

MINUTES
COMMISSIONERS OF BRIDGEVILLE
October 12, 2015 – 7:00 P.M.
TOWN HALL

I. CALL TO ORDER

The meeting was called to order at 7:00 P.M. by President Pat Correll. Present: Commissioners Kevin Carson, Sharon McDowell, Jay Mervine, Town Manager Jesse Savage and 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 Town business, despite the absence of Commissioner Tassone.

III. APPROVAL OF AGENDA

Motion to approve the Agenda – Carson; 2nd – Mervine; motion carried.

IV. APPROVAL OF MINUTES

Mrs. Ruth Skala from the Economic Development Committee noted an error on page 3 of the September Commission Minutes. A letter has been drafted for large commercial property owners, not area businesses.

Motion to approve the Minutes as modified – Carson; 2nd – Mervine; motion carried.

V. CORRESPONDENCE

A thank-you note has been received from Mrs. Tina Mowbray for flowers the Commissioners and Town employees sent to the family at the passing of Wastewater Operator Phillip Mowbray's brother.

The Delaware Commission of Veterans Affairs invites the Commissioners to attend the annual Veteran's Day service on Wednesday, November 11th, 10:30 A.M. at the Delaware Memorial Bridge, Memorial Plaza. The Town will RSVP for Commissioners who wish to attend.

VI. APPROVAL OF FINANCIAL STATEMENTS AND BILLS PAYABLE

Balance Sheet – September 30, 2015

General Fund – \$2,017,266 (increase of \$1,262,023 over last month) the majority of which is Special Taxes collected from the Heritage Shores Special Tax District. President Correll signed an approximate \$1.2 million dollar check to M&T Bank earlier today.

All Accounts – \$3,017,711 (increase of \$1,276,255)

Accounts Receivable – \$134,741

Budget Report Target – 25% (3months into budget year)

Income – \$1,161,897 (Income at 44% of budget)

Expenses – \$637,803 (Expenses at 24% of budget)

Net Income – \$524,094

Accounts Payable

Bills – \$16,664

Expected Expenses – \$132,750 (including health insurance, payroll, utilities, etc.)

Total estimated amount to be approved – \$149,414.

Commissioner Carson believes it is appropriate to consider the funds in account #3005 – Property Tax Collection as “collected,” rather than “billed”. The Town’s income should be based on what has been collected or received. Town Manager Savage can provide a “cash basis report,” as the current is an accrual method. He can also provide an “income received” report.

Commissioner Carson questioned the health and ancillary insurance expense of 32% when we are at 25% of the budget year. Town Manager Savage advised the Town pays in advance; therefore we are one month ahead and four months into the budget year. This is also true for account #4120; we pay in advance for the quarter. Pension costs are paid for the whole budget year in July, except for the Police Department, which has monthly pension payments.

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

VII. TOWN REPORTS

President Correll believes the Yard Sale and Clean-Up Day went well. She would like the Commissioners to deal with the issue of when items can be placed outside at the curb or in the alley for the Clean-Up Day, as complaints were received concerning residents who put their trash out very early. The Town states items must be out by Friday evening to guarantee pick-up early Saturday morning. The Commissioners will re-visit this issue before the next event in the fall of 2016.

Town Manager Savage reported that Wastewater Superintendent Jeff Collins is in the hospital with discomfort in his chest and is waiting to confer with the doctor.

President Correll commended Street Superintendent Rick Passwaters for his effects during the Apple Scapple Festival. She also appreciated the extra efforts of the other Public Works Department employees.

VIII. VISION PLAN PRESENTATION – MR. BEN MULDROW

Mr. Muldrow advised the Town engaged in a Downtown Vision Process funded primarily through a grant from the Delaware Economic Development office. Due to overwhelming participation by Bridgeville residents, the \$20,000 process, which was to be paid by the Delaware Economic Development Office (DEDO) and the Town, is being paid in full by DEDO, with the stipulation that the Town place their \$9,000 contribution directly into implementation of the Economic Development Plan. Mr. Muldrow distributed copies of a “Strategy Board” which simplifies a 100-page report into a one-page action plan. They have identified five major initiatives and strategies and created tasks to move forward. He will continue to assist the Town in implementation of ideas, which are realistic for the Town.

