

MINUTES
COMMISSIONERS OF BRIDGEVILLE
August 11, 2014 – BRIDGEVILLE FIRE HALL

I. CALL TO ORDER

The meeting was called to order by President Pat Correll at 7:00 P.M. Present: Commissioners Sharon McDowell, Paul Kovack, Jay Mervine, Lawrence Tassone, Town Manager Jesse Savage and Town Solicitor Dennis Schrader. The meeting began with the Pledge of Allegiance and Prayer.

II. QUORUM PRESENT

President Correll reported a quorum was present to discuss the business of the Town of Bridgeville; all five Commissioners were in attendance.

III. APPROVAL OF AGENDA

President Correll advised they would modify the Agenda by placing Citizen's Privilege later in the meeting in order to take care of the Town's regular business first.

Motion to approve the Agenda with the above modification – Tassone; 2nd – Mervine; motion carried.

IV. APPROVAL OF MINUTES

Motion to approve the Minutes from the July 14th Executive Session and regular Commission meeting – Tassone; 2nd – Mervine; motion carried.

V. CORRESPONDENCE

Town Manager advised no correspondence was submitted to the Commissioners.

VI. APPROVAL OF FINANCIAL STATEMENTS AND BILLS PAYABLE

Balance Sheet – July 31, 2014
General Fund – \$183,173
Reserve Fund – \$746,841
All Accounts – \$1,080,612
Accounts Receivable – \$824,610
Budget Report Target – 8%
Income – \$781,179 (32%)
Expenses – \$134,941 (6%)
Accounts Payable
Bills – \$12,389
Expected Expenses – \$126,600
Total bills to be approved – \$138,989

Motion to approve the bills as presented – Mervine; 2nd – Tassone; motion carried.

VII. TOWN REPORTS

Hopkins Construction has ordered pipe for the drainage portion of the Mill St. project and hopes to begin very soon. Once the pipe is laid and under cover, there will be a 2-3 week break to allow the ground to settle before the paving portion of the project begins.

An effort continues to find the source of infiltration and inflow at Heritage Shores. The Town is seeing an increase in wastewater flows during rain events. Data has been collected; however, the method of the initial testing is not as accurate as hoped. The developer is working on a different strategy to finish the inspection.

Lysimeter installations were completed on July 10th. The Public Works staff was trained on use of the lysimeters, with samples to be taken monthly and sent to the Department of Natural Resources and Environmental Control (DNREC) for their review. Town Engineer Jason Loar from Davis, Bowen and Friedel, Inc. advised the lysimeter is a shallow well installed in the Town's spray irrigation field to take samples of the effluent sprayed on the field and determine the nutrient levels in the groundwater. This is a new requirement for the Town from DNREC.

VIII. CITIZEN'S PRIVILEGE

(Moved later in the meeting.)

IX. OLD BUSINESS

A. PUBLIC HEARING, DISCUSSION AND POSSIBLE ADOPTION OF ORDINANCE 2014-E, AN ORDINANCE AMENDING THE LAND USE AND DEVELOPMENT CODE OF THE TOWN OF BRIDGEVILLE RELATING TO OFF-PREMISES SIGNS (BILLBOARDS)

Solicitor Schrader advised the billboards falling under this Ordinance front Route 13 only. The size allowed would be 1,200 sq. ft. total, or 600 sq. ft. per side. A Conditional Use would be required from the Planning and Zoning Commission (P&Z) and the Town Commission. P&Z has presented a letter recommending approval of this Ordinance. Solicitor Schrader opened the Public Hearing at 7:12 P.M. There being no citizens who wished to speak in favor of or against the Ordinance, the Public Hearing was closed at 7:12 P.M.

Motion to adopt Ordinance #2014-E to change the size of billboard signs adjacent to Route 13 and rename the adopted Ordinance #14-5 – Tassone; 2nd – Kovack; motion carried 5 to 0.

Mr. Robert Gay from 58 Emily's Pintail Dr. asked if there were any restrictions on the content of the billboards. Per Solicitor Schrader, federal law prohibits content restrictions, as it would be considered censorship by the Town.

President Correll advised the Bridgeville Police Department will participate in another Drug Take-Back Initiative at the Fire Hall on September 27th. This is an opportunity to safely dispose of outdated/no longer needed prescription drugs.

