## Minutes of the Regular Town Council Meeting

**Monday, February 14, 2022**

1. **Call Meeting to Order**

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

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 partner/family member is on the zoom with you.

Our special guest this evening is Scott Figurski from Delaware Natural Resources and Environmental Control (DNREC) 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 January 10, 2022 Town Meeting Minutes**

**Motion:** A motion was made by Joanne Plescia and seconded by Ivan Lanier to approve the January 10, 2022 Town Council Meeting Minutes. **The motion carried unanimously, 5-0.**

1. **Approval of the February 14, 2022 Meeting Agenda**

**Motion:** A motion was made by Joanne Plescia and seconded by Ivan Lanier to approve the February 14, 2022 Town Council Meeting Agenda. **The motion carried unanimously 5-0.**

**Scott Firgurski, DNREC:**  Thank you for the introduction Mayor Lock. DNREC assembled a three (3) person survey crew – a planner, an engineer and a scientist – I worked as the program manager. Last season Mayor Lock approached DNREC with erosion issues and we were able to identify where the most need for sand was through survey data - that data showed us where to place the sand for the best maximum return on investment, and this keeps DNREC objective. Season can vary but March to September is difficult to work on Slaughter Beach because of bird migration and horseshoe crab spawning. Once we identified the area of need and were able to slot 10,000 cubic yards of material to Slaughter Beach, our crews began work. However, when we reached the 10,000 cubic yard mark the vendor kept sending trucks because they had more sand than expected when they bid the project which resulted in Slaughter Beach getting 15,000 cubic yards instead of the original amount planned. Our crews worked through some high tides and high winds to get the 15,000 cubic yards spread and graded on the beach before moving on to North Bowers Beach.

Mayor Lock – DNREC provided 4-5 times the amount of sand that the Town purchased last year. The October storm seriously affected many beaches along the Bay coast and it’s worth noting that Town negotiations with DNREC began in the fall of 2021. These projects don’t come together quickly and the Town is very grateful to DNREC for their hard work and support on this project. Further, it’s important to remember that this was wholly a DNREC project and the Town was not responsible for deciding where the sand would be placed.

Scott: The amount of sand was based on the amount of money available to us through Bond issuance via the General Assembly (I am not privy to the amount that was allocated to each beach) and what the sand vendor was able to provide, including trucks. DNREC does everything through data so we can be as objective as possible. The location of the sand was driven by comparing the latest survey with previous surveys. DNREC placed sand at a 3 to 1 slope to provide protection in the area with the largest loss and based on the littoral drift, we believe the sand will move north as that is the natural migration of the sand.

The erosion being described in this meeting is something I can take back to the staff meeting tomorrow morning. Permitting is done by DNREC through the Wetlands and Subaqueous Lands department and the USACE can also request a permit on behalf of a Town. When viewing survey data in the DNREC offices, we believed it was clear that the work/sand needed could be delivered via truck haul and placed on Slaughter Beach without a permit since the work could be done above the high tide line.

At this time, DNREC does not have Slaughter Beach slated for replenishment even though the Town was on the schedule before Hurricane Sandy. However, Covid relief monies are being slotted for projects and I will bring this issue to the meeting tomorrow morning.

Turtles come from the marsh to lay eggs in sandy soil and in Spring the baby turtles make their way back to the Marsh. The amount of sand on the beach does not impede a turtle completing his or her business.

DNREC expects to return to Slaughter Beach to close off Virginia Avenue, pick up the tire and do grading work at the beach access points.

1. **Correspondence:**

Mayor Lock read a letter from Jesse Hayden, DNREC – attached

Town Manager – read an invitation from Senator Carper – attached.

Tony Pratt – The Mayor has been invited to speak as a representative of all coastal towns of the State of Delaware before the panel headed by Senator Carper who is Chair of the Environment and Public Works Committee and is holding this hearing to address and elevate shoreline and riverine erosion protection to equal status with other waterways requiring intervention from USACE. Sea level rise, storms and climate change are all contributing to make shoreline erosion a higher priority for the protection of wetlands, wildlife and agricultural lands across the US. The SHORRE Act will be presented to the Senate by Sen Carper and Sen Coons with Congresswoman Lisa Blunt Rochester and their equals from Louisiana. This is a terrific opportunity for the Bay Coast of Delaware as an area of special interest and we should see advanced activities as a result.

