



November 2019

PRESIDENT'S MESSAGE

My fellow Members, with this being our last Newsletter of 2019, I want to take the opportunity to briefly report on the highlights of your Board's activities during the year.

The Board continued its primary focus on keeping members informed about important and interesting issues and developments and presenting the views of our membership to the Town Council and Town Manager. For example, in addition to monitoring significant Town Council and committee meetings, Board members met periodically with the Town Manager for updates on the status of various projects and issues and to discuss BBLA member questions and concerns. Those informal briefings have been very informative, much appreciated and maintain a helpful line of communication with our Town government.

Board members have also augmented our information gathering and representation efforts with independent research on such issues as flooding, dredging and wetlands preservation. In representing the interests of our members on one issue, the Board strongly supported the Town's recent acquisition of the undeveloped Walcek property. This acquisition was a significant step in preserving protective wetlands in flooding events.

During 2019, the Board decided to provide an added benefit to members through the periodic issuance of the "*BBLA Beach News*." Additionally, we are close to finalizing the selection of a BBLA Communications Director, who, among other things, will enhance the Board's capability to cover significant Town meetings and assist the Board in providing more timely information to the membership. Communications will be available via email and on the BBLA website, resulting in a much better-informed membership than ever before. The *BBLA Newsletter* will also continue to be utilized for in-depth articles and is expected to be published 3-4 times per year. A special edition of our Newsletter is issued whenever there is a contested Town Council election, as occurred this year. This special Newsletter fosters voter awareness and participation by, among other things, providing all eligible voters with the candidates' written answers to pertinent questions before the election.

In other activities, Board members participated on behalf of BBLA in various Town events, such as the Seaside Craft Show, the Farmers Market, and the Fourth of July Parade.

I look forward to working with the Board in the upcoming year in continuing BBLA's over 50 years of service to our members and the wonderful Town of Bethany Beach. Finally, on behalf of the Board, I want to wish everyone a safe and enjoyable holiday season.

Patrick McGuire
President

NEWS AND UPDATES

2019—2020 Town Council and Committee Chairs

On September 16, 2019, Joseph Healy, Jerry Morris and Patrick Sheplee were sworn in to serve two-year terms as Council members.

At a reorganization meeting on the same day, the seven members of the Council, in accordance with the Town Charter, reelected Lew Killmer as Mayor, Rosemary Hardiman as Vice Mayor and Jerry Morris as Secretary-Treasurer. The Council also approved the appointment of the following .committee chairpersons: Audit, Chuck Peterson; Board of Assessment, Jerry Dorfman; Budget and Finance, Jerry Morris; Charter and Ordinance Review, Rosemary Hardiman; Non-Residential Design Review, Lew Killmer; Cultural and Historical Affairs, Carol Olmstead; and Fourth of July Parade, Bruce Frye. The Planning and Zoning Commission is established under the Delaware State Code (see 22 Del. C. § 701), which provides that the members of the Commission, who are appointed by the Town Council, shall annually elect a chairperson and secretary from among its members. Mike Boswell is the current elected Chair.

All the named individuals and other committee and commission members are volunteers and BBLA appreciates their service to our community.

Current BBLA Officers and Board of Directors

With the election at the annual meeting on June 15, 2019, the current BBLA officers and directors are as follows:

Officers*

President:	Patrick McGuire
Vice President:	Kathy Sierra
Treasurer:	Susan Fried
Recording Secretary:	Mary Louise Embrey
Membership Secretary:	Ron Dobes

Board of Directors

Judy Bullis	Diane Fogash	Kathy Shorter
Marty Decre	Jerry Hardiman	Jim Sirkis
	Claire Loftus	Chip Smith

*The officers also serve as voting members of the Board of Directors and comprise the Board's Executive Committee.

Town Purchases Wetlands and Undeveloped Property for Preservation

As previously reported in BBLA's on-line *BBLA Beach News* in October, the Town Council approved the purchase of approximately 12.5 acres of land owned by the Walcek Trust for \$1.4 million, subject to consideration of title, survey data, environmental assessment and other due diligence factors. The undeveloped property, located between Route 26 and the Loop Canal, includes tidal and nontidal

wetlands, which would be preserved in its natural condition. The BBLA Board supported the purchase of the property because preservation is vital in the Town's flood control efforts. In its meeting on November 15, the Town Council, upon completion of its due diligence review, affirmed the purchase and sale agreement. (See the Wetlands Education section on the BBLA website at <https://bbla.us> for additional information on the subject.)

