



The Town of Fenwick Island

800 Coastal Highway, Fenwick Island, DE 19944-4409

302-539-3011 ~ 302-539-1305 fax

www.fenwickisland.delaware.gov

REGULAR MEETING OF THE TOWN COUNCIL

Friday, September 24, 2021

MEETING HELD VIA HYBRID METHOD

MINUTES

In Attendance

Town Council Members:

Mayor Carmean, Vice Mayor Napolitano, Treasurer Breger, Secretary Magdeburger, Council Member Rymer, Council Member Bortner, Council Member Benn

Staff in Attendance:

Police Chief Devlin, Building Official Schuchman, Finance Manager Gary, Public Works Manager Locke, Town Clerk Menominee, Beach Patrol Captain Rykaczewski

Others in Attendance:

Along with the Town Council and Staff, there were an additional 32 participants that called in to the meeting and 54 participants who attended in-person.

1. Swearing-in Ceremony for New Town Council Members: Richard Benn & William Rymer

MOTION to accept the positions of Richard Benn & William (Bill) Rymer as new Town of Fenwick Island Council Members.

Moved by: Natalie Magdeburger

Seconded by: Jacque Napolitano

MOTION passed unanimously.

1.1. Reorganization for New Treasurer

Treasurer Breger stepped down from his position as Treasurer of the Town of Fenwick Island. Secretary Magdeburger nominated Bill Rymer as the Treasurer of the Town of Fenwick Island.

MOTION to accept Bill Rymer as the Treasurer of the Town of Fenwick Island.

Moved by: Paul Breger

Seconded by: Richard Benn

MOTION passed unanimously.

2. President's Report - Mayor Carmean

Mayor Carmean reported that the fall newsletter had gone out to the residents of Town. She said that she would like residents and property owners to email or call-in their contact information into the Town Hall and Police Station. Mayor Carmean reported that the Town is compiling a list of phone numbers and emails in case of emergency. She also reported that Vice Mayor Napolitano is in the process of putting together the Fenwick Freeze, which is proving to be fun way to ring in the New Year on the beach. Mayor Carmean reported that the Public Works department has been hard at work cleaning the beach, putting away lifeguard stands, and decorating for fall. She also said that US Wind and Orsted are back in the news with plans to build hundreds to thousands of wind turbines off the eastern seaboard. Mayor Carmean said seemed to indicate that a transmission station could be built at the Indian River site. Contacts from the Chamber to the Delaware Women's League of Voters are in favor of the wind turbines. She has been contacted by multiple pro-favor wind groups and she wanted the people of Fenwick Island and the other Council members to know that she would be meeting with various representatives. She wants to know firsthand what the impact would be on the Fenwick Island Community and she will report that back to the people of Fenwick Island.

3. Approval of Minutes from August 27, 2021 Regular Town Council Meeting and August 20, 2021 Organizational Meeting of Town Council

MOTION to approve the minutes from the August 27, 2021 Regular Town Council Meeting and August 20, 2021 Organizational Meeting of Town Council.

Moved by: Natalie Magdeburger

Seconded by: Janice Bortner

MOTION passed unanimously.

4. For Discussion and Possible Action:

4.1. Street Flooding Plan A: Additional Replacement Valves

Public Works Director Mike Locke demonstrated what the valves look like that they have been replacing on the bayside in each of the canals. He reported that to date they have replaced 24 valves.

Mayor Carmean also reported that Public Works Director Locke has identified 18 more valves that need to be replaced.

Council Member Benn said that this is the quickest and cheapest possible fix while the Town continues to study the problem. Vice Mayor Napolitano said they have to do something and it is worth a try.

MOTION to approve \$32,603 to replace the remaining valves.

Moved by: Richard Benn

Seconded by: Natalie Magdeburger

MOTION passed unanimously.

4.2. Street Flooding Plan B & Plan C Proposals

Mayor Carmean reported that additional funding has been set aside for the Farmington Street drainage project through GMB. She said Plan B would be the Infrastructure Committee and the residents of Farmington Street come together to work on a solution.

Mayor Carmean would like the Infrastructure Committee to take a look also at the Resiliency Implementation Plan which is to create a Master Plan for the pipes and drains of the Town at an estimated cost of \$68,000.

MOTION to turn the issues of Plan B over to the Infrastructure Committee.

Moved by: Jacque Napolitano

Seconded by: Paul Breger

MOTION passed unanimously.

MOTION to turn over the Resiliency Implementation Plan over to the Infrastructure Committee.

