

## **MINUTES**

### **COMMISSIONERS OF BRIDGEVILLE MAY 8, 2006 – 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, William Jefferson, Earl Greason and Town Manager Bonnie Walls. The meeting began with the flag salute and Lord's Prayer. President Conaway asked those present to remember Corporal Corey Palmer, a young man from Seaford who died serving our country in Iraq, as the Lord's Prayer was voiced.

#### **II. QUORUM**

President Conaway reported Commissioner Correll was unable to attend this meeting; however, a quorum was present to conduct the business of the Town of Bridgeville.

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

Minutes of the regular Commission meeting held on April 10, 2006 were presented for approval. Commissioner Jefferson made a motion to accept the minutes as presented. Commissioner Sipple seconded the motion. Motion carried.

President Conaway reported a fire at the Bridgeville Little League field, destroying the concession stand and announcing booth. He assured President of the Woodbridge Little League Mr. Fields, the Town would cooperate to re-establish services at the site. The concession stand was preparing for an evening game; Fire Chief Cannon believes the origin was a grease fire in the concession stand. Coaches reacted quickly and kept children away from the area. Mr. Fields advised electricity could be re-established within a week. The Little League has insurance coverage.

#### **IV. CORRESPONDENCE**

Town Manager Walls advised the spring 2006 issue of the Preservation Delaware newsletter is available for review.

A letter was received from the National Arbor Day Foundation naming Bridgeville as a 2005 Tree City USA. Mr. Bryan Hall from the U.S. Forest Service will make a formal presentation to the Town. President Conaway commented Commissioners Correll and Sipple were instrumental in the planting of trees on Delaware and Walnut Streets through the U.S. Forest Service.

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

Finance Director Savage advised there is currently \$26,684.73 in the Emergency Services Fund and \$17,997.24 in the Library Fund. These funds represent 179 building permits issued at Heritage Shores. At this point in the budget year, our expenditures and income should be approximately 83%. Many of our income figures on the Profit and Loss Statement are right in line. The Suburban Street Income line item is significantly low; however the Town has signed an agreement with DelDOT and will be receiving approximately \$215,000 shortly. President Conaway questioned whether the Town has begun to advertise for street work. Town Manager Walls replied the Town engineers are reviewing previous plans; the Town should have their response within a week and then move to the advertising phase and bid the projects. President Conaway advised the property tax line item shows 100% collection. It is attributed to quarterly billings newly instituted on properties. The Town has significant cash on hand, approximately \$827,000 (or \$931,000 including escrow accounts.) Accounts payable are higher this month, mostly due to Davis, Bowen and Friedel invoices, which are reimbursable. All but \$5,000 will be covered by the Heritage Shores developer and the Department of Natural Resources and Environmental Control loan for treatment plant upgrades. Most of the bills are normal monthly bills. The Dominion bill is for a new compressor at the treatment plant; the Horney Industrial bill is for a new chart recorder and the National Waterworks bill is for new water meters at Heritage Shores. Commissioner Jefferson made a motion to pay the bills. Commissioner Sipple seconded the motion. Motion carried.

## **VI. DEPARTMENT HEAD REPORTS**

This is the 91<sup>st</sup> consecutive month our Wastewater Treatment Plant has not had a violation of its NPDES permit.

A cease and desist order was served on 102 N. Main Street. An agreement had been made between the new owner and the Town which was ignored. There are people still living in the house, although the removal of windows has caused large holes in the structure. Social Services has been contacted concerning the tenant situation to no avail. Because the agreement has been ignored, President Conaway has instructed the Town attorney to return to court seeking condemnation of the property.

President Conaway advised the Bridgeville Police Department assisted the Delaware State Police 16 times in the month of April and well over 100 times during 2006.

President Conaway reported the new street sweeper will arrive in a week to ten days.

## **VII. CITIZEN'S PRIVILEGE**

Mr. Russ Beard of 25 Amanda's Teal Drive reported on his investigation into the roadway condition at the turn-around on northbound Route 13 at the Bridgeville light. This was first mentioned at the March 13, 2006 Commission meeting. Mr. Beard received a warm reception at the DelDOT office in Seaford; however, they directed him to someone in the Georgetown office who indicated road repair decisions were in the hands of a higher authority. Later, Mr. Jim Wyatt called Mr. Beard and indicated the lane should be fixed, since the intersection reconstruction is still in the future. President Conaway requested that Town Manager Walls look into the matter. President Conaway advised Sussex County now receives more road repairs than in the past, but not enough. The present Sussex County Council has been working for eight years on behalf of road repairs in the county. The Route 13/Route 404 intersection is completing its design phase and construction should be completed by 2009. Initial plans of the intersection are available at the Town office for review.

