## Minutes of the Regular Town Council Meeting

**Monday, January 10, 2022**

1. **Call Meeting to Order**

The meeting was called to order at 7:00pm by Mayor, Kathleen Lock. Council members in attendance were Joanne Plescia, Larry Meinert, and Bob Wood. Due to the Covid-19 virus the meeting was held via Zoom link only. Community members in attendance are shown on the attached electronic sign in sheet.

Mayor Lock acknowledged and thanked everyone for their attendance and support and requested everyone remain on mute advising questions would be addressed at the public comment section at the end. Please sign in if you are on the zoom chat with your name and address for our record keeping and note if your spouse is on the zoom with you.

Our special guest this evening is Tony Pratt so we will ask that you allow us to do the meeting out of order so as not to take too much of his time.

1. **Approval of the December 13, 2021 Town Meeting Minutes**

**Motion:** A motion was made by Joanne Plescia and seconded by Bob Wood to approve the December 13, 2021 Town Council Meeting Minutes. **The motion carried unanimously, 4-0.**

1. **Approval of the January 10, 2022 Meeting Agenda**

**Motion:** A motion was made by Joanne Plescia and seconded by Bob Wood to approve the January 10, 2022 Town Council Meeting Agenda. **The motion carried unanimously 4-0.**

1. **Reading of Correspondence:** Mayor Lock advised that a zoom call was held with the Governor earlier in the day to update expectations and restrictions as a result of the pandemic, noting that two testing sites had to shut down due to illness. Numbers for hospitalization in Delaware have increased dramatically so effective tomorrow, January 11, 2022 at 7am all citizens will be required to mask indoors. Among the changes noted, FEMA will be setting up mobile testing sites with dates and locations to be decided by January 17th.

Joanne Plescia advised in addition, the Governor is calling up healthcare professionals that may be retired in the State or have let their certifications lapse – and allowing them to return to work without updating their certifications as this is a medical emergency, both mental and physical health.

The Mayor was copied on an email today from Delaware Bay Launch Service to the US Army Corps of Engineers requesting assistance as they have experienced recent drastic changes to Cedar Creek, inside the Mispillion River Inlet. There is now severe shoaling inside the Creek that is preventing the DE Bay Launch Service from transiting either side at low tide, by a minimum of one hour and more commonly 1-1/2 hours. They cannot transit without running aground. This is a major public health issue and Tony Pratt and the Mayor will work on this tomorrow.

If our first responders cannot get to sea in the event of oil spills or a marine accident it is a public health issue and the last time this Creek was dredged was 2019 and DNREC undertook that project.

Larry Meinert – is there any suggestion that the condition of the south side of the jetty contributes to that buildup of the material in the Channel? Is this an opportunity to talk with the Corps about that issue? Mayor Lock, I believe shoaling is mostly mud and not detritus. Larry – the condition of the jetty affects the flow pattern of the water of the river and could be directly connected to where the mud is being deposited. Tony Pratt – we don’t actually know if it’s mud or sand. When the original breach occurred while Mr. Pratt was still working at DNREC, on the north side of the inlet, the shoal that developed around the confluence of Cedar Creek and the Mispillion River as it entered the jetty was all sand. Loose sediment, like silt and mud might not have a chance to settle based on traffic going in and out, however, this is something we will ask about. The Corps (USACE) will likely advise that they will need to study what the material is and how it is occurring in addition to advising that there is no money available at this time, but we will be calling Monica Chasen tomorrow to learn what their plans might be. Larry Meinert – the point being that this is an opportunity to engage the Corps in a conversation about the condition of the jetty and whether this condition is related to these other problems.

1. **Reports:**
2. **Tony Pratt** has been working with DNREC on the truck haul project and DNREC have started hauling sand as of today. Perseverance paid off. In addition, the work continues on the “Authority” for the USACE to work on the long-term project of fixing the beach with John Kane in Senator Carper’s office. John Kane is addressing the concerns of the Bay beaches with a draft WRDA and Tony Pratt drafted a letter that the Town Council has already mailed to each of our legislators sharing our needs and requesting action as well as money for the long-term plan. There is going to be a federal hearing on February 23rd in Bethany Beach and the Mayor has been invited to attend along with the Governor of Louisiana. This will be an opportunity to expose the difficulties in having the USACE move forward with the DMU while asking DNREC for financing.
3. **Treasurer’s Report**

Joanne Plescia reviewed the Profit and Loss Budget vs Actual report for July 2021 through December 2021, Profit and Loss by Grant, each was posted on the zoom screen so attendees could follow. Tim Casey – where is the $65,000 we received that can be used for sewer? Joanne Plescia that money is in our general fund because it has not been designated and we are considering opening a separate account so we can better show how the money is being used.

1. **Building Inspector’s Report:**

Bob Wood reported that Bob Clendaniel worked 22 hours and 75 minutes; he issued four permits, two on Beach Plum for a new deck and one for a sunroom; a new residence at 422 and some interior renovations at 241. He did some drive-throughs as well as some flood ordinance work.

1. **Town Street Committee**

Kathy Lock advised that Jimmy is on vacation, but Jerry’s paving did plow Beach Plum as well as Marina Drive after the recent snowstorm. They are under contract with the Town. Further the Mayor would like to point out that Bay Avenue is a state-maintained road and the Town has nothing to do with the clearing of the Bay Avenue after a storm.

