

MINUTES

COMMISSIONERS OF BRIDGEVILLE MAY 10, 2004 - 7:00 P.M. 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, Margaret Sipple, and Town Manager Bonnie Walls. The meeting started with the flag salute and Lord's Prayer.

II. APPROVAL OF MINUTES

Commissioner Correll made a motion to accept the minutes from the regular board meeting of April 12, 2004. Motion was seconded by Commissioner Sipple and carried unanimously.

III. CORRESPONDENCE

Town Manager Walls read a thank you note from Mr. Nick Rocks and family for flowers received from the Commissioners and town employees during the death of his father.

An invitation was received from The Delaware Commission of Veterans Affairs to attend their Annual Memorial Day Services scheduled for Sunday, May 30, 2004. The first service will be held at the Delaware Memorial Bridge Plaza beginning at 10:30 A.M. Following the Bridge Ceremony, The Military Officers Association of America will conduct a service at 2:00 P.M at the cemetery grounds in Bear, Delaware.

Minutes were received from DEMA relating to The Delaware Homeland Security Terrorism Preparedness Working Group and are available for review.

A request for a financial donation was received from the Delmarva Christian High School in Georgetown, Delaware, scheduled to open in August, 2004. No action taken.

Monthly newsletters from Comcast of Delmarva, Inc. and The Department of Natural Resources and Environmental Control (DNREC) were received for review.

Town Manager Walls advised the annual 2004 Today and Tomorrow Conference will be held October 27, 2004, at Del Tech. Plans are to feature examples of positive actions being taken by our county. Commissioners are always encouraged to attend this Conference.

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The Commissioners received an invitation to attend a Basket Bingo on Sunday, May 23, 2004 at the V.F.W. in Federalsburg, Maryland.

President Conaway advised a thank you letter was received from Kiwanis President Tom Carey, expressing the Club's gratitude for the Commissioner's participation in the Prayer Breakfast held Saturday, May 8, 2004 at Union United Methodist Church.

A letter was received from Mr. Andrew L. Miller, President of Miller Furniture Industry, Inc., requesting a parcel (corner of Rts. 40 and 13) be considered for annexation. President Conaway suggested this parcel be referred to the annexation requests already on file. Other requests have been received, an annexation referendum will be considered in the future.

An application was received from Mr. Charles Royal requesting a conditional use to open a day care/learning center for property located at 219 First Street. In October, 2002, Mr. Royal was issued a conditional use for this property as a beauty salon, which never opened. Town Manager Walls was requested to contact Town Solicitor Dennis Schrader, Wilson, Halbrook and Bayard, regarding the legal aspect of accepting another conditional use request for the same location, with no action being taken on the first approval request by Mr. Royal.

President Conaway advised minutes have been distributed to Commissioners regarding the Pre-construction Conference Meeting pertaining to the South Bridgeville Utilities-Piping Project. Construction is scheduled to begin the middle of May, 2004, with completion by November 1, 2004. Also distributed was a copy of the Construction Progress Chart as presented by contractor, Teal Construction.

IV. APPROVAL OF FINANCIAL REPORTS AND BILLS PAYABLE

President Conaway advised bills payable for April and May, with June's health insurance costs, total the amount of \$62,798.56. After a general review of the financial reports and the bills payable, Commissioner Correll made a motion to accept the financial reports and to pay the bills. Motion was seconded by Commissioner Jefferson and carried unanimously.

President Conaway reported the Balance Sheet indicates a cash plus for the town. Cash in the general fund checking account totals a little over \$10,000; Municipal Street Aid Account totals \$8,200; and the Money Market Savings Account totals \$241,634. President Conaway reported the town is in better financial shape than it has been in years,

thanks to the professional staff and the efforts of the Commission. The net income over projected figures is \$227,000. Money from building permits, property taxes, transfer taxes, payment of in lieu taxes, fines, and impact fees are significant contributors to the town's financial position.

V. DEPARTMENT HEAD REPORTS

Water-The report submitted by Superintendent Doug Jones advised a radio read field demonstration given by National Water Works was held on April 27, 2004. Problems have been occurring at well site #2 located on Cherry Alley. Several transformers were replaced, but this did not solve the problem. Superintendent Jones will continue investigating the problem and contact Tieder Company regarding the equipment and electrical functions at the well site.