X. NEW BUSINESS

A. HERITAGE SHORES RPC PHASE 3B FINAL APPROVAL

Solicitor Schrader advised this is an amendment to the RPC plan and will be approved by Resolution. Phase 3A has previously been approved by P&Z and the Town Commission. The modifications to the development standards in this phase are delineated in Resolution R14-6, page 2.

Mr. Bob Rauch from Rauch, Inc., engineer for Passwater Farm, LLC, reported Phase 3 has been presented for preliminary approval and he is requesting final approval, based on the receipt of final drawings suitable for construction. The project was divided into Phase 3A, approved previously, and 3B, which involves the remaining residential areas. Construction plans have been submitted to the Town Engineer and staff for review. All comments have been addressed and the developer is requesting approval from the Commission to start Phase 3B construction. They are awaiting Soil Conservation approval before they can move forward. Per Mr. Rauch, the developer is responsible to return to P&Z for a review/update of site plans concerning specific improvements, including parking, traffic and multi-family housing.

Commissioner Tassone pointed out a slight error in the documentation; Heritage Shores is considered District #2 in the Town; however, it is identified as District #1 in the plans. Commissioner Tassone also reported no details of amenities are included in these plans and he assumes they will come back before the Commission. Mr. Rauch reported they will return to P&Z with Market House site plans in 3B and for a building permit. Additionally, there are reserved pads for commercial activity and for active recreation areas which will also come before P&Z.

Motion to approve the Heritage Shores Final RPC Phase 3B – Tassone; 2nd Mervine; motion carried.

B. HERITAGE SHORES PHASE 3A ADDRESS APPROVAL

Town Manager Savage advised the developer has submitted a map of Phase 3A showing proposed addresses. Streets include Champions Drive and Legends Way. Alleyways are named Holly Tree, Swallowtail and Goldenrod Lanes. Mr. Rauch advised the request for addressing will allow the sales division to proceed with applications/contracts.

Motion to approve the Heritage Shores Phase 3A addresses – Tassone; 2nd – Mervine; motion carried.

Mr. Coulter Passwaters from 9027 Shepherds View Lane is the previous owner of the Heritage Shores land. He advised at the time of the land sale he was promised that his grandchildren's names would become street names in the development. Mr. Rauch assured him that agreement will be followed.

C. GOLF TOURNAMENT RESOLUTION – BENEFICIARIES

Resolution R14-5 was introduced to grant the proceeds of the 2014 Bridgeville Charity Open Golf Tournament to specific service organizations in the Town of Bridgeville.

Motion to award the 2014 Golf Tournament proceeds to the Bridgeville Kiwanis Club and the Bridgeville Lions Club – Kovack; 2nd – Tassone; motion carried.

D. MASTER PLAN RESOLUTION

Bridgeville has partnered with the Town of Greenwood and state agencies and resources to prepare a Master Plan for the two towns for proactive protection of the Nanticoke Watershed, by setting a common strategy for growth and development in their areas of concern. The document is available on the Town website – www.bridgeville.delaware.gov. The plan is being sent to P&Z for review and a Public Hearing, after which it will return to the Town Commission for the same. Mr. Ed Lewandowski, a Coastal Communities Specialist with the University of Delaware, has been assisting the Town with developing this Master Plan. He advised the Greenwood Council has adopted it and he trusts Bridgeville will do the same. They have been working on the Master Plan for 2-1/2 years and it has been well-received by the state agencies, who encourage its adoption.

Commissioner Mervine introduced the Master Plan and referred it to P&Z. President Correll expressed her appreciation to Mr. Lewandowski for his assistance.

E. APPLE SCRAPPLE FESTIVAL EVENT MAP APPROVAL

Ms. Karen Johnson, Director of the Bridgeville Library, is the Chairperson of the Apple Scrapple Festival Committee. She came to request permission from the Commissioners to purchase 15 larger (12"x48") banners in the amount of \$1,500. They intend to buy larger sticks, but will not need new hardware for the banners. The Commissioners have received a map of the banner placements with Street Superintendent Passwaters' recommendation and supervision of the installation. It was clarified this design will not be on the Apple Scrapple shirts; this year they are honoring the new Woodbridge High School. Ms. Johnson also provided an event map for the Commissioners. The food vendor list will be submitted to the Commission for approval at its September meeting.

