

MINUTES

EXECUTIVE SESSION and MONTHLY TOWN COMMISSIONERS' MEETING

at the Dewey Beach Lifesaving Station

#1 Dagsworthy Avenue

Dewey Beach, DE. 19971

Saturday, November 11, 2017

Executive Session to begin at 9:00A.M.

Town Commissioners' Meeting to begin at 10:30A.M.

Convene Town Commissioners' Meeting

Roll Call/Opening Ceremonies/Pledge/Moment of Silence

Adoption of Agenda Video Recording Mark (VRM): 5:45

Convene Executive Session

- Pursuant to 29 Del. C. §10004(b)(4) Executive session involving legal advice or opinion from an attorney-at-law, with respect to pending or potential litigation, when an open meeting would have an adverse effect.
- Pursuant to §10004(b)(9) personnel matters in which the names competencies and abilities of individual employees are discussed.
- Pursuant to 29 Del. C. §10004(b)(9) discussion of Town personnel matters regarding of terms and conditions of employee contracts.

Adjourn Executive Session VRM: 2:20- Motion by Commissioner Bauer to adjourn Executive Session. Seconded by Commissioner Riordan. The vote carried unanimously.

Re-convene Town Commissioners' Meeting VRM:2:35

Approval of September 13, 2017 Executive Session Meeting Minutes VRM: 2:40- Discussion began. Approval of all minutes tabled until the December 9th Town Commissioners' Meeting.

Approval of October 7, 2017 Executive Session Meeting Minutes Tabled

Approval of October 14, 2017 Executive Session Meeting Minutes Tabled

Approval of October 14, 2017 Town Commissioners' Meeting Minutes Tabled

Announcements and Updates: VRM: 4:22- Announcements and Updates by Mayor Redefer

- Sea Witch Festival Update
- Adopt-A-Family Announcement

Public Comments VRM: 6:06- Comments by Diane Tenhoopen, Claire Walsh, Elaine Bole, Steve Montgomery, and Don Gritti

Regular Agenda:

1. Discuss and possibly vote to create: **VRM:13:52**
 - a. Adopt-A-Dune Ad Hoc Committee **Motion by Commissioner Cooke to create the Adopt-A-Dune Ad Hoc Committee. Seconded by Commissioner Persinger. The vote carried unanimously.**
 - b. Budget and Finance Committee **Motion by Commissioner Bauer to create the Budget and Finance Committee. Seconded by Commissioner Cooke. The vote carried unanimously.**
 - c. Charter and Code Review Ad Hoc Committee **Motion by Commissioner Bauer to create the Charter and Code Review Ad Hoc Committee. Seconded by Commissioner Riordan. The vote carried unanimously.**
 - d. Town Manager Search Ad Hoc Committee **Motion by Commissioner Cooke to create the Town Manager Search Ad Hoc Committee. Seconded by Commissioner Persinger. The vote carried unanimously.**

2. Discuss and possibly vote to appoint/reappoint Committee chairpersons, members, Commissioner Liaisons, and committee goals: **VRM:23:00**
 - a. Adopt-A-Dune Ad Hoc Committee **Motion by Commissioner Persinger to approve Judy Pandalfino as the Chair of the Adopt-A-Dune Ad Hoc Committee; Judy Scanlon, George Papas, Beth Canard-Rasin, Wayne Yarnall, Craig Longanecker as members of the Committee; Paul Bauer as the Commissioner Liaison; and the Purpose/Focus is to research, discuss, develop and advise the Commissioners and the Town Manager with options for a public/private investment of beach mats on as many streets in Dewey Beach as possible. Seconded by Commissioner Cooke. The vote carried unanimously.**
 - b. Audit Committee **Motion by Commissioner Cooke to approve Larry Silver as the Chair of the Audit Committee; Dennis Trencher, Diane Tenhoopen, Steve Huse, and Diane Hanson as members of the Committee; Courtney Riordan as the Commissioner Liaison; and Purpose/Focus will be to audit quarterly budget reports, along with a review of committee charter requirements consistent with Section 17 of the Town Charter. Seconded by Commissioner Riordan. The vote carried unanimously.**
 - c. Budget and Finance Committee **Motion by Commissioner Bauer to approve Dave Davis as the Chair of the Budget and Finance Committee; Joe Kienle, Steve Huse, Claire Walsh, and Dennis Trencher as members; Gary Persinger as the Commissioner Liaison; and the Purpose/Focus is to work with the Town Manager and department heads to develop and recommend a fiscal year budget for the town operations to the Commissioners in accordance with time requirements in Section 22 of the Town Charter. Regularly monitor performance versus budget and provide early warnings of potential Town budget concerns to Council. Develop a strategic 10-year finance plan along the guidelines presented in the 2018 Comprehensive Development Plan, with a draft long-term finance plan to the Town Commissioners by October 3, 2018. This effort will require B&F to work with the Commissioners, Town Manager, department heads and other Committee Chairs to identify and prioritize Town operational and capital needs. Seconded by Commissioner Cooke. The vote carried unanimously.**
 - d. Charter and Code Ad Hoc Review **Postponed until the December meeting**
 - e. Comprehensive Development Plan Committee **Motion by Commissioner Cooke to approve Elaine Bole as the Chair of the Comprehensive Development Plan Committee; Julie Johnson, and**

