

MINUTES

COMMISSIONERS OF BRIDGEVILLE JANUARY 12, 2004 - 7:00 P.M. BRIDGEVILLE TOWN HALL

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

Commissioner Correll made a motion to accept the minutes from the regular board meeting and the executive session meeting of December 8, 2003. Motion was seconded by Commissioner Sipple and carried unanimously.

III. CORRESPONDENCE

Town Manager Walls reported that she and Commissioners Sipple, Correll, Jefferson, and Greason (President Conaway was unable to attend due to a previous commitment) attended the Ribbon Cutting Ceremony on January 12, 2004 for the Royal Farms Store located at the intersection of Rt. 13 and 404. The reception and hospitalities extended were appreciated by all attending.

A thank you card was received from the Bridgeville Lioness Club for canned goods donated to their Christmas Food Baskets Program collected at the town sponsored Caroling in the Park on December 4, 2003.

The Department of Natural Resources and Environmental Control monthly newsletter was received for review.

A letter was received from Comcast advising of the new line-up format and price increases beginning January, 2004.

A letter from the Delaware 4-H Foundation requesting consideration for donations to the Century Club Endowment Fund or a single donation to the foundation was presented for review. After a general discussion, Commissioners voiced their support of a worthwhile Foundation, but declined a financial donation.

At the December, 2003 meeting, Commissioners agreed to contact DelDOT requesting consideration for flashing warning lights to be installed at the dangerous intersection on Sussex Highway: Route 13 and 40. Ms. Carolann Wicks of DelDOT has notified the town the Traffic Studies Section has been instructed to study the intersection to determine what appropriate and effective actions could be taken.

Ms. Wicks also advised the Route 404 and 13 Intersection Improvement Project is under design and at a preliminary stage of development. As part of the design process, the amount of real estate that needs to be acquired in order to build the intersection improvements is being studied. DelDOT anticipates contacting individual property owners in early 2005 with construction commencing in the spring of 2006.

President Conaway addressed Ms. Wick's letters with concern for the safety of motorists at these two dangerous intersections and his disappointment in the delay of the Rt. 404 and 13 intersection improvement project.

IV. APPROVAL OF FINANCIAL REPORTS AND BILLS PAYABLE

President Conaway stated he was pleased to announce the town is financially in good shape for paying bills and contributing funds to a money market savings account. Once Allen and Rocks, Inc. purchase the land for the new Bridgeville South development, that land will be on the town's tax roll, thereby increasing revenues.

President Conaway pointed out in past years the town had to borrow \$200,000 from Discover Bank to meet payroll and pay bills. There is currently a balance due in the amount of \$20,110 and with funds available to pay the outstanding amount President Conaway requested Commissioners consideration in satisfying the loan. Commissioner Sipple made a motion to pay the loan balance of \$20,110. Motion was seconded by Commissioner Correll and carried unanimously. The unanimous vote was made official with burning ceremonies.

President Conaway advised the Commission will present a \$1,000 donation to the Bridgeville Volunteer Fire Company at their annual Appreciation Night scheduled for Saturday, January 17, 2004. This past year the Commission adopted Ordinance No. A03-3, Emergency Services Enhancement Funding, which provides for a surcharge on all building permits, in the amount of one quarter of one percent. Money collected from the surcharge will be given to an emergency service of Bridgeville to help defray costs of additional equipment that will be needed for the new Bridgeville South development. Along with the annual \$1,000 donation, the Commission will present a check to the Fire Company in the amount of \$5,846.50 from this fund.

President Conaway reviewed several line items of importance from the Balance Sheet. From the Budget vs. Actual financial report, President Conaway pointed out revenues are up in the following categories: property taxes, transfer taxes, fines, sewer rent from haulers, and building permits. On January 14, 2004, notices were sent to property owners owing delinquent taxes over \$150; if not paid within a specified time period, the property will be sold at a tax sale. Commissioner Correll made a motion to pay the bills as presented and to accept the Financial Reports. Motion was seconded by Commissioner Jefferson and carried unanimously.