Parking Rate for Pay Station Spaces Increased

A basic policy in Bethany Beach is that summer revenue must cover summer expenses. In reviewing expenses and revenue for this past summer, it was determined that the cost of police coverage was higher than projected. On November 15, the Town Council voted to increase the parking rate for Pay Station spaces from \$2.00/hour to \$2.50/hour, in order to avoid any future revenue shortfall. (It was noted that both Rehoboth Beach and Ocean City charge \$3.00/hour for parking in "prime locations.") Fines for parking violations will also be increased.

Beach Concession Bid Selected

At its meeting on November 15, the Council also selected a bid from Ronald Steen for operation of a concession renting beach chairs and umbrellas, for the period from March 1, 2020 to October 1, 2024. Mr. Steen's bid provides for payment of \$80,000 to the Town for the first year of the period, with a 4% increase each year thereafter. Factors the Council was required by the Town Code to consider in the selection process included experience and record of performance.

FREQUENTLY ASKED QUESTIONS

Managing Bethany Beach: The Roles of the Town Council and Town Manager

Questions are frequently raised about the responsibilities and authority of the Town Council, the Mayor and other individual members of the Town Council, and the Town Manager. For example: Why did the Town Manager make decisions rather than the Town Council? Can a Council member direct Town staff to do something? An overview of our Town government may be helpful in answering such questions.

As provided in our Town Charter and Code, we have a Council-Manager form of government, a common model for local governments. The roles, responsibilities and authority are comparable to those of the Board of Directors and Chief Executive Officer (CEO) of a corporation in the private sector. Under Section 5 of the Charter, the 7-member Council is the "governing body" of the Town, with overall authority. The Town Manager, who is appointed by the Council and designated in Section 7.1.1 of the Charter and Section 40-11 of the Code as the "Chief Administrative Officer" (CAO), manages the day-to-day operations of the Town government; implements the policies and decisions of the Council; and provides professional advice and recommendations to the Council in its deliberations. Just as a corporate CEO is accountable to the Board of Directors, who, in turn, are

accountable to the shareholders/owners of the corporation, the Town Manager/CAO reports to and is accountable to the Council , who are, in turn, accountable to the Bethany Beach property owners and residents, i.e., the taxpayers/voters, in elections.

Individual Council members, even the Mayor (except in defined emergencies), do not have independent managerial authority to direct or supervise Town employees, activities or projects. Under the Town Charter and Code, that is the responsibility of the Town Manager. Section 40-11 of the Code expressly provides that the Town Manager is “responsible to the Town Council for the administration of all Town affairs placed in his or her charge by or under the Town Charter or any ordinance of the Town.” The areas of responsibility and authority are specified in the Charter and Code. The Council, as the “governing body” may, of course, decide such matters by a majority vote. The Mayor, who is elected by the other Council members, casts one of the seven votes.

The Council-Manager form of government has worked efficiently for Bethany Beach for decades. With the above overview in mind, property owners are encouraged to refer their questions, concerns and suggestions about Town administration and operations directly to the Town Manager. They may, of course, be brought to the attention of the members of the Council, individually or collectively. Communications can be sent by email to admin@townofbethanybeach.com for consideration.

How to Keep Informed

As noted in the President’s Message above, the BBLA Board has expanded communications to keep our members better informed about significant and interesting issues and developments by, for example, a more comprehensive website, e-mail alerts and the periodic *BBLA Beach News* also sent via email. The Board plans more coverage of Town Council and committee meetings with the appointment of a Communications Director in the near future.

Members may also obtain extensive information from the Town website at www.townofbethanybeach.com. In addition, individuals can ask to be added to the Town’s e-mail notification list. Both are excellent sources of information about Town events, Council and committee meeting schedules, agendas, and developments.

Moreover, for issues scheduled for Council consideration and possible decisions at public meetings, background briefing materials for most agenda items are available to the public on-line for review in advance.

