MINUTES
Dewey Beach Town Commissioners Executive Session 5:15p.m.-5:45p.m.
Dewey Beach Town Commissioners Meeting 6:00p.m.
at the Life Saving Station #1 Dagworthy Avenue
Dewey Beach, DE 19971
Friday, July 8, 2016

Convene Town Commissioners Meeting 5:15p.m. Town Commissioners Meeting convened.

Convene Executive Session at 5:15p.m. Executive Session convened.

In accordance to 29 Del. C. §10004 (b) (4) the Town Commissioner’s will be meeting in executive session to hold strategy sessions involving legal advice with respect to potential litigation where an open meeting would have an adverse effect on the Town's litigation position.

Adjourn Executive Session at 5:45p.m. Executive Session adjourned at 5:45p.m.

Re-Convene Town Commissioners Meeting 6:00P.M. Town Commissioner Meeting re-convened.

Opening Ceremonies/ Pledge/ Moment of Silence/ Roll Call Audio 1 OF 2: ARM: 00:01- Present:
Commissioner Mauler, Commissioner Dunmyer, Commissioner Cooke, Commissioner Riordan, Mayor
Hanson, Town Solicitor Fred Townsend, Town Manager Marc Appelbaum.

Adoption of Agenda Audio 1 OF 2: ARM: 00:55- Motion by Commissioner Dunmyer to move agenda
item number #7 to take place following agenda item #3, and to adopt the agenda with that change.
Seconded by Commissioner Cooke. The vote carried unanimously.

Approval of June 10th, 2016 Town Commissioner Meeting Minutes Audio 1 OF 2: ARM: 01:35-
Motion by Commissioner Dunmyer to approve the June 10, 2016 Town Commissioner Meeting minutes.
Seconded by Commissioner Riordan. The vote carried unanimously.

Approval of May 14th, 2016 Executive Session Minutes Audio 1 OF 2: ARM: 01:58- Motion by
Commissioner Cooke to approve the May 14, 2016 Executive Session Minutes. Seconded by
Commissioner Dunmyer. The vote carried unanimously.

Approval of June 10th, 2016 Executive Session Minutes Audio 1 OF 2: ARM: 02:38- Motion by
Commissioner Dunmyer to approve the June 10, 2016 Executive Session minutes. Seconded by
Commissioner Cooke. The vote carried unanimously.

Announcements and Updates: Audio 1 OF 2: ARM: 02:55
- Update on donation to lifeguards from Steve Montgomery Update from Steve Montgomery with
  Chris Muscara present as representation of the lifeguards.
- Discussion on possible changes to Conditional Use and Building Permit process to take place
  after a Town Manager/Commissioner/Planning and Zoning workshop, date TBD. Update from
  Town Manager Marc Appelbaum.
- Clydesdale event Clydesdale video presentation with update from Steve Montgomery
- Update trash and recycling Update from Town Manager Marc Appelbaum
- Running of the bulls Running of the bull video presentation with update from Steve Montgomery
- Beach status to include, dune fencing, replenishment and recent one day beach warning Update
  from Town Manager Marc Appelbaum
• Updates on infrastructure, staffing, rental inspections, police and town insurance costs Update from Commissioner Cooke

Regular Agenda:

1. Discuss Dewey Beach Election voter registration deadline. Audio 1 OF 2: ARM: 34:02- Board of Adjustment chair Beverly Corelle gave an update regarding the 2016 voter registration deadline.

2. Discuss and possibly vote to approve a new member to the Trash and Recycling Committee. Audio 1 OF 1: ARM: 42:24- Motion by Commissioner Dunnery to approve Henry McKay as a new member of the Trash and Recycling Committee. Seconded by Commissioner Cooke. The vote carried unanimously.

