

**MINUTES
COMMISSIONERS OF BRIDGEVILLE
APRIL 11, 2011 – 7:00 P.M.
TOWN HALL**

I. CALL TO ORDER

The meeting was called to order by President Pat Correll at 7:00 P.M. Present: Commissioners Paul Kovack, Steve McCarron, Jay Mervine, Lawrence Tassone and Town Manager Merritt Burke IV. The meeting began with the Flag Salute and the Lord's Prayer.

II. QUORUM PRESENT

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

III. APPROVAL OF MINUTES

President Correll presented the minutes from the March 14, 2011 Commission meeting for approval. Commissioner Tassone made a motion to approve the minutes. Commissioner Mervine seconded the motion. Motion carried.

IV. CORRESPONDENCE

Town Manager Burke advised the Town has received a card from the Richard Lewis family and the Alzheimer's Association thanking the Commissioners for their donation on behalf of Mr. Richard Lewis, who passed away several months ago and was a Bridgeville Commissioner.

A letter has been received from Skanska, the contractor for the Indian River Bridge, inviting the Commissioners and citizens to an Open House and site tour on April 30th.

Correspondence has been received advising that Older Americans Day is on May 27th, with a program from 10:00 A.M. to 2:00 P.M.

Town Manager Burke acknowledged the gift of an atomic clock from former Commissioner Ruth Skala. There has been uncertainty about starting the monthly meetings due to an unreliable clock and Mrs. Skala solved the problem. President Correll expressed appreciation to Mrs. Skala for her gift.

Correspondence has been received from Ms. Karen Brittingham, the new coordinator for Municipal Street Aid Funds. Town Manager Burke and Ms. Brittingham will be meeting to discuss future funding opportunities for FY 2012. Town Manager Burke worked with Ms. Brittingham when she was the Planner for the City of Milford.

V. APPROVAL OF FINANCIAL STATEMENTS AND BILLS PAYABLE

Finance Director Savage directed the Commission to the Balance Sheet for the period ending March 31, 2011. All accounts totaled \$951,854, which was a decrease from the prior month of

\$81,500. Of that total, the general checking and savings accounts totaled \$431,391. There are outstanding property taxes of \$3,450; however, the Town did collect \$4,600 in property taxes in the month of March. The Town will follow-up with telephone calls on unpaid taxes. President Correll questioned how we compare with last year. Finance Director Savage advised we had approximately \$6,000 in outstanding taxes last year at this time and had to send letters from our Solicitor to collect the final taxes. Long-term liabilities, which include general obligation bonds, stand at \$5,614,666. On the Budget Report, the Town is nine months into the budget year and should be at 75%. Income is currently at \$1.97 million, which is 75% of the budget. Expenses are currently at \$1.61 million, which is 65% of the budget. We were \$4,000 below budget in transfer tax, but have just received the March check, putting us back on target. On Accounts Payable, the Town has received bills totaling \$27,972. Expected expenses, including health insurance, payroll, utilities, a semi-annual USDA payment, etc. are \$123,500, for total bills to be approved of \$151,472. Finance Director Savage clarified for Commissioner Kovack that we have a loan from the Department of Agriculture. Commissioner Tassone made a motion to pay the bills as presented. Commissioner Kovack seconded the motion. Motion carried.

VI. DEPARTMENT HEAD REPORTS

President Correll advised the Department Head Reports are available to the public. She asked Police Chief Longo to inform the audience about the upcoming annual Prescription Drug Take Back Day. Chief Longo advised this event will take place in conjunction with the Drug Enforcement Agency and the Bridgeville Volunteer Fire Company. Residents will be able to drop off prescription drugs they no longer use for proper disposal by the DEA. This event will take place at the Fire Hall on Saturday, April 30th from 10 AM to 2 PM. It is not necessary to take labels off of the prescription bottles. It was questioned whether there are clinics in the state that can hand out these medicines to low income individuals; however, no one present had any information on that possibility. Apparently this program is available in some areas. Flushing of medicines was mentioned; however, Commissioner Tassone advised drugs should not be flushed, as that is why we have problems with the Bay Watershed. Town Manager Burke advised the Town staff will post any additional information it discovers concerning disposal of medicines on the Town website.

