

## **MINUTES**

### **COMMISSIONERS OF BRIDGEVILLE MARCH 12, 2007 – 6:00 P.M. TOWN HALL**

#### **I. CALL TO ORDER**

The meeting was called to order by President Joseph Conaway at 6:00 P.M. Present: Commissioners Patricia Correll, Margaret Sipple, Earl Greason, William Jefferson and Town Manager Bonnie Walls. The meeting began with the flag salute and Lord's Prayer.

#### **II. QUORUM PRESENT**

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

#### **III. APPROVAL OF MINUTES**

Minutes of the regular monthly Commission meeting held on February 12, 2007 were presented for approval. Commissioner Correll made a motion to approve the minutes as presented. Commissioner Sipple seconded the motion. Motion carried.

#### **IV. CERTIFICATION OF MUNICIPAL ELECTION – MARCH 3, 2007**

Town Manager Walls presented the Certificate of Election from the General Municipal Election held on Saturday, March 3, 2007 for acceptance by the Commissioners. Re-elected for two-year terms were Joseph Conaway (233 votes) and William Jefferson (194). Re-elected for a one-year term was Patricia Correll (196). Commissioner Sipple made a motion to certify the results of the municipal election. Commissioner Greason seconded the motion. Motion carried. President Conaway commended those who participated in the election; it was a very large turnout.

#### **V. ADMINISTER OATH OF OFFICE**

Town Manager and Notary Public Bonnie Walls administered the Oath of Office to Commissioners Correll, Conaway and Jefferson. (Copies are attached to Minutes.) Congratulations were extended to the re-elected Commissioners.

## **VI. APPOINTMENTS**

The first Commission meeting in March is traditionally the re-organizational meeting. President Conaway recommended the following Commission Appointments for the coming year:

President	Joseph Conaway
President Pro Tem	William Jefferson
Secretary	Margaret Sipple
Town Manager	Bonnie Walls
Finance Director/Assesor	Jesse Savage
Solicitor	Firm of Wilson, Halbrook & Bayard
Certified Public Accountant	Firm of Lank, Johnson & Tull

Commissioner Jefferson made a motion to accept the appointments as presented. Commissioner Correll seconded the motion. Motion carried.

## **VII. CERTIFICATE OF RECOGNITION**

The Commissioners of Bridgeville honored 10 year-old resident Taylor Richey of 203 S. Main Street. Taylor is the recipient of the Jefferson Award for Public Service and has been named one of Delaware's top two youth volunteers for 2007 by The Prudential Spirit of Community Awards. Most notably, Taylor raised over \$5,000 to purchase toys, games and other play equipment for children undergoing treatment for cancer at A.I. DuPont Hospital in Wilmington, after spending an entire summer there as a patient herself. Taylor received a Certificate of Recognition from the Town of Bridgeville for her enthusiastic volunteerism.

## **VIII. CORRESPONDENCE**

Town Manager Walls advised the Sussex Spotlight Read Aloud March/April newsletter is available for review.

A response has been received from Senator Joseph Biden concerning a letter sent to him from Town Manager Walls. She encouraged him to support beach replenishment projects on the shore. He agreed that beach replenishment is critical to the state and will support projects.

Police Officer John Truluck tendered his letter of resignation effective February 26, 2007. President Conaway and Town Manager Walls both expressed their interest in having him be hired again, should he ever return to Sussex County.

Town Manager Walls advised receipt of information on the Delaware 4-H Foundation's Annual Dinner & Basket Auction on March 30<sup>th</sup>. Details are available if any Commissioners wish to attend.

A donation request has been received from the Wilmington Memorial Day Committee, Inc. Town Manager Walls advised the Town has received the same request in the past and has not made a donation. No action was taken on the request.

A thank you letter has been received from Morning Star Publications, Inc. thanking the Town for its participation in the Newspaper in Education program.

Comcast has advised the Town that rates will be increased by \$1.00 to \$54.95 for full standard service.

A donation request has been received from the Delaware Magic Fastpitch Softball & Baseball league. The group is located in Rehoboth Beach, Delaware. No action was taken on the request.