Motion to approve the Apple Scrapple event map and banner placement – Tassone; 2nd – Mervine; motion carried.

F. ADAMS GENERAL MUTUAL RELEASE AND EASEMENT AGREEMENTS

Solicitor Schrader advised this concerns on-going negotiations between the Commissioners and Adams Family Sudler Farm, LLC and Adams & Adams II, LLC to settle a long-standing property dispute between the Town and the parties since the 1950's. Properties were supposed to be conveyed to the Town for a wastewater treatment plant sewer easement; however, it never took place and the Town never used the property. There is also a sewer line that needs to be moved. This Agreement resolves all claims between the parties relating to the ownership of 1.24 acres, more or less and the conveyance of certain utility easements to Adams, and to Bridgeville.

Motion to approve the signing of the Adams General Mutual Release – Kovack; 2nd – McDowell; motion carried with a vote of 4 to 0 with an abstention from Commission Mervine, due to family connections.

VIII. CITIZEN'S PRIVILEGE /

IX. OLD BUSINESS – G. 40:16 DISCUSSION AND CONSIDERATION OF COMMISSIONER McDOWELL'S MOTION TO SUSPEND THE ENFORCEMENT OF BOTH ORDINANCES #14-3 AND #14-4, UNTIL SUCH TIME THAT THEY CAN BE OFFICIALLY WITHDRAWN

President Correll opened Citizen's Privilege and took questions and comments concerning suspension of the enforcement of Ordinances #14-3 and #14-4.

Ms. Barbara Devine from 100 Whistling Duck Dr. presented a petition signed by 389 persons in Heritage Shores to repeal both Ordinances, as the signers believe they were passed without residents' support and foreknowledge. There is no current deficit and there is a baseless concern about transfer taxes. The petition states there are untapped resources available and the Ordinances are a deterrent to economic development. The signers demand an emergency, open meeting be convened within 15 days to repeal these Ordinances.

Mr. John Shockley from 312 Laws St. suggested that Ms. Devine's petition should include all of Bridgeville and not just Heritage Shores.

Mr. Tony Terracciano from 11 Ruddy Duck Ln. advised they moved to Bridgeville two months ago. As retirees they found that Delaware was on the top of the list for retirement, due to low taxes. They were very surprised to discover taxes would be raised 20% and suggested mediation or repeal. He shared that a local newspaper mentioned the availability of state grants for water/wastewater until August 28th and wondered if the Town qualifies for these grants. He added that they want to be proud of the Town and they desire a thriving Economic Development Committee that helps in filling our empty business properties.

Mr. John Shockley advised free money was given to the Town for a project on Walnut St. several years ago and it was voted down by residents in a Referendum. Commissioner Tassone corrected Mr. Shockley; the money was not free. The Town was offered a state loan at 3% interest for 30 years. The current Walnut St. project loan has been offered at 1-1/2 %. The delay actually worked in our favor. The water line is over 100 years old and undersized to the extent that it would not be adequate in case of a fire on a property's second floor. It is important to replace the line before it becomes an emergency situation.

Mr. Michael Griiser from 20 Harlequin Loop understands the Town is in the black right now and the capital improvements will put us in the red. A 20% increase is ridiculous. Many in our community have lost their spouses and are on fixed incomes; they cannot afford to live in the Town. If the 20% tax increase is necessary, he asked for a break on the water increase.

President Correll shared additional information on the loan for the Walnut St. water line replacement and other water projects. The total loan is for \$1,194,300 for the three projects, which include the Walnut St. water main replacement, new water meters for the older portion of Bridgeville and Water Department alarm upgrades. Concerning the 2015 budget process, there were two meetings on April 30th and on May 28th that were open to the public. The water increase is expected to be approximately \$4.00. President Correll also explained this month's water bill, which is somewhat higher due to posting 5 more days on the bill than usual, due to a holiday.

Mr. Bob Tomlinson from 16 Canvasback Circle questioned the process to put this issue on the ballot in the Town. Solicitor Schrader advised there is no process for that. The Town Charter does not provide for

a Referendum on the tax levy. The residents would need to convince the state legislative delegation before the General Assembly. Mr. Tomlinson believes the taxpayers should do so.

