

**MINUTES
COMMISSIONERS OF BRIDGEVILLE
JANUARY 14, 2013 – 7:00 P.M.
TOWN HALL**

I. CALL TO ORDER

The meeting was called to order by President Pat Correll at 7:00 P.M. Present: Commissioners Paul Kovack, Jay Mervine, Lawrence Tassone, Town Manager Jesse Savage and Town Solicitor Dennis Schrader. The meeting began with the Flag Salute and Prayer.

II. QUORUM PRESENT

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

III. APPROVAL OF AGENDA

Commissioner Kovack made a motion to approve the Agenda as presented. Commissioner Tassone seconded the motion. Motion carried.

IV. NATIONAL POLICE CHIEF'S ASSOCIATION LIFE SAVING AWARD

Bridgeville Police Chief Robert Longo came forward to present to Private First Class John McQuown of the Bridgeville Police Department a Life Saving Award from the National Association of Chiefs of Police and the American Police Hall of Fame. On August 19, 2012 PFC McQuown was dispatched to a structure fire at Elizabeth Cornish Landing apartments. Officer McQuown rescued an unconscious male from the smoke-filled building and both were treated for smoke inhalation. Officer McQuown stated that it could just as well have been another Bridgeville officer receiving this award, as all of them would have been willing to rescue the gentleman.

Chief Longo added that Officer McQuown will also receive the Bridgeville Police Department's Chief's Award for 31 Drunk Driving Arrests from January 1 – December 31, 2012.

V. CDBG – COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Mr. Brad Whaley, Director of the Sussex County Community Development Block Grant Program, came to assist the Town in applying for and administering this program for Sussex communities. Funding is from Congress through the Department of Housing and Urban Development to the Delaware State Housing Authority. Bridgeville applies for these grant monies yearly which allow for housing rehabilitations, water hook-ups, demolition and small infrastructure projects. People with low to moderate incomes with housing issues (and other qualifications) are eligible for this program. Bridgeville has received over \$120,000 from this program for its residents over the past ten years.

The Town would like to continue to apply for housing rehabilitations and demolitions in this new funding year. Commissioner Tassone made a motion to participate in the CDBG program for the upcoming year. Commissioner Kovack seconded the motion. Motion carried.

VI. APPROVAL OF MINUTES

Commissioner Tassone made a motion to approve the Minutes from the December 10, 2012 Commission meeting. Commissioner Mervine seconded the motion. Motion carried.

VII. CORRESPONDENCE

Town Manager Savage advised the Bridgeville Police Department has received a letter from Seaford Police Chief Gary Morris thanking our police officers for their assistance at the Seaford Christmas Parade on December 1, 2012.

A card has been received from Ms. Stephanie Sirota and staff at Heritage Shores thanking the Commissioners for choosing Heritage Shores for the Town's Annual Golf Tournament; they look forward to working with the Town again.

A letter has been received from the Delaware Office of Management and Budget concerning the Police Pension Plan. Effective July 1, 2013, the rates will increase to 15.52% of base payroll.

A letter has been received from the Town Attorney, Wilson, Halbrook and Bayard reporting they have combined their law practice with the Wilmington firm of Morris, James LLP effective January 1, 2013. They will continue at their current location under the name of Morris, James, Wilson, Halbrook and Bayard, LLP.

A letter has been received from Fran Smith, director of the Bridgeville Senior Center, thanking the Town for its donation to the Center from the Bridgeville Golf Tournament. The Center assisted the Town with golf mailings and registration at the Tournament.

A letter has been received from R.J. Bennett of Dublin Hill Landscaping concerning continued mowing services around Town signs on Route 13. President Correll suggested that the Commissioners investigate further; however, Mr. Bennett has always assisted the Town by replacing shrubbery, placing flowers/pumpkins, etc. at the location during the year. She believes he should be paid for the extra expenses he incurs. A decision should be made before the annual budget hearings.

VIII. APPROVAL OF FINANCIAL STATEMENTS AND BILLS PAYABLE

Town Manager Savage advised on the Balance Sheet, as of December 31st, the General Fund totaled \$445,319. Reserve accounts totaled \$512,585 and all accounts totaled \$1,131,103. That is a decrease of \$114,207. Accounts Receivable stands at \$175,474. On the Budget Report, the target is 50%. Income stands at \$1,343,780, which is 57% of the budget and an increase of 5% from last month. Expenses stand at \$1,136,669 or 48% of the budget and a 13% increase from last month. Net income is \$207,111, as of December 31st. On Accounts Payable, we have received bills totaling \$55,000. Of that amount, \$8,175 is for the effluent line and Facility Plan expenses. The Water Facility Plan is completed; the Town is currently working on the Wastewater Facility Plan. Expected expenses before the next meeting total \$109,100, for a total amount to be approved of \$164,100.

Commissioner Tassone made a motion to pay the bills as presented. Commissioner Mervine seconded the motion. Motion carried.

