

MINUTES

COMMISSIONERS OF BRIDGEVILLE APRIL 12, 1999 - 7:00 P.M. TOWN HALL

I. CALL TO ORDER

The meeting was called to order at 7:00 P.M. by President Jack Dalton. Present were the following: Commissioner Glenn Miles, Commissioner Charles Singman, Commissioner Willie Pierce and Commissioner Margaret Sipple. Mr. Mike Pyles from the H. M. James & Sons Insurance Company also was present. The meeting started with a salute to the flag.

II. APPROVAL OF MINUTES

Commissioner Sipple made a motion to dispense with the reading of the March 8, 1999 minutes. Motion was seconded by Commissioner Pierce and carried unanimously.

III. APPROVAL OF MONTHLY BILLS

Commissioner Singman questioned the \$567.00 income from AFLAC in the general fund. After reviewing the bills, Commissioner Singman made a motion to pay bills as presented. Motion was seconded by Commissioner Miles and carried unanimously.

IV. PRESIDENT'S REPORT

A. CORRESPONDENCE

1. An invitation was received from the Nanticoke Health Services to attend an employees service award dinner on May 7, 1999 at the Laurel Fire Hall.

2. A \$500.00 donation was received from Ralph & Paul Adams, Inc. to the police department. Mr. Dick Hedi, President, did request hearing from the department as to what source the contribution was earmarked. Chief Parsons said the money would be used for the installation of the new radio system.

3. The Delaware Commission of Veterans Affairs will conduct its annual Memorial Day service on Sunday, May 30, 1999 at the Memorial Bridge Plaza, New Castle, Delaware at 10:30 A.M.

4. Delaware Solid Waste Authority sent a reminder that the Differential Disposal Fee Program contracts must be in their office on or before April 30, 1999. President Dalton will check with Phillip Mowbray on these contracts.

5. A letter was received from Mr. Thomas Wagner, State Auditor, pertaining to municipalities that will have Municipal Grants audits performed by his office. The Municipal Grants include the Municipal Street Aid Funds, Police Pension Funds, State Aid to Local Law Enforcement (SALLE) Funds, Emergency Illegal Drug Enforcement (EIDE) Funds, and the Library Standards Funds. The municipalities affected must notify the Office of Auditor of Accounts no later than one month after the end of their fiscal year.

6. The Delaware State Historic Preservation Office and Preservation Delaware, Inc. is holding forums across the state to talk about historic preservation and quality of life issues. A meeting is scheduled for April 6 at Seaford City Hall, April 13 at Del Tech and April 22 at the Lewes Public Library.

7. The Center for Public Research, Inc. of Lewes will be holding a luncheon meeting on Wednesday, April 14, 1999 at noon at the Dutch Oven Restaurant in Millsboro, DE.

8. Commissioner Singman said it is good to have citizens take a position on items affecting the Town, but nothing will be done or looked into if letters received by the Commission are not signed.

AGENDA ADDITION: President Dalton said there will be two additions under new business:

1. Spring Clean Up Day
2. Motor Vehicle Sound Ordinance

B. DEPARTMENT REPORTS

1. Police-(see attached report) Commissioner Miles reported there were 165 traffic arrests for the month of March. There were 23 criminal arrests and 40 complaints (35 cleared). Chief Parsons will be attending a chief's seminar on May 3-5, 1999 in Rehoboth Beach, Delaware.

Chief Parsons received a letter from the Dover Police Department requesting one officer to work in Dover during the NASCAR RACE in June. Commissioner Singman made a suggestion that Commissioner Miles write a letter to the Police Commissioner of Dover and strongly suggest that if small town assistance is needed then they should pay for it. Commissioner Sipple said with only three officers on our force, she does not feel we can afford to send one to Dover. President Dalton asked Commissioner Miles to report on this matter at the May meeting.

2. Waste Water-(see attached report) Commissioner Singman reported there was an average daily flow of .186 million gallons per day with a total monthly flow of 5.770 million

gallons. There were four septic haulers for a revenue of \$2,076.00. Commissioner Singman is still looking at the Gateway Plaza negotiations. The roof repair on the main building at the WWTP was completed for a cost of \$2,324.00. On April 5th and 6th a sludge de-watering unit was demonstrated on our site showing its capabilities of a "vertical auger sludge press". We have not received a price quote as of this date.

