

MESSAGE FROM THE MAYOR JUNE 2026

“Live in the sunshine, swim the sea, drink the wild air....”

--From Merlin’s Song by Ralph Waldo Emerson

The summer of 2026 has arrived and there are a lot of family fun activities ready to enjoy as well as happenings around Town. Here is the latest from the Town of Fenwick Island.

FENWICK ISLAND PREVAILS IN SUIT FILED BY ACLU BUT MORE CHALLENGES AHEAD TO MAINTAIN VOTING RIGHTS IN TOWN ELECTIONS FOR TRUSTS AND LLCs:

The ACLU sued the Town of Fenwick Island in December and was challenging our election process for Town Council elections. As set forth in our Charter, artificial entities (LLCs, LPs and trusts) are granted to the right to cast a vote in our town elections under our one person/one entity/one vote principle. Asserting that they were targeting “corporations” but also entangling family trusts set up for estate purposes, the ACLU alleged that allowing artificial entities to vote could dilute our voting outcomes and was “unconstitutional.”

By way of background, our Charter was amended in 2008 to allow artificial entities to vote in our Town elections due to the number of property owners that were setting up trusts for estate purposes and under the belief that every property owner who is subject to our Town taxes and ordinances should have a say in electing our Town Council. Artificial entities cannot hold office on our Council, cannot vote in federal or State elections and are only given one vote regardless of how many different properties they own.

Our Charter amendment granting voting rights to artificial entities was unanimously enacted by the Delaware State legislature in 2008 and no one voting in Fenwick Island ever challenged the process. While there are other Towns with similar election provisions and the State of Delaware enacted the Charter provision years ago, the ACLU decided to pursue an action against us. We defended and filed a Motion to Dismiss the Complaint.

Delaware Superior Court Judge Craig Karsnitz granted our Motion to Dismiss the ACLU action and ruled that our voting process was constitutional. The ACLU has now appealed to the Supreme Court of Delaware.

In May, the Delaware legislature, with the Governor’s public urging, initiated a constitutional amendment to prohibit all artificial entities from voting in any election in Delaware, including ours. To be successful, the legislature would have to approve the amendment in two successive legislative sessions. At the time of this writing, the

House passed the amendment and it has been referred to the Senate.

We have a little over 900 registered voters for our Town elections. Approximately 219 are artificial entities that are afforded one vote to be exercised by a person through a Power of Attorney. Of the 219 artificial entities that are registered, the vast majority are trusts set up for estate purposes that own properties within the residential zone. Less than 15 of the artificial entities are “businesses” who own property within the commercial district of our Town. As we have a one person/one entity/one vote provision, regardless of the number of properties an artificial entity may own, the entity is granted only one vote. So, if an entity owns one property, there is one vote and if the entity owns 10 properties, there is one vote: one person/one entity/one vote.

What does this mean for you? If you own property through a trust or corporation and are not a full-time resident, please stay tuned. Delaware appears poised to prohibit you from voting in our Town elections. Senator Hocker and Representative Gray understand our position and are actively advocating to protect our voting process; however, the majority party in Delaware appears focused on passing a Constitutional Amendment which would eliminate your vote. We will continue to try and protect it.

TREASURERS REPORT:

As of April 30, the town’s overall cash balance was \$3.98 million, which was a decrease of \$120,000 from March 31. Payroll expenses will increase in late May as the town brings on the summer lifeguards. Through April 30, 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 April were about \$58,000, which is a rebound from the slow winter months.

YTD RTT revenues are now \$323,000 or 92% of the annual budget. The town remains on target with its forecasted cashflows.

BUDGET AND FINANCE COMMITTEE REPORT:

The Budget and Finance Committee has approved the FY2027 budget and has sent it to Town Council for adoption. Given the slowing of RTT revenues and increases in the cost of staff salaries and benefits, the Budget and Finance Committee is recommending to Town Council to implement a tax increase of 4 cents from .174015 to .214015 per hundred dollars of assessed value, the first tax increase since 2002. In addition, the Budget and Finance Committee is recommending increasing the long-term rental rate from 4% to 7.5% which would be consistent with the short-term rental rate.

