



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, April 24, 2026

MEETING HELD VIA TELECONFERENCE

MINUTES

In Attendance

Town Council Members:

Mayor Magdeburger, Council Member Brennan, Secretary Napolitano (via Zoom), Council Member Zanelotti (via Zoom), Council Member Wilder, Council Member Wilson, Council Member Rymer

Staff in Attendance:

Town Clerk Ellinger, Building Official Locke, Police Chief Morrissey, Administrative Assistant Grab, Beach Patrol Captain Rykaczewski (via Zoom),

Others in Attendance:

Along with the Town Council and Staff, there were an additional 4 on Zoom and 6 in-person participants.

Motion: To proceed as discussed in Executive Session.

Moved by: Bill Rymer

Seconded by: Lucy Wilder

Result: Motion passed unanimously.

Call to order and flag salute at 1:00 PM.

1. President's Report - Mayor Magdeburger

Mayor Magdeburger reported on several ongoing legal and operational matters affecting the Town.

She advised that the Town has joined Sussex County in filing an appeal related to the SB 159 litigation concerning the proposed wind farm transmission station in Dagsboro. The appeal challenges the State's retroactive action overruling Sussex County's prior decision. The matter will be heard by the Delaware Supreme Court and involves constitutional arguments, including concerns regarding separation of powers and the State's assumption of a quasi-judicial role. Mayor Magdeburger emphasized the importance of the case in preserving local home rule authority.

The Mayor next provided an update on the lawsuit filed by the American Civil Liberties Union against the Town. She stated that briefing on the Town's motion to dismiss has been completed, and a hearing is scheduled for May 4. The Town maintains that its position is supported by law and noted that the ACLU has

characterized its legal theory as novel. Mayor Magdeburger reiterated the Town's position regarding its longstanding voting structure and governance practices.

The Mayor also addressed ongoing concerns regarding shoaling in the West Channel near the point of the ditch. She reported that she has been in direct communication with the Delaware Department of Natural Resources and Environmental Control over the past several weeks. DNREC has acknowledged the issue and is currently targeting funding and permitting for a dredging project in 2027. In the interim, the area remains hazardous, particularly due to misaligned buoys and reduced channel depth.

Additionally, the Mayor reported that adjustments to both DNREC and Town-maintained buoys are anticipated in the near term. The Town has requested coordination with DNREC to potentially complete buoy adjustments concurrently, at the Town's expense.

Finally, Mayor Magdeburger stated that she has engaged with local and state officials, including Sussex County representatives and Senator Hocker, to advocate for dedicated funding to support dredging of the channel.

2. Approval of Minutes

a. Motion: To approve the minutes of March 27, 2026, Regular Town Council Meeting.

Moved by: Bill Rymer

Seconded by: Colleen Wilson

Result: Motion passed unanimously.

b. Motion: To approve the minutes of March 27, 2026, Executive Session.

Moved by: Natalie Magdeburger

Seconded by: Bill Rymer

Result: Motion passed unanimously.

3. Treasurer's Report – Bill Rymer

Council Treasurer Rymer reported as of March 31, the town's overall cash balance was \$4.1 million, which was a decrease of \$210,000 from February 28. This is typical for the town during this time of year. Through March 31, overall revenues and expenses are in-line with expectations with the exception of higher than anticipated legal expenses due to the recent ACLU litigation.

RTT revenues for March totaled \$9,900 which represents one transaction which was nice to see after several months of no activity.

YTD RTT revenues are now \$265,000 or 76% of the annual budget. There is an uptick in property listings, and we still expect to hit the annual budget for RTT revenues of \$350,000.

The town remains on target with its forecasted cashflows.

Mayor Magdeburger reported that the Bethany Beach Volunteer Fire Company fee is expected to increase. She stated that she will work to negotiate the fee and anticipates incorporating it into the upcoming tax billing cycle.

Motion: To accept the March 2026 Treasurer’s Report.

Moved by: Natalie Magdeburger

Seconded by: Lucy Wilder

Result: Motion passed unanimously.

4. Business & Residential Public Participation

None

5. For Discussion and Possible Action:

a. Bryan Reed 25-year anniversary award presentation

Mayor Magdeburger presented Bryan Reed with a 25-year service award in recognition of his longstanding dedication to the Town of Fenwick Island.

The Mayor highlighted Mr. Reed’s contributions as a valued member of the Public Works Department, noting his strong work ethic, reliability, and willingness to go above and beyond in service to the Town and its residents. She commended his kindness, responsiveness, and commitment to assisting residents, particularly during times of need.