## **IX. APPROVAL OF FINANCIAL STATEMENTS AND BILLS PAYABLE**

Finance Director Savage directed the Commissioners to the Budget vs. Actual report, where the target percentage for this month of the budget year is 66%. Building Permit income was down this past month, as Heritage Shores is experiencing a slow-down. Miscellaneous Income was increased due to SLEAF (State Law Enforcement Attorney General's Fund) monies from drug arrests. Miscellaneous Fees were increased due to the expense of the Wastewater Facility Plan update in preparation for the recent annexations. The Town of Greenwood is currently at 94% of their usage for the year. Their usage has been above allocation this year. The Town has received 84% of its projected income, due largely to increased tax revenues. In the area of expenses, our engineering fees stand at 108% of budgeted expenses, due to the \$42,000 Wastewater Facility Plan. This expense is reimbursable from the annexation property owners. According to the Balance sheet, the General Fund and Money Market accounts total approximately \$625,000. Between the escrow accounts and impact fee accounts there is approximately another \$475,000 available. Current bills total \$149,000, \$26,000 of which is a USDA loan quarterly installment. The Communications and Wiring bill is the second half of the money due on the telephone upgrade at the Police Department. The Delmarva Digital bill is for a new current events page on our website. The Demco bill is for a new blower motor for the wet well. Commissioner Correll made a motion to pay the bills as presented. Commissioner Sipple seconded the motion. Motion carried.

## **X. DEPARTMENT HEAD REPORTS**

Town Manager Walls introduced Mr. Barry Hafko, a new employee in the Public Works Department. President Conaway commented this is the 100<sup>th</sup> consecutive month without an NPDES violation at the wastewater treatment facility.

## **XI. CITIZEN'S PRIVILEGE**

There were no comments or concerns from the residents of Bridgeville. President Conaway advised Ordinances A07-1 and A07-2 concerning fees will be presented for second readings and public hearings at the April Commission Meeting.

## **XII. TOWN MANAGER'S REPORT**

Town Manager Walls reported that Mercantile Peninsula Bank contacted her regarding the Town's possible interest in the bank's time and temperature clock. They have been bought by PNC Bank and this type of advertising is not allowed; therefore, they are looking for a business or organization that is interested in the clock. Town Manager Walls responded that the Town is interested and she already has a suggestion for a new location. She hopes a decision will not be made before the new budget year begins in July, as there are no funds in this year's budget to relocate the clock.

The budget amendment approved at last month's meeting included monies to purchase a new truck for the Wastewater Department. Three bids were received, as follows:

Preston Ford Commercial

2008 F350 4x4 with a Reading 8 foot utility body - \$35,656.00

2008 F350 4x4 with a Reading 9 foot utility body - \$36,766.00

Hertrich Fleet Services

2007 F350 4x4 with a Reading 8 foot utility body - \$29,457.00

The truck includes a snow plow equipment package. Specifications and bids were reviewed by Wastewater Superintendent Mowbray. Commissioner Jefferson made a motion to award the bid to the low bidder, Hertrich Fleet Services, for a 2007 truck at \$29,457.00. Commissioner Sipple seconded the motion. Motion carried.

Police interviews were held March 1, 2007 to replace Mr. Truluck. Mr. Richard Lloyd Crum, Jr. from Georgetown was hired and started at the police academy today.

Our first annual Spring into Health Community Walk is scheduled for Saturday, March 31<sup>st</sup> at the Woodbridge Sports Complex. The rain date for the event is April 1<sup>st</sup>. This is an effort to promote healthy, active lifestyles, particularly for young people. The

Walk begins at 9:00 A.M., with registration at 8:30 A.M. and the first 200 participants will receive a free tee shirt. The Walk is being sponsored by the Sussex Child Health Promotion Coalition Nemours Health and Prevention Services, the Town of Bridgeville, Bridgeville Mercantile Bank, Woodbridge School District, Delmarva Power and Comcast. Town Manager Walls encouraged the Commissioners and all residents to participate.

