

MINUTES

COMMISSIONERS OF BRIDGEVILLE JANUARY 9, 2006 – 7:00 P.M. TOWN HALL

I. CALL TO ORDER

The meeting was called to order by President Joseph Conaway at 7:00 P.M. Present: Commissioners Patricia Correll, Margaret Sipple, William Jefferson, Earl Greason and Town Manager Bonnie Walls. The meeting started with the flag salute and Lord's Prayer.

II. QUORUM

President Conaway reported a quorum was present to conduct the business of the Town of Bridgeville.

III. APPROVAL OF MINUTES

Minutes of the regular Commission meeting held on December 12, 2005, were presented for approval. Commissioner Correll made a motion to approve the minutes as presented. Commissioner Sipple seconded the motion. Motion carried.

IV. INTRODUCTION OF NEW PATROLMAN JOHN TRULUCK

President Conaway introduced the Town's new patrolman, John Truluck, who has recently graduated from the Wilmington Police Academy. Officer Truluck placed number one in his graduating class and was chosen Class President from among his peers. Because he was not joining the Wilmington Police force, the academy did not acknowledge him for his many accomplishments. The Commissioners of Bridgeville have chosen to give him the recognition he deserves as he joins the Bridgeville Police force. A plaque was presented to Mr. Truluck which reads,

“The Town of Bridgeville proudly honors John W. Truluck in recognition of Academic and Physical Excellence as a Police Cadet, Wilmington Police Academy, July – December, 2005.”

After a round of applause by the audience, Mr. Truluck responded he would do the best he could for the Town of Bridgeville and he would make himself available to the Town. President Conaway advised two additional officers will finish their training on January 27th and join the Town force. This will allow the Town to have multiple officers on shifts, in addition to having 24/7 coverage.

V. PRESENTATION TO BRIDGEVILLE PUBLIC LIBRARY

The Commission created a Sharing Program several years ago that provides grants to community organizations. The Commission presented a \$1,000.00 grant to Mr. Matt Davis, Chairman of the Board of the Bridgeville Public Library. President Conaway commended Matt for his leadership and volunteerism. The Board is currently partnering with the Town in building a new 10,000 square foot library. Each settlement at Heritage Shores produces a \$100.00 fee for the library building fund, currently over \$11,000.00.

VI. CORRESPONDENCE

Town Manager Walls advised receipt of the 2005 Annual Report of the Bridgeville Public Library. It is available for review.

A letter was received from the Department of Safety and Homeland Security, Division of State Police, advising of graduation exercises for two new police officers, Mr. Robert Brode and Mr. Robert James. The event is scheduled for Friday, January 27th at 2:00 p.m., at Delaware State University in Dover, Delaware. Town Manager Walls asked the Commissioners to inform her of their interest in attending so she could make travel arrangements.

An invitation was received for the Historic Sussex and Preservation Delaware Workshop on January 30th at the Georgetown Historical Society, from 8 a.m. to 2 p.m. Town Manager Walls asked the Commissioners to inform her of their interest in attending and she will R.S.V.P. on their behalf.

The January-February 2006 Read Aloud Delaware newsletter is available for review. Of special note is their need for volunteers at several area libraries.

Delaware Technical & Community College's Fall/Winter 05-06 alumni newsletter is available for review. Of particular interest is a report on their Hurricane Katrina relief effort.

VII. APPROVAL OF FINANCIAL STATEMENTS AND BILLS PAYABLE

Finance Director Savage reported all accounts are in good standing. The Emergency Services Fund and Library Fund are broken down on the Balance Sheet. The Library Fund stands at \$11,100.00 and the majority of the Emergency Fund monies currently totaling \$40,023.77, will be presented to the Fire Company later this month. Concerning Accounts Payable, the majority of the bills are regular monthly expenses. The Barnes Electric bill is for a back-up generator at the Police department. All but \$1,500.00 will be provided through a Homeland Security grant. The Standard Industrial bill is for the purchase of a new salt spreader. The escrow accounts are continuing to grow.

The Town's CD will come due next month and with that, a decision concerning how much to rollover and how much to move to the General Fund. President Conaway advised we should be at approximately 50% at this point in the budget year. Revenues over 50% are to our advantage, while expenses over 50% are to our detriment. The transfer tax line item is particularly low; we are anticipating monies in this category that were routed incorrectly. Finance Director Savage advised the county will be repaying us approximately \$65,000.00. Commissioner Correll made a motion to pay the bills. Commissioner Jefferson seconded the motion. Motion carried.

