

MINUTES

COMMISSIONERS OF BRIDGEVILLE MARCH 8, 1999 - 7:00 P.M. TOWN HALL

I. CALL TO ORDER

The meeting was called to order at 7:00 P.M. by President Jack Dalton. Present were the following: Commissioner Glenn Miles, Commissioner Charles Singman, Commissioner Willie Pierce and Commissioner Margaret Sipple. The meeting started with a salute to the flag.

II. APPROVAL OF MINUTES

Commissioner Sipple made a motion to dispense with the reading of the February 8, 1999 minutes. Motion was seconded by Commissioner Singman and carried unanimously.

III. APPROVAL OF MONTHLY BILLS

After reviewing the bills, Commissioner Singman made a motion to pay bills as presented. Motion was seconded by Commissioner Pierce and carried unanimously.

IV. PRESIDENT'S REPORT

A. CORRESPONDENCE

1. An invitation was received to attend the Twenty-Second Annual Sussex County Council Prayer Breakfast. The event will be held on Monday, May 3, 1999 at 7:30 a.m. at \$10.00 per person at the Delaware Technical & Community College in Georgetown, De.

2. A letter was received from Betty Staton of Crystal Video giving her support to Allen Parsons for the position of Police Chief. President Dalton said a letter was also received from Mr. Mark Hunsberger giving his support to Mr. Parsons. Rep. Ben Ewing has also voiced his support for Mr. Parsons.

President Dalton explained the reason for going outside of Town to accept applications for the Police Chief position was because the Commission believes they owe it to the Town to make sure the person selected is the most highly qualified for the position. It is no reflection on Mr. Parsons or anyone else.

3. A notification of non-compliance was received on March 5, 1999 from Pet Poultry Products, Inc. pertaining to their TKN loading.

4. President Dalton read a newspaper article (Snow Hill) pertaining to delinquent taxpayers (see attached). Snow Hill is planning a tax sale where 50 to 60 pieces of property will be auctioned off unless owners clear up their debts. He said for three years this Town has had a recurring problem with collecting delinquent taxes. President Dalton said it is not fair for those people who pay their taxes on time while there are others who are late in paying or do not pay at all. Presently the Town Clerk is taking steps to collect the past due accounts. He said the auction type of action had been discussed for Bridgeville's delinquent accounts in the past.

5. A letter was received from The Center for Public Research, Inc. of Lewes, De. pertaining to the latest update on the DELDOT proposed Access Management Plan.

6. A letter was received from the First State Community Action Agency announcing that on March 25, 1999 the 2nd Annual Senior Services Employment Job Fair would be held at Del Tech in Georgetown, De.

7. President Dalton read a House Concurrent Resolution No. 3: ENCOURAGING STATE AND LOCAL GOVERNMENTS, ELECTED OFFICIALS AND CIVIC LEADERS TO SUPPORT THE CREATION OF A LOCAL CHAPTER OF THE NATIONAL URBAN LEAGUE (see attached). Commissioner Singman made a motion to support the establishment of an Urban League Chapter in the State of Delaware. Motion was seconded by Commissioner Sipple and carried unanimously.

8. A letter was received from the University of Delaware pertaining to a Delaware Policy Forum on Geographic Information Systems to be held on Monday, March 15, 1999 at Clayton Hall Conference Center in Newark.

9. A letter from Mayor Daniel Short of Seaford was received pertaining to a movement in Congress to reinstate the former Land and Water Conservation Fund. Mr. Short asked for the Town's support by sending a letter to the legislators letting them know we do want the program in Delaware. Commissioner Sipple made a motion to support such a program. After some discussion, Commissioner Sipple withdrew the motion.

10. A letter was received from H. M. James & Son Inc. concerning the worker's compensation policy with Selective Insurance Company for 4-12-99 through 4-12-00. The annual premium is \$10,936.00 which is much lower than last year. The annual premium was \$12,934.00. The Town will be billed in nine monthly installments of \$1,215.00 which is due on or before 4-12-99. President Dalton commended the employees for a year without any claims for workers compensation.

