MINUTES
COMMISSIONERS OF BRIDGEVILLE
DECEMBER 12, 2016 – TOWN HALL
EXECUTIVE SESSION 6:30 PM - OPEN SESSION 7:00 PM (approx.)

I. CALL TO ORDER

The meeting was called to order at 6:30 P.M. by President Pat Correll. Present: Commissioners Timothy Banks, Tom Carey, Sharon McDowell, Town Manager Jesse Savage and Solicitor Dennis Schrader.

II. QUORUM PRESENT

President Correll reported a quorum was present to discuss Bridgeville Town business.

III. APPROVAL OF AGENDA

Motion to approve the Agenda – McDowell; 2nd – Banks; motion carried.

IV. EXECUTIVE SESSION – Personnel / Land Acquisition

Motion to go into Executive Session – McDowell; 2nd – Banks; motion carried; the Commissioners went into Executive Session at 6:34 P.M.

V. RETURN TO OPEN SESSION

Motion to return to Open Session – McDowell; 2nd – Banks; motion carried; the Commissioners returned to Open Session at 7:00 P.M.

The meeting began with the Pledge of Allegiance and Prayer.

VI. DISCUSSION AND POSSIBLE VOTING ON ITEMS DISCUSSED IN EXECUTIVE SESSION

Town Solicitor Schrader advised the Commissioners held an Executive Session at 6:34 P.M., with all Commissioners in attendance except for Commissioner Tassone. The discussion included possible land acquisition by the Town and a personnel matter. No votes were taken during the Executive Session.

Motion to offer a 5-year contract to Lt. Burke Parker and change his position to Bridgeville Chief of Police – McDowell; 2nd – Carey; motion carried.

President Correll congratulated Chief Parker and advised the Commission is looking forward to working with him as the Town's new Police Chief. Mrs. Lori Parker, their son Hunter and Chief Parker's mother, Karen, were introduced to the audience.

VII. APPROVAL OF MINUTES

Motion to approve Minutes from the November 14th Commission meeting and the November 16th Commission Workshop – Carey; 2nd – Banks; motion carried.

VIII. CORRESPONDENCE

A letter has been received from Comcast advising their right to carry the Fox College sports package expires on December 31st and they will no longer carry that package.

A letter has also been received from X-finity advising as of January 1, 2017, prices for certain services will be increasing.

IX. APPROVAL OF FINANCIAL STATEMENTS AND BILLS PAYABLE

Balance Sheet – November 30, 2016
General Fund - $1,188,510 (decrease of $29,846 from last month)
All Accounts - $2,581,193 (decrease of $29,239)
Accounts Receivable - $129,457
Budget Report Target – 42% (5 months into budget year)
Income - $1,579,023 (Income at 59% of budget)
Expenses - $1,088,932 (Expenses at 41% of budget)
Net Income - $490,091
Accounts Payable
Bills - $38,409
Expected Expenses - $284,300 (majority of which is debt service payments to the state and USDA)
Total estimated amount to be approved - $322,709

Motion to pay the bills as presented – Carey; 2nd – McDowell; motion carried.

X. TOWN REPORTS

Town Reports were reviewed and will be attached to the minutes.

XI. COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM PUBLIC HEARING

Mr. Brad Whaley, Director of Sussex County Community Development conducted a Public Hearing at 7:58 P.M. and discussed the CDBG program. His office applies for and administers funding from Congress to assist families of low to moderate income. Eligible activities include housing rehabs, infrastructure, demolitions, water/sewer hookups, etc. To qualify, a one-person household must have an income of under $34,650, increasing by $5,000 per person.

Over the past 14 years, Bridgeville has received over $600,000 in funding, to help 46 households. The Town has applied for demolition/housing rehab funds and has tended to receive funding approximately every 3rd year. Bridgeville currently has a waiting list of 5 projects. County-wide, the list is approximately 900 projects.

Code Enforcement Officer (CEO) Jerry Butler believes Bridgeville currently has a greater need for demolitions than rehab projects. Mr. Whaley advised with a demo project, the lien is permanent.

The Commissioners intend to continue their participation in the CDBG program and will return the required paperwork for the Town's 2017 involvement to Mr. Whaley.