The historical background that was considered by the Budget and Finance Committee in making these recommendations: (1) payroll and benefits represent 74% of total town operating expenses and these expenses have been rising each year; (2) when comparing the FY2027 Budget with FY2022 actual results, overall expenses have increased by

\$860,000. Salaries/health insurance/benefits represent \$670,000 (\$490,000 for salaries and \$180,000 for insurance) of that total increase with General Insurance (\$46,000), Trash services (\$37,000) and IT support (\$33,000) representing the other large increase. Over that same time period, salaries and benefits for the Police Department increased by \$274,000 along with a \$139,000 increase in the Lifeguard Department. This represents \$412,000 of the \$670,000 previously mentioned; (3) during the Fenwick Island FY2022 Budget discussions, the then Town Manager strongly recommended a tax increase in either FY2022 or FY2023 due to rising salary costs that was exceeding taxes collected; and (4) in each of the ensuing years, Town Council intentionally delayed raising property tax increases and due to the favorable real estate market chose to rely on RTT revenues (fees collected from property sales) and new home construction/renovations permit fees **for as long as possible** to provide adequate cash reserves to offset the continued cost increases (salaries, health insurance, and general insurance).

The Town has not raised property taxes since August 2002 (24 years ago) even though other towns around us have had several tax increases. Examples include:

- o One local beach community increased property taxes by 100% in 2008 and has had seven additional increases since 2010 which totaled 24%. Cumulative increase in last 18 years of 124% (without the impact of compounding interest).
- o Another local beach community recently increased their property tax revenues by 55% in FY2026.

We have now reached the point where the rising costs of salaries, benefits and insurance have outpaced the RTT revenues. While raising property taxes is never an easy discussion, it is certainly not considered in this case without good cause. The decision of the Budget and Finance Committee to recommend the tax increases was unanimous and Town Council will consider accepting the recommendation of the Budget and Finance Committee as proposed **at the June 26, 2026, Town Council meeting.**

INFRASTRUCTURE/FLOODING UPDATE:

Bayside flooding is one of our biggest priorities for the Town. We hired Straughan Environmental to create a Comprehensive Engineered Master Resiliency Plan for the Town and to define engineered methods of mitigation, recommend proposed demonstration projects, develop concept designs for the demonstration projects, prepare final design plans with cost estimates, and prepare bid documents for the high priority demonstration projects. We hope to have the Comprehensive Engineered Master Resiliency Plan completed by Straughan Environmental by the end of 2026 and it will provide the next set of tools and insight for taking the additional steps for mitigating bayside flooding and planning for resiliency.

Straughan Engineering has recommended that we ensure that all our bayside homes/street ends meet a target elevation (bulkhead/berm) of 3.98NAV88 by 2050 to

protect the Town from bayside flooding. In addition, the Infrastructure Committee held a public engagement symposium in May to share Straughan's findings and recommendations to date. **You can access the symposium at:** [Bayside Resiliency Planning & Flood Mitigation Strategies Forum - Zoom](#)

Public Works continue to maintain the valves that have been installed in the drainage pipes and to clear debris from pipes. If you believe that the valves are not working or that the pipes are not open, please contact Town Hall to report. You can access updates on maintenance/inspection and repairs to the pipes on our website, under the Departments-Public Works—Discharge Replacement Plan at <https://fenwickisland.delaware.gov/files/2025/09/DISCHARGE-REPLACEMENT-PLAN-2025.pdf>. Please keep in mind, in the event of high tides, the valves and pipes cannot assist until the tide recedes. Our Town on the bayside is flat and almost at sea level so there is not enough “fall” for the pipes to be effective while the tide is high.