Mayor Lock – On Friday the Senate EPW released the SHORRE Act as part of the WRDA Bill and under health oversight restoration I will read one sentence, “Resilience and Enhancement Act – The Secretary shall prioritize projects for the following locations (a) Delaware Bay Beaches, Delaware (b) Louisiana Coastal Areas, Louisiana” and a few other areas around the Great Lakes and Oregon. We are very pleased to say there is progress on that front. In addition, in the last month we have gone to our State Legislators for five-million dollars to help pay for sand that would be earmarked for Slaughter Beach alone.

Questions were raised

Asking if we could possibly expect better communication in future as many residents expected to get sand in front of their homes and didn’t – and now they need to understand how to get down their dune to the beach without getting into trouble with DNREC. Town Council addressed questions and concluded that Tony Pratt will work with DNREC and the Town Manager to communicate about stairs, as well as reiterating the need for DNREC to communicate better and work more closely with the Town in future.

Tony Pratt – The prep work that goes into the distribution of sand with multiple communities is based on need for each community in addition to the amount of sand they can get from a limited supply. DNREC engineers study movement of sand as it erodes and on Slaughter Beach it goes north, so DNREC plans in a way that would optimize the movement of the sand. The difficulty is the planning can take weeks or months and the weather comes into play which can change the plan but you have to stick with your template because the contractors have a restricted timeline as well.

1. **Reports:**
2. **Treasurer’s Report**

Joanne Plescia, reviewed the Reports, attached.

A **Motion** was made by Bob Wood to accept the Treasurer’s Report pending Audit and seconded by Ivan Lanier.

**The Motion passed 5-0**

1. **Building Inspector’s Report:**

Ivan Lanier reviewed the Report, attached.

1. **Tax Collector’s Report**

Joanne Plescia advised we don’t have a report for this month but last month we had $22,000 in Transfer funds with zero this month.

1. **Memorial Fire Company**

Bill Tobin – The fire company has a new boat here in the garage at a cost of $612,000. It can pump water at 1500 gallons a minute and the fire company obtained a second pump for the boat, giving a total of 3000 gallons a minute, this boat has 800 horsepower and will work as far north as Smyrna, across to Jersey and south to the Cape May Ferry.

The fire company has a new traffic control truck that will be here in about 5 months – the Town applied for grant money through Rep Shupe and Sen Wilson, and it will be available for the Town and surrounding communities.

The second building we are putting up on Slaughter Beach Road will be adding sleeping quarters and offices as well as four bays that can fit the army truck and offers a lot of versatility.

We are planning our 5K again September 18, 2022.

1. **Mayoral and Council updates**

Resilient and Sustainable Communities League (RASCL) – no update

Association of Coastal Towns – no update

Sussex County Association of Towns (SCAT) – no update.

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

1. **Grants and on-going projects**

**University of Delaware Hydrology Study** – Mayor Lock – The DEMA contract for the Hydrology study is not done or paid for by the Town of Slaughter Beach. DEMA has been on the University of Delaware about this contract and we have had regular phone calls with DEMA as they have kept us informed at all times. That contractual arrangement was between two bodies that benefit the Town but that we were not controlling.

1. **Sea Grant** – no update.
2. **Anchor Engineering** – we will be applying for a grant on this from the partnership for Delaware Estuaries for habitat restoration.
3. **WIIN Project/PEW Charitable Trust** – No update.
4. **Sand on the Beach**:

**Tony Pratt** – has been working closely with the EPW staff in Senator Carper’s office for months as well as the request for federal assistance for financing that requires a match which the Town can get from DNREC. Gov Carney came out with a 7.5million figure for shoreline and waterway management and we are working closely with Senator Dave Wilson to provide us an opportunity to get projects completed for Slaughter Beach.

1. **5G wireless** – no update, on hold.
2. **ARPA** – Ivan Lanier advised the $130,000 we received is on hold until we decide where to put the monies, and there is time. Ivan asked the law firm if they do a FAQ that might be put up on our website and they do not have one. Ivan has requested that the attorneys come to the Town for a briefing with Town Council.
3. **Sewer**

Mayor Lock advised Sussex County has submitted a request for funding a sewer district to WIAC, Water Infrastructure Advisory Council and the US Department of Agriculture.

It was suggested that the Town put together a step-by-step plan of what is involved in installing a sewer system? Mayor Lock will ask Sussex County to put that together for us.