Street-The report submitted by Superintendent Rick Passwaters advised new Crime Watch signs were ordered; street curbs were painted by a community worker; sink holes were filled on Cedar and South Cannon Streets (softball field); test pits were dug on two farmer's properties regarding the proposed spray irrigation system; and Boot Camp Workers washed and painted the walls of the first floor offices in Town Hall.

Wastewater: The written report submitted by Superintendent Phillip Mowbray advised this is the 67th consecutive month without a NPDES violation. On May 4th and 5th, wastewater plant personnel received instructions from Mr. Mike Gerard, Del Tech, pertaining to microscope procedures for laboratory use. Mr. Gerardi discussed his recommendations on how to enhance the town's wastewater nitrification process, with a written report forthcoming.

Police-The written report submitted by Chief Allen Parsons advised there were 223 traffic arrests for the month of April. The individuals who vandalized several vehicles last month on Cedar, South Cannon and Laws Streets have been arrested (three juveniles charged with 17 charges).

VI. CITIZEN'S PRIVILEGE

Mr. Nick Rocks, developer of Heritage Shores, advised the actual starting date for the Heritage Shores subdivision is scheduled for May 17, 2004, which includes the pump station and on-site work for 171 homes. The clubhouse will be 40,000 square feet not 10,000 square feet as he reported last month. The tentative opening date for the clubhouse and golf course is Labor Day, September, 2005. In the next couple of months clubhouse plans will be submitted to the Commission for review. Blue prints of homes to

be built will be available in the near future. Mr. Rocks advised he is working with Sussex County regarding the sales office site (Rifle Range Road) for the subdivision.

VII. TOWN MANAGER'S REPORT

Town Manager Walls reminded Commissioners Tuesday, May 11, 2004 from 9:00 a.m. to 4:00 p.m. is the scheduled "one time limb collection" for the community. The drop off location for the limbs is the wastewater treatment facility. Rain date will be May 18th.

Town Manager Walls reported that she, President Conaway and Commissioner Correll had the honor of attending on April 22, 2004, the 2003 Governor's Conservation Award and Living Soil Ceremony in Dover, Delaware. Recipients for the Sussex County Urban Award were Robert and Casey Rauch of Robert D. Rauch & Associates, Inc., for their Heritage Shores project. Congratulations were extended.

VIII. OLD BUSINESS

Town Manager Walls advised in April, 2004, National Water Works representatives gave a demonstration of hand held water meters. After learning of approximate costs for the equipment, etc. and per bidding requirements, Town Manager Walls was directed to contact other companies supplying similar equipment (Master Meter and Neptune). After further review of equipment and costs, it was decided to place the project out for bids.

After a general discussion, the Commission directed Town Manager Walls to contact Town Engineer, Miss Annie Williams of Davis, Bowen & Friedel, to prepare a needed water meter bid package. Town Manager Walls suggested Davis, Bowen & Friedel consult with Superintendent Jones for specifics as to needed equipment. Commissioner Greason suggested a demonstration be conducted by each company submitting a bid enabling the Commissioners to better understand the meter equipment that is available.

President Conaway advised the General Assembly of The State of Delaware passed the request by the town to amend Chapter 237, Volume 51, Laws of Delaware, which repeals that portion of Section 27 of the Town Charter, pertaining to abatement of town property taxes. The tax abatement would eliminate an exemption of ten years from taxation of town business establishments employing ten or more employees annexing into town limits.

President Conaway also advised the General Assembly of The State of Delaware passed House Bill No. 366 (currently on Governor Minner's desk for signing) which amends the Town Charter, Chapter 237, Section 20, changing the title of the town's "Treasurer" to "Finance Director". The title better describes the responsibilities of the position.

President Conaway explained an "enclave" bill was presented to the General Assembly of Delaware for consideration which amends Chapter One of Title 22 of the Code of Delaware, regarding annexation of "enclaves". The bill will allow a municipality, regardless of any municipal charter provision, to annex an enclave without the approval of the residents and property owners of the land. This bill is sponsored by the Delaware League of Local Governments, and to date the town or The Sussex County Association of Towns (SCAT) has not taken a position on this matter.