We have also repurposed some “NO WAKE SIGNS” that we place throughout Town in problem areas to remind drivers to travel slowly through the road when there is flooding so as to not create a wake that can enter homes.

MARYLAND OFFSHORE WIND PROJECT UPDATE:

The future of offshore wind along our coast is still UNCERTAIN; however, the Delaware legislature continues to move forward with plans to permit the wind companies onto our coast.

The battle is now being fought in the Courts. There have been a lot of filings, motions, rulings and appeals and some disappointing decisions at the state level.

In Delaware actions, we have participated in filing appeals challenging the permitting process by DNREC that approved connecting the cables by jet plowing through the Indian River Bay, raising concerns about the negative impacts on the environment, including the inland bays, tourism and property values, as well as DNREC's failure to adequately follow its own regulations in approving the project. Document exchanges have revealed that the Center for Inland Bays had deemed that jet-plowing through the Indian River Bay was the “worst option” and would have a significant negative environmental impact. Former Attorney General and Judge Jane Brady and Stephanie Ballard Wagner represent the Town, as well as other appellants, without charging legal fees. These cases are still pending.

We also joined Sussex County in challenging the State of Delaware in passing SB159 that circumvented Sussex County's denial of US Wind's request to build an electrical substation at the old Indian River Power Plant. We argued that SB159 ignores generations of legal precedence known as “home rule” which empowers local

jurisdictions to implement zoning decisions that are best for its constituents. Former Attorney General and Judge Jane Brady and Stephanie Ballard Wagner again represented the Town and Sussex County gratis. Unfortunately, the Court of Chancery ruled that the State was entitled to “reclaim” their zoning power and issue the permit. We joined with Sussex County in appealing the decision and the Delaware State Supreme Court affirmed the Chancery Court ruling.

On the federal level, we are a party with Ocean City and others in challenging the issuance of the federal permit. The government (BOEM—Bureau of Ocean Energy Management) filed a Motion to Remand and Vacate the permit that was issued by their agency, citing an error in assessing the ecological, economic and national security impacts when the permit was issued; however, the lower Court denied BOEM’s request. In the same action, the Court denied US Wind’s motion for a preliminary injunction to block the federal government from reviewing or potentially revoking the permits, basing the ruling on the fact that BOEM had not yet revoked the permits making the issue not yet ripe for judicial intervention. So, the case proceeds with further discovery, argument, and briefs. In the meantime, the Trump administration has been buying back a number of the leases; however, no word on whether the administration will do so with the permit issued to U.S. Wind for the project that will affect us.

ENVIRONMENTAL COMMITTEE UPDATE:

The Environmental Committee has been remarkably busy getting Fenwick ready for the summer season. We held the formal dedication of the Faucett Okie Family Nature Preserve in May. In addition, the Town received a grant to create a pocket forest in the preserve and plantings were put in place in April.



Figure 1--Dedication of the Faucett Okie Family Preserve



In addition, the Environmental Committee participated in Dune Grass planting in March, sponsored the annual Bay to Beach Cleanup in April and got the Pollinator Park ready for the season as well as worked on the sidewalk plantings.

The Environmental Committee also hosted the annual Pollinator Park Soiree on Saturday, June 20th . If you missed it, come see what is in the park—it is beautiful.

The DarkSky Committee is also creating a list of DarkSky friendly lighting choices that can be distributed to residents and businesses when considering lighting for new builds.

The DarkSky Committee is partnering with the Fenwick Island Yacht Club to host a “Night on the Bay” on Saturday, June 27th beginning at 7:30 p.m. Anchor near the Seal Island pilings and enjoy community while the sun sets. By 9:00 p.m. enjoy a moonlight paddle and sail and experience the beauty of Fenwick’s dark skies. All vessels are welcome.

Now that summer is here and we are all returning to Fenwick, the DarkSky Committee wants to remind everyone to consider the impact lighting has on others, particularly our friends in nature, and to consider the savings that can be achieved when making DarkSky endorsed lighting choices.

