



# Bethany Beach

## Landowners Association

June 2012

### Message from BBLA President, John Himmelberg

In a 1978 newsletter, the President of the Bethany Beach Landowners Association, Val Montanari, described BBLA and its purpose as “a civic organization whose purpose is to foster awareness of public matters affecting the interests of property owners and to take action when necessary to protect such interests.” Over the 34 years since that early mission statement, it has continued to serve as a guide for BBLA activities. Those activities have included keeping members informed about issues and developments that affect them; conducting surveys to determine members’ concerns, interests and priorities; representing their interests before the Town Council and other government entities; and fostering voter awareness and participation in Town elections.

As a member-centered and directed civic organization, we recently conducted a survey of members to determine their opinions and priorities regarding a range of BBLA’s activities, to understand where they would like the organization to concentrate its efforts and resources. As of May 21, 2012, 539 homeowners had responded. We want to thank everyone who participated. The results of the survey as of May 21 are summarized in this issue. A few conclusions should be highlighted here.

First, members overwhelmingly agreed with the 1978 mission statement. Second, a large majority of respondents continue to place a high priority on BBLA newsletters and other communication activities. With that in mind, the board of directors is taking steps to rebuild the organization’s website and is working on a system for e-mail alerts and electronic newsletters. We will also continue sending newsletters by mail. Our goal is to provide more timely and useful information to our members and enhance member input on issues.

The third item I want to mention is the low priority respondents gave to hosting a Candidates Night before elections for Town Council. The survey response reflects a realistic reaction to changed circumstances, namely, the similar pre-election event with candidates sponsored by the Town in partnership with the Coastal Point newspaper. In view of that development and the member survey response, BBLA will not host a separate Candidates Night this year unless a Town-Coastal Point forum is not arranged. We urge all members and other voters to attend and actively participate in whatever event is scheduled.

While on the subject of elections, because of the importance of well-informed voters and the need to provide candidates with an equal opportunity to get their positions on issues before the voters, BBLA will continue to seek member input on issues and questions for candidates. We have developed a preliminary list and included it in this newsletter. We welcome your comments and suggestions concerning the list, as well as any ideas you have for other possible questions. You can send them directly to me via e-mail at [jhimmelberg@verizon.net](mailto:jhimmelberg@verizon.net) or by mail to BBLA, P.O. Box 412, Bethany Beach, DE 19930. We plan to send the questions to the candidates in sufficient time to be able to forward their responses to all members for consideration before Election Day on Saturday, September 8.

Finally, if you want to join BBLA or are a member and have not yet sent in your dues for 2012, please do so by using the form on the next to last page of the newsletter. We welcome all new and renewed memberships. Working together we will have a stronger organization and influence for the good of the community.

## **COMMUNITY SERVICE DONATIONS**

At its May 19, 2012 meeting, the BBLA Board of Directors approved donations to the following community service organizations: Bethany Beach Volunteer Fire Company; July 4 Parade Committee; and South Coastal Library.

## **ANNUAL MEMBERSHIP MEETING AND GUEST SPEAKERS**

The BBLA annual membership meeting will be held on Saturday, June 16, at 10:00 am in the meeting rooms at the South Coastal Library. We are pleased to announce that Gene Reed, Deputy Director of the Delaware Department of Insurance and Michael Gould, Director of Consumer Services will discuss issues and concerns related to homeowners' insurance coverage. This will be a very timely discussion in view of the increase in exclusions and restrictions on insurance policies on homes close to the coast. We will hold our annual meeting following the presentation.

## **COUNCIL CONSIDERS LOCATION FOR NEW WATER TOWER**

At its May 15, 2012, Workshop, the Town Council discussed the feasibility of using part of the Town's current water plant facility property on Collins Avenue for construction of a new water tower for the community. The Council had previously considered utilizing part of the Church/Neff property as the construction site. Upon further study, including cost, engineering considerations and other factors, it appears that the Collins Avenue property may be more suitable.

The Council will hold a special meeting to consider and receive public comments regarding utilization of the Collins Avenue property on Saturday, June 9, at 10:00 am, in the Town Hall Meeting Room. A decision regarding the site will be made by the Council at a meeting to be held on Friday, June 29, at 1:00 pm, in the Town Hall Meeting Room.