Commissioner Singman said the pump that removes sewer waste needs to be repaired. Mr. Mowbray is in the process of getting bids on other types of pumps as opposed to the grinding pump. The needed repairs to the WWTP in the next five years will cost approximately a quarter of a million dollars.

Commissioner Singman said on April 5, 1999 a certified letter was sent to Mr. Walter Flowers, 104 N Main Street, regarding his past due water bill, the cut-off date and an explanation of the Town Code regarding residents not being allowed to live in Town without running water. Chief Parsons was asked to go to the house to inform the residents that they were in violation of the code. The letter gave Mr. Flowers 15 days to correct the problem or the house would be condemned. As of today, Mr. Flowers had not contacted the office. Commissioner Singman moved that this matter be turned over to the Town Solicitor.

President Dalton said the study of the wastewater situation concerning the reduced Total Daily Maximum Load being mandated by the state has been completed for Bridgeville and Greenwood. The engineers estimate the cost will be \$5.9 million dollars to install a spray irrigation system that would handle the Bridgeville-Greenwood area.. The Western Sussex Wastewater Coalition (Bridgeville, Greenwood, Seaford, Laurel & Delmar) presented their concerns to the Governor's Steering Committee on State Planning on March 17, 1999. The coalition reported to the committee that the problem is more than any municipality can solve alone, and we will need help from the state and federal levels. Bridgeville would not qualify for another \$5.9 million dollars when we are still paying on the \$4 million borrowed on the last sewer plant upgrade. The total price of a regional spray irrigation system is \$23.5 million dollars and would solve the problem on this side of the county for the current regulations (which would be good for about ten years). The proposal being presented is that the federal government would pay 50%, the state would pay 25%, and the county and municipalities would pay 25% together. President Dalton said the important thing to remember is that we had picked up on the mandates when they first came down last year and we have stayed on top of it. We need to stay on top of the situation to make sure it is not dumped on us as a local cost.

Commissioner Singman expressed concern about implementing a regional system, as to whether it would take the rate control from the Commission and the citizens of this Town. President Dalton asked Commissioner Singman to work with him on the coalition to make sure such concerns are addressed.

3. Drinking Water-(see attached) Commissioner Pierce reported 3,622,000 gallons used in March for an average daily usage of 109,750 gallons. A water leak at 29 Gum Street was repaired on April 12, 1999. That leak was on an old service line, and the line will be terminated at the main at a later date.

4. Streets-Commissioner Sipple reported the sidewalks around the high school are near completion. Bids will be open for the repaving of several alleys and streets on Friday, April 16, 1999 at 4:00 P.M. No price quotes have been received on the new truck. There may be a shed available at the WWTP plant that can be used to store salt and sand for next year.

President Dalton said during the SCAT meeting it was decided to request the state to take over all street lights that are on state maintained streets.

V. OLD BUSINESS

1. Tabled from March: Seaford's Mayor Daniel Short sent a letter asking support for congress to reinstate the Land and Water Conservation Fund. Delaware could receive about \$4-5 million in funding if this program is revised. MOTION: After some discussion, Commissioner Sipple made a motion to send a letter of support to the legislators. Motion was seconded by Commissioner Singman and carried unanimously.

2. Commissioner Sipple said she had not received any comments regarding the Church Street situation. Residents of Church Street were to bring their decision to this meeting: a) to leave the double lines, and no parking would be enforced (or)

b) to remove the double lines and allow parking on one side (as before)

Mr. Philip Davis said he does not live on Church Street but says it is safer with the no parking than it was previously. Mrs. Sharon McDowell (a bus contractor) said it is much easier driving a school bus down that street now since cars are not parked on one side. Mr. Lonnie Hillard asked why the residents should be denied parking when trucks are still being allowed to use the street. President Dalton explained that when development expands over the railroad tracks in the next few years Church Street is going to get more traffic.