Mr. John Gladmon from 114 Market St. commented that the Commissioners are the residents' elected officials to act on the residents' behalf. If something is not what the constituents want, it's not a good idea and shouldn't be passed. He believes the Commissioners failed to act in the residents' interests and suggested repealing the Ordinance and starting over.

President Correll encouraged residents to submit their email addresses to be kept informed of future meetings and Town business.

Mr. Leonard Willens from 26 Canvasback Circle stated if the Town has provisions in its charter, he respectfully requests a recall of Commissioners.

Mr. Alan Greene from 136 Widgeon Way commented he doesn't believe the Commissioners have demonstrated a need for the increases. He asked how much money the water increase will generate. Town Manager Savage advised it will bring in \$70,000 annually, which is enough to pay the debt service on the loan for 1,400+ users. Town Manager Savage advised the average user pays for 4,400 gallons per month and should experience a \$4.00 per mo. increase. He added that Heritage Shores users also have irrigation meters and those who choose to irrigate will have a double increase. Based on the rate study undertaken by Town Manager Savage, the \$70,000 increase includes the irrigation meters at Heritage Shores.

Mr. Tim Banks from 16 Church St. has lived in Bridgeville all his life and has seen many positive changes. On his side of Town there are many on fixed incomes who can't afford the tax increase. He believes the Commissioners will do the right thing; they are good people. He doesn't want to divide the Town but bring it together. He hopes the Commissioners will do the right thing and rescind the increases.

Mrs. Kathy McGeady from 12 Harlequin Loop advised they used to water their lawn three days a week and now they just cut it back to two days a week. If you can't afford it, dial back your irrigation usage.

Mr. Robert Gay suggested putting the 20% tax increase on the back burner and dealing with the water increase first, rather than having both increases at the same time.

Mr. Waddia Rafail from 105 Jacobs Ave. suggested the Commissioners look into the recommendations that Mr. Joe Conaway made at a previous meeting.

Mrs. Dana Willens from 26 Canvasback Circle believes everyone is besieged with taxes – state, federal, municipal, gas, etc. and people on fixed incomes can barely making a living. Many have saved their whole lives to enjoy their retirement and she does not want to see people's incomes eaten up by additional taxes. Many have come from large cities with many amenities to this rural area because of lower taxes. She asked that both Ordinances be rescinded.

Mr. Patrick Gordon from 403 S. Main St. believes his water increase is much higher than he understood it would be. Mrs. Gordon added that they have recently moved here to a property with beautiful landscaping, which they want to nurture. They are in their late 20's and want to raise their family here in Bridgeville; however, this increase will make it difficult for them.

Mr. Charles Hawk from 108 Walnut St. questioned whether water and sewer rates were increased. It was clarified that only water rates increased. He also questioned the need for new water meters, as his water meter is new. Town Manager Savage advised they have no intention to replace newer meters. They are replacing old meters for those with radio-read capability.

Mr. Steve McCarron, who owns property in Bridgeville, asked where the monthly water meter fees go. Town Manager Savage advised they are always in the budget. Mr. McCarron believes a 20% increase in taxes on his rental property is a lot. He suggested the Town submit a 10-year plan for dealing with the wastewater issues and outdated infrastructure, etc. He would like to see an explanation about the Town's needs.

Commissioner Mervine delineated a number of issues and challenges the Town currently faces to acquaint the residents with the Town's financial picture and better explain the tax increase. He admits these are difficult issues and a concerned citizenry is good for the republic. He explained the Town's previous Commission-style government required each Commissioner taking responsibility for one of the departments (Water, Wastewater, etc.) with no staff members. Eventually it was decided that the Town needed more professional management and fiscal responsibility. The addition of a Town Manager came when the Heritage Shores community was imminent.

The Town submits itself to auditors for fiscal responsibility and those entities that offer loans must be assured that our books balance. Each department must pay for itself, which resulted in a water fee increase several years ago. The current water fee increase is going 100% to debt service to pay for the Walnut St. water main, meter replacements and alarm upgrades.

