

COMMISSIONERS OF BRIDGEVILLE
REGULAR MEETING
OCTOBER 14, 1968

Regular meeting called to order by President Simons at 8:00 P.M. Other commissioners present were Mr. Paul Lynch, Mr. T. J. Gray, Jr., Mr. G. F. Hardesty, Jr., and Mr. Earl C. Willey.

Also present was Mr. Alan Poland of the Wilmington News Journal of the Georgetown Office, Mrs. Luertha Bush of 8 Church St., Mrs. Idella Tyler of 5 Cook St., and Mr. Franklin Fountain, town policeman.

President Simons asked those present if they had any problems. Mrs. Idella Tyler complained that the Cook property has a large Box Elder tree which has a large amount of Box Elder bugs that almost completely cover her home and get in her windows and doors. Mr. Paul Lynch made a motion to have the tree sprayed by Sussex Nursery and send the Cook heirs the bill. Motion seconded by T. J. Gray, Jr. and approved by the floor.

Mrs. Luertha Bush complained of speeders using Church St. and a rough crowd of persons are hanging out around Paul's Market, at 128 N. Main St. These persons, she stated have no respect for the young or the old with their bad talk and actions. President Simons instructed T. J. Gray, Jr., after some discussion, to police the above areas more often and to be strict concerning violaters to the above mentioned complaints.

Mr. T. J. Gray, Jr. stated that Mr. G. Torbert, Town Alderman, turned over \$1,870.00 for fines for the month of September. Also received was \$205.00 from Court #4 of Seaford, Del.

The following bills were read and approved:

GENERAL FUND

Career Institute	\$ 7.00
Sussex Nursery	13.50
R. D. Grier & Sons	44.75
Lewis M. Simpson	10.90
Lo-Mar, Inc.	19.50
Ralph Armet	213.75
H. C. Layton & Son	11.50
Seaford Leader	21.60
Harry C. Banning	109.37
Sussex Printing	10.00
News Print Shop	63.50
Scotts Furniture Co.	29.95
Burton Transportation	5.40

Del Chemical Corp.	40.90
Kennedy Valve Mfg. Co.	35.56
State of Delaware	10.50
Earth Movers	773.50
Dominion Tank & Iron	1068.00
Ford Meter Box Co.	41.90
Diamond State Telephone Co.	14.41
Diamond State Telephone Co.	12.54
Hopkins Bros.	9.69
Protection Service Inc.	11.52
Delmarva Power & Light	536.16
Delmarva Power & Light	<u>337.37</u>
	\$3,452.77

MUNICIPAL STREET AID

Delmarva Power & Light	479.56
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WASTE TREATMENT ACCOUNT

Delmarva Power & Light Co.	198.80
Diamond State Telephone Co.	14.96
Central Electrical Supply Co.	9.95
Southern State Coop.	217.15
Fisher Scientific Co.	26.00
Chesapeake Utilities Corp.	268.19
Federal Paper & Chemical Co.	1253.10
Fisher Scientific Co.	55.00
H. C. Layton & Son	12.08
Shorts Service Station	10.42
O. A. Newton & Son	30.04
Waller's Pharmacy	<u>4.30</u>
	\$2,099.99

Mr. Martin Johnson, President, Sussex County Levy Court, then appeared at the meeting. Mr. Johnson stated that the County now has an approved State Board of Health Land Dump at Middleford, Delaware and that the Town of Bridgeville could use it for \$1,200 per year. After some discussion, it was decided not to have the town residents drive that far to a dump nor can the town afford to haul the town trash. It was decided by the Commissioners, to continue to operate the Dump as is at the present time until either the State or Levy Court made a concrete stand on the matters concerning, 1, location, 2, type of dump area, 3, cost, and 4, method of collection.

President Simons read a letter from the Town of Georgetown, Delaware asking for a \$25.00 contribution toward cost of "Return Day" on Thursday, Nov. 7, 1968. Mr. Earl Willey made a motion to send the \$25.00 as stated above. Motion seconded by Mr. Paul Lynch and approved by floor.

President Simons read a list of twenty-two (22) applications for an attendant at the Town Dump. After much discussion, Mr. E. Willey, made a motion to hire Mr. Willis Records of RD #2, Bridgeville, Delaware. Motion seconded by Mr. Paul Lynch and approved by floor.

Mr. Earl Willey began discussion concerning the Town Dump and recommended it be made available to rural Bridgeville persons. Mr. Willey made a motion to sell cards at the Town Office ranging from \$.50 thru \$3.00 per entrance into the Dump to anyone that resides in the old Bridgeville School District. Motion seconded by Mr. Paul Lynch and passed with two decending votes. President Simons appointed Mr. Earl Willey to take care of the necessary details such as - 1, print the cards, 2, advertise the above, 3, notify Mr. Ehaaffinch he is relieved of his job effective October 19, 1968, and 4, notify Mr. Willis Records to begin work on Tuesday, October 22, 1968.

