

**The Town of Bowers**3357 Main St.
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**MEETING MINUTES**

The meeting was called to order at 7:00 pm on November 18, 2021 by Vice-Mayor Wayne Irons. Council members present: Shirley Pennington, Bob McDevitt, Marty Manning, and Mayor Ada joined us via ZOOM.

The Pledge of Allegiance was recited in unison.

**Minutes:**

A motion was made by Marty Manning, seconded by Bob McDevitt to accept the September minutes with corrections. Motion Carried.

The October minutes were tabled until the next meeting.

**Treasurer’s Report:**

Marty went over the reports for October. He also did a cumulative report for July through October as well. Marty said that we has a good month as we had a lot of income. A motion was made by Bob McDevitt, seconded by Shirley Pennington to accept the September 2021 Treasurer's Report. Motion carried.

**COMMITTEE REPORTS**

**Parks & Recreation:** Tink said we really need to get some signs so people will pick up their trash. The trees seem to be doing well and he would like to thank the Bowers Fire Company for watering them. There were a few that blew down during the storm and he will need help to fix them. He will also be placing lime around the trees to help them he could use help for that as well. Mayor Ada said she can send out an email to get some volunteers. Tink said he would like to set it up for the Saturday after Thanksgiving. Again he mentioned that the big toys at the park are in desperate need of cleaning and he would like to get that done as well. He is aware that the old tree stumps need to be removed and is trying to find someone that can take care of it. He would like to leave one and put a plaque on it telling how the new trees came to be in the park.

**Planning/Zoning Code Revisions:** Bob McDevitt said that they will be meeting to make changes in the zoning soon.

**Streets:** No Report.

**Board of Adjustments:** There will be two meetings scheduled.

One for a variance on South Flack.

One for a variance on Wyatt Avenue.

**Code Enforcement:** No Report.

**Parking Lot:** No Report.

**Watermen's Park:** Marge Ventura reported that the new bridge was in place at the park and there was some flooding during the storm. Shirley Pennington commented that this bridge is not handicapped accessible and someone in a wheelchair would not be able to use is with the current way that it is set up. Mayor Ada said that she would talk with Anthony and relay our concerns. During the 1st Quarter of 2022 we should hear about the additional funding that was requested.

**OLD BUSINESS**

**Drainage on North Bayshore:** There has been no movement and Mayor Ada still has concerns. The jetty on the north end was breached and we now have a compounded flooding problem. We are trying to push up the time line for replenishment and DNREC has looked at the area.

There was a question asking if there was a contact number for residents to call and complain about the issue. Alex Hionis said that he lost 4 ft of his backyard. Since there is an easement in place with DNREC they should be doing something. Mayor Ada said we can discuss this at the end of the meeting.

**Channel Dredging and Rock Jetty:** Mayor Ada said that the survey boat was out. DNREC is still waiting on the RFP to be approved. This is still moving forward and Mayor Ada will continue to check on the progress. This will be done after the new year but prior to April.

**NEW BUSINESS**

**Building use and rental:** This discussion was tabled until Mayor Ada can attend in person.

**Snow Removal:** Bob McDevitt said he received and estimate from Jordan Giuttari who has done it the past few years for the town. A motion was made by Shirley Pennington, seconded by Marty Manning to continue to use Jordan for snow removal. Motion carried.

**Bowers Fire Company:** Members of the Bowers Fire Company were in attendance to discuss the recent storm and flooding. Those members were Chief Aaron Warren, Deputy Chief Doug Duke, and Ron Vanaman.

Aaron Warren said that he had a lot of questions from residents about the recent storm. There has not been a preplan in place at the station for such circumstances. He told the residents that the Chiefs Law does give him the authority to shut down the road if needed. The National Weather Service had issued a warning on the 28th which was 36 hours prior to the storm and DEMA did not relay the information to them. There was a reverse 911 call but that call only went to home phones.

Doug Duke said that DEMA does have a notification system called DENS. There is another system called Smart 911 which is through Kent Center and it can be downloaded to your phone and will send emergency notifications to your cell phone. There was a handout with information on Smart 911.

Aaron Warren said that he did not stay in contact with Mayor Ada during the storm and apologized for that.

Mayor Ada said any information that she receives will be relayed to the residents.

Ken Reese asked if the Delaware Coastal System was used. Ron Vanaman said that they are looking into early warning systems but he needs to do some further investigation. He will contact DEMA for suggestions.

There was a question as to if the dredging would help and the answer was that you won't be able to stop Mother Nature by any means.

Marty Manning asked what criteria was used to shut down the road into town? Aaron said that it was a matter of safety and the officer in charge at the time will make the call.

Mayor Ada asked if they could elaborate on what constitutes a safety issue. This would be the height of the water along with the running water. Ron Vanaman said that the tide

is a running tide it would only take 3 inches of water to knock someone down.

Mayor Ada said that we definitely need better communication. She heard that the fire company did offer rides in town to residents but they had to leave their vehicles.