Mayor Magdeburger expressed the Town’s appreciation for Mr. Reed’s years of service and recognized the significant impact he has had on the community. A commemorative award was presented, and photos were taken to mark the occasion.

b. Action Form – 2026-001 - 18” pole mounted speed signs for North and South entrances

Chief Morrissy presented a request for the replacement of two pole-mounted speed display signs at the northbound and southbound entrances to Town.

He reported that the Town’s existing speed control devices are no longer functional due to repeated damage from vehicular incidents. While Public Works has previously repaired and reinstalled the units, the devices are now inoperable and require replacement. The existing signs will be sent to a repair facility, with the potential for reuse at additional locations within Town.

The proposed replacement signs are solar-powered and designed to operate continuously. The estimated cost for two new units is approximately \$11,800, as outlined in the Council action materials.

Chief Morrissy advised that he is pursuing potential grant funding and has contacted the office of Representative Gray regarding possible assistance through transportation or highway safety funding programs. He also noted that future efforts will include seeking reimbursement from insurance carriers when signs are damaged in accidents.

Additional discussion included ongoing traffic enforcement efforts and coordination with Delaware Department of Transportation regarding traffic signal timing and pedestrian safety improvements. DelDOT has indicated it will evaluate current conditions, and discussions are ongoing regarding potential adjustments and the installation of flashing beacons at crosswalks as part of future sidewalk projects.

Mayor Magdeburger expressed support for the request, noting that the signs serve as an effective traffic-calming measure and contribute to public safety.

Motion: To approve the purchase of 18” pole mounted speed signs for North and South entrances

Moved by: Natalie Magdeburger

Seconded by: Bill Rymer

Result: Motion passed unanimously.

c. **Action Form – 2026-002 - Town event speaker system**

Mayor Magdeburger presented a request to purchase an upgraded speaker system for use at Town events.

She explained that the Town’s current system is inadequate in both volume and sound quality, limiting its effectiveness during public events. The request was based in part on feedback from event participants, including the choir director, who recommended a more robust system with improved audio capabilities.

The proposed speaker system would be utilized at various Town events, including the Memorial Day Ceremony, Tree Lighting, summer events, and park gatherings, including the upcoming dedication at the Faucett Okie Family Nature Preserve.

The recommended system includes enhanced features, such as an equalizer, and represents an upgrade from the Town’s current unit. The estimated cost is higher than the existing system but is considered appropriate for the Town’s needs.

Mayor Magdeburger expressed support for the purchase, noting the importance of clear audio for public engagement and event success.

Motion: To purchase proposed speaker system

Moved by: Natalie Magdeburger

Seconded by: Lucy Wilder

Result: Motion passed unanimously.

- d. **Jacque Napolitano request for excused absence from July 24, 2026, Town Council meeting**

Motion: To approve excused absence of Jacque Napolitano of July 24, 2026, Town Council meeting.

Moved by: Natalie Magdeburger

Seconded by: Bill Rymer

Result: Passed with 6 in favor and Jacque Napolitano abstained

- e. **Infrastructure Committee requests the possibility of engaging with MARACOOS**

Council Member Susan Brennan, Chair of the Infrastructure Committee, reported on ongoing discussions with Mid-Atlantic Regional Association Coastal Ocean Observing System regarding a potential partnership for coastal monitoring.

She explained that MARACOOS is a regional organization focused on data collection, storm tracking, and monitoring of extreme weather events along the East Coast. The Infrastructure Committee initially engaged with the organization in Fall 2025 and recently participated in a follow-up meeting.

Ms. Brennan advised that MARACOOS currently has grant funding available that may support the installation of a water level gauge and camera within the Town. These tools would contribute to data collection related to flooding and sea level rise, both of which are of increasing importance to the community.

She noted that the Town already has an existing gauge and that any additional installation would complement current data resources. Potential locations were discussed, including areas on the bayside and in the northern portion of Town, subject to connectivity requirements such as Wi-Fi access.

Ms. Brennan stated that the purpose of the update was to inform Council of the ongoing discussions and to seek general support to continue exploring the opportunity. She clarified that there is no financial commitment requested at this time.

Motion: To continue to engage with MARACOOS

Moved by: Natalie Magdeburger

Seconded by: Bill Rymer

Result: Motion passed unanimously.

f. **Discussion of Butts Parking System and T2 Parking System**

Chief Morrissy presented information on two parking enforcement system proposals under consideration: T2 Systems and Butts Ticket Systems.

He explained that both systems offer similar core functionality, including automated ticketing, digital payment options via mobile application or QR code, and integrated collection services.

