

MINUTES

COMMISSIONERS OF BRIDGEVILLE
REORGANIZATION MEETING
JANUARY 11, 1999
TOWN HALL

I. CALL TO ORDER

The reorganization meeting was called to order at 7:00 P.M. by Commissioner Jack Dalton. The meeting started with the salute to the flag. Present were: Commissioner Margaret Sipple, Commissioner Glenn Miles and Miss Watha Hostetler, Town Clerk.

Miss Hostetler presented the slate of new Commissioners for the swearing in ceremony: One year terms are Glenn Miles and Harry Willey, Sr. The two year terms are Jack Dalton and Charles Singman. Miss Hostetler then called for votes of the following positions:

- A. President..... 4-1 Jack Dalton
- B. Secretary 5-0 Margaret Sipple
- C. Treasurer 4-1 Watha Hostetler

Commissioner Singman made a motion to table the position for Town Solicitor. He said the current solicitor went before the public and publicly presented a case against the Commission which he should not have done. Commissioner Singman said there have been several times when the solicitor did not respond in a reasonable amount of time with answers to questions that the Commission needed to have answered. He said he thought prior to voting in the solicitor for another year, the Commission should have a long talk with him explaining what their expectations are, what the time frames are, and then address the vote at the next meeting. Motion was seconded by Commissioner Miles and carried unanimously.

Miss Hostetler turned the meeting over to the new president. President Dalton asked the Commission if they would hold the following positions:

- A. Streets Commissioner Sipple
- B. Police Commissioner Miles
- C. Drinking Water Commissioner Singman
- D. Wastewater Commissioner Willey

President Dalton told Commissioner Willey he would also be a member of the Western Sussex Wastewater Coalition.

II. APPROVAL OF MINUTES

President Dalton said it has been the practice of the Commission to automatically authorize and approve the minutes from the previous meeting. It has been discovered that

items are not being followed up after being voted on or tabled from the previous meeting. President Dalton said from now on the secretary will highlight the important matters from the meeting and give them to him. He said each department Commissioner will hear from him to make sure those matters are followed up. Commissioner Sipple made a motion to dispense with the reading of the minutes from the December meeting. Motion was seconded by Commissioner Singman and carried unanimously.

III. APPROVAL OF MONTHLY BILLS

See breakdown per fund attached. President Dalton said the \$25.00 purchase order limitation is still in effect. Commissioner Singman stated a \$29.00 petty cash purchase order for a post office box rental for the police department had recently been received. Commissioner Miles said he had not authorized that purchase order. After reviewing the bills, Commissioner Singman made a motion to approve the bills as presented. Motion was seconded by Commissioner Sipple and carried unanimously.

IV. PRESIDENT'S REPORTS

A. CORRESPONDENCE

1. A letter was received from the Wastewater Facilities Advisory Council advising that the next meeting is scheduled for Wednesday, January 13, 1999. A public hearing will be at 9:45 a.m. to receive comments on the draft of the Standard Operating Procedures for the Delaware Water Pollution Control Revolving Loan Fund. The regular meeting will follow immediately after the hearing. The meeting will be held at 414 Federal Street, Dover, DE.

2. An invitation was received to attend a luncheon at the Sussex Pines Country Club on January 26, 1999 (noon) to unveil the 1999 edition of the Sussex County Profile. Anyone who would like to attend must RSVP by January 20, 1999 at 629-5505 or 855-7770.

3. The Delaware and Maryland Regional Planning Conference will take place in Easton on May 13-14, 1999. President Dalton told the Commissioners to get back with him if they are interested in attending.

4. A letter was received from a student living in Iowa who is collecting postmarks from each state. The student is requesting our mayor send back a letter from Bridgeville before January 25, 1999. President Dalton said he would take care of answering her request first thing Tuesday morning..

5. A letter was received from Pet Poultry Products reporting that they had two violations at their plant in December.

6. A letter along with a draft and maps pertaining to the Statewide Access Management Policy was received from the Department of Transportation. A public hearing for the Draft Policy and Classification Maps will be held on Monday, January 25, 1999 at the DELDOT Administration Building in Dover. He said he would look it over very carefully and will probably draft a response. He said he will try to give a report to the Commission at the next meeting.

7. President Dalton read a letter of resignation from Mr. Willie Robert dated January 5, 1999 resigning from the position of alderman. Commissioner Singman made a motion to accept the resignation. Motion was seconded by Commissioner Sipple and carried unanimously.

