



MINUTES
COMMISSIONERS WORKSHOP
November 25, 2019 – 5:00 P.M.
TOWN HALL

I. CALL TO ORDER

The meeting was called to order at 5:00 P.M. by President Tom Carey. Present: Commissioners Tim Banks, Bruce Smith, Geoffrey Yoder, Town Manager Jesse Savage and Solicitor Dennis Schrader.

Absent: Commissioner Sharon McDowell

II. QUORUM PRESENT

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

III. CITIZEN'S PRIVILEGE

None.

IV. OPEN DISCUSSION (No Action Will be Taken)

A. Garbage Collection

Town Manager Savage stated that they had placed this one on hold, so that Commissioner Yoder could speak with the District 2 residents. Commissioner Yoder gave the Commission an update from District 2. Mr. Yoder stated that roughly 140 residents that attended and that the trash discussion went from single source to completely open. Mr. Yoder discussed the pros and cons for each. Mr. Yoder stated that the summary is that they should have two trash collectors. President Carey discussed how it would affect residents with specific needs/pickups Town Manager Savage discussed property owner Phillip Mowbray's concerns with the Commission. Town Manager Savage stated that he does not suggest the Town collect trash themselves. Mr. Yoder suggested taking out the mandatory use of a trash provider out of the code. Town Manager Savage stated that is one version of the proposed ordinances. Commissioner Banks discussed an issue with trash on Church Street.

B. Traffic Safety

Commissioner Yoder stated that he had residents report racing and cars passing people in Heritage Shores. Mr. Yoder asked what keeps the speed down on Market Street. Town Manager Savage stated that the red light, and more foot traffic. Mr. Yoder stated that the radar that is Heritage Shores currently that they have been moving around has helped some but he would like to see one at the front entrance and one and the back entrance. Mr. Yoder stated that they had also discussed at his Town Hall Meeting, what it would take to put in a camera that does issues tickets. Mr. Yoder stated that the main thing they would like to see is the radar at both entrances. The Commission discussed where the speeding in Heritage Shores is taking place. Town

Manager Savage stated that he has discussed this with Chief Parker and they are roughly \$6,000-\$8,000 each.

Commissioner Smith stated that he had seen the caution signs for Market Street are up. Town Manager Savage stated they were, but he cautioned that he has picked them up a few times and the one in front of the church is all but destroyed. President Carey stated that that is not a good place to have one because of the traffic turning. Town Manager Savage stated that he has asked Rick to order two (2) more and that they will be placing one by the school on Church Street.

Commissioner Yoder asked if it would be possible in Heritage Shores, to paint the crosswalks where the golf carts go across. Town Manager Savage stated that he had also been thinking about that and that he had been researching 3-D crosswalk art.

C. Old Town Signs

Town Manager Savage stated that they Town had received some blowback after deciding to auction off the old signs. Also, it is hard to keep track of who is bidding on what. Mr. Savage stated that the Historical Society, after the last meeting, asked the Town to donate the signs to them for display. President Carey asked if they wanted all of them. Mr. Savage said they referenced just one, but he thinks they should just give them all three (3) if they can salvage them.

D. Donations/Grants-in-aid

Town Manager Savage stated that he does not have anything other than the Historical Society's request for the sign(s).

E. Misc.

Town Manager Savage stated that Capstone Homes will be having a ground breaking ceremony on December 6th at 10:30 am. The whole community has been invited.

President Carey asked for an update on the Police Station. Town Manager Savage stated that according to Chief Parker, there were two entry doors that were hung incorrectly and they don't open and close, so they are looking at that. Mr. Savage stated that Verizon service to the building will be installed once the wires are pulled. Mr. Savage stated that they have to fix the water running issue in three (3) showers because there is no lip and the water just runs right out into the floor. Mr. Savage stated that the Fire Marshall has to re-inspect because of the entry doors. Mr. Savage stated that once that has been completed they will install the state network, and then they can do the moving process. President Carey asked why they haven't pulled the lines for Verizon yet. Mr. Savage stated that was a miscommunication between the contractor and the engineer as to who was responsible for that. Mr. Savage stated that the Town is holding their last payment to Delmarva Veteran Builders until the doors are fixed. Town Manager Savage stated that he will have Chief Parker put out a memo and talk about it at the December Commission Meeting.

Town Manager Savage stated that there are three Planning and Zoning seats up for reappointment, Jack Cannon, Steve Dell and Matt Davis. Mr. Savage stated that he has spoken

with Mr. Dell and Mr. Cannon and they are both interested in reappointment. Mr. Savage stated that he has not yet spoken with Mr. Davis. Mr. Yoder would like to consider another name. Town Manager Savage stated that how it has been done is that there are seven members- one for each of the five (5) election districts, and one each for the Fire Department and the Historical Society. Town Manager Savage stated that Mr. Dell is interested and has a background in it. Mr. Yoder stated that Tom Moran stated he is interested in the position. Mr. Yoder also stated that Mr. Dell was not aware of being on the census committee and cannot serve on it. President Carey stated that Mr. Davis may not be willing to be reappointed so absent a candidate and a Commissioner, they could appoint Mr. Moran to that seat. Town Manager Savage stated that there is nothing written that says they have to be from anyone's district- it was just a courtesy that each district was represented.