Jimmy O'Connor as members; Mayor Redefer as the Commissioner Liaison; Objective to assist in ensuring effective implementation of the Town's Comprehensive Development Plan (approval expected in 2018); and the Responsibilities to monitor the Town's progress toward implementation of the Town's 10-year Comprehensive Development Plan and provide advice to the Commissioners to improve the effectiveness of implementation. The Committee may suggest strategies for improving implementation and may highlight areas of the plan the Committee believes may need additional emphasis. Through its efforts, the Committee may identify areas in the plan for which modifications may be proposed. These opportunities should be limited to high priority issues because of the need to seek state approval of changes. The Committee should meet quarterly and report to the Commissioners as needed to highlight any important implementation issues. Seconded by Commissioner Persinger. The vote carried unanimously.

f. Infrastructure Committee Motion by Commissioner Persinger to approve Jim Tyler as the Chair of the Infrastructure Committee; Paul Handler, Marlene Tarr, Marty Seitz, and Diane Hanson as members; Commissioner Cooke as the Commissioner Liaison; and the Focus to: referring to the Priorities and Action Plan of November 11, 2015 the committee will continue to focus on those items under number 10. Town Infrastructure as follows: 1. Lighting of secondary streets will be studied. A 2012 Lighting Survey of Secondary Streets by Delmarva Power and manufacturer Holophane Lighting will be revisited. 2. Drainage within the town especially on the bay side streets is a significant town problem. The committee will work to recommend to the town commissioners ways to mitigate the flooding caused by high tides in the bay at Read Avenue, McKinley Avenue, Hayden, Dover and Buena Roads and Dagsworthy Avenue as primary concerns. The committee will work with the Center for Inland Bays (CIB) as required by the Town of Dewey Beach Phase II Planning Grant to prioritize Best Management Practices submitted by CIB. 3. Will continue to work toward ADA compliant sidewalks. 4. Traffic calming needs (speed bumps) within the town will be investigated. 5. Any attention to security cameras will necessitate outside expertise. Plus develop a recommendation for the town to budget for regular infrastructure maintenance.

g. Investment Committee Motion by Commissioner Persinger to approve David Moskowitz as the Chair of the Investment Committee; Manual Bramao, Joe Kienle, Rich Miller, and Jimmie Lee as members; Commissioner Persinger as the Commissioner Liaison; and the Focus: performance tracking and collaboration with the Town Investment Manager.

h. Marketing Committee Motion to approve Eleanor Tyler as the Chair of the Marketing Committee; Marilyn Seitz as the Co-Chair; Amy Levy, Richard Cooper, Drew Martin, Rich Cropper, and Maggie Bauer as members; Commissioner Bauer as the Commissioner Liaison; and the Focus will be on enhancing a positive town image in public through both print and digital format. Seconded by Commissioner Bauer. The vote carried unanimously.

i. Town Manager Search Ad Hoc Committee Motion by Commissioner Cooke to approve five members to the Town Manager Search Ad Hoc Committee; Commissioner Cooke as the Commissioner Liaison, and the Purpose/Focus is to research, discuss, develop and advise the Commissioners as to: With initial input from Commissioners, the committee will investigate possible salary range and qualifications for position and make a recommendation to the Commissioners. The Committee will investigate all available companies and recommend 2 or 3 "headhunter" companies with knowledge specific to

town manager type positions - Commissioners would then select a company with committee's recommendations in mind. Once the selected company has interviewed all possible candidates, they should forward 3 to 5 top candidates to the committee. In addition, the committee should collect and review resumes that are sent to the town. The committee should then interview and rank all recommended candidates and forward the top three (with rankings) to be interviewed and evaluated by the Commissioners. Commissioners would then make final decision on hiring of successful candidate. Seconded by Commissioner Persinger. The vote carried unanimously. (Due to Mayor Redefer having six members listed in his book, and it not being clear who the five members being voted on to the committee are, this will be voted on again at the December meeting).

3. Review the current Town of Dewey Beach business license application and discuss any changes to consider for the 2018 application. VRM:42:07- Discussion began. Consensus among Commissioners to vote on the 2018 business license application at the December Town Commissioners' Meeting.