Aaron said that they even met buses outside of town and transported kids to the firehouse after notifying parents. They also had to remove someone from their hour due to the conditions.

Tink said that he would like to be included in any communications so that he can check the parks to make sure no kids are there.

Bruce Turner asked who the residents should call for a ride into town. He was told this was only in the event of an emergency and the firehouse number is 302-335-4640.

Aaron and Doug also stated that once the system is up and running for alerts to cell phones you will get an alert no matter where you are. They talked about setting up a GEO fence which would only include a certain area but were not sure when this would be available. They suggested for the residents to sign up for Smart911 because all of your information can be stored and available for emergency services personnel.

**Upcoming Museum Events:** Judy Martin reported that there are no upcoming events for the museum.

**RESIDENT TOPICS AND CONCERNS**

The Dune Breach was the topic of concern from Howard Housekeneict. He said that in 2008 the Anderson firm was out to do a study and were paid by DNREC. He is unsure what happened to the study but feels that it would have some useful information. He was unable to obtain a copy of the study but did have a copy of the flood plan,

Howard said that there were actually 6 breaches during the recent storm. Another hit like that would not be good as it may start to affect houses in that area.

Alex Hionis said that when the easement was signed by the residents and DNREC it was not established when they had to replenish the dune. If there is damage done to your house there are stipulations on the flood policy that won't cover the cost. He would like a number to call so he can speak to someone and he feels that the more people that call the better chance we have of getting something done. He said that the sand coming in won't help for long.

Aaron Warren asked if sandbags were a possibility.

Howard H. said that Gary Anderson had a plan for the sand to migrate back and forth but nothing ever became of the work that he did. If we keep doing the same thing we are going to keep getting the same results.

Jay Baker said that Broadkill Beach had their dune replenished and it was much more than what we got. Bob McDevitt said that it was the Army Corp of Engineers that replenished Broadkill Beach.

Jamie (April Feague) said that sandbags need to go on the North end because we get Nor'easters. Why can't the sand be put on our side from the dredging instead of the South side?

Scott Eatough said that if the water breaches the dunes it will probably be a town wide problem and not just the property owners on the beach.

Bruce Turner said he agrees with the concrete bags and wonders if DNREC would come and talk to the town about the situation. Mayor Ada said that she can certainly ask.

Ray Shore said that we need to worry about the marsh area that will go around the beach if the water gets too high.

Carol Baker said that if we use the cement bags, when they disintegrate, the horseshoe crabs and other animals get stuck in them.

Marylisa Manning asked if it made sense to have a heavy foundation or base layer.

Alex Hionis said you cannot put concrete down as DNREC forbids it and if you do they can fine you $50,000.00 or give you 10 years in prison.

Mayor Ada listened to everyone's concerns and then replied to each individual. Below are her responses:

1) Howard - She is definitely interested in the study that was done by Gary Anderson as she was unaware that it existed. Sometimes legislators go out and nothing is done with the studies that may have been done during their term. She will definitely follow up on this and try to find a copy to share.

2) Alex - She agrees that the easement that was signed is unfair. It was done in the 70's. The storm of '79 took away all of the sand and then they were no longer interested. We can't do anything except contact the current legislators. She can email a list of all their numbers to everyone.

3) Aaron - Concerning the sandbags, DNREC needs to come to a town meeting and discuss this with us.

4) Howie - She definitely agrees that if we continue to do the same things over and over we will get the same results.

5) Jay - We were on the list to get sand this year. We contacted DNREC during and after the storm. Other towns went straight to representatives. We will be getting some.

6) Scott - She agrees and the Murderkill needs to remain open as it is very important to our town. The beach is important as well and we need to keep it a sandy beach.

7) April - The north end definitely needs more protection and she thinks a study will help prove this point.

9) Alex - Concrete is not allowed for placement by private residents but we may be able to get DNREC to do it.

10) Carol - It is DNREC's job to balance the beach and animal life.

11) Ray - Very good point!

Mayor Ada said she is interested to know how far the easement goes and feels that we need to ask DNREC to attend a meeting and ask them the questions that have been presented tonight.

Bruce Turner asked if we could close the beach. Mayor Ada said that we can't make that call because it is not our beach.

Mayor Ada said maybe it is time to renegotiate the easement agreements. Mayor Ada will get together with the property owners and look at the easement measurements as she feels that information will be helpful.

If the easement is gone then they can't put sand on private property. At Bob McDevitt's house the measurement is 15 ft ad the high water mark is now back.

Mayor Ada encouraged everyone to look at their own easements.

**NEXT MEETING AND ADJOURNMENT**

There being no further business, a motion was made by Marty Manning, seconded by Shirley Pennington to adjourn the meeting at 8:25 pm. Motion Carried.

The next town meeting will be held on December 9, 2021 starting at 7:00 pm and will be and in person meeting as well as Zoom.

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

Respectfully submitted,

**Shirley A. Pennington,**

Secretary