Commissioner Conaway commented on the Emergency Services monies which will be turned over the Fire Company later this month. Due to the fact that this year's contribution (\$40,023.77), is over \$30,000.00 more than last year, President Conaway recommended the \$1,000.00 grant to the Fire Company be released for donation to another worthy organization which has appealed to the Commission for a contribution. Since the building permit fees are greatly benefiting the Fire Company, the grant monies could be re-directed to another worthwhile cause for several years without a substantial loss to the Fire Company. President Conaway requested input from the Commission. Commissioner Greason commented there had been many appeals from worthwhile organizations after the budget was finalized that could not be funded. The Commissioners agreed that there were other organizations that would benefit from the \$1,000.00 grant. President Conaway advised that these grants were the first instance of the Commission providing monies for community organizations. Hearing no objection, President Conaway stated the money would be re-budgeted.

VIII. DEPARTMENT HEAD REPORTS

President Conaway advised a record 162 new construction, repair and accessory permits were issued in 2005. Chief Parson's year-end report summary was commended by President Conaway. The Bridgeville Wastewater Treatment Plant has an 87 consecutive month record for not violating its NPDES license.

IX. CITIZEN'S PRIVILEGE

Reverend Terrance Briggs of Mt. Calvary United Methodist Church addressed the Commissioners concerning his recent work with non-profit organizations in the area. Several years ago there was an effort to form a "Community of Shalom" to unite the community and address issues. That organization never became fully active. Reverend Briggs is now contacting people who were originally a part of that endeavor as well as new people, with the intention of forming a community organization. There are housing issues to be addressed, in particular a need among the homeless in our community. Reverend Briggs came to inform the Commissioners of the re-forming of that group. He hopes to have a committee in place by the end of January.

Mr. Tim Banks of 11 Church Street addressed the Commissioners as the Associate Pastor of Bridgeville Church of God. Mr. Banks informed the Commissioners a certificate of occupancy has been issued for 105 S. Main Street, of which he is the owner. The church intends to host a displaced family from Hurricane Katrina in the home with assistance from the Church of God offices in Louisiana and Mississippi. Mr. Banks has received commitments from six area pastors and one local business owner to help support the family for six months. Restoration Ministries will be responsible for the bills and the family's needs. President Conaway commended Mr. Banks for his long-term involvement in Bridgeville and advised of the Town's \$5,000.00 donation toward Waveland, Mississippi's efforts to rebuild their town government. Mr. Russ Beard of 25 Amanda's Teal Drive asked about an opportunity for the public to participate in this need. Commissioner Correll advised church offerings had been collected for the family. President Conaway commented he expected WBOC TV's Christmas Save our Children Fund to be lower this year because of the large amount of money raised locally by WBOC for hurricane relief; however the Christmas giving was very liberal, proving the generosity of people in the Delmarva area.

X. TOWN MANAGER'S REPORT

Town Manager Walls personally welcomed new Bridgeville police officer John Truluck. She reported the graduation was held on December 16th and reiterated that Mr. Truluck was chosen by his peers as President of his class. He excelled in academics and physical training at the Wilmington Police Academy. The Town is proud of his accomplishments and pleased to have him join our force.

Town Manager Walls attended the Nemours Health and Prevention Services dinner and award ceremony on December 15th. Key leadership employees were recognized for their dedication and hard work during the past year in an effort to help improve the health and wellness of children. Nemours focuses on children's health promotion and disease prevention, and the cultivation of cooperative relationships with community, state and federal organizations that serve children and their families.

Town Manager Walls provided an update to the Dangerous Building Committee action and public hearing held on December 12, 2005, regarding 23A Gum Street. The structure has been demolished and debris has been removed.

Town Manager Walls reported the canned good donations from residents at the annual Caroling in the Park were added to food donations of Town employees, allowing for food baskets to be distributed to two Town families. Town Manager Walls expressed her thanks to those who donated for their generosity. Both families were very appreciative of the food baskets.

Town Manager Walls reminded the Commissioners of important information regarding the upcoming Commission election. The date of the election is Saturday, March 4th from noon to 7:00 p.m. The deadline to file as a candidate is February 3rd and the last day for voter registration is February 22nd. Please note, this is a separate voter registration from the Presidential election. Two Commissioners will be elected for two-year terms. These seats are currently held by Commissioner Sipple and Commissioner Greason. One Commissioner will be elected for a one-year term. This seat is currently held by Commissioner Correll. All three incumbents have filed for re-election.

The Town wishes to thank Towers Signs for their assistance with the Christmas lights this year. The Kiwanis Club installs the lights; however, Towers Signs graciously agreed to provide their bucket truck and make needed repairs on some of the lights. We appreciate their willingness to help.

On behalf of the office staff, Town Manager Walls offered her sincere thanks to residents and businesses who showered goodies, poinsettias, and cards on the office employees during the holidays. The many kind words spoken were especially appreciated, as people expressed their gratitude for the staff's hard work and for the direction and progress of the Town. It meant a great deal to the employees.