Chief Morrissy noted that the primary distinction between the systems is cost and operational structure. The T2 system requires a multi-year commitment, with an estimated cost of approximately \$19,000 over three years and includes limited equipment that may restrict simultaneous enforcement activity. In contrast, the Butts system operates on a seasonal subscription model, allowing the Town to pay only during active enforcement months, and utilizes mobile devices and portable printers already compatible with existing operations.

He further explained that the proposed systems would improve efficiency, reduce administrative burden, and address ongoing issues with handwritten tickets, including legibility concerns and limited payment options. The systems would also integrate with existing platforms such as ParkMobile.

Chief Morrissy indicated a preliminary preference for the Butts system based on cost-effectiveness and alignment with the Town's seasonal parking enforcement needs. He also noted that larger municipalities with higher enforcement volume may benefit more from systems such as T2.

Following discussion, Council agreed to table the matter to allow for further review of both proposals prior to making a decision.

g. **CodeRed renewal decision**

Council Member Lucy Wilder discussed the upcoming renewal of the Town's CodeRED service.

She reported that the system, which has been in use for approximately four years at an annual cost of roughly \$5,000, has presented ongoing challenges, including usability issues, limited participation, and difficulties with customer support. She also noted inefficiencies in distributing communications, particularly the "Message from the Mayor," which currently requires significant manual effort.

Council Member Wilder advised that she and staff have been researching alternative notification platforms that would improve functionality, allow for automated messaging, and support broader communication methods, including text, email, and phone notifications. Preliminary findings indicate that comparable or improved services may be available at a significantly lower cost.

She further outlined a potential strategy to increase resident participation through an opt-in process, including incorporating enrollment information into the Town's upcoming tax billing mailer.

Motion: To discontinue the Town's contract with CodeRed and pursue alternative solutions.

Moved by: Natalie Magdeburger

Seconded by: Lucy Wilder

Result: Motion passed unanimously

h. Appeal re: SB159 litigation

Mayor Magdeburger provided an update on the Town's appeal related to SB 159. She confirmed that the appeal has been filed and is currently pending before the Delaware Supreme Court, with Sussex County serving as co-appellant.

She reported that legal representation is being provided on a pro bono basis by Jane Brady and Stephanie Ballard Wagner. Costs incurred to date have been limited to minor expenses, such as printing and research, which are being shared with Sussex County. The total cost to date was reported to be approximately \$1,500.

i. Application from Surf Bagel for parking on unimproved lot

Mayor Magdeburger advised that Surf Bagel has submitted a request to utilize an adjacent, currently unimproved lot located near Essex Street and Coastal Highway for parking.

She reported that the applicant's proposal will be posted on the Town's website for public review. Staff have been directed to notify affected property owners, including residents on Essex Street and additional nearby properties along Bunting Avenue between Dagsboro Street and Farmington Street.

Mayor Magdeburger stated that a public meeting will be scheduled, tentatively targeted for mid-May, to allow for public comment and Council consideration. She noted that Council will have the ability to approve, deny, or modify the request following the hearing.

She further advised that the applicant's representative will be present at the hearing to address questions, and Council members were encouraged to review the proposal in advance and prepare any questions

or recommendations.

j. IQ Fiber request to present to public

Mayor Magdeburger reported that IQ Fiber has requested an opportunity to present information to the public regarding its services.

She advised that the presentation would be scheduled as a separate, non-Council meeting event, likely in July, to maximize public participation during the peak summer season. The session is anticipated to be held in a hybrid format, with virtual access available via Zoom.

Mayor Magdeburger noted that the purpose of the presentation is to provide residents with information and gather public input. Council attendance would not be required.

She stated that staff will coordinate with IQ Fiber to identify an appropriate date, avoiding scheduling conflicts with major Town events, and will provide public notice once finalized.

Motion: To authorize scheduling of a public presentation by IQ Fiber.

Moved by: Natalie Magdeburger

Seconded by: Lucy Wilder

Result: Motion passed unanimously.

6. Committee Reports - Audit, Beach, Budget & Finance, C&O, Dark Sky, Environmental, Infrastructure, Planning Commission

Audit – Bill Rymer

None

Beach – Kurt Zanelotti

Planning is underway for the Town’s bonfire event, including outreach to local businesses for silent auction donations. Two logo options are currently under consideration, with a final selection to be made at the next meeting.

Mayor Magdeburger also discussed a proposed Independence Day community parade, consisting of a family-friendly event featuring children, pets, bicycles, and wagons. The parade is anticipated to begin at the Faucett Okie Family Nature Preserve and conclude at the Pollinator Park.

