

Meeting Minutes
DAGSBORO TOWN COUNCIL
Bethel Center
Monday, February 2, 2026
(January 26, 2026, inclement weather)

I. CALL MEETING TO ORDER

The meeting was called to order by Mayor Russell at 6:00 p.m.

In attendance were Mayor Jason Russell, Vice-Mayor Carol Thompson, Councilman CJ Shortridge, Councilman William Chandler, Town Administrator Cynthia Brought, Chief Nicholas Disciullo, Det. Anthony Valenti, Town Solicitor Greg Morris, and Engineering Consultant Kyle Gulbranson. Councilman John Marvel was absent. See sign in sheet for others in attendance.

II. PUBLIC COMMENT

Mayor Russell wanted to let the council members know that he received word from DelDOT, they were able to find funding, and they are at least going to do cracks and fill repairs throughout the Town. There is no further funding until 2027.

Holly Stiles, 32382 Cea Dag Circle, wanted to reiterate that she is in favor of the impact fees being raised across the board.

III. APPROVAL OF MINUTES

Approval of Town Council Meeting Minutes December 22, 2025

Approval of Executive Session Town Council Meeting Minutes December 22, 2025

Vice-Mayor Thompson made a motion to approve the meeting minutes as presented. Councilman Shortridge seconded the motion. The vote was 4-0 with Councilman Marvel absent.

IV. CONSENT AGENDA

a. Police Department Report

Chief Disciullo stated that there were two statistic reports, one for December and one for year end. Both December and January were busy months. Mayor Russell stated that he did receive positive feedback on the statistics being posted. Chief Disciullo stated that they plan to post them quarterly.

Chief Disciullo stated that Dagsboro Police Department received the official accreditation on January 13, 2026, for the State of Delaware. They will be moving forward with the processes of re-accreditation which he stated is just as much work. He stated that they are excited to have completed the accreditation and that it was a team effort.

Chief Disciullo gave Town Council a proposed Traffic Ordinance to be reviewed and voted on. Mayor Russell stated that Town Council could not discuss tonight because it was not on the agenda. Town Solicitor stated yes, that is correct and a Public Hearing needs to be held regarding the Ordinance.

Chief Disciullo reviewed the Ordinance with Council in case there were questions from Council. He stated that this would be easier once DELJIS implements it into the Town of Dagsboro system. On the price sheet the "current" column is what the Town of Dagsboro currently receives for those violations and the "proposed" column is what he would like the Town to receive. For example, speeding 1-9 mph above the posted speed limit, the actual ticket total is \$104.50 of which the Town receives \$29, and they are proposing to increase the baseline to \$100. The actual ticket increase they estimated would be \$120-\$130 with the assessments that DELJIS and the State add on. Det. Valenti stated that some are non-implacable because it would be a Town Ordinance, but there are still some that are mandatory. Mr. Morris asked what assessments would not apply if it were a Town Ordinance. Det. Valenti stated that they have a rough draft list, but it hasn't been confirmed with DELJIS yet. Chief Disciullo stated that the benefit is that all the Ordinances would be civil violations therefore there are no points associated with any Traffic Ordinance violation. The fines may increase by \$30-\$40 a ticket, however there will be no points from DMV. Mr. Morris stated that is an important component on their end with his experience in cases like this, where most people don't care about the fine, they just worry about the points. Mr. Morris stated that the officer can relay that when issuing the ticket that the fine is "x" amount but there are no points since it is a Town Ordinance and saves them time of potentially having to sit at JP Court. Councilman Shortridge asked if right now points are associated. Mr. Morris stated "yes, because it is a State Code."

Chief Disciullo stated that they drafted two additional Ordinances which are secondary to the traffic but wanted Council to review them and could discuss them at a later meeting. The two Ordinances would be for urination in public and underage possession of Alcohol under the age of 21. The 1st offense is \$100 and the 2nd offense would be \$200. Vice-Mayor Thompson asked if they have not had these violations before. Chief Disciullo stated "we have not had an Ordinance," but they have had these violations and it's difficult for them to issue fines under the State Code. Det. Valenti stated that they would have to do a custodial arrest to issue a fine, they cannot just print out a ticket. Chief Disciullo stated that with an Ordinance they could issue a document roadside and not have to process them on it.

