

MINUTES

COMMISSIONERS OF BRIDGEVILLE

FEBRUARY 12, 2001 - 7:00 P.M.

TOWN HALL

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

MOTION: Commissioner Correll made a motion to approve the minutes as presented. Motion was seconded by Commissioner Jefferson and so carried.

III. APPROVAL OF MONTHLY BILLS

President Conaway said a final bill from the town's former attorney was received today in the amount of \$459 and should be added to the total bills to be approved. The new total is \$15,247.49 (see attached) MOTION: Commissioner Sipple made a motion to pay the bills as amended. Motion was seconded by Commissioner Jefferson and carried unanimously.

1. PROPOSED BUDGET CUTS: President Conaway stated the town employees responded in a very positive way with a number of suggestions. After reviewing the number of changes the budget now has a surplus, and there is still room in the budget for additional savings. The attempt was not to short change any operations but to rebudget money and build back from a \$9 surplus.

REVISED BUDGET	INCOME	EXPENSES	UNEXPENDED FUNDS
General Fund	\$ 121,760	\$ 99,088	\$ 22,672
Police Fund	162,000	191,385	(29,385)
Wastewater Fund	346,330	323,904	22,426
Water Fund	139,750	136,582	3,168
Municipal Street Aid	58,000	50,608	7,392

After calculating the minus and plus figures the new total is \$28,273 plus the bonuses from the unexpended funds from the Laverty Lane Project of \$2,160 and the Highway Safety Program of \$123. This brings the budget to an unexpended contingency of \$28,556. President Conaway stated the expenditures in the town need to be brought under control and to move forward. With diligence on the part of the Commission and the employees, President Conaway believes the budget can be balanced without any great loss of revenue. He stated this is a good beginning and taxes did not have to be raised to make it happen. MOTION: Commissioner Correll made a motion to adopt the amended budget as presented (see attached). Motion was seconded by Commissioner Jefferson. Motion carried 4 to 1-Commissioner Greason abstained.

III. CORRESPONDENCE

1. A thank you letter was received from Mr. Dennis Schrader for being appointed the Town Solicitor.

2. The Sussex County Chapter of the March of Dimes will be holding their kick off for the 2001 season at the Best Western on Rt. 13 in Seaford on February 13th at 1:00 p.m.

3. The Delmarva Safety Association will be holding a seminar on March 13 & 14, 2001 at the Wicomico Youth & Civic Center, Salisbury, Md.

4. The minutes from the January meeting from "Miss Utility" Service Protection Center of Delmarva, Inc. were received.

5. Minutes were received from the Delaware League of Local Government regarding with the Common Cause proposal on the Freedom of Information Act.

6. A letter was received from Superior Court of the State of Delaware In and For Sussex County pertaining to the property of Lemual J. Rodan on S. Main Street. President Conaway stated he would bring the matter up under New Business.

7. A letter was received from a resident who is concerned over the accumulated debris on the property at 109 N. Cannon Street. The resident would like to see the Town take more action with this type of problem.

Police Commissioner Jefferson stated the Commissioners need to submit the ordinances they want enforced and have them entered in the DELJIS System. By having the ordinances in the system any written ticket by an officer which does not get compliance, the town will have an opportunity to get a compliance. President Conaway will contact Mr. Schrader to get the ordinances addressed properly for the DELJIS System.

8. Pretreatment reports were received from Pet Poultry Products, Cannon Cold Storage and Jones Dairy Farms (RAPA).

IV. APPOINTMENTS

1. President Conaway explained the charter shows a provision for a President pro-tempore to be appointed. A President pro-tempore would take the place in the absence of the Commission President. MOTION: Commissioner Correll made a motion to appoint Commissioner Jefferson President pro-tempore. Motion was seconded by Commissioner Sipple and carried unanimously.

2. President Conaway reported the Planning Commission has been working hard to put together a Comprehensive Plan for the Town. The Town Commission appointed a number of people to serve on the Planning Commission in September, 1999. Appointments were made for one year, two year, and three year terms. The two one year term appointees from the Town Commission were Mr. Jack Dalton and Mr. Willie Pierce. When Mr. Pierce's term expired Mr. Greason filled that vacancy. MOTION: Commissioner Jefferson made a motion to re-appoint Commissioner Greason, and to appoint President Conaway to the one year position on the Planning Commission. Motion was seconded by Commissioner Correll and carried unanimously.

V. DEPARTMENT REPORTS

Written reports from each department available to the public.

1. Police (see attached)-Commissioner Jefferson presented a grant to obtain a new police car. MOTION: Commissioner Greason made a motion to approve the grant funds for the purchase a new police vehicle. Motion was seconded by Commissioner Jefferson and carried unanimously.