Mrs. Louise Henry from the Community Center said the trucks are really a problem on that street. She asked why are trucks are still being allowed to travel that street with "no truck" signs posted. President Dalton explained what the Town has gone through with DELDOT to this point. The state told us we cannot stop the local truckers access to the grain mill. The Perdue drivers have cooperated since the by-pass opened. Commissioner Singman told of a trucker last Friday that knocked down a sign and took out the control panel for the signal lights on the corner of Main and Market Streets and continued on traveling down the road. Mrs. Henry said all the trucks she sees are not going to the grain mill. Commissioner Pierce suggested the police department and the Perdue Company work together on this traffic problem. President Dalton said the Commission is going to have to make a decision either to make Church Street a safe street or an unsafe street.. If the decision is made to make it a safe street, it is going to take additional enforcement to accomplish it, and maybe at the same time have monitoring of trucks to see who is going where. President Dalton asked Chief Parsons to take a look at the situation and report his findings at the May meeting.

After much discussion, Commissioner Sipple made a motion to leave the double lines and enforce the "no parking" on Church Street. Commissioner Singman made a motion to amend the above motion to allow parking on Church Street when Mt. Calvary Church has any type of an activity. MOTION: Commissioner Sipple's motion now states

that the "no parking" on Church Street be enforced with a caveat of one week warning period for residents, and that signs be installed that will exempt the no parking during funerals and church activities. Motion was carried unanimously. Rev. Moody is to notify the police department when any extra church activities will be taking place.

VI. NEW BUSINESS

1. President Dalton said last year the Commission budgeted for the spring clean-up day \$1,000.00, but actually cost over \$3,000.00. Spring Clean-Up day was started to get rid of exterior trash and debris on people's properties per Commissioner Singman. It was not for old appliances and attic items. President Dalton said some people from outside of Town brought in their trash. He said he does not have a problem with cleaning up the Town, but he does have a problem with cleaning up the county. Commissioner Singman suggested having the people with large items for pick up call the Town Office before the scheduled clean-up day. Mrs. Pam Slater said the girls in the office do not have time to be taking all those calls. Mrs. Slater said it should be designated ahead of time what will be picked up and what will not. MOTION: Commissioner Singman made a motion to dispense with the spring clean-up day for this year. After much discussion between the citizens and the Commission, Commissioner Singman withdrew the motion and substituted with the following motion: The Town continue with the Spring Clean-Up Day but notify the citizens that exterior yard debris will be the only items accepted (no large appliances). Motion was seconded by Commissioner Miles and carried unanimously. President Dalton said the clean-up day will be scheduled for a Saturday in the middle of May.

2. Commissioner Singman said we have one employee out on medical leave, leaving only two employees at the WWTP. With grass cutting time approaching, the Commission may need to consider hiring someone to cut the grass either for a summer contract or until we have three employees working full time again.

3. President Dalton said several years ago an ordinance governing motor vehicle sound limits was discussed but never adopted (see attached). He asked that it be tabled until the Town Solicitor can read it over.

At this time President Dalton called for Executive Session:

4. President Dalton excused the citizens while the Commission convened to executive session with Mr. Pyles to discuss and vote on the the employee health benefits. The Commission reconvened to regular session at 8:47 P.M.

President Dalton said two items of business was discussed and voted upon.

1. The Commission voted to change insurance carriers from Blue Cross/Blue Shield to Principal.

2. The Commission voted to give the employees a cost of living increase of 2.5% of their base pay.

VII. CITIZEN'S PRIVILEGE

Mrs. Slater addressed the Commissioners asking if the address of Commissioner Singman and the new secretary at the police department was the same. She asked if this was not a conflict of interest! Mrs. Slater stated she understood Commissioner Singman abstained from voting on the hiring and intends to abstain from voting on issues pertaining to his roommates employment. She explained that the Town Charter, Page C6, Section 13, states that no member of the Commission shall be excused from voting on ordinances, resolutions, orders or motions. Mrs. Slater went on to say she understood the new secretary will be able to take vacation leave anytime he wishes to do so, without pay. If so, any employee at anytime can be gone. Who would fulfill their duties as an employee?