Chief Disciullo stated that later he would like to discuss construction Ordinances as they have had issues with not being notified when construction is taking place within Town limits.

- b. Treasurer's Report**
- c. Administrative Report**
- d. Cemetery Report**
- e. Code Enforcement Report**
- f. Water Department Report**
- g. Correspondence**

Vice-Mayor Thompson made a motion to approve the consent agenda. Councilman Shortridge seconded the motion. The vote was 4-0 with Councilman Marvel being absent.

V. NEW BUSINESS

- a. Hydrocorp Renewal Service Agreement**

Mayor Russell stated that there is not a lot of information on it and we are still awaiting exactly what they accomplished in the last two years. He stated that we did receive what inspections had and hadn't been done, but he still has questions before another agreement was signed. Vice-Mayor Thompson asked when the contract expires. Ms. Brought stated either February 21st or 22nd and Hyrdocorp is aware that the meeting date has been changed.

Mayor Russell stated that there are other companies that do this type of work and felt that we needed to reach out to other companies like Delaware Rural Water. He spoke to Artesian and they advised that they use a company called Pennsylvania Water Specialists. Mayor Russell stated that Council should get other bids for what's out there and not just blindly sign a contract when the feedback hasn't been great so far.

Councilman Shortridge asked if it was a State requirement that we must have a contract with a company to provide these inspections. Ms. Brought stated that she didn't think so but that they do have to be done.

Mayor Russell stated that we would table this until the next meeting and hopefully by then have some other options to review.

b. Discussion and Re-adoption of Impact Fee Adjustment for Inflation per 130-8

Mayor Russell stated that the current Ordinance has been in the books since 2006 and he isn't sure if it was ever imposed and the last time it was waived was in 2015. He stated that the way it works is every December the Council is either supposed to waive that fee or it would automatically take effect in January and adjust for the inflation. Vice-Mayor Thompson asked why it didn't happen. Mayor Russell stated that it was just a lack of oversight by previous Council and Administrative Office.

Mayor Russell asked if the Ordinance could be re-adopted. Town Solicitor Morris stated that you wouldn't re-adopt as it already exists. Mr. Morris stated that the Council is aware that the Ordinance exists and every December Council would need to act on whether to waive or enforce it.

Councilman Chandler stated that he would like to make it mandatory and that it automatically gets added into the fees. Mayor Russell stated that the way it is written states that Town Council may act by Resolution adopted on or before December 31st of each year, to waive the increase for the following year. Councilman Shortridge asked what the purpose is of waiving it. Mayor Russell stated that if the Town felt that the fees were in line and they didn't need to be raised it would be waived. Council advised Ms. Brought to put that on the agenda for December.

VI. OLD BUSINESS

a. Continued Review, Discussion and Possible Voting on Building Permit Fees, Impact Fees, etc.

Mayor Russell stated that he sent a questionnaire to everyone on Council, the P&Z Commission, and a few builders that currently have projects in Town or are proposing to do projects in the Town. He stated that he was looking for feedback on where the fees are currently and what they suggest on a way to move forward to

better prepare the Town for the future. He hasn't received a lot of feedback to date but did request to have the information by February 6th. That would give him time to prepare an Ordinance at the February 23rd meeting to make a vote and move forward. He stated that we have been in a moratorium and the only accomplishment is a Police Impact Fee which was well needed but felt a majority on the Council agree that it wasn't enough. He stated that there hasn't been an increase but there has been a lot of inflation.

Councilman Chandler asked for clarification of Mayor Russell about a vote on the Ordinance at the next meeting he asked wouldn't it be a vote to go to Public Hearing on the Ordinance. Mayor Russell stated that he felt that we should move forward with the Public Hearing now. Councilman Chandler asked if we could make it by the February 23rd meeting? Mr. Morris stated that with building permit fees it requires 90-day notice, the impact fee does not have that requirement.

Councilman Chandler made a motion to advertise a Public Hearing for the February meeting with proposed increases to the impact fees. Councilman Shortridge seconded the motion. The vote was 4-0 with Councilman Marvel being absent.

b. Charter Changes Update

Vice-Mayor Thompson stated that what she has presented is a progress report in draft copy which means even what you see will be revised before they are in the final stages. The Committee members (Ed Burton, Marjorie Eckerd and Sandie Gerken) were faithful and diligent and are at the meeting tonight as well. She stated that the Committee was tasked to analyze the Dagsboro Town Charter and make suggested revisions and modifications that will be presented for consideration by the Dagsboro Town Council. She stated that no deadline or completion date has been fixed for the Charter Revision Committee therefore it is free to take as much time as needed.

