

**MINUTES
COMMISSIONERS OF BRIDGEVILLE
November 9, 2015 – TOWN HALL
EXECUTIVE SESSION 6:00 P.M.
OPEN SESSION 7:00 P.M.**

I. CALL TO ORDER

The meeting was called to order at 6:00 P.M. by President Pat Correll. Present: Commissioners Kevin Carson, Sharon McDowell, Jay Mervine, Lawrence Tassone, Town Manager Jesse Savage and Solicitor Dennis Schrader.

II. QUORUM PRESENT

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

III. APPROVAL OF AGENDA

A motion was made by Commissioner Tassone and seconded to amend the Agenda to remove Old Business B. "Public Hearing –An Ordinance to Amend Chapter 197 as it Relates to Snow and Ice Removal", with all members in favor. He believes the Ordinance is not supported by Heritage Shores residents at this time; 2nd – Mervine; motion carried.

IV. EXECUTIVE SESSION – Possible Litigation / Personnel

Motion to go into Executive Session – McDowell; 2nd – Tassone; motion carried. The Commissioners went into Executive Session at 6:03 P.M.

V. RETURN TO OPEN SESSION

The Commission returned to Open Session at 7:04 P.M. The meeting began with the Pledge of Allegiance and Prayer.

The Commissioners discussed Possible Litigation and Personnel during the Executive Session; no votes were taken.

VI. APPROVAL OF MINUTES

Motion to approve the Minutes from the October 12th Commission meeting – Tassone; 2nd – Carson; motion carried.

VII. CORRESPONDENCE

Town Manager Savage advised the Commissioners received a thank you letter from Morning Star Publications concerning sponsorship of the 2015-2016 Newspapers in Education program, placing them in the hands of local school students every week (Bridgeville contributes approximately \$220 per year).

VIII. APPROVAL OF FINANCIAL STATEMENTS AND BILLS PAYABLE

Balance Sheet – October 30, 2015

General Fund – \$951,374 (decrease of \$1,065,892 over last month)

All Accounts – \$1,960,047 (decrease of \$1,057,664)

Accounts Receivable – \$127,544

Budget Report Target – 33% (4 months into budget year)

Income – \$1,415,805 (Income at 53% of budget)

Expenses – \$817,308 (Expenses at 31% of budget)

Net Income – \$598,498

Accounts Payable

Bills – \$33,644

Expected Expenses – \$132,750 (including health insurance, payroll, utilities, etc.)

Total estimated amount to be approved – \$166,394

Motion to pay the bills as presented – Mervine; 2nd – Carson; motion carried.

President Correll was very pleased to report the Town has paid its Farmers Home Administration loan from April 12, 1990. The original amount of the loan was \$468,500 and it was due to be paid-off in 2030. A final check was sent in the amount of \$311,147.82 to pay the loan 15 years early!

Commissioner Mervine questioned a John W. Tieder, Inc. bill. Town Manager Savage advised it involved the DNREC loan which included the alarm system upgrades by Tieder, Inc.

President Correll reported the Police Department offered candy to trick-or-treaters on Halloween, which was a big hit with the children.

IX. TOWN REPORTS

Commissioner Mervine questioned the “Miscellaneous Hours” on the Police Report. Town Manager Savage believes it is a general statement concerning the hours spent on the duties mentioned.

Commissioner Mervine asked for clarification and it was reiterated that spray discharge is effluent sent to the lagoon and spray irrigation is effluent being sprayed on the fields.

Commissioner Tassone questioned our snow equipment. The Town has four vehicles with plows for snow removal.

X. PUBLIC HEARING – COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Mr. Brad Whaley from the Sussex County Community Development Block Grant Program was in attendance to hold a Public Hearing. The CDBG administers this program for Sussex County, using funding from Housing and Urban Development (HUD) for Kent and Sussex counties. Approximately \$2.2 million will be available this year to assist low to moderate income residents with housing issues. The Town is required to hold a Public Hearing giving local leaders and residents input on the money's use. Eligible activities include housing rehabs, demolition, small infrastructure projects, water/sewer hook-ups, etc. A single-person household must earn less than \$35,500. The amount goes up \$5,000 per

additional household member. Bridgeville projects have included door/window replacements, heating/electric upgrades, etc.

