

**The Town of Bowers**3357 Main St.   
Frederica, DE 19946  
(302) 572-9000  
bowersbeach.delaware.gov

**MEETING MINUTES**

The meeting was called to order at 7:00 pm on October 10, 2019 by Mayor Ada Puzzo. Council members present: Bob McDevitt, Ryan Locke, Shirley Pennington, and Marty Manning.

The Pledge of Allegiance was recited in unison.

A motion was made by Shirley Pennington seconded by Marty Manning to amend the agenda to swear in council members.

Marty Manning was sworn in by Mayor Puzzo. Bob McDevitt was not present to be sworn in but we will do so next meeting.

There was then a motion by Mayor Ada Puzzo seconded by Ryan Locke to appoint the following:

Marty Manning as Treasurer

Shirley Pennington as Secretary

Motion carried.

There was a motion made by Mayor Ada Puzzo seconded by Shirley Pennington to appoint Ryan Locke as Vice-Mayor.

Motion carried.

**Minutes:**

The minutes were prepared and available in printed form by Secretary Shirley Pennington.

There was a motion made by Ryan Locke, seconded by Marty Manning to accept the August 2019 minutes. Motion carried.

There was a motion made by Marty Manning, seconded by Ryan Locke to accept the September 2019 minutes with 2 changes. Motion carried.

**Treasurer’s Report:**

The treasurer's report was given by Marty Manning.

A motion was made by Bob McDevitt, seconded by Shirley Pennington to accept the September 2019 Treasurer's Report. Motion carried.

**Special Guests:** DSP Heather Pepper and Chief Deputy Fire Marshall Scott Bullock were in attendance to address concerns within the Town of Bowers.

Items Discussed:

* Jurisdiction for the Beach – This would be a case by case basis but would mostly fall on DNREC unless it involves criminal activity or is a safety hazard. It depends on how it is called in and what is reported.
* Fireworks around the fragmitis would be considered a hazard but it is usually hard to catch the individuals that are setting them off.
* There has been a big change with fireworks in that they are now legal on certain holidays. These would be the consumer ground based fireworks. The holidays would be July 4th, December 31st, January 1st and DuWally was just added which is usually either early November or late October. Just as it sounds ground based fireworks are the ones that do not leave the ground. Fireworks that are allowed include Sparklers and Smoke Bombs. This is an enforcement nightmare! Other than the designated holidays you are not allowed to possess or use.
* There are only 3 Fire Marshalls working within the state on any given night. Any sworn police officer can enforce the law as well. If you call 911 they will do their best to send someone out to the complaint.
* If there is something in progress call 911. The following day you can call the Fire Marshalls office as well to make sure they are aware of the incident. (302) 739-4447.
* Fires on the beach is a DNREC issue and they should be called but they probably won’t send an officer. Anything that concerns clean air quality is enforced by DNREC. The Beach is a questionable area and FM Scott Bullock will try to get some further information for us.
* DSP doesn’t have enough manpower so they usually patrol what are called “hot spots”. But if you don’t call and report an incident then they are unaware of anything happening. There is a non-emergency number that you can call as well. The Town does have control over when DSP is here to deter speeding.
* There was a question and answer session as well as discussion before the two left the meeting.

**COMMITTEE REPORTS**

Parks & Recreation: We have a volunteer to Chair the committee. Town resident Tink has said that he is interested. A motion was made by Mayor Ada Puzzo, seconded by Ryan Locke to make Tink the Chair of Parks and Recreation. Motion carried.

Planning: No Report

Streets: No Report

Board of Adjustments: No Report

Zoning & Code Revisions: Ordinance No. 02-019 was read by Mayor Puzzo. This is concerning the Liberto property and changing from Conservation Agricultural to Residential.

Judy Martin said that she has talked to DNREC concerning issues and George is the person that is currently aware and working on the issues. He has been out numerous times to the property

The property owner is still dumping chemicals on the property and has been seen doing so almost weekly.

DNREC said that there are rules but they have not been enforced.

Department of Agriculture said that their regulations are limited to when you hire someone to put the chemicals on the property but you are on your own if you are privately doing it to your own property.

DNREC has said that you cannot pump water off and you cannot fill in. Eventually they will be the ones to make the decision whether the property owned by Liberto will remain wetlands. Liberto has the right to appeal the decision if he does not agree with the outcome.

If residents have concerns then they are urged to contact DNREC and voice their concerns.

After the discussion concluded there was a motion to accept the ordinance by Ryan Locke, seconded by Marty Manning to accept the ordinance as read. Motion carried.

Code Enforcement: No Report

Parking Lot: Marge discussed the meeting that was held and the different phases of the project. The bid opening will be October 2nd, bids will close on October 9th. Bids are due back by October 23rd. This project must be completed by the end of February beginning of March. There will be accessible parking as well as accessible bathrooms. There will be a Kiosk to display information and they will be having a contest to name the new park. The name can be up to 20 characters and must be approved by DNREC.

**NEW BUSINESS**

Town Hall Move: Bowers Fire Company was given notice that we will be out of this location by November 1st. It has to be handicap accessible for the public so we would need to have a commercial grade chair lift installed. The museum received a grant for a lift but it was not a commercial grade. There would be an additional cost of $8,000.00 for the commercial grade lift. There was a discussion on the floor concerning the matter. A motion was made by Shirley Pennington, seconded by Ada Puzzo to cover the additional cost of $8,000.00 to get the commercial grade lift for the museum. Motion carried.

Museum Events: Sunday is Heritage Day and will be the last event of the year. Flea Market tables are still available at $10 each.

**NEXT MEETING AND ADJOURNMENT**

There being no further business, a motion was made by Shirley Pennington, seconded by Ryan Locke and seconded by to adjourn the meeting at 8:26 pm. Motion Carried.

The next town meeting will be held on November 14, 2019 starting at 7:00 pm.

Town Meetings are held the second Thursday of each month unless changed by the Mayor.

Respectfully submitted,

**Shirley A. Pennington**

Secretary