Vice-Mayor Thompson stated that to date the Committee has been meeting on the second Saturday of each month from 9am to 11am except for one summer month, and November to the first of the year due to the holidays. She stated that there has been a lot of discussion and debate, and they don't always agree therefore they research what other communities are doing. She stated that the Charter has not been updated since October 2009.

The Committee would like to recommend that once the Charter is revised a Charter Review Committee be a standing committee of the Town Council. They would like the Council to consider the mission statement and objective of this Committee. This is a committee that is always available, readily providing input to the Council or the Council back to the Committee to keep the Charter up to date more frequently.

Vice-Mayor Thompson stated that the attached rough draft, everything highlighted in yellow, is what we have changed so far. She stated that there are 39 sections to the Charter and they are halfway through it. They are currently working on Section 29 Streets, Section 30 Curbing and Parking, and Section 31 Subdivisions and Land Development. Vice-Mayor Thompson stated that she has put delete marks by what they have removed the Charter. She stated that anything not in this progress report either means that they have not discussed it yet

or that they are doing more research on the topic. She stated that anything that dealt with the Board of Health has been removed as no other towns had it in their Charter. She also stated that there was a law that the Town Administrator should be called the Town Manager, so they corrected all of those within the Charter.

Vice-Mayor Thompson thanked the Committee publicly for them being faithful and that a better committee couldn't have been picked. Councilman Chandler also thanked the Committee for all their time and effort that they have put into the update of the Charter. He stated that it is important to the Town and that you were all willing to step forth. To do this speaks volumes about them personally and he is indebted and grateful to them and to Carol for leading the effort.

Councilman Chandler wanted to bring up to the Committee about recent litigation with the Town of Fenwick Island because they allow corporations to vote in their town elections. He feels they are different than Dagsboro because they undoubtedly have multiple entities that own a particular property and therefore get multiple votes in the town election and Dagsboro doesn't have anything like that. He stated that he thinks that Ms. Brought told him at the last election that Dagsboro only has five or six companies that vote in town elections.

Vice-Mayor Thompson asked what the lawsuit was about. Councilman Chandler stated that it is a Declaratory Judgment Action filed in the Court of Chancery against the Town of Fenwick Island and was brought up by a couple of residents, who are being represented by the ACLU. They are challenging Fenwick Island's Charter Provision that grants corporations the right to vote in town elections. They are saying that it is contrary to the Constitution of the State of Delaware, and he assumed of the United States Constitution, because their view is a corporation is an entity and is not a person. The Constitution guarantees the right to vote for a person, and an entity isn't, even though there are a few cases in Delaware and a few in the United States Supreme Court that have suggested otherwise. ACLU's view is that the law should read that way and corporations are not people therefore they should not be allowed to vote and that it has skewed election outcomes of Fenwick Island unfairly against people who have run for office and been defeated because many corporations voted for their opponents. He stated that is their argument and he is not suggesting that this is a problem for Dagsboro. Mr. Morris stated that there are only a few in the state, and Dagsboro is one of them, that have that in their Charter. Councilman Chandler wonders what the historical genesis is for why it appears only in a few Towns Charters.

VII. PUBLIC COMMENT

There was no public comment.

VIII. EXECUTIVE SESSION

Discuss site acquisitions for publicly funded capital improvements, all in accordance with 29 Del. Code Section 10004 (b) (2)

Councilman Chandler made a motion to move into Executive Session. Vice-Mayor Thompson seconded the motion. The vote was 4-0 with Councilman Marvel being absent.

IX. RETURN TO PUBLIC SESSION

Councilman Chandler stated that a discussion was had during executive session about capital projects and came to conclusions with respect thereto.

X. ADJOURNMENT

Councilman Chandler made a motion to adjourn. Vice-Mayor Thompson seconded the motion. The vote was 4-0 with Councilman Marvel being absent.

Meeting adjourned at 7:05 p.m.

Respectfully Submitted,
Stacy West, Finance Clerk