President Dalton said over the last two years there has been an inquiry from the Commission regarding a Public Official Coverage. This policy covers mistakes that might be made by the Commission, and the insurance premium is \$900.00 a year. The price for the Police Professional Liability Coverage is \$4,123.00 a year. Commissioner Singman suggested this be addressed under old business.

11. President Dalton said in January the owners of Colonial Gardens requested the road next to the apartments be repaired or repaved. It was the opinion of the Commission that the road was privately owned. Miss Farnell reported that the Town had paved that road in the past. She said a post sign reading "Colonial Drive" and a stop sign were erected within the last year. Several years ago she was told the Town had accepted responsibility for the road. Commissioner Sipple said the road is not listed on the Town's street map. President Dalton asked Commissioner Sipple to check with Miss Farnell as to when it was last repaired and also to research the previous minutes.

B. DEPARTMENT REPORTS

1. Police-(see attached report) Commissioner Miles reported there were 119 traffic arrests for the month of January. There were 24 criminal arrests and 28 complaints. Acting Chief Allen Parsons reported there are three working patrol cars and one van. Commissioner Singman said he would like to commend Chief Parsons for the job he is doing for the department. President Dalton said this is the first time the Commission had received a duty schedule for the police officers.

2. Waste Water-(see attached) Commissioner Singman reported there were two waste haulers for a revenue of \$2,904.00. The on-going projects are as follows: (a) Gateway Plaza, (b) roof repairs at the W.W.T.P., and (c) notices have been sent to property owners who have homes suspected of having roof leaders connected to the sewer system.

Commissioner Singman announced that beginning April 1, 1999 all residents who have unpaid water and sewer bills over 60 days old will have water services disconnected without further advance warning notices being issued. For each disconnect there will be a \$25.00 charge to have service reconnected. President Dalton said residents who are 30 days over due are notified. Commissioner Singman said if a bill is paid at 4:15 P.M. the water department may not be able to turn the water on until the next day. He said should a resident be notified of a turn off, then it must be paid no later than 4:00 P.M.. President Dalton said the office will work with residents who need to set up a payment plan for their water/sewer bills or taxes. As long as a resident is trying to keep current, a shut-off notice will not be issued.

Commissioner Singman met with Mr. Phillip Mowbray, W.W.T.P. manager, and discovered that there are many projects at the plant that need to be addressed in the next fiscal year. President Dalton added that should a major storm hit, it is possible it could wipe out the drain line (at the branch) causing a major pollution problem for the Town, and causing Greenwood to lose their sewer service completely. The estimate for repair of that line is \$15,000.00. The W.W.T.P. personnel has been instructed to obtain two more bids before a decision is made. It has been approved by the Town's engineer that the sinking fund can be used for this repair.

3. Drinking Water-(see attached) Commissioner Pierce reported 2,971,000 gallons were supplied for the month of February. The average daily supplied was 106,000 gallons. He said a budget plan should be made for the future painting of the exterior and interior of the water tank. President Dalton said when a leak appeared two years ago, the Commission was told that within the next five years the tank would need to have repairs made. Last year a savings account was established for that project. Right now there is approximately \$19,000.00 in that account for any major projects that might arise.

4. Streets-Commissioner Sipple reported the fifteen year old truck that is used for street maintenance needs to be replaced. She thinks the only way the Town can purchase a truck would be to pay monthly installments out of the street fund.

V. OLD BUSINESS

1. The updating cost of the code book (\$700-\$900) was tabled last month because Commissioner Miles and Commissioner Singman said they would look into the possibility of a computer program so changes could be made in the office in order to save money. Commissioner Miles said eventually he can make the changes and updates to the code book page by page and get it into the computer. He said he would get with the town secretary to get the updates changed for the book. Commissioner Sipple made a motion to have the updates for the Town Code Book be made in-house rather than contracting General Code Publishers. Motion was seconded by Commissioner Singman and carried unanimously.