IX. TOWN REPORTS

Commissioner Tassone questioned a complaint concerning the Children's Sanctuary Park. Town Manager Savage advised he is setting up a meeting with Union United Methodist Church and their committee members to address maintenance. He is aware that in late 2012 the church went through the park and made sure everything was safe and operational; therefore, any additional concerns are new.

Commissioner Mervine questioned the Greenwood Agreement. Town Manager Savage advised Greenwood has not yet signed the agreement. Greenwood is pressing for some changes that Town Manager Savage is not in agreement with; they balked at paying the same rates as Bridgeville residents. There will be a face-to-face meeting this week, which should be helpful. Loan monies are being held up for both Towns; the State and USDA want a mutual agreement between both Towns. The Bridgeville Commission has adopted the Agreement which was negotiated by both Towns; however, Greenwood has never signed it.

Commissioner Kovack introduced a discussion about the Bridgeville Police Officers' time spent in the public schools. He expressed concern that our police officers are called to the school(s) regularly and yet the Town receives no remuneration from the school or the state (which funds the schools.) He believes the Town should receive remuneration or the state should provide School Resource Officers (SRO) for the schools.

Chief Longo advised a proposal was drafted with Town Manager Savage concerning payment for Bridgeville officers in the schools; however it appears the Woodbridge School Board has not taken action or even discussed it. It was noted that 80% of the school students live in the county, not the Town and that the School Board removed SRO's from the schools because of the expense. Currently, the schools are receiving free services from the Bridgeville Police Department at a time when the department is low on staff until new officers are hired and trained.

Town Manager Savage advised we are obligated to go to the school when they need police officers and if we continue to send them, the school will continue to take our free services and not discuss appropriate compensation. We have turned into their primary asset for law enforcement, which was not intended.

President Correll suggested discussing this further at a Commission workshop and also approaching the schools further regarding compensation.

On another subject, Police Chief Longo advised the Town reduced major crimes by 31% and overall incidents by 16% in 2011.

The monthly Police report used to include how much fine income came in each month. That information has been removed from the report. Solicitor Schrader added it is not a good measure of police activity.

Commissioner Kovack questioned the policy for take-home vehicles in the Police Department. Town Manager Savage advised they are reviewing the policy and it will be considered at an upcoming Commission meeting.

Commissioner Tassone questioned the NPDES violation on the monthly report. Town Manager Savage believes it was a BOD (Biochemical Oxygen Demand) issue with the line. When the Town can't spray there can be problems with concentration levels. He believes there was a faulty pump which caused the problem. It was clarified the ability to spray is dependent on the outdoor temperature.

Commissioner Mervine advised he and Town Manager Savage are investigating the possibilities of getting natural gas throughout Town; currently, no one in Commissioner Mervine's district has it. He also reported his attendance at the SEDAC (Sussex Economic Development Action Committee) meeting last Friday, where discussion centered on this topic. Natural gas availability would be an enticement for new businesses to settle in Delaware, as most relocating companies only consider locations where essential infra-structure is already in place.

X. CITIZEN'S PRIVILEGE

Mr. Frank Mills from 64 Emily's Pintail Dr. questioned the entrance to Heritage Shores on Route 13. The road surface is very slick when it is wet. A driver cannot avoid spinning wheels to quickly enter the highway and merge into traffic. Returning to the development it is very easy to fishtail again, due to the slick surface. Commissioner Tassone advised this is actually the problem of DelDOT; it is their roadway. Either the surface needs to be roughed up, or a possible build-up of oil should be removed. It was clarified that the Heritage Shores entrance/exit, owned by the Town, is also slick. Commissioner Kovack recommended a powerwasher and strong solvent to "rough up" the asphalt. Town Manager Savage and Street Superintendent Passwaters will look into it tomorrow.

Mr. Mills also questioned the train derailment. Apparently no reverse 911 call went out. He was also concerned that several grain haulers and large trucks were directed into Heritage Shores and were trying to make their way through the community with all the circles to get out the front entrance. Commissioner Tassone advised they immediately installed a "No Thru Truck" sign up on the front. A weight sign is due to be erected as soon as it is procured. They also need "No Thru Truck" signs for the back entrance. It is a construction entrance; however, only local construction vehicles should be using it. This particular situation was difficult because large trucks could not possibly turn around in the space provided. There was no alternative but to come through Heritage Shores. Mr. Mills advised the Fire Police were directing all traffic into Heritage Shores. Bridgeville needs to come up with a plan, should this happen again. There are many lessons to be learned from this experience. Commissioner Tassone intends to meet with Fire Chief Cannon and Joe Thomas from Sussex County Emergency Management and make future plans.

XI. OLD BUSINESS

There was no Old Business to discuss at this meeting.

