## Minutes of the Regular Town Council Meeting

**Monday, June 14, 2021**

1. **Call Meeting to Order**

The meeting was called to order at 7:00pm by Kathy Lock. Council members in attendance were Bob Wood and Ivan Lanier, and Larry Meinert was present via Zoom link. Due to the Covid-19 virus, the meeting was held in person as well as via Zoom link.

Community members in attendance are shown on the attached electronic and paper sign-in sheets. Kathy Lock, Mayor, acknowledged and thanked everyone for their attendance and support, and requested everyone remain on mute.

The Mayor introduced Mark Schaeffer, our Councilman from the Sussex County Council and thanked him for attending with Hans Medlar to discuss what would be involved if our Town were to request to form a sewer district.

1. **Approval of the May, 10, 2021 Town Meeting Minutes**

**Motion:** A motion was made by Bob Wood and seconded by Ivan Lanier to approve the May 10, 2021 Town Council Meeting Minutes. **The motion carried unanimously, 4-0.**

1. **Approval of the June 14, 2021 Meeting Agenda**

**Motion:** A motion was made by Bob Wood and seconded by Ivan Lanier to approve the June 14, 2021 Town Council Meeting Agenda. **The motion carried unanimously 4-0.**

1. **Consultant Hans Medlars – Sussex County Engineer presentation (copy enclosed)**

Hans has been doing this job since 1985 and agreed to share some of his knowledge with our community to help us determine the best course of action to benefit our homeowners.

**(The following is a summary of presentation prepared by the Sussex County Engineering Department – it does not necessarily imply future action by the Town.)**

Because Slaughter Beach is an incorporated municipality, the Town Council could petition the County Council to form a sewer district.

Sussex is the second largest sewer utility in the State of Delaware with over 75,000 participants. Everyone pays the same service charge annually, currently set by the County Council at approximately $300/year, billed quarterly. The other annual charge is the assessment fee. This fee is added to property taxes and recovers construction costs and loan servicing costs.

Permit fees and connection fees (“Impact Fee”) will be included in the annual assessment charge.

the estimated annual service charge to Slaughter Beach residents would be $300, which has increased, historically, less than 2% per year. Therefore, it is likely that the fee would not change much by the time all the planning, approvals and creation of the sewer district are completed.

The Annual Assessment charge is based upon the median household income (MHI). Sussex County’s median household income runs in the $60,000s. Slaughter Beach’s median income is similar. Therefore, the estimated annual assessment charge would be $900 per dwelling unit.

New construction begun after completion of the sewer district would be charged a System Connection charge, estimated at $6,600 per dwelling unit.

Homeowners with current systems would be responsible for septic abandonment. Estimated at $1,500 to $2,000. This estimate includes a $100 permit fee. State law requires that every homeowner remediate the tank they currently use to avoid problems in the future. Drain fields do not have to be removed.

If this process moves forward, each homeowner will receive a letter from the County Engineer that states that once the system is operational all residents will be required to connect within 110 days.

Connection to the system will be mandatory and property owners will be billed even if they don’t connect.

Owners of vacant lots will pay the Assessment as well. The County Code allows for those that are tax exempt to not pay the Assessment, however, they will be required to pay the service charge.

Financial assistance is available to qualified homeowners through a County run need-based assistance program.

It can take up to five years to design and build an operational system. If the County Council determines that forming a sewer district for the Town is in the best interests of the County, new construction efforts can be a near term service letter which allows for construction of an interim waste system that will not meet the highest standards required today. The County also views failing systems in the same way.

The Preliminary Engineering Report prepared for the Town would need to be updated.

The American Rescue Plan Act is not specifically an infrastructure funding vehicle, however, those funds that have been distributed to the State, County, and Slaughter Beach can be used for infrastructure, at the discretion of the relevant entities such as the Sussex County Council and the President of the County Council. It is hoped that those Federal funds will be used to pay for part or all of the sewer construction project, thus lowering the annual Assessment fee, which is the biggest potential cost to homeowners.

For a sewer project to proceed the Town Council would need to request to the County Council the formation of a sewer district pursuant to Title 9 Delaware Code § 6501. The County Council may accept and establish a sewer district, or reject it.

There are many projects in the pipeline. Some have been finished in three years but the overall expectation for a Slaughter Beach project would be five years from start to finish.

The closest existing sewer line is located in the City of Milford. However, the Engineering Department will consider building a new facility. Fees are tied to the household median income and if the County opts to build a new facility this would not affect our costs.

Single Family Homes, regardless of whether they are rented to an individual or multiple families, are charged at the same rate.

Environmental benefits of a central sewer system - our wastewater treatment plant has a biological nutrient removal system, so when we discharge after processing, we discharge nitrogen and phosphorous at 5 parts per million; when you flush, the water goes into the Bay and it’s 40 plus parts per million.

To put that in perspective, the Herring Creek project which is about 900 units - taking that offline is the equivalent of taking the city of Rehoboth Beach out of the system.

The first step in the process would be for the town council to vote to request to form a sewer district. The county council will then vote – if they accept the invitation, at that time we are locked into the decision to become a sewer district. The town cannot rescind their request once the County Council approves the request, reference Title 9 in County Code.

1. **Resignation:**

Our sincere thanks to Gary Plescia for his time serving on the Town Council and our thanks to Joanne Plescia for offering to fulfill his responsibilities to term. Joanne was sworn in at the Meeting.

