

**MINUTES  
COMMISSIONERS OF BRIDGEVILLE  
MARCH 12, 2012  
TOWN HALL**

**I. CALL TO ORDER**

The meeting was called to order by President Pat Correll at 6:00 P.M. Present: Commissioners Paul Kovack, Steve McCarron, Jay Mervine, Lawrence Tassone and Town Solicitor Dennis Schrader.

**II. EXECUTIVE SESSION – Personnel Matters**

Commissioner Tassone made a motion to go into Executive Session to discuss Personnel Matters and Property. Commissioner Kovack seconded the motion. Motion carried. The open session recessed at 6:02 P.M.

**III. RECONVENE OPEN SESSION**

Commissioner Tassone made a motion to come out of Executive Session. Commissioner Kovack seconded the motion. Motion carried. Commission President Correll re-convened the open session at 7:00 P.M. The Commission discussed Personnel Matters and Property during the Executive Session and no votes were taken. The open session began with the Flag Salute and the Lord's Prayer.

**IV. QUORUM**

A quorum was present to conduct the business of the Town of Bridgeville.

**V. OATH OF OFFICE ADMINISTERED TO CONTINUING COMMISSIONERS**

Acting Town Manager/Finance Director Savage advised on February 7<sup>th</sup> the Bridgeville Election Board certified the 2012 Municipal Election. Due to uncontested seats, the following Commissioners have been re-elected to the Bridgeville Commission:

S. Jay Mervine	District #1
Lawrence Tassone	District #2
Patricia Correll	District #3

Acting Town Manager/Finance Director Savage administered the Oath of Office to the three returning Commissioners.

**VI. APPOINTMENT OF COMMISSION OFFICERS AND STAFF**

Commissioner Kovack made a motion to elect the following slate of officers:

President	Patricia Correll
President Pro Tempore	Jay Mervine
Secretary	Lawrence Tassone
Acting Town Manager, Finance Director, Assessor	Jesse Savage
Town Solicitor	Dennis Schrader of Wilson, Halbrook & Bayard
Commissioner Mervine	seconded the motion. Motion carried.

## **VII. APPROVAL OF AGENDA**

Commissioner Tassone requested an appointment to the Bridgeville Animal Control Committee be added to the Agenda under New Business (C). President Correll also requested that approval of a contract proposal in the amount of \$20,000 from engineers Davis, Bowen and Friedel, Inc. for a Water Facilities Plan Update be added to the Agenda under New Business (D).

## **VIII. APPROVAL OF MINUTES**

Commissioner Tassone made a motion to approve the Minutes from the February 9<sup>th</sup> Budget Amendment Workshop, the February 13<sup>th</sup> Commission meeting and Executive Session and the February 28<sup>th</sup> Executive Session. Commissioner Mervine seconded the motion. Motion carried.

## **IX. CORRESPONDENCE**

Acting Town Manager/Finance Director Savage advised the Town has received a thank you card from former Commissioner Margaret (Bootsie) Sipple for the Commission's monetary donation to the Bridgeville Fire Company in memory of her husband, Ronald. The Bridgeville Volunteer Fire Company also sent an acknowledgement of the memorial gift. The Delaware Nature Society has sent a letter thanking the Commissioners for the opportunity to make a presentation at the February Commission meeting concerning choosing clean water. The Nature Society looks forward to meeting the Commissioners to work together for the protection of Delaware's water resources.

## **X. APPROVAL OF FINANCIAL STATEMENTS AND BILLS PAYABLE**

Acting Town Manager/Finance Director Savage advised on the Balance Sheet for the period ending February 29<sup>th</sup>, the General Fund totaled \$204,345 and Reserve Funds totaled \$554,104, which is a decrease of \$48,383 from the month of January. Accounts Receivable stands at \$195,272, the majority of which is energy grant reimbursables and the Town of Greenwood bill for the last quarter of 2011. (This bill has since been paid.) On the Budget Report, the Town is nine months into the fiscal year and should be at 67% of the budget. Total income stands at \$1,724,636, which is an increase of 9% and stands at 70% of the total. Expenses stand at \$1,589,447, which is 64% of the budget and a 3% increase over the previous month. On Accounts Payable, the Town has received bills of \$16,343. Expected monthly expenses total \$146,600, including a quarterly USDA debt service payment of \$43,600. Total bills to be approved are \$162,943. Commissioner Tassone made a motion to pay the bills as presented. Commissioner McCarron seconded the motion. Motion carried.