8. A letter was received from the Council on Transportation, the Dover Kent Metropolitan Planning Organization (MPO) and the Wilmington Metropolitan Planning Organization (WILMAPCO) stating there will be a jointly sponsored meeting to solicit public participation and review the MOP'S transportation projects and DELDOT'S proposed Capital Improvement Program for Fiscal Year 2000-2005. The meeting will be held in Sussex County at the DELDOT Administration Building, US 113 and Bedford Street, Georgetown, DE on Thursday, January 14, 1999. A Workshop Session will be held at 6:00 p.m, and an Auditorium Session will be at 7:00 p.m.

9. President Dalton read an unsigned letter from a resident concerning the closing of the grocery store. The person is hoping that maybe another store will open so residents will not have to travel to another town to shop.

B. DEPARTMENT REPORTS

1. Police-see attached report. Commissioner Miles reported 48 complaints compared to 69 last year. There were 219 traffic investigations for the month of December. The vehicle maintenance for the month was \$446.80. Commissioner Miles said he thought that price covered a broken windshield.

2. Waste Water-see attached report. Commissioner Willey reported the average daily flow was 169,000 gallons. There were three septic haulers who dumped 45,000 gallons for a revenue of \$1,832.00. He reported that on Sunday, January 3, 1999 a heavy rain caused problems at the wastewater treatment plant. Some storm-water catch basins are still tied into the sanitary sewer, resulting in too much rain water entering the treatment plant. The wastewater plant manager said this problem needs to be corrected.

Commissioner Willey reported Town personnel investigated two odor complaints which turned out to be faulty plumbing in the two buildings. There are still several unresolved issues:

- a) Gateway Plaza Agreement still needs to be signed.
- b) Residential roof leader fees has not been enforced.
- c) Jimmy's Grille has not been billed for his portion of the sewer line cleaning on Elm Street..
- d) Hunsberger storm-water agreement for H.P. Cannon property.
- e) W.W.T.P. equipment repair list. No repairs have been completed.

f) The drying bed glass house still needs repairs per our insurance company.

g) The sewer line repair at stream crossing is a potential problem.

Commissioner Willey read a letter that was sent to Pet Poultry Products back on April 24, 1997 regarding their truck washing area which drains into the sanitary sewer via catch basin connection.

President Dalton said he would like to make a correction on the report. He was referring to Jimmy's Grille billing of the cleaning portion of the sewer line on Elm Street. Commissioner Dalton said that Mr. Teneffoss has helped many organizations in this Town since he opened the restaurant. He said the Commission voted last month to waive the cost of cleaning that line on Elm Street due to all the good things Mr. Teneffoss does for the community.

President Dalton said a few months ago the Commission asked Mr. Phillip Mowbray to give them a list of all the things that needed to be done at the W.W.T.P. in an effort to make sure the maintenance that is necessary is done in a timely manner. He said this list will continue to show up until action is taken. President Dalton said the reason that action is not being taken now, except for the most critical items, is because the Town is being faced with either an upgrading of the plant or moving to a spray irrigation system.

Commissioner Singman asked about the pictures that were taken showing some dangerous conditions at the plant, and he was wondering if those conditions had been taken care of. President Dalton said the most serious items had been taken care of. He asked Commissioner Willey to work with Mr. Mowbray to make sure anything that has to do with the safety of our personnel or the plant are taken care of immediately. He explained that the personnel are not allowed to spend over \$25.00 on a purchase order unless they have his signature. President Dalton said the plant personnel adhere strictly to that rule.

3. Drinking Water - Commissioner Dalton did not receive a report on the daily and yearly flow. He did report the Western Sussex Wastewater Coalition held their second meeting this morning with local governments, industry representatives and our agriculture leaders. President Dalton said the coalition applied for and received authorization for a grant from the Wastewater Action Council to do a study in Greenwood and Bridgeville to determine the best way of reducing our nitrogen effluent in our W.W.T.P. The towns have chosen the route of "environmental excellence" because it is assumed that we want to protect the environment for generations to come. Bridgeville is on the Nanticoke and Broadcreek Watershed and is on a time table to come into compliance with the new limits by the year 2000. We found out recently that because the Nanticoke River flows into the Chesapeake Bay rather than the Delaware Bay, that Delaware does not have numbers as far as the level of pollution loading the bay. He said Delaware is using the numbers from Maryland even though the numbers are not set. President Dalton was told the municipalities are going to be the ones most severely hit by this new regulation. In five or ten years the municipalities will be asked for more reduction. President Dalton, Bonnie Walls of Laurel, Joe Liefbroer of Johnson Wax, and Landy Correll, a local farmer will be meeting to prepare a response to the council. The coalition will be visiting wastewater treatment plants that already have spray irrigation programs. All of this is an effort to get some type of grant money for this major expansion. President Dalton said this is not a problem that our citizens can afford to do or should have to do.