She noted that the event is intended to be simple in format and community-oriented, without floats or large-scale production. Discussion included providing small prizes or awards for participants. Council consensus supported utilizing Town-provided items

and funding for prizes rather than soliciting donations from local businesses, while still allowing voluntary contributions if offered.

The event is tentatively planned for the morning of July 4, with a targeted start time around 8:30 a.m., subject to coordination with public safety and traffic considerations.

The next meeting will be May 8 at 9:30 AM.

Motion: To approve funding for parade prizes.

Moved by: Lucy Wilder

Seconded by: Natalie Magdeburger

Result: Motion passed unanimously.

Budget & Finance – Bill Rymer

The committee met on Wednesday, April 22 to discuss the current fiscal year 2026 operating projections as well as the timeline for the upcoming fiscal year 2027 budget. Will hold meetings between mid-May and late June with the goal of presenting a recommended 2027 Budget to the town council during the June 26 meeting.

The committee discussed the impact of the slowing real estate market on both RTT revenues as well as building permit revenues. The committee discussed increases to other revenue sources such as property taxes, parking rates and business license fees. More information is to be provided for future discussions and decisions.

C&O – Natalie Magdeburger

Mayor Magdeburger reported that a recent Charter & Ordinance Committee meeting was scheduled to coordinate with the Dark Sky Committee regarding potential updates to lighting regulations. The meeting has been postponed pending further input and proposals from the Dark Sky Committee.

She advised that the C&O Committee will reconvene once those proposals are available, with a focus on collaboration related to dark sky and lighting standards.

In addition, the Mayor noted that work is ongoing with General Code to improve the organization and usability of the Town Code. She clarified that this effort is administrative in nature and focused on restructuring and consolidation, not substantive changes to the Code at this time.

Dark Sky – Rose Mary Hoy

Rose Mary Hoy provided an update on the activities of the Dark Sky Committee.

She reported that the Committee has been actively working to update the Town's lighting ordinance, using the existing ordinance as a foundation while enhancing it to

improve clarity, modernize standards, and make compliance more user-friendly. The Committee has held multiple working sessions and is making steady progress.

Ms. Hoy noted that additional time is needed to finalize a comprehensive draft before presenting it to the Charter & Ordinance Committee for review. Coordination with the C&O Committee will continue once a draft is ready.

She also advised that the Dark Sky Committee will participate in the Town's Earth Day event by hosting an informational table.

Additionally, Ms. Hoy stated that the Committee plans to contribute a Dark Sky-themed prize for the upcoming community parade.

Environmental – Colleen Wilson

Council Member Colleen Wilson provided an update on the activities of the Environmental Committee.

She reported that the Town's Earth Day celebration will be held with a bay-to-beach cleanup event, encouraging community participation. Supplies, refreshments, and giveaways will be provided, and residents were invited to attend.

Ms. Wilson also advised that the Committee is implementing a "mini forest" project at the Faucett Okie Family Nature Preserve, supported by grant funding. Preparatory work has been completed, and approximately 65 trees and shrubs are scheduled to be planted.

She announced that a formal dedication of the preserve is scheduled for May 16 at 10:00 a.m., with participation anticipated from the donor and project partners.

Mayor Magdeburger added that the Town is exploring the designation of the preserve as an arboretum, an initiative introduced through the Environmental Committee. She noted that the donor has expressed strong support for this effort, recognizing it as a meaningful extension of the property's legacy.

Additional discussion included acknowledgment of volunteer contributions and ongoing improvements to the site, as well as consideration of future opportunities for community engagement and support.

The next Environmental Committee meeting is scheduled for May 13 at 9:00 AM.

Infrastructure – Susan Brennan

Council Member Susan Brennan, Chair of the Infrastructure Committee, provided an update on ongoing resiliency and flood mitigation efforts.

She reported that the Committee continues to work with Straughan Environmental to develop data-driven tools and recommendations. The firm is expected to provide a set

of approximately ten potential projects for the Committee to evaluate in addressing flooding concerns.

Ms. Brennan also announced that the Town will host its fourth annual resiliency information sessions, with two sessions scheduled this year. The first session will be held on May 29 at 1:00 PM and will focus on updated data and information. The second session is scheduled for August 21 at 1:00 PM and will include additional input from Straughan Environmental, including discussion of the resiliency toolkit and potential project directions. Both sessions are expected to be available in person and virtually.

She further advised that the Committee has re-engaged with the University of Delaware to continue collaboration on resiliency-related initiatives, following prior research and discussions.

Upcoming Infrastructure Committee meetings are scheduled for April 28, May 12, and May 19 at 10:00 AM.

Planning Commission – Susan Brennan

Council Member Susan Brennan reported that there are no updates from the Planning Commission at this time.