Money allocated in the FY-04 Budget (\$6,000) for the upgrading and purchase of tax and utility software was not sufficient to purchase both programs. With the advent of new tax revenues forthcoming, it was decided to purchase tax software. Treasurer Savage submitted the following proposals:

Capital Software (Kentucky)	\$5,000
Main Street (Salisbury, Md)	\$6,800
Alliance Computer Service (Milford, De)	\$6,000

The technical support costs with Capital Software is \$500 per year. Treasurer Savage's recommendation for the purchase of a new tax program was Capital Software. Treasurer Savage pointed out Capital Software is a company out of Kentucky, but they currently have a customer base of approximately a dozen municipalities in Delaware, with additional municipalities considering their company product. After a general discussion, Commissioner Greason made a motion to accept the purchase of new software and services from Capital Software per Treasurer Savage's recommendation. Motion was seconded by Commissioner Sipple and carried unanimously.

V. DEPARTMENT REPORTS

Wastewater-Superintendent Mowbray reported this is the 63rd consecutive month without a NPDES violation.

Streets-The report submitted by Superintendent Rick Passwaters advised steps are being made to prepare for winter weather: the new snow plow has been installed on the water department truck and a load of salt and sand from DelDOT has been delivered. Attached to the monthly report for Commissioner's consideration and review, was a list of streets and sidewalks needing repairs/repaving.

Water- The report submitted by Superintendent Doug Jones advised an inspection conducted by the Office of Drinking Water found no defects in the town's water system. Routine service and battery replacement was performed on the auxiliary power generator for Well2-2D located on Cherry Alley.

Code Enforcement Constable Dawn Maurer submitted report stated 24 notices were sent concerning abandoned vehicles, 12 notices for overgrown shrubs, 12 notices to remove accumulated debris. Funds collected for building permits in December, 2003 totaled \$499.50.

Police-The submitted police department report from Chief Allen Parsons advised the December, 2003 traffic arrest revenues are estimated to be \$19,873. The total estimated sum of \$162,894 has been written in fines, but only \$65,000 has been collected by the town. There is a three month lag time and many tickets do not make it to court.

Commissioner Jefferson advised from January 19-23, 2004, (work release prisoners) Sussex VOP Unit, will commence scraping and painting the windows at the police department. The town will supply the materials for this project.

Commissioner Jefferson suggested the Commission consider hiring an additional police officer which would bring manpower to six. The police academy will be accepting new recruits for a sixteen week training program on March 2, 2004. Chief Parsons advised his department has been accepting applications and will determine who he feels should be interviewed. President Conaway stated the Commissioners would like to see a listing of all applicants submitting applications. Discussion followed on whether another officer is needed at this time. Commissioner Jefferson also pointed out the Chief's recommendation to promote Patrolman Coleman to PFC and PFC Parker to Corporal. After further discussion, a special meeting was scheduled for January 28, 2004 at 6:00 PM to discuss the possibility of hiring an additional police officer, needed financing, and the recommendation of promoting officers.

Commissioner Jefferson suggested the Town Manager be authorized to obtain a credit card for use by all town departments to purchase needed items at businesses where the town has no account. After a general discussion, of where some Commissioners did not support the suggestion by Commissioner Jefferson, it was decided to place the item on the agenda for the January 28, 2004 special meeting.

Commissioner Sipple advised she is still receiving complaints concerning problems with speeders on Cherry Alley (between Sussex Avenue and Edgewood Street) and around the high school area. Chief Parsons will look into the matter.

Commissioner Correll announced at the Delaware Rural Water Association Christmas luncheon/meeting Phillip Mowbray, Doug Jones, and Rick Passwaters were honored regarding The Town of Bridgeville receiving in November, 2003, the Clean Water Partnership Award.