President Dalton explained the reason this has all come down is because the SIERRA Club took Delaware to court and won. They said the state down played pollution in the watershed on the Delmarva Peninsula for many years, and it is worse than reported. Now a judge is telling Delaware the watershed must be cleaned up.

President Dalton said if Mr. Bennett only made a statement concerning our TMDL's, then the Commission needs to make an appeal. Commissioner Singman said he normally does not want the President of the Commission to be involved with a specific commission area, but in this incidence he made a motion to appeal the TMDL requirements and also move to make President Dalton the point leader on the TMDL wastewater management of the situation. Motion was seconded by Commissioner Sipple and carried unanimously.

President Dalton said we are leading as far as the state is concerned, we are getting the media attention, and we are getting the attention of our legislators concerning this important problem.

4. Streets - Commissioner Sipple said she will be getting bids out for the street repaving that was discussed last month. She asked if the intersection of Walnut and Laws Streets were to be repaved from legislative funds. President Dalton said it is in the planning to have those streets repaved either this year or next.

President Dalton asked her to look into the repaving of Pine Alley which is beginning to break up. President Dalton said the Town works really hard to get the streets cleaned for the Apple-Scrapple Festival in the fall, but he wants to see the streets cleaned in the spring as well.

Commissioner Singman said he would like to see DELDOT place a sign on North Maian Street that states, "left turn on green light with caution". It seems that after the green turn arrow goes off people can still turn on the remaining green light without watching for oncoming traffic from the north.

V. OLD BUSINESS

1. President Dalton said he would like to table the Curtice Burns Foods fire line until the Town Solicitor contacts him.

2. President Dalton read a letter from Barbara Chaffinch regarding the unpaid taxes of the Bridgeville Mini Storage (see attached). Commissioner Singman made a motion to waive the back taxes owed by Mrs. Rogers (last owner of business). Commissioner Sipple suggested it be tabled until the February meeting, and it was so done.

3. President Dalton said the request given to Cannon Cold Storage in November concerning their request for a rate increase to 10,000 gallons per day has exceeded the permit limits. Commissioner Singman made a motion that at the end of the trial period if Cannon Cold Storage is still not in compliance with the flow rate, that the Town's engineer present a plan that will get them in compliance. Motion was seconded by Commissioner Sipple and carried unanimously. Commissioner Willey will be looking into this matter and talking with the engineer, Miss Annie Williams.

4. President Dalton said seven invitations were sent to trash collectors to attend a pre-bid meeting to determine what perimeter we want to set in the bid package. The only response was received from BFI. President Dalton said there are a couple of independent haulers that he will talk with to see if there is a possibility they might be interested in the bidding.

VI. NEW BUSINESS

1. Commissioner Singman thanked Mrs. Cindy Truitt for her interest in the Town and for being a concerned candidate in the recent election.

2. President Dalton read the first reading of the franchise agreement, Ordinance 99-1, with Comcast Cablevision (see attached) The second reading and vote of the ordinance will take place at the February meeting. It was suggested to have the second reading of the ordinance at the end of the old business next month.

3. President Dalton presented two waste hauler applications: Mr. Rooter and Roto Rooter. Both applications are renewals from the previous year. Motion was made to accept both applications by Commissioner Sipple and seconded by Commissioner Singman. Motion carried unanimously.

4. Motion was made to pay the SCAT dues of \$175.00 for 1999 by Commissioner Sipple. Motion seconded by Commissioner Singman and carried unanimously. President Dalton said because we are a member of SCAT, the newly formed coalition will be able to use the lobbyist if needed.

5. President Dalton said the Commission must decide if they want to publish the Town newsletter again this year; and if so, whether they want to keep the sponsorship ads at \$75.00. Commissioner Sipple made a motion to publish the quarterly newsletter and to keep the ads at \$75.00 per year. Motion was seconded by Commissioner Singman and carried unanimously. President Dalton said on behalf of the Commission and the citizens of Bridgeville a thank you to Mrs. Alma Fleetwood for a job well-done on the publishing of the newsletter.