Town Manager Savage stated that Town has had funds committed by their Legislators to do the Cook Street Project and the Notice of Award has been issued.

Town Manager Savage stated that they will be attempting to get a wagon to ride through the parade and he will give the Commissioners more details at a later date. Ms. Patricia Correll will be contacting Dave Wilson regarding the wagon.

Town Manager Savage stated that he has given each Commissioner a copy of the Audit and it will be presented at the next Workshop meeting by Lank, Johnson and Tull. President Carey asked Town Manager Savage if he had looked through it yet. Mr. Savage stated that he has and that the Town is still in a good position.

Town Manager Savage stated that Solicitor Schrader was present to talk about Commissioner Liability, individual as oppose to the Town. Solicitor Schrader stated that there is a thing called the Municipal Tort Claims Immunity Act and under that act no Town and no Public Official can be sued in Tort for any injuries that anyone would undertake. Solicitor Schrader stated that there are some exceptions to that such as if the Town built a Sewer Plant and poisoned everybody because it belched gas in the air. Solicitor Schrader also stated that there is an issue with operating Municipal Auto Vehicles, if they operate Vehicles in a negligent or wreck less way, you could wind up with some liability. Solicitor Schrader stated that the bottom line is, that is why they buy insurance. Solicitor Schrader stated that the insurance policy obligates the carrier to indemnify, defend and hold harmless the individual Officers and elected Officiates of the Town from potential types of liability. Solicitor Schrader stated that the Town does not get sued much. Solicitor Schrader stated that regarding the sidewalks, they cannot sue the Town for enforcing Town Code, it is not a Tort.

Town Manager Savage stated that SCAT Dinner is December 4th in Rehoboth; the luncheon is on December 12th at Noon at Blue Hen Crossroads, December 9th is the Commission Meeting, December 14th is the Parade at 6pm, Commission Workshop is December 30th.

Commissioner Smith asked about being appointed to the EDC as the liaison. Mr. Savage stated that a motion will need to be done at the December meeting.

Town Manager Savage stated that a building permit application crossed his desk last week, from the gentleman who owns the corner of First Street and Gum Street, wanting to build a new home. Mr. Savage stated that the original home faced First Street. Mr. Savage stated that this

gentleman was told by the previous Code Enforcement Officer that he could build a house a certain way and so he got the plans drawn. However, he was misinformed by previous town staff. Mr. Savage stated that there are not homes around him within 150 feet to match, in order to have a reduced setback. Mr. Savage stated that he informed the gentleman he may be able to make an argument in front of the Board of Adjustment. Mr. Savage asked the Commission if they had any issue with the Town waiving the \$500 fee since it was a previous Town employee who had given him the go ahead and he has already paid for the unusable plans. Solicitor Schrader stated that a lot of properties & homes in Town do not meet code because they were there before the Code was put in to place. The Commissioners stated that they were okay with waiving the application fee if he submitted in writing.

Commissioner Smith asked if there was any word on when the Mini-Storage expansion was going to be started. Mr. Savage stated that they have not picked up their plans yet so until they are recorded, they cannot start.

Commissioner Smith asked about the property on South Main Street that they are clearing trees on. Mr. Savage stated that Tull Investment Properties has had this property subdivided and has been working on clearing the lots.

President Carey stated that the two properties on Sussex Avenue are progressing.

Commissioner Smith asked if anyone was interested in the two lots next to Tony's Pizza. Mr. Savage stated that he has not heard anything and he thought it would have had some interest once it had been annexed into Town.

President Carey stated that he has had people ask him questions regarding the old Police Station but that nothing will be done until the Police are in the new Station.

Commissioner Banks asked about an update on 502 N Cannon Street. Town Manager Savage stated that he has sent the Property Manager for Fannie Mae an email and that he said they were going to be clearing up the trash last week then get back to him. Mr. Savage stated that they will be going ahead of the demolition but he does not have a time frame.

Commissioner Smith asked if anything was going on with the demolition of the shed on 107 S. Main Street. Mr. Savage stated that it is in court system and they are waiting on a hearing date.

V. GOOD OF THE ORDER

None.

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VI. ADJOURNMENT

The meeting was adjourned at 05:52 P.M.

Respectfully submitted,

Bruce Smith, Commission Secretary

Ashley Walls, Transcriptionist

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