Commissioner Mervine explained the Commission's reasoning for removing 1/2 of the transfer tax from the budget, which initiated the tax increase. This is a tax on each real estate transaction in Delaware and the Towns receive 1-1/2% of the money. In the past, the Town has used this money to balance its budget each year; however, the tax amount is very fluid – some years it's good and some years it is not. No Sussex County Town west of Rt. 113 uses transfer taxes in its operating budget. Towns that still include it are trying to wean themselves from it. Bridgeville would like to use \$100,000 (1/2) of this year's transfer taxes to fund capital projects.

Commissioner Mervine went on to discuss the Town's wastewater plant. It is an old plant, but is adequate to the Town's needs for the next 10 years; however, this plant does not treat for nitrates. The Town maintains a spray irrigation farm where treated effluent is sprayed onto farm fields. When conditions are not conducive to spraying, the Town has a permit to discharge into the Bridgeville Branch. The Town's permit mandates that it build a new wastewater treatment plant (WWTP) within the next five years, which the Town is not willing to do because we believe our current plant is adequate. This will likely end up as a lawsuit and other Towns are dealing with this same problem. The current plant technology uses eight Rotating Biological Contactors (RBC's) which cost \$450,000 each; therefore, replacement is costly. The spray farm must also be increased by 150 acres; Bridgeville currently spray irrigates on 60 acres outside of Town.

Commissioner Mervine advised the Police Station is 100 years old with many safety issues; a new building is essential. The Town Hall also needs a larger meeting room.

It was suggested that as the tax base increases it will mitigate more tax revenue; however, we don't live in a vacuum and as the tax base increases the cost to run the Town increases. Currently the Town takes

responsibility for only two Heritage Shores streets (maintenance/electric/etc.) In 5-10 years, the Town will be responsible for all the street expenses. Last year the Town paid \$30,000-\$40,000 for the electric on the two Heritage Shores streets the Town owns. Additional Town employees/police officers will also be necessary in the future due to the growing community.

The number of Heritage Shores homes was questioned; per Ms. Dottie Harper, there are slightly over 400 homes currently. Mr. Gay questioned transfer tax. It was clarified that the transfer tax total is 3%. 1-1/2% goes to the state and 1-1/2% goes to the Town.

Commissioner Mervine felt it was necessary to explain some of the upcoming expenses that the residents are not necessarily aware of i.e. loan repayments, wastewater treatment plant issues, etc. This is all public information; the Commissioners do not desire to be devious in their relationship with the property owners. The question is whether or not it is responsible to use transfer taxes to fund regular expenses.

Commissioner Mervine advised the Special Heritage Shores tax goes 100% to infrastructure solely in Heritage Shores. The Town does not receive a single dime; it goes to pay debt service on the Heritage Shores bonds. He added that at the beginning of the development, the Heritage Shores developer prepaid impact fees (\$3,000/lot) for the first 1,000 lots (\$3 million) to pay for the spray farm and other important projects 10 years ago. With 400 houses built, they will need to build more than 500 more before the Town starts receiving impact fees again from the developer.

A question arose concerning the wastewater agreement with the Town of Greenwood. Town Manager Savage advised Greenwood's allocation of the plant is 18% and that is what they pay for plant upgrades.

Commissioner Mervine advised concerning property taxes, Bridgeville uses the Sussex County assessment, which is based on 1974 values. The Town of Seaford re-assessed their property in (approx.) 2008 and their tax rate is lower; however their assessments are significantly higher than Bridgeville's. Looking at the overall tax burden, Bridgeville has one of the lowest in the state. Rehoboth's average tax bill is \$1,500 and Bridgeville's average tax bill will be \$450, with the tax increase.

Mrs. Jacqueline Vogle from 124 Widgeon Way reported at the beginning of Heritage Shores the Muni-Cap bonds went mostly for infrastructure; however, \$600,000 went to the new Bridgeville Library and money was also ear-marked for new police cars, a street sweeper and other smaller purchases. She believes most of the Heritage Shores Special Tax District monies go to debt service. The bond may be paid at closing, or the new homeowner may pay it over 30 years, with a yearly 2% increase.

Commissioner Mervine reiterated that the Town does not see any of the bond money at all; however, Bridgeville does receive transfer tax, building permit fees and property tax from Hge Shores properties.

