

**MINUTES
COMMISSIONERS OF BRIDGEVILLE
JANUARY 12, 2009 – 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, Ruth Skala, Earl Greason, William Jefferson and Town Manager Bonnie Walls. The meeting began with the Flag Salute and Lord's Prayer. President Conaway requested a moment of silence in memory of Town Clerk April Buckler's fiancé, Josh Williams, who was killed in a tragic car accident in November.

II. QUORUM

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

III. APPROVAL OF MINUTES

Minutes from the December 8, 2008 monthly Commission meeting were presented for approval. Commissioner Correll made a motion to approve the minutes as presented. Commissioner Jefferson seconded the motion. Motion passed.

IV. CORRESPONDENCE

Town Manager Walls presented a letter of resignation from Mr. Anthony Flanagan for his position on the Parks and Recreation Committee. Mr. and Mrs. Flanagan have sold their home and are moving.

A letter was received from Morning Star Publications thanking the Commission for their participation in the Newspaper in Education program last year. Bridgeville helped place newspapers in Woodbridge schools every week.

An information sheet from the Delaware Department of Transportation and a Woodbridge Elementary School newsletter are available for review.

Two annual reports are available for review from the Sussex Conservation District and from United States Department of Agriculture – Rural Development.

The Nemours Health & Prevention Services 2008 Year in Review news brief is available for review. Town Manager Walls reported the 2009 Bridgeville Community Health Walk is scheduled for April 4, 2009, 9 A.M. at the Woodbridge Sports Complex. Other local municipalities sponsoring Walks are gearing up to take the attendance trophy away from Bridgeville this year, so the Town must bring out a record crowd.

V. APPROVAL OF FINANCIAL STATEMENTS AND BILLS PAYABLE

Finance Director Savage directed the Commission to the Balance Sheet. (The following amounts are in rounded figures.) As of December 31st, 2008, General Fund checking totaled \$116,500 and General Fund savings totaled \$594,100. Escrow accounts totaled \$540,500 and the Town's total checking and savings totaled \$1,377,800. Total Accounts Receivable was \$90,653. \$38,000 is still outstanding for the demolition of 102/104 N. Main Street. On page 2, the PNC Bank figure of \$178,094 is the balance due on interim financing loans for the spray irrigation project after the USDA loan was closed out. On the Budget vs. Actual report, the target percentage at this point in the budget year is 50%. There was one new home start at Heritage Shores in December. At this time, no new starts are expected. The transfer tax for December is \$15,375; the Town has budgeted \$82,000 for the year. Income is currently at 75% of budget. Employee expense is high due to the new police recruits at the Police Academy. President Conaway observed that quarterly taxes are higher than anticipated. Income from Greenwood is low at 34%, but with extra rain, we can expect this figure to rise, as Greenwood's additional sewage is treated. Fuel costs are 20% lower than budgeted as there are fewer patrol cars on the road. Finance Director Savage reported this report does not include December utility bills. Concerning Accounts Payable, there is \$165,922 to be approved. Approximately \$1,500 involves Heritage Shores bills to be reimbursed by the developer. Over \$10,000 involves Wastewater Treatment Plant upgrade expenses to be funded with the USDA Grant. It was mentioned that our law firm of Wilson, Halbrook and Bayard has a new attorney assisting Solicitor Schrader, Ms. Lynn Kelly. She has been very helpful and should be an asset to the firm. Commissioner Correll made a motion to pay the bills as presented. Commissioner Skala seconded the motion. Motion carried.

VI. DEPARTMENT HEAD REPORTS

Circumstances at Well #6 were questioned by Commissioner Skala, with a short discussion of its status. President Conaway advised he, Town Manager Walls and Commissioners Skala and Correll had a productive meeting with the police force (minus the recruits). President Conaway mentioned a court case that was thrown out by the magistrate, due to the fact our Ordinance was not in the DELJIS computer system. President Conaway advised the Chief must take action immediately when new Ordinances are adopted to be sure they are placed in the DELJIS system. President Conaway also addressed the low amount of money the Town receives from police fines, only \$29 of a \$75 fine. He believes we do not receive a high enough percentage of the fine; however, he does not believe the Police Department should be a main revenue producer in the Town. Fines received should total \$100,000 to \$125,000 to meet the projected budget income allocation for the Police Department. President Conaway addressed false alarms. He believes the Town should pay for the first false alarm per day; any additional false alarms should be paid by the business/resident. President Conaway reported there continue to be too many trucks going through Town. Trucks are prohibited unless they have business within Town limits (i.e. T.G. Adams, RAPA, Pet Poultry, etc.) It would only take stopping a few trucks for the word to get around that Bridgeville is enforcing its Ordinance. Businesses and residents are also concerned about the truck traffic; the Police must take action on the issue. On