	Dump Applications	
	Age	
Roland Johnson	53	Greenwood, Del.
Nelson Massenburg	40	Bridgeville, Del.
Westley Emory	22	Church St., Bridgeville, Del.
Nathan James	55	Bridgeville, Del.
Raymond Hitch	55	Bridgeville, Del.
Winfield Emory	65	Bridgeville, Del.
Willis Records	60	Bridgeville, Del.
David B. Kean	63	Bridgeville, Del.
Mike Crisco	57	Bridgeville, Del.
Sam & Carrie Jones	56	Bridgeville, Del.
Harry Lofland	28	Bridgeville, Del.
Harold Short		Millsboro, Del.
Jerry Evans		Bridgeville, Del.
John Winbish	54	Greenwood, Del.
Buddy Palmer	45	Bridgeville, Del.
James Tunnell	52	Bridgeville, Del.
Irvin J. Hitchens	59	Ph. 629-2725
James Smith	40	Bridgeville, Del.
Archie McKee		Cedar St., Bridgeville, Del.
Cove Reynolds		Bridgeville, Del.
James Norfleet	64	Box 202, Bridgeville, Del.
Harry Collins	70	Millsboro, Del. Ph. 934-7154

Mr. T. J. Gray, Jr. made a motion to build an attendents house as soon as possible, at the Dump gate complete with heat, insullation, painted and anchored, time and material to Mr. Paul Lynch, builder. Motion seconded by Mr. Earl Willey and approved by floor.

Mr. T. J. Gray, Jr. made a motion to immediately raise the salaries of Police Officers, Lewis Frampton and Virgil Kinder by \$5.00 per week each. Motion seconded by Mr. Paul Lynch and approved by the floor.

Mr. Paul Lynch made a motion to remodel the old cell room at the Police Headquarters, not to exceed \$600.00 for police records, desk, etc. Motion seconded by Mr. T. J. Gray, Jr. and approved by floor.

Mr. Paul Lynch made a motion that the Town of Bridgeville send Ralph and Paul Adams, Inc. a bill of \$7,254.00 for the total cost of installation and equipment for the grease removal at the Adams plant. Motion seconded by T. J. Gray, Jr. and approved by floor.

President Simons began discussion concerning having Ralph & Paul Adams, Inc. put on the commercial water instead of the standard domestic water rate. No action taken at this time.

Mr. George Hardesty, Jr. made a motion to purchase four cigarette ash stands for use upstairs. Motion seconded by Mr. T. J. Gray, Jr. and approved by floor.

Meeting adjourned 11:50 P.M.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "G. F. Hardesty, Jr.", written over a horizontal line.

G. F. Hardesty, Jr.
Secretary

MEMBERS
ROBERT T. FINE, CHAIRMAN
GEORGE L. BROWN, JR., VICE-CHAIRMAN
THOMAS C. COOPER, JR.
WILLIAM G. GIBNEY
WILLIAM J. FRANCES
C. WASSON GAGE
FRANK H. GAZELL, JR.
WILLIAM H. MURRAY
GEORGE H. NELSON
ELMER PRATT
WALTER L. WHEATLEY

State of Delaware



State Highway Department Motor Vehicle Department

P. O. Box 693
Dover, Delaware
19901

CRISTY A. LADD
DIRECTOR OF OFFICE
JOE E. ROBINSON
CHIEF CLERK
JAMES J. DEPUTY
CONTROLLER
CHARLES O. LAMB
SUPERINTENDENT STATE POLICE
RUSSELL W. WHITBY
DEPUTY VEHICLE COMMISSIONER

September 4, 1968

Dear Sir:

The Motor Vehicle Department would like to know how many incorporated municipalities are making their alderman's comply with Senate Bill # 360 which briefly demands that:

I. All convictions in the alderman's court for moving traffic violations and the disposition of those cases, shall become a matter of record to be filed with the State Motor Vehicle Division on forms to be supplied by the Division. Said record is to be forwarded to the Division no later than ten days after the disposition of the case.

II. The alderman shall be paid by salary only. All fees, fines, costs and other revenue collected by the court in the process of the business of the court shall be promptly forwarded to the municipality from which appointed.

III. The alderman's court shall operate under any uniform rules governing court procedures, accounting systems, and those manuals and guides used to administer the state magisterial system.