XII. NEW BUSINESS

A. Consideration and Possible Approval of Engineering Services for a Proposed CTF Project

Town Manager Savage reported that Senator Booth pledged \$100,000 to complete a paving/storm drain project in Bridgeville. This is a request for approval of engineering services by Davis, Bowen & Friedel, Inc. in the amount of \$10,000. (Contract maintenance, payroll reviews, bidding, making sure the contract follows state regulations, etc.) 10% of the contract price is generally used for these types of services. Prevailing wage is required on this project which requires additional oversight. This grant money will allow us to replace these storm drains without using already budgeted Town monies for this project. Commissioner Tassone made a motion to approve the cost of engineering services from Davis, Bowen & Friedel, Inc. for the CTF Project. Commissioner Kovack seconded the motion. Motion carried.

B. Certification of Annexation Referendum – January 8, 2013

Town Manager Savage reported an Annexation Referendum was held on January 8, 2013 to annex the Pepper property into Town limits. The vote was 175 in favor and 1 against, allowing the Wawa gas station/convenience store project to move forward. Commissioner Tassone made a motion to certify the Annexation Referendum vote. Commissioner Mervine seconded the motion. Motion carried.

C. Bridgeville Emergency & Enhancement Funding Program

Town Manager Savage advised the Town collects a fee of ¼ of one percent as a part of the building permit process for emergency services funding, which is passed on to the Bridgeville Volunteer Fire Company yearly. As of December 31st, the fund has grown to \$14,388. Commissioner Tassone made a motion to confer \$14,388 from the Bridgeville Emergency & Enhancement Funding Program to the Bridgeville Volunteer Fire Company. Commissioner Kovack seconded the motion. Motion carried.

D. Approval of SALLE and EIDE Grants

Town Manager Savage reported that Police Chief Longo would like to apply for a SALLE grant of \$4,542 for equipment (handcuff cases, handheld radar, taser accessories, etc.) and an EIDE grant of \$3,814 for drug interdiction. Commissioner Tassone made a motion to approve the two grants. Commissioner Mervine seconded the motion. Motion carried.

XIII. INTRODUCTION OF ORDINANCE(S)

Town Manager Savage introduced three Ordinances that will be considered at the February 11, 2013 Commission meeting.

- 1) An Ordinance to grant a Conditional Use of land in a C-1 commercial district for a gasoline station and convenience center to be located on a certain parcel of land on the westerly side of

U.S. Route 13 in the Town of Bridgeville containing 3.34 acres, more or less, being the application of DMS Development, LLC.

- 2) An Ordinance to amend Ordinance A12-2 relating to violations and penalties by reenacting certain provisions of the Bridgeville Code.
- 3) An Ordinance to amend and reenact Bridgeville Code relating to violations and penalties in sections 84-9 through 84-11, Chapter 84, Article II, Dogs.

President Correll opened the floor for any additional discussion.

Commissioner Tassone questioned the status of three loan applications approved by the Commission at their December 2012 meeting totaling \$1.2 million. The Town submitted pre-applications and was given permission by the state to submit final applications. Commissioner Tassone reported he has talked with President Correll and they agree a public information forum for all residents would be important so that everyone understands the project and the use of the loan monies. Commissioner Tassone also wonders if the Town will go to Referendum concerning these projects. Town Manager Savage advised a Referendum would be up to the Commissioners. The total cost involved is less than the amount of money required to go to Referendum.

Projects involved in these three loan applications include:

- 1) Upgrading the alarm system for Town wells
- 2) Replacement of antiquated water meters in Town to radio-read
- 3) Replacement of the Walnut St. water main (approximately \$600,000)

Town Manager Savage reminded the Commissioners that the Town is on the bottom of the funding list. The Town should know more by Thursday, January 17th. These projects will assist the Town in accounting for the 12-13 million gallons of unaccounted for water in the wastewater system.

Solicitor Schrader believes the Town needs to know how much money will be offered to the Town, the source of the funding, which category of indebtedness the project falls under and how it compares to the overall bonded indebtedness in that category in order to make the decision as to whether a Referendum is necessary. Once that information is determined, a public meeting may alleviate peoples' concern when they understand how it all fits together. Town Manager Savage advised he has just received information that loan forgiveness is possible on the principal with these loans.

Commissioner Tassone questioned the next step in the Wawa application process. Town Manager Savage advised the Planning and Zoning Commission will hear the application on Wednesday, January 16th.

Commissioner Tassone questioned where the Town stands with state officials concerning linking the Heritage Shores bike path to the Town. Town Manager Savage advised he and Mr. Bob Ehemann have been trading phone calls and he hopes to have more information soon.

XIV. ADJOURNMENT

Commissioner Kovack made a motion to adjourn the meeting. Commissioner Mervine seconded the motion. Motion carried. The meeting was adjourned at 8:21 P.M.

Respectfully submitted,

Lawrence Tassone

Lawrence Tassone, Commission Secretary

Peggy Smith

Peggy Smith, Transcriptionist