another topic, young people are gathering on Cedar Street and the Police Department needs to patrol that area regularly. President Conaway reported the greatest concern is the increase in petty larceny. The Town is currently understaffed; three additional officers are in training until April. Chief Parsons and Sergeant Parker have been asked to ascertain when the majority of these thefts have taken place (times/days of week) and then bring in an unscheduled police officer to cover the Town in unmarked cars during these times to make arrests. A greater police presence is needed. President Conaway expressed concern that this may become a major problem as the bad economic times continue. It may be thefts to feed a family or a drug habit. The state police are not taking on extra responsibilities at this time. Hopefully, the Town can begin this program expeditiously. It was suggested that the curfew be enforced; however, per Chief Parsons, most of the young people out on the streets are over 18 years of age. President Conaway reported the Police Department will be adding a column to the bimonthly newsletter with ideas to protect residents' cars and homes. The Town continues to face the problem of residents calling Commissioners with police problems rather than calling the police directly. We must urge residents to call the police first. Chief Parsons is already working on the schedule to provide extra police coverage. He has identified the hours of 7 P.M. to midnight or 2 A.M. as the hours when the majority of the thefts have taken place. Officers are willing to work overtime for this project. President Conaway suggested the newspaper report the police plans as a deterrent. He directed the Town Manager and Police Chief to work out the details of the overtime hours and the Commission vote to move forward with this plan. The police need to increase their presence and activity. Commissioner Correll recommended not authorizing overtime every night. Chief Parsons suggested two officers on duty from 7 P.M. to midnight Thursdays through Saturdays. Commissioner Correll suggested having one officer walking and one driving. Two officers driving around would not solve the problem. Young people will hide from cars. President Conaway added that the Commission wants the officers out of the vehicles. The extra duty will not involve Heritage Shores, as they have not had any incidents there. Commissioner Correll suggested the officers be alerted to functions at the churches and the fire hall. President Conaway intends to speak to the Attorney General about a recent case where a convicted felon, (first degree robbery) was given six months probation and set free. Commissioner Jefferson questioned the young people walking up and down the alleys. Chief Parsons explained that those who are stopped by an officer in the alley are not the people doing the mischief. It's those standing in the shadows that are up to no good. The police do stop those they see and perform a crime prevention check. Commissioner Correll added that if the police have purchased surveillance cameras, she would like to see them placed outside of willing residents' homes for additional eyes on the community. A grant application has been submitted for cameras. Town Manager Walls said the Police Department has been working on finding reasonably priced cameras for more than two years and has made no progress. President Conaway told the Chief to report back on camera options for this grant within one week. Commissioner Jefferson made a motion to approve overtime for the Police Department for an additional officer to patrol during certain hours of the night. Commissioner Greason seconded the motion. Motion carried. President Conaway advised the approval should be open-ended until a noticeable decrease in crimes is reported. Commissioner Greason suggested the Commission return to this topic at the next meeting for a report on the actions that have been put into place. The February Police Report should include what has been done and the success of the

additional measures. The Commission needs to be updated during the month, as well, concerning those issues that have been called in to them personally by residents. Commissioner Jefferson suggested informing residents of current circumstances so they can be watchful and report suspicious circumstances to the police. The Town has attempted to start Neighborhood Watch groups, but they never became a reality. The Police Department phone number 337-8302 can be connected directly to the police vehicle on duty. Commissioner Correll requested that the police keep in contact with those who have had items stolen from them, as the resident must have police involvement and reports for insurance claims. President Conaway reiterated that if a resident calls about the issues that have been discussed here, a police officer must respond to the individual and a report must be written and returned to the resident.

