

Town Of Dewey Beach
Minutes of September 7, 2012
Town Council Meeting

A regular meeting of the Dewey Beach Town Council was held at 6:00 p.m. on Friday September 7, 2012, at the Dewey Beach Lifesaving Station.

Mayor Hanson called the meeting to order and led the Pledge of Allegiance.
Mayor Hanson asked for a Moment of Silence.

Present: Mayor Diane Hanson, Commissioners Martin Seitz, Anna Legates, Jim Laird and Joy Howell, Town Attorney Fred Townsend, Acting Town Manager Marc Appelbaum and Chief Sam Mackert.

APPROVAL OF MINUTES

June 29 Meeting Minutes

Commissioner Seitz made the motion to accept the minutes of the June 29th meeting. Commissioner Legates seconded.

The motion carried unanimously.

August 10 Monthly Town Meeting Minutes

Commissioner Legates made the motion to accept the Aug 10 Monthly Town Meeting Minutes. Commissioner Seitz seconded.

The vote:

Commissioner Seitz: Yes

Commissioner Howell: Yes

Mayor Hanson: Yes

Commissioner Legates: Yes

Commissioner Laird: Abstain

The motion carried 4 – Yes 0 – No 1 - Abstain

August 17 Commissioners Meeting Minutes

Commissioner Legates made the motion to accept the August 17 Minutes. Commissioner Seitz seconded.

The motion carried unanimously.

ADOPTION OF THE AGENDA

Commissioner Legates made the motion to adopt the agenda. Commissioner Seitz seconded.

The motion carried unanimously.

ANNOUNCEMENTS

Mayor Hanson announced that Marc Appelbaum had been appointed as Acting Town Manager by unanimous vote by the Commissioners. She stated that the Town and Mr. Appelbaum entered into a 90 day contract which could be extended by mutual consent and feels that his experience will bring immeasurable value.

Acting Town Manager Marc Appelbaum introduced Nancy McCloskey as the new Town Finance Manager. Mayor Hanson stated that Mrs. McCloskey is also a resident of Dewey Beach.

Mayor Hanson announced that there was an update on the status of the Attorney General's Disposition of Dell Tush's Freedom of Information Act complaint for Dewey Beach. She stated that the Attorney General's office contacted the Town Attorney, Fred Townsend and advised that they are reconsidering the Opinion. She stated that they asked for time to complete their review and that she is expecting a resolution soon. She stated that her recommendation was to appoint Commissioners Howell and Legates to work with the town attorney and the town manager on this issue.

Rick Judge gave an update of the Bayard Ave Pump Station. (VRM 16:24) He stated that there was a severe storm on August 25, 2012 with 12 hours of lightening and more than 8 inches of rain in a lot of locations that caused flooding and property damage. He stated that there was 14 inches of water on the new Bayard Ave but was able to restart the pumps. He stated that after restarting the pumps within an hour and a half to two hours the situation was under control. He also stated that there was no malfunction to the pump systems and that they worked exactly as they were designed to. He stated that the reason they shut down was because an overvoltage current of 383.2 volts at the pump station and it had to be assumed that any type of voltage that was instantaneous and that strong had

to be a lightning strike in the area.

Mayor Hanson stated public workshops were going to be set up for sustainable financing issues but Council feels that with the new acting town manager it may be premature so it will not be done at this time.

Commissioner Seitz announced that on August 30, 2012 Superior Court Judge Scott Bradley reversed the Delaware PIC ruling against Mayor Hanson.

REGULAR MEETING

1. End of season report on public safety initiatives and enforcement actions in Dewey Beach for 2012 by Chief of Police Sam Mackert.

Chief Mackert gave a breakdown of the police report. (VRM35:10) Chief Mackert reported that overall crime in Dewey Beach has shown a downward trend over the past 3 years. Some categories such as assaults, riot/loitering (disorderly conduct), and drunkenness offenses showed substantial decreases, in some cases a 50% decrease. Lt. Billy Hocker gave a breakdown of Alcohol, Tobacco, and Firearms Statistics Report for Dewey Beach. Officer Wechtenhiser gave the breakdown of the Noise Report.

Chief Mackert stated that the town has received a grant for \$18,000 for the placement of a camera system to help monitor the town.

2. Presentation of the Planning Commission on the update of the Municipal Comprehensive Land Use Plan and discussion of the process for moving this forward for acceptance and submission to the Office of State Planning Coordination:

Harry Wilson gave a report on the update of the Municipal Comprehensive Land Use Plan. (VRM1:18:25)

John Paradee (1:26:13) stated that he didn't think a full review was necessary and would be expensive. He stated that the administrative review would be the easiest, quickest and least expensive way to go. He stated that his recommendation was if anything was going to be done substantive it would require at least an amendment. He also stated that he didn't see any problem with any of the recommendations in the report.

