

## **MINUTES**

### **COMMISSIONERS OF BRIDGEVILLE MAY 14, 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, Earl Greason and Bill Jefferson. The meeting started with a salute to the flag.

#### **II. APPROVAL OF MINUTES**

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

#### **III. APPROVAL OF BILLS**

**MOTION:** Commissioner Correll made a motion to pay the monthly bills as presented. Motion was seconded by Commissioner Jefferson and carried unanimously (see attached).

President Conaway announced the money situation is better but still not good. Part of the problem is the way the budget has been constructed over the past few years. All department budgets were submitted tonight. President Conaway ordered a freeze on all major spending until July 1, 2001. He explained the Town is paying old bills with new money. There will be a time when bills cannot be paid unless the Commission looks at raising taxes or service rates, and that is not something this Commission is prepared to do. The first Budget Workshop will be held Monday, May 21, 2001. The budget will be presented so everyone will be able to understand the figures.

#### **IV. CORRESPONDENCE**

1. A letter of thank you was received from Ms. Stacie McLaughlin from the Woodbridge School District for allowing her students to visit the Town Hall. An expression of gratitude was extended to Commissioners Sipple and Jefferson for taking the time to talk with the students.

2. A letter was received from the Division of Historical and Cultural Affairs pertaining to communities and citizens having more opportunity to be consulted on

historic preservation concerns during project planning. This letter will be given to the Bridgeville Historical Society.

3. Received a notice of a public hearing on the Delaware Consolidated Plan: Draft FY 2001 Annual Action Plan from the Delaware State Housing Authority. In Sussex County the hearing was May 2, 2001 in Georgetown.

4. Received notice pertaining to Historic Preservation Grants. This notice will be sent to the Historic Society.

5. Received a letter from the Delaware Solid Waste Authority pertaining to the Differential Disposal Fee Program Changes. All written comments must be received by May 24, 2001.

6. A letter was received from DNREC announcing the "Recycling Assistance Grant Program". Completed applications are due June 25, 2001. This will be turned over to the Town's grant writer, Michael Dietz.

7. Davis, Bowen, and Friedel informed the Commission that the CPCN application for Bridgeville has been filed and the hearing date is set for May 29, 2001.

8. The deadline for applications under the Neighborhood Revitalization Fund is Thursday, May 31, 2001 at 4:00 p.m. Commissioner Correll will check to see if residents in our area are eligible for funding.

## **V. DEPARTMENT REPORTS**

1. Written reports from each department are available for review.

2. Wastewater-President Conaway will make arrangements to meet with Mr. Donnie Donovan to discuss the Greenwood Agreement. Commissioners Correll and Greason will also be on the Steering Committee.

Commissioner Greason stated the breaker box in the sand filter building is rusting away plus the roof is leaking. The last estimate for the roof repair was \$7,000.

3. Streets-Commissioner Sipple reported there was a request for a 4-way stop sign to be placed on Jacobs Avenue. Contact was made with two homeowners who live on Jacobs Avenue who object to a 4-way stop sign. The residents reported the speeders are not necessarily young people. They suggest that the police be there more to observe the traffic flow.

Chief Parsons stated an officer was placed on Jacobs Avenue for several days, during the mornings and afternoons, checking on speeders. On those certain days no violations were broken. Commissioner Sipple stated the two residents are willing to have the police cars use their yards if need be when patrolling the street. It seems that every street is having the same situation.

4. President Conaway announced that Chief Parsons will be attending all Commission meetings.

## **VI. OLD BUSINESS**

1. Commissioner Sipple had no report regarding the handicap signs that were requested by Mr. Pete Stephens to be placed on the west side of the firehall. He was to contact the state to see if temporary signs could be used during elections only. Commissioner Sipple tabled the matter till next month.

2. President Conaway said a letter was received from Delmarva Rural Ministries regarding Phase II of the Elizabeth Cornish Landing Complex. The Commissioner's concern was that these units would continue to grow in numbers. The original plans stated two buildings (12 units) would be built. The revised letter stated there will be four buildings (28 units). Delmarva Rural Ministries advised that no further development will be built on this site. They would like to see the other three acres developed in some type of recreation area.

President Conaway stated the Town does have recourse if DRM change any plans not stated in their letter by refusing service to the area. There would be several things the Commission and the Planning and Zoning could do to stop any further development for years.

President Conaway stated DRM have always been cooperative neighbors, and the Town has very little problems in the complex related to police matters.

MOTION: Commissioner Jefferson made a motion to accept the revision from DRM as presented with the stipulations in their letter of May 8, 2001. Motion was seconded by Commissioner Sipple and carried unanimously.