VII. CITIZENS PRIVILEGE

President Conaway opened the floor for citizen comments. Mr. Jack Dalton of 207 Delaware Avenue brought pictures concerning a vehicle break-in on December 18th at 5:30 P.M. with \$4,500 damage to his car. The car was unlocked when thieves tried to pry the radio out. They couldn't, so they pulled out the entire dashboard. This break-in is number five in the last two years for Mr. Dalton. Kenny Beck was found in the vehicle previously and was taken to court, where he pleaded guilty and only received a slap on the hand. The car window has been broken three times. Mr. Dalton does not understand why something is not done when the perpetrator is known. Mr. Dalton is a previous Commissioner who acknowledged during his term the only way to take care of this problem is placing police officers on the street/on their feet. He has been saying this since 1995 and it's never been done. An officer will never see the thieves from their car; they stay hidden. Mr. Dalton just found out that Mr. Bob Slater on S. Main Street has had a break-in. Commissioner Correll added the church secretary at Union United Methodist Church had a car break-in last week. Mr. Dalton commented the big cities around us (Wilmington, Baltimore, etc.) have this same problem and say the answer is policemen on their feet on the beat. Mr. Dalton has never met any of the Bridgeville police officers other than the Chief. Officers do not introduce themselves to residents; there seems to be no personal connection between the officers and the people they serve. Mr. Dalton commented the police are finding something to do, but they are not doing the job the Town is paying them to do. He is tired of it. The Town is growing; if the limits are not set down right now, we won't be able to stop the crime later. President Conaway says the issue is being addressed. The Town does not have enough officers to cover the 4,500 acres, but will soon. Mr. Dalton asked if the state police detectives are available. President Conaway advised they will not work outside their regular shifts. If the Town has a crime that needs the help of the state police detective, they are called in. Chief Parsons advised special units have been called in and helped on occasion. President Conaway stated the Commission has expressed dissatisfaction with the Police Department and on where we are. It will improve or radical changes will take place.

Mr. Charles Hawk of 108 Walnut Street reported he lives right between Mr. Jack Dalton and Mr. Bob Slater. He hasn't had any theft problems yet, but he will protect his property, if necessary. Mr. Hawk questioned whether there is an Ordinance that allows you to kick a public nuisance out of Town. President Conaway reported there is none. He consulted with Attorney

General Beau Biden and found there is a state law concerning a nuisance or disorderly house. It is possible to seek to uphold this state law and build a case for it. President Conaway encouraged the public not to take matters into their own hands. Please allow the police system to work; it will work! Commissioner Jefferson admonished citizens to make sure their vehicles are locked and important items are out of sight. Portable GPS devices are very popular to steal. Take it inside or keep it out of sight.

Mr. Leo Lynch of 106 Emily's Pintail Drive advised the police can't do it all. Communities use citizen patrols and there are many different ways to organize citizens to accomplish a watch. He added that the police do a good job of patrolling at Heritage Shores, but there aren't many places to hide like in the older sections of Bridgeville (i.e. no trees and alleys). There is the added advantage of many retired people looking out the windows at Heritage Shores. People watching their neighborhood doesn't cost much. President Conaway commented the Town may want to revisit the Neighborhood Watch idea. President Conaway requested that Town Manager Walls contact Delmarva Power about increased lighting wattage or additional lights in alleys. The new sodium lighting is brighter. The idea of placing information in the newsletter was re-iterated; Chief Parsons will prepare an article on safety for each bi-monthly newsletter. Commissioner Skala suggested the same information be sent to the Heritage Shores newsletter, the Heron.

VIII. TOWN MANAGER'S REPORT

Town Manager Walls reported a letter from Chairman Jefferson was sent to the Economic Development Committee advising of a meeting scheduled for January 26th at 7:00 P.M. at Town Hall. The purpose of the meeting is to discuss our downtown area. Topics will include attracting new businesses, enhancing current businesses and consideration of conducting a meeting with the Delaware Economic Development Office to obtain their expertise for keeping the downtown area viable and appealing. Two of the five committee members have responded affirmatively, to-date. Commissioner Skala commented another workshop dealing with business retention is scheduled on February 4th and she is willing to represent the Town at the presentation. She will pursue any information they might have that would be helpful to our committee. Commissioner Skala mentioned that the present Town committee is restricted to business owners and she is aware of other townspeople who are also interested in being involved. President Conaway added that he met with the new Director of Economic Development David Levine who has assured the Town there will be a more business-friendly atmosphere in Delaware than previously. They will be pressing to bring business to the state. They are also interested in retaining and growing current businesses. President Conaway feels we should give the new director an opportunity to work toward his stated intentions. He has been a part of the Happy Harry's drug store company and will have the ear of the new governor. Based on the financial condition of the state, they must increase businesses and jobs for the sake of the taxes new business brings. President Conaway and others pressed him on what he planned to bring to Sussex County, other than retail, tourism and agriculture. The county also wants to see support for the poultry industry. It would be devastating for Sussex if the poultry companies were lost. The new grain facility along the railroad tracks on the way to Seaford has been established

because there is not enough grain grown on the peninsula to support the poultry industry as it exists today. The county needs jobs for its young people, but not retail and fast food jobs. President Conaway was encouraged by what Mr. Levine had to say; he was more encouraged than he has been for the past eight years.