XI. OLD BUSINESS

A. PUBLIC HEARING RE: 25A GUM STREET, CHRISTINE MCCRAY

The scheduled Public Hearing was opened at 7:30 P.M. In accordance with Ordinance A03-2, AN ORDINANCE RELATING TO MAINTAINING OF DANGEROUS BUILDINGS WITHIN TOWN OF BRIDGEVILLE, the Dangerous Building Committee investigated structures at the above mentioned property, upon receipt of letters of complaint from two (2) or more residents of Bridgeville, pursuant to Ordinance A03-2, Section 3. They then submitted a report to the Commissioners at the December 12, 2005 meeting. Pursuant to Ordinance A03-2, Section 6, a public hearing was scheduled for January 9, 2006, giving the homeowner an opportunity to show just cause why the structures should not be declared a hazard to life and why they should not be ordered to be demolished. The homeowner received a certified letter advising her of tonight's hearing. Let the record show that the homeowner of 25A Gum Street is not in attendance at this public hearing. President Conaway addressed the audience asking if there was anyone present who wished to speak for or against the action the Commission could take concerning the structures. Commissioner Jefferson, as Chairman of the Dangerous Building Committee, was asked to respond to a series of questions concerning the structures at 25A Gum Street to enable the Commissioners to rule as to whether these structures fit the definition of a dangerous building according to the Ordinance and whether the structures were in violation of Ordinance A03-2.

President Conaway asked Commissioner Jefferson if these structures threaten the life, health, safety or property of the public or its occupants by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment, to which the Commissioner Jefferson responded "yes." President Conaway asked if these structures had been damaged to such an extent that they are likely to partially or completely collapse, fail, detach or dislodge, to which Commissioner Jefferson responded "yes." President Conaway asked if these structures had been so damaged or had become so dilapidated or deteriorated as to become an attractive nuisance to children, or a harbor for transients, vagrants, or criminals, to which Commissioner Jefferson responded "yes." President Conaway asked if these structures were unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities or other cause, to which the Commissioner Jefferson responded "yes." President Conaway asked if these structures create a fire hazard by virtue of their condition, to which Commissioner Jefferson responded "yes." President Conaway asked if these structures constitute a public nuisance as defined by law, to which Commissioner Jefferson responded "yes." President Conaway asked if these structures have exits which do not conform to the city ordinances or any other feature which may cause a hazard to life or safety of the occupants or general public, to which Commissioner Jefferson responded "yes." At this point, Town Manager Walls advised the Commissioners that Ms. McCray has inquired about grant funds and has signed a demolition authorization through the Sussex County Community Block Grant Program. Ms McCray is waiting for a ruling on her eligibility for demolition funds. Commissioner Greason made a motion to declare the structures at 25A Gum Street in violation of Ordinance A03-2 and to condemn the structures. Commissioner Sipple seconded the motion. The Commissioners agreed unanimously with the Dangerous Building Committee, based on the committee report, pictures presented by the committee and their own personal examination of said structures, that the structures at 25A Gum Street meet the definitions of a dangerous building; they are a hazard to life and property; they are a danger to the Town and community and should be demolished. Motion carried. The public hearing was closed at 7:35 P.M.

B. ADULT SEXUAL VIOLENT OFFENDER ORDINANCE

President Conaway advised this Ordinance was first brought to the Commissioners at the November 7, 2005 meeting. Adult registered sexual offenders are restricted from residing within 2,500 feet of any school, park or childcare facility located within the Town of Bridgeville. It has been written to meet all Constitutional requirements. The A.C.L.U. has brought similar Ordinances to court and has lost each time. The Ordinance gives our youngest residents an opportunity to be safe within our community. It does not guarantee that something could not happen, but it gives the Town and Police department the opportunity to deal with these situations. It was also mentioned that Delaware state law only covers sexual offenders being in close proximity to schools. This Ordinance covers many more places where children spend their time. President Conaway commented Maryland Governor Robert Ehrlich has called for legislation to toughen their state laws in this area as well.

President Conaway asked that this Ordinance be introduced for its first reading. Commissioner Jefferson made a motion that the Adult Sexual Violent Offender Ordinance be introduced for its First Reading. Commissioner Correll seconded the motion. Motion carried.

C. STREET SWEEPER BIDS

The Town of Bridgeville put out for bid a street sweeper for the Town. Sealed bids were accepted until the December 29, 2005 deadline. Street Superintendent Passwaters advised the Town talked to six companies concerning the street sweeper. Five companies received bid packages and three companies submitted bids. Mr. Passwaters arranged for demonstrations of a variety of sweepers. He also sought advice from other local Public Works departments concerning their equipment satisfaction.