XII. CITIZEN'S PRIVILEGE

Ms. Marion Smack from 21 Gum St. expressed concern about a neighbor at 23 Gum St. who plays loud music continuously. Commissioner Banks advised he has talked with CEO Butler and others concerning her problem. He would like to establish an Ordinance concerning the issue.

Mrs. Dottie Harper gave an update on the upcoming Christmas Parade concerning the number of entries, staging plans, etc.

XIII. OLD BUSINESS

A. Resolution and Public Hearing Authorizing the Closure and Donation of a Portion of Emory St. to the Bridgeville Cemetery Association

Solicitor Schrader advised the Town has received the Bridgeville Cemetery Association's documentation concerning the proposed donation of a portion of Emory St. to the Association. A Resolution has been prepared and a Public Hearing scheduled for this meeting. The Public Hearing was opened at 7:33 P.M. Mr. Kenny McDowell advised the Cemetery

Association is following through with the planned closure and has moved fences. There being no further comments, the Public Hearing was closed at 7:34 P.M.

Motion to authorize the closure and donation of a portion of Emory St. to the Bridgeville Cemetery Association and adopt Resolution #16-6 – Banks; 2nd – McDowell; motion carried.

XIV. NEW BUSINESS

A. FY-16 Audit Report – Lank, Johnson & Tull, CPA's

The Town's CPA, Mr. Rick Tull, from the firm of Lank, Johnson & Tull, discussed the FY-16 Audit Report, advising that it is an unmodified opinion, meaning the financial statements are in conformity with generally accepted governmental auditing and accounting standards.

The Town's combined net position (difference between the excess of your assets and liabilities) increased by 4% from 2015 to 2016. General Fund net position increased by 17%, while the business-type net position increased by 2%. The increase in the General Fund is mainly attributed to the Town being able to meet operating expenses and fund capital projects with current year revenues and grants, without incurring substantial new debt.

The original budget was amended once during the fiscal year. General fund actual revenues of $1.75 million exceeded budgeted revenues to $1.34 million by $.41 million (31%) This favorable variance was primarily the result of unbudgeted transfer tax revenue.

The Town has assets of over $22,627,000 and liabilities of $5,739,000 for a total net position of $15,611,000. Per Mr. Tull, this is a strong balance sheet, not often found in governmental accounting. The Town is in a good position due to the Commissioners, Town Manager and staff. If the Town were a for-profit business, it would have a $593,711 profit. Mr. Tull is available to answer any questions the Town may have.

Motion to accept the Audit Report from Lank, Johnson & Tull – Banks; 2nd – McDowell; motion carried.

B. Sussex County – Regional Sewer Service (Bridgeville/Greenwood)

A Workshop took place on November 16th with the County Engineer and other parties to discuss a possible western Sussex regional sewer facility. There is a willingness to use state funds to complete an initial study. They required a motion that Bridgeville would support that effort. It was clarified the Town is not committing itself to a regional sewer service, but investigating further into the possibility.

Motion to request that Sussex County conduct a study exploring the potential of a sewer district area creation, pursuant to Del Code § 6501, including the Towns of Bridgeville and Greenwood and the adjacent Route 13 corridor; the ultimate intent being a connection to Seaford for treatment and disposal, contingent upon granting of a time extension of the Consent Decree by EPA – Carey; 2nd – Banks; motion carried.

C. Public Hearing – Dangerous Building at 410-412 Market St.

Solicitor Schrader advised on October 25, 2016 a committee appointed by the Commissioners of Bridgeville made an inspection of the property at 410-412 Market St. The deficiencies were noted and owners Mr. and Mrs. Paul Arpie were required to show cause why the building should not be demolished.

A realtor has been procured to interest investors in the property, rather than placing it on the market. They have since placed the property on MLS. Currently there are significant financial/loan concerns with their home and this property; Mr. Arpie is trying to re-finance his house and remove the lien from the 410-412 Bridgeville property. They are not planning to

repair the dangerous building, only trying to sell it. He advised there have been some offers, but most want to finance and the Arpies can't do that. Mr. Arpie understands there are significant repairs to be made. It was noted the building has not had an active tenant in 2 years.

