

**MINUTES
COMMISSIONERS OF BRIDGEVILLE
March 11, 2013 – 6:45 P.M.
TOWN HALL**

I. CALL TO ORDER

The meeting was called to order by President Pat Correll at 6:45 P.M. Present: Commissioners Paul Kovack, Sharon McDowell, Jay Mervine, Lawrence Tassone, Town Manager Jesse Savage and Town Solicitor Dennis Schrader.

II. EXECUTIVE SESSION – LAND ACQUISITION

The Commissioners went into Executive Session at 6:45 P.M. to discuss land acquisition.

III. RECONVENE OPEN SESSION

Motion to reconvene Open Session: Tassone; 2nd – Kovack; motion carried. The Open Session reconvened at 7:06 P.M. No votes or actions were taken during the Executive Session. The Open Session began with the Pledge of Allegiance and Prayer.

IV. QUORUM PRESENT

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

V. COMMISSIONER OATHS OF OFFICE

Town Manager Savage advised the Municipal Election took place on March 2, 2013 with a contest in District #4. Paul Kovack, Sr. was elected over opponent Dr. Kevin Carson by a vote of 28 to 21. In District #5, Mrs. Sharon McDowell ran unopposed and won the Commission seat. The Election was certified by the Bridgeville Election Board. Town Manager Savage administered the Oath of Office to Commissioners McDowell and Kovack.

VI. APPOINTMENT OF COMMISSION OFFICERS AND STAFF

Motion to elect the following slate of officers: McDowell; 2nd – Mervine. Motion carried with a vote of 4 to 1.

President
President Pro Tempore
Secretary

Patricia Correll
Jay Mervine
Lawrence Tassone

It was noted that the Town Manager is no longer an appointed position, but is now a contractual position; therefore it does not need the approval of the Commission.

Motion to continue the services of Mr. Dennis Schrader as Town Solicitor: Tassone; 2nd – Kovack; motion carried.

VII. APPROVAL OF AGENDA

Motion to approve Agenda: Tassone; 2nd – Kovack; motion carried.

VIII. APPROVAL OF MINUTES

Motion to approve minutes from the February 11, 2013 Commission meeting: Tassone; 2nd – Mervine; motion carried.

IX. Correspondence

Town Manager Savage advised the Town has received a letter from the Delaware Office of State Planning advising that Mr. Bryan Hall has accepted another job opportunity and is no longer with the Office of State Planning. Director Connie Holland assures the Town that our needs will continue to be met.

Two letters of thanks have been received from the Nanticoke Health Foundation concerning Bridgeville's 2013 \$2,000 donation to the Cardiac Catheterization Unit. The letters are from the Foundation Chair, Michelle Procino Wells and from Board Chairman, Mr. Kent Petersen. A tour of the Cath Lab has been offered to the Commissioners. This donation is a part of a 3-year commitment to this project, previously approved by the Commissioners.

X. APPROVAL OF FINANCIAL STATEMENTS AND BILLS PAYABLE

Balance Sheet – February 28th

All accounts \$1,018,684 (decrease of \$82,867)

General Fund – \$220,733 Reserve accounts – \$620,605

Accounts Receivable – \$163,239

Budget Report Target – 66%

Income – \$1,642,000 (73%) Expenses – \$1,434,000 (63%)

Accounts Payable

Bills – \$14,179

Expected expenses \$152,700

Amount to be approved – \$166,879

Motion to approve the bills as presented: Tassone; 2nd – McDowell; motion carried.

Debt Service It was questioned if the total debt service costs the Town \$174,400 per year. Town Manager Savage advised there are four loans that require quarterly debt service in the amount of \$174,400, plus a semi-annual debt service on the spray farm upgrade of \$185,000 for a total of \$359,400. (That amount does not include the mortgage payment on the spray property, which will be due next month.)

The Town Reports are available for review. President Correll advised the Town has hired a new part-time secretary in the Police Department, Ms. Robin Bohn. She has experience working for the court system and for the City of Seaford and will be a great help to the department. She will be working Mondays, Wednesdays and Fridays from 8:30 A.M. to 4:30 P.M.

