

MINUTES

COMMISSIONERS OF BRIDGEVILLE APRIL 14, 2008 – 7:00 P.M.

I. CALL TO ORDER

The meeting was called to order by President Joseph Conaway at 7:00 P.M. Present: Commissioners Patricia Correll, Ruth Skala, 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 from the March 12, 2008 Police Interviews and the March 17, 2008 monthly Commission meeting were presented for approval. Commissioner Correll made a motion to approve the minutes as presented. Commissioner Jefferson seconded the motion. Motion carried.

IV. PRESENTATION – OFFICER OF THE YEAR

Public Safety Director Aaron Chaffinch introduced Patrolman Robert H. James, Jr. as the "Officer of the Year" award winner for 2007. Patrolman James joined the Bridgeville Police Department in September of 2005 and entered Delaware Police training; he is a Bridgeville resident. Mr. Chaffinch acknowledged that, per department statistics, Patrolman James was the most consistent officer on the force in 2007. The Commissioners presented a plaque to Patrolman James and congratulated him for receiving the first Officer of the Year Award in the Town of Bridgeville.

V. CORRESPONDENCE

Town Manager Walls advised the Commissioners have received an invitation to the grand opening of the new Town Hall and Police Station in the Town of South Bethany on May 3rd. Town Manager Walls will be glad to RSVP for the Commissioners.

A letter has been received from M-T Trash acknowledging their provision of the same service as in past years for the May 10th Town Clean-Up Day. Town Manager Walls reported the Town has been very pleased with their Clean-Up Day services in the past. President Conaway asked if Senator Adams and Representative Ewing will be providing assistance through land fill credits. Town Manager Walls will confirm, but is confident their contributions for the last Clean-Up Day would be sufficient to cover this event as well.

The 2008-2012 Delaware Statewide Housing Needs Assessment has been received and is available for review.

VI. APPROVAL OF FINANCIAL STATEMENTS AND BILLS PAYABLE

Finance Director Jesse Savage directed the Commissioners to the Balance Sheet. (The following amounts are in rounded figures.) As of March 31, 2008, the General Fund total was \$27,500 and the Money Market Savings total was \$283,000. The Impact Fee balance is \$71,700. The Emergency Services Fund has accrued \$1,971 since January 1st. The Escrow accounts total \$771,000. Concerning the interim financing loans for the spray irrigation project, there is a \$1.6 million balance due. President Conaway commented that \$310,000 in funds is available for expenses with three months left in the fiscal year; monthly expenses average \$70,000 per month. He is hopeful the Town will end the year with a surplus. Finance Director Savage directed the Commissioners to the Profit / Loss Report. The Town received a check for transfer tax in early April of \$16,900 that is not reflected on this report, enabling the Town to reach its budget target of \$240,000 for this line item, with three more months in the fiscal year. Additionally, three new home settlements are anticipated this month. Utility income is slightly above projection. With an expectation that we would have reached 75% of our budget income at this point in the budget year, we have actually reached 84% of expected budget income. Concerning expenses, all line items are generally in-line with the budget. President Conaway questioned a \$2,200 expense for the wells. Finance Director Savage explained the charge was incurred for testing the new fluoridation system, an expense not covered in grant monies received for the project. President Conaway is pleased that overtime expenses are not excessive, despite a current reduction in the Police force. The Town currently pays \$.35 mileage; the Town Manager and Finance Director are addressing that figure in upcoming budget recommendations. Finance Director Savage reported a high percentage of the Davis, Bowen & Friedel bills are reimbursable. Commissioner Correll made a motion to pay the bills as presented. Commissioner Jefferson seconded the motion. Motion carried.

VII. DEPARTMENT HEAD REPORTS

Commissioner Correll commended the Code Enforcement Constable and Police Department for the clean-up and car removal that have taken place in Town. She reported very kind words from friends who live in another Town close by concerning how nice Bridgeville looks. President Conaway reported on confusion in finding an address in an emergency run at Heritage Shores on Sunday. The incident has been turned over to the President of the Fire Company for a response. President Conaway read a fact sheet concerning the ability of the Town to create a Special Tax District, following last month's extensive conversation on the subject during the Citizen's Privilege portion of the meeting.

VIII. CITIZEN'S PRIVILEGE

There were no comments or concerns from the citizens of Bridgeville.