Commissioner Jefferson explained that recently a police vehicle was damaged by a deer. After paying the insurance deductible the balance the town will receive will be \$1,800. Mr. Lynn Kefauver offered to use parts from the inoperable police car to repair the damages for a cost of \$500. This would leave \$1,300 to apply to the police department budget. Commissioner Jefferson stated the 1992 vehicle will soon be placed in the parking lot next to town hall with a "for sale" sign on it.

Discussion was held pertaining to Bridgeville police patrolling on Rt. 13. President Conaway said by placing our officers on the highway it sends a message that the town is there to raise revenue. Several residents expressed to President Conaway they would feel better if the town's officers were in town rather than on the highway. It appears the General Assembly would like to remove the opportunity for small towns to make money off of the highways. If the bill is passed and the state police patrol all state maintained roads, that would include Bridgeville's Main, Market, Laws, and part of Edgewood Streets. Commissioner Jefferson reported ticket revenue from the highway is approximately \$30,000 a year which the town would lose if officers were not allowed to

patrol that area. Commissioner Jefferson will discuss the matter with Chief Parsons and have him attend the Commission meeting in March.

Commissioner Greason said it had previously been discussed that after a new officer is hired that segmented shifts be established which would allow time for policing of the highway as well as coverage in the town limits. It was approved several months ago that an officer would be on a walking beat so many hours a week. President Conaway stated community policing is the wave of the future.

2. Wastewater\Water (see attached)-Commissioner Greason stated that last year he implemented that wastewater personnel keep a log book of their daily activities, and during the last meeting the Commission reverse that decision. He believes there are many benefits for such a record to be kept (see letter attached). President Conaway stated employees at the plant do keep very clear activity logs and to request additional records would appear that the Commission does not trust the employees.

1. President Conaway stated that in 1997 the Commission approved the cost of a septic hauler to be \$40/M gallons during regular business hours and \$50/M gallons at all other times, but that has not be enforced over the last several years. The plant is not equipped with a scale or meter so the plant personnel have no way to verify what is actually dumped by a septic hauler. President Conaway suggested that if a septic hauler has a 1,000 gallon truck then he should be charged for that amount. Commissioner Jefferson stated if a hauler wants to get his truck weighed somewhere else, then he must show what gallons he is actually bringing into the plant. The Commissioners agreed to enforce the charges to the septic haulers. Mr. Mowbray is to relay this change to the haulers. Commissioner Greason said when money comes available he would like to see a meter purchased which would eliminate the problem. He would like to see more haulers use our facility which would increase the revenue.

A letter was received from Pet Poultry Products requesting a meeting to discuss their relief of the extremely high sewer bills received for the November and December billing period. Commissioner Greason will arrange a meeting in the near future.

President Conaway stated the odor sometimes that hangs over the town is when the WWTP is being forced to handle a material that is beyond what we are capable of handling. Commissioner Greason stated residents have complained about noise and odor, and he has tried to discuss the matter with Pet Poultry Products but to no avail.

2. Last month discussion was held concerning 300 S. Main Street where for several years the resident paid sewer fees but recently found out that property was never hooked to the new system. The figure of \$162.77 was based on thirteen months but it could have been eighteen months with no connection. The previous president erased the \$162.77 from the property tax bill leaving a \$54.45. President Conaway experienced this same situation last year with his property. He suggested the town accept the fact the property was not connected and the remaining tax bill of \$54.45 be considered paid because the town may or may not have been providing the property with any of the services. The next step would to go back to Davis, Bowen & Friedel to collect this 217.22 for the mistake that was made. MOTION: Commissioner Correll made a motion to delete the \$54.45 from the tax bill of 300 S. Main Street. Motion was seconded by Commissioner Jefferson and carried unanimously.

3. Streets-Commissioner Sipple reported the paving company will soon have the sidewalk project completed. She has been approached by the firemen regarding placing two (2) handicap parking signs on the west side of the firehall. Mr. Pete Stephens stated the request came from the Division of Facility Management of the State Delaware because the firehall is used for a polling place during elections. After some discussion it was suggested Mr. Stephens take the matter back to the fire company to see what direction they are going to take on this subject.

President Conaway received a call concerning some broken sidewalk on the corner of Laws Street and Delaware Avenue. Commissioner Sipple was asked to keep a list of problem sidewalk areas for future repair work when money becomes available.

Commissioner Sipple stated a letter needs to be sent to the property owner of 200 Market Street regarding the condition of the porch. President Conaway will contact the county officials about this matter.

VI. NEW BUSINESS

1. President Conaway reported that the Lemuel Rodan property on S. Main Street was foreclosed on August 11, 2000. The mortgage company purchased the property back on January 16, 2001 at the sheriff's sale for \$17,000. After inspection of the home, the mortgage company IMC, is declining to take title due to the property having no significant value.

