Minutes
Public Hearing and Monthly Town Commissioners’ Meeting
At the Dewey Beach Lifesaving Station
#1 Dagsworthy Avenue,
Dewey Beach, DE. 19971
Saturday, November 10, 2018
9:00 A.M.

Convene Town Commissioners’ Meeting Audio Recording Mark (ARM): 05:07

Roll Call/Opening Ceremonies/Pledge/Moment of Silence ARM: 05:08- Present: Commissioner Moskowitz, Commissioner Cooke, Commissioner Persinger, Commissioner Bauer, Town Manager Scott Koenig, Town Solicitor Fred Townsend

Adoption of Agenda ARM: 06:45- Motion by Commissioner Bauer to adopt the agenda Seconded by Commissioner Persinger. Motion by Commissioner Moskowitz to amend the agenda by adding the following agenda item: Discuss and potentially vote on a Resolution concerning the Audit Committee Meeting minutes approval process from the meeting from Election Day. No second. ARM: 11:50- Motion by Commissioner Persinger to amend the agenda by moving agenda item number 1 to take place before Public Comment, immediately follow the Public Hearing. Seconded by Commissioner Moskowitz. ARM: 13:59- The motion carried 3-1 with Commissioner Bauer opposed.

Approval of: ARM: 14:53
- February 9, 2018 Executive Session Meeting Minutes Motion by Commissioner Persinger to adopt the February 9, 2018 Executive Session Meeting Minutes. Seconded by Commissioner Bauer. The vote carried 3-0 with Commissioner Moskowitz abstaining.
- February 23, 2018 Executive Session Meeting Minutes Motion by Commissioner Bauer to adopt the February 23, 2018 Executive Session Meeting Minutes. Seconded by Commissioner Persinger. The vote carried 3-0 with Commissioner Moskowitz abstaining.
- September 14, 2018 Executive Session Meeting Minutes Motion by Commissioner Bauer to adopt the September 14, 2018 Executive Session Meeting Minutes. Seconded by Commissioner Persinger. The vote carried 3-0 with Commissioner Moskowitz abstaining.
- October 20, 2018 Monthly Town Commissioners’ Meeting Minutes Motion by Commissioner Persinger to adopt the October 20, 2018 Monthly Town Commissioners’ Meeting Minutes. Seconded by Commissioner Moskowitz. The vote carried unanimously.

Announcements and Updates: ARM: 16:41
- Upcoming Events Update Update by Commissioner Cooke
- Sea Witch Update Update by Town Manager Scott Koenig and Commissioner Persinger
- Adopt-A-Family Announcement Announcement by Commissioner Cooke
- Greyhounds Reach the Beach Update by Sarah Dougherty

Open Public Hearing ARM: 23:08
1. Public Hearing on an Ordinance to amend Chapter 185, Zoning of the Municipal Code of the Town of Dewey Beach, Delaware, 2005, as amended relating to minimum setback requirements for corner lots in the NR District. Public Comment by: Rick Judge, Marcia Schieck, Gary Talley, Steve Bardzik, Diane Hanson

Close Public Hearing ARM: 1:01:34
Re-Convene Town Commissioners’ Meeting ARM: 1:01:35


Action and/or Discussion Items:

1. Discuss and possibly vote to approve an Ordinance to amend Chapter 185, Zoning of the Municipal Code of the Town of Dewey Beach, Delaware, 2005, as amended relating to minimum setback requirements for corner lots in the NR District. ARM: 1:01:36- Discussion began. ARM: 1:11:00- Motion by Commissioner Moskowitz to vote no on this Ordinance, but send it back to P and Z to consider changes to corner lot set-backs holistically with other changes to set back and floor area. P and Z should look at preserving the character of the north end of town, manage concerns about over sized houses, increased density, safety issues including sight lines and do more on this issue with continued public input. In addition, Scott will look into legacy properties and their encroachment. Seconded by Commissioner Persinger. ARM: 1:14:04- Motion was amended to table this Ordinance, not to vote no. The vote carried unanimously.

ARM: 1:16:56- Break

ARM: 1:22:44- Re-Convene Town Commissioners’ Meeting

2. Discuss and possibly vote to approve the Town of Dewey Beach’s Whistleblower Protection Policy. ARM: 1:33:11- Overview by Town Manager Scott Koenig, followed by discussion among Commissioners. ARM:1:33:04- Motion by Commissioner Bauer to accept the Whistleblower Protection Policy. Seconded by Commissioner Persinger. Discussion followed. ARM:1:42:50- Suggestion by Commissioner Persinger to amend the motion by adding to the first sentence “The Town of Dewey Beach’s Town Manager is responsible for ensuring that all complaints about unethical or illegal conduct are investigated and resolved and shall assemble the necessary resources to effect a thorough and neutral investigation and resolution of the complaint. ARM: 1:44:05- Commissioner Bauer amended the motion to accept the Whistleblower Protection Policy with the amendment suggested by Commissioner Persinger. Seconded by Commissioner Moskowitz. The vote carried unanimously.

3. Discuss and possibly vote to approve an agreement with Lexipol, LLC for use of subscription material. ARM: 1:45:25- Overview by Town Manager Scott Koenig followed by discussion among Commissioners. ARM: 2:10:02- Motion by Commissioner Bauer to approve the agreement as is; the two pieces together, $12,000, $6255 and $5631. Seconded by Commissioner Moskowitz. ARM: 2:10:47- Commissioner Persinger made a motion to amend the motion to state: approved subject to legal review, and satisfactory resolution of questions of ownership of the materials. The vote carried unanimously.