Mrs. Slater said President Dalton owns the Interlock Systems, which is where a drunk driver may purchase equipment in order to obtain the ability to drive their car without losing their license after an arrest. This too, she believes is a conflict of interest! Mrs. Slater said President Dalton can obtain a drunk driver list, at no charge, from the Bridgeville Police Department.

Mrs. Slater said President Dalton and Commissioner Singman asked for her husband's resignation from the Commission last March because he accepted a position as an inspector with the Town Engineers. She said Commissioner Singman threatened to secure a new engineering firm if Mr. Slater did not resign.

Mrs. Slater asked for President Dalton and Commissioner Singman to resign from the Commission.

2. Mr. George Hardesty said he submitted an application to install a 42" split rail fence down the west side of his property. Because it is not at an intersection he does not see why it has to be set back 20' as the code states and explained by Doug Jones. The Commission agreed there was no problem with the fence being installed.

Mr. Hardesty asked the Commission if they would authorize a handicap parking space or two on Laws Street (next to his house). He has been issued a handicap license from the state for the several years. Mr. Hardesty said when school is in session it is impossible to find a space to park near his house from eight in the morning until three or so in the afternoon. MOTION: Commissioner Singman made a motion to allow one handicap parking space on Laws Street for Mr. Hardesty's use. Motion was seconded by Commissioner Sipple and carried unanimously. Either a new sign or the painting of the handicap parking space design will be installed.

3. Mrs. Slater asked if any comment was going to be given to her on the matter she brought to the floor. President Dalton replied it did not deserve a comment as far as he was concerned! He told Mrs. Slater she did not know anything about his business. President Dalton asked her to find out the correct information and bring it back to him for discussion.

Commissioner Singman had no comment. He said he could only speak for himself, and he would lend dignity to the inferences. Mrs. Slater told Commissioner Singman he had no dignity as far as she was concerned. She said a vendetta has been going on for quite sometime which everyone knows about. Mrs. Slater said it is a disgrace for the Town's

people to have both of them sitting on the Commission doing what they are doing. Commissioner Singman reminded everyone that both of them were elected by the people. He explained Mr. Michael Deitz is a co-owner of their home. Commissioner Singman said he did vote for the 2.5% pay increase, but under Mr. Deitz's contract he will not receive that increase.

Mrs. Slater again reminder the Commissioners they cannot abstain from voting per the charter. Commissioner Singman replied that according to the Attorney General's office, a person abstains from voting on anything that could possibly appear to be or is a conflict of interest (State Law).

President Dalton said the position of the police department secretary was advertised in the newspaper and five applications were received for the position. Two applicants were over qualified, one applicant was less than qualified based on the resume, and one applicant received a negative report from their previous employer as far as their abilities were concerned. Out of the five, Mr. Deitz was the most qualified. Some of those attending the meeting stated they believed his hiring to be a conflict of interest.

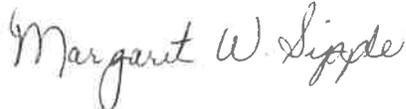
President Dalton said it was not a conflict when Mr. Mike Cook and his wife, Missy Cook, worked for the Town. Mrs. Pat Correll said that situation was entirely different explaining that Mrs. Cook worked at the Town Hall, and Mr. Cook was a part-time police officer. Mrs. Cook did not decide on pay increases, benefits, and did not sign checks. She said the Commission makes decisions and there is a big difference between Mr. and Mrs. Cook's situation and Mr. Deitz's situation. President Dalton said Mr. Deitz does not require any health benefits which saves the Town between \$2,000 and \$3,000 a month. Mr. Deitz has agreed to work for \$8.00/hour which is a lower amount than what was advertised.

Mrs. Correll said she believes it sets a bad precedent for this Town when someone is hired that will be able to come and go when he pleases to do so. President Dalton stated that was not a true statement, and Mr. Deitz will not be allowed to do that.

VIII. ADJOURNMENT

Commissioner Singman made a motion to adjourn the meeting. Motion was seconded by Commissioner Sipple and carried unanimously.

Respectfully Submitted,



Margaret W. Sipple
Secretary