2. The capitation tax problem was tabled from the last meeting. There are 59 unpaid bills for 1998 totaling \$1,387.65. Commissioner Singman said he thinks the home owner should be responsible for the capitation tax. President Dalton said he was not in favor of a paid permit because that is just another type of tax. Commissioner Singman explained it would not be a paid permit. After some discussion, Commissioner Singman made a motion to draft an ordinance to establish that all landlords be responsible for the capitation tax. Motion was seconded by Commissioner Pierce and carried unanimously.

VI. NEW BUSINESS

1. County Council President Mr. Finley Jones said the transfer tax that was introduced by the county last year has started to be issued to the towns. He explained that if at the end of our calendar year and \$20,000.00 has not been received, then the county will send us \$15,000.00. Money collected is going back into the towns and not into the general fund.

Mr. Jones said the county is doing an inter-governmental agreement with every town which provides county services.

Mr. Jones said the county is working on their budget, and things look good at this point. He said he does not foresee any property tax increase in Sussex County.

2. President Dalton reported that a phone line is currently in the alderman's office for a rate of \$32.00 a month. The Commission decided to remove that phone line which will

also eliminate the electronic answering device. President Dalton said the sewer department also has an electronic answering device, but he doesn't think it is being used.

It was decided to have Chief Parsons purchase an answering machine for the police department rather than keep the currently rented electronic answering device. President Dalton said the police department has two phone lines downstairs, the fax line and there is a line in the chief's office that also rings at the secretary's desk. It was decided to maintain all the lines that are presently in the police department. After some discussion, it was decided to keep the \$90.00 a year phone maintenance agreement.

Summary: the line in the alderman's court will be removed; the three electronic answering devices are to be removed; and the call forwarding device will be removed.

2. Girl Scout Troop Leader Mrs. Dawn Tomeski asked if the girls could use the upstairs meeting room starting next fall. The troop of 10 girls meet every other Wednesday evening 6:00 to 7:30 P.M. Commissioner Singman made a motion to allow the Girl Scout Troop to use the meeting room. Motion was seconded by Commissioner Sipple and carried unanimously.

3. President Dalton stated the Appeals Day is scheduled for Saturday, March 27, 1999 from 1:00 to 4:00 P.M. in the Town Hall. Appeals Day is the opportunity for citizens to appeal their scheduled tax assessments for the year. Commissioner Singman will have the 1-2 shift, Commissioner Pierce will have 2-3, and Commissioner Sipple will have the 3-4 shift.

4. President Dalton said there is talk around town that we have DNREC representatives who are using the police station as their office. He said there was concern about expenses going up because of them using the facility. Bridgeville has a grant to purchase the new 800 mega hertz radios that have been mandated by the state. Our grant covers all the portable radios but does not cover the \$10,000.00 base unit. DNREC has agreed to provide us with the base unit in return for them using our facility. President Dalton said a comment was made pertaining to the number of copies made on the police department copier. The quantity seemed to be extremely high and was thought to be due to DNREC personnel. However, DNREC does provide all of the copy paper that is used. So far it has been a good working relationship between the two agencies. President Dalton said he thinks they should be allowed to use the facility unless there is an objection from the Commission or from the community.

5. President Dalton said all the towns are under a mandate from the state to develop a Land Use Plan. The University of Delaware has a department that will help us develop such a plan at a minimal cost. The next step is to develop a planning commission who will work with the university and the state to determine what we are going to do and how we are going to grow in the coming years. President Dalton said Mr. Coulter Passwaters who owns land south of the Town limits has been considering developing that land. Mr. Passwaters has made an application to DELDOT for access from Rt. 13 for a proposed shopping center. It is understood that a Food Lion and other businesses have been looking at the area. Mr. Passwaters is also looking at a housing development just

south of Jacobs Avenue and a townhouse development near the ball field. The Cannon Road also owned by Mr. Passwaters would be a good location for light industry. There is also talk of development along the Rt. 404 by-pass with up scale antique shops and restaurants in an effort to attract the tourist traffic.