IX. TOWN MANAGER'S REPORT

Town Manager Walls reported the Delaware Economic Development Office offered their services for Bridgeville businesses to learn about downtown revitalization. The Town sent letters to local businesses with a deadline to express their interest in the services. Only one response was received, with the business owner advising they were not interested. Their comment was that the downtown had remained the same for quite some time and they did not see any change coming.

The annual Court of Appeals was scheduled for Saturday, March 22nd, with notices and newspaper advertising posted. No appointments were made.

Town Manager Walls attended the dedication ceremony for the Woodbridge School Athletic Complex. The Agriculture Department is completing a building there and the track is in use. The facility was already busy with a track meet and soccer games taking place during the ceremony. In the future they hope to build a new high school at this location.

Commissioners and Town Manager Walls attended the ribbon cutting celebration for the Goodwill Training Center, located in the Goodwill Store on Route 13 in Bridgeville. They train people who have physical or developmental disabilities or those who need to learn new skills. The facility is the third training center in the state and the first in Sussex County. All training is provided free of charge.

The second annual Spring into Health Community Walk was held on Saturday April 5th. Town Manager Walls extended the Town's sincere thanks to the Fire Company for providing standby fire equipment, to Bridgeville Police Officer James for his presence and participation, to Brookfield Homes for their donation of water and to the staff of the Woodbridge School District for their organizational efforts. Four communities held Community Walks – Laurel, Georgetown, Seaford and Bridgeville. Town Manager Walls was proud to announce that Bridgeville will retain the trophy for greatest participation, won by the Town last year. This year's participation topped 350!

The residents are reminded of the upcoming Town-Wide Yard Sale scheduled for May 3rd, with Clean-Up Day following on May 10th.

A request for financial assistance has been received from Union United Methodist Church to help provide for a variety of summer day camps for children and youth. Commissioner Correll commented that many community young people are served through these programs, which continue for five weeks of the summer. President Conaway recommended that the request be considered during budget discussions.

A pre-construction meeting regarding the road to service the ball fields and new Library was held. This project will include stormwater management and a roadway. The contractor, A.P. Croll & Son, Inc. has sixty days to complete the work, per the awarded contract.

The Library will hold its fundraising Art Auction on Friday, April 18th, honoring and featuring some of the famous works by local artist Jack Lewis. In conjunction with that event, a Proclamation has been written, and was read at the meeting, proclaiming April 18th as Jack Lewis Day. Commissioner Correll made a motion to adopt the Proclamation. The full Commission of the Town of Bridgeville seconded the motion. Motion carried.

To show the Commissioners' pride and support of the Woodbridge High School Boys' basketball team becoming the Henlopen Conference Champions, a donation toward the purchase of special rings for the team members has been made.

Several years ago, Town Manager Walls learned about a First State, First Shock Program, sponsored through the Delaware Health and Social Services, which offered participation in the Automatic External Defibrillator Service Provider program. After investigating the program, we learned there was a waiting list to receive a free defibrillator. We requested to be placed on the waiting list, stating that, as a municipality serving the residents of our community, we felt we should be prepared to help our residents and employees in a medical emergency. We have now received an older defibrillator, and were advised the FDA is examining the newer models, but has stopped their distribution. When the new models are approved, Bridgeville will once again be placed on the waiting list for a new model. The Town is appreciative of being a recipient of the older model defibrillator. The Town staff will be trained by Police Chief Parsons in the use of the equipment.

The Town has received and approved a proposal by Town engineer, Davis, Bowen & Friedel, regarding a water and sewer facilities study for possible annexation of three properties located on U.S. Route 13. There is no cost to the Town; costs will be distributed among the three projects, based on their acreage. The total cost of the study is \$28,000. The properties include 90 acres directly across from Heritage Shores, owned by Mr. John Snow of Jimmy's Grille; a motel and house located directly north of Heritage Shores, owned by Mrs. Barbara Sylvia; and 43 acres, owned by Mr. Douglas P. Corey and Ms. Suzanne C. Moore. The Town anticipates an Annexation Referendum in June. Public Hearings will be scheduled as the Town moves toward an annexation vote.