VI. CITIZEN'S PRIVILEGE

Mrs. Amanda Joseph of 111 N. Cannon Street requested a copy of the town's ordinance pertaining to abandoned vehicles. Code Enforcement Constable Maurer has recently sent notices to residents who have inoperable or untagged vehicles on their property. Mrs. Joseph was a recipient of a notice. President Conaway explained Constable Maurer is beginning to cite residents for a variety of reasons (zoning violations, accumulation of debris, over grown vegetation, etc.). Mrs. Joseph was advised to contact Constable Maurer to explain her particular situation pertaining to a vehicle on her property. Mrs. Joseph requested the town check the condition of property located at 109 N. Cannon Street. Town Manager Walls explained the town is not trying to create a hardship for anyone, but making an assertive effort to clean up the town and the Commissioners are more than willing to work with the residents.

On behalf of the Bridgeville Fire Company, Mr. Pete Stephens thanked the Commission for their generous donation of funding from town building permits. He advised a new ambulance will soon be on the road and scheduled for a March delivery, is a new pick up (brush truck). Mr. Stephens advised a new pumper is also being considered for purchase in the near future.

President Conaway welcomed Rev. and Mrs. Harold Daniels of the Bridgeville Church of God.

Mr. Nick Rocks, developer of Bridgeville South, advised the water and force main projects are ready for bidding process. Mr. Rocks requested Commissioner's approval to permit Town Engineer Annie Williams, to advertise for bids. The pre-bid meeting is scheduled for the week of January 26, 2004. Based on that schedule, work should begin on or about February 15, 2004. The Office of Drinking Water approved permits for the construction of the water main on December 12, 2003; DelDOT approved all the work within the right-a-way pertaining to the town's water lines and sewer system; work on the off-site sewer and water lines are pending with Sussex Conservation District, but the permit is expected to be issued this week; The Department of Natural Resources and Environmental Control issued permits on December 22, 2003; and the permit from the Fire Marshal is expected to be issued by February 1, 2004.

Mr. Rocks continued by offering an update on DelDOT granting an entrance permit. The required traffic study was submitted to DelDOT December 1, 2003 with Commissioners of Bridgeville Minutes requested changes re-submitted on December 11, 2003. DelDOT has indicated a letter, which is expected any time, will grant a temporary entrance permit.

All plans for the golf course and the first one hundred and eighty four homes were delivered to Sediment and Erosion Control on December 1, 2003. After reviewing all comments, revised plans will be re-submitted on January 16, 2004, with expected approval by February 1, 2004. Jurisdictional boundary permits were submitted to Non-Title Wetlands on November 13, 2003 with expected approval by February 1, 2004 which will be submitted to the Army Corps of Engineers.

All necessary plats are being finalized so that settlement can be completed on the Passwaters project. As soon as all permits are in place, the project will be ready to begin with the anticipated date being February, 2004. Mr. Rocks expressed his appreciation to the Commissioners for their continued support and cooperation with this project.

Commissioner Jefferson made a motion to authorize Ms. Annie Williams, Town Engineer, to advertise for bids on the off-site water and wastewater improvements for the Bridgeville South Development. Motion was seconded by Commissioner Correll and carried unanimously.

VII. TOWN MANAGER'S REPORT

During the November, 2003 meeting, Mr. William Lecates of the Sussex County Community Development Block Grant Program, presented a program concerning applications for rehabilitation, demolition, and infrastructure projects available to municipalities and their residents. Town Manager Walls advised in December, 2003, Commissioners decided to apply for rehabilitation and demolition projects. The town has two residents interested in demolition, should they meet needed criteria. We are waiting to hear if our application was successful.

At the December, 2003 meeting, Wastewater Superintendent Mowbray's report suggested an ordinance be considered pertaining to the routine cleaning of restaurant grease traps. Town Manager Walls advised Superintendent Mowbray is currently contacting other towns on how they handle the situation. After needed information is received and reviewed, the town solicitor, Mr. Dennis Schrader, will offer his input with the proposed ordinance being distributed to the Commission for their comments, etc.