President Dalton said more developers will be asking the Town to annex all this land so it may be developed, and plans need to be made now. The decision made must be right for what is to come in the next twenty years. President Dalton asked citizens for their opinions on a planning commission and volunteers to serve on this commission. He said the Town Commissioners would be involved because of streets, police, water and sewer being needed. Those who said they would be willing to serve on the planning commission are: Howard Hardesty, Walton Smith, Rob Rider, Coulter Passwaters, and Dr. Kevin Carson. The Board of Adjustments is made up of Rob Perciful, Charles Kelly and Pat Correll. President Dalton asked if they should be included with the new commission or should they remain separate.

Commissioner Singman said due to Mr. Passwaters owning so much land he should be on the planning commission and making decisions of how the land is developed. He said if the Board of Adjustments was included, and then sometime down the road a zoning change was needed, it could cause a conflict. Commissioner Sipple said she thinks Mr. Passwaters should be on the commission. It was decided that an even number should be appointed to be on the commission. President Dalton asked the Commissioners to bring him names of who they think would be suitable.

Commissioner Sipple made a motion to establish a planning commission. Motion was seconded by Commissioner Singman and carried unanimously. Commissioner Sipple made a motion to accept the five names submitted to the commission with a sixth name being selected by President Dalton. Motion was seconded by Commissioner Singman and carried unanimously. The Board of Adjustments will remain separate from the new commission.

6. President Dalton said the employees health insurance benefits was first brought to the Commission's attention a couple of years ago when the annual insurance coverage increased for the year in the amount of \$4,000.00. The Commission tried to institute some changes last year because the increase was \$5,000.00 (over \$40,000.00 a year). This year the increase will be \$8,577.00. President Dalton said it is the consensus of the employees and the Commission that we study this and decide what might be done to get a control on this situation. He said the increase is becoming too much for the Town to handle at that level. President Dalton said he would like to have the employees meet with the insurance agent. Because the agent is out of town he has sent information for the Commission to review as well as the employees. The deadline for a decision is April 15, 1999 to make a change if need be. The committee of Allen Parsons, Phillip Mowbray and Commissioner Singman will meet Thursday to review the insurance coverage package.

The public officials policy is to cover the Town or individual if a mistake occurs that is not covered by the state. After some discussion, Commissioner Singman made a motion to purchase the public official policy for \$900.00 a year. Motion was seconded by Commissioner Sipple and carried unanimously.

The Commission approved the purchase of police liability coverage for \$4,123.00 a year. Motion was moved by Commissioner Miles and seconded by Commissioner Sipple. Motion carried unanimously.

7. Commissioner Singman said the W.W.T.P. has a severe leakage problem in the main building. Last month Commercial Roofing of Delaware gave an estimate of \$2,900.00 to repair the roof. Since surveying the roof, it was found several other areas need to be repaired. Mr. Mowbray said the restripping of the flashing (\$1,400.00) did not have to be done at this time. The total repair bill is now approximately \$5,422.00 to install new drains, the seam work and to reflash the air vents. Commissioner Singman made a motion to go ahead with the repairs at the estimated cost of \$5,422.00. Commissioner Sipple seconded the motion. President Dalton said he would accept the motion, but Mr. Mowbray has a new alternative that will be less than the quoted price. Commissioner Singman amended his motion to state up to the \$5,422.00. Motion was carried unanimously.

