

MINUTES

COMMISSIONERS OF BRIDGEVILLE FEBRUARY 10, 2003 - 7:00 P.M. BRIDGEVILLE TOWN HALL

I. CALL TO ORDER

The meeting was called to order by President Joe Conaway. Present: Commissioners Margaret Sipple, Pat Correll, Earl Greason and Bill Jefferson. The meeting started with the flag salute and the Lord's Prayer.

II. APPROVAL OF MINUTES

MOTION: Commissioner Correll made a motion to accept the minutes as presented. Motion was seconded by Commissioner Sipple and carried unanimously.

III. APPROVAL OF BILLS

The new accounting system (Quick Books) has been set in place and tonight is the first time the monthly financial statements were presented with the system. Ms. Debbie Miller, Town Treasurer, was on hand to explain the statements. President Conaway explained the new Profit and Lost Statements and the Income Statements. Commissioner Greason asked if a quarterly column could be added to the P and L Statement. After some discussion the report was satisfied by the Commissioners. MOTION: Commissioner Correll made a motion to pay bills as presented. Motion was seconded by Commissioner Jefferson and carried unanimously.

IV. CORRESPONDENCE

1. A thank you note was received from Mayor George Smith for the flowers the Town sent while he was in hospital. A thank you note was received from Ruth Ann Tull and Alma Fleetwood for the flowers sent during the recent death of their aunt.

2. A letter was received from AgriLink Foods announcing that as of February 10, 2003, they would be changing their name to Birds Eye Foods, Inc.

3. Newsletters were received from Comcast and DNREC.

4. The Delaware Tributary Action Team Conference is to be held Saturday, March 8, 2003, at the Virden Center, U of De, Lewes, De.

5. Minutes were received from the House of Representatives HR72 Task Force. The group is looking into the Visitor's Center being reconfigured to meet the needs of Troop 5 and a new paramedic facility.

6. Information was received pertaining to the Nanticoke Tributary Action Team on pollution control strategy.

7. A notice was received from CNA Insurance Company pertaining to terrorism.

8. A Community Round Table on Housing in the Bridgeville Area will be held on Wednesday, February 12, 2003 at the Elizabeth Landing Apartments starting at 7:00 P.M.

9. Received letter from the Delaware Solid Waste Authority pertaining to their proposed solid waste management system fee.

10. Senator Carper will be holding a town meeting on Saturday, February 22, 2003; 1:30 to 3:30 PM at Delaware Technical & Community College, Georgetown, De.

11. The Sussex County Animal Association is requesting donations to enable them to purchase a van. No action taken.

12. A report was received from the Delaware Center for Transportation.

V. DEPARTMENT REPORTS

* Written reports available.

1. Police-revenues are down. Commissioner Jefferson reported the new men hired are doing well in the police academy.

2. Water-Mr. Doug Jones explained that based on the requirements from DNREC Ground Water Management System the Town's system is having a problem with the well meter giving false indications on flows. A. C. Schultes of Delaware ran a gravity test on well No. 2 (oldest well). The well was yielding approximately 235 gallons but was only showing 58 gallons on the meter. To meet the requirements the meter must be replaced. Mr. Jones reported the parts for the current meter are no longer available. The cost to replace the propeller meter is approximately \$1,800 and could be installed by the water department personnel. Mr. Jones stated some sand is showing in the well screen but he is still waiting on a recommendation from A.C. Schultes as to what can be done to correct the problem. A new pump could cost \$15,000 to \$16,000 while a new well might cost \$75,000. MOTION: Commissioner Jefferson made a motion to acquire a couple of

prices for the well and then purchase the well. Motion was seconded by Commissioner Supple and carried unanimously.

Commissioner Correll said the broken water line on Walnut Street was repaired by Phil Mowbray, Doug Jones and Rick Passwaters for a cost of \$800. If that repair had been done by an outside contractor it would have cost approximately \$6,000

3. Wastewater-This is the plant's 52nd consecutive month without an NPDES violation. The Bridgeville WWTP has been nominated for the EPA Regional, Operations and Maintenance Excellence Award.

The Commission met with the Greenwood Commission to discuss the sewer agreement. Their engineer just responded, but the proposal will have to be reviewed before any action can be taken. The proposal will be discussed during an executive session at the March Commission meeting.

