

MINUTES

COMMISSIONERS OF BRIDGEVILLE MAY 8, 2000 - 7:00 P.M. TOWN HALL

I. CALL TO ORDER:

The meeting was called to order by President Jack Dalton. Present were: Commissioners Margaret Sipple, Glenn Miles, Charles Singman and Earl Greason. The meeting started with a salute to the flag.

AGENDA ADJUSTMENT:

President Dalton made the following agenda adjustment with three items added to New Business:

1. Bridgeville Certificate of Public Convenience and Necessity
2. Engineering Services Proposal for USDA Application
3. Employees Pension Plan

After department reports, President Dalton said the floor will be turned over to Mr. Dave Edgell who will present the Comprehensive Planning Meeting for the Town.

II. APPROVAL OF MINUTES

Commissioner Greason said he would like to clear up one item in the minutes that stated he had made a decision to repair the RBC gear box for use as a spare until a new one could be purchased. He said we do not need a new gear box at this time and the repaired gear box is just a spare. MOTION: Commissioner Singman made a motion to change the minutes as stated and accept the remaining minutes as presented. Motion seconded by Commissioner Sipple and carried unanimously.

III. APPROVAL OF MONTHLY BILLS

MOTION: Commissioner Singman made a motion to pay bills as presented (see attached). Motion was seconded by Commissioner Sipple and carried unanimously.

IV. PRESIDENT'S REPORT

A. CORRESPONDENCE

1. A letter was received from Mr. Daryl Tull requesting the Commission present him with a letter stating the Town would run the water and sewer lines to his property line on a piece of land that is in Town limits. President Dalton explained a problem exists because the current lines run to the eastern side of Rt. 404 and this property is on the west side of Rt. 404. He said the Town is negotiating with the developer now because it will cost approximately \$37,000 to run water and sewer under the road. President Dalton said we are trying to find another way to run the lines. One idea would be to run it through the parking lot of the package store. Another method would be to go under the road with another type of service. President Dalton will be contacting Mr. Tull.

2. The Delaware Chamber will be holding a Delaware Chamber Night Party and Picnic at the Perdue Stadium on Saturday, July 22, 2000 at 7:05 PM. Tickets are \$17.85 and includes buffet, game ticket and reserved seating.

3. The Resolution No. R 022 00 was received from the Sussex County Council pertaining to the Sussex Comprehensive Plan (see attached) President Dalton said the Town has been working with DelDOT concerning the Corridor Program. There is potential development that is to take place on the land owner by Mr. Coulter Passwaters on Rt. 13. He said they met with DelDOT about three weeks ago and will meet again this week to discuss the Bridgeville area. He said in twenty years this side of the county will have to have a north/south highway to be able to handle the interstate traffic.

4. The Delaware Archaeology Forum will be holding special events in May, 2000 throughout the state pertaining to our rich cultural heritage on the Delmarva Peninsula.

5. A thank you note was received from Delmarva Aluminum Company for hiring them to install the handrails at the entrance to Town Hall.

President Dalton mentioned that the rotted wood around the front door of Town Hall had also been repaired and painted.

6. An invitation was received to attend the Sussex County Council Prayer Breakfast on Monday, May 15, 2000 at 7:30 am at the Delaware Technical and Community College. Tickets are \$10.00 per person.

7. The Delaware League of Local Governments will meet on May 25, 2000 at the Sheraton Hotel in Dover.

8. Wastewater reports were received from RAPA, Cannon Cold Storage and Pet Poultry Products. President Dalton said Pet Poultry is working on a new wastewater system that will treat their waste before it enters the Town's system.

B. DEPARTMENT REPORTS

1. Police (see attached)-Commissioner Singman reported 346 traffic arrests and one truck stopped during the month of April. The 1996 and the 1995 police vehicles are back in service, each having to had the engines repaired.

Commissioner Singman said there seems to be termite infestation at the police department, and an exterminator should be called in to examine the building. He said he would add this matter to New Business.

Chief Allen Parsons will be attending a one week course in Baltimore, Md. on Community Policing.

