beach, South Bethany, and Ocean City. The motorcyclist has been arrested and has been given citations for South Bethany and was also arrested by several other agencies.
- Sept. 15 Agency assist in regard to a traffic stop in Fenwick Island. This was a possible stolen motorcycle. It was later revealed that the motorcycle was not stolen.
- Sept. 16 Report of a missing person at Rt. 1 and Petherton Dr., but while the officer was taking a report the missing person showed up on the scene.
- Sept. 17 Agency assist for Fenwick Island, Delaware State Police, Bethany Beach, and Ocean City searching for a motorcycle that fled from a Fenwick Island Officer. The motorcycle was located, but the driver of the motorcycle was never found so they simply towed the motorcycle.

- Sept. 18 Agency assist with Troop 4 regarding an accident. This was a South Bethany officer that was on his way to work and came across a Troop 4 officer with an accident on Rt. 113 at Millsboro Pond. The South Bethany officer stopped briefly to assist the Troop 4 officer.
- Sept. 18 Assisted Troop 4 with an accident on Rt. 1 just north of Fenwick Island.
- Sept. 23 Alarm on W. 4<sup>th</sup> St. No signs of burglary.
- Sept. 25 Accident at Rt. 1 and Evergreen Road. There were no injuries involved.
- Sept. 25 During patrol, an open door was discovered on S. 7<sup>th</sup> St. No signs of burglary or criminal mischief.
- Sept. 25 Agency assist with Fenwick Island in regards to a traffic stop and possible criminal impersonation.
- Sept. 25 Check on the welfare at a residence on Brandywine Dr. Subject was concerned because he hadn't heard from his friend who was staying there.

Referring to reports in the newspapers regarding change and currency being stolen from unlocked vehicles in Ocean View, Lt. O'Malley reminded residents to lock their vehicles. Lt. O'Malley asked residents to notify the Police Department if they see someone that doesn't look like they should be in the area. An officer will come out and check.

The South Bethany Police Department has a limited number of gun locks which can also be used as bicycle locks. The locks are available at Town Hall while supplies last.

Expressing his concern of people driving and using their cell phones and texting, Mr. Nazarian asked how many people are South Bethany police catching using telephones and texting. Lt. O'Malley stated that she could not give him a statistic, but during their patrols the police are looking people violating Delaware's cell phone law.

Mike Matera asked if the police department is still driving down every street every day. Lt. O'Malley stated that she cannot say that they are going down every street every day, but the police are patrolling. She added that the officers have different blocks of areas to patrol and they have a sheet of paper to fill out reporting the times they patrolled those areas.

#### **BLACK GUM DRIVE AND KENT AVE. TRAFFIC RESTRICTION REPORT (Pat Voveris)**

Councilwoman Voveris reported on the follow up survey done by DeIDOT using a counter 24/7 that was conducted over July 4, 2012. The survey was done to see if there was any significant change from when the barricade was three hours long in previous years versus an hour and a half long in 2012. In 2006 the heaviest traffic was at 11 and 5 and the combined average vehicles per day was 1257. In 2012 the heaviest traffic was at 11 and 12 and the combined average vehicles per day was 1265 (essentially staying the same). Councilwoman Voveris stated that speed is being observed and there is no problem with speed violations. She added that speed has never been a factor whether it was studied in 2003, 2006 or 2012. Councilwoman Voveris compared the days that were in common from the 2012 survey and previous surveys and found that in 2012 there was 26% less traffic than in 2003 going north bound (Town Hall to Black Gum Dr.) and 3% less traffic going south bound (Black Gum Dr. to Town Hall). Based on this information, Councilwoman Voveris believes the recommendation made to Town Council from the Barricade Committee is successful. Mayor Pro-Tem Callaway thanked the members of the Barricade Committee for working on this issue.