4. Report on Planning and Zoning Commissions' review of the Draft Comprehensive Development Plan and discuss: VRM:47:57- Update by Commissioner Persinger

- a. The timeline and process for final consideration of the plan.
- b. Submission to the state for approval.

5. Discuss potential actions related to the findings in the report from the independent investigation of the employees' complaint against the town manager: VRM:50:08- Overview by Commissioner Persinger. Discussion among Commissioners followed.

A. Possibly vote to require the Police Department to to give a complete accounting, including acquisition, use, and disposition/sale, of all property received through any Federal or other surplus property program. VRM: 1:18:30- Motion by Commissioner Persinger for the town to ask the Police Department for a full exposition of its participation in any federal surplus program, and require that the department provide the following information for each of the surplus items obtained: description of the law enforcement use provided to the government to justify acquisition of the item, departments cost to acquire the item, source of funds used to acquire the item, physical location of the item after the department took possession, actual use of the item by the Police Department, date placed into service, date removed from service (if applicable), disposition of item. If the item was sold was authorization required to sell the property, from whom was authorization obtained, date sold, sale proceeds, and how were sale proceeds utilized? Seconded by Commissioner Cooke. Motion amended that the look back period should cover 5 years. The vote carried unanimously.

B. Discuss and possibly vote to accept a recommendation from the Audit Committee for the town to engage TGM Group, the towns' auditors, perform an "agreed upon procedures" engagement. VRM: 1:32:20- Motion by Commissioner Persinger to approve the Audit Committee's unanimous recommendation that the town engage Auditors to perform certain agreed upon procedures that will include scrutiny of any funds generated by the police department, the beach patrol, and the building inspector. Further, the Council will ask the Audit Committee for guidance in expanding the scope of the agreed upon procedures to look at other elements of town finances as warranted. Seconded by Commissioner Cooke. The vote carried unanimously.

C. Possibly vote to authorize an independent consultant to conduct a comprehensive review of the Police Department and the Beach Patrol and to offer recommendations to ensure their respective policies and procedures are consistent with applicable legal standards, norms and expectations.

VRM:1:37:10- Motion by Commissioner Persinger for the town to engage a comprehensive review of the police department and beach patrol policies and procedures that will be conducted by an independent consultant or consultants with appropriate expertise. Seconded by Commissioner Cooke. Motion amended by Commissioner Persinger to include Code Enforcement. Motion amended: Acting Town Manager shall present to the Town Council for its consideration, proposal(s), to complete these reviews. The vote carried unanimously.

6. Discuss status of the Human Resources program for all departments as outlined by Diane Campanile SHRM-SCP of Lyons Companies. VRM:1:42:37- Update by Mayor Redefer

7. Discuss and possibly vote to: VRM:1:44:52-

a. accept a proposal for replacement of the heating, ventilation, and air conditioning unit in the police department. Motion by Commissioner Bauer to approve Atlantic Refrigeration and Air Conditioning to replace the heating, ventilation and air conditioning unit in the police department in the proposal with a cost of \$6,450.00. Seconded by Commissioner Riordan. The vote carried 4-1 with Commissioner Cooke abstaining.

b. accept a proposal for installation of ground fault circuit interrupter electrical outlets on light poles in the median of Coastal Highway. Motion by Commissioner Bauer to accept the recommendation of accepting a proposal from Shore Electric for installation of ground fault circuit interrupter electrical outlets on light poles in the median of Coastal Highway, with a cost of \$2,600.00. Seconded by Commissioner Riordan. The vote carried unanimously.

c. accept a proposal to purchase multi-purpose parking permit machines to be installed on Van Dyke Avenue, Dickinson Avenue, and Dagsworthy Avenue, and a multi-permit issuance machine to be installed on Rodney Avenue. Motion by Commissioner Bauer to accept the purchase of Option 3; 4 new (StradaPAL Raptide) Multi-Space Meter parking kiosks in the total amount of \$27,800. Seconded by Commissioner Persinger. The vote carried unanimously.

8. Discuss and possibly vote to appoint/retain an Interim Town Manager. VRM:1:55:35- Update by Mayor Redefer. No vote.

10. Commissioners' Comments VRM:1:59:26

- a. Commissioner Paul Bauer Comments
- b. Commissioner Dale H. Cooke No comments
- c. Commissioner Gary Persinger No comments
- d. Commissioner Courtney Riordan No comments
- e. Mayor TJ Redefer Comments

Adjourn Town Commissioners' Meeting Motion by Commissioner Riordan to adjourn the Town Commissioners' Meeting. Seconded by Commissioner Bauer. The vote carried unanimously.