There was a lengthy discussion on the topic.

Fred Townsend stated that there wasn't anything final about the process at that meeting. He stated that there would be another Planning Commission meeting with a public

hearing scheduled with an ordinance to be introduced and this was the beginning stage of the process. (2:06:15)

Mayor Hanson stated that the process was to first develop an ordinance for the October meeting agenda to refer to the Planning Commission and then the ordinance would go to the Planning Commission to have a public hearing. She stated then the council would then introduce the ordinance. She stated that then the ordinance would go for plus review and then would be adopted. (2:13:05)

3. Update on municipal trash initiative

Commissioner Laird stated that the cheapest seasonal option was the \$200 rate and an additional 73.50 for the second day pickup if it is required by code. He stated that one of his recommendations is to get a service or put out a RFQ that would require pickup on every Monday for regular trash and recycle and to have back door service included. He stated that this would create a significant savings to the residents for uninterrupted year round service for less than they are paying now. He stated that now there is enough data that an RFQ could be put out after the public has been educated. He stated that he would be willing to work with the town manager to continue to move forward on the project.

4. Discuss and possibly vote on Acting Town Manager initiative to :

- **define the needs of Town Hall administration, considering seasonality**
- **review and assess the skill set and job descriptions of Town Hall employees vs. the needs of those we serve**
- **look into training, staffing, software and hardware to include costs and expenses to improve efficiency, productivity and community relations and services in Town Hall**

GOALS

1st 30 days, fact finding

2nd 30 days, develop road map

3rd 30 days, present, obtain Buy In, and Implement

Acting Town Manager Marc Appelbaum stated that his idea is to do a review and then work to make Town Hall more efficient and more modern.

Commissioner Seitz made the motion to authorize the Acting Town Manager to define the needs of Town Hall administration, considering seasonality, review and assess the skill set and job descriptions of Town Hall employees vs. the needs of

those we serve, and look into training, staffing, software and hardware to include costs and expenses to improve efficiency, productivity and community relations and services in Town Hall. Commissioner Howell seconded. (2:25:57)

The motion carried unanimously.

PUBLIC COMMENTS

Joan ClayBrook stated that she would like to request that Council consider a discussion of the Dewey Beach Enterprise permit. She thanked Commissioner Seitz for his service as a Commissioner.

Donna Paulson Anderson stated that the trash initiative should include the recycling. She stated that the mosquitos and ants were bad this year and would like someone to do something about the problem.

Courtney Riordan stated that he was concerned about the density issue in the Comprehensive Plan and there should be something that states the maximum density allowed.

REPORTS

- **Town Attorney – No Report**
- **Town Manager** – Marc Appelbaum stated that he wanted to recognize the work done by Beverly Corelle and the Election Committee in the election process. He also stated that he has gotten about five requests to consider hiring a professional engineer to provide oversight on the development of Ruddertowne and would like council to consider if it is something they would want to do.
- **Finance** – Marc Appelbaum stated that the budget is done from April through July and according to the P&L the town is \$87,000 off of budget. He stated that this is because when the monthly budget was created approximately \$300,000 was budgeted for seasonal police, but the budget spread was done evenly on a monthly basis, so it would imply that the same amount of money would be spent in August and in December. He stated that the bulk of the seasonal police money would be spent between May and September. He stated that in October, November and December the numbers will catch up and that the town is on budget but not in the way the budget was cast. He stated that he and Nancy McCloskey, Finance Manager, is working to re-spread the numbers so that there will be more accurate information.

COMMISSIONER COMMENTS

Commissioner Seitz: He read a statement of thanks for being able to serve as a Commissioner for the Town of Dewey Beach and he stated that he appreciated everyone's support.

Commissioner Howell: She stated that she thanked Commissioners Seitz and Laird for all the work that they have done on the Council and wished the candidates luck in the Election.

Mayor Hanson: She thanked Commissioner Seitz and Commissioner Laird for all the hard work they have done. She stated that the Council has made tremendous progress. She stated that the town has received the 5-Star & Superstar Award for Clean Beaches, improved parking and enforcement, a revised noise ordinance, upgraded radio communication, implemented new 911 addressing, received grants for LED lights and storm water activity, a new voter registration system, and a new ethics board and much more. She thanked everyone for all of their help and hard work.

Commissioner Legates: She stated that she was referring all of her 911 emails and calls to Commissioner Seitz because he has been working on the 911 Addressing.

Commissioner Laird: No comments.

Commissioner Howell made the motion to adjourn the meeting. Commissioner Legates seconded.

The motion carried unanimously.

MEETING ADJOURNED-----

*These minutes are supplemented by an audio-video record of the meeting which will be maintained by Town Hall for reference and can be viewed/heard on the town website. The audio-video records will be purged from time to time.

Respectfully Submitted,

Marc Appelbaum
Acting Town Manager

Approved: October 13, 2012