

## **MINUTES**

### **COMMISSIONERS OF BRIDGEVILLE MARCH 22, 2004 BRIDGEVILLE 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, Earl Greason, William Jefferson and Margaret Sipple, Town Manager Bonnie Walls, and Town Treasurer Jesse Savage. The meeting started with the flag salute and the Lord's Prayer.

#### **II. OATH OF OFFICE**

Town Treasurer Jesse Savage administered the oath of office of Commissioner to the following unopposed incumbents:

One Year Term: Ms. Patricia Correll

Two Year Term: Mrs. Margaret Sipple and Mr. Earl Greason

The incumbents were the only candidates filing for the three positions available, therefore an election was not scheduled for March 6, 2004.

#### **III. APPOINTMENTS:**

Commissioner President	- Joseph Conaway
Commission Secretary	- Commissioner Sipple
Town Manager	- Bonnie Walls
Treasurer	- Jesse Savage
Assistant Treasurer	- Alma Fleetwood
Town Solicitor	- Dennis Schrader
President Protempore	- Commissioner Jefferson
Police Department	- Commissioner Jefferson
Water Department	- Commissioner Correll
Streets Department	- Commissioner Sipple
Wastewater Department	- Commissioner Greason

Commissioner Jefferson made a motion to elect Joseph Conaway as Commission President and to accept the appointments as presented. Motion was seconded by Commissioner Correll and carried unanimously.

#### **IV. APPROVAL OF MINUTES**

Commissioner Correll made a motion to accept the minutes from the regular monthly meeting of February 9, 2004 and the executive session minutes of January 28, 2004. Motion was seconded by Commissioner Sipple and carried unanimously.

President Conaway advised that this date we received a letter from the Department of Transportation regarding our December 15, 2003 request for advanced flashing lights at the intersection of US 13 and Sussex Road 40. A letter was sent to DelDOT requesting the lights because of numerous accidents and a November 2003 accident which claimed the life of a local high school senior. DelDOT advised the town on December 30, 2003, that their traffic studies section would study the intersection to determine what appropriate and effective action could be taken. Today we are in receipt of a letter whereby DelDOT agrees that advance flashing lights might mitigate accidents at this location. We are most appreciative of DelDOT's cooperation and will send a letter so advising.

President Conaway recognized Mr. Casey Rauch, son of Mr. Robert Rauch and Mr. Michael Rocks, son of Mr. Rick Rocks, engineer and developer for Heritage Shores to the meeting. President Conaway announced that earlier today, Bridgeville officials joined the developers of Heritage Shores in a public announcement ceremony advising the residents and public, settlement had occurred and the project is underway. A "Bridgeville, If You Lived Here, You Would Be Home Now", sign indicates the development site. Phase I will include the development of 171 residential homes and the start of an 18 hole public championship golf course. Construction of lakes for storm water drainage, roadway system, water main, sanitary sewer main and wastewater pumping station will begin in the near future. President Conaway stated golf courses usually require two growing seasons and it is hoped that the course will be ready in 2005, with Mr. Rocks agreeing to host the first annual Apple-Scrapple local charity fund raiser. President Conaway pointed out, it is an exciting time for The Town of Bridgeville, with the future looking very bright and we look forward to a long lasting relationship with Mr. Rocks. Mr. Rocks stated he is happy to be in Bridgeville and also looks forward to being here for a long time.

Mr. Rocks announced that Mr. Rauch was nominated and has been selected as the 2003 Governor's Conservation Award winner in the urban category for the engineering of the Heritage Shores project as it pertains to sediment and storm water regulations. Congratulations were extended to Mr. Rauch.

President Conaway presented a Proclamation proclaiming March 2004 as Red Cross Month. The residents of Bridgeville are urged to work through the American Red

Cross of the Delmarva Peninsula to help prepare their families and community for emergencies. Also, to continue to give time, etc. to support this worthy organization's mission to prevent and relieve suffering and to save lives. After a general discussion, Commissioner Sipple made a motion to adopt the Proclamation as presented. Commissioner Correll seconded the motion and it was carried unanimously.

## **V. CORRESPONDENCE**

Town Manager Walls advised correspondence was received from the Delaware 4-H Foundation advising of their 6th annual Kent County 4-H Dinner and Basket Auction to be held on Friday, April 2, 2004 at the Felton Fire Hall. Anyone wishing to attend should notify the office by March 26th.

A community leader update notice for winter/spring 2004 was received from the office of Representative J. Benjamin Ewing. The notice advises of pending proposals and issues facing the State of Delaware.

## **VI. APPROVAL OF FINANCIAL REPORTS AND BILLS PAYABLE**

After a general review of the financial reports and the bills payable, Commissioner Sipple made a motion to accept the financial reports and to pay the bills as presented. Motion was seconded by Commissioner Correll and carried unanimously.

## **VII. DEPARTMENT REPORTS**

Street, Water, Wastewater and Police Department monthly reports were reviewed with there being no questions.