On February 23<sup>rd</sup> the Sussex County Association of Towns (SCAT) had their yearly meeting with legislators to share concerns from the municipalities. There is a pamphlet of the discussions and concerns available for review. Highlights from the meeting include a discussion of Municipal Street Aid funding and a request to reinstate the \$1 million funding loss to bring the fund back to the \$6 million level statewide. President Conaway added that the Governor has increased the budget by \$500,000 for municipal street funds. Once the 1.7 miles of streets in Heritage Shores are accepted into the Town of Bridgeville, our street aid funds will increase. The recycling issue was discussed. SCAT supports a statewide recycling effort, but opposes making municipalities responsible for the costs as a result of an unfunded mandate. Transportation funding was discussed, as there are many projects throughout Sussex County that need attention, including the completion of the Indian River Inlet Bridge and our Route 13 and 404 project. We understand our project is scheduled to begin within the next month.

### **XIII. NEW BUSINESS**

#### **A. Annexation Referendum – March 24, 2007**

President Conaway advised the next Annexation Vote is scheduled for March 24, 2007, with a Public Hearing at the Fire Hall on March 22<sup>nd</sup>. The Baldwin property west of Town between Route 404 and Federalsburg Road is interested in annexing into Town and building a 1,613 unit subdivision with some restricted development. The developer's agreement is not yet finalized. President Conaway asked for authorization, with the approval of the Town Solicitor, to execute the developer's agreement with Bridgeville Holdings, L.L.C. and 633 Ventures L.L.C. prior to the March 24<sup>th</sup> Referendum. If a developer's agreement is not signed, the Town will still hold the March 22nd Olde Fashioned Town Meeting and will cancel the Public Hearing portion of the meeting. President Conaway advised he will participate in this Annexation because he has no connection to the principals involved. Commissioner Jefferson made a motion to authorize, with the approval of the Town Solicitor, the execution of a developer's agreement and the scheduling of an Annexation Vote on March 24<sup>th</sup>. Commissioner Correll seconded the motion. Motion carried.

#### **B. Olde Fashioned Town Meeting**

The Town has scheduled a Town meeting after the Public Hearing for the Annexation Vote on March 24<sup>th</sup> at 7:30 P.M. The Town has invited the State Highway Department for an update on the Route 13 and 404 improvements, Nanticoke Hospital,

Woodbridge School District, Emergency Services and the Library Board. There will be a discussion of rumors and setting the facts straight. Sign-up sheets will be available for Town Committees, such as a Citizens Advisory Committee, Planning and Zoning, Neighborhood Watch, Libraries, Parks and Recreation, Economic Development, etc. The Town has also invited community-based organizations and churches to send materials and a representative to make contact with residents.

**C. Board of Election Appointments for Annexation Referendum – March 24, 2007**

President Conaway intends to ask Mr. William Hartzell to serve as Election Judge for the upcoming Annexation Referendum; however, he has not yet contacted him.

**D. Awarding of Contract – Tatman Farm Spray Irrigation Project**

President Conaway advised six bids were received for the Tatman Farm Spray Irrigation Project. Town Engineer Ms. Annie Williams and Mr. Jason Loar from Davis, Bowen & Friedel, Inc. were present to discuss the contract. Mr. Loar acknowledged that the engineers reviewed the bids and the qualifications of the apparent low bidder, which is Daisy Construction from Georgetown, Delaware, with a base bid of approximately \$5.6 million. Davis, Bowen & Friedel, Inc. recommends that the Commissioners award the bid to Daisy Construction. The lowest bid came in at a price higher than the available funding for the project. Mr. Loar advised that, through discussions with the Town, the project has been down-sized to eliminate non-essential items that can be taken care of at a later time. The Town accepted an alternate liner for the irrigation lagoon, which is comparable in every way, and saved \$150,000. The project does include new irrigation rigs, but the Town will be able to sell the older ones, thus offsetting the price of the new equipment. The project is now affordable to the Town, with a shortfall of approximately \$350,000. Town Manager Walls has been in contact with the United States Department of Agriculture to attempt to increase funding to the Town in that amount; however, the Town feels there is money in an escrow account (rainy day fund) to cover the shortfall, if necessary. Mr. Loar added that the recommendation to award the contract to Daisy Construction was contingent on the approval of the funding agencies, the USDA and the State of Delaware. The Town and the bidder must meet certain requirements before the USDA will give approval on the bidding and proceed with the project. Once the USDA gives approval, the Town can proceed with the official notice of award and notice to proceed. Mr. Loar advised the bids ranged from \$5.6 – 9.7 million. It was suggested the project went over the budget allowed because of timing, contractor availability and price of materials. Going to bid earlier would have brought in lower bids. President Conaway asked for clarification from Mr. Loar that Davis, Bowen & Friedel, Inc.'s recommendation is to award the bid to Daisy Construction, with the understanding that concurrence must come from the USDA Rural Development and the State of Delaware Department of Natural Resources and Environmental Control. Mr. Loar responded in the affirmative. Commissioner Jefferson made a motion to award the bid to Daisy Construction pending