2. Wastewater (see attached)-Commissioner Greason reported the average daily septic flow was .216 million gallons per day with a monthly flow of 6.489 million gallons. There were three septic haulers for a revenue of \$2,160. The N.P.D.E.S. application renewal was completed and delivered to DNREC.

a. The analysis taken on the RBC gearbox oil shows that the oil is still in acceptable condition for use with no amount of contamination, less than 0.01 percent water, and no de-degradation of oil viscosity. Commissioner Greason said he had a concern about the amount of times the oil is changed in the gearboxes.

President Dalton said there will be a meeting on Thursday, May 11th at 9:00 am with Nanticoke Hospital and DNREC concerning an application being made by the hospital to hook-up Dr. Smith's office to the Town's sewer system. The facility wants to expand, and DNREC has informed them they cannot expand with the waste system they currently are using. The required qualifications will be presented to them for hooking up into the Town's system.

3. Drinking Water-Commissioner Miles reported the daily water supply was 95,000 gallons for a monthly total of 2,666,000 gallons. He met with Mr. Doug Jones last week to discuss projects that need to be completed. The first project to undertake should be the cleaning and maintenance of the water tower. A three year maintenance contract for the exterior and interior of the tower would be \$13,700 each year. Commissioner Miles said this project was not in the budget, but if the money received from fire line billings was used against the contract, the Town would only need approximately \$8,000 or \$9,000 a year. He said there is about \$19,000 in a special water account that could be tapped into if necessary.

4. Streets-Commissioner Sipple reported that the Boot Camp workers were in Town last week cleaning several streets of sand and salt that was spread during the winter snow storms. She said there are several places where the new sidewalks and the paving have gaps which definitely needs to be repaired.

V. OLD BUSINESS

1. President Dalton explained that Boy Scout Jason Deibel has asked permission to build a playground at the little league field for his Eagle Scout Badge. The Town has made arrangements with the Passwaters' Family to lease the parcel for \$1.00 a year for use as a playground. Mr. Deibel is to obtain the funds and build the playground. President Dalton said the lease will probably be granted for three to five year, because that property will eventually be developed. The Commission had concerns pertaining to the liability of the property because the property is owned by the Passwaters family and not the Town. The Town's insurance company has been contacted. There is no problem with the coverage under the Town's existing policy, and will have no additional cost. President Dalton said he has given Mr. Deibel the green light, and now the project has to be presented to the Scout Council.

VI. NEW BUSINESS

1. President Dalton introduced Mr. David Edgell from the University of Delaware to present the Comprehensive Plan for Bridgeville. Mr. Alex Settles from the U of D, Mr. Rich Vetter, Ms. Alexa Veitz, and Mr. Mark Radovic from DeIDOT were also present to discuss the transportation element of the Comprehensive Plan which is a very critical part of any planning activity.

Mr. Edgell explained that a Comprehensive Plan is a general plan for the future of the Town. It is primarily based on infrastructure and land use, but other elements include housing, economical development, etc. The team will be looking at how the Town is laid out, what the land uses are, the infrastructure that is in place and what will be needed. The plan will also look at annexation, and what areas are desirable for developing in this community.

The plan will help in establishing where the Town's resources should be most efficiently spent. The Comprehensive Plan is required by state law (#296).

Once the plan is completed it will be a good reference for developers interested in our community. It will be a guide for the Commissioners and the Planning Commission concerning future decisions on land use, annexation, and zoning. Mr. Edgell said in September they will hold a public workshop to allow the residents to voice their concerns and ideas about the future for Bridgeville.

A. DeIDOT Transportation Planning

Ms. Veitz said there are a number of things to look at when talking about transportation planning: infrastructure current needs and in the future; traffic flow and circulation patterns; land use patterns; access use, future development and the current use of each pattern. DeIDOT is working with all the towns along the I3 Corridor to preserve but yet allow growth in the communities.

The two big issues why the Corridor Preservation is so important are:

1. The pressure for access for development
2. Corridor safety issues

The goals of the program are as follows:

1. Maintain existing roads to handle the traffic safely and efficiently.

2. Coordinate the transportation impact with economic growth.
3. Preserve the ability to make future transportation related improvements.
4. Minimize the need to build an entirely new road on new alignment.
5. Sort local and through traffic.