If the alderman is not in full compliance, to Senate Bill # 360, do not send the records of convictions on moving traffic violations and the dispositions to the Motor Vehicle Department. The Motor Vehicle Department can not make those convictions a matter of state record until the alderman is in full compliance to Senate Bill # 360.

Yours very truly,

Capt. John R. Downey

Capt. John R. Downey
Director
Driver Improvement

JRD/aw

Signed 7-5-68

SENATE BILL NO. 360

AS AMENDED BY

SENATE AMENDMENTS NOS. 1 AND 2

AN ACT TO AMEND SECTION 704, TITLE 21, DELAWARE CODE, RELATING TO JURISDICTION OF MOTOR VEHICLE OFFENSES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend Title 21, Delaware Code, Section 704, by striking said section in its entirety and substituting in lieu thereof a new section to read as follows:

"§ 704. JURISDICTION OF OFFENSES:

(a) A person arrested without a warrant in the City of Wilmington for a violation of any section of this title shall be taken before a Judge of the Municipal Court for the City of Wilmington, except that persons arrested for a violation occurring on any part of the Interstate Highway System may be taken before the nearest available Justice of the Peace from the place of arrest. A person arrested without a warrant outside of the City of Wilmington for a violation of any section of this title, or arrested for any moving traffic violation of any municipal ordinance regulating traffic within its territorial limits as set forth in Chapter 41 of this title, shall have his case heard and determined by the nearest available justice of the peace, notwithstanding the fact that the court of said justice of the peace is situated in a county other than that in which the violation is alleged to have occurred. It shall be a sufficient defense for a person arrested outside of the City of Wilmington to show by one competent witness that there was, at the time of his arrest an available justice of the peace whose regular office was nearer to the place where such person was arrested than the justice of the peace before whom the case is being tried.

(b) For the purpose of this section, a justice of the peace is available when he is at his office, or court.

(c) Notwithstanding any other provisions of this section to the contrary, in those incorporated municipalities which provide

duly constituted alderman's courts, said alderman shall continue to hear and adjudicate those cases in which a person is arrested without a warrant and where the alderman's court is the court of initial jurisdiction.

This section shall only apply to those alderman's courts which meet the following standards:

1. All convictions in the alderman's court for moving traffic violations and the disposition of those cases, shall become a matter of record to be filed with the State Motor Vehicle Division on forms to be supplied by the Division. Said record is to be forwarded to the Division no later than ten days after the disposition of the case.

11. The alderman shall be paid by salary only. All fees, fines, costs and other revenue collected by the court in the process of the business of the court shall be promptly forwarded to the municipality from which appointed.

111. The alderman's court shall operate under any uniform rules governing court procedures, accounting systems, and those manuals and guides used to administer the state magisterial system."

Municipal Street Aid Fund

Delmarva Power & Light Co., \$479.56

Waste Treatment Account

Delmarva Power & Light Co.,	195.00
Bank of Delaware	50.00
Pure Oil Company	75.00
Manlove Automotive Service	5.46
Diamond State Telephone Co.,	13.26
Chesapeake Utilities Corp.	190.78
Federal Paper & Chemical Company	286.85
Southern States Coop.	27.00
Bridgeville Servicenter	6.80
Short's Service Station	111.42
Zep Mfg. Co.,	62.00
O. A. Newton & Sons Co.	25.75
R. D. Grier & Sons Co.	6.63
H. C. Layton & Son	10.10
Fisher Scientific Co.	18.69
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	\$1084.14

President Simons reported the town had received \$200.00 from Court #4 and our Town Alderman, George Torbert had turned in \$1648.00 for the month of October.

A motion was made by T. J. Gray, Jr. and seconded by Paul Lynch to pay one-half of the Leroy T. Tull bill to connect his home to the town's sewer lines which was severed when another line had been rebuilt. The amount charged by George E. Jones & Company, Inc. for this work was \$557.47. The town to pay \$278.73. Letter on record from Mr. Tull, dated 11/1/68. The motion was carried.

Motion was made by T. J. Gray, Jr. and seconded by Paul Lynch that the Board accept the new Ordinance as prepared by the town's Attorney, pertaining to a person operating a motor vehicle on a public highway. A copy of the new ordinance is attached to these minutes. The motion was carried.

President Simons read a letter from Tunnell and Raysor, attorneys for Rapa Brand Scrapple in which they stated Rapa Brand Scrapple would not pay the bill of \$7,254.00 to install and service the Grease Trap on the property of Rapa Brand Scrapple. Paul Lynch, suggested that the letter be turned over to the town's attorney for an understanding of this letter.

Meeting adjourned at 10:15 P. M.

Paul G. Lynch
Respectfully submitted,
Paul Lynch, Acting Sec.