Per Chapter 21 of the Bridgeville Town Code, during the month of January, an estimate of funds from the surcharge of construction value for building permits for the Fire Company is to be made available. The total to be presented to the Bridgeville Volunteer Fire Company for 2008 is \$8,784.46, from 123 building permits. President Conaway added that last year the check was \$19,000 and the year before it was \$54,000.

Town Manager Walls had contacted Bridgeville Volunteer Fire Company President Allen Parsons concerning the possibility of an emergency siren for local Town emergencies, other than the regular fire siren. President Parsons has advised the Fire Company will be making upgrades to their building which will involve the placing of new conduit, wire, etc. in their parking lot. While conducting this work, they will re-wire an existing siren and activate it for this use. Town Manager Walls asked Police Chief and Fire Company President Parsons to extend the Town's thanks to the Fire Company for their assistance.

The Town has contracted with Delmarva Power to install a flood light in the Town parking lot to provide more efficient lighting. This will benefit residents who use the recycle center and the Town Hall in the evening hours. It will cost approximately \$27.00 monthly. If the flood light does not produce adequate lighting around the recycle igloos, other possible alternatives will be explored, such as requesting permission to place a floodlight on the Lions Club shed. Mr. Charles Hawks, a member of the Lions Club, advised there is a floodlight there which is not currently operational. He will check into the power situation and request approval from the Club concerning floodlight usage there.

The Police Academy graduation date for our three recruits is scheduled for April 8th.

The Town has received notification from the Delaware Preservation Fund of upcoming grant funding. Bridgeville received a 2007 grant to assist in completing roof and chimney repairs at the Police Station. We have submitted the required initial paperwork for grant consideration to assist with the cost of installing shutters on the Town Hall. Grants are limited to \$1,000 and subject to the availability of funds. We are waiting to hear if further paperwork, application, etc. are required. Commissioner Correll made a motion to apply for the Delaware Preservation Fund grant money. Commissioner Jefferson seconded the motion. Motion carried.

At the December Commission meeting, Mr. Leo Lynch of 106 Emily's Pintail Drive inquired about a sidewalk which has been installed on the new southbound service road on the west side of Route 13 near Jimmy's Grille. Town Manager Walls spoke with the Department of Transportation. The representative stated the planned sidewalk is for Heritage Shores and its growth. All needed connecting sidewalks will be completed as the project moves forward. Sidewalks will be installed on the east side of Route 13, as well. President Conaway advised

there is a road that is supposed to connect to the bypass. At that point, Heritage Shores will be required to build a sidewalk that will connect to the existing sidewalk. Town Manager Walls asked the DelDOT representative if the Route 13/404 intersection project is still on schedule to be completed in spring 2009. He advised it was a good date if the weather cooperates. A new traffic pattern is to begin on January 13th. Mr. Lynch commented his original thought was that it would be very easy to connect Heritage Shores to the older portion of Bridgeville. This new road will extend almost from Jimmy's Grille to S. Cannon Street. Having a walking path for Heritage Shores would be nice, but, thinking long range, it would be advantageous to bring it around and connect the two parts of Town. Commission President Conaway advised the developer committed to extend the walking path from the maintenance shed north to the power station on Wilson Farm Road and, as the phases of the project develop, to connect the sidewalks of Heritage Shores to the new library. Mr. Lynch commented it would be nice to make the connection to the older portion of Town on the east side, close to Route 13, as well. President Conaway advised that area is commercial; there are several properties along Route 13A that are not within Town limits, which would make the connection difficult.

IX. OLD BUSINESS

A. FY-09 Budget Amendment

President Conaway reported the Commission requested that Town Manager Walls and Finance Director Savage look at the existing budget in an effort to cut any excess, as we do not know how long the current economic situation will continue. He acknowledged they had done a fine job; however, making cuts and adjustments based on expenditures that aren't occurring or cost reductions that have occurred is far easier than actually cutting a budget. This budget amendment maintains the budget at the same level as approved in June 2008. All adjustments and cuts have accrued to our total reserves, which couldn't happen if, like the state, the Town were in financial trouble. The money isn't being spent to balance this budget. This budget remains balanced and changes our total reserves from \$80,000 to \$142,000, which is approximately 5% of the operating budget and is a good reserve. Monies left over will allow the Town to operate in 2010 without going to the taxpayers for more money. The Town is currently running ahead of projection on its income. We may end the year with \$200,000 in total reserves. Commissioner Skala questioned the police overtime, which is currently at 56%. Based on the decision earlier in the meeting to add police overtime, does some kind of accommodation need to be made in this area? The current high percentage is based on pulling in the small staff for more hours. Chief Parsons is on the street, as well. The Town can adjust, if necessary. There will be several months at the end of the fiscal year when we will have a full complement of officers, which will reduce overtime. Commissioner Correll commented that since Town Manager Walls will work with Chief Parsons, she will be in a position to control the overtime. Police Chief Parsons advised EIDE grant monies could be used for some of the overtime. Finance Director Savage does not believe it will be a major problem. The police salary line item is only at 34% due to losing experienced officers and hiring recruits who start at a much lower rate. The department also no longer has a fulltime secretary. Commissioner Jefferson commended Town Manager Walls and Finance Director Savage for their work on the budget. Commissioner

Correll made a motion to adopt the budget amendment as presented. Commissioner Greason seconded the motion. Motion carried.