In addition, the Council will also hold a public hearing to consider and receive public comments on a proposal to borrow an amount not to exceed \$3.7 million, at an interest rate not to exceed 3 percent, for construction of the new water tower. The proposal will be subject to voter approval in a referendum at a date to be determined.

## **COUNCIL CONSIDERS PROBLEMS WITH NEGLECTED RECYCLING BINS**

At its May 15, 2012, Workshop, the Council reviewed and discussed a "White Paper" or report by the Charter and Ordinance Committee regarding recycling containers. The discussion focused on problems and complaints when part-time residents leave their recycling bins at the curb for extended periods of time before and after a scheduled pick up.

After discussing the issue and possible solutions, including issuance of an ordinance, which raised related enforcement and penalty questions, the Council decided not to issue any new regulation at this time. Rather, the Council decided to attempt to resolve the problem through homeowner education efforts and voluntary cooperation. One suggestion was to urge homeowners to make private arrangements to move their bins to an appropriate location after a pick up by, for example, enlisting the assistance of resident neighbors or using the services of a homeowner's management company, if applicable. Other possible solutions were also discussed, including establishing a central drop-off point for recyclable material during certain times of the year. The Council will consider this matter further in the future.

## RECYCLE TIPS

The News Journal recently published an article on the single-stream recycling process that may be of interest and helpful to homeowners. See Delawareonline.com for the April 18, 2012 article, *"Did You Know? Celebrating Earth Day,"* pages A8-9. Particularly useful is the list of the "Top 10 No No's," identifying the following restricted items:

1. No shredded paper. Too small to sort. Can clog or jam recycle equipment. Should be put into separate plastic bags for hand sorting at recycle facility.
2. No scrap metal. Can damage equipment.
3. No hazardous waste. Items such as paint and automotive fluids should be disposed of at a hazardous waste facility.
4. No flattened containers. The single-stream system separates "flats" (papers) from "rounds" (containers). The equipment could mistakenly sort flattened containers.
5. No caps on jars. Metal lids should be removed and recycled loose in the bin.
6. No ceramics or specialty glass. Ceramics, china, dishes, mirrors and window glass would ruin the manufacture of new glass bottles.
7. No diapers/sanitary products. Diapers and other sanitary products are not recyclable.
8. No frozen food boxes. Paperboard boxes designed for freezing food have been sprayed with a non-recyclable polymer.
9. No liquids. Liquids can cause problems and mess, especially during the compacting stage of the recycling process. Empty containers before recycling.
10. No plastic bags. Plastic grocery bags can jam or clog the recycling equipment. Such items should be collected into separate plastic trash bags to facilitate hand-sorting at the recycling facility.

## TRASH PICK-UP SCHEDULE FOR MAY 1 TO SEPTEMBER 30.

Just as a quick reminder, the Town published the following trash pick-up schedule for the period:

Recycle Items (once a week). For Zone 1 every Wednesday; for Zone 2 every Thursday.

Regular trash (twice a week). For Zone 1, every Monday and Friday; for Zone 2, every Tuesday and Saturday.

Yard waste in labeled containers or appropriate heavy-duty paper yard waste bags will be picked up every Tuesday in the entire Town. The scheduled pick-up for yard waste will remain in effect until December 31.

## PROPOSED FENCE ORDINANCE TO BE AMENDED

At a May 15, 2012, Workshop, the Council considered a proposed ordinance to amend Chapter 425, Section 16 of the Town Code regulating fences in residential zoned districts. The discussion focused mainly on a controversial provision that would have permitted an increase in the allowable height of perimeter fences bordering on side and rear lot lines from four to six feet. The Council disapproved the proposed height increase. The draft otherwise met with Council approval and work on the regulation will be finalized without change to the current 4-foot height limitation.

## RACCOONS INVADE HOME

A homeowner recently discovered that a family of raccoons had invaded the attic of their house in Bethany Beach during the winter. The animals gained access through the attic exhaust fan and then caused extensive damage and contamination. In addition to the cost of capturing and removing the animals and decontaminating the area, significant repair costs are also expected.

Apparently, home invasions by raccoons, squirrels and other creatures are not uncommon in our area. To protect against such occurrences, it was recommended that trees and tree limbs should not be closer than 5 feet to a house. In addition, homeowners are advised that the outside of attic exhaust fans should be covered with 14-gauge, ½ inch galvanized hardware cloth, which should be cut and securely fastened to the dome.