Moved by: Natalie Magdeburger

Seconded by: Richard Benn

MOTION passed unanimously.

4.3. Resident Survey

Mayor Carmean stated that the Council would be sending out one resident survey per household. She reported the survey itself would be scored 1-4, 1 being high and 4 being short. Mayor Carmean also said it would be reported anonymously based on the fact she felt residents would be more honest.

MOTION to approve the funds for the Resident Survey.

Moved by: Natalie Magdeburger

Seconded by: Jacque Napolitano

MOTION passed unanimously.

4.4. 2021-2022 Committee Assignments

Mayor Carmean presented the 2021-2022 Committee Assignments as they were to date. She stated that she combined Budget and Finance Committees and also combined the Ad-Hoc Commercial District Planning Committee and Building Review. Mayor Carmean limited everyone to two committees plus all Council were named to the Finance & Budget Committee. She also tried to limit Council Members on committees as stated above. She said that there are still a few more Boards and Committees that need more people to join and encouraged anyone who wanted to join to fill out an application. Mayor Carmean said that once the list was completely finalized then it would be posted. She said that she would leave it up to the Chairs to contact the individual members of each committee. Board appointments will be considered at the October Town Council meeting.

MOTION to approve the 2021-2022 Town of Fenwick Island Committees as they were presented to date.

Moved by: Richard Benn

Seconded by: Jacque Napolitano

MOTION passed unanimously.

4.5. Public Works Computers

Mayor Carmean stated that Public Works needed new computers. She stated that they would cancel the mowing service that the Town had budgeted while Public Works replaced valves. She said that with all the valves currently already replaced, they could cancel the mowing service and pull those funds to pay for the computers. They are refurbished "tough books" so they can be brought into the field if needed.

MOTION to approve the funds for the Public Works computers.

Moved by: Bill Rymer

Seconded by: Paul Breger

MOTION passed unanimously.

4.6. Official Hiring of Town Solicitor

Mayor Carmean introduced Mr. Luke Mette from Armstrong-Teasdale Firm as the new Town of Fenwick Island Solicitor. She assured citizens that he would put the ordinances and residents first.

4.7. Town Manager Search

Council Member Bortner, Secretary Magdeburger and Council Member Breger are a part of the Town Manager Search Committee and at this time there have been a steady stream of applicants that have applied for the position.

4.8. Hiring of New Police Clerk

Mayor Carmean reported that hiring a new police clerk would be beneficial to the Community in being able to open the police building. This would be a need for citizens to come and ask questions. She also reported that it would alleviate some

of the duties off Town Clerk Menominee. Mayor Carmean also said that it would help Chief Devlin move forward with his grants that he has received and the police officers with any clerical work.

4.9. Dredging Project: Complete Permit Process

Mayor Carmean reported that the Town of Fenwick Island could not proceed with the dredging project until the permit process was completed. She introduced the Dredging Committee as George Murphy, Steve Magdeburger, and Bill Rymer as a few members who were willing to step up for the Committee. Mr. Murphy gave a brief explanation of dredging and the project that the Town was looking to complete. He said that there were many permits the Town would have to get and find a place to put the materials. Mr. Murphy further explained that there are two tests that will have to be completed by DNREC and the Army Corp of Engineers. Treasurer Rymer reported that the draft MOU by Freeman was never signed, so Freeman is reconsidering their approach to the MOU. He explained there are a few concerns that the Committee is trying to work their way through. Treasurer Rymer stated that the Town is looking at a Fall 2022 project instead of a March 2022 project because of the testing that is still needed. Treasurer Rymer encouraged everyone to attend the upcoming Dredging Committee meeting.

MOTION to fund \$51,000 for the testing needed to complete the permit process.

Moved by: Natalie Magdeburger

Seconded by: Jacque Napolitano

MOTION passed unanimously.

4.10. Sidewalk Project: Ready to Start

Mayor Carmean reported that members of the Sidewalk Project met with Sonia Marichic of Century Engineering to discuss the status of the project. She said that it looks like the money is available to start the project and the next step would be to hold a public meeting for the community to look over the plans.

MOTION to proceed with the Sidewalk Project.

Moved by: Janice Bortner

Seconded by: Richard Benn

MOTION passed unanimously.

4.11. Cancellation of Parking Program

Mayor Carmean clarified that the line item was actually the Cancellation of the Parking Ticket Program. She stated that it would be the cancellation of the Complus program, which has proven to not be cost effective for Fenwick Island. Chief Devlin also clarified that it would not be the parking permit kiosk located outside the police station. He said it was a program geared toward a bigger city with year-round parking.