Commissioner Mervine questioned the logos that were approved. Mr. Muldrow is aware that Bridgeville wants to continue its “If you lived here you would be home now” logo. Their most significant recommendation to the Town is the addition of the tag line – “Delaware’s Front Porch.” He advised there is a complete toolbox for the Commissioners/Economic Development Committee (EDC) to use. He encouraged the

Town to move forward with implementation. (DEDO will need to review the Town's intentions as plans progress.) President Correll appreciated Mr. Muldrow's comment that Bridgeville is the first Delaware Town people see when they come to the beach and the last Delaware Town they see when they leave. That realization stirred her desire to upgrade the Town and its image.

CITIZEN'S PRIVILEGE

Mr. William Jefferson from 204 S. Main St. thanked the Town for their participation in the Apple Scapple Festival. The committee meets throughout the year with very few attending, which will drastically affect the continuation of the Festival. They would like participation from the Commission, as well as the Kiwanis and Lions' Clubs. He has spearheaded the Trade Show for 20 years and next year may be his last. He is asking for Commission/Town representation at the meetings and pursuit of new ideas.

Mr. Jefferson presented a petition signed by property owners on Main, Walnut, Delaware and Williams Sts. concerning their continued conflict with the Nelson Parker/Beck family on Walnut St. It is time to be proactive and make changes. He advised all citizens in that area were willing to sign the petition. The signers are anxious that Code Enforcement/Police become involved, as well as the Town Attorney. Action must be taken.

Mr. Jefferson also commented the Town taxpayers pay for the Police Department and he is not pleased with radar being set up outside of Town limits. The Town pays for patrolling Bridgeville, not other areas. Additionally, officers should use the bicycle that was bought several years ago to patrol the Town. He asked the Commission to address these problems. He also added his thanks to the Commission for a good job.

Mrs. Cynthia James from 112 Delaware Ave. re-enforced Mr. Jefferson's comments and added that she never sees the Bridgeville Police on Delaware Ave., especially in the evenings. If the Police want to catch speeders, they should come to Delaware Ave.; she sees cars flying down the street. She added there is a lot going in the alleys also. She has lived in Bridgeville for seven years and asks "Where are the Police?"

Mr. Greg Brunatti from 122 Widgeon Way has been a resident of Heritage Shores since 2007 and has paid his taxes and water/sewer bills by mail, without any late notices. Recently he received a late notice for his tax bill being two days late, which included a late fee for the entire month of October. (The Town received the check on Friday, October 2nd.) He asked that the Town refund his money and he will pay the entire tax bill and penalty at the end October, or give him the pro-rated tax amount for the extra two days that the post office didn't deliver the bill to the Town office. He believes it is a matter of principal and he wants to know the appeals process.

Town Manager Savage advised he spoke earlier today with Mr. Brunatti. His understanding of the Code is that the tax bill is due July 1 and can be paid without penalty by September 30th. There are 90 days afforded to pay the bill before the 2% penalty comes into effect. He believes if you pay your tax bill on October 1st, you pay a 2% penalty. The same is true and is written on water/sewer bills. "2% penalty per month after due date." He believes the issue is whether the penalty is being enforced correctly and suggested Mr. Brunatti come tonight to discuss the issue. It was clarified the Town has never accepted postmark, although Sussex County does accept postmark.

Mr. Brunatti insists that he shouldn't pay the entire 2% of the tax bill for being 2 days late. He acknowledged that he cut it close to the due date when sending his tax payment. Town Manager Savage added there is currently \$40,000 in delinquent taxes that are also subject to fines. He advised the software program

automatically adds the 2% penalty. Additionally, if we change our policy to go by postmark, all mortgage companies (which make up a majority of the tax bills) will use postmark to their advantage. This is a matter of Town policy.

Mr. William Jefferson from 204 S. Main St. believes the Town should change its policy and use postmark for its date of acceptance. Commissioner Mervine commented Master Card doesn't care when his check is postmarked; if it is late, he is penalized.

Mr. Jim Arrington from 420 S. Main St. reported in the past several weeks he has received five pieces of mail that are the wrong address. He is aware that we have a new mail carrier. President Correll will talk to the Post Office concerning the issue.

IX. OLD BUSINESS

A. Public Hearing, Discussion and Possible Voting on AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A C-1 COMMERCIAL DISTRICT FOR A BEAUTY SALON TO BE LOCATED IN UNIT A, 607 SOUTH MAIN STREET, IN THE TOWN OF BRIDGEVILLE

Solicitor Schrader advised a Conditional Use application was submitted on August 4, 2015 for a Beauty Salon in a C-1 Commercial District at 607 S. Main St. by Ms. Tanya Haines. The Planning and Zoning Commission met on September 15, 2015 and recommended approval to the Town Commission.