Greenwood Agreement Town Manager Savage advised Greenwood had a workshop at the end of February, which brought more questions than answers. He received an email from Bryan Hall who, although he no longer works for the state, is helping to facilitate this Agreement. Town Manager Savage anticipates talking with Mr. Hall tomorrow.

Heritage Shores Right-of-Way – Bike Path Town Manager Savage advised Ms. Dottie Harper from Brookfield Homes is reviewing the Town's request for property usage and investigating what they need to do internally. Mr. Dave Carro advised when he received the okay, he would meet on-site with Town Manager Savage to determine an exact location.

Drinking Water Loan Application The Offices of Clean Water and Drinking Water have now combined; they are in the process of changing their applications, which will delay loan approvals.

New Police Officers President Correll advised the Town has sent three potential candidates to the Police Academy for training.

Heritage Shores Main Entrance Town Manager Savage and Street Superintendent Passwaters met with a development representative concerning necessary repairs/upgrades to the Heritage Shores main entrance/exit. The information will be forwarded to Mr. Dean Dubbe' at Brookfield Homes. These entrance and exit issues need further consideration and resolution.

Municipal Election Commissioner Tassone read a prepared statement concerning the recent election. He stated that the incumbent Commissioner in District #4 circulated a document of (possible) misleading statements concerning his opponent in the election, which Commissioner Tassone believes to be an ethics violation.

XI. TOWN REPORTS

Police Department Two pending violations were questioned. Chief Longo advised one resulted in an additional violation. The seven assaults on the Police Report were questioned. Chief Longo believes five of them were at the school. The Department is averaging two hours of investigative duty per incident with school issues.

XII. CITIZEN'S PRIVILEGE

There were no questions or comments from the audience.

XIII. OLD BUSINESS

A. Public Hearing and possible Adoption of an Ordinance to amend the Zoning District designation for a certain parcel of land at 103 S. Main Street (TM #1-31-10.16-172.00) from R-1 Residential District to TC – Town Center District

B.

An application was filed on January 31, 2013; a Public Hearing was held by the Planning and Zoning Commission on February 20, 2013 and the members recommended approval to the Commissioners of Bridgeville. The property in question is next door to the Town Hall and is known as the O'Leary property. It is currently owned by the Commissioners of Bridgeville. The property is zoned R-1, but previously held Conditional Use permission for an office. It is the Town's intention to lease the property for Town Center purposes, which include but are not limited to governmental facilities or professional services. It is in compliance with the Town's Comprehensive Plan and is served by Town water and sewer. Solicitor Schrader opened the Public Hearing at 7:30 P.M. There being no questions or comments, the Public Hearing was closed at 7:31 P.M.

Motion to adopt: Tassone; 2nd – Kovack; motion carried.

XIV. NEW BUSINESS

A. Property Assessment Listing and Tax Appeal Day

Town Manager Savage advised the 2013 Tax Assessments have been received from the county for Commission approval. The public may view the tax assessments at Town Hall during normal business hours. Tax Appeal Day has been scheduled for Saturday, March 23 from 1:00 – 2:00 P.M. Town staff will be available to answer questions for property owners and for appeals to the county assessment. Five notices will be posted around Town concerning the time, date, location, etc. The Commissioners will be notified if any residents wish to appeal. Assessments may change before July 1 in the case of new construction, reassessments, rezoning, etc. It was noted that everyone's assessment is on the county website for review. Commissioner Mervine questioned the short time for an appeal. Town Manager Savage advised the charter states that we may be open from 1:00 – 7:00 P.M.; however, in the last four years no one has come to appeal their taxes.

Motion to adopt: Tassone; 2nd – Kovack; motion carried.

B. 2013 Mosquito Control Spraying

The Town annually receives information about the state's mosquito control program. Participation is optional and we must express our interest in receiving those services, which begin in April. There is no cost to the Town. Commissioner Tassone asked that we receive notification before spraying takes place. Per Town Manager Savage, we can make that request.

Motion to approve: Tassone; 2nd – Mervine; motion carried.