A question was voiced about the need to purchase a building permit for simply enclosing an existing structure (screened porch). President Conaway advised a building permit is issued whenever there is an improvement on a structure. The only exception would be a roof replacement, shingles only. A building permit is not required in this case, as this is considered maintenance, not improvement. A permit provides notice that the structure is being improved. It is used for revenue and changes the assessment on a structure. It also keeps the Town aware of changes which may affect water or other Town services.

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

Town Manager Walls reported attendance at the Seaford Chamber of Commerce Administrative Luncheon with Board Member/Commissioner Correll. Mrs. Walls also attended, with the Commissioners, the Kiwanis-sponsored Community Prayer Breakfast on Saturday, May 6<sup>th</sup>, at the United Methodist Church.

Town Manager Walls advised plans are underway for a Memorial Day Celebration, scheduled for Monday, May 29<sup>th</sup>, 9:30 A.M. The Celebration will be held at the Veterans Memorial, located in the Bridgeville Cemetery. Announcements of the event have been posted throughout Town. Mrs. Walls is making arrangements for participants and a special speaker for the event.

## **IX. OLD BUSINESS**

### **A. Planning Commission Update Reference Comprehensive Plan Amendment**

Town Manager Walls reported the Planning Commission met on Monday, May 1<sup>st</sup>. The Amendment to the Comprehensive Plan was reviewed and there were no significant changes to the Amendment; however, additional land west of Bridgeville was added to the growth area and

identified on the map. Mrs. Walls also identified the 142 acres within Heritage Shores which the developer has offered for a park. The growth area was differentiated between short-term and long-term growth areas (5-10 years in the future). A Public Hearing is scheduled for Monday, May 22<sup>nd</sup>, 7:30 P.M., after which the Planning Commission will make a recommendation to the Commissioners, followed by a Public Hearing by the Commissioners. The final action will be amending, rejecting or adopting the Amendment. The State Planning Office and other agencies will also review the Amendment. The Planning Commission is appointed by the Commissioners. Currently serving on the committee are Kevin Carson, Howard Hardesty (chairman), Charles Hawk, Jeff Scott and John Shockley. President Conaway and Commissioner Greason serve as representatives of the Commissioners. In the future there will be a Planning and Zoning Commission. It is property owners who request annexation; the Town does not pursue annexations. Properties must be contiguous to the Town. Residents of Bridgeville will vote on annexations. There will be a meeting for developers to explain their plans to the Town and the properties will be divided into groups for voting purposes.

#### **B. Reminder – FY-07 Budget Workshop**

The Commissioners were reminded of the Budget Workshop scheduled for Tuesday, May 9<sup>th</sup> at 7:00 P.M. The budget will be introduced on Monday, June 5<sup>th</sup> and adopted at the June 12<sup>th</sup> Commission Meeting.

#### **X. NEW BUSINESS**

##### **Health and Safety Policy Statement**

Town Manager Walls advised she distributed a Health and Safety Policy Statement to the Commissioners on March 30<sup>th</sup>, requesting comments. She received two responses, both positive, and recommended adoption of the policy. Commissioner Jefferson made a motion to adopt the Health and Safety Policy Statement. Commissioner Greason seconded the motion. Motion carried.

#### **XI. SPECIAL REPORTS**

##### **A. Department of Highway Safety Grant – “Click It or Ticket”**

Police Chief Parsons reported the Department of Highway Safety is offering \$2,000 in grant money for this program May 14<sup>th</sup> – 29<sup>th</sup>. Commissioner Sipple made a motion to accept the grant money for the “Click It or Ticket” program. Commissioner Greason seconded the motion. Motion carried.

**B. Commissioner Jefferson – Dangerous Building Committee Report:  
15 Oak Street, 131-10.11-16.00 – Earnest Carrey Heirs, c/o Frances Polk**