## **XI. DEPARTMENT HEAD REPORTS**

Commissioner Kovack questioned the degree of problems the Wastewater Department has had unplugging sewer lines at Heritage Shores. Acting Town Manager/Finance Director Savage advised Brookfield discovered that Lennar Homes (a previous home builder at Heritage Shores) had left sewer main plugs in when they left the project. At the time, these were un-improved streets; however, now there is development on those streets and there have been some back-up problems. Roto-Rooter has been called in; the plugs have been pulled and they are pumping sewage out of the pipes and re-entering it into the system at a manhole further down the system. It appears that sewage has been lying

in these pipes for several years and not coming to the wastewater plant. This includes Widgeon Way and Ruddy Duck Ln. Wastewater Superintendent Collins and Dottie Harper from Brookfield are preparing a report, which should be available soon. All of the sewer lines are installed; however, Lennar put large plugs in the lines. The developer will bear the cost of the blockage removal. There was also concern about a lack of notification to the Town. The only way the Town knew there was a problem was when Roto-Rooter arrived on-site. The communication/notification issue is being addressed. A final report will be available to Commissioners.

Commissioner Tassone questioned unauthorized truck traffic through Town. Police Chief Longo advised after a few letters the problem is improving. The Police still watch for trucks that should not be coming through Town.

Commissioner Kovack advised there has been a situation at Royal Farms. The Bridgeville Police Department continues to work with the Delaware State Police to end the problem.

## **XII. TOWN REPORT**

Acting Town Manager/Finance Director Savage advised a Kick-Off meeting for the Bridgeville Master Plan was held on February 8<sup>th</sup> at the Bridgeville Public Library. Presentations were made by Bryan Hall, AICP Office of State Planning Coordination, Lee Ann Walling, AICP DNREC Division of Energy and Climate and Ed Lewandowski, UD Sustainable Coastal Communities Initiative. The main topic was discussion of the Chesapeake Bay WIP and how it will affect our wastewater plant requirements. The Commissioners are invited to attend the next meeting on March 21, 6:00 PM at the Bridgeville Public Library. President Correll advised several Towns participated in the meeting. She would like all the Commissioners to attend the next meeting to become familiar with the issues. Public hearings will be held in the future, as well.

Acting Town Manager/Finance Director Savage advised pump motor replacements for Wells #2 and #5 have been completed. Well #2 was put back on-line today; it did not need the extensive work that was necessary on Well #5.

Town representatives met with one of the RBC project contractors on February 21<sup>st</sup> to consider their final payment request. Once that request has been submitted and approved, we can begin the project closeout process.

Concerning the Water Facilities Update, a proposal has been received from Davis, Bowen and Friedel, Inc. in the amount of \$20,000 to review and update the Town's Water Facility Plan. The project would be 100% grant-funded. This approval has been added to the agenda for tonight's meeting.

Acting Town Manager/Finance Director Savage advised 14 Delaware Small Business Award winners have been chosen for 2012. Two of those recipients are Bridgeville businesses. The Family-Owned Business of the Year is T.S. Smith and Sons, Inc. (Thomas, Matthew and Charles Smith) and the Entrepreneurial Success Award went to Mr. Marty Miller of Miller Metals in Bridgeville. We congratulate these local Bridgeville businesses for their well-deserved honors.

### XIII. CITIZEN'S PRIVILEGE

Mrs. Jacqueline Vogle of 124 Widgeon Way questioned the status of contractor licensing at Heritage Shores. Commissioner Kovack advised he had spoken with Code Enforcement Officer Butler who has been working with Roger at Brookfield Homes to contact all contractors who are working at Heritage Shores for compliance with the new contractor's license. It will be up to the individual contractor to submit all necessary paperwork concerning their business. President Correll added that Mrs. Vogle is welcome to call Code Enforcement Officer Butler to receive a more up-to-date report on the progress made in that area. Mrs. Vogle hopes that Mr. Butler will spot check contractors who are on-site to guarantee compliance.

Mrs. Ruth Skala of 108 Whistling Duck Dr. reminded everyone of the March 13<sup>th</sup> Library Program with Marie Gormley. She will be sharing the experience of a young girl coming to the U.S. through Ellis Island. The Library's major fundraiser is scheduled for March 31<sup>st</sup> with an 18-piece Big Band. Tickets are \$25 each. Donations will also be accepted. On April 18<sup>th</sup> the nationally acclaimed gospel group The Reminders will be performing at the Library.

Mr. Jim Durkin of 49 Ruddy Duck Ln. asked if Heritage Shores residents have been paying for wastewater services that they have not received due to this wastewater back-up problem. Acting Town Manager/Finance Director Savage advised the residents have been paying for the services; however, the wastewater had not yet been treated. The wastewater was impacted for several years, but has been unblocked and is now being treated. The Commissioners assured Mr. Durkin the residents will not pay double because of this impacted wastewater. It was paid for when used; however, now it is being processed.

State Senator Joe Booth was in attendance. He advised he and Representative Wilson are very glad that they will be able to assist Bridgeville with funds to improve the Mill St. roadway in Town. He attempts to remain informed about Bridgeville's issues and understands effluent problems as a former mayor of Georgetown. The lack of passage of medical marijuana in Delaware was mentioned. Although passed in 11 states, Delaware believes it is against federal laws. Senator Booth commented some districts are treated differently and recommended people contact U.S. Attorney Charles Oberly concerning the decision. He voted "no" because he believes it conflicts with federal law.