X. OLD BUSINESS

A. Adoption of Updates to Personnel Policy / Code of Ethics

The current Personnel Policy was adopted in 1995 and requires updates, although there are not many substantive changes. It is being updated to correspond to modern personnel policies. The Commissioners have reviewed the policy. The document now includes new policies, some of which have been adopted by Ordinance. New additions include a Harassment Policy, Drug and Alcohol Policy and Code of Ethics. This will be a Policy, rather than an Ordinance, as recommended by the Town Attorney. The Policy allows the Commission President to assign responsibility for the administration of the Policy to a third person, in this case, to Town Manager Walls. Upon approval, copies of the Policy will be distributed to all Town employees with a letter of understanding to be returned and placed on file that they will

read the policy and abide by it. Commissioner Correll made a motion to adopt the updates to the Personnel Policy / Code of Ethics. Commissioner Jefferson seconded the motion. Motion carried.

B. Second Reading and Adoption of Ordinance A08-2, An Ordinance Relating to Dog Ownership, Etc.

Due to substantial changes made in the Ordinance, the Commission is striking the Dog Ordinance introduced for a first reading at the March Commission Meeting and scheduled to be adopted this evening. Instead, a new Ordinance that addresses the changes is being substituted for the original Ordinance and is being introduced for a first reading tonight. This substituted Ordinance deals with leash laws, the number of dogs allowed per unit and dogs running at large. President Conaway recommended the residents take an interest in this Dog Ordinance, as some dogs will be declared dangerous, with certain requirements and restrictions attached. Commissioner Jefferson made a motion to substitute Ordinance A08-2 concerning dog ownership and record a First Reading for the substitute Ordinance. Commissioner Skala seconded the motion. Motion carried.

C. Greenwood Memorandum of Understanding

President Conaway reported that the Town of Greenwood has signed the Memorandum of Understanding concerning Bridgeville's sewer services for the Town of Greenwood; however, Greenwood has changed the document. Greenwood's change has been crossed out and initialed by President Conaway. The document is ready to be returned to Greenwood with the consensus of the Commissioners this evening. President Conaway advised the meeting between Greenwood and Bridgeville on March 12th went very well. The change relates to the addition of the following sentence. "Such amounts shall be subject to revision upon the signing of a renegotiated agreement." This deals with the sewer charges for new properties that annex into Greenwood. It is referred to as a "non-in-fill impact fee." (Existing lots in Town would pay a smaller impact fee than those properties that annex to the Town.) Greenwood is free to add additional charges beyond the sewer charges Bridgeville bills Greenwood; however, the new fees that Bridgeville will introduce later tonight by Ordinance – \$7,500 for sewer and \$2,500 for water – are non-negotiable to the Town of Greenwood. New properties annexed to Greenwood or Bridgeville must pay the same fees.

D. Construction of New Bridgeville Public Library Update

President Conaway reported on a meeting concerning the new Bridgeville Public Library. The Library must enter the state funding program/bond issue; Mr. Conaway is hopeful it is still possible; however, there are no promises. The Library has taken an important step by seeking interim financing from local banks. The Town does not yet know if approval for financing has been received. Construction costs are now over \$2,380,000. The size of the new Library building has been substantially reduced and the proposed meeting room for 200 may be an unfinished portion of the building. The major sections of the building would be completed. The Library has calculated the funds they are able to raise for the construction and will present this

information to the state. Their figures include cash in hand, a loan, special tax funds and the value of the acreage, all totaling \$1.4 million. The land value of \$200,000 cannot be considered a part of the "cash on hand." The Library Trustees understand the miscalculation and must approach the banks for a larger loan or ask for an additional \$200,000 in the state bond bill. The Library is continuing to work on financing for the new Library. President Conaway encouraged residents to support the Art Auction Fundraiser for the Library on April 18th.