3. Discuss and possibly vote to approve members to the Board of Election. Audio 1 OF 2: ARM: 37:49- Board of Adjustment chair Beverly Corelle announced the potential members seeking to become election officials and members to be added to the Board of Election and stated that one more position is vacant/available to fill. Motion by Commissioner Cooke to approve election officials and Board of Election members as listed. Seconded by Commissioner Mauler. The vote carried unanimously.

4. a. Discuss and possibly vote to move forward with equipment and policies to better allow live streaming Town Commissioner Meetings.
   b. Discuss and possibly vote to retain services of a professional video/audio operator to live stream the Town Commissioner Meetings.
   c. Discuss and possibly vote to approve the March 17, 2016 SoundFX proposal. Audio 2 OF 2: ARM: 45:07- Discussion began. General consensus/agreement for Commissioner Mauler to gather further information on more estimates to renovate the live streaming equipment to work adequately if the decision is made to move forward to continue live streaming/retain services of a professional video/audio operator.

5. Discuss and possibly vote on an amendment to resolution 138 regarding the policy for an annual conditional employee bonus. Audio 2 OF 2: ARM: 1:00:27- Commissioner Dunnery recused himself from the table during agenda item number 5. Motion by Commissioner Riordan to adopt a Resolution to amend Resolution 138 of the Commissioners of the Town of Dewey Beach, Delaware, amending the policy for an annual conditional employee bonus. Seconded by Commissioner Cooke. The vote carried 4-0.

6. Discuss and possibly vote to amend Chapter 85 of the Dewey Beach Code of Ordinances so as to conform with amendments to the Delaware Code concerning possession of drug paraphernalia; and to amend Chapter 80 thereof to add a civil violation and penalty for possession or use of personal use quantities of marijuana, and possession of drug paraphernalia related to personal use quantities of marijuana. Audio 2 OF 2: ARM: 1:13:16- Motion by Commissioner Riordan to adopt an Ordinance to amend Chapter 85 of the Dewey Beach Code of Ordinances so as to conform with amendments to the Delaware Code concerning possession of drug paraphernalia; and to amend Chapter 80 thereof to add a civil violation and penalty for possession or use of personal use quantities of marijuana, and possession of drug paraphernalia related to personal use quantities of marijuana. Seconded by Commissioner Cooke. The vote carried unanimously.

7. Discuss and possibly vote to amend Chapter 117, licensing of businesses, of the municipal code of the Town of Dewey Beach, Delaware, 2005, as amended, by enacting a new subchapter authorizing special assessments against responsible licensees whose business establishments have
caused the town to arrange for extra public safety resources in order to respond to demonstrated risks of disorder associated with such business establishments. Audio 1 OF 2: ARM: 42:57- The discussion began with Commissioner questions to Town Solicitor Fred Townsend. Public comment followed, with comment from: Stephen Spence, Steve Montgomery, David Moskowitz. Commissioner comments. Motion by Commissioner Dunmyer to vote to enact an Ordinance to amend Chapter 117, licensing of businesses, of the municipal code of the Town of Dewey Beach, Delaware, 2005, as amended, by enacting a new subchapter authorizing special assessments against responsible licenses whose business establishments have caused the town to arrange for extra public safety resources in order to respond to demonstrated risks of disorder associates with such business establishments. Seconded by Commissioner Cooke. The vote carried 3-2, with Commissioner Mauler and Commissioner Riordan opposing.

8. Public Comments Audio 2 OF 2: ARM:1:17:09- No comment


10. Commissioners Comments Audio 2 OF 2: ARM: 1:18:36-
       a. Commissioner Gary Mauler Comment
       b. Commissioner Mike Dunmyer Comment
       c. Commissioner Dale Cooke Comment
       d. Commissioner Courtney Riordan Comment
       e. Mayor Hanson Comment

11. Adjourn Town Commissioners Meeting Audio 2 of 2: ARM: 1:23:39- Motion to re-convene Executive Session to address potential litigation by Commissioner Riordan. Seconded by Commissioner Dunmyer. The vote carried unanimously.