Mrs. Jacqueline Vogle asked Senator Booth if there is a Citizen's Privilege at the state level. He advised it is not available on the state senate floor. Concerned citizens can contact him personally with their concerns.

Commissioner Mervine turns 50 years of age tomorrow and was wished a Happy Birthday.

### XIV. OLD BUSINESS

There was no old business to discuss at this meeting.

## **XV. NEW BUSINESS**

### **A. Planning and Zoning Commission Annual Report**

President Correll advised the Commissioners have received the Planning and Zoning Commission Annual Report for 2011 from Chairman Bill Atwood. She commented it was an excellent report. Commissioner Tassone made a motion to accept the Planning and Zoning Commission Annual Report and place it on the Town website for public review.

### **B. Property Assessment Listing and Tax Appeal Day**

Acting Town Manager/Finance Director Savage advised the Commissioners have received copies of the tax assessment list; these figures are calculated by the county. This year the tax assessment is \$25,469,302. Per the charter, the Commission must approve the tax roll each year. The assessment may change before July 1<sup>st</sup> due to new construction, annexations, zoning changes, etc. Any changes will be brought back before the Commission for approval. The Court of Appeals takes place at Town Hall, Saturday March 24 from 1:00 – 2:00 P.M. Acting Town Manager/Finance Director Savage will be available at that time to hear any concerns by the residents. He will post 5 notices throughout Town and it will be in the Seaford Star newspaper on Thursday, March 15<sup>th</sup>. Commissioner Tassone made a motion to approve the Bridgeville tax roll as presented. Commissioner Kovack seconded the motion. Motion carried.

### **C. Bridgeville Board of Animal Control Appointment**

President Correll advised this agenda item was added earlier in the meeting. There is currently a vacancy on the Animal Control Board, as one member was appointed to the Planning and Zoning Commission. Mr. James Scully has been recommended as a replacement; he is an animal Pharmacist and his animal experience would be very helpful to the committee. Commissioner Kovack made a motion to appoint Mr. Scully to the Board of Animal Control. Commissioner Tassone seconded the motion. Motion carried.

### **D. Water Facilities Plan Update Proposal**

This plan update proposal was added to the agenda earlier in the meeting. Commissioner Kovack made a motion to accept the \$20,000 proposal from engineers Davis, Bowen & Friedel, Inc. for a Water Facility Plan Update. Commissioner Tassone seconded the motion. Motion carried.

## **XVI. INTRODUCTION OF ORDINANCE(S)**

### **A. AN ORDINANCE TO AMEND CHAPTER 84 OF THE CODE OF THE TOWN OF BRIDGEVILLE RELATING TO EXEMPTIONS FROM THE DANGEROUS DOG ORDINANCE**

Commissioner Tassone introduced this amendment to the current dog ordinance concerning possible exemptions for specific dogs. President Correll advised this amendment is being considered

due to a resident with a pit bull who works with children in the L.E.A.P. reading program at the Library.

**B. AN ORDINANCE TO AMEND BRIDGEVILLE CODE RELATING TO VIOLATIONS AND PENALTIES**

Solicitor Schrader advised this Ordinance would consolidate approximately 15-18 penalties in various sections of the code book into one penalty. These pertain to civil matters, not criminal matters. Commissioner Kovack introduced this amendment to the Bridgeville Code concerning Violations and Penalties.

Commissioner Kovack commented on a business between Federalsburg and Bridgeville called Taylor's Fresh Organics. The business is soliciting memberships to their organically-grown crops. Members are sold current ripe crops, based on their membership level. The balance of the crops are sold wholesale to restaurants and given to food banks. Commissioner Kovack will provide flyers at Town Hall for anyone interested.

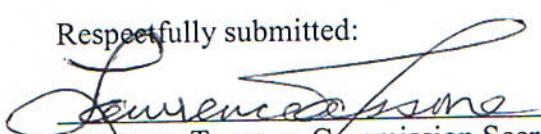
President Correll advised she will be in jail this Saturday from 11:00 AM to 12:00 PM at the VFW in Greenwood. Donations to get her out of jail will benefit the veterans' organization.

President Correll thanked the Commissioners for their efforts this past year. She advised it has been very different being in the President's chair rather than her usual Commissioner's chair this year. It has been a learning curve for her and she has more to learn in this next year.

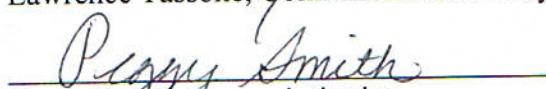
**XVII. ADJOURNMENT**

Commissioner Kovack made a motion to adjourn the meeting. Commissioner Tassone seconded the motion. Motion carried. The meeting was adjourned at 7:45 P.M.

Respectfully submitted:



Lawrence Tassone, Commission Secretary



Peggy Smith, Transcriptionist