The owners of the Bridgeville Park Center believe they should be considered for their total sewer capacity at what they actually use and not what they could use. They are now at the 21,500 gallons allocated. The property has been sold to a doctor in New Castle County. A letter will be sent explaining each allocation and a copy of the ordinance from which the figures were taken from.

VI. OLD BUSINESS

1. President Conaway said the firemen have asked once more about handicap signs being placed on the west side entrance to the fire hall. The firemen are willing to place the mobil signs in the designated area when necessary. Mr. Jones was asked to purchase the signs.

2. President Conaway explained that when a change is made by the Commission that is an amendment to an existing ordinance it is introduced as an ordinance. Once the ordinance is adopted the people at Code Publishers change the presentation to ready it for insertion into the code book.

President Conway presented the second reading of an amendment to Chapter 234, which creates an Agriculture Industrial Overlay Zone for land (20 acres or more) that would be used for agriculture at the time it is annexed into the Town. Ordinance #A03-1 will provide the orderly and balanced development of agriculturally oriented industrial uses that support existing and future agricultural activity. The article provides a broad spectrum of agricultural uses that contribute to the maintenance of agriculture as a major industry of Bridgeville.

President Conaway proposed the following amendment to the existing ordinance: Page 5, Line 10: Section 234-5: Delete- (3) Maximum height requirement shall be 42 feet for all uses.

Add- (3) Maximum height requirements shall be set by the Commission at the time of site plan review.

He also stated that on Page 4 under depth it should read 250' and not 25'. If adopted this will be the first ordinance of this type in the State of Delaware, and it clearly sends a message that the community supports agriculture. MOTION: Commissioner Correll made a motion to adopt Ordinance A03-1, Article XV, and Agricultural Industrial Overlay Zone. Motion was seconded by Commissioner Sipple and carried unanimously.

3. Commissioner Jefferson presented the job descriptions for the police personnel. After some discussion it was decided to add to the chief's list that he attend public meetings as well as the monthly Commission meetings. Descriptions for captains and lieutenants were added. MOTION: Commissioner Correll made a motion to accept the job descriptions as presented. Motion was seconded by Commissioner Jefferson and carried unanimously.

VII. NEW BUSINESS

1. There will not be a Commission election on March 1, 2003. Only the incumbents filed for the positions. Filling the two two year terms are: Joe Conaway and Bill Jefferson. The one year term is Pat Correll. Carry-over Commissioners are: Margaret Sipple and Earl Greason. President Conaway on behalf of Commissioners Jefferson and Correll thanked the people of Bridgeville for the opportunity to serve the Town during this exiting new adventure.

2. MOTION: Commissioner Correll made a motion to allow the state to spray for mosquitoes between April and November, 2003. Motion was seconded by Commissioner Sipple and carried unanimously.

3. President Conaway introduced Ordinance #A03-2, AN ORDINANCE RELATING TO MAINTANING OF DANGEROUS BUILDINGS WITHIN THE TOWN OF BRIDGEVILLE. Currently the Town has an ordinance that deals with Southern Standard Building Code, Section 102. The new ordinance, Section 12, will appeal Sections 102 and 102-1 relating to the Southern Standard Code eliminating any confusion. MOTION: Commissioner Jefferson made a motion to introduce Ordinance #A03-2, Maintaining of Dangerous Buildings, for the first reading. Motion was seconded by Commissioner Correll and carried unanimously.

Commissioner Greason questioned the meetings of the appointed Building Inspection Committee and the procedure stated in the ordinance. It was explained that the outside member will be a qualified person in the building field. The Inspection Committee will present their findings to the Town Commission before any final decision would be made. This is a giant step for Bridgeville, and President Conaway urged all Commission members to read the ordinance.

4. An ordinance that would require a property owner is current with his/her taxes, etc. and that there are no other code violations in order to apply for zoning actions in Bridgeville was distributed to the Commissioner for their review. The ordinance might be introduced at the March meeting.

5. A request was received from Mr. Mike Layton of 412 S. Main Street stating that he would like to obtain title to the part of the alleyway that adjoins his properties (tax parcel number 63 off of Sussex Avenue). If this request is granted to Mr. Layton then other residents requesting the change would be granted the same.