Ms. Haines was not in attendance. (It was later determined that Ms. Haines had an emergency work issue which prevented her from coming.) Per Solicitor Schrader, the reason for this Conditional Use Hearing concerns aspects of our Land Use and Development Code which need to be updated. Solicitor Schrader believes this project is worthy.

Mr. James Arrington from 420 S. Main St. lives across the street from the site and doesn't want to see the commercial building empty and deteriorating. He supports bringing new business and jobs into the Town. He doesn't believe this business will be a detriment, provided it is properly maintained.

Motion to defer the application until the November 9th Commission meeting – Mervine; 2nd – McDowell; motion carried.

B. Public Hearing – Dangerous Building at 17 Church St.

(“To show cause why the building investigated by the Dangerous Building Inspection Committee should not be declared to be a hazard to life and property and why it should not be ordered to be demolished”)

Solicitor Schrader advised a Dangerous Building Inspection Committee, consisting of Commissioners Mervine, Tassone, Tim Banks and Code Enforcement Official Jerry Butler, were called upon to inspect the dwelling at 17 Church St. owned by Mr. Ralph Collie. An inspection report was drafted and signed, indicating the house was in a dangerous condition and should be demolished. Mr. Collie had the opportunity tonight to show just cause why the building should not be demolished, however, he was not in attendance. This application will go to the Court of Chancery for a court order to demolish the building.

Motion to order the demolition of the building at 17 Church St. – Mervine; 2nd – Carson; motion carried.

C. New Police Station

1. Discussion of 112 Market St. Location

Town Manager Savage advised the Town held a Workshop on September 15th to discuss a new Police Station for the Town. In addition to considering the property at 105 S. Main St., the Commissioners wanted to investigate the soon to be vacant Dollar General Store at 112 Market St. for a possible Police Station site. Davis, Bowen & Friedel, Inc. (DBF) architect, Mr. Mike Wigley was asked to review the site for suitability.

Mr. Wigley performed an informal walk-through making visual observations only of areas accessible to the general public. A Police Station needs to be open and accessible to the public, as it is a civic building; however, there are also security issues concerning detainees, etc. Mr. Wigley evaluated the location, site and building and concluded, based on visual observation, that it is not an ideal option to consider. His review is an attachment to the original Minutes of this meeting.

Commissioner Carson asked what would be a feasible number for renovation cost. Mr. Wigley stated it is likely to be \$150/sq. ft. for renovation. The cost to buy the building would be additional. The Commissioners thanked Mr. Wigley for his time and efforts on their behalf.

Mr. William Jefferson questioned adding onto this building (Town Hall). Mr. Wigley advised a major renovation would invoke ADA (American with Disabilities Act) regulations. Accessibility issues, including an elevator and other costly changes would come into play. He added that building the Police Station behind the Town Hall would not allow for expansion in the future.

Commissioner Mervine believes it is important that the old Dollar General building continue as a commercial entity for the benefit of the Bridgeville's downtown area. He does not believe it is conducive to a civic building. He also questioned saving the Jack Lewis mural at the old Dollar General. Apparently, only part of the mural was painted by Mr. Lewis; school students participated as well. The Town spent money previously to replace portions of the painting; however, it is currently in poor condition.

President Correll advised the 105 S. Main St. property was purchased with the intention of placing the Police Station at that location, as the current Police Station must be vacated.

2. Davis, Bowen & Friedel, Inc. Proposal

Town Manager Savage advised it is Mr. Wigley's recommendation to move forward with the proposed Police Station built on the 105 South Main St. property.

Commissioner Carson doesn't believe the Town is being asked to sign a construction contract for 105 S. Main at this time; they are being asked to review a schematic design for a potential Police Station. He reminded the Commission that the Town has major capital expenditures ahead with Wastewater Treatment Plant upgrades.

Motion to accept the Architectural and Engineering Services – Schematic Design for the new Bridgeville Police Station, to be located at 105 S. Main, in the amount of \$16,800 – Mervine; 2nd – Carson; motion carried with a vote of 3 in favor and Commissioner McDowell against the motion.

X. NEW BUSINESS

A. Solid Waste and Recycle Bid Award

Town Manager Savage read the bids as follows:

Blue Hen Disposal - \$18.82 (only larger truck)

Peninsula Oil - \$14.75 (smaller or larger truck)

Waste Industries - \$18.50 (only larger truck)

Waste Management - \$17.55 (larger truck) \$22.75 (smaller truck)

Peninsula Oil in Seaford offered the low bid; Town Manager Savage favors smaller trucks, as they will minimize the wear and tear on streets and infrastructure. Bridgeville is slightly larger than Towns that Peninsula is currently serving; however, Ms. Tonya Adams from Peninsula responded they are prepared to handle the contract starting November 1st, with a possible 700-900 customers.

