

## MINUTES

### COMMISSIONERS OF BRIDGEVILLE APRIL 11, 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, Patricia Correll, William Jefferson, and Town Manager Bonnie Walls. The meeting started with the flag salute and the Lord's Prayer.

#### **II. APPROVAL OF MINUTES**

President Conaway requested a note be made in the minutes that the recording tape had jammed with the precise time, etc. unknown.

Minutes of the regular board meeting held on March 22, 2005 were presented for adoption. Commissioner Jefferson made a motion to accept the minutes as presented. Commissioner Correll seconded the motion. Motion carried.

#### **III. CORRESPONDENCE**

Town Manager Walls stated a newsletter was received from the Department of Natural Resources and Environmental Control with mention of dog owners making sure their dogs are licensed and encouraging spaying and neutering of dogs and cats. The newsletter also had information regarding a \$20,000 penalty to Perdue Farms of Bridgeville for air pollution violations. Monthly newsletters from Comcast and Homework-News of Sussex County Habitat for Humanity were also received.

A thank you note from Alma Fleetwood for flowers was received, along with a thank you note from Mr. Justin Bickling for support of his senior year project. Mr. Bickling was in attendance at the February 7, 2005 meeting requesting permission to place benches throughout town for his project titled "The Effects of Exercise on Blood Pressure". The project is to encourage people to exercise and provide a place to rest or take a break. Mr. Bickling will construct and place three benches throughout town. Each bench will have a post and sign indicating the location of another resting area. Mr. Bickling has received permission to place benches at three locations - St. Mary's Episcopal Church, the library, and the Senior Center.

A thank you letter was received from Capital District Kiwanis International Governor Warren W. Kane for the resolution presented to him by President Conaway on behalf of the Commissioners and residents of Bridgeville for his faithful years of community service to the Kiwanis Club.

Town Manager Walls extended an invitation to all Commissioners to attend the 28th Annual Sussex County Council Prayer Breakfast scheduled for Monday, May 16, 2005 and requested those wishing to attend, to please notify her as soon as possible as she needs to RSVP.

A letter of invitation from the Kiwanis Club of Bridgeville to attend their Community Prayer Breakfast scheduled for Saturday, May 7, 2005 was presented. The breakfast will be held in the Fellowship Hall of Union United Methodist Church beginning at 8:00 A.M. Sponsorship of tables is available again this year in the amount of \$55.00, which includes eight tickets. The Commissioners sponsored a table last year. After a general discussion, Commissioner Correll made a motion to sponsor a table at the Kiwanis Club Community Prayer Breakfast. Commissioner Sipple seconded the motion. Motion carried.

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

Finance Director Savage presented the monthly financial reports and bills payable. Commissioner Jefferson stated he would like to recommend that Chief Parsons and all officers be able to work overtime due to the shortage of manpower. After a general discussion, it was decided the three officers be treated equally as to overtime hours with Chief Parsons only filling in as needed and necessary. Chief Parsons was directed to prepare a schedule for the Town Manager's approval. With no other questions or comments, Commissioner Sipple made a motion to pay the bills as presented and to accept the financial statements. Motion was seconded by Commissioner Correll. Motion carried.

#### **V. DEPARTMENT HEAD REPORTS**

President Conaway pointed out with the Code Enforcement Constable's monthly report regarding abandoned and dilapidated trailers on North Cannon Street, that it is good to see this property cleaned up. It is hoped that in the near future the frames from the trailers will also be removed.

Regarding Street Superintendent Passwaters monthly report, it is noted that paving of the St. Mary's Episcopal Church parking lot will soon be accomplished.

The Wastewater Treatment Plant monthly report submitted by Superintendent Mowbray indicates that this is the 78th consecutive month without an NPDES violation.

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Upon review of the Police Department's monthly report, Chief Parsons presented for consideration, grant participation from the Office of Highway Safety for the "Click It or Ticket" campaign. The campaign is scheduled for May 16-31, 2005. The amount of the grant is unknown. Chief Parsons requested permission to work and receive overtime pay for the campaign. President Conaway reminded Commissioners that with the adoption of the FY 05 budget they had agreed and placed into effect a statement that Chief Parsons would not be eligible for overtime, grant funds, etc.. After a general discussion, Commissioner Jefferson made a motion that due to the fact we are short officers, the Office of Highway Grant for "Click It or Ticket It" be split evenly by all officers, including Chief Parsons. Commissioner Greason seconded the motion. President Conaway's vote was "no". Motion carried.

**VI. CITIZEN'S PRIVILEGES**

No comments from citizens.