MOTION to cancel the Complus parking ticket program.

Moved by: Richard Benn

Seconded by: Jacque Napolitano

MOTION passed unanimously.

5. Treasurer's Report

Council Member Breger reported that the FY22 beginning balance was 3.3 million and the ending cash balance was 3.6 million. He thanked the Bank of Ocean City for setting up sweep insured cash accounts so they are FDIC insured. Council Member Breger reported that RTT was \$31,125 for the month of August. He also reported that \$361,925 in real estate property tax, \$11,110 in rental receipts and \$4,695 in parking violations.

MOTION to approve the Treasurer's Report.

Moved by: Janice Bortner

Seconded by: Jacque Napolitano

MOTION passed unanimously.

6. Department Reports

6.1. Building Report- Building Official Schuchman

Building Official Schuchman reported that there were 27 open building projects: 6 of those were additions, 4 houses were torn down and 3 new construction projects pending.

6.2. Public Works Report- Public Works Manager Locke
Public Works Manager Locke submitted his report.

6.3. FIBP- Captain Ryk
Captain Ryk submitted his report. He also reported that it was a very successful year for FIBP in competitions and on the beach. He did say that the overall numbers were a little lower than average, but all in all a successful year for the beach patrol.

6.4. FIPD- Chief Devlin
Chief Devlin submitted his report. He said that the H2Oi event was coming to Ocean City and they were prepared for the influx of travelers coming through Town. Chief Devlin also reported that he secured \$24,000 in funds to combat violent crimes. FIPD plans to purchase one in car camera system and 4 more body cameras which will allow each officer to have one body camera. He also reported that they will be looking into Bola Wrap which is a non-lethal method to restrain someone. Chief Devlin explained that some reasons residents do not recognize FIPD throughout Town is because a few of the cars are unmarked. FIPD is looking to mark two vehicles immediately and the next car that is purchased will be marked as well.

7. Committee Reports

Mayor Carmean is working with the Emergency Management Committee and wanted to residents to let the Committee or Town Hall know if there are vulnerable neighbors near you who may need assistance during an emergency.

8. Old Business

9. New Business

Finance Manager Gary said that as the new treasurer, Treasurer Rymer would need to replace Council Member Breger as bank signatory.

Vice Mayor Napolitano would like to send the issue of the dumpsters in the commercial area and the timing of the pick-ups to send to the Commercial Planning and Building Review Committee.

Mr. Mike Quinn inquired about the First Reading presented at the last Town Council meeting. Secretary Magdeburger said that they could not have a Charter and Ordinance meeting due to the Committees not being finalized yet. Mr. Bill Weistling inquired about the timing of the change to the last agenda. Secretary Magdeburger assured the process was not going to be rushed and they would have hearings and public comment forthcoming. She also assured everyone that the correct processes would be followed.

MOTION for Treasurer Rymer to replace Council Member Breger as a new bank signatory.

Moved by: Vicki Carmean

Seconded by: Jacque Napolitano

MOTION passed unanimously.

MOTION to send the commercial trash issue to Commercial Planning and Building Review Committee.

Moved by: Natalie Magdeburger

Seconded by: Jacque Napolitano

MOTION passed unanimously.

10. Upcoming Events and Meetings:

10.1. October 22- 3:30pm- Town Council Meeting

11. Public Participation

Charlie Hastings- 1303 Bora Bora Street- Mr. Hastings said he did not see Bora Bora Street on the list of new valves, yet his street just flooded and he would like Council to reconsider.

Bill Weistling- 7 E. Indian Street- Mr. Weistling expressed concern about the no thru truck signs on E. James Street. He said he doesn't believe that there is no use for the signs because all the trucks going through Town have a purpose. Chief Devlin said that in order to keep the infrastructure

intact the signs were installed and similar signs were in place throughout the Town.

12. Executive Session

For preliminary discussion on site acquisitions for any publicly funded capital improvements; strategy sessions, including those involving legal advice or opinion for an attorney-at-law, with respect to collective bargaining or pending or potential litigation; discussion of the content of documents, excluded from the definition of "public record"; and personnel matters in which the names, competency and abilities of individual employees are discussed. Pursuant to 29 Del.C. § 10004(B)(2), (4), (6), & (9).

13. Adjournment

MOTION to adjourn the meeting.

Moved by: Natalie Magdeburger

Seconded by: Jacque Napolitano

MOTION passed unanimously.