## **ORDINANCES/RESOLUTIONS**

- **Third Reading of Ordinance 164-12, to Amend the Code of the Town of South Bethany by Adding a New Chapter to be Entitled Participation by Remote Electronic Access, Which Provides Participation at a Meeting of the Town Council, Planning Commission, or Other Committee, With the Exception of Planning Commission and Board of Adjustment Public Hearings, by Remote Electronic Access for Members of Town Council, Planning Commission, or Other Committees (Sue Callaway for Kathy Jankowski)**

Mayor Pro-Tem Callaway reviewed the changes to Ordinance 164-12 that had been made since the second reading. These included changes made at the September 27, 2012, Town Council Workshop Meeting and changes made regarding the Town Solicitor's comments.

A motion was made by Councilman Gross, seconded by Councilman Damato, that Council accept the changes that Mayor Pro-Tem Callaway reviewed. The motion was unanimously adopted.

Mayor Pro-Tem Callaway declared this the third reading of Ordinance 164-12.

A motion was made by Councilman Junkin, seconded by Councilman Damato, that Council approve Ordinance 164-12. The voting was as follows:

FOR THE MOTION: Mayor Pro-Tem Callaway and Councilpersons Rae, Gross, Voveris, Junkin, and Damato

AGAINST THE MOTION: None

The motion carried with a 6-0 vote.

- **Second Reading of Ordinance 165-12, to Amend Chapter 42, Building Construction, to Correct a Typographical Error in § 42-6 "Issuance of Building Permit" by Changing the requirement "Insurance Certificate" to "Elevation Certificate" (Al Rae)**

Councilman Rae reviewed Ordinance 165-12 and noted that the change was a one word change from insurance to elevation. There was no further discussion.

Mayor Pro-Tem Callaway declared this the second reading of Ordinance 165-12.

- **Second Reading of Ordinance 166-12, to Amend Chapter 145, Zoning, Article XVII, Entitled "Administration, Enforcement and Penalties", to Correct a Typographical Error in § 145-68B "Building Permit" by Changing the Requirement "Insurance Certificate" to "Elevation Certificate" (Al Rae)**

Councilman Rae reviewed Ordinance 166-12 and noted that the change was a one word change from insurance to elevation. Councilman Rae stated that the changes to the Code in Ordinances 165-12 and 166-12 are being made at the request of the Code Enforcement Constable. There was no further discussion.

Mayor Pro-Tem Callaway declared this the second reading of Ordinance 166-12.

## **ADMINISTRATIVE MATTERS**

- **Proposed Amendment and Possible Vote on Protocol Governing Absences from Town Council Meetings Policy**

Mayor Pro-Tem Callaway stated that the proposed amendments to the Protocol Governing Absences from Town Council Meetings Policy is a result of Ordinance 164-12.

A motion was made by Councilman Junkin, seconded by Councilwoman Voveris, that Council accept the revised Protocol Governing Absences from Town Council Meetings Policy.

Councilman Gross commented that Council has not been carrying out the third bullet under Meetings. (It states: At the meeting, the Mayor shall announce the absence or remote access and the reason. The Mayor shall determine if the absence or remote access is excused or unexcused.) Councilman Gross believes that going forward Council should do that. Mayor Pro-Tem Callaway agreed.

The motion was unanimously carried.

- **Proposed Amendment and Possible Vote on the Town of South Bethany Rules of Procedure**

A motion was made by Councilman Junkin, seconded by Councilman Gross, that Council accept the Rules of Procedures as changed. After discussion Councilman Junkin withdrew his motion. A motion was made by Councilman Junkin, seconded by Councilman Gross, that Council accept the proposed amendments to the Town of South Bethany Rules of Procedures as modified as follows:

Item 2, First Sentence: Change "ten (10) days" to read "ten (10) **calendar** days".

Number 6: Change ". . . by means of electronic media such as the Town of South Bethany website" to read "by means of the Town of South Bethany website".

The motion was unanimously carried.