Commissioner McCarron commended Police Officer Bonniwell on his handling of a recent shooting incident in Town. When the Fire Company arrived on the scene, it was evident that Officer Bonniwell had the situation under control. Chief Longo advised the department received accolades concerning their response and coordination with the Delaware State Police; both groups partnered very well together. Town Manager Burke added that he recently attended a Rural Emergency Planning Seminar in Dover and that particular incident, along with the partnership between the Bridgeville and State Police was used as a case study and considered successful concerning incident command, dealing with media and other aspects of the incident. Town Manager Burke congratulated Chief Longo and the Bridgeville Police for their handling of the situation.

Town Manager Burke advised that during March 2011, the Bridgeville Police Department wrote approximately \$29,000 worth of traffic tickets and violations. Currently, approximately 22% of the fines are returned to the Town. In the past few years it has varied from 18-25%. DelDOT and other agencies have been the recipients of the hard-earned monies from Delaware municipalities.

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Town Manager Burke congratulated Chief Longo and his officers for the traffic safety event they participated in last Saturday. He is pleased the officers are embracing community policing and educational outreach efforts.

Town Manager Burke reported that three Bridgeville police officers were promoted to Patrolman First Class, including officers McQuown, Baker and Hogan.

It was mentioned that the Police Department continues to stop trucks that are traveling through Town illegally.

Chief Longo advised Officer Hogan will receive an award from the Seaford Moose Lodge on April 15th. He is being recognized for several circumstances in which he gave assistance to older citizens.

Commissioner Kovack asked about the possibility of condensing the Police report. President Correll advised the report will be revamped for the May meeting.

Town Manager Burke advised building permits have increased over the past three months from 2 to 4 to 13. Rental licenses decreased based on the difficulty of contacting owners to schedule the necessary inspections. The Town was hopeful the process would be completed by the end of April. Fines have been sent to those who have not yet complied. There are several hundred rental properties in the community. The Code Enforcement Official also continues to site residents for trash and dog issues.

VII. TOWN MANAGER'S REPORT

Town Manager Burke reported the 5th annual Community Health Walk will take place on Saturday, April 16th from 8:30 to 10:30 A.M. Town Manager Burke will represent the Town at the event. The Community Health Day Proclamation on tonight's agenda will be read at the event.

Town Manager Burke reminded the residents of the Referendum scheduled for May 5th at Town Hall, with voting from 10:00 A.M. to 2:00 P.M. This concerns a \$550,000 loan from the Office of Drinking Water for a water main replacement on Walnut St. The current water main is 95 years old.

The Town has executed a contract with Kwik & Crafty Contracting for curb ramp updates, per ADA requirements, and catch basin replacements. The project will begin this Wednesday and should take approximately two-three weeks, depending on the weather. The improvements must be completed by May 15th, as DelDOT will not allow construction work on the roads after that date, unless an extension is approved.

Town Manager Burke reported RBC (rotating biological contactor) replacement continues at the Wastewater Treatment Plant. The RBC's are arranged in two trains of four each. One RBC has been replaced in the first train. A RBC in the second train will also be replaced, as it is falling apart. This project is funded by the Delaware State Revolving Loan Fund.

The Town of Bridgeville has met with the Town of Greenwood concerning the Wastewater Services Agreement between the two Towns. Negotiations are ongoing; however, Town Manager Burke is optimistic that a resolution is imminent.

Town Manager Burke reported the Town will continue to pursue rental unit licenses, untagged vehicles, yard waste, animal control and other issues.

VIII. CITIZEN'S PRIVILEGE

Mr. Larry Skala from 108 Whistling Duck Dr. reported the strobe light on top of the water tower in Heritage Shores is not functioning.

Mrs. Ruth Skala from 108 Whistling Duck Dr. advised there will be a Quilt & Rug Hooking Expo at the Bridgeville Public Library on May 14th from 11:00 A.M. to 4:00 P.M. In addition, there are currently two artists displaying their work at the Library, including jewelry, monotypes and etchings.