The Commissioners previously discussed requiring all households to use the same garbage company; however, no decision was made. It will be reconsidered in the future. The Town's only involvement is to set a price for subscribers. Residents may change their garbage collection to the low bidder, Peninsula; however, the Town is not mandating that residents change their provider. The Town currently has 570 out of a possible 1,100 customers with Waste Management. (It was clarified that commercial properties are not included in this contract.)

Motion to accept the low bid of \$14.75 from Peninsula Oil to provide solid waste/recycling services with the smaller, 6-wheel truck, effective November 1, 2015 – Carson; 2nd – McDowell; motion carried.

B. Celebration of Halloween – October 31st, 6-8 P.M.

President Correll advised Bridgeville trick-or-treating will take place on Halloween (October 31st) from 6:00 P.M. to 8:00 P.M., followed by a party sponsored by the Lions Club at Cahall Park.

Motion to approve the Celebration of Halloween – McDowell; 2nd – Carson; motion carried.

XI. INTRODUCTION OF ORDINANCE(S)

President Correll introduced Ordinance #2015-G to amend Chapter 197 of the Town Code as it relates to Snow and Ice Removal. The Commissioners will hold a Public Hearing at their November 9th monthly meeting.

XII. GOOD OF THE ORDER

President Correll reported the organization “Community of Schools” is looking for mentors to assist students. Ms. Dottie Harper from Heritage Shores will include the information in their newsletter. President Correll also mentioned a great article in the newspaper about Bridgeville’s recent Apple Scrapple Festival.

Commissioner Carson acknowledged the recent Bridgeville Night Out event and congratulated Police Chief Longo on the outstanding turn-out. He also mentioned a gutter over-flow problem on the Town Hall building. President Correll reported the building was power-washed before the Apple Scapple Festival; however, the Town has also contracted restoration of the brick color that was damaged.

Commissioner Carson re-iterated his desire to pursue the truck route designation for the Rt. 404 by-pass. There remains significant truck traffic through Town due to GPS/mapping directions. He also advised DeDOT is pursuing parking space lines for Market St. Commissioner Carson expressed concern about the number of feral cats in Bridgeville. Town Manager Savage will look into it further; however, he does not believe the Town can do anything substantive concerning the problem.

Town Manager Savage re-iterated the transition to the new garbage company. The Town will notify homeowners in any way possible that a new contract is beginning on November 1st. We do not know what price Waste Management may choose to offer to present households; however, Peninsula Oil will charge \$14.75 per month and will provide information to each subscriber to set up the transition. It will be the responsibility of the homeowner to make the change, contacting both Waste Management to cancel services and Peninsula Oil to start new services. Choosing a new trash company will necessitate the company's provision of new trash cans to each customer. There are approximately 2-1/2 weeks to make this transition.

Mr. Greg Brunatti questioned whether the \$14.75 trash price had a cost of living increase over the 3-year contract. It does not.

Commissioner Carson recommended publishing the bid amounts from companies, as it could lessen the phone calls from residents. It was clarified that the contract is for 3 years, with an option for a 4th year.

Mrs. Cynthia James from 112 Delaware Ave. thanked the Commission for bringing up the cat issue, as she has had problems with feral cats. It was suggested that people stop feeding cats that don't belong to them.

Commissioner Mervine questioned the poor condition of Market Street near the alley by the playground next to the Methodist Church and wondered if DeDOT is responsible to maintain it. Town Manager Savage does not believe that area is slated for improvements; Street Superintendent Passwaters has done some fill work.

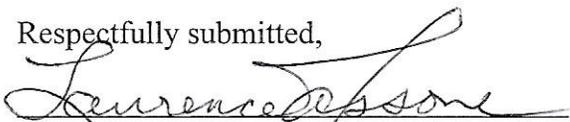
Mrs. Skala advised the EDC will be looking at Town infrastructure at their next meeting.

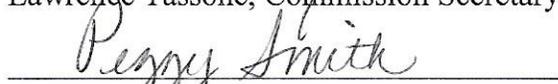
President Correll stated there will be opportunities for volunteers; please let her know of your interest.

XIV. ADJOURNMENT

Motion to adjourn – McDowell; 2nd – Mervine; motion carried. Meeting adjourned at 8:50 P.M.

Respectfully submitted,


Lawrence Tassone, Commission Secretary


Peggy Smith, Transcriptionist