Solicitor Schrader advised that if after the Public Hearing the Commissioners are persuaded that the property still constitutes a hazard to life and property and that there are measures that can be taken to remove the dangerous conditions, then they can pass a Resolution directing Mr. and Mrs. Arpie to correct those conditions. If they find after the hearing that conditions render the building a hazard to life and property and there are no corrective measures to abate the conditions, then the Commissioners may declare a common and public nuisance and require demolition by a certain date.

Code Enforcement Officer (CEO) Butler believes the property would be worth more if the building were removed. The deterioration is significant. He has talked with Mr. Brad Whaley from CDBG concerning the possible availability of money to demolish the building. It is number 1 on the Town's demolition list.

Per Town Manager Savage, the building would have to qualify (i.e. low household income, etc.) to use CDBG funds. The Resolution would state a deadline for the owners to have it demolished. If they did not comply, the Town would take it to the Court of Chancery for a judge's order to demolish it ourselves.

Commissioner Carey advised he hasn't heard a rehabilitation plan, only a plan to sell the building. It has been condemned and nothing changes that. The property condemnation would have to be disclosed in the transaction. It is also likely that a potential buyer would place the cost of demolition in his offer.

Mr. Arpie asked if the Commissioners could give them more time to try to sell the property or to re-finance. Town Manager Savage doesn't believe that "more time" is going to be helpful. If the property is sold, there is still the problem of its condition. It just pushes the problem onto a new owner.

The Public Hearing was closed at 8:01 P.M.

Town Manager Savage asked Mr. Schrader if the next step is the submission of a Resolution to set a time frame for the Arpies to demolish at the January 9th Commission meeting. Mr. Schrader agreed with giving the Arpies time to prepare to demolish the building.

Motion to adopt a Resolution at the January 9th Commission meeting to set a time frame for Mr. and Mrs. Paul Arpie to proceed with the demolition of the property – Carey; 2nd – Banks; motion carried.

D. RESOLUTION TO APPROVE ACCEPTANCE OF THE DELAWARE WATER POLLUTION CONTROL REVOLVING FUND REFINANCING LOAN COMMITMENTS IN THE AMOUNTS OF $807,039 AND $1,156,162 TO THE TOWN OF BRIDGEVILLE, DELAWARE

The Town applied to re-finance two older wastewater loans with DNREC, which is offering an interest rate of 2%, as opposed to a current 4.5%. Re-financing will not increase the length of the term. The Town will save approximately $29,000 annually and a total savings of $876,000. This Resolution will allow the Town Manager to move forward with loan closing. The Town has amended its Charter to be able to re-finance loans.

Motion to accept the Delaware Water Pollution Control Revolving Fund Refinancing Loan Commitments in the amounts of $807,039 and $1,156,162 and name the Resolution #16-7 – Carey; 2nd - Banks; motion carried Town Manager Savage thanked Town Engineer Jason Loar for his efforts on behalf of the Town for these substantial decreases in loan commitments.

E. Food Vendor Approval – Bridgeville Christmas Parade

The Christmas Parade Committee requested the Town to approve 4 food vendors for the Caroling event at the end of the Parade. (Lions Club – free hot dogs and cider; the Frozen Farmer – ice cream and beverages; Tracy's Treats – cotton candy cart; and Time to Eat food truck – hamburgers/french fries/drinks.

Motion to accept the food vendors for the Christmas Parade – McDowell; 2nd – Banks; motion carried.

XV. GOOD OF THE ORDER

On behalf of the Commissioners, President Correll congratulated the Woodbridge Football Team for their Division II State Championship. She added that Bridgeville and Greenwood are going to join together to honor and congratulate the football team after the holidays.

Code Enforcement Officer Butler spoke with Mr. Ron Breeding, who advised the Woodbridge Future Farmers of America raised $8,500 during their Harvest Jamboree.

XVI. ADJOURNMENT

Motion to adjourn – Carey; 2nd – McDowell; the meeting was adjourned at 8:10 P.M.

Respectfully submitted,

_____
Lawrence Tassone, Commission Secretary

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Peggy Smith, Transcriptionist

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