Also in Superintendent Mowbray's December report, was the suggestion to consider erecting a building around the Rt. 13 and 404 pumping station as it is exposed to all weather conditions. He is currently in the process of obtaining the needed area and costs pertaining to this matter.

At the December, 2003 meeting, Town Manager Walls presented a letter of request from a resident to burn branches and limbs, which per the town code is a violation, as outdoor burning is not allowed in town. In reviewing the matter with

Superintendent Mowbray we have determined there is an area at the wastewater treatment plant where a one-time burning could be established for a limb burning project. Superintendent Mowbray suggested the burning take place during the week so the public works employees would be available to monitor the burning. The fire department will be asked to place a fire truck on site for protection should there be a problem. Town Manager Walls said residents would be notified of dates, times, and what could be brought for burning. She suggested early spring 2004 would be a good time. After a general discussion, Commissioner Greason made a motion to authorize Town Manager Walls to establish a "limb burning day" for the residents of The Town of Bridgeville and to notify the proper authorities. Motion was seconded by Commissioner Jefferson and carried unanimously.

Town Manager Walls advised correspondence regarding the Department of Natural Resources and Environmental Control, Water Pollution Control Revolving Fund, for fiscal year 2004 was received. Municipalities have the opportunity to submit a Notice of Intent which list potential projects. The submitted projects may not receive funding for this fiscal year but would get the town's proposed projects on the priority list. The Town of Bridgeville submitted two proposed projects

a) An additional spray land and larger storage lagoon, pending results of current hydrogeological studies for the spray irrigation project.

b) To remove four(4) catch basins from the sewer system, install new storm drain piping, repair streets, and possibly a storm drain outfall to Bridgeville Branch. Also to be included are miscellaneous improvements to the Bridgeville Mall Pump Station to include raising the tops of the structure to reduce flooding and provide a weather enclosure around the electrical panels, and sewer televising and manhole inspection for correcting infiltration in problem areas.

Town Engineer, Annie Williams, Davis, Bowen & Friedel, agreed these were priority items and feasible projects to pursue. If the town's Notice of Intent is considered and project priorities change, we have the opportunity to submit other projects.

Town Manager Walls respectfully requested the consideration of hiring a part time secretary for five hours (9:00 A.M. to 2:00 P.M.) three days a week with a salary of \$12.00 per hour. The secretary could be hired as a "floater" and be available to assist the police department when their clerk needs to be out of the office. Town Manager Walls and Treasurer Savage were asked to prepare and present cost figures at the special meeting scheduled for January 28, 2004.

VIII. OLD BUSINESS

President Conaway opened the scheduled public hearing pertaining to the second and final reading of Chapter 107, Ordinance No. A03-8, an Ordinance Requiring Snow and Ice Removal From Sidewalks (see attached). The owner or occupant of any building or lot abutting a public sidewalk is responsible for and shall remove any accumulation of snow and/or ice from any public sidewalk within twenty-four hours after the snow and/or ice has ceased to fall. President Conaway explained the Snow Emergency Route request residents to park off the street if possible. If a driveway does not exist, residents with odd number addresses are required to move their vehicle(s) to the opposite side of the street; after snow and/or ice has been removed from the odd number side of the street, all vehicle(s) should be moved to the opposite side of the street.

The Ordinance allows for notices to be sent to violators and penalties for those who violate the Ordinance will be enforced. After a general discussion, Commissioner Correll made a motion to adopt Ordinance No. A03-8, An Ordinance Requiring Snow and Ice Removal From Sidewalks, for a second and final reading. Motion was seconded by Commissioner Sipple and carried unanimously.

Commissioner Jefferson submitted at the December, 2003 meeting a draft of a weekly report to be used by the police department. Commissioners were asked if they had any comments, etc. so that the report could be implemented. No comments were voiced. Town Manager Walls commended Commissioner Jefferson and Chief Parsons for the implementation of the weekly police report.