Mr. Gladmon understands the Town needs money to operate, fund projects, etc. and if the police station is condemned they shouldn't be in there. The problem is that the Town made a decision that the constituents didn't agree with. The Town should have sold the residents on the need for an increase rather than instituting it. He believes the elected officials' job is to listen to the people and do something. Commissioner Mervine believes the Commissioners' job is to do the right thing.

Mr. Joe Conaway from 105 Delaware Ave. advised when he became a Commissioner water and sewer fees ran the community and then they initiated enterprise funds, so they stand on their own. He will talk with anyone anytime about these circumstances because he loves the Town and its people. He believes it will work out and the Town can do better. He added that the Town has a contract with Dale Wheatley for 1,100 acres adjacent to our current spray irrigation property; therefore, we do not need to buy acreage. It is clear the residents want action taken to rescind the increase. The Town shouldn't raise taxes when it has a surplus. Mr. Conaway believes there is \$329,000 in the sewer account. According to Town Manager Savage, it is true, until the Town needs to pay for the replacement of the effluent line.

President Correll questioned Mr. Conaway about a previous abatement of taxes for businesses. Mr. Conaway advised the Town Charter included a 10-year abatement of taxes for a business that came to Bridgeville; however, our tax rates were so low that any business that needed that abatement was not a business that the Town would want to have. It was removed from the Charter by the General Assembly years ago. We need sustainable businesses in Bridgeville.

Mr. Brian Butler, owner of East Coast Restoration and Collision on N. Main St. believes he has received nothing from the Town as a business owner. He paid \$500 for a Planning and Zoning hearing and has received nothing in return. His business has added 13 jobs to the Town in less than 2 years.

Ms. Dolores Slatcher, Town Manager of Seaford was in attendance and she advised Seaford does not put transfer tax in their operating budget, which runs the day to day business. They set aside the funds for capital expenses such as debt service or purchases. To put it in the operating budget is a false sense because there is no way to know what the Town will receive in transfer taxes – it cannot be relied upon. If the economy tanks, it won't be available. Seaford uses transfer taxes for special, expensive ticket items.

Mr. Bill Atwood from 113 Emily's Pintail Dr. advised he agreed with Mr. John Shockley that we are all Bridgeville residents. Mr. Atwood is being told that other Towns do not use transfer taxes for normal expenses; however, he wonders how many large housing developments are going up in Laurel or Seaford, for example. (Commissioner Mervine advised Millsboro has several developments going up.) Bridgeville has a thriving development under construction and sale. He compared Bridgeville's transfer tax (\$300,000) to Seaford's (\$100-150,000). He believes Seaford might use its transfer tax differently if it was in the \$300,000 range. Mr. Atwood went on to question statements made by various Commissioners that the Town auditors have advised not to place transfer tax in the budget. In reviewing the auditor's report/minutes, he has found no reference to transfer tax at all.

Commissioner Tassone interjected that the auditor has said transfer tax should not be in the operating budget.

Mr. Atwood went on to say that Providence of Brookfield Homes hopes to build 80-90 homes per year, which will bring in significant transfer tax. He added he reviewed the capital improvements budget and had to apologize to the Police Chief after personally visiting the Police Station and seeing its poor condition in person.

Mr. Alan Greene from 136 Widgeon Way believes Bridgeville is in an enviable position, as 450 new homes will grow to 1,800 new homes. He believes revenue will grow without adjusting the tax rate. He recommended the Commissioners project forward and taper the Town's spending to match the income that is coming in.

Commissioner Tassone rose to speak. Commissioner Kovack objected to Commissioner Mervine and Commissioner Tassone making speeches during Citizen's Privilege.