Mr. Frank Mills from 64 Emily's Pintail Dr. asked that the Town Department Superintendents be reminded that there is a cell phone ban in the state while operating a vehicle. The Town must lead by example. Mr. Mills also asked if there is an emergency alert system for the Town. Commissioner McCarron (also President of the Fire Company) advised the county has a reverse 911 alert system; it is available by sign-up on the county website. He added this same issue was discussed with former Town Manager Walls concerning possibly re-activating the old civil defense siren in the event of an emergency. Unfortunately, the siren would draw people outside, which would not be safe in the event of an ammonia release from local refrigeration plants, a likely scenario in this area. Commissioner McCarron advised the Fire Chief or Police Chief would be the most likely individuals to activate the county alert system. Mr. Mills expressed concern about events such as electric lines being down on S. Main St. recently, or a severe weather alert. He believes if you're not tuned in to the TV or the emergency alert radio, you would be at risk. Town Manager Burke advised the Town does have a draft Emergency Plan and is waiting for the County to complete their plan so the two would be coordinated. President Correll reported she talked to County Council President Vincent recently and he related the county plan is almost finalized; the plan is being distributed to Bridgeville Emergency Planning Committee Chairman, Mr. David Levy, and individuals from other Towns for review. Within the Plan is an Incident Command structure which summarizes what Mr. McCarron just shared. The Federal Emergency Management Agency had made grants available to help Towns standardize emergency procedures. Mr. Mills has not seen anything in the newsletter about emergency procedures. Commissioner McCarron remembers the reverse 911 emergency system being mentioned 8-10 months ago in the newsletter and remembers writing a thank you letter to the previous Town Manager about the information. He advised it is not advantageous to have too many entities duplicating a service. The reverse system can dial anyone within a certain area. He believes notification would be important if there were something in the air to be warned about. It was suggested the opportunity to register for the reserve dial alert system should be mentioned on a continuing basis in the newsletter and on the website. Mr. Mills advised recent events such as the power outage and electric pole failure sparked his curiosity about available emergency information. Commissioner McCarron suggested people monitor the Fire Company's website, www.bridgeville72.com; all of the Fire Company's dispatches are listed. Concerning the recent Bridgeville shooting, the Bridgeville Police Department and State Police

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worked together and news releases were forwarded to the major media sources in the area. Perhaps pertinent information can be added to the website in the future when it is available. Town Manager Burke will pursue this issue and speak with Mr. Levy this week. Mr. Mills reported the news media sometimes tends to release a little information and then never returns with more details, which is harmful rather than helpful. There was no information about what streets were involved in the media; someone dropped the ball there – it might have been the TV station or someone else. President Correll believes Delmarva Power should have been responsible to disseminate information to the media. The repair was their responsibility and they had approximately 35 trucks on site all day. Commissioner McCarron advised he put information on the Fire Company's website concerning the power outage and he usually contacts WGMD radio with local problems; the radio station was talking about the outage that morning, as several residents listened to WGMD. The newsletter should include sources for news and information for the residents.

Former Commissioner Margaret Sipple from 106 Sussex Ave. advised she saw the information on WBOC TV at 7:30 A.M. She also wanted to know what the Town is going to do about the limbs and leaves throughout Town. Cahall Park has a pile of limbs gathering and many homeowners are piling up yard waste. She believes the Town is going to look terrible. President Correll advised that issue will be discussed later in the meeting.