Light pollution wastes money and resources.



Lighting levels that are higher than necessary and light that shines when and where it's not needed is wasteful. Wasting energy on bad lighting design has huge economic and environmental consequences.

Tracking the cost of light pollution.



Light pollution wastes billions of dollars.

DarkSky estimates that 30 percent of all outdoor lighting in the U.S. is wasted, mostly due to unshielded or excessively bright lights. This adds up to \$3.3 billion dollars wasted annually. Installing quality outdoor lighting could cut energy use by 60 to 70 percent, saving billions of dollars.



Light pollution contributes to the growing climate crisis.

Artificial lighting at night and the energy required to produce it has a large carbon footprint. In the U.S. alone, unnecessary lighting produces 21 million tons of carbon dioxide each year! 875 million trees would need to be planted annually to offset this waste.



Maximize the efficiency of your home lighting.

- Outdoor lighting should be fully shielded and directed downward where it is needed. Fully shielded fixtures can provide the same level of illumination on the ground as unshielded ones, but with less energy and cost.
- Unnecessary indoor lighting – particularly in empty office buildings at night – should be turned off, preventing leakage of that light into the night sky.
- LEDs and compact fluorescents (CFLs) can help reduce energy use and protect the environment, but only warm-white bulbs should be used.
- Dimmers, motion sensors, and timers can help to reduce average illumination levels and save even more energy.

FENWICK ISLAND POLICE UPDATE:

We have a new officer in Town! Please welcome Patrolman First Class Robert Quirk who officially joined the Fenwick Island Police Department in May. Patrolman Quirk retired from the Maryland State Police before having experiences with both Laurel and Ocean City.

The Police Department now has a drug take back box available for use. If you have unused/outdated drugs, you can place them for destruction in the drug take back box in the Police Station.

Our Police Department also made national news after investigating and arresting several individuals who were allegedly stealing used cooking oil from some of our Town restaurants. Evidently, there is quite a market for the sale of used oil. You can access the article on People at: [2 men arrested for alleged cooking oil heist in restaurants across beach town](#)

Master Corporal Majewski and PFC Quirk joined fellow officers from around Delaware to run in the 2026 Law Enforcement Torch Run for Special Olympics. The eastern leg of the torch run began in Fenwick and concluded in Rehoboth Beach.



Chief Morrissey's contract will expire in September and the Town has negotiated a three-year extension with him.

BEACH COMMITTEE UPDATE:

The Beach Committee has an exciting lineup this summer. Please mark the dates!

- **Annual Town Bonfire on Saturday, July 18, 2026, to Support FIBP. Please note the date as it is NOT on July 4th weekend due to the 250th USA 4th of July celebrations that will conflict.**
- **Fenwick Flicks-- July 17th at Bayard Street at 8 p.m. ("Happy Feet").**
- **Fenwick Flicks-- August 14th at Bayard Street at 8 p.m. ("Minions").**
- **NEW ADDITION--Fenwick Flicks Classic Movie Night-- August 21st at Bayard Street at 8 p.m. ("Casablanca").**

The Beach Committee's raised funds purchased a new Lifeguard shed that is equipped with electricity as well as a new side by side vehicle.

FENWICK ISLAND BEACH PATROL UPDATE:

The FIBP is fully staffed and now on duty every day for the 2026 season.

The Fenwick Island Beach Patrol provides access to the beach with a vehicle used to transport people with disabilities, injuries, the elderly and other special circumstances on to and off the beach. This service is provided between 10:30 AM - 3:00 PM from June - Labor Day. To utilize this service, you may call the beach patrol phone at **302-462-6942**. Since we only have one vehicle for transport, we ask for your patience as there may be wait times between trips.

If you prefer, the Beach Patrol also has 3 beach wheelchairs available. To utilize the use of a wheelchair, please contact 302-462-6942 (June - September) or 302-539-3011 (October - May).