4. Discuss and possibly vote to authorize a donation of $5,000.00 to the Rehoboth Beach Volunteer Fire Company in appreciation of their dedicated and continued service to our community. ARM: 2:13:09- Motion by Commissioner Bauer to authorize a donation of $5,000.00 to the Rehoboth Beach Volunteer Fire Company in appreciation of their dedicated and continued service to our community. Seconded by Commissioner Moskowitz. The vote carried unanimously.

5. Discuss and possible vote approve Race4Warriors event application to take place on May 18, 2019. ARM: 2:15:28- Overview by Town Manager Scott Koenig. Motion by Commissioner Moskowitz to table this agenda item. Seconded by Commissioner Persinger. The vote carried unanimously.
6. Discuss and possibly vote on Committees to also include appointing a Chair and a Commissioner Liaison to the following Committees: ARM: 2:19:37- Discussion began.
   b. Audit Committee ARM: 2:30:03- Discussion began. ARM: 2:33:56- Motion by Commissioner Moskowitz to appoint Julie Johnson as the Audit Committee Chair. Seconded by Commissioner Persinger. The vote carried 3-1 with Commissioner Bauer opposed.
      ARM: 2:43:27- Motion by Commissioner Persinger to appoint Commissioner Moskowitz as Liaison of the Audit Committee. Seconded by Commissioner Moskowitz. The vote carried unanimously.
   c. Budget and Finance Committee ARM: 2:39:39- Motion by Commissioner Moskowitz to appoint Dave Davis as the Chair of the Budget and Finance Committee. Seconded by Commissioner Bauer. The vote carried unanimously.
      Motion by Commissioner Moskowitz to appoint Commissioner Persinger as Liaison of the Charter and Code Ad Hoc Review Committee. Seconded by Commissioner Bauer. The vote carried unanimously.
   e. Comprehensive Development Plan Committee ARM: 2:46:17- Motion by Commissioner Moskowitz to appoint Elaine Bole as Chair of the Comprehensive Development Plan Committee. Seconded by Commissioner Bauer. The vote carried unanimously.
      Motion by Commissioner Moskowitz to appoint Mayor Redefer as Liaison of the Comprehensive Development Plan Committee. Seconded by Commissioner Bauer. Commissioner Moskowitz withdrew the motion. Motion by Commissioner Bauer to appoint Commissioner Persinger as Liaison of the Comprehensive Development Plan Committee. Seconded by Commissioner Moskowitz. The vote carried unanimously.
   f. Infrastructure Committee ARM: 2:48:45- Motion by Commissioner Bauer to appoint Jim Tyler as Chair of the Infrastructure Committee. Seconded by Commissioner Persinger. The vote carried unanimously.
      Motion by Commissioner Moskowitz to appoint Commissioner Cooke as Liaison of the Infrastructure Committee. Seconded by Commissioner Persinger. The vote carried unanimously.
   g. Investment Committee ARM: 2:49:48- Motion by Commissioner Persinger to appoint Manuel Bramao as Chair of the Investment Committee. Seconded by Commissioner Moskowitz. The vote carried unanimously.
      Motion by Commissioner Persinger to appoint Commissioner Moskowitz as Liaison of the Investment Committee. Seconded by Commissioner Moskowitz. The vote carried unanimously.
   h. Marketing and Event Communications Committee ARM: 2:51:41- Discussion began. ARM: 3:05:32- Motion by Commissioner Moskowitz to appoint Drew Martin as Chair of the Marketing and Event Communications Committee, and suspend any rules that would interfere with his consideration. Seconded by Commissioner Persinger. ARM: 3:11:12- Motion by Commissioner Persinger to table the issue of determining a Chair of the Marketing and Event Communications
Committee until next month. Seconded by Commissioner Cooke. Vote: 2-2 with Commissioner Bauer and Commissioner Moskowitz opposed. The vote did not carry. Motion by Commissioner Moskowitz to appoint Drew Martin as Chair of the Marketing and Event Communications Committee, and suspend any rules that would interfere with his consideration. Vote: 1-3 with Commissioner Bauer, Commissioner Cooke, and Commissioner Persinger opposed. ARM: 3:14:16- Motion by Commissioner Moskowitz to table this agenda item. Seconded by Commissioner Persinger. The vote carried unanimously. Motion by Commissioner Moskowitz to appoint Commissioner Bauer as Chair of the Marketing Committee. Seconded by Commissioner Persinger. The vote carried unanimously.

7. Discuss to establish a blanket license for dog events during the off-season. ARM: 3:14:16- Discussion began. No vote.

8. Committee Reports No Reports

9. Town Manager Comments ARM: 3:57:39

10. Commissioners’ Comments ARM: 3:57:45
   a. Commissioner Paul Bauer Comments
   b. Commissioner Dale H. Cooke Comments
   c. Commissioner David Moskowitz Comments
   d. Commissioner Gary Persinger Comments
   e. Mayor TJ Redefer Not present

Adjourn Town Commissioners’ Meeting ARM: 4:11:36- Motion by Commissioner Bauer to adjourn the Town Commissioners’ Meeting. Seconded by Commissioner Persinger. The vote carried unanimously.