Commissioner Tassone believes in the voting process and that everyone should be heard, as they have been tonight; the right to petition is guaranteed by the first amendment. Commissioner Tassone publicly accepted a petition from residents and has reviewed a number of emails from residents. He originally voted in favor of the increases due to the growing indebtedness of the Town and a series of deadlines from the state regarding the Town's wastewater sewer plant. He has listened to all of the residents' remarks concerning this issue at numerous regular and special meetings. His constituents do not understand the reason for the increase, have a strong fear of the unknown and have lost confidence in this Commission. Commissioner Tassone believes President Correll has expressed a conservative approach and has given of herself to the Town more than any other and no one is more meticulous in insuring that everything is done by the book. She has a keen understanding of the people she serves and has struggled mightily concerning the tax issue. She has sought advice from many sources. Despite intentions, when the Commissioners voted in May to increase taxes and fees, in good faith and after much deliberation, mistakes were made. The Commissioners were not aware that businesses create their budgets on an annual basis. The Commissioners did not make clear the reasons for the tax increase. Commissioner Tassone added that the burden of changes to the budget will fall on the Town Clerk, Secretary and Town Manager, who already have full-time tasks to perform. He trusts these comments will speak to the magnitude of the issue we are here to decide this evening.

Commissioner Kovack asked that they return to Commissioner McDowell's motion. Commissioner McDowell repeated her motion as follows: "Because I believe the passage of Ordinance 14-3 and 14-4 will bring economic disaster to the people and the business community of Bridgeville, I made a motion to suspend the enforcement of these Ordinances until such time that they can be officially withdrawn." Commissioner Kovack seconded the motion.

Solicitor Schrader asked, with the suspension of the Ordinances, would Commissioner McDowell agree that the Town should continue to pay salaries, insurance, bills, etc. If you suspend the budget, you must have authorization to spend money and keep the Town running. Commissioner Kovack advised the property tax increase was not needed to balance the budget. He agrees with the Town Attorney in this matter; however, the Town took out a loan for the water projects that is dependent on the increase in water rates

The votes were recorded as follows: Commissioner McDowell – Yes; Commissioner Kovack – Yes; Commissioner Mervine – No; Commissioner Tassone – No; President Correll – No.

Commissioner Tassone made a motion to rescind Ordinances 14-3 and 14-4 until the September 8th Commission meeting, when it can be placed on the Agenda for discussion and consideration. Additionally, the Commissioners authorize continual payment of salaries, bills, insurance and all other routine and customary Town expenses.

Commissioner Mervine seconded the motion.

Commissioner Tassone explained this is the correct procedural way to move forward. He advised at the September meeting the Commissioners will vote to either approve the current budget or rescind the actions. We do not have appropriate public notice to vote this evening.

Solicitor Schrader asked for clarification as to whether Commissioner Tassone means for the Commissioners to rescind the Ordinances or suspend the Ordinances. Commissioner Tassone advised he wishes to rescind action on the tax increase until the September meeting.

Town Manager Savage asked for clarification on rescinding the water rate increase. Commissioner Tassone advised that the water rates are included in his motion.

Commissioner McDowell seconded the motion, despite Commissioner Mervine seconding it earlier. The votes were recorded as follows: Commissioner McDowell – Yes; Commissioner Kovack – No; Commissioner Mervine – No; Commissioner Tassone – Yes; Commissioner Correll voted No because the Town owes on the loan to accomplish the water projects. The motion was defeated.

Commissioner Mervine made a motion to suspend only the tax rate increase Ordinance until the September Commission meeting when it can be placed on the Agenda for discussion and consideration. Additionally, the Commission will authorize the continual payment of salaries, bills, insurance and all other routine and customary Town expenses. Commissioner Tassone seconded the motion. The votes were recorded as follows: Commissioner McDowell – Yes; Commissioner Kovack – Yes; Commissioner Mervine – Yes; Commissioner Tassone – Yes; President Correll – Yes. Motion carried 5 to 0.

XI. INTRODUCTION OF ORDINANCE(S)

There were no Ordinances to be introduced at this meeting.

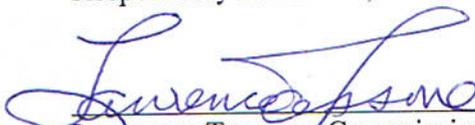
XII. GOOD OF THE ORDER

There were no items to be discussed.

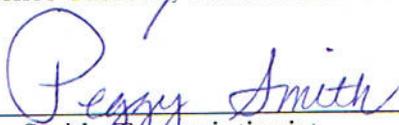
XIII. ADJOURNMENT

The meeting was adjourned at 9:28 P.M.

Respectfully submitted,



Lawrence Tassone, Commission Secretary



Peggy Smith, Transcriptionist