All dunes in town are equipped with ADA compliant Mobi-Mats that are designed to provide accessibility to our beaches for pedestrians, wheelchair users, strollers, and individuals with limited abilities.

Please pay attention and adhere to all instructions from the FIBP. Let's enjoy a safe summer.

WE ARE HAVING A 4TH OF JULY PARADE ON BUNTING AVENUE

To celebrate the 250th Anniversary of the founding of our country, we hope you will participate in our 4th of July parade, beginning at 9 a.m. at the Faucett Okie Family Preserve at Bayard Street and ending at the Pollinator Park.

No bands, just us – dressed in our best 4th of July costumes and promenading down Bunting Avenue.

Folks walking, strollers, and wagons welcomed but, for safety reasons, please leave the bikes at home for this parade. Prizes will be awarded for best patriotic costumes. Let's see who has the most unique and inspiring presentations!

The Station also extends an invitation to participants to join them at their Patio for a post parade celebration and enjoy hot coffee, lemonade, and 4th of July treats.



TOWN ELECTION UPDATE:

There were two people filing for three open positions on Town Council. Therefore, there is no need for a Town Election.

Jim Simpson and Behrooz Garavi filed for the open Council seats and were certified as qualified candidates by the Election Board. Jim and Behrooz will be sworn in as new Council members at the August reorganization meeting, date to be determined.

The third open Council position will be filled after the August reorganization meeting by the newly formed Council. If you are interested in being considered for this open Town Council position, please contact me.

THANK YOU TO OUTGOING COUNCIL MEMBERS BRENNAN, WILSON, AND RYMER:

A huge thank you goes out to Council Members Susan Brennan, Colleen Wilson and Bill Rymer, whose terms on Town Council will expire in August.

Susan, Colleen, and Bill have made tremendous contributions to the Town of Fenwick Island while serving. All of us who serve on Council do so strictly as unpaid volunteers and the time commitment can be pretty overwhelming at times; however, these three folks never wavered, showed up without hesitation and always delivered. Our Town is

better because of them.

Completing the tremendously time-consuming dredging project (and he does not even own a boat) as well as providing sound financial planning with daily oversight of the Town's finances – thank Bill Rymer. Pollinator Park and taking over the Faucett Okie Family Preserve, not to mention Beach Grass planting, Earth Day and working to beautify all of Fenwick as well as so much more – thank Colleen and Susan. Educating us about the impact of windfarms and hosting the first symposium in the area on the topic, thank Colleen again. Leading resiliency/bayside flooding mitigation planning and overseeing the creation of the 10 Year Comprehensive Plan – add that to Susan's list.

Bottom line is that Bill, Susan, and Colleen never stopped working FOR Fenwick so that each of us can continue to enjoy the Town we love so much. They have freely offered their talents and their time to keep our community special and a simple “thank you” does not seem sufficient. There is no doubt that they certainly deserve a rest. However, no one is riding off into the sunset just yet as all have pledged to continue to provide their volunteer time and efforts on the committees in which they serve.

When you see Bill, Susan or Colleen, please take a minute to thank them--their unselfish commitment to the Town of Fenwick Island has made such a difference. On a personal note, it has been an honor and a pleasure to work with all three of them – they have been great teammates while serving this “hospitable beach” we call home.

OTHER TOWN COUNCIL NEWS:

MARINE SCIENCE CAMP IS COMING TO FENWICK ISLAND FOR THE SUMMER OF 2026--Town Council approved the use of Town facilities to host Marine Science Camp. Visit www.marinesciencecamp.com to learn more.

CASSELLA WASTE SERVICES was awarded a three-year contract after being the only bidder for our trash services. Currently, the rate is \$17.57 per home and the new contract renewal calls for a year one fee increase of \$17.92 per home, year two \$18.45 per home and year three \$19.00 per home.

TOWN PURCHASED AND IMPLEMENTED NEW PHONE SYSTEM with savings of approximately 40% of current costs. Our phone system had reached the expiration age and was no longer being supported by updated technology. The new system is now installed and while the message might be a little different, the folks answering are still the same.