**VII. TOWN MANAGER'S REPORT**

Town Manager Walls informed Commissioners they were invited to attend the Bridgeville Little League Opening Day Ceremonies and Parade in Bridgeville at 10:00 A.M. on April 30, 2005.

Plans are underway for a Memorial Day Celebration to honor past and present war heroes. The ceremony is scheduled for 9:30 A.M. on Monday, May 30, 2005 at the town park directly across from the Town Hall on Main and Market Streets.

Budget preparation is underway with a budget workshop scheduled for Monday, May 2, 2005 at 6:00 P.M. Town Manger Walls reminded Commissioners that, per the Charter, The budget must be adopted by the first Tuesday in June. Therefore, she proposed the regular meeting be moved to Monday, June 6, 2005 which will allow for budget approval. Commissioner Correll made motion to hold the regular meeting with presentation of the FY 06 budget on Monday, June 6, 2005, 7:00 P.M. Commissioner Sipple seconded motion. Motion carried.

**VIII. OLD BUSINESS**

President Conaway opened at 7:30 P.M. a schedule public hearing for a second and final reading on the following Ordinances:

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An amendment to Chapter 205, Swimming Pools (Ordinance A05-4), was presented for a second and final reading. The amendment allows for above ground pools to be subject to the same requirements as in-ground pools. After a general discussion and with no received comments, Commissioner Correll made a motion to accept the amendment for a second and final reading. Motion seconded by Commissioner Jefferson. Motion carried.

An amendment to Chapter 84, Animals (Ordinance A05-1), was presented for a second and final reading. The amendment will prohibit farm animals and wild animals within the town limits except those animals permitted in an Agricultural Zoning District. After a general discussion and with no received comments Commissioner Correll made a motion to accept the amendment for a second and final reading. Motion was seconded by Commissioner Jefferson. Motion carried.

An amendment to Chapter 190, Sewers (Ordinance A05-5), was presented for a second and final reading. This amendment will regulate the discharge of grease, oil, and fat into the sewer system and require food service facilities to provide for the removal of greases and oils into the sewer system. This amendment regulates the discharge of grease, oil, and fats into the public sewer system. These materials can interfere with the operation of the sewer system and facilities that prepare food contribute the largest amounts of these materials into the sewer system. After a general discussion with no received comments, Commissioner Jefferson made a motion to accept the amendment for a second and final reading. Motion seconded by Commissioner Sipple. Motion carried.

An amendment to Chapter 234, Zoning (Ordinance A05-3), was presented for a second and final reading. The amendment will prohibit the parking of certain large vehicles and trailers. This amendment prohibits trailers and certain large vehicles from being parked in front and sides of dwellings. After a general discussion and with no received comments, Commissioner Correll made a motion to accept the amendment for a second and final reading. Motion seconded by commissioner Sipple. Motion carried.

An amendment to Chapter 234, Zoning (Ordinance A05-2), was presented for a second and final reading. The amendment will add a provision providing for the enforcement of handicapped sign requirements. The Town of Bridgeville is required under Title 22, Chapter 1 of the Delaware Code to enact an ordinance to require all handicapped parking spaces to be marked by signs and, as part of that ordinance, to provide for its enforcement. After a general discussion and with no received comments, Commissioner Correll made a motion to accept the amendment for a second and final reading. Motion seconded by Commissioner Sipple. Motion carried.

The public hearing was closed at 7:47 P.M.

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President Conaway stated at the meeting of March 22, 2005, the Commissioners adopted a resolution to create the Heritage Shores Special Development District in the Town of Bridgeville, Delaware. The next process is to adopt an ordinance to establish the district which will allow the Commissioners to levy a special tax for Heritage Shores. The special tax which would be in addition to town property taxes, will help to pay for additional services and costs caused by the annexation of Heritage Shores and the towns future population increase. President Conaway read for a first reading by title the proposed ordinance.