Ms. Veitz explained that the above five goals are something DeIDOT would like to work into the Town's plans. Her department would like to meet with the Planning Commission as well as other residents in Town to discuss ideas pertaining to infrastructure and circulation which could be included in the Comprehensive Plan pertaining to transportation. After all the ideas have been refined, DeIDOT would like to present them to the public and discuss them with the Planning Commission and Town Council.

Ms. Veitz said there is a lot of potential land for development around Bridgeville. One item DeIDOT is looking into a way to put in a network of circulation with access points onto the highway that would allow development to occur without having continual driveways.

Mr. Edgell went over the questionnaire that he had mailed to each Commissioner.

1. What in Bridgeville should be preserved?

Mr. John Shockley said he would like to see the old firehall, library, St. Mary's Church and the historic area preserved. President Dalton said the commission should make sure they maintain the greenway (not developing right out to the highway). Commissioner Singman stated we need to preserve the small town character without having to destroy the fabric of the Town. Mr. Charles Hawk said he would like to see a moratorium on construction of historic homes. Dr. Kevin Carson stated safety, tranquillity and buffer zones should be considered. One resident said he would like to see some type of after school facility for the young people in our community.

Rev. Moody said for one reason or another there seems to be more vacant homes in the area which can be a harboring place for drug use. The unattended homes will certainly bring the value down on surrounding homes in those neighborhoods. Mr. Greason asked how much new development can be concentrated on the new by-pass.

2. What changes in Bridgeville would make it a better town?

Mr. Shockley said he would like to see the truck route be a by-pass for all traffic with an overpass from Rt. 404 to Rt. 13. One resident said he would like to see some sort of public transportation available to other towns for citizens who work in those areas. Mr. Hawk said right now the east/west corridor is the problem (Rt. 404). Mr. Hawk said the trucks are still using the business district route, and the town police do nothing to stop them.

Commissioner Singman said the Town has tried for several years to set up a code enforcement plan but keep running into a wall. The Town needs to develop a workable and enforceable zoning code.

3. What does Bridgeville need?

Commissioner Sipple said we need a good grocery store. Mr. Shockley said he would like to see a community building. President Dalton said we need a new library, new senior center, and more businesses. Market Street use to be mostly commercial

establishments but in recent years it has become “home” street. He said people are interested in senior housing which attracts businesses.

4. What are the most important issues in Bridgeville?

Mr. Hawk said the members of the team(DelDOT and U of D) should have a copy of the Town’s Charter. He believes the charter should be updated. One resident said school issues should be considered.

5. What are the areas/properties within or around Bridgeville that are currently being considered for development?

President Dalton said one area being considered is 900 acres owned by the Passwaters family. The “B” area has been extended from Rt. 40 to the Gateway Plaza. From the Bridgeville Manor to Earlee Avenue will be residential development. The area where the ballparks are located could be a residential area of townhouses, community center, library or the senior center. President Dalton said he was not at liberty to say what the majority of the property might be used for. On the other side of the highway (west side) is where the proposed Food Lion and Happy Harry’s will be built. He said next week he will be asking DelDOT to add an access road across from Jimmy’s Grille (Rt. 13A) to allow commercial development on that piece of property. President Dalton said in the next fifteen years he believes the area on the highway from Rt. 404 to Rt. 18 will be developed. He said businesses who do not need to be on the highway could build on the Cannon Road (Rt 46). President Dalton said there is property just west of Town next to the Grape, and Grain someone is interested in building an appliance store.

President Dalton said we have to make it the responsibility of the developer as much as possible to put that infrastructure in their project, so the money doesn’t have to come out of the Town’s budget. Example: it will cost \$37,000 to run sewer and water under Rt. 404 to the property line to the piece of land that someone wants to build an appliance store. He said the Town does not have that kind of money for a piece of property that is only going to generate \$1,000 a year for tax revenue. President Dalton said he recently met with the engineers pertaining to the wastewater at the Gateway Plaza. It was discussed that maybe the sewer lines could be run under the highway and connect them to the existing pumping station to save the Town and the developer the infrastructure money. President Dalton explained that the Town made a deal with the owner who just built the car wash. The owner ran the sewer and water lines all the way through his property to the front at his expense. and the impact fees were waived. The Town waived the impact fees.