The bids were as follows:

Atlantic Machinery, Inc.	\$133,644.00 + options of \$8,780.00 = \$142,424.00
Silver Spring, Maryland	(Schwarze Street Sweeper)
Mid-Atlantic Waste Systems	\$135,440.10 = options of \$17,908.80 = \$153,348.90
Easton, Maryland	(Tymco Street Sweeper)
U.S. Municipal Supply Inc.	\$150,000.00 + options of \$6,000.00 = \$156,000.00
King of Prussia, Pennsylvania	(Johnston Street Sweeper)

Mr. Passwaters advised the Schwarze street sweeper submitted by Atlantic Machinery, Inc. was adequate for Bridgeville's needs. The machinery comes with training. It is the same equipment used in Dover and they are satisfied with the sweeper. It is new to them; however, they have used similar regenerative air sweepers for ten years. This machine will pick up leaves, but the Town does not allow residents to sweep leaves into the street. Mr. Passwaters advised there is another machine specifically designed for picking up leaves. This machine also has a hose to clean storm drains. President Conaway advised the monies to purchase this street sweeper are from the fee the Town charged to issue the bonds for the Special Tax District at Heritage Shores. Mr. Passwaters' recommendation to the Commissioners was to accept the bid from Atlantic Machinery, Inc. Commissioner Sipple made a motion to follow Street Superintendent Passwaters' recommendation and accept the Atlantic Machinery, Inc. bid for a total of \$142,424.00, including needed options. Commissioner Jefferson seconded the motion. Motion carried. Town Manager Walls complimented Mr. Passwaters on his hard work in examining the many street sweeper options. She informed the Commissioners of the many hours he has spent in research so Bridgeville will have the sweeper it needs.

XII. NEW BUSINESS

A. GOODWILL INDUSTRIES

President Conaway reported the sale of land on Rt. 13 to Goodwill Industries, with settlement this month. Mr. Conaway has not been involved in any dealings with the Town concerning this property, as he is the selling agent for the land. The company will build a million dollar structure of 20,000 square feet. It is located between the car wash and Art's Antique Alley on Route 13. This facility will house the regional offices for Goodwill Industries; it will serve as a training facility for handicapped and it will also house a retail store. Goodwill is a training program for handicapped individuals. President Conaway anticipates some activity at the site this spring. The facility should bring new jobs to the area.

B. HERITAGE SHORES GOLF COURSE – PRELIMINARY RATE SCHEDULE

President Conaway advised Arthur Hill, one of the top five designers in the country, designed the course. He compared the fee schedule to prices at Seaford Golf and Country Club and found them to be similar.

C. COMMISSION MEETING DATE CHANGE

President Conaway requested the Commission change the date of the monthly Commission meeting from February 13th to February 6th, due to his inability to attend. Commissioner Correll made a motion to change the meeting date from February 13 to February 6, 2006. Commissioner Jefferson seconded the motion. Motion carried.

D. ANNEXATION POLICY

President Conaway reported a previous Commission (years ago) approved an Annexation Policy that would encourage properties to annex into the Town. As an enticement the policy stated that as long as the Town provided no services to the property, no property taxes would be assessed. This was true of the annexation of the car wash on Route 13. The annexation of Kenny Farms also brought jobs to Bridgeville, which exempted it from property taxes according to Town Charter. This exemption was only offered to the original owner. President Conaway has discussed this issue with other municipalities. Currently Seaford is extending its City boundaries without regard to property tax wavers. President Conaway suggested simplifying the currently complicated system by requiring that annexed properties automatically begin paying Town taxes at the next tax year billing. The previous Commission's policy was helpful at that time to keep the Town growing. Annexation requests are increasing and our policy should change to reflect that interest. Commissioner Correll made a motion to require newly annexed properties to pay property taxes at the next tax year billing. Commissioner Sipple seconded the motion. Motion carried.

E. ANNUAL REPORT OF THE STATE OF THE TOWN OF BRIDGEVILLE

President Conaway read an annual report on the State of the Town of Bridgeville highlighting financial matters, services and accomplishments and new ordinances in 2005. The full transcript is attached to these Minutes.

Commissioner Correll commended the Town employees for the job they are doing. She was excited regarding the advancements of the Town as mentioned in the annual report; however, she wanted to praise the dedication of the employees and she is sure the Town residents are appreciative as well, illustrated through the many gifts received at the Town office during the Christmas season. Commissioner Correll stated, "As a Commissioner, I thank you." Commissioner Jefferson seconded the appreciation.

XIII. ADJOURNMENT

Commissioner Sipple made a motion to adjourn the meeting. Commissioner Correll seconded the motion. Motion carried. Meeting was adjourned at 8:11 P.M.

Respectfully submitted by:

Margaret W. Sipple
Margaret W. Sipple, Commission Secretary

Peggy A. Smith
Peggy A. Smith, Transcriptionist