Mr. Robert Lewis from 411 Cedar Ave. asked if the issue concerning the number of trailers/recreational vehicles allowed in Town is going to be discussed tonight. He is concerned because at the present time he cannot have a small pop-up camper and a trailer to haul his trash and yard waste away on his property. Does he need to get rid of one of these? He does have an interest in the Town looking nice and doesn't want someone backing a u-haul onto their property and leaving it there for an extended time. There should be a compromise solution that is sensible and addresses the needs of the homeowners. President Correll appreciated Mr. Lewis' comments and reported that several Town personnel are revising the ordinance; it is not on the agenda tonight, but as soon as they have a draft ordinance that will address the needs of the whole Town, they will bring it before the Commissioners and residents at a monthly Commission meeting. Mr. Lewis returned to the code violation issue. Since the municipal election he has ridden around Town on Saturdays and taken pictures of at least 6 properties that have similar code violations to his own. He does not want to be singled out as a violator when there are so many others. The trailers in violation have not moved a single inch in the five weeks since the election. In fact, some properties have added more trailers. Town Manager Burke agreed with Mr. Lewis. There are many trailers in violation throughout Town. He has multiple times sent letters and fines to residents. To-date residents are not acknowledging the letters or the fines. He has also had personal conversations with several homeowners. The Town is considering their legal options. The Town's Code Enforcement Official is now able to access the DELJIS (Delaware Criminal Justice Information System), which will hopefully speed up the process of addressing violators. Some of the current Commissioners have themselves received letters advising of their violation of this particular ordinance; the Commissioners have not been treated any differently than any other residents. Town Manager Burke advised they are sincerely attempting to address this issue. At the same time, changes to the code are being considered. Mr. Lewis advised the majority of the trailers/vehicles are clean, registered and neatly parked in the appropriate location. Commissioner Kovack advised he has been working on this issue since the election. He has passed ideas along to the Town Manager and they are in the process of finalizing an ordinance that will re-address this situation. Mr. Lewis re-iterated that he wants the Town to look good and he realizes the Town has many matters

to attend to. Right now he parks his trailer several miles away at a friend's house and whenever he wants to clean up his yard he expends extra effort to get it. He wants the Town to look good; please give him and the other townspeople the tools to do it.

IX. OLD BUSINESS

A. Final Development Plan Review – Bridgeville Professional Center

Town Manager Burke advised the Bridgeville Professional Center final development plan has been reviewed by himself, our engineer, Davis, Bowen & Friedel, Inc. (DBF) and our Code Enforcement Official. Town Manager Burke introduced Mr. Brad Gillis, who is representing the project. Mr. Gillis advised his company is developing approximately 19,000 square feet of medical/professional office space on Antique Alley in Bridgeville. The land is located between the Lions Club food trailer on S. Main St. and the antique store on Route 13. Nanticoke Hospital will be occupying 4,000 sq. ft. in the first of two buildings. Fire Marshall approval has been received recently, other state agency approvals have also been received and they have a signed developer's agreement with the Town. With final approval from the Commissioners tonight, they will apply for a building permit within the next 2-4 weeks and hope to have the first building completed by the end of the year. President Correll reported these two buildings will be very similar to the Mears Center Campus in Seaford.

Mr. Mills questioned what types of offices they would be having. Mr. Gillis advised Gillis Gilkerson Contractors are speculative developers and build prior to knowing who the tenant will be. The Nanticoke portion will be an outpatient facility, but he has no further details. Nanticoke Hospital will likely make an announcement when they are ready to reveal the type of facility this will be. Commissioner Mervine questioned the EDU's. Mr. Jason Loar from DBF, Inc. advised the EDU's may be modified by the Town, if necessary. Town Manager Burke advised the developer's agreement is the guiding document; there are times when a modification is necessary. He is currently working with DBF and the applicant to determine the correct number of EDU's. Once that number is determined, one-half of the impact fees for the first building will be paid and a payment plan will be determined, if necessary. Commissioner Mervine asked if a mechanism is in place to amend the contract, should the number of EDU's be exceeded by the project. Town Manager Burke assured him that is included in the agreement. Commissioner Tassone made a motion to approve the final development plan for the Bridgeville Professional Center. Commissioner Kovack seconded the motion. Motion carried.

X. NEW BUSINESS

A. Comprehensive Plan Update – Mr. Jason Loar, Davis, Bowen & Friedel, Inc.

Town engineer Jason Loar reported the last Comprehensive Plan update was completed in 2006. Another update is required this year by the state of Delaware. With the 2010 census, Bridgeville has exceeded 2,000 in population; therefore, there will be additional elements necessary in the new plan.