6. Vision Statement:

A. What will it be like to live in Brigeville in the year 2002?

Mr. Shockley said will have low taxes, good streets, excellent lighting, shopping areas, civil organizations, churches, community building, good school district and the Apple-Scrapple Festival, but with the small town atmosphere.

Mr. Hawk said a growing community that can retain its small town flavor, annex more properties for future residential and commercial growth.

Mr. Miles would like the homes be single family homes and privately owned.

Dr. Carson said annexation of residential and commercial property is a critical issue, and it is very important that the Commission controls that growth. He stated that 90% of the teachers do not live in the school district. Dr. Carson said if it were reversed and those teachers did live in the district, we would see a different school district.

Mr. Greason said even if we cannot offer a lot of the services large municipalities offer we can offer a good quality of life.

Mr. Shockley stated to the DelDot team that he does not feel safe at the intersection of Rt. 404 and 13. He would like to see the new grocery store built on the east side of the highway. The intersection has more than its share of accidents.

One citizen asked how a person could become involved on the committee, and how would information about the plans for the Town be assembled and circulated. Mr. Edgell said the University of Delaware team will be holding a public workshop in mid-September. Between now and then the team will be working with the Planning Commission and the Town Commission to get a draft ready. Dr. Carson offered the school auditorium for the public meeting in September.

President Dalton said the information can be placed in the town newsletter which is published quarterly, it will be posted around town, and in the local newspaper. He said it is the responsibility of the citizens to get involved.

DeIDOT will be working with the Planning Commission but would be willing to meet with property and business owners to discuss ideas they may have for Bridgeville and the corridor.

2. President Dalton read a letter from the Bridgeville Lioness Club requesting permission to place a stone bench in the park area in honor of one of their members who recently passed away. The Club also asked if they could place a ground level marker in front of the tree they plant in honor of one of their deceased charter members. MOTION: Commissioner Greason made a motion to allow the Lioness Club to place the memorial marker and the bench in the park across from the Town Hall. Motion was seconded by Commissioner Singman and carried unanimously.

3. President Dalton explained that Bridgeville is one of only two municipalities in Sussex County without an approved water service CPCN (Certificate of Public Convenience and Necessity). The CPCN is a license from the state for Bridgeville to provide water in the surrounding areas. He explained that if Bridgeville does not get the CPCN in place, we will find that other water supply companies will be taking over the area. The CPCN approval process will move to the Public Service Commission jurisdiction in the year 2001. The Town's engineering firm, Davis, Bowen & Friedel, has given us an estimated cost of \$2,850 to prepare the CPCN for DNREC. President Dalton said the Town has the capacity to deliver water service. After some discussion a motion was made. MOTION: Commissioner Sipple made a motion to let DBF prepare the CPCN for an estimated cost of \$2,850. Motion was seconded by Commissioner Miles and carried unanimously.

4. President Dalton said a proposal from DBF had been received for engineering services for preparing an Application for Federal Assistance (spray irrigation system) in

accordance with the Letter of Invitation dated April 5, 2000. The lump sum fee for this work will be \$2,400. MOTION: Commissioner Sipple made the motion to approve the \$2,400 to let DBF prepare the Application for Federal Assistance. Motion was seconded by Commissioner Miles and carried unanimously.

5. The Town of Bridgeville employees' pension fund is currently invested in a guaranteed return account. The employees would like to have the account amended to a deferred variable annuity called Momentum. This would allow participating full-time employees to invest their pension contributions and earnings among various mutual funds if they wish to do so. MOTION: Commissioner Singman made a motion to amend the guaranteed return account to the "Momentum" account with the caveat that if there is a loss of the pension funds the Town will not indemnify the risk. Motion was seconded by Commissioner Sipple and carried unanimously.