concurrence from the federal and state funding agencies. Commissioner Greason seconded the motion. Motion carried with the following votes being recorded.

Commissioner Jefferson – Yes  
Commissioner Sipple – Yes  
Commissioner Correll – Yes  
Commissioner Greason – Yes  
President Conaway – Abstain

At this point in the meeting, President Conaway was called away. There still being a quorum present, President Pro Tem Jefferson conducted the remainder of the meeting.

#### **XIV. OLD BUSINESS**

##### **Union Alley Speed Bumps**

Town Manager Walls advised there has been continuing discussion on the traffic situation behind the Fire Company on Union Alley. During the previous meeting the Commissioners decided to pursue placing speed bumps at each end of the alley to slow down the traffic. The cost for three speed bumps is \$655.35. Street Superintendent Passwater's labor would be in addition to the cost of the speed bumps. The Delaware Department of Transportation has regulations concerning the installation and would require three speed bumps at this particular location. There is currently no money in the budget for the speed bumps; Town Manager Walls recommends tabling the discussion and waiting until the new budget year. She suggested enlisting the aid of the Police Department to slow the traffic down in that alley in the meantime. Director of Public Safety Chaffinch advised the Fire Company had initially suggested the installation of speed bumps. Fire Company President Parsons was in attendance and reported the Fire Company would not be opposed to tabling the discussion until the new budget year. Commissioner Correll made a motion to table this discussion and consider including the money for speed bumps in the 2008 Fiscal Budget. Commissioner Greason seconded the motion. Motion carried.

#### **XV. NEW BUSINESS (CONTINUED)**

##### **Proclamation – American Red Cross Month**

Town Manager Walls reported March 2007 is American Red Cross Month. The Town of Bridgeville urges all Americans to continue to give their time and money to the American Red Cross and its local offices to make a difference in the humanitarian fabric of this community. We help each other when we help the Red Cross. Commissioner Sipple made a motion to adopt the Proclamation of March 2007 as American Red Cross Month. Commissioner Greason seconded the motion. Motion carried. Commissioner Correll reported area restaurants are participating in a "Paint the Town Red" event to benefit the

Red Cross. On March 14<sup>th</sup> these restaurants will donate a portion of their proceeds to the American Red Cross. Commissioner Correll will make the list of participating restaurants available to the public. The only restaurant on the western side of the county participating is Jimmy's Grille.

**C. Court of Appeals**

Town Manager Walls advised the Court of Appeals will be held on Saturday, March 24, 2007 from 1:00 – 2:00 P.M. at Town Hall. The Commissioners will hear any appeals concerning the Town of Bridgeville's 2007 Property Tax Assessment. A copy of the Property Tax Assessment will be available at the Town Hall for public review.

**XVI. ADJOURNMENT**

Commissioner Sipple made a motion to adjourn the meeting. Commissioner Correll seconded the motion. Motion carried. The meeting was adjourned at 6:50 P.M.

Respectfully submitted by:

Margaret W. Sipple  
Margaret W. Sipple, Commission Secretary

Peggy A. Smith  
Peggy A. Smith, Transcriptionist