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

Town Manager Walls advised correspondence was received from Whitman, Requardt and Associates, who are designing the road-way related improvements for DelDOT, namely Routes 13 and 404. Information regarding our existing and future utility facilities was requested. With the assistance of Superintendents Mowbray and Jones, plans were so marked and submitted.

A letter was sent to Senator Thurman Adams and Representative Benjamin Ewing requesting additional funds for street/sidewalk repairs. Representative Ewing has advised his funds have been ear-marked for other projects, with no response to date from Senator

Adams. President Conaway advised he had spoken with Senator Adams with some additional funding forthcoming.

Town Manager Walls advised FY-05 budget preparations are under way. Department Heads have provided their proposed budgets, with meetings to review submitted budget requests planned for the near future.

Mr. Dan Short and associate of Short's Insurance, conducted a review of our insurance coverage pertaining to such items as buildings, contents, policies, departments and staffing, etc. Any recommendations will be forthcoming.

Town Manager Walls stated the Kiwanis Club dinner celebration held on March 15th commemorating 65 chartered years of service was very impressive. President Conaway presented a Resolution honoring the Club on their many acts of service to the residents and The Town of Bridgeville. Commissioner Correll's son-in-law, Mr. Jeff Tull, received the George F. Hixson Award for outstanding club and community service.

Town Manager Walls discussed with Commissioners the feasibility of purchasing shirts, sweater and briefcase with the town seal embroidered on them. These items of clothing would be worn at different town meetings and functions. An amount of \$1,020.00 has been projected as the worse case scenario. President Conaway pointed out the items would be for the Commissioners and the Town Manager and that quite a number of towns, county and state offices have gone to this type of dress code. After a general discussion, Commissioner Jefferson made a motion to approve the request. Commissioner Correll seconded the motion. Motion was carried unanimously.

Town Manager Walls advised a water meter demonstration will be held at the town office on April 14th at 10:00 A. M. for those Commissioners who would be able to attend.

A ceremony presenting the town's donation of FY-03 (\$1,000.00) and FY-04 (\$1,000.00) to the Bridgeville Public Library, has been scheduled for March 31st at 9:00 A. M. The presentation will be held at the Library with Commissioners being in attendance if available.

Town Manager Walls presented a letter from M-T Trash, Bridgeville, requesting permission to place a "rented office trailer" on the premises, 614 W. Market Street, for approximately four months, May 2004 through August 2004. The office trailer will be on the premises for the purpose of Barrett Business Services, Inc. to recruit, interview and

process payroll paperwork for Kenny Brothers, Inc. seasonal workers. Barrett Business Services, Inc. will hold hours of operation Monday through Friday, 8:00 A. M. to 4:30 P. M. After a general discussion, Commissioner Jefferson made a motion to approve the request as presented for a temporary period of four months, May through August. Commissioner Sipple seconded the motion. Motion carried unanimously.

## **IX. OLD BUSINESS**

Discussion was held on the award of a bid for removal of glass and construction of a salt building. Notice of bid was advertised with the notice also being sent to contractors in the area. Bid opening was held on March 1, 2004, with five bids being received:

Bayard Construction, Blades - \$18,202.01  
Michael McDowell, Bridgeville - \$24,203.00  
E. J. Culver Construction, Bridgeville - \$19,500.00  
Tyme Builders, Inc., Laurel - \$19,446.70  
JOB Construction, Bridgeville - \$19,251.00

Town Manager Walls pointed out the amount budgeted for this project was \$10,000.00, and stressed the importance and safety factors involved with moving forward and completing this project. Also, Town Manager Walls stated Street Superintendent Passwaters has reviewed all bids as to conformity and it is their recommendation the Commission consider going ahead with this project and to award the bid to JOB Construction in the amount of \$19,251.00. It is understood JOB Construction is not the low bidder, but with the bid difference only in the amount of \$1,049.99, it is the feeling of Town Manager Walls and Superintendent Passwaters, we keep the work in town and award the contract to JOB Construction. After a general discussion, Commissioner Jefferson made a motion to award the removal of glass and construction of a salt building project to JOB Construction. Commissioner Greason seconded the motion. Motion carried unanimously.

President Conaway advised two bids had been received regarding South Bridgeville Utilities, Contract A, Piping:

Teal Construction, Inc. - \$2,202,000.00  
Danella Construction Corporation - \$2,436,925.00

Davis, Bowen & Friedel, Inc., town engineers, have reviewed the bids as to conformity and recommend the project be awarded to Teal Construction, Inc. Teal Construction, Inc. has a reputation to be very capable in utility installations, with several decades of experience in this type of work. After a general discussion, Commissioner Correll made

a motion to award the bid for South Bridgeville Utilities, Contract A, Piping, to Teal Construction, Inc. in the amount of \$2,202,000.00. Commissioner Sipple seconded the motion. Motion carried unanimously. It was noted all costs of the project will be borne by Allen & Rocks, Inc.

