

MINUTES

COMMISSIONERS OF BRIDGEVILLE FEBRUARY 7, 2005 - 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 Margaret Sipple, Earl Greason, Pat Correll, Bill Jefferson and Town Manager Bonnie Walls. The meeting started with the flag salute and the Lord's Prayer.

II. APPROVAL OF MINUTES

Minutes of the regular board meeting held on January 10, 2005 were presented for review and approval. Commissioner Correll made a motion to accept the minutes as presented. Motion was seconded by Commissioner Sipple. Motion carried.

III. PRESENTATION

Mr. Justin Bickling, a senior at the Woodbridge High School, explained that as a senior he is required to complete a senior project and incorporate a product that relates to the project. Mr. Bickling's project is titled, The Effects of Exercise on Blood Pressure. The project he has selected, if approved by the Commission, would consist of constructing and placing four park benches throughout the town (see attached diagram). The benches would be placed in low crime areas of town. Mr. Bickling stated the idea for the project would be to encourage people to exercise, and provide a place to rest or take a break. Ms. Gail Short, school nurse at the high school and advisor to Mr. Bickling, advised a post and sign will be placed next to each bench indicating the location of another resting area. The park located on Delaware Avenue will be the center of reference. Mr. Bickling's diagram showed a bench being placed on private property located at the corner of Walnut and Laws Streets. Commissioner Correll suggested moving the bench across the street to the post office property. After a general discussion, Commissioner Correll made a motion to allow Mr. Bickling to construct and place four benches throughout town for his senior project after receiving permission from all participating in the project. Motion was seconded by Commissioner Sipple. President Conaway suggested Mr. Bickling acquire written permission from each entity and requested a copy be submitted to the Commission. Motion carried. Commissioner Jefferson suggested Mr. Bickling contact the Bridgeville Lions Club regarding supplies as they may be able to make a donation toward the project.

Mr. Chad Jenkins of East Coast Wireless, advised his company offers broad-band internet to local communities-Bridgeville would be their first major roll out as the company is just beginning their business. An objective of the company would be to seek partnership with the Woodbridge High School in working with the students and explaining the "how's and why's" of this type technology. In order to bring this service to the community, an elevated structure is required for their broadcasting equipment. Mr. Jenkins advised the town's water tower would be the ideal location. If use of the town's water tower is approved, all town offices would receive free internet services for five years, plus payment of \$1.00 per account established. It was pointed out other businesses charge a rental fee for the use of their tower, such as Chesapeake Utilities \$1,200 per antenna. Once a main structure has been established, network service can be extended, approximately 40 miles from tower to tower. Mr. Jenkins stated he anticipates 1,000 customers in the first 18 to 24 months (includes surrounding areas) with 500 to 600 customers anticipated in the Bridgeville area over the next two to three years. The monthly cost for residents will be \$29.99 a month. The frequency they would be using is called an unlicensed network and will not interfere with the fire company alarm system or cell phones, with their license being regulated by the FCC.

After a general discussion, President Conaway advised he would like to see the company's financial statements, insurance coverage, etc. before making a decision. Town Manager Walls advised when she met with Mr. Jenkins, she pointed out if a contract went forward, any maintenance or repairs created by the placement of antenna on the water tower would be responsibility of East Coast Wireless and would be included in an agreement. Mr. Jenkins will submit requested information to the Commission for further review.

IV. CORRESPONDENCE

The annual Union United Methodist Church Pancake Supper will be held Tuesday, February 8, 2005 from 5:00 P.M. to 7:00 P.M. in the Fellowship Hall.

A letter was received from the Delaware League of Local Governments pertaining to the availability of life insurance benefits through Voluntary Benefits Systems.

A flyer was received from Jolly Rogers Amusement Park, Ocean City, Maryland, advertising the park for treating employees to a day of fun.

President Conaway advised the deed pertaining to the 1.32 acres of land purchased by the town from Thurman W. Adams (North Main Street and the wastewater treatment facility) has been received.

Town Manager Walls advised a thank you note was received from the Union United Methodist Church for a contribution in honor of past Commissioner Norman Powell, who recently passed away.

The Delaware Rural Water Association has scheduled their Fifteen Annual Conference and Exhibition for February 22, 23, and 24, 2005.

A thank you note was received from Mr. Jeff Bowers regarding the quick response of three town employees - Alma Fleetwood, Doug Jones and Rick Passwaters. He explained that on February 3rd his office located on West Market Street was taking in water due to blocked ice covered storm grates. Within minutes after speaking to the employees, the matter was under control.