Mr. Loar advised the Comprehensive Plan is a working document that can be modified; it is considered the vision for the future of the Town. As an advisory document, it considers land use, transportation, historic preservation, environmental and natural resources, water/sewer needs, housing and other elements. It is the Town's vision and community input is an important part of the process. The document will assist with zoning and rezoning, annexations and any growth issues. Currently, growth is stagnant, but the Town still needs to look to the future and decide how it wants to grow. Anticipated EDU usage has been drastically reduced, as developers have determined it is not in their best interest to develop at this time.

Another document that is updated every three-four years is the Town's Water/Wastewater Facilities Plan and it is included as a part of the Comprehensive Plan. The Town hopes to receive a grant to assist with this more thorough plan. The state is pushing all municipalities to deal with the TMDL's in the Chesapeake Bay right now. Mr. Loar recommends that the facilities study be completed first, which includes our wastewater agreement with the Town of Greenwood. Mr. Loar reported Town Manager Burke has a planning background, which is helpful. Mr. Bryan Hall from the Office of State Planning is also very helpful. Officially this document must be completed by January 2012 and must be approved by the state.

Town Manager Burke reminded the Commissioners that Bridgeville has agreed to be involved in an experimental/pilot program concerning the use of AlgEvolve to treat our wastewater. Due to that commitment, we are in a unique situation and can expect some flexibility with the Comprehensive Plan from the state. Town Manager Burke asked Mr. Loar to explain the general process involved in the Comp Plan. Mr. Loar reported the first step will be a detailed review of the 2006 plan, including decisions about aspects remaining the same and changes to be made. The review will look at what the Town has and has not implemented since 2006. There will be a time for gathering documentation and GIS technology will be very helpful. Community meetings with opportunity for input are an important part of the process. Wastewater issues will be addressed, including the proposed AlgEvolve program. All aspects of the Comp Plan must be examined, including growth/annexation policies, capital improvements, natural resources, etc. Even the activities in the surrounding Towns need to be considered, as their actions affect us. This is a several month process and with the AlgEvolve program, we will receive a grant to complete an even more thorough Comp Plan than usual.

President Correll advised the public meetings for the Comp Plan will be held at the Bridgeville Public Library; they have offered their meeting room for our use. We will post information on the website when it is available. Mr. Loar suggested we could also solicit the opinions of residents through an online survey. Mr. Skala asked whether the Comp Plan includes re-drawing voting districts. It does not involve the Town's voting districts at all.

B. Yard Waste Discussion

Town Manager Burke advised the separation of yard waste from regular trash was mandated by state law in January, 2011 and it has been creating havoc for all residents. Yard Waste includes limbs, bagged leaves, pine needles, grass, etc. Town Manager Burke introduced Mr. Mike Stang from M-T Trash to share a yard waste program that his company is offering. (M-T Trash is the Town's trash collection provider.) Mr. Stang reiterated that you cannot mix yard waste with solid waste anymore. His company offers a yard waste program to their direct customers and to Bridgeville residents who

have a contract through the Town. This includes a bi-weekly yard waste pick-up service for seven months of the year (April through October) for a \$6.00 per month charge. It will cost \$42 for the 7-month period. Ten bags are allowed each pick-up. Sticks/limbs must be cut into 4-foot lengths and bundled. One bundle = 1 bag. This is an optional service and residents must make a direct call to M-T Trash to sign up for the service. He admitted there may be some changes to the program, as needed. President Correll advised this yard waste ban was even a surprise to our state legislators. She has seen two different trash collection companies pick up trash for Bridgeville during her years as Commissioner and M-T Trash has done an outstanding job. Mrs. Sipple asked whether the volume of solid waste trash has been reduced now that yard waste is not acceptable at the landfill. Mr. Stang has not seen a reduction at this point, but will probably see it in the upcoming months when grass and weeds increase. M-T Trash is offering recycling services now (\$6 for bi-weekly pick-up), although it is not mandatory until September 15th. In September when recycling is instituted, the trash company will be required to offer a container to each customer; however, they can reject it. At this point, M-T Trash will pick up recyclables in bags, totes, laundry baskets, etc. It doesn't make any difference to him what the receptacle is. The recycle tote offered is the same size as our current solid waste tote. Per Mr. Stang, if we want the recycle bins at the Town Hall parking to remain, they will remain. Town Manager Burke advised the Town will be required to go out for bid this summer for its trash collection, as the M-T Trash contract ends this fall.