1. **Elections**

The terms of Ivan Lanier and Larry Meinert expire in July. Both individuals filed to stand for reelection. No other individual filed. Therefore, no election will be held this year.

1. **Financial Audit**

Joanne Plescia recommended the Town again contract with Sombar & Company at a price of $4,490.00 to perform the annual audit.

A **Motion** was made to appoint Sombar & Co as the auditor for fiscal year 2021 by Bob Wood and seconded by Ivan Lanier.

**The Motion carried unanimously 5-0**

1. **American Recovery Act Funding**

Town will receive $130,000 in two payments. The first tranche will be deposited in June 2021. The second tranche will be deposited one year later.

Funds may be used for Covid related costs. The Town incurred approximately $120 in Covid-related expenses for cleaning and sanitizing supplies to date. However, the Act also allows funds to be expended on sewer, water, or broadband infrastructure

1. **Reports**
2. Joanne Plescia presented the Treasurer’s Report with copies attached.

**Motion:** A Motion to approve the June 2021 Treasurer’s Report, subject to audit, was made by Bob Wood and seconded by Ivan Lanier.

**The motion carried, 5-0.**

1. Joanne Plescia presented the Tax Collector report (attached) and concluded that in June 2021 we were approximately 98% up-to-date on collections.

**Motion**: A Motion to approve the Tax Collector Report, subject to audit, was made by Ivan Lanier and seconded by Bob Wood.

**The Motion carried, 5-0**.

1. Building Enforcement Officer/Floodplain Administrator

Bob Wood presented the report, advising Bob Clendaniel worked 16.75 hours and issued two permits.

1. Town Street Committee

There is no update as we wait to hear what municipal street aid funds will be made available but we believe it will be the same as last year, approximately $17,000.

1. Mayoral and Council updates

Resilient and Sustainable Communities League (RASCL) – Bob Wood advised it was a short meeting but our representative Bryan Shupe has put a bill forward to consolidate all voting from the state records. Town Ordinances allow all property owners AND residents to vote in municipal elections. Voting eligibility is based on Sussex County tax records – not on State voter registration. Mayor Lock submitted a request that the town be exempted from the requirement to use State voter registration lists for municipal elections.

Association of Coastal Towns meetings. The Town is invited to attend ACT meetings. The June meeting addressed the windmill farm that will be constructed off the coastline south of Fenwick Island and Ocean City, Maryland. Electricity generated by the windmills will be sent to one of three generating stations; Indian River, Milford, or a station close to Dover. Initial planning indicates the farm will be capable of generating enough electricity to serve 70,000 homes and will substantially strengthen the electric grid

Sussex County Association of Towns (SCAT) – no update

Delaware League of Local Governments (DLLG) – no update

1. **Old Business**
2. **Grants and on-going projects**
3. University of Delaware Hydrology Study – Final report due June 19. We will update everyone at the July Meeting.
4. WIIN Project – NFWF and the Pew Charitable Trust: The Mayor has invited the group to give a presentation at our August Town Council Meeting.
5. Anchor Engineering QEA, Sussex County Council has funded a research grant to study the detritus on our beach as potential use for composting chicken waste but that report will not be completed for some time. Anchor should have an update at the end of this month.
6. **Sand on the Beach –** we have organized a meeting with DNREC, USACE, Mayors from local beaches on the Delaware Bay, our county and state legislators and the Governor. The purpose of the meetings is to find a faster, cost effective and realistic way to get sand on our beach. With the increasing storms, and the damage we are already suffering, we are not alone in feeling forgotten and fed-up with the delays in getting sand replenishment and are hoping to bring a more cohesive group to the table to argue our case and move to a satisfactory conclusion with greater speed. Beneficial Use of Dredged Material on the Delaware Bay – a study is on the website for anyone to read – 263 pages.
7. **458 Bay Avenue.** No update as we are waiting for a court date.
8. **5G Wireless** – We are watching the problems that Dewey is facing after putting up their towers, and waiting to see what Lewes puts together before we move on this topic.
9. **5K** – Julia is working on fund-raising partnerships, advertising and media – any volunteers would be welcome, and thank you to those that have already offered significant help.
10. **Phragmites**

We would like to remind everyone who have phragmites on their property that we are participating in the Wildfire Reduction Act with the Division of Fish & Wildlife. We continue to apply for grant funding to off-set all costs in participating in this program. Please sign and drop off a completed phragmites eradication contract (on the website under Information, Phragmites Eradication) to the Town office mailbox, 357 Bay Ave., or send it via email to the town manager.

1. **Mosquito Control**

Bob Wood advised that numbers are higher than usual this year, and if you find there are a ridiculous amount near your home you can call him and he will request an additional spray if it’s possible (weather permitting). Everyone that lives at the beach should register with DNREC online to get the warnings that a spray will be coming – the warnings given are usually short notice. The reason the plane was flying low to spray earlier in June is they need to get an even spray as they were targeting mosquito larvae.

1. **Open Forum**

**Slides/Presentation and Engineering Reports**

Town manager will send to anyone that requests same via email.

**Street Lights**

A resident asked who to call to report streetlights not working and it was suggested that you register with Delmarva Power as they have an app that makes it easy and convenient to send notifications of outages.

1. **Adjournment**

**Motion**: Joanne Plescia made a motion to adjourn and was seconded by Ivan Lanier at 9:00 pm.

**The Motion passed unanimously, 5-0**