President Conaway expressed his gratitude to Rick Passwaters, Doug Jones, and Phillip Mowbray for their prompt efforts in clearing the streets of ice/snow during the recent weekend snow storm. He explained the "odd/even" movement of vehicles as stated in Ordinance No. A03-8 worked to some degree allowing streets to be plowed more efficiently. Some residents moved their vehicles to the opposite side of the street for plowing, but did not return them so the other side could be plowed

January monthly newsletters were received from Comcast, Inc., Department of Natural Resources and Environmental Control, and Trinity Transportation, Inc.

V. APPROVAL OF FINANCIAL REPORTS AND BILLS PAYABLE

Finance Director Jesse Savage advised the additional bills payable statement was for bills received today (Browning-Ferris, Inc., A.E. Moore, H. C. Layton & Son, Ace Hardware, Meadows Hydraulic Company and McDowell's Garage). After a general discussion and review of the financial statements and bills payable, Commissioner Correll made a motion to accept the financial statements and to pay the bills as presented. Motion was seconded by Commissioner Sipple. Motion carried.

President Conaway advised the town's income is substantially ahead of budget. Finance Director Savage advised impact fees for 75 homes received from developer, Allen & Rocks, Inc., for Heritage Shores was one reason for the increase. To date the town has received approximately \$43,000 in property transfer taxes.

VI. DEPARTMENT HEAD REPORTS

Wastewater Superintendent Phillip Mowbray reported this is the 76th consecutive month without a NPDES violation. On January 17, 2005 a boiler inspection was

conducted by St. Paul Insurance Company with no problems being found. On January 25, 2005 a quarterly wastewater sampling event was taken at RAPA Scrapple, Inc. with the sample being split between RAPA and the town, and the samples sent to an independent laboratory for analysis. On January 26, 2005 Superintendent Mowbray collected a 24-hour composite sample of the Bridgeville wastewater influent for analysis. This sampling will be repeated each month as per the EPA's recommendation. Influent analysis will aid in the process control of the treatment plant. Superintendent Mowbray assisted with snow removal during the recent snow storm.

The written report submitted by Water Department Superintendent Doug Jones advised he assisted with snow removal during the recent snow storm. Superintendent Jones assisted with routine daily work at the wastewater treatment plant.

The written report submitted by Street Superintendent Rick Passwaters advised he ordered 50 tons of rock salt for street snow/ice removal. He performed routine maintenance on the salt spreader and snow plows.

The written report submitted by Code Enforcement Constable Jack Kimlel advised five unlicensed vehicles have reappeared and have been ordered to be removed. Progress is strong in the removal of solid waste. Code violations at Polk Apartments located on Gum Alley are being addressed. Eight building permits were issued for a total of \$3,830.50.

The submitted police department report from Chief Allen Parsons advised the January, 2005 traffic arrest revenues are estimated to be \$19,194 (170 arrests). In the report, Chief Parsons presented complaint totals for January.

VII. CITIZEN'S PRIVILEGE

No comments from citizens.

VIII. TOWN MANAGER'S REPORT

Town Manager Walls advised the town will be working with the Woodbridge High School in their new School Base Intervention Program. Three or four students will report to the town daily for approximately one hour. Teachers Damien Ayers and Preston Grace will accompany the students and handle supervision. Students will perform any duties (general cleaning around the municipal building, odds and ends, etc.) assigned to them. Due to the weather, the program has been delayed. The program is for students that have to complete detention, etc.

Town Manager Walls expressed her appreciation to Rick Passwaters for his outstanding job clearing the streets of snow/ice after the snow storm. A thank you was extended to Doug Jones and Phillip Mowbray for their assistance with the snow plowing.

Town Manager Walls expressed her appreciation to the employees of M-T Trash, Inc. for their outstanding service regarding garbage collection during the inclement weather.

President Conaway advised he received calls from concerned Bridgeville senior citizens who are unable to clear their sidewalks of snow/ice twenty-four hours after the snowfall ends as per the Town Code. In this day and age, people are not willing to shovel snow for extra money. Commissioner Sipple suggested the youth group at the Union United Methodist Church may be willing to shovel walks for the elderly for a donation. President Conaway suggested placing an article in the local newspapers (The Star and Seaford Leader in attendance) and town newsletter concerning residential snow removal. If anyone was interested they could contact Alma Fleetwood with their name and phone number. If a list of names were available, she would be able to refer residents to them for snow/ice removal. President Conaway explained it is difficult to enforce the snow/ice ordinance when there is no real way our seniors can shovel or should be shoveling snow.