Mr. Nick Rocks and Mr. Bob Rauch explained that sometimes when land is vacated it has to go before the Circuit Court in case there would be someone else with any kind of interest; for example, utility easements. Mr. Jones stated the alley between Jacobs Avenue and Elliott Drive has a utility right-of-way for pole lines which means access must be made available to the poles. President Conaway said in that instance if a property owner requested ownership of the alley he would have them do the survey and research. The utility easements. Then grant them the ability to use the land with the easement permit on the property.

MOTION: Commissioner Greason made a motion to vacate the alleyways to the property owner, per their request, provided a title search was conducted to reveal any right-of-ways or easements that exist by survey. All costs involved will be at the expense of the homeowner.

In Mr. Layton's case a portion of the alley would go with parcel #63 and part to parcel #68, unless the owner of parcel #68 agrees that Mr. Layton can have it all. Parcel #64 has just been sold and might present another problem.

MOTION: Commissioner Greason made a motion to withdraw the motion and table the request for ownership of said alleyway until further information can be obtained. Motion was seconded by Commissioner Sipple and carried unanimously.

6. Residents reported a pack of wild dogs in the North Bridgeville area. Phone calls and a letter with a map showing the approximate area where dogs seem to be staying were sent to the SPCA. It appears the SPCA personnel are working on the situation.

7. A call was received from the Alternative School personnel asking that the students be allowed to do public service work for the Town. If the students would have to have adult supervision while doing the work. The Commission was asked to make a list the students could do for the Town. Commissioner Correll suggested that if Town personnel are to supervise the students then we should look into the insurance issue before committing to the project. Mrs. Walls will contact the Alternative School.

8. President Conaway presented the magazine, Profile 2003. For years the Town has maintained an ad in the book which shows the park across the street with informative

data under the picture. The inside front cover has always been property of Cooper Realty. Mr. Cooper and Mr. Rocks have discussed using the page as a combined ad for Cooper Realty, the Town of Bridgeville, and the new development. The total cost for the inside page is \$1,617. The book is distributed all over the county and is great service for people coming into the area. Mr. Rocks stated that you don't sell the project, you sell the community. Mr. Rocks has agreed to pay for the full page in the 2004 publication which will incorporate things that are important to Bridgeville, Cooper Realty, as well as his project. The Commission agreed to allow Mr. Rocks of Allen & Rocks to place the full page ad on behalf of the Town in the 2004 Profile. President Conaway abstained from the decision due to a conflict of interest.

9. President Conaway said prior to the budget meetings in May a public meeting will be scheduled in April for residents to make suggestions as to what they believe needs to be incorporated in the budget.

10. President Conaway commented he believes there is a health care crisis in Western Sussex County. It is not unusual for a local hospital to divert ambulances to another hospital, but the hospitals have a basic service to offer which is health care and emergency care. A lot of money is being spent to expand services into areas which are probably needed but they should be taking care of the basic service first. Meetings have been held with ambulance captains and Nanticoke Hospital. A meeting will be scheduled later involving communities in Western Sussex County. All the communities have a part in this matter and we need to be involved in a solution. President Conaway stated this is not a criticism of the hospital but a concern. Chief Parson will ask Ambulance Captain Jim Cina to report on the meeting.

President Conaway said there is a paramedic station coming to this area. Commissioner Correll would like to see a new doctor locate in our community.

VIII. CITIZEN'S PRIVILEGE

1. Mr. Rauch stated the Town's engineer is working on the water and sewer plans relating to the new development. Consultants are currently working on the properties conducting soil investigations, identifying wetlands, and historical issues. They are working with planners on refining the master site plan. Mr. Rocks stated a letter had been sent to the Department Agriculture explaining how they would like to incorporate an agri-preservation project on the Wilson farm property. Mr. Rauch said some of the site plans could incorporate some health care related services that could grow with the project, and they will communicate with the local hospital.

IX. ADJOURNMENT

MOTION: Commissioner Sipple made a motion to adjourn at 8:10 PM. Motion was seconded by Commissioner Correll and so carried.


Margaret W. Sipple
Commission Secretary