C. Grease Trap Exemptions

Town Manger Savage advised Section 190-4 of the Town Code addresses food service facilities. Section I of the Ordinance deals with non-profit food service facilities that only operate occasionally. Per the Code, they may request an exemption from the requirement of having a grease trap tank and paying an annual \$100.00 fee. These organizations were contacted with the choice of abiding by the Code or requesting an exemption. The following organizations have requested exemptions: Mt. Olive Church, Union United Methodist Church, the Bridgeville Fire Company, Mt. Calvary United Methodist Church and Family Ministries. Wastewater Superintendent Collins inspected each of the facilities and has submitted his recommendation of exemption to the Commissioners for their consideration. An annual inspection will continue and revocation of the exemption would be possible, if warranted. Two additional facilities have not yet responded to the Town.

Motion to approve five exemption requests: Tassone; 2nd – Kovack; motion carried.

A continuing drain issue at Jimmy's Grille was questioned. The restaurant has a temporary fix in place; however, the Town has asked for a deadline of this Friday, March 15th for a permanent fix to be in place. They have responded to the Town; the contractor they enlisted to design and perform the work bailed out before the initial deadline. The appropriate drains have been plugged, but they have not permanently fixed the issue. If the violation continues next week, the Town will move forward for a court date, as opposed to accruing fines which may not yield the appropriate revenue. \$600 is outstanding in fines and the next fine on Saturday will be another \$250, at which time the Code Enforcement Officer would summons them to court.

D. National Drug Take-Back Initiative

The Drug Enforcement Agency is sponsoring this event on Saturday, April 27th from 10:00 A.M. to 2:00 P.M. at the Bridgeville Fire Company. Chief Longo and his wife will be available to receive the prescription drugs on behalf of the state, who will permanently dispose of the drugs.

Motion to participate: Tassone; 2nd – McDowell; motion carried.

E. OHS 2013 Spring Motorcycle Enforcement

The Office of Highway Safety is organizing this motorcycle enforcement on March 22-23 and 29-30 and the Bridgeville Police Department is willing to participate. The grant is for \$600.

Motion to approve: Tassone; 2nd – McDowell; motion carried.

F. OHS PROJECT AGREEMENT

This is basically the same program as above with a mobilization for distracted driving enforcement. It will be conducted April 9 -22. \$2,800 is available for this mobilization.

Motion to approve: Mervine; 2nd – McDowell; motion carried.

Letters were sent to Senator Pettyjohn and Representative Wilson and other officials from SCAT (Sussex County Association of Towns) concerning House Bill 6 that would waive prevailing wage prices for Town projects which fall under the \$100,000 threshold for repairs and \$350,000 for new construction. This means the Town would not be required to pay prevailing wages to contractors under the above-mentioned price thresholds. President Correll advised Bridgeville had a project that was going to cost twice as much as estimated due to the necessity of paying prevailing wages, which is exorbitant. The smaller Towns want to make the money from their legislators go as far as possible, which cannot be done with the necessity of prevailing wages on a job. She recommended paying attention to this issue in the near future. Solicitor Schrader was asked if he is hearing anything outside of the state concerning House Bill 6. He is not aware of any discussions, unless perhaps in the League of Local Governments or the Tri-County lobbyist are involved.

Solicitor Schrader advised Bridgeville's charter amendment concerning municipal elections goes before the Senate on March 12, 2013. He does not anticipate any problems with its passage.

President Correll thanked the Town and Commissioners for the opportunity to serve the past two years and the upcoming year as Commission President. She hopes the Commission will continue to accomplish important matters on behalf of the Town. She congratulated Commissioners McDowell and Kovack for winning their elections.

Commissioner Kovack thanked the people of the 4th District for his return to the Commission. He also thanked his wife, Lynette, for faithfully campaigning with him, despite medical issues. He will represent the 4th District to the best of his ability for the next two years.

Commission President Correll reminded everyone to attend the 60th Lions Club Show this weekend.

XV. INTRODUCTION OF ORDINANCE(S)

There were no Ordinances to be introduced at this meeting.

XVI. ADJOURNMENT

Motion to adjourn: Kovack; 2nd – Mervine; motion carried. The meeting was adjourned at 7:42 P.M.

Respectfully submitted,

Lawrence Tassone

Lawrence Tassone, Commission Secretary

Peggy Smith

Peggy Smith, Transcriptionist