Town Manager Walls advised no residents filed for the three general municipal positions available on the Commission except the three incumbents. Town Manager Walls announced Commissioner Bill Jefferson and President Joe Conaway will return for two year terms and Commissioner Pat Correll will return for a one year term. Congratulations were extended to the Commissioners.

IX. OLD BUSINESS

Town Manager Walls advised the town solicitor did not have the proposed Woodbridge Little League Agreement ready at this time.

President Conaway advised the Commission has no way of handling groups or organizations who request donations. He suggested a policy be adopted in that organizations, etc. be informed they need to submit a letter of request to the Commission during the town's budget cycle. This would allow the Commission to consider donations during the budget process. After a general discussion, the Commission agreed to consider all donations during the budget process.

*No Redfield
Proclamation*

X. NEW BUSINESS

President Conaway presented a Proclamation honoring Edward W. Redfield, renowned artist formerly from Bridgeville (near Scott's Store), proclaiming the week of March 14, 2005 as Edward W. Redfield Week (see attached). On March 15, 2005 a reception will be held at St. Mary's Episcopal Church in Bridgeville showcasing some of Mr. Redfield's work. The works of Edward W. Redfield can be viewed through April 18, 2005 at the Biggs Museum of American Art in Dover, Delaware. After presentation of the Proclamation, Commissioner Jefferson made a motion to adopt the Proclamation and proclaim the week of March 14, 2005 as Edward W. Redfield Week. Motion was seconded by Commissioner Greason. Motion carried.

Town Manager Walls advised paperwork was received from the Department of Natural Resources and Environmental Control regarding the spraying in and around the town by the Delaware Mosquito Control Section. After a general discussion, Commissioner Correll made a motion to participate in the mosquito control program for 2005. Motion was seconded by Commissioner Sipple. Motion carried.

Town Manager Walls presented an amendment to a contract with Davis, Bowen and Friedel, Inc. regarding construction phase services for inspections for the South Bridgeville utilities project. It is an extension of the last contract and should take the town through mid-February. Town Manager Walls advised Mr. Marty Collier of U.S. Home Corporation has advised the town would be reimbursed for all associated costs with the amendment and was requesting the Commission to approve the amendment. After a general discussion, Commissioner Correll made a motion to accept the amendment to construction Phase Services for South Bridgeville Utilities. Motion seconded by Commissioner Sipple. Motion carried.

Mr. Robert Rauch, engineer for Heritage Shores, advised piping along South Main Street is a combination of force main and gravity lines. The force main runs all the way to the pumping station and the north section of the project will be served with a gravity system. All utility lines have been installed for the 168 lots in Phase I.

Mr. Rauch advised Phase I will consist of 168 single family lots. There will be attached units (duplex and triplex) models that will become available, and they will become available in the second phase. Commissioner Sipple and President Conaway were under the assumption, per the first set of plans, 6 duplex and 9 triplex units would be available in Phase I. Mr. Rauch could not comment whether a few models would be for sale in this group. Duplex and triplex units from both builders are being constructed in the model area. The attached units will be available, in some quantity in Phase II and construction is moving ahead. Most of the attached units will not be located on the golf

course. Plans were delivered to Town Manager Walls for review by Davis, Bowen and Friedel, Inc. and the contractor to start work on 269 lots (half are attached units). The first attached units will be along Wilson Farm Road and a few will be near the center circle. Site work is being constructed by Bryan and Sons who are gearing up so they can keep ahead with water and sewer connections. Mr. Rauch advised the golf course contractor is moving a lot of dirt on the site - digging ponds, etc.

Town Manager Walls advised per The Town Charter, Section 26, each year in the month of February the Commissioners shall designate a certified public accounting firm or certified public accountants who at the end of the fiscal year shall make an independent audit of the town's account. Town Manager Walls' recommendation to the Commission was the firm of Lank, Johnson and Tull. After a general discussion, Commissioner Sipple made a motion to accept the recommendation of Lank, Johnson and Tull for the town's certified public accountant. Motion was seconded by Commissioner Correll. Motion carried.