TOWN WORKING TO INTRODUCE NEW ALERT/MESSAGING SYSTEM WITH BYRX after terminating service with Code Red. The change in system will save the Town approximately \$4500 a year, is much more user friendly and will allow us to push

out updates more easily and efficiently. You will get information about signing up in the tax package sent to you in July. Please complete the necessary forms so we can keep getting the Town updates out to you. Thank you to Council Member Lucy Wilder who spearheaded this project.

IQ FIBER PRESENTING TO FENWICK on July 16th at 10:00 in Town Hall to gauge community interest and discuss what they could offer in the way of fiber optic internet services if the Town of Fenwick Island allows them to expand their fiber optic network into Town.

BE ALERT FOR FALL HURRICANES/STORMS/TOWN UPDATES:

We post updates about events, cancellations, or news on the Town's Facebook account at <https://www.facebook.com/TownofFenwickIsland>.

COMING ATTRACTIONS:

- **Town Council Meeting on June 26th at 1:00 p.m. at Town Hall or via Zoom.**
- **DarkSky and Fenwick Island Yacht Club "A Night on the Bay" on June 27th a sunset raft-up beginning at 7:30 p.m. near the pilings at Seal Island in the Little Assawoman Bay—all vessels welcome.**
- **Fenwick Island Community Fourth of July Parade at 9 a.m. on July 4th, starting at Faucett Okie Family Preserve and ending at the Pollinator Park. Come in 4th of July themed attire and BE THE PARADE—walkers, wagons and strollers welcomed (sorry, for safety reasons no bikes please). PRIZES WILL BE AWARDED. The Station is inviting attendees to come to their patio for a "post parade" celebration and will have hot coffee, lemonade, and 4th of July themed treats.**
- **IQ Fiber presentation on July 16th at 10 a.m. in Town Hall**
- **Fenwick Flicks—July 17th at 8 p.m. at Bayard Street**
- **Annual Town Bonfire—July 18th at Bayard Street beginning at 7 p.m.**
- **Town Council Meeting on July 24th at 1:00 p.m. at Town Hall or via Zoom.**
- **Fenwick Flicks on August 14th at 8 p.m. at Bayard Street**
- **Fenwick "Classic Movie Night" Flicks on August 21st at Bayard Street at 8 p.m.**
- **Town Council Meeting on August 28th at 1:00 p.m. at Town Hall or via Zoom.**
- **Various Committee meetings can be found by going to the Town's website at <https://fenwickisland.delaware.gov/>.**

Please feel free to reach out to any Town Council member if you have any questions or concerns about things happening around Town and remember to check our website and Facebook pages for current information/events.

Regards,
Natalie Magdeburger
Mayor/President of Fenwick Island Town Council

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*To stay informed about events, meetings and things going on around Town, please be sure to check out the Town's website at <https://fenwickisland.delaware.gov/> and look under the **MEETINGS, EVENTS, AND CALENDAR** tab in the center of the homepage to review all the events, meetings and links for Zoom attendance. There is lots of information on the website and you can even access many of the forms that the Town uses.*

*You can also sign up for an **"Events Subscription"** by going to the **Contact** tab at the top of the Town's website homepage which will result in the receipt of an email to you on each day that notices of meetings and events are published on the Town's website, including a link to the activity.*

*You can also use the **Contact** tab on the website to contact Town Hall if you have a question, need assistance or have a suggestion.*

*The Town's Facebook page also hosts updates/announcements and is on Facebook at **Town of Fenwick Island-Government**.*

There are LOTS of activities and meetings going on and we hope by using the Town's website and Facebook, you will not miss the things that are important to you and your family. Of course, if you do not use the internet, you can always call or stop by for assistance or information.

If you are getting our email updates, please make sure to "whitelist" our address as some internet providers like to mark the updates as spam and are sending our materials to your spam folder.