- **Council Vote on South Bethany Purchasing Policy Amendments to Align with Charter Changes**

Mayor Pro-Tem Callaway noted that Council has discussed the proposed changes to the South Bethany Purchasing Policy at the September 27, 2012, Town Council Workshop Meeting.

A motion was made by Councilman Junkin, seconded by Councilwoman Voveris, that Council accept the Town of South Bethany Purchasing Policy as amended. The motion was unanimously carried.

## **COMMITTEE REPORTS**

- **Assawoman Canal and Trail Update** – Councilman Rae reported:

Councilman Rae shared information he received from Bob Ehemann (the person heading up the Assawoman Canal and Trail Project) regarding a proposed community located in Ocean View along Muddy Neck Road and adjacent to the canal. Included in the information is a schematic of their intended development to the State. Copies of the map were available on the sign-in table. The intent of the developers of the proposed community is to coordinate their project trails with the state trails along the Assawoman Canal. Councilman Rae said that he is not drawing conclusions, but he wanted to make South Bethany property owners

aware of this project because it is going to be around the corner from South Bethany and it is one more issue of additional traffic. He added that it is something for the Town of South Bethany to be aware of in its planning. It was noted that this project has not yet been approved by Sussex County and the county will hold a public hearing.

Regarding the Jefferson Bridge boat ramp, Councilman Rae followed up with the State and was surprised to find out that the State thought that the boat ramp was used only for canoes and kayaks and that no larger boats were being launched at the Jefferson Bridge boat ramp. Councilman Rae made the State aware of South Bethany's requirement and desire that after the trail is built the boat ramp is still there and that it be modified to accommodate larger boats more successfully with stones and gravel. Councilman Junkin noted that DNREC uses the boat ramp when they put boats in to go in the Little Assawoman Canal. Regarding the boat ramp, Councilman Rae said it is something to keep an eye on to make sure that we don't end up with less than what we have and hopefully we will end up with more.

- **Community Enhancement Committee** – Councilwoman Callaway reported:

The Community Enhancement Committee met on September 18 and discussed a number of issues.

WBOC did a fly over about South Bethany and a link to the video is posted on the Town's website.

Sixteen new trees were planted yesterday and today along Rt. 1, a result of another grant (\$3,500) the Town received from the Department of Forestry Services. Lord's Landscaping planted the trees. Lord's Landscaping will be doing their final maintenance on the other items that they planted in the fall.

Ocean Drive improvements: The signage is slowly but surely changing. The Town is waiting for a new sign order to come in. The Community Enhancement Committee has received many favorable comments about the looks of the signs. The Town is conducting a test lighting project on Ocean Drive which has been approved by Council. The Town is waiting for responses from the eight property owners surrounding the two test sites. The Town has met with Delmarva Power looking at the different options available (which are not a lot) and trying to come up with the best solution. The Town will move forward with the two test sites once it receives the feedback from the eight surrounding property owners.

The Code Enforcement Constable has been attending the Community Enhancement Committee meetings and the committee has been discussing town ordinances that cover homeowners complying with removing trash and recycling carts. It is an issue the Town wants to take care of.

The Phragmites initiative that was started in September is almost completed. The primary areas that were sprayed were the oceanfront, Cat Hill, and Canal Drive as well as individual properties of people who submitted the hold harmless agreement. This was another initiative that came about with a grant from the Department of Forestry.

Would You Like to Increase Your Rental Income flyer – This is a flyer that the Community Enhancement Committee developed. The Finance Director mailed the flyer to all licensed rental property owners in mid September.

Adopt-a-Canal/Road-End Program - Articles published in the paper recently did a really nice job of promoting the program. The committee just received two more applications.

The Community Enhancement Committee will be meeting on Wednesday, October 24, at Town Hall.

- **Budget and Finance Committee** – Councilwoman Voveris reported:

The Budget and Finance Committee met on September 7. Councilwoman Voveris reported on the highlights of the September 7 meeting. The minutes of the September 7 meeting can be viewed on the Budget and Finance Committee page of the Town's website.