6. President Dalton said the heat pump upstairs has not worked for three years, and the office personnel reported the heat pump downstairs was not working properly. For three years the problem has been ignored, but the time has come to repair or replace the units. President Dalton said he would precede to get the matter taken care of, even if money has to be borrowed to do so.

NOT LISTED ON AGENDA:

7. President Dalton reported the owner of the property at 104 N Main Street is soon to be placed in a nursing home. The owner's daughter is in the process of getting those living their out of the house, and has plans to have the house torn down. Commissioner Singman said the Department of Social Services will file the papers for eviction of those living in the house and are working the police department. The water has been turned off due to lack of payment. Under the Town Code no one is allowed to live in Town without running water.

8. MOTION: Commissioner Singman made a motion to allow the police department to hire an exterminator to examine the damage to the building by termites and have the building exterminated. Commissioner Sipple said estimates should be received before making a decision. Motion was seconded by Commissioner Greason and carried unanimously.

9. Commissioner Singman said the paint around the exterior of the windows at the police department has started to peel and flake. In the near future the windows are going to need to be painted. If the wood rots the windows will need to be replaced. He said contract bids should be sent out. Commissioner Singman said if all the buildings were painted, perhaps a better deal could be acquired.

Commissioner Sipple said all the exterior woodwork at the police department needs to be caulked and painted.

10. MOTION: Commissioner Singman made a motion to purchase new letterhead paper for the police department for \$160, although it was not in the budget. Motion was seconded by Commissioner Sipple and carried unanimously.

11. Commissioner Greason said the Town personnel are working without electrical safety gloves (\$150 pr). He asked if this was the time to discuss the purchase of new items to the floor. President Dalton said all the current individual items should be included in next year's budget.

President Dalton reminded the Commissioners that at next month's meeting he is expecting each department head to come with their preliminary budget (which is to be approved in July). They should be looking at the projects that are important for their departments and deciding what needs to be included in their budget. Each Commissioner is to make their own decisions as to what they can provide for their department.

VII. CITIZEN'S PRIVILEGE

1. Mr. Philip Davis asked what could be done by the Town about his neighbor's barking dogs. President Dalton once again explained the Town cannot approach the problem until a resident makes a formal complaint. He told Mr. Davis the police department will be there every day to site the people every time a complaint is filed.

2. Mr. Lester Williams wanted to know if our police when driving by a home where there is excessive noise, can take action without having a complaint filed. President Dalton explained there is not a residential noise ordinance, only a vehicle noise ordinance. Commissioner Greason stated the Town has a nuisance ordinance. Commissioner Singman said if the loud noise is coming from a vehicle the police officer can site the owner. He told Mr. Williams to call 911 if such a problem arises, and an officer will be there. President Dalton stated it is not for the police department to determine what is disturbing the peace. If a resident is being disturbed, they must file a complaint.

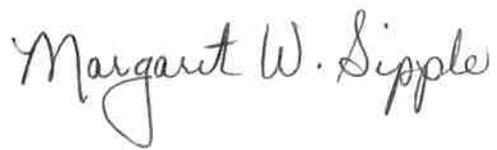
Commissioner Greason suggested the neighbors should organize as a community and everyone file the complaint. Mr. Davis said individuals do not want to get involved because of possible repercussions. Commissioner Singman stated that when citizens do not want to get involved then the criminal element takes over, and that is everywhere.

3. Mr. Davis asked about the housing code in Bridgeville. President Dalton once again stated that if a house is abandoned the Town can see that it gets boarded up if it is causing a health hazard, but we cannot make a property owner tear it down under the existing Delaware Code. The Town can place a lien on such property if the taxes are delinquent. If people are living in a house with accumulated trash, then the Town can take action. President Dalton asked Mr. Davis to give him a list of names and addresses of properties that are in question, and he will make sure they get boarded up. Commissioner Singman suggested they talk with their senators and representatives..

VIII. ADJOURNMENT

MOTION: Commissioner Singman made a motion to adjourn the meeting at 9:17 p.m. Motion was seconded by Commissioner Sipple and so carried.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Margaret W. Sipple". The signature is written in black ink and is positioned below the typed name.

Margaret W. Sipple
Secretary