VII. CITIZEN'S PRIVILEGE

1. Mr. Philip Davis said a big concern is the "no parking" signs erected on Church Street. Commissioner Sipple said Mr. Davis and Mr. Charles Royal were the first to call opposing the double lines painted on Church Street. She said as of this date, she had only received three calls opposing the double lines (the other being Rev. Smith). Commissioner Sipple said Mr. Davis opposed the signs being erected until it was further investigated. Mr. Davis said Mrs. Edwina Jones does not drive, but people do visit her for one reason or the other, and now they have no where to park.

Rev. Charles Smith and several Church Street residents attended the meeting to complain about the "no parking" on that street. Commissioner Sipple explained that Church Street is state maintained and does not belong to her or the Town. It was explained that when Ms. Cindy Truitt wrote to the Dept. of Motor Vehicle she was told the Town could not ban trucks from using Church Street. Mr. Ralph Collie said the conditions on Church Street are very unsafe and the truck drivers are very inconsiderate, but he would still like to see the "no parking" signs removed. The state has said Perdue is a local business, and Church Street is an access road for local trucks going to their plant.

Mr. Mike Holcomb asked if the lines could be offset to allow parking on one side. Commissioner Sipple said the Commission had requested it be painted that way but the state said the street was too narrow.

President Dalton explained that the decision to paint double lines in the center of Church Street was made by an individual not presently on the Commission. They felt it was the best decision as far as the community was concerned, and it was the safest for the residents. He agreed the residents should have been informed, but no one was consulted when Main and Market Streets were being repaved. Commissioner Sipple has contacted the highway department to see what can be done to remove the lines. The supervisor at the highway yard said the lines cannot be painted over, and it would damage the blacktop to remove the lines. She said the state would have to oversee the complicated project. President Dalton said it would be a problem to get something done, but he's not saying it can't be done. He asked the residents to think about where the traffic situation will be in

two to three years when development occurs on the north side of Town. Mr. Davis said the church has a parking lot but it is not large enough when there is a funeral or church services. President Dalton said situations with school functions and funerals can be handled.

President Dalton challenged the residents to get the truck traffic information to the police department, and it will be followed up. The truck traffic is a separate problem from the parking. President Dalton agreed a mistake was made. He asked the residents to think about what is going to be best for their neighborhood and bring their decision to the April meeting. President Dalton said the Commission will support their decision.

Rev. Smith said certain people in the past have stopped new businesses from coming to Town, but President Dalton assured him that has all changed. People are interested right now in a piece of property just north of the railroad tracks.

2. Ms. Truitt expressed her gratitude to the police department for their efforts of promoting public safety in our community. She read a letter to the Commission stating her thoughts on selecting a new police chief. Ms. Truitt presented a signed petition (21 signatures) stating their support of high standards in the selection of the new chief. The petition states the public should have input into the candidate selection (see attached).

VIII. EXECUTIVE SESSION

Commissioner Singman made a motion to convene to executive session at 9:50 P.M. Motion was seconded by Commissioner Miles and carried unanimously. President Dalton called for a ten minute recess.

IX. ADJOURNMENT

The Commission reconvened to regular session at 11:20 P.M. President Dalton said there were two items of business to conclude.

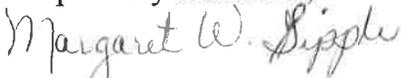
1. The Commission voted to hire Mr. Walter W. Speakman, Jr. as the Town's Solicitor.

2. The Commission decided to defer any decision on pay raises until negotiations are completed on the employee health insurance. The insurance situation is being explored by Commissioner Singman, Allen Parsons and Phillip Mowbray.

3. The Commission decided to offer the Police Department Secretary position to Mr. Michael Dietz of S. Main Street, Bridgeville, De. Commissioner Singman stated he excused himself from any deliberations and any vote of Mr. Dietz's employment.

Commissioner Singman made a motion to adjourn the meeting at 11:25 P.M. Motion was seconded by Commissioner Pierce and carried.

Respectfully Submitted,



Margaret W. Sipple, Secretary