Over the past 15 years Bridgeville has received \$600,000 in CBDG funds. Last year the Town received funds to demolish a building at 10 Cook St. The average project cost is \$15,000. Bridgeville currently has a list of 18 needing assistance. The CDBG desires input from the Town concerning beneficial projects.

It was clarified that this is a Public Hearing and was advertised as such in the local newspaper. Commissioner Carson made a motion to amend the Agenda to reflect that this is a Public Hearing conducted by the county as a part of the CDBG program; second – Tassone; motion carried. The Public Hearing was opened at 7:22 P.M.

Commissioner Carson questioned how we let our residents know this program is available. Per Town Manager Savage, we announce the program in the newspaper and on the website, as well as conduct this Public Hearing yearly. Additionally, the Town Code Enforcement Officer solicits homeowners in need.

Mrs. Ruth Skala from 108 Whistling Duck Dr. and Chairperson of the Bridgeville Economic Development Committee reported she has identified houses that could use these services, particularly one on Market St. She is uncertain if homeowners must approach the Town or whether she can approach homeowners. Mr. Whaley has forwarded the current list to Town Manager Savage and suggested she talk with him about the property. It must be homeowner-occupied to qualify.

Mr. Tim Banks from 16 Church St. advised the problem concerning the homes that really need this program is that the occupants do not own the house they are living in. Mr. Whaley re-iterated that it must be an owner-occupied property; the taxes must be current; the house must be insured and the owner must be income-qualified.

Typically Bridgeville receives approximately \$70,000 to work on 5-6 houses. It is competitive and a Town may or may not be funded every year. Per Mr. Whaley, Bridgeville usually requests funding for housing rehabilitations, unless the Town wishes to go a different direction this year. The Commissioners will sign the paperwork and submit it to the CDBG.

The Public Hearing was closed at 7:27 P.M.

XI. CITIZEN'S PRIVILEGE

Ms. Susan Hyatt from 18 Blue Heron Court asked if the Snow/Ice Ordinance has been rescinded completely or temporarily tabled. Commissioner Tassone advised it has been withdrawn from consideration

Ms. Hyatt made a suggestion that the Town website include Commissioners' email addresses to make it easier to contact them.

Ms. Hyatt advised the Environmental Protection Agency (EPA) is currently before the Supreme Court. In a Michigan state case, the Supreme Court ruled (6/29/15) that EPA cannot arbitrarily raise

standards and require an entity (Town, State, etc.) to pay for the new standards. The Justices ruled that before new standards come into play, the EPA must produce actual costs and a cost for the benefit of accepting these new standards. Ms. Hyatt added that the specific project was a Michigan nuclear plant. She believes this court case is similar to Bridgeville's issues concerning the requirement that they update the Town's wastewater treatment plant. President Correll requested copies of the ruling to review.

Mrs. Skala questioned a \$4,000 expenditure on the Economic Development budget. Town Manager Savage advised it was the Ben Muldrow study that will be reimbursed by DEDO. The money will come in as a credit against the expense line.

Mrs. Skala expressed concern about the new parking lot on Mechanic St. The parking sign currently faces Market St. and she believes it should face the Mechanic St. parking lot.

Mrs. Skala reminded the audience that the Friends of the Library will have a special event at the Library on November 10th – WWIIunes at 7 PM.