Bob Wood pointed out a reminder to all that starting January 17th Bay Avenue will be closed to traffic at the curve just after Beach Plum and work is expected to take one full week.

Larry Meinert spoke with DelDOT about repairing the culvert and Larry advised in that conversation that DelDOT suggested they would raise Route 36 at the curve going out of Town, which is beyond the turn for the Dupont Nature Center, but we are not positive when that will take place.

1. **Mayoral and Council updates**

Resilient and Sustainable Communities League (RASCL) – we weren’t able to attend.

Association of Coastal Towns – no meeting over the holiday

Sussex County Association of Towns (SCAT) – snow cancelled this meeting.

Delaware League of Local Governments (DLLG) – there is no update.

1. **Grants and on-going projects**
2. **University of Delaware Hydrology Study** – Mayor Lock received an email from Univ of DE and there is yet another delay.
3. **Sea Grant** – Mayor Lock was given a tour of the Lewes location of a current oyster larvae nursery that is operational in the summer months and managed by University of Delaware. The Mayor is working with Jimmy Tibbets, who is a local commercial fisherman, on locating potential sites for this project.
4. **Anchor Engineering** QEA, we received the study and have forwarded it to our legislators and other parties while we look for funding and pursue next steps.
5. **WIIN Project/PEW Charitable Trust** – No update.
6. **Sand on the Beach**:

Mayor Lock – we have covered this topic in Tony Pratt’s presentation – are there any questions? Mark Jordan (phone MJ) – we are at 201 Bay Avenue and we are concerned that the sand being delivered will again not make it to the front of our house. I apologize that this is specific to me only, but this would be the second time we did not get any sand, so I would like to ask if you and the Council can pursue making sure we get sand? Mayor Lock, this is on my to-do list and I will address this concern with them tomorrow. I can tell you that since we did not purchase the sand, we have very little say on where it goes, but the Council is planning to work as closely as possible with DNREC. Stephanie Webster at 203 Bay Avenue – can you confirm if the posts we see in the sand are the lines where they will end the fill? Mayor Lock replied that this could be a height requirement, but she plans to go down there tomorrow and get more information. Jackson Gingrich – am wondering if Tony Pratt had an opportunity to compare our beach to the other beaches? Tony Pratt – I have visited Lewes and Slaughter and reviewed the photos from the other beaches

1. **Detritus on the Beach** – Mayor Lock has had conversations with the State Fish and Wildlife and the Watershed Management division of DNREC and can report only that we are having ongoing conversations. The Town is looking at a grant that will be released by the Delaware River Watershed sometime in February and if history repeats we should be able to submit in April and get the award in September of 2022, hopefully. We are looking for other partners, National Fish and Wildlife Federation (NFWF) through NOAA has a matching grant requirement, so we are reaching out to the state and the partnership for the Delaware Estuary and the Delaware Sea Grant to form a partnership to go after this grant.
2. **5G wireless** – no update, on hold.
3. **ARPA** – Ivan is not available but Kathy Lock advised he did attend a webinar today held by the Dept of Treasury in Washington about how we are able to spend the funds. The Mayor would like to consider purchasing covid test kits – a case of 300 would be $2700. The Town would have them on hand and then we can figure out how to distribute them as needed. They are very difficult to get at this point. The question to Council is should we place an order? Joanne Plescia – we may need to look into proper storage as well as expiration dates as some only last 90 days and others expire in six months. Jackson Gingrich there are many state testing locations where you drive into a parking space and you stay in the car the whole time. Mayor Lock – I would counter that with my current experience where I made the reservation for a test, and was advised it was cancelled two hours before, with the new appointment also getting cancelled. Julia Geha – testing at home is ideal when you are not feeling well and could spread the germs. Larry Meinert – to clarify there are two kinds of tests, the PCR is not the same as the home test and if you would want more detail you are welcome to get in touch with me. Larry would like to suggest the Town order them so they are on hand. Brenda Desjardin – we had no problem getting tests in Maryland.

**Motion:** A Motion to purchase the at-home tests was made by Larry Meinert and seconded by Joanne Plescia.

**The Motion passed unanimously, 4-0**

1. **Sewer**

Mayor Lock advised she has had correspondence with the Sussex County engineering department and we are still on track to finish the final engineering study and environmental report, and the Notice of Intent is going in for funding this month.

1. **Updating the Emergency Operations Plan (EOP)** – Joanne Plescia has participated in several webinars but there is nothing concrete to report at this point.
2. **DelDot Infrastructure Possible Plans** – addressed earlier under “Streets”.
3. **Overnight Parking** – I have been in conversation with the Town attorney about procedures for overnight parking of RVs, trailers, boats and asked about fines for ignoring Ordinances, but at this date I do not have further information.
4. **Upcoming Events:**

* Town Council Meeting February 14, 2022 at 7:00pm – depending on how Covid-19 is spreading in our area, we may move to Zoom only for this meeting.

1. **Open Forum Discussion** – nothing.

1. **Adjournment:**

**Motion**: A Motion was made by Joanne Plescia to adjourn the Meeting and was seconded by Bob Wood at 8:03 pm.

**The Motion passed unanimously, 4-0**