6. The Commission received a suggestion from Mr. George Knutkowski of the Delaware Criminal Justice Information Systems (DELJIS) that they remove the deljis machine from the our office since it has not been used in several years. President Dalton moved to have this matter tabled.

7. Commissioner Sipple made a motion to place a \$ 50.00 ad in the 1999 Progress and Discovery Guide. Motion was seconded by Commissioner Miles and carried unanimously. President Dalton thanked the editor and Mr. Bill McCauley of the Seaford Morning Star for the coverage they gave Bridgeville on our recent election.

8. A request was received from Mr. Arthur Cord of 403 Walnut Street to allow him to place a 12 x 30 enclosed trailer in his yard to be used as a workshop. The

Town Code states no trailers are allowed in Town limits. After much discussion and a finding that Mr. Cord did not own the property, the request was denied.

9. President Dalton said all departments will have to have a budget report for the February meeting. He reminded everyone of the change that took place last year when the Commission voted to have the fiscal year start July 1 which will match the state's fiscal year. Each department needs to submit an interim budget to carry through to June 30. President Dalton said the review will be in February, and they will hold a workshop if changes need to be made. The final budget will be presented at the March meeting..

10. President Dalton said Mr. Tennefoss has purchased property on the corner of Rt. 13 and Rt. 404 across from the Exxon Station. He said we have been discussing with Mr. Tennefoss about being able to qualify for a septic system in that area. With the new TMDL limits, there might be restrictions on businesses allowed to open in this area. Another problem is the access onto Rt. 13 for further businesses trying to develop. President Dalton said with this in mind, it might be good to work with Mr. Tennefoss in an effort to share the cost of extending our current wastewater line under Rt. 404 from the Gateway Plaza (where there is a force main).

The Town is required to take the sewer line to the property line. It is the requirement of the developer to take it into the property. Last year the Commission negotiated with Mr. Rob Parnell (Kellam Property) who will be taking a new line through his property to bring it up to Rt. 13 and allowing the Town to tie into it for future development along the western side of Rt. 13. Commissioner Singman said we need to lock in the water as well as the sewer.

Commissioner Singman made a motion to explore the cost of installing a wastewater line across Rt. 404 and tying in with Mr. Tennefoss's new operation and any other further developments. Motion was seconded by Commissioner Miles and carried unanimously. Mr. Willey will be meeting with Mr. Tennefoss and the engineer, and reporting his findings at the February meeting.

11. President Dalton assigned the Boot Camp Workers to Mr. Rick Passwaters. He is to organize their working schedules and work load. Street Commissioner Sipple is to be notified of the schedule also.

VII. CITIZENS PRIVILEGE

1. Mrs. Truitt asked the Commission if they had a plan of action in writing to accommodate the handicap when meetings are scheduled. It was asked if the plan was available at the office if requested. President Dalton said there is not a written plan, but it should be done immediately to inform our residents of what the Commission's plans are for remodeling of the Town Hall. There are plans to make a handicap ramp for access into the Town Hall.

2. Mr. Philip Davis congratulated the new members of the Commission. He thanked Commissioner Sipple for getting N. Cannon Street (Frog Harbor) cleaned up.

Mr. Davis invited Commissioner Miles and the police chief to his home to check out the barking dog situation. Mr. Davis said he has been complaining about this matter for many months and nothing has ever been resolved. Commissioner Singman read Chapter 84 pertaining to animals being a nuisance in the Town. Mr. Davis asked who was responsible for this type of nuisance? President Dalton told Mr. Davis he would have immediate action regarding this problem and apologized for the inconvenience he has had to endure for the last year.

3. Commissioner Singman said he would like to thank the citizens who voted for him as well as the ones who did not. He was glad to see that they had taken the time to be involved in the Town.

VIII. EXECUTIVE SESSION

Commissioner Singman made a motion to convene to executive session. Motion was seconded by Commissioner Sipple. President Dalton called for a ten minute recess before going into executive session.

The Commission reconvened to regular session at 10:18 P.M.

IX. ADJOURNMENT

Commissioner Sipple made a motion to adjourn the meeting at 10:19 P.M. Motion was seconded by Commissioner Singman and carried unanimously.

Respectfully Submitted,

Margaret W. Sipple

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Secretary