In accordance with Ordinance A03-2, the Dangerous Building Committee was convened to investigate a utility shed structure at 15 Oak Street, owned by the heirs of Earnest Carrey. The investigation took place upon receipt of letters of complaint from two (2) or more residents of Bridgeville, pursuant to Ordinance A03-2, Section 3. Commissioner Jefferson, chairman of the committee, presented pictures and a Dangerous Building Committee Report to the Commission, stating that the committee concluded the building is a serious hazard to life and property. The full report is attached to these minutes. Pursuant to Ordinance A03-2, Section 6, a Public Hearing has been scheduled for June 12, 2006, and the property owner will be notified of the opportunity to respond and show just cause why the structure should not be declared a hazard to life and why it should not be ordered to be demolished. Commissioner Jefferson, as Chairman of the Dangerous Building Committee, was asked to respond to a series of questions concerning the structure at 15 Oak Street to enable the Commissioners to rule as to whether this structure fits the definition of a dangerous building according to the Ordinance and whether the structure is in violation of Ordinance A03-2. President Conaway asked Commissioner Jefferson if this structure threaten the life, health, safety or property of the public or its occupants by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment, to which the Commissioner Jefferson responded "yes." President Conaway asked if this structure had been damaged to such an extent that it is likely to partially or completely collapse, fail, detach or dislodge, to which Commissioner Jefferson responded "yes." President Conaway asked if this structure had been so damaged or had become so dilapidated or deteriorated as to become an attractive nuisance to children, or a harbor for transients, vagrants, or criminals, to which Commissioner Jefferson responded "yes." President Conaway asked if this structure was unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities or other cause, to which the Commissioner Jefferson responded "yes." President Conaway asked if this structure creates a fire hazard by virtue of its condition, to which Commissioner Jefferson responded "yes." President Conaway asked if this structure constitutes a public nuisance as defined by law, to which Commissioner Jefferson responded "yes." President Conaway asked if this structure has exits which do not conform to the city ordinances or any other feature which may cause a hazard to life or safety of the occupants or general public, to which Commissioner Jefferson responded "yes." Commissioner Sipple made a motion to condemn the structure. Commissioner Greason seconded the motion. Motion carried.

**C. Municipality Elections Legislation**

Legislation has been proposed to standardize elections in all Delaware municipalities. Changes are still being made to the legislation. Copies of a letter from President Conaway to the Executive Secretary of the Delaware League of Local Governments (DLLG), Mr. George C. Wright, were distributed to all Commissioners. At the May 3<sup>rd</sup> meeting of the Sussex County Association of Towns (SCAT), the Commissioner of Elections gave a full explanation of what

the bill entails. One significant problem remains in provision 7554, regarding voter eligibility determination. Currently the bill allows the presentation of a utility or telephone bill for identification; however, this invites stealing. We seriously object to this provision. According to the Commissioner of Elections, the Town can require the signing of an affidavit that indicates an individual is who he/she says they are. If that is proved wrong, criminal action can be taken for fraud. It appears that this bill will pass, now or in the near future.

#### **D. Legislation to Correct Town Elections**

President Conaway advised Representative Ewing and Senator Adams were approached to correct legislation concerning a change in Town election procedures. A bill was presented to divide the Town of Bridgeville into 5 voting districts, which will be determined by the 2010 census. That bill passed and it will be signed by Governor Minner; however, a change must be made. Previously the code read that the candidates who shall have the highest and the next highest number of votes shall be declared elected when there are 2 seats open. The charter should read, the candidate with the highest number of votes in each district is the winner.

#### **E. Certified Police Officer**

Police Officers can only be certified in the State of Delaware by training at the Wilmington, New Castle County, or State Police Academy. Certified officers from other states cannot be hired in Delaware, regardless of prior training, unless they go through complete Delaware training. The same is true of military-trained police. It is interesting to note that the current Delaware Director of Public Safety is a former Maryland police officer and could not be hired in this state as a police officer. Delmar policemen must be certified and trained by both Maryland and Delaware academies, which involves a full year of training. Legislation was written and presented to the SCAT Steering Committee on Friday, May 5<sup>th</sup>, where it was unanimously endorsed. This legislation allows a police officer certified in another state or a military police officer to take a course in Delaware law and then be certified in Delaware without the full training. Representative Ewing and Senator Adams have been asked to introduce this legislation. Local Town governments have also begun discussions regarding providing classroom training for police officers in Georgetown.

Currently our police officers respond to other localities and provide assistance to fellow officers, both state and local. The Town of Bridgeville has always been financially responsible for those assists. This year the County Council made an effort to re-pay municipalities and Bridgeville received a \$25,000 grant to help with the purchase of a new police car. The County provides two to three million dollars to the state to provide 28 additional state policemen to cover unincorporated areas. The County government and Towns plan to discuss re-imbursement from the state or possibly revamping police coverage responsibilities.

**F. Emergency Preparedness**

President Conaway expressed concern about the possibility of an Avian Flu Pandemic. His concern regards possible food shortages based on the fact that local grocery stores only maintain a 7 day food supply. Should the flu affect the flow of food supplies, we would be in critical need here on the peninsula. Mr. Conaway recommended collecting emergency supplies from lists on various internet websites in preparation and he requested that Town Manager Walls share information from the Public Service Commission with area businesses regarding the pandemic.

**XII. ADJOURNMENT**

Commissioner Sipple made a motion to adjourn the meeting. Commissioner Jefferson seconded the motion. Motion carried. Meeting was adjourned at 8:05 P.M.

Respectfully submitted by:

Margaret W. Sipple  
Margaret W. Sipple, Commission Secretary

Peggy A. Smith  
Peggy A. Smith, Transcriptionist