XII. OLD BUSINESS

A. Public Hearing, Discussion and Possible Voting on AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A C-1 COMMERCIAL DISTRICT FOR A BEAUTY SALON TO BE LOCATED IN UNIT A, 607 SOUTH MAIN STREET, IN THE TOWN OF BRIDGEVILLE, DELAWARE

Solicitor Schrader advised on August 4, 2015 a Conditional Use Application was filed on behalf of Tanya Haines; on September 15, 2015, a hearing was held before the Planning and Zoning Commission with a recommendation to the Commissioners of Bridgeville that the application be approved. The application was slated for a Public Hearing at the October 12, 2015 Commission meeting. At that time no persons appeared in favor of or against the application, as well as the applicant not appearing; therefore, the applicant was required to be present tonight for a Public Hearing concerning the potential Beauty Salon.

The following conditions were recommended by the Town Solicitor and this Ordinance is subject to these conditions:

1. The hours of operation shall be from 7:00 A.M. until 9:00 P.M., Monday through Saturday;
2. The applicant shall have no more than nine chairs and related shampoo area, hair drying stations, waiting and reception area. Ms. Haines will start the salon with 6 chairs and increase to 9 chairs;
3. The staffing shall not exceed nine beauticians, who shall hold the proper Delaware licenses;
4. The applicant may display for sale and sell hair care and cosmetic products;
5. The exterior of the premises shall be maintained in a clean and orderly condition;
6. Off-street parking shall be as required by the Bridgeville Land Use and Development Code for commercial activities at this location;
7. The applicant shall secure all other licenses and permits required for the use of the premises as a beauty salon from federal, state or county agencies with jurisdiction over the use of the property and shall otherwise comply with all applicable rules, regulations, statutes or ordinances relating to the use of the premises as a beauty salon.

Ms. Haines has the consent of her landlord, Mr. Ghulam Dastgir. The property is served by public sewer and water. The parking lot will be lit during hours of operation. The business is within the services of the Bridgeville Volunteer Fire Department.

Ms. Haines is waiting to meet with the Fire Marshall before she can open the shop. The property owner was working on some outside renovations; however, they have not yet been completed. She currently works for the Delaware Children and Families First and the Seaford House.

Solicitor Schrader advised as a condition of approval, the exterior must be maintained appropriately, which would fall upon the landlord.

Commissioner Carson asked if Ms. Haines is a licensed cosmetologist. She is currently going to school for the license and will have a licensed cosmetologist in the shop. All beauticians will be licensed. She intends to require drug testing and additional vetting of her employees.

Motion to adopt an Ordinance to grant a Conditional Use for a Beauty Salon named “Exclusive Heads” in Unit A at 607 S. Main Street, Bridgeville Delaware, with the stipulations included in the Conditional Use Ordinance – Tassone; 2nd – Mervine; motion carried.

B. ORDINANCE #2015-G SNOW & ICE REMOVAL – Withdrawn from consideration

XIII. NEW BUSINESS

A. ECONOMIC DEVELOPMENT COMMITTEE – Town Banners

Mrs. Ruth Skala, Chairperson of the Bridgeville Economic Development Committee (EDC), came before the Commissioners to secure implementation strategies for Town banners. She presented the committee’s branding recommendation of a rocking chair, with colors yet to be determined. (An apple and front door were alternate suggestions.) Tonight she needs approval of the design only.

Mr. Ben Muldrow from Muldrow and Associates has recommended a banner company that works with Main St. programs across the country. Cost is anticipated to be just under \$200 per pole (30”x60” banner/brackets/etc.) for 34 double-sided banners using umbrella fabric. Mrs. Skala requested approval of the design. It was clarified that there are Christmas light brackets and flag brackets to consider on the street poles.

Mrs. Skala intends to speak with the Power Company and Street Superintendent Passwaters about any electrical concerns with the banners, as well as height issues. She advised these banners would only be hung when the seasonal decorations are not in use. It was recommended that the committee research further into the bracket details for the various decorations that will be hung.

Commissioner Carson questioned the durability of the banners in the midst of storms and commercial truck traffic. He also wondered what input Mr. Muldrow would have concerning the closeness of the poles/banners to our streets. He added the Town had banners several years ago that didn’t last very long.