Town Manager Walls explained a couple of weeks ago she was asked if a building permit was needed for porch work on a house owned by the Union United Methodist Church. First response was yes, and after researching the matter it was found the church has two rentals - one house is being used by the church's maintenance worker who does not actually pay any rent (no transaction of money); the second house is used as a rental producing income property. Both properties pay water and sewer, but not town property taxes. From this research it was noted that the Bridgeville Volunteer Fire Company have two rental properties.

After researching town minutes (June 22, 1999) regarding these matters, a previous Commission discussed releasing property tax on the two properties owned by the fire department and one property owned by the church. The town was to send a letter to the fire department and the church advising they needed to fill out an IRC 501-C Form. With further research, no letter or form were found. The minutes reflect no motion or voting established. Town Manager Walls recommended that to be fair to all property tax paying residents of the Town of Bridgeville, the two rental properties owned by the fire company and the one rental property owned by the church be required to pay property taxes. President Conaway advised the law that governs tax exempt property states if a property is used as an income producing property that is not part of the charity (church, fire department, etc), the property owner has to be charged with a property tax in order to be fair to people who rent property. If the church parcel located on Mill Street was used for a home for a youth minister, etc. then it would be tax exempt.

President Conaway explained the town supports the fire department and the church in every respect and cannot set a precedent with exempting properties, if they are

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income generating properties. After a general discussion, Town Manager Walls recommended that Union United Methodist Church pay town property taxes for the rental parcel located on Mill Street and the Bridgeville Fire Company pay property tax on their two rental producing parcels on Delaware Avenue. President Conaway suggested the church and fire department not be billed until the fiscal year FY-06. Commissioner Jefferson made a motion to accept the recommendation presented by Town Manager Walls pertaining to property taxes for two parcels owned by the Bridgeville Fire Department and one parcel owned by Union United Methodist Church. Motion was seconded by Commissioner Correll. Vote as follows:

Commissioner Correll	- Yes
Commissioner Greason	- Yes
Commissioner Sipple	- No
Commissioner Jefferson	- Yes
President Conaway	- Yes

Motion carried.

Town Manager Walls, in the absence of Chief Allen Parsons, advised the Bridgeville Police Department has been awarded a \$1,500 grant through the Office of Highway Safety regarding National Child Safety Awareness Week, February 13 through 19. The grant must be used for child restraint patrol and/or check points during this time period during daylight hours only. Officers will be looking specifically for child restraint violations and will ticket motorists accordingly. After a general discussion, Commissioner Correll made a motion to accept the \$1,500 grant from the Office of Highway Safety. Motion was seconded by Commissioner Jefferson. Motion carried.

President Conaway advised the town has a Board of Adjustment (3 members), who serve by state law a three year term, or until a replacement has been named after the term is over. The three current members have been serving beyond the years of their terms. Chairman Rob Perciful has indicated he would like to be removed from the board. President Conaway suggested Ms. Joan Ochs of 110 Delaware Avenue be appointed to the Board of Adjustment. There being no objection, Commissioner Jefferson made a motion to appoint Ms. Ochs to the Board of Adjustment for a three year term. Motion seconded by Commissioner Greason. Motion carried.

Commissioner Correll made a motion to re-appoint Ms. Pam Slater for a three year term to the Board of Adjustment. Motion seconded by Commissioner Jefferson. Motion carried.

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President Conaway advised board member Mr. Charles Kelly is beyond his term, but will continue to serve until a replacement is named.

President Conaway stated we are fortunate to have representing this town in Dover, Senator Thurman Adams, Jr. and Representative Ben Ewing. It was important to the town that the Tax Increment Financing and Special Development District Legislation be passed by the General Assembly before they recessed. With the help of Senator Adams and Representative Ewing, the bill passed and awaits the signature of the Governor. This bill provides the Commissioners of Bridgeville with the power to create a Special Tax Development District. By creating this tax district for Heritage Shores residents, it will allow the town to accomplish needed updates which normally would be paid by all residents. This bill is an opportunity to have the residents of Heritage Shores who caused the need for additional services, to pay for the services. President Conaway explained the bonds will be revenue bonds and will not count against the town's indebtedness; the bonds are not full pledged by this community; and the payment will be on the newly annexed property. The town will collect 1% of the face value of said bonds for lending its name.

XI. ADJOURNMENT

Commissioners Sipple made a motion to adjourn the meeting at 8:23 P.M. Motion seconded by Commissioner Jefferson. Motion carried.

Respectfully submitted by:

Margaret W. Sipple
Margaret W. Sipple, Commission Secretary

Alma Fleetwood
Alma Fleetwood, Transcriptionist