B. Resolution – Participation in the State of Delaware Municipal Pension Plan

President Conaway reported the Commission left the decision to join the state pension plan in the hands of the police officers because this plan will cost the policemen money and two officers will have their pension benefits reduced. The State required 100% agreement from the police officers to make the change. The police recruits were also required to respond concerning their agreement with this change. Per Chief Parsons, they all support going into the state pension plan. Other departments have been given the option to enter this system, with only one response. The Police Department has been anxious to enter this system and they are all in agreement to enter the system. This Resolution was introduced at the December meeting and tabled under Commissioner Jefferson's motion until this meeting. The Town has been contributing 10% to the old pension plan. This will be increased 3%, although the future amount is subject to change. Pension vesting can be carried across the state if they choose to move to another police department in the state. Commissioner Correll was first against this change. She was concerned about the officers who would lose money in the change; however all the officers want to enter this pension plan. Therefore, Commissioner Correll made a motion to adopt this Resolution allowing the Bridgeville Police Department to be entered into the state police pension plan. Commissioner Skala seconded the motion. Motion carried.

X. NEW BUSINESS

A. Municipal Election Information

Town Manager Walls reported voting will occur in District #4, President Conaway's current district; and voting will occur in District #5, Commissioner Jefferson's district. The election date is March 7th, with voting from 12:00 P.M. to 7:00 P.M. The candidate filing date is February 6th and the registration deadline is February 25th. Any questions can be directed to the Town office.

B. Board of Adjustment Reappointments

President Conaway advised the terms of Reverend Dale Brown and Mr. George (Sonny) Hardesty are coming to an end; they have both agreed to serve another term of three years. The Board of Adjustment has not met recently, but will be meeting soon to consider a variance on a side yard setback. Commissioner Skala made a motion to reappoint Reverend Dale Brown and Mr. George Hardesty to the Board of Adjustment. Commissioner Correll seconded the motion. Motion carried.

C. Introduction and First Reading of Ordinance A09-1, Amending Chapter 128, Fees, to Correct an Inconsistency as it Relates to Water and Sewer Charges

Finance Director Savage reported this Ordinance will correct Chapter 128, due to a previous oversight. The Ordinance incorporates all previous fee changes to the entire code book chapter, but does not change any existing fees. Town Manager Walls reported they intend to eventually remove Chapter 128 – Fees and move all fees to the chapters where they appropriately belong. Commissioner Jefferson made a motion to introduce Ordinance A09-1 for a first reading. Commissioner Correll seconded the motion. Motion carried.

D. State of the Town Report

President Conaway advised the Town Code requires that a State of the Town Report be submitted yearly. A portion of the report was read aloud highlighting fiscal matters, Town services, new Ordinances and additional accomplishments. A full copy of the 2008 State of the Town Report is attached to these minutes.

XI. SPECIAL REPORTS – OFFICE OF HIGHWAY SAFETY GRANT

Police Chief Parsons reported the Office of Highway Safety offered the de DUI patrol grant for the NFL playoff/Super Bowl season in the amount of \$1,300. Greason made a motion to accept the grant from the Office of Highway Safety. C Skala seconded the motion. Motion carried.

Corrected to read:
"For the Love of Books"
at 2/9/09
↓ Comm. mtg.
PAS

Commissioner Skala reminded the Commission and audience of the "Books are Fun" fundraiser by the Friends of the Bridgeville Library. It will be held at the Bridgeville Banquet Center on February 20th, at 6:30 P.M., with silent, live and Chinese auctions. Many great auction items have been donated. Everyone is encouraged to buy tickets and attend.

XII. ADJOURNMENT

Commissioner Skala made a motion to adjourn the meeting. Commissioner Correll seconded the motion. Motion carried. The meeting was adjourned at 8:41 P.M.

Respectfully submitted,

Patricia M. Correll
Patricia M. Correll, Commission Secretary

Peggy A. Smith
Peggy A. Smith, Transcriptionist