1. **Updating the Emergency Operations Plan (EOP)** – Joanne Plescia has participated in several webinars and is scheduling a meeting with the Fire company to design a template.
2. **DelDot** – repaired the culvert and put a skim coat but weather prevented proper road repair. DelDOT will return in the Spring to put a final coat on the road. At the same time DelDOT are assuring the Town that they will raise Cedar Creek Road at the curve beyond the bridge when going West, but we do not have a timeline.
3. **New Business**
   1. Discussion and Vote to accept the award of a **Community Transportation Fund Grant.**

A **Motion** was made by Joanne Plescia to accept the Grant from State Senator Dave Wilson for $55,961.52 to purchase a new traffic safety vehicle for the Slaughter Beach Fire Company and seconded by Larry Meinert. **The Motion passed 5-0.**

* 1. Discussion and Vote to rezone the Forest Property at 308 Bay Avenue from C/A (Conservation/Agricultural) to R1 (Residential 1 which is a 50’ frontage on Bay Avenue). This property is listed as Residential on the Comprehensive Land Use Plan (CLUP) and after reaching out for buyers that would keep the property Conservation/Agriculture with no success, our Town Attorney strongly recommended we make the change to Residential 1. Council thanks the Forest family for their patience and allowing us to pursue other avenues.

A **Motion** was made by Joanne Plescia to approve the change of zoning from CA to R1 for the property located at 308 Bay Avenue and seconded by Ivan Lanier.

**The Motion was passed by a vote of 4-0 with Larry Meinert abstaining.**

* 1. Discussion on the Possibility of hiring a **Grant Proposal Writer** – tabled to next month.
  2. Discussion on the Possibility of hiring a **Police Officer – tabled to next month.**
  3. Discussion on the possibility of hiring a **firm to assist in the purchase and installation of telecommunications equipment**
  4. **Discussion of Artesian water initiatives including building a new well, upgrades to the Town water system, construction of a new building to house a water tank and the possibility of installation of an 80,000 gallon above ground water tank.** Bob Wood advised that Artesian has two wells, one on Bay Ave close to the Tennis Courts that is working properly and one at the south end of Bay Avenue near the gate to Isaacs Shores that failed. Artesian are definitely going to drill a new well and will have to build a small building beside the well for the chlorination of the water. In addition, the fire department wants to drill a well, but Artesian has suggested an 80,000 gallon water tank above ground to assist in firefighting AND it would act as an emergency back up water base for the residents in a non-fire emergency. Finally, these improvements could allow fire hydrants along the south end for a start. This will require funding.

Mayor Lock – Town Council are working with Artesian to put together a grant request for the Water Infrastructure Advisory Committee to help fund these projects. The tank alone would cost about $600,000.

Bob Wood – flouride is a dangerous chemical for one of the small buildings we have here on Slaughter Beach so it is being considered but at this time we do not want to add fluoride.

Question – can the ARPA funds be used to build that tank? Mayor Lock – we need to remember that the tank would belong to Artesian so we would be spending Town funds to build a water tank that would be owned by a private company. We could also use those funds for the drainage issues we have in the 590 block of Bay Avenue.

* 1. **Update on dredging Cedar Creek** by the USACE (Army Corps of Engineers) – it has been completed and the shoaling problem has been resolved. The Town thanks Tony Pratt, our Consultant and Bill Tobin of the fire company. Question – do we know to what depth they dredged? We don’t.
  2. **Update on hiring a new Tax Collector** – Joanne Plescia advised that our current tax collector, Angela Tibbett, who has done a beautiful job, has given notice to the Town that she needs to move on, and we need to replace her. Fortunately, Jennifer Cornell, who is our CPA Book Keeper, has expressed interest in taking this job as well. This would help the Town with a smooth transition and we are thinking that is what we would like to do.
  3. **Discussion of drainage issues in the 590 block of Bay Avenue** – tabled to next month.

1. **Upcoming Events:**

* Town Council Meeting March 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** –

**Question** – what was the asking price that we were looking to get for the Ramsey property? Mayor Lock – we had an appraisal done on that property and we were hoping to get $90,000.

**Question** – what happened with purchasing the COVD test kits for the Town? Joanne Plescia advised the price and availability made it difficult to make the purchase immediately and the Government came out with the possibility or ordering kits via the USPS so we have held on that purchase. Bill Tobin advised that if you are transported by the Ambulance, they have kits to guarantee you can be tested, and if you have an urgent need you can call the fire company to see if a test can be made available to a resident. Further, Mr. Tobin advised Council that if we were able to get the money for the water tank, the fire company would be donating the land to the Town.

1. **Adjournment:**

**Motion**: A Motion was made by Joanne Plescia to adjourn the Meeting and was seconded by Ivan Lanier at 9:03 pm.

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