An Ordinance of the Commissioners of Bridgeville (the "Commissioners"): confirming the creation of the (1) Heritage Shores Special Development District (the "Heritage Shores District") and (2) Heritage Shores Special Development District Special Fund (the "Heritage Shores Special Fund"); providing for the levy of a special tax on all real property subject to tax within the Heritage Shores District; pledging the special tax on real property within the Heritage Shores District to the Heritage Shores Special Fund and promising that the proceeds of the special tax will be paid into the Heritage Shores Special Fund; providing for the use of moneys in the Heritage Shores Special Fund; authorizing the Commissioners to enter into development agreements with the current owner of all of the property within the Heritage Shores District; making certain legislative findings, among others, concerning the public benefit and purpose of special obligation bonds to be issued by the Commissioners; authorizing and empowering the Commissioners to issue, sell, and deliver, at any one time or from time to time, its special obligation bonds in one or more series in an aggregate principal amount not to exceed \$65,000,000; providing that such special obligation bonds and the interest thereon shall never constitute a general obligation debt of or a pledge of the Commissioner's full faith and credit or taxing powers; making a finding that the use of the property in the Heritage Shores District is consistent with the comprehensive plan for the area; authorizing and empowering the president of the Commissioners prior to the issuance, sale, and delivery of such special obligation bonds, to prescribe the rate or rates of interest such special obligation bonds are to bear, the form, tenor, terms, and conditions of and security for such special obligation bonds, and to prescribe, determine, provide for, and approve various other matters, details, documents and procedures in connection with the authorization, issuance, security, sale, and payment for such special obligation bonds; and generally providing for the financing of public infrastructure improvements within and without the Heritage Shores District and for the imposition and levy of a special tax and the issuance of special obligation bonds, all in accordance with Title 22 of the Delaware Code, Chapter 18 and Section 29A of 51 Delaware laws, Chapter 237, as amended.

After a general discussion, Commissioner Jefferson made a motion to accept the Ordinance creating the Heritage Shores Special Development District for a first reading.

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Commissioner Sipple seconded the motion. Motion carried. President Conaway pointed out that a public hearing and second and final reading of the ordinance would be held at the May 9, 2005 meeting.

**IX. NEW BUSINESS**

Listed on the agenda was approval of Phase II plans for Heritage Shores. It was anticipated to have those plans ready for review and approval tonight. The plans that have been presented are for water, sewer, storm water, lights, etc. The Phase II plans are anticipated to be received in the very near future.

Commissioner Jefferson requested that Mr. Robert Rauch of Robert D. Rauch & Associates, Inc. give an update of the progress at Heritage Shores. Mr. Rauch stated that the weather has improved so all phases are progressing. Sixteen Lennar homes are under construction, two Lennar model homes are near completion and four Brookfield homes are under construction. It is anticipated that groundbreaking for the club house will be in May. The golf course contractors have mobilized four crews. They are in the process of shaping, excavating ponds, relocating structural fill, etc. Paving under Phase I is starting on another section next week. Two new construction trailers have been located in the northern part of the property for Lennar house building teams. With so many groups operating at the development, each needs office trailers-J.M. Bryan & Sons, Weitz Golf, Lennar Site Development, Brookfield Homes, Lennar house building team, etc. All utilities will be under ground (Conectiv, Verizon, Chesapeake Utilities, and Comcast). All fiber optic services will be provided. Plans are completed and ready for bid for a water tower of traditional design. The pumping station is complete with the town providing some wastewater flow from WAWA to come directly into that pumping station to operate the cycle before the houses are placed on line. Mr. Rauch stated there has been a tremendous effort from all involved and the commitment by everyone is beyond compare. The State Highway Department is in the process of finishing the highway entrance with no traffic light anticipated at this time. Commissioners thanked Mr. Rauch for his update.

Chief Parsons stated the Police Department would like permission to ask Discover Bank for grant funding for handouts at the upcoming Apple Scrapple Festival (October). Amount to be requested is \$1,250.00. After a general discussion, permission was granted.

Chief Parsons advised he has received notice from the Department of Transportation that they will fund the cost of four computers for police vehicles. Therefore, an amendment needs to be made to a SALLE grant, whereby vehicle computers were to be purchased, in the amount of \$2,908.00. The amendment funds would use the \$2,908.00 to purchase a laptop and two computer mounts for police

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vehicles. Chief Parsons stated computers will be placed in all vehicles at no cost to the town. It was pointed out by Finance Director Savage that he has not received actual cost, so we are unsure if the town will or will not incur any costs.

President Conaway stated he will have the pleasure of being present at the Life Care at Lofland Park at 2:00 P.M. on Saturday, April 16th. On behalf of the Commissioners and residents of Bridgeville, he will present a proclamation to Mr. Ronald Sipple for his service to the community. All commissioners are invited. Fire trucks from both Georgetown and Bridgeville Fire Companies will be there.

**X. ADJOURNMENT**

With there being no other business for discussion, Commissioner Sipple made a motion to adjourn the meeting. Motion was seconded by Commissioner Jefferson. Motion carried. Meeting was adjourned at 8:15 P.M.

Respectfully submitted by:

Margaret W. Sipple

Margaret W. Sipple, Commission Secretary

Sharon Schultz

Sharon Schultz, Transcriptionist