The next Budget and Finance Committee Meeting is scheduled for October 19. The committee will be reviewing rental revenue and budget recommendations for Council for FY 2014.

Mike Matera asked if the Town had sold the town truck. The Town Manager stated that the Town sold the 1998 blue truck by sealed bid for \$3,000. The Town received three bids. The high bid was \$3,000.

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

The diffuser system pilot project is under contract and they are working on getting the permits to put the diffusers in. Councilman Junkin expects them to get the permits this year or in January of next year (2013). Councilman Junkin expects the diffusers will be in the Petherton Canal in the early spring.

Councilman Junkin does not expect to hear back on the proposal submitted by the Center for the Inland Bays (CIB) to look at the storm drains to create rain gardens on the east side of Rt. 1 similar to the work done in the median on Rt. 1 until the December time frame.

There has been more and more interest in the Tidal Pump. Jack Whitney has volunteered to work on Tidal Pump issues.

Regarding the trip Mayor Jankowski, Councilwoman Callaway, and Councilman Junkin made to the EPA in Philadelphia, Councilman Junkin stated that the EPA has priorities on how they spend their money, and the high priority things are to keep pollutants from entering the canals. The EPA says they do not like to give out grant monies to do studies. Regarding the Tidal Pump, the EPA suggested that the Town talk to the U.S. Army Corps of Engineers. Councilman Junkin stated that the Town has gone to the Corps of Engineers in the past. The last time the Town received grant money from the Corps of Engineers was for the study Chris Bason of the CIB led to look at the pollutants coming from the Anchorage Canal watershed.

The next Canal Water Quality Committee Meeting is scheduled for October 26, 2012, at 10 a.m. at Town Hall. The first item on the agenda will be a discussion on a management approach plan for the Tidal Pump to try to make something happen.

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

The Planning Commission met on October 9, 2012. The primary order of business was a paper that Kent Stephan had prepared. He had offered five suggestions for action of the Planning Commission. The Planning Commission rejected all of those suggestions (including the one Mr. Stephan talked about earlier at this meeting) except for one which had to do with improving communications. The Planning Commission recommended that Mr. Stephan address the Communications and Public Relations Committee with his suggestion on improving communications.

- **Charter and Code Committee** – Councilman Rae reported:

Currently the Charter and Code Committee is working on a modification to the construction and zoning ordinances. The committee has been working with Councilman Gross on this and he will be the sponsor. The committee hopes to have the draft ordinance ready for Council to review at the next Workshop Meeting.

At the September Town Council Workshop Meeting Councilman Gross agreed to write a memo on the solid waste action plan issue which would go to the Charter and Code Committee for work. Councilman Rae stated that his understanding of the intent of the Council is for the Charter and Code Committee to make that its number one priority once the committee receives the memo from Councilman Gross because the Council would like to get the ordinance in place by mid winter before the 2013 busy season.

- **Communications and Public Relations Committee** – Councilman Damato reported:

The following are topics the committee is discussing:

- Real estate agent meet and greet - A presentation to real estate agents to get South Bethany out in front of potential renters and purchasers.
- A boat or kayak race - The idea of South Bethany termed the Venice of Delaware.
- A beach party or family event for next summer.

Bob Cestone suggested putting up volleyball nets on the beach possibly at every other access ramp. Councilman Damato stated that he knows a lot of people that are interested in that. The Town Manager stated that he received a request for that this past summer to consider for next summer.

### **ADJOURNMENT**

Before adjourning Mayor Pro-Tem Callaway thanked Shirley Price for attending the meeting. Ms. Price addressed the attendees briefly.

A motion was made by Councilman Junkin, seconded by Councilwoman Voveris, to adjourn the October 12, 2012, Town Council Regular Meeting at 9:00 p.m.