President Conaway advised per the request of the town, Senator Thurman Adams, Jr. and Representative Ben Ewing, will sponsor two charter changes for legislation action. They are as follows:

a) To allow the town to accept grants/loans from federal, state or interstate agencies, to issue bonds for such debt without public sale and to pledge tax revenues for the payment of debt without affecting the limitation on borrowing.

b) To allow the town to collect money when annexation takes place or to raise taxes if necessary.

President Conaway explained to borrow money from another government does not count toward the town's bonded indebtedness. The only monies now owed by the town are to the Farmer's Home Administration for water and sewer improvements. Our bonded indebtedness is for water and sewer improvements, not general obligations.

President Conaway commented the Charter refers to Mr. Savage as the Treasurer.

In most municipalities, the title would be Finance Director. President Conaway suggested the town solicitor be authorized to prepare legislation that would delete the word "Treasurer" and insert the words "Finance Director" in the Charter. After a general discussion, Commissioner Correll made a motion to authorize the town solicitor to prepare legislation to change the title of "Treasurer" to "Finance Director" in the Charter. Motion was seconded by Commissioner Sipple and carried unanimously.

President Conaway advised there is an opportunity for the town to develop a Municipal Tax Increment Financing which would allow the town to create a Tax Increment Financing Special Development District. He explained in the development coming south of town, there will be a lot of opportunities which could be done by using tax exempt bonds. The town has the opportunity to tax only those people, at the level needed to pay back for the amenities they would create (library, community building, etc.) in that district. This piece of legislation would allow the Commission to implement the tax if necessary. This law already exist in Delaware and all municipalities were to be part of it as of last June, but there were concerns some municipalities might abuse the law. The law was changed to state it would pertain to all municipalities with 50,000 people or more. The special district bonds would be for public amenities in the new development, and the town would not be responsible for the payment of them. President Conaway presented items the town could do with Tax Incentive and Special District Bonds:

- a) Does not involve credit backing of the state, county or municipality.
- b) Does not negatively impact the bond rating or bond capacity.
- c) The risk is to the bond holders.
- d) Directs growth where the town wants it to occur.
- e) Requires infrastructure built after new development occurs.
- f) Is equitable to those who live in Bridgeville.
- g) Could be used for emergency services.

President Conaway advised if the town should implement the tax program, fees would be collected by the town. After a general discussion, the Commission agreed to support legislation to allow the town to consider implementing the tax program.

IX. NEW BUSINESS

President Conaway presented Ordinance No. A04-1, An Ordinance To Amend Chapter 128, Of The Code Of The Town Of Bridgeville, Relating To Fees. The Ordinance amends the general charges and fees, by deleting the amount of \$150.00 for variance hearings and adding the amount of \$300.00 for Variance, Zoning and Conditional Use Hearings. After a general discussion, Commissioner Correll made a motion to amend Chapter 128, Fees, and accept Ordinance A04-1 for a first reading.

Motion was seconded by Commissioner Sipple and carried unanimously.

President Conaway announced Commissioner Margaret Sipple has filed for re-election for a two year term and Commissioner Patricia Correll filed for re-election for a one year term. The Commission election is scheduled for March 6, 2004 at the town hall from noon until 7:00 P.M.

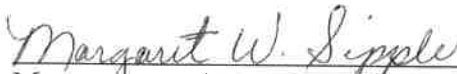
President Conaway presented The State Of The Town Of Bridgeville For 2004 (see attached). The report informs the residents of Bridgeville of what has occurred in their community during the past year. The Town of Bridgeville continues to move in a positive direction - Bridgeville has become the "town with a vision".

Commissioner Correll announced for the first time since the forming of the Sussex County Association of Towns (SCAT), a president has been elected from Bridgeville. President Conaway was sworn in as the 2004 President at the January 7, 2004 meeting.

X. ADJOURN

Commissioner Sipple made a motion to adjourn the meeting. Motion was seconded by Commissioner Correll and so carried. Meeting adjourned at 9:12 P.M.

Respectfully submitted by:


Margaret W. Sipple, Commission Secretary


Alma Fleetwood, Transcriptionist