E. Parks and Recreation Committee – Walkway Project Update

The Chairman of the Parks and Recreation Committee, Mr. Steve McCarron, met with the Commissioners on March 27th concerning the Walkway Project. Commissioner Greason is a member of that committee and shared the suggestions the committee has made to the Commission. Commissioner Greason advised the committee has met approximately bi-monthly to consider this project. The original plan was to create a Riverwalk along the Bridgeville Branch from N. Main St. west toward the cemetery. That project would be difficult to complete with the possibility of a lack of cooperation of property owners in that area. The committee turned their interest to the Branch on the east side of N. Main St. In this area the historic Sudler House and property are receiving extensive renovations. The committee would like to "progress as far as the funds could take us" and determine the types of improvements that could be considered in this area, enhanced by the Sudler House renovations. There is an acre of land on the south side of the Branch that could become a playground with a possible footbridge over the Branch. Another idea from the committee was to connect the old and new portions of Bridgeville. There is a paved bike path along the railroad tracks on Wilson Farm Rd. The committee would like to consider extending the current bike path all the way to the location of the new Library. Commissioner Greason said there are issues with funding the project and the committee may approach the residents to assist in one of these projects to make it possible. Donation ideas include the planting of a tree or a memorial bench. These could be acknowledged through markers or plaques in honor of the donor or someone special. The Town could potentially sell bricks for the walkway. A similar example is the Children's Sanctuary Park where donations were memorialized through names on fence posts. President Conaway added the idea would be to walk "Tower to Tower." The original agreement with the Heritage Shores developer was that they would build a walkway from the new water tower to the electric station. This path could then be continued to the new library, where existing sidewalks into Town are already in place to walk "Tower to Tower." The pre-application that the Town has already submitted details a Riverwalk on the west side of N. Main St. To change to the east side will require a new pre-application, with an April 17th deadline. Town Manager Walls and Finance Director Savage are working with Mr. McCarron to prepare a description and submit the paperwork on time. Bridgeville would only ask for a \$10,000 grant, because the Town would be responsible to match the grant and that is all the Town could afford to match at this time. These monies would have to be included in the FY-09 budget. Hopefully, the project could be continued in the future and grow with additional grant and matched monies.

XI. NEW BUSINESS

A. First Reading and Introduction of Ordinance A08-3, An Ordinance Relating to Impact Fees

This Ordinance refers to the fee schedule mentioned earlier when discussing the Greenwood Memorandum of Understanding. The Town's current in-fill sewer impact fees are \$1,080 in Town, \$3,000 for Heritage I and \$5,000 for Heritage II and Lindenmere. Future non-in-fill properties would be charged \$7,500 for sewer and \$2,500 for water. A single meter pit would cost \$500 and a dual, \$625. Commissioner Correll made a motion to introduce Ordinance A08-3 for a first reading. Commissioner Greason seconded the motion. Motion carried.

B. First Reading and Introduction of Ordinance A08-4, An Ordinance Amending the Code of the Town of Bridgeville as it Relates to General Charges and Fees

President Conaway advised this concerns fees to cover the Town's expenses for hearings for zoning change hearings, variances and conditional uses. It also involves fees for reviews by our engineers. He has concerns that we may be double-charging for some of these services and feels that further explanation is needed on other fees involved in this Ordinance. President Conaway is intent on passing on professional fees to the petitioner, but he requests clarification on several fees in this Ordinance. It was suggested that the best course of action would be to table this Ordinance until clarifications can be made. Commissioner Jefferson made a motion to table the discussion on Ordinance A08-4. Commissioner Greason seconded the motion. Motion carried.

C. First Reading and Introduction of Ordinance A08-5, An Ordinance Amending the Code of the Town of Bridgeville as it Relates to Sewers, Water and Public Works Agreements

President Conaway reported that impact fees are clearly spelled out to developers; however, the Town is now also requiring Public Works Agreements. New development dictates the extension of Town water and sewer infrastructure beyond their current limits. Initial developers will pay for the improvements and subsequent developers who use the same infrastructure, or "bulk users," will pay a proportionate share of the improvement. Initial developers will then be repaid for a portion of their disproportionate improvement costs. This will prevent major roadways from being re-opened whenever new developers tie into the Town's water/sewer system. These issues are best addressed in a Public Works Agreement that lays out all of the requirements and charges. President Conaway expressed concern with a 5-year limit for subsequent developers being required to pay for water and sewer infrastructure extensions. He suggested a developer could delay their development plans just to avoid the large cost of infrastructure. He recommends an amendment to remove a time limitation on subsequent developers being responsible for new infrastructure that would benefit their development. Commissioner Correll made a motion to introduce Ordinance A08-5 for a first reading. Commissioner Skala seconded the motion. Motion carried. President Conaway requested a clean copy of a Public Works Agreement without additions, changes or underlined text.