President Conaway advised The Town of Bridgeville will host the monthly dinner meeting of the Sussex County Association of Towns (SCAT) on April 7, 2004 at the Bridgeville Fire hall

President Conaway advised he had the pleasure of meeting with Senator Joseph Biden, Senator Thomas Carper and staff members from Representative Michael Castle's office on March 8th in Washington, D.C. regarding local Delaware issues - such as beach replenishment, realty transfer tax, continuation of municipal street aid funding, road improvements, statewide reassessment, renewable and green energy, unfunded mandates, annexation issues, certificates of public convenience and necessity. President Conaway pointed out one item that concerned him a great deal was the subject matter of homeland security as discussed by Senator Biden. Senator Biden indicated that all reports, etc. gathered to date, have the next terrorist attack being by rail, with there being \$1 Billion less in this budget.

President Conaway presented for consideration and adoption, two charter changes. One proposal is to change the title of "Treasurer", Section 20 of the Town Charter, to "Finance Director". It is felt the title of finance director better describes the responsibilities of this position. The second proposal pertains to abatement of town property taxes, Section 27 of the Town Charter. This proposal would eliminate an exemption of ten years from taxation of town business establishments employing ten or more employees, annexing into town limits. It is felt property taxes in Bridgeville and Sussex County are low enough that economic development will not be affected with this proposed change. After a general discussion, Commissioner Greason made a motion to accept the proposed charter changes and request Senator Adams and Representative Ewing to introduce the changes for legislative action. Commissioner Jefferson seconded the motion. Motion carried unanimously.

It was noted needed updates to our code/charter book are underway, with the cost being somewhat over the FY-04 budgeted amount of \$6,000.00.

## **X. NEW BUSINESS**

Some time ago Mr. Michael V. Layton requested the Commission to consider abandoning a plotted, but unopened alleyway on the southerly side of Sussex Street, and to transfer the land to him and his wife (Linda W. Layton). The matter has been

researched with there being no utilities in the area, there is no proof of ownership of who owns the alleyway, and no claim to a title. The only person benefiting from this land would be Mr. and Mrs. Layton and they have maintained it for a number of years. President Conaway suggested Commissioners consider transferring the alleyway to the Laytons with all associated costs being the responsibility of Mr. and Mrs. Layton. After a general discussion, Commissioner Jefferson made a motion to transfer the alleyway to Mr. and Mrs. Michael V. Layton with all associated costs being the responsibility of Mr. and Mrs. Layton. Commissioner Correll seconded the motion. Motion carried unanimously.

President Conaway presented for a first reading Ordinance No. A04-4: An Ordinance to add to the Code of The Town Of Bridgeville to Regulation for Swimming Pools. The Ordinance is intended to prevent accidents involving children falling into swimming pools by requiring fences and self-latching gates. The Ordinance will also regulate the placement of swimming pools on properties within the town limits. With new developments or subdivisions in the future for Bridgeville, this Ordinance will ensure that the Commission has input into the design and placement of swimming pools. After a general discussion, Commissioner Jefferson made a motion to accept Ordinance No. A04-4 relating to swimming pools, for a first reading. Motion was seconded by Commissioner Greason and carried unanimously. The second and final reading of proposed Ordinance No. A04-4 will be held at the regular monthly meeting scheduled April 12, 2004.

President Conaway presented for a first reading Ordinance No. A04-3: An Ordinance to add to the Code of The Town of Bridgeville, Provisions Regulating Abandoned or Inoperable Vehicles. The Ordinance will allow for the removal of abandoned and inoperable vehicles from town, whether on public or private property. After a general discussion, Commissioner Greason made a motion to accept Ordinance No. A04-3 for a first reading. Motion was seconded by Commissioner Sipple and carried unanimously. The second and final reading of the proposed Ordinance will be presented at the regular monthly meeting scheduled for April 12, 2004.

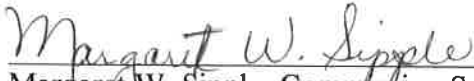
President Conaway presented for a first reading Ordinance No. A04-2: An Ordinance to Amend Chapter 234, Section 234-40 of the Zoning Code of Bridgeville by Regulating the Placement of Signs. The Ordinance states no sign shall be erected in such a manner that the lowest portion shall be less than ten feet above a public sidewalk, and where the outermost portion obstructs the views of motorists and pedestrians. After a general discussion, Commissioner Jefferson made a motion to accept Ordinance No. A04-2 for a first reading. Motion was seconded by Commissioner Correll and carried unanimously. The second and final reading of the proposed Ordinance will be held at the regular monthly meeting scheduled for April 12, 2004.

President Conaway advised a Court of Appeals will be held Saturday, March 27, 2004 from 1:00 P.M. to 4:00 P.M. in the Town Hall. Commissioners will hear and determine appeals from residents during that time who question their assessment. The decision of a majority of the Commissioners sitting on the appeals, shall be final and conclusive in respect to all appeals. Commissioners Conaway, Jefferson and Correll will hold the Court of Appeals on Saturday, the 27th.

#### **XI. ADJOURNMENT**

Commissioner Sipple made a motion to adjourn the meeting at 8:23 P.M. Motion was seconded by Commissioner Greason and so carried.

Submitted by:

  
Margaret W. Sipple, Commission Secretary

  
Alma Fleetwood, Transcriptionist