Mrs. Skala reported the banners have a 3-year warranty (brackets – 8-year) and can handle up to 77 mph. winds; they could not stand a tornado or other extreme weather events. She added Mr. Muldrow accessed our Bridgeville streetscape on-line and saw exactly where the banners would be placed. He did not express any concern about their proximity to the street.

Mrs. Skala re-iterated that the EDC recommended the rocking chair motif for the banners. President Correll believes the library meeting with Mr. Muldrow confirmed that people liked the rocking chair. Color options can be chosen later.

Mrs. Skala also expressed concern about the east side of Mowbray's Barbershop which has been exposed since the demolition of the building next door. She suggested designing a mural or canvas on the outside wall with the rocking chair theme. Mrs. Joanne Jones from Bridgeville is researching ideas for the artwork. Mr. Mowbray is in favor of the mural.

Commissioner Mervine believes Mr. Muldrow's wording choice of "Delaware's Front Porch" is an appropriate theme for the Town. Commissioner Tassone agreed and advised the Town wants to consolidate its identity/branding.

Motion to approve the rocking chair concept with the words "Delaware's Front Porch" – Tassone; 2nd – Mervine; motion carried. The votes were recorded as follows: Commissioner Carson – no; Commissioner McDowell – yes; Commissioner Mervine – yes; Commissioner Tassone – yes; President Correll – yes. Motion passed 4 to 1.

Mrs. Skala reported the Town's three videos from CGI Community Video Program are on the website: Welcome, Bridgeville's Quality of Life and Activities and Education are the topics.

XIV. INTRODUCTION OF ORDINANCES

There were no Ordinances to be introduced at this meeting.

XV. GOOD OF THE ORDER

Commissioner Carson advised putting up Christmas lights, flags, etc. in Bridgeville is a major undertaking for the Kiwanis Club. The Club is very appreciative of the involvement of Mr. Bob Hunsberger, whose bucket truck is used to safely install and remove the various decorations during the course of the year. Dr. Carson asked that the Commissioners acknowledge and thank Mr. Hunsberger for his important and much appreciated service to the Town. President Correll expressed her gratitude, as well and added that it would be helpful if the Town could find an old, surplus bucket truck to purchase.

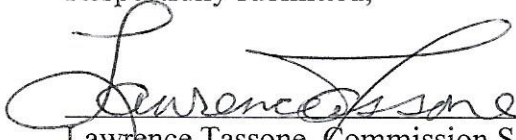
Commissioner Carson is continuing to pursue the problem of feral cats. Apparently the problem is also in Heritage Shores. He has contacted the SPCA concerning humane trapping and the spaying and neutering of feral cats. Commissioner Mervine questioned what steps could be taken to alleviate the problem. Commissioner Carson suggested making homeowners aware of the problem through the Town newsletter. Unfortunately, residents are be-friending the cats and they are multiplying. He believes it is a health hazard and the cats create damage to physical property. The first step is to raise awareness and find a way to help people take action in a humane way.

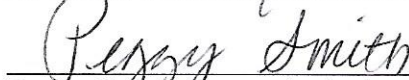
President Correll asked Ms. Dottie Harper if anyone has seen foxes in Heritage Shores. Ms. Harper has seen two healthy-looking foxes, which seemed to be appropriately afraid of human contact. The community also has a significant population of rabbits. President Correll understands there are as many as seven fox dens all around the Town. She also had two of them go across her yard this week and foxes have killed eight of her granddaughter's chickens outside of Town. Commissioner Tassone is aware of a den on Wilson Farm Rd. close to the water tower. Representative Wilson has suggested setting traps.

XVI. ADJOURNMENT

Motion to adjourn – Mervine; 2nd – Carson; meeting was adjourned at 8:10 P.M.

Respectfully submitted,


Lawrence Tassone, Commission Secretary


Peggy Smith, Transcriptionist