D. First Reading and Introduction of Ordinance A08-6, An Ordinance Amending the Code of the Town of Bridgeville as it Relates to Land Use and Development

President Conaway reported this Ordinance defines a sketch plan in detail. It clarifies some language in the sketch plan and includes fees that were introduced in Ordinance A08-4, which was tabled earlier in the meeting. Commissioner Greason made a motion to table Ordinance A08-6 as well until fee clarifications are made. Commissioner Correll seconded the motion. Motion carried.

E. Verizon

President Conaway read a recent article in the News Journal concerning Verizon potentially offering FIOS service in Wilmington. The mayor and city council were concerned that Verizon was going to “cherry pick” select neighborhoods in the city to receive full service and not offer it across the board. President Conaway expressed the same concern for Bridgeville. Currently, only Heritage Shores is wired for FIOS service; however, it has not yet been activated. President Conaway recommended the Town not permit the new service to be started until the entire Town is wired for the service. Because of the small size of Bridgeville, it would make sense for the entire Town to be offered the service at the same time. Verizon could make Bridgeville “the first community in the first state” to have this service available to all. President Conaway reported the receipt of a reply from Verizon President Bill Allen, who thanked President Conaway for Bridgeville’s interest. He confirmed that only a part of Bridgeville is wired for the service. The company is currently offering voice and internet service, but they are not offering cable. In order to offer cable, they would need a franchise agreement with Bridgeville and the Town may not be inclined to give them the franchise if they don’t offer FIOS to the entire Town.

F. Delaware Department of Transportation

President Conaway is very concerned about the Department of Transportation’s (DelDOT) dealings with Bridgeville. He has met with them on several occasions concerning red lights on Route 13 in the Bridgeville area. DelDOT has acknowledged there will be no further red lights in the Bridgeville corridor. President Conaway did not feel that information should have been received second-hand rather than through direct contact. There has been a lack of consistency in setting priorities at the Department. Three traffic lights within $\frac{1}{4}$ mile are acceptable in Seaford; numerous traffic lights throughout Camden are acceptable; however Bridgeville’s request for traffic lights for safety considerations doesn’t seem to be acceptable. When the intersection work is complete, Bridgeville residents will still be required to use Route 404 to reach the Bridgeville Shopping Center. The service roads will not be useful at all. In addition, Heritage Shores residents and others will be forced to use unprotected crossovers. Former DelDOT Secretary Hayward was committed to the intersection improvements before growth began in Bridgeville, indicating the improvement was about safety, not about growth. It appears now that only the tourists rushing to the beaches will benefit from these improvements. The Delaware taxpayers who are paying for the improvements will not benefit. Cost is not the issue here, as the state does not pay for traffic lights; the developer pays for them. The Town is

asking DelDOT to install three traffic lights: at Rifle Range Road and Rt. 13, where the Bridgeville service road crosses the highway going to the Shopping center and at the Heritage Shores entrance, with a full, lighted intersection.

President Conaway also advised that Mr. Ed Lewandowski has agreed to fill the chairman position for the Bridgeville Charity Golf Tournament in October. There had been some concern about the continuation of the Apple Scrapple Festival; however, it will continue and has a chairman for 2008.

XII. Special Reports – Office of Highway Safety Pending Grants

Police Chief Parsons reported the Police Department will be involved in saturation patrols for DUI in the near future rather than DUI checkpoints. The state will fund that program, which begins in May, although the dollar amount of the grant is not yet known. The Click It or Ticket Campaign Safety Program is also forthcoming. Police Chief Parsons asked for permission to apply for the two grants. Commissioner Greason made a motion to apply for the grants. Commissioner Jefferson seconded the motion. Motion carried.

Mrs. Barbara Kozichousky of 55 Emily's Pintail requested that the Commissioners address a concern of the Heritage Shores residents. Currently, on the northbound lane of Route 13 when entering Heritage Shores, there is an island that is difficult to navigate and not bump into. She realizes it would be very expensive to remove it and suggests the residents could see it much better if it were painted yellow. Brookfield Homes has tried to address the issue with DelDOT to no avail. President Conaway asked for the name of the contact person and he would carry through on the request.

XIII. ADJOURNMENT

Commissioner Skala made a motion to adjourn the meeting. Commissioner Correll seconded the motion. Motion carried. The meeting was adjourned at 8:13 P.M.

Respectfully submitted,

Patricia M. Correll
Patricia M. Correll, Commission Secretary

Peggy A. Smith
Peggy A. Smith, Transcriptionist