2. A letter was received from Mr. Donald Kirby regarding the town election. He would like provisions made in the charter for absentee voting. President Conaway explained there is a provision in the code book for absentee balloting, but an ordinance has to be put in place. Being no objections, President Conaway will contact Mr. Ken McDowell who is with the Board of Elections regarding this matter.

3. President Conaway stated he had not heard from the town solicitor on the flood insurance program.

4. Mr. Donald Dudeck is presently trying to purchase the commercial property at 300 N. Main Street (Banning Property) and hopes to open a small car dealership. There will not be any repairs made on the property only the sale of vehicles. Being no objections from the Commission, a letter will be sent to the Division of Motor Vehicle stating Mr. Dudeck had met the town's zoning requirements. President Conaway reminded Mr. Dudeck that the present owner had the water meter removed months ago so it will have to be reinstalled for a cost of \$400.

5. A letter was received from the Department of Natural Resources and Environmental Control pertaining to the mosquito control which is to start in mid-March. The Commission agreed to permit the spray application for mosquito control in the town limits.

6. President Conaway introduced and read Ordinance #01-1: An ordinance to amend Article V of Chapter 234, Section 234-18, paragraph G, by adding the following sentence to the end of paragraph G. "Automobile sale agencies must have a minimum lot size of two (2) acres". MOTION: Commissioner Correll made a motion to accept the first reading of said ordinance. Motion was seconded by Commissioner Sipple and so carried.

7. President Conaway stated the following ordinance is an attempt to eliminate vendors setting up all over town during the Apple-Scrapple Festival who are not a part of the festival program. He introduced Ordinance #01-2, an ordinance to amend Chapter 172, Section 172-4, by adding the following paragraph: "Any persons, firm, or corporation who desires to obtain a license for peddling, hawking, soliciting or canvassing during the Apple-Scrapple Festival shall be on the list of vendors submitted to the Commission by the festival committee in order to set up within the Town of Bridgeville during the Apple-Scrapple Festival". President Conaway explained this ordinance is to encourage and protect. This does not effect any existing businesses.

Mr. Daryl Tull questioned if he could rent spaces on his property during the festival. He does not want to see any regulations on someone's private property. Mr. Tull said he would gladly donate his land for festival use if the street would remain open. He stated his business lost about \$2,000 the day of the festival. President Conaway stated this ordinance is only to allow control of vendors in town during the festival. MOTION: Commissioner Jefferson made a motion to accept the first reading of said ordinance with further discussion to be held at the second reading. Motion was seconded by Commissioner Greason and carried unanimously.

8. Last month the Commissioners decided to form a Citizen's Advisory Committee with appointment names to be turned in at the February meeting: Commissioner Jefferson appointed John Tomeski, Ruth Ann Tull and John Kimlel. Commissioner Correll appointed Phillip Davis, Bill Hartzell and Bill Boyles. Commissioner Greason appointed Jack Dalton, Catherine Ross and Steve Heder. President Conaway appointed Bob Slater, Lester Williams, Jr. and Joe Evans. Commissioner Sipple-not available.

9. President Conaway reported the first "Fireside Chat" held on January 30, 2001 was a success. The turn out was good and the matters discussed were: property trash clean-up, animal control, sidewalks, bulk head repair, truck traffic, and student loitering. He explained the town does have ordinances relating to accumulated debris and animal control but it is just a matter of enforcing them. During the meeting it was discussed about students loitering around the streets in front of the school, but since the "no loitering" signs have been erected the problem seems to be corrected. Some discussion was held relating to the bulkhead down by the branch on N. Main Street. Commissioner Sipple will discuss the matter with Mr. Alan Redden of the highway department.

Commissioner Correll stated she was pleased with the amount of people that attended that evening and the positive comments that resulted from the meeting.

Commissioner Correll said she would like to see other types of activities start up in our community. President Conaway asked Commissioner Correll to set up a committee to bring suggestions to the Commission of the kind of activities that can be done as a community. She stated we need to look after the elderly in our community.

VII. CITIZEN'S PRIVILEGE

1. Mr. Daryl Tull stated Commissioner Greason should take his position on the board a little more seriously. He suggested Commissioner Greason's articles in the newsletter should be written in a better manner.

Commissioner Greason responded by saying he devotes a lot of time to the wastewater treatment plant and is presently taking courses at Del Tech relating to that matter. He thought some of his comments in the newsletter were "unique", and he was just trying to be more personable. Commissioner Greason stated he is not a politician, and he will not be doing things with a political motive.

2. Mr. Phillip Davis stated he believes the town is moving forward, and with the new Commission working in the right direction it is going to be a good year.

VIII. ADJOURNMENT

MOTION: Commissioner Sipple made a motion to adjourn the meeting. Motion was seconded by Commissioner Jefferson and so carried.

Respectfully Submitted,



Margaret W. Sipple
Commission Secretary