3. Commissioner Greason stated the lot on N. Main Street that was donated to the Town for a \$1.00 back in 1995 by Mr. Arthur Shelly has never been put to any use. The lot is currently too small (58' frontage) to build on but according to Town Code it does have the required square footage. Mr. Doug Jones stated last year that maybe it could be donated to Habitat for Humanity and allow them to build a small home giving the Town another tax base property. Commissioner Greason also stated a suggestion was made to make it the driveway back to the WWTP and doing away with the present driveway location where the Town currently is paying land rent.

Habitat for Humanity did send a blueprint of a one-story home that could be scaled to fit the lot. President Conaway stated they would need two variances: 1) the frontage is less than 60', and 2) the 9,000 sq. foot would have to be waived. The structure would not be in keeping with the design with surrounding homes.

The property might have to be used for a plant entrance if the Town should lose the ability to use the present land. Commissioner Greason said he would like to see the property used in some capacity rather than just sit there. The Commission supports the Habitat program but believes this lot is not suitable. No action taken.

President Conaway said a piece of property was brought up during the Citizen's Advisory Committee meeting pertaining to a area located on Gum Alley. That property is a disgrace with old cars, an open sewage line, and etc. He said nobody should have to live around that type of mess. A letter was sent to the owner on April 11, 2001 to have that property cleared in ten days or his service would be cut off. The owner asked for an extension on the sewer line until Friday. President Conaway stated as long as the owner is working at clearing up the property then the Town will be cooperative.

## **VII. NEW BUSINESS**

1. President Conaway submitted the resolution for the National Flood Insurance (see attached). There is already a flood map of the area and this would apply for new structure into the area. It would make homes in the flood area eligible for assistance should a hurricane cause tremendous damage. MOTION: Commissioner Jefferson made a motion to adopt the resolution for the National Flood Insurance Program. Motion was seconded by Commissioner Sipple and carried unanimously.

President Conaway presented the first reading of Ordinance 01-3, AN ORDINANCE ESTABLISHING A FLOOD PLAIN AREA AND REQUIRING ALL PERSONS, PARTNERSHIPS, BUSINESSES, AND CORPORATIONS TO OBTAIN A PERMIT FOR DEVELOPMENT AND THE CONSTRUCTION, SUBSTANTIAL IMPROVEMENT OR RELOCATION OF ANY BUILDING OR STRUCTURE; PROVIDING FOR CERTAIN MINIMUM STANDARDS FOR CONSTRUCTION WITHIN THE FLOOD PLAIN AREA AND SETTING FORTH SPECIAL PROCEDURES FOR SUBMISSION AND APPROVAL OF PLANS; AND ESTABLISHING PENALTIES FOR ANY PERSON WHO FAILS TO COMPLY WITH THE REQUIREMENTS OR PROVISION OF THIS ORDINANCE. The second reading and vote will take place at the June meeting.

President Conaway explained that every two years there will be a resolution that the Commission will need to adopt and amend the ordinance to state whatever changes are made by the flood insurance people. The Town has a flood insurance ordinance but it has never been updated.

2. President Conaway explained the policy in the Town Office is that the water and sewer bills are mailed to the tenants. It has become, in some instances, a real problem for the clerks. There are people who do not pay their bills, there are double mailings, threats to go out and turn the water off. The landlord is responsible for paying the bills if the tenants fail. It was discussed that maybe the best way would be just to send the bills to the landlord. This problem is not with every tenant and every landlord, so we should not punish everyone for a few who make the problems. President Conaway said he would like to propose a change to the policy that states: After two months of non-payment the Town bills the landlord and continues to bill him until either he has corrected the problem with a new tenant or we are satisfied we are not going to have that problem any longer.

Mr. Bob Slater suggested the tenants pay a deposit. President Conaway said there are a few that we have to correspond with every month. Commissioner Correll stated a form letter needs to be printed where only the address, amount and due date needs to be

added each time. The letter should state that if the problem happens again the tenant will not be billed and the landlord will be receiving the monthly bill. MOTION: Commissioner Greason made a motion to change the water and sewer billing that would require a landlord to step in after the second straight month of non-payment. Motion was seconded by Commissioner Greason and carried unanimously. Commissioner Correll will draw up the form letter to be used.

3. President Conaway explained there are approximately twelve residents who use the pool meters. By using the meter to fill their pools residents are only charged for the water used only. He explained there have been problems in the past where people borrow the meters and we have to wait for weeks to get them back. A quick solution would be to impose a deposit of \$50.00 to borrow the meter and bring it back under the allotted time.