The Town is planning to hire M-T Trash to bring a 30-yard container to Town Hall on Saturday, May 14th for a Yard Waste Only Collection Day at no charge to the residents. The Town is also looking into providing pick-up services for elderly or handicapped residents that day. Woodbridge High School students may or may not be available to provide pick-up services. This will cost \$500 and is not a budgeted item. Commissioner Mervine asked if it will be possible to bid the garbage contract with solid waste/recycling/yard waste included. Mr. Stang advised the price would certainly increase for three different services; recycling and solid waste are mandatory, but yard waste is not. Some companies would put the yard waste pick-up as an option to their bid.

President Correll advised residents must be careful what they put in their regular, solid waste trash containers. If the trucks arrive at the landfill with yard waste intermingled, they will receive a \$500 fine per truck; yard waste may not be placed in solid waste containers. Mr. Stang advised if a driver sees yard waste in the solid waste he is picking up, his company will try to reach the resident and advise him that yard waste is no longer acceptable. Recycling is not mandatory; however, residents will be required to pay for it. The Town's yearly Clean-Up Days were questioned. President Correll stated the Town will not have a Spring Clean-Up Day; there will be a Fall Clean-Up Day before the Apple Scrapple Festival. This Yard Waste Clean-Up Day is only for yard waste. Commissioner McCarron made a motion to approve the Yard Waste Collection Day on May 14th. Commissioner Mervine seconded the motion. Motion carried. President Correll thanked Mr. Stang for coming.

C. Planning and Zoning Commission Annual Report

President Correll advised Planning and Zoning Commission Chairman, Mr. Bill Atwood, has prepared an annual report itemizing the applications that have come before this Commission in 2010. Commissioner Tassone made a motion to accept the 2010 Annual Report of the Bridgeville Planning and Zoning Commission. Commissioner Kovack seconded the motion. Motion carried. President

Correll thanked Mr. Atwood for his time and efforts on the Planning and Zoning Commission. He has done a very thorough job on all applications. She was surprised how much time the Planning and Zoning members have spent deliberating this past year. She asked that Mr. Atwood convey the Town Commission's appreciation to them, as well.

D. Community Health Day Proclamation

Town Manager Burke read the proclamation declaring April 16th as Community Health Day in Bridgeville. Commissioner Mervine made a motion to proclaim April 16th, 2011 as Community Health Day in Bridgeville. Commissioner Kovack seconded the motion. Motion carried.

Commissioner Tassone questioned the status of the Homeless Cat Helper Spay/Neuter Clinics, whose Conditional Use application was approved at the March Commission meeting. There has been rumor that the funding for the project fell through. Town Manager Burke advised he has had no official word on the status.

XI. EXECUTIVE SESSION – PERSONNEL MATTERS

Commissioner Kovack made a motion to go into Executive Session to discuss personnel matters. Commissioner Tassone seconded the motion. Motion carried. The regular session recessed at 8:29 P.M.

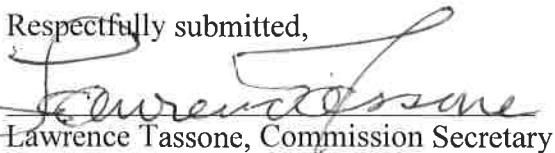
XII. RECONVENE REGULAR SESSION

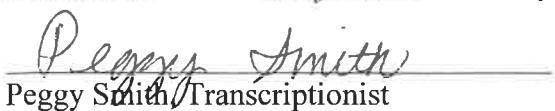
Commissioner Mervine made a motion to re-convene the regular session. Commissioner McCarron seconded the motion. Motion carried. The Commission re-convened the regular session at 9:35 P.M. President Correll advised the Commission discussed personnel matters and no votes were taken.

XIII. ADJOURNMENT

Commissioner Tassone made a motion to adjourn the meeting. Commissioner Mervine seconded the motion. Motion carried. The meeting was adjourned at 9:36 P.M.

Respectfully submitted,


Lawrence Tassone, Commission Secretary


Peggy Smith, Transcriptionist