She noted that the Commission anticipates receiving its annual questionnaire in May and will coordinate scheduling of the next meeting thereafter.

7. Department Highlights

Public Works – Mike Locke

Public Works Supervisor Mike Locke provided an update on ongoing operations and signage improvements.

He reported that Public Works has completed a comprehensive review and audit of the Town's ParkMobile signage. As a result of this review, several signs were identified as potentially confusing due to placement in areas where parking is not permitted or on incorrect sides of the roadway.

Mr. Locke advised that the majority of signage adjustments on the ocean side have been completed, including relocating signs to appropriate parking areas. A small number of remaining signs are on order and will be installed upon receipt. He also noted that utility permits were required for certain installations.

He further stated that Public Works will next address signage improvements on the bayside, including areas where concerns have been raised by residents.

Police Department – Michael Morrissey

Chief Morrissy provided a brief update on Police Department activities.

He reported that a prescription drug drop box will be installed at the Police Department, with anticipated availability in early May. The drop box will provide residents with a safe and convenient method to dispose of unused or expired medications.

Chief Morrissy also advised that the Department has received multiple applications for seasonal parking officers and will begin conducting interviews in early May.

Mayor's Update – Police Chief Contract

Mayor Magdeburger reported that discussions have been held regarding the renewal of Chief Morrissy's employment contract. She stated that, in principle, an agreement has been reached for a three-year term beginning in September, with a salary of \$120,000 and a 3% annual cost-of-living adjustment in subsequent years.

The Mayor highlighted Chief Morrissy's contributions to the Town, including improvements in departmental organization, accreditation, policy updates, and equipment modernization. She also noted that the Chief has secured approximately \$271,363 in grant funding to date, with additional funding opportunities pending.

Chief Morrissy expressed appreciation for the opportunity to continue serving the Town and indicated his intent to support a smooth transition at the conclusion of the proposed term.

Administration – Erin Ellinger

Town Clerk Erin Ellinger reported on recent administrative updates and ongoing projects.

She advised that the Town will receive a refund of approximately \$915 following the closure of the business license module within the Edmunds system, as the Town has transitioned to using Quickbase for business license management.

Ms. Ellinger reported that efforts are underway to advertise upcoming summer events in advance of peak seasonal activity.

She also noted that the solicitation for candidates for the upcoming municipal election will be posted within the next two weeks.

Additionally, she advised that lifeguard stand sponsorships are currently being marketed, with remaining availability. Staff will continue outreach efforts and are exploring additional promotional options, including potential use of chamber email distribution services.

Beach Patrol – John Rykaczewski

Beach Patrol Captain John Rykaczewski provided an update on seasonal staffing and operations.

He reported that the Beach Patrol is fully staffed for the upcoming season, with the potential to add one additional guard. He noted that recruitment efforts over the winter have been successful and that the team is well-prepared for the summer season.

Captain Rykaczewski expressed confidence in the strength of the staff and enthusiasm for the upcoming season.

Mayor Magdeburger acknowledged the Department's preparedness and noted an increase in the number of female lifeguards joining the team this year.

8. Old Business

None

9. New Business

Mayor Magdeburger reported that an additional "Message from the Mayor" communication will be issued in the near future.

She noted that several homes within the Town will be featured in the upcoming Beach and Bay Cottage Tour scheduled for July.

The Mayor also announced that the Jamming by the Sea event will take place at Town Hall on May 1. She advised that efforts are being made to accommodate increased attendance, including potential adjustments to the event setup.

10. Upcoming Events and Meetings:

April 25	Earth Day Celebration	8:30 AM
April 28	Infrastructure Committee Meeting	10:00 AM
May 1	Spring Jam with Jamming by the Sea	4:00 PM
May 6	Dark Sky Committee Meeting	10:00 AM
May 8	Beach Committee Meeting	9:30 AM
May 12	Infrastructure Committee Meeting	10:00 AM
May 13	Environmental Committee Meeting	9:00 AM
May 16	Faucett Okie Nature Preserve Dedication	10:00 AM
May 19	Infrastructure Committee Meeting	10:00 AM
May 22	Town Council Executive Session	11:00 AM
May 22	Town Council Regular Meeting	1:00 PM
May 22	Memorial Day Ceremony	5:30 PM
May 25	Town Hall Closed	All Day
May 29	2026 Resiliency Symposium Part 1	1:00 PM

11. Adjournment

Motion: To adjourn the meeting at 2:27 PM.

Moved by: Susan Brennan

Seconded by: Colleen Wilson

Result: Motion passed unanimously.