In addition, Council meetings are live-streamed, recorded and available on the Town’s website. Furthermore, significant issues are usually discussed at public workshops before decisions are made at Council meetings with opportunities for questions and comments. Committee meetings are audio recorded and available on the website.

REMINDERS

Keep Off the Dune

In order to preserve the dune that protects the Town infrastructure and private property from ocean storms, as well as for public safety, the Town Council has reinforced the state ban on public use of

the dune with a Town ordinance and fines for violations. On June 21, 2019, the Council unanimously adopted an amendment to Chapter 223 (Beach), Article II (Unlawful Activities), by adding a new section 223-9, entitled "Beach Access." The new provision strictly limits access to the dune to Town-designated individuals and vehicle crossovers. In practical effect, the ordinance prohibits everyone else from crossing (except at designated crossings), playing on or otherwise using the dune. Violators are subject to citation and fines ranging from \$100 to \$500. Violations can be reported to the Bethany Beach Police Department at the non-emergency phone number: (302) 539-1000.

Rules for Dogs

While dogs are permitted on the beach and boardwalk from October 1 to May 15, they must be on a leash at all times, just like other areas of Town. In addition, Chapter 240 (Dogs and Other Animals), Article V (Dog Waste), of the Town Code requires that if a dog defecates on public or private property, the owner or person exercising control of the dog must immediately remove the feces and dispose of it in a sanitary manner. (There is an exception in the Code for "specially trained companion dogs accompanying a disabled person.") The Town has provided dispensers with clean-up material at every crossover along the boardwalk.

Because of the violations on the boardwalk and beach during 2018 and the related health hazard, public nuisance and Town clean-up expense, the Town Council increased the fines for violations to \$100 for a first offense and \$200 for any subsequent offense in a 12-month period.

Photo Contest for the 2020/2021 Town Calendar

The Town is accepting submissions for the photo contest for the 2020/2021 Town calendar. The theme this year is: Only in Bethany Beach. The contest is open to both amateur and professional photographers.

All participants will be entered to win a 2020 VIP parking pass good for parking at any space in Town (except handicapped, without a handicap permit) during the 2020 summer season. Those whose photos are selected for placement in the calendar will receive photo credit and a free calendar.

Entries are due no later than December 15. Digital photos only, and they must be high resolution, 300 dpi or greater. Email photos in jpeg form to the Town's Events Director and Media Coordinator, Julie Malewski at jmalewski@townofbethanybeach.com for consideration.

Ms. Malewski asked that photos be sent as attachments (not in the body of the email) and that they be cropped to fit a 10" x 7" space before being sent. By entering, participants give Bethany Beach the right to use the photos for the calendar or other media communications, with photo credit.

Would You Like to Participate In the Seaside Craft Show?

The Bethany Beach Cultural and Historical Affairs Committee is seeking "fine crafters in diverse mediums" interested in participating in the Seaside Craft Show scheduled for June 6, 2020. The deadline for submitting applications for consideration is February 1, 2020. Applicants may download the necessary application by visiting www.townofbethanybeach.com and clicking on the Seaside Craft Show tab under Activities. Note that no online entries will be accepted.

BBLA will staff an information table during the Craft Show and encourages members and non-members to visit throughout the day.

Trash Collection for October 1, 2019—April 30, 2020

Regular residential trash will be picked up on Monday in the entire Town.

Residential dumpster collections will be picked up every Monday and Friday (and Wednesday, if needed).

Recycle items will be picked up every Wednesday in the entire Town.

Yard waste will be picked up every Tuesday through December 31, 2019, and every other Tuesday from January 1 to April 30, 2020. Material must be in heavy-duty paper yard waste bags or labeled containers. See the Town website for other requirements and restrictions. <http://www.townofbethanybeach.com/370/Yard-Waste-Schedule>

Special Collections of Acceptable Bulk Items can be arranged through the Public Works Department (PWD). See the Town website for a list of acceptable bulk items and other information. <http://www.townofbethanybeach.com/428/Trash-Collection-Schedule>

Also see <http://www.townofbethanybeach.com/DocumentCenter/View/2095> for month-by-month trash pickup calendar.

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