## OTHER REMINDERS AND ITEMS OF INTEREST

At the Town Council meeting on May 18, Town Manager Cliff Graviet reported:

- The Army Corps of Engineers is working on the dune crossovers using a dense clay/sand mixture. The dune fencing will be installed once the crossovers are complete.
- Family movies on the beach will begin on June 11<sup>th</sup>. We understand that the movies will be shown on the beach near the bandstand, weather permitting, when it's dark enough for good movie visibility.
- Parking meters, pay stations and parking permits must be used from now until September 15<sup>th</sup>.
- WiFi Internet service will be operational in the bandstand area and main portion of the beach by Memorial Day and on the entire beach by mid-June.

Mayor Tony McClenny announced that the date and time for the Town Council election is Saturday, September 8, 2012, from 12:00 Noon to 6:00 pm in the Town Hall.

The date and time for the Town Council reorganization meeting is Monday, September 17, 2012, at 10:00 am. During this meeting, the Council will select officers for the next year. The officers are: Mayor, Vice Mayor, and Secretary/Treasurer.

## DRAFT QUESTIONS FOR CANDIDATES

Since its early beginning, BBLA has recognized and emphasized the vital importance of Town Council elections in our community and has provided a number of services to enhance the election process. For example, BBLA seeks input from its members to identify issues that are important to them and questions they would like to ask candidates; presents BBLA member questions to all candidates and affords them an equal opportunity to provide written responses; publicizes their responses to all voters at no cost to the candidates; and encourages maximum voter participation, in person or by absentee ballot. Following is a list of tentative questions for candidates for Town Council positions this year. The list has been developed from initial input from members and BBLA Board discussions.

1. **Issues.** What are the most important issues facing the Town in the next five years and how would you recommend that they be addressed?
2. **Goals and Objectives.** Please identify the three most important goals or objectives you would pursue if elected or reelected to the Council, including the steps you would take to accomplish them.
3. **Council Actions.** Please identify two or three Council actions you consider to have been most beneficial to our community during the last two years. Are there any you think should be reconsidered?

4. **Neff Property Park/Pond.** Are you in favor of the proposed construction of a pond in the Northeast corner of the Neff property as part of the planned development of the property into a park? What do you see as the advantages and disadvantages of the pond construction proposal?
5. **Taxes.** Should the Town Charter be amended to prohibit any tax increase (including real property taxes, utility taxes and special tax assessments levied in connection with any municipal bond) without the approval of the voters in a referendum?
6. **Communications.** Over the past few years, the Town Council has increased and improved the ways, both electronic and print, it communicates with the public. For example, the Town provides advance notices of meetings as well as agendas, briefing book information and subsequent minutes. Are there any ways you can suggest to further enhance communications, promote increased public participation in those deliberations, especially committee meetings and discussions with the Town Manager or issues of interest?
7. **Ordinances/Regulations.** The Town Code has grown in volume over recent years. Under what circumstances and standards should the Council add new and expanded regulations?
8. **Ordinances/Regulations.** A number of ordinances in the Code are viewed by some as unnecessary, too restrictive or overly complex and difficult to understand. For two examples, see Section 231-4, "Prohibited acts," which limits the parking of recreational vehicles on a homeowner's property; and Section 231-7, which restricts the use of portable on-demand (POD) storage units on a homeowner's property. What steps would you recommend to identify problematic regulations for review and reconsideration? Are there any provisions you think should be reviewed for possible amendment or elimination by the Council?
9. **Enforcement of Regulations.** Numerous complaints have been heard over the past two years about the frequent lack of enforcement of the rules on the boardwalk and beach, especially those regarding restrictions on climbing, walking and sitting on the dunes; bike riding on the boardwalk during restricted hours; dog walking and dogs running loose on the beach; and other apparent violations. What do you think can and should be done to improve enforcement, particularly when violators ignore reminders from other members of the public?
10. **Signs.** What is your opinion concerning the number, size and placement of signs throughout the Town? If you are not fully satisfied with the current situation, what would you recommend to improve it?

Your comments and suggestions for improvement or for additional questions are welcome. You can send them to John Himmelberg by e-mail: [jhimmelberg@verizon.net](mailto:jhimmelberg@verizon.net) or by mail to: BBLA, P.O. Box 412, Bethany Beach, DE 19930.





Bethany Beach Landowners Association  
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- 2012 Membership Drive Underway  
- Annual Membership Survey