Commissioner Correll asked if the money would be run back and forth through the accounting system or hold the check until the meter is returned. Checks would be held until the due date. Commissioner Greason suggested a \$25.00 deposit and beyond the due date (5 days) a late charge of \$5.00 per week will be added. Commissioner Jefferson suggested residents be allowed to borrow the meters for garden and lawn use. Residents who might want to use them for gardens might want to keep the meter for two to three months, then a \$50.00 deposit should be required. After much discussion the following motion was presented. MOTION: Commissioner Greason made a motion to require a \$25.00 deposit for pool meters for a five day period. Motion was seconded by Commissioner Sipple and carried unanimously.

4. It has been a policy of the Town that department heads could not purchase more than \$25 without the department Commissioner's permission. Commissioner Sipple explained that items were being purchased that they were not aware of, and the previous Commission had to get a hold on the spending. Commissioner Greason believes it is a way to keep track of what is being purchased and how much spending is taking place, and it is the responsibility of the Commissioners. After some discussion it was decided to leave the policy as it stands.

5. President Conaway stated that the state law allows for a Zoning Commission and the Town ordinance calls for one, but nothing in the ordinance that creates the Commission. Under the existing state law, under which we govern, there is to be a Commission of three appointed to serve a six year term(two, four, and six). The law states that no more than two members be from one party. President Conaway asked the Commissioners to began to think of who they would like to appoint to this Commission. The stipulations for this Commission is located under the Municipal Zoning Regulations of the Delaware Code.

6. President Conaway said the Citizen's Advisory Committee met on May 9th. Topics of discussions were: multi-families on one meter, the Gum Street hole, an apartment that did not have a fire escape, vehicles in back yards, and licensed boat on the street. Chief Parsons will be checking properties for abandoned or inoperable vehicles. This is against the Town Code Article III under rubbish.

7. President Conaway presented a copy of a bill pertaining to annexation. The bill limits what a municipality can do. It will require that a municipality can only annex according to the most recent adopted Comprehensive Plan. The Town has to prepare a plan of services to the annexed area, how the services will be provided, and the fiscal and operating capabilities of the municipality to provide such services. President Conaway spoke with representatives from the University of Delaware pertaining to land around the Town to see if can be incorporated into the Comprehensive Plan as an annexation area.

President Conaway said letters would be sent to property owners who could be considered in the annexation area. Dr. Clarence Mast has already sent a letter of request for annexation of his property south of Town.

8. President Conaway stated the Citizen's Advisory Committee brought up about how long a building permit good for. The office takes it as one year but there is not date on the permit. Building permits will now state the starting and ending date of construction. If a project does not get completed in one year, an extension can be filed for \$5.00.

9. Commissioner Jefferson announced that all personnel records are now under lock and key. President Conaway and Alma Fleetwood each have a key to the personnel box. Commissioner Correll stated a Confidential Stamp should be purchased for future use in the office.

10. President Conaway asked Commissioner Jefferson and Chief Parsons to review the animal ordinance received from Georgetown and compare it to the Town's current ordinance. The revised animal ordinance is to be presented at the June meeting.

President Conaway gave Commissioner Jefferson copies of letters that were sent to residents for varied violations per the Town Code. Chief Parsons is to follow up and take those residents who are not in compliance to court.

## **VIII. CITIZEN'S PRIVILEGE**

1. Mr. Phillip Davis is still concerned about the neighbor's barking dogs. He stated he has brought this problem to the Commissioners and the Police Department for over five years. President Conaway explained that once the new ordinance is in place the problem will be resolved. Chief Parsons is to contact the dog's owners.

2. Mr. Lester Williams stated there are many lots in North Bridgeville where the grass needs to be mowed. President Conaway will get Doug Jones or Rick Passwaters take an inspection of the Town and bring the addresses back to the office so letters can be sent to those residents who must get their yards in compliance with the Town Code.

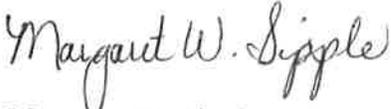
3. Commissioner Correll thanked Doug Jones for opening up the office on the morning of May 10, 2001, when Alma Fleetwood unexpectedly landed in the hospital.

4. President Conaway said Commissioner Jefferson brought to his attention there are many people in Town who have greatly improved their properties. It was suggested that a Certificate of Appreciation be given to these individuals.

**IX. ADJOURNMENT**

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

Respectfully Submitted,

A handwritten signature in cursive script that reads "Margaret W. Sipple".

Margaret W. Sipple  
Commission Secretary