IX. NEW BUSINESS

Town Manager Walls presented for a first reading an amendment to Chapter 128, Section #128-1: Fees Established. The amendment would delete the amount of a Single Meter Pit of \$400.00 and Dual Meter Pit of \$525.00 and increase the cost for a Single Meter Pit to \$500.00 and a Dual Meter Pit to \$625.00.

After a general discussion, Commissioner Jefferson made a motion to introduce the amendment to Chapter 128, Section #128-1, Fees Established, as a first reading to increase the amount for meter pits to the following: Single Meter Pit \$500.00 and Dual Meter Pit \$625.00. Motion was seconded by Commissioner Correll and carried unanimously. The second and final reading is scheduled for the regular Commission meeting on June 14, 2004.

Town Manager Walls and Finance Director Savage presented for review the FY-05 Budget to the Commissioners during a workshop held today at 5:30 p.m. President Conaway announced he was calling a Special Meeting to be held on May 18, 2004 at 7:00 p.m. to introduce the FY-05 Budget. The proposed budget will present savings to the people of Bridgeville and will include a surplus of a size this town has never experienced. The Bridgeville Charter requires the Commission to adopt the budget no later than the first Tuesday in June. President Conaway will call a Special Meeting for the adoption of the FY-05 Budget for June 1, 2004.

President Conaway advised Town Manager Walls and himself were scheduled to meet today with The Department of Natural Resources and Environmental Control to discuss results of examinations and investigations relating to properties for spray irrigation. The majority of the original farmer's land did not qualify for the spray irrigation project. Per a report from Ms. Elizabeth Brown, geologist with Davis, Bowen

& Friedel, and Thomas Nobile, soil scientist with Environmental Resources, the properties reviewed under the contract should be capable of supporting the town's wastewater disposal needs through the year 2024 as forecast. This means, based on the town's projected growth, the town will be able to treat, with 70% of the fields being acceptable and using a rate of one inch/week over a period thirty-four weeks, the town will be able to apply 482 million gallons of treated wastewater on the fields. The wastewater facility plan forecasts a need of 322 million gallons by 2024, allowing for ample growth.

President Conaway advised the current wastewater facility is able to handle the first 170-250 homes in the new development, Heritage Shores, but the town needs to move forward. Under the created schedule, by January 1, 2006, the wastewater treatment plant and the spray irrigation system will be ready for the entire subdivision. All plans have to be approved by The State of Delaware. The Commission and town engineer Annie Williams will meet Thursday, May 13, 2004, with The Department of Natural Resources and Environmental Control to review the proposal for spray irrigation. If the proposal is accepted by the State, the Commission will announce the sites selected for the project; the town will lease property and purchase one site. The next step will be to complete the designs, permitting, etc. for the project which will enable the town to be prepared when Mr. Rocks, developer of Heritage Shores, is ready to connect to the town's wastewater system.

A letter of complaint signed by three residents was received concerning abandoned mobile homes at the rear of 603 North Cannon Street. The complaint was submitted to the Dangerous Building Inspection Committee for an inspection process per Ordinance No. A03-2, An Ordinance Relating to Dangerous Buildings.

President Conaway stated letters of complaint will be forthcoming from residents pertaining to the property located 102 North Main Street

Town Manager Walls gave an update regarding the property located at 104 North Main Street. The property was turned over to the Dangerous Building Inspection Committee for review with the Committee's recommendation to take steps to eliminate the structure (October 20, 2003). It was decided to have the property sold at tax sale with the understanding the new owner would have to bring the structure up to code or have it demolished. The town's solicitor, Mr. Dennis Schrader, has been preparing for the tax sale. With the property owner, Walter Flowers being deceased, an earnest attempt to locate any heirs has been made with no outcome. Mr. Schrader has been to the Court of Chancery and given testimony that the town has made every effort to locate any heirs with no positive results. Mr. Schrader advised he believes the court feels the town has made every effort available to locate any heirs; now the town can go forward with the

sale of the property. The town solicitor has been instructed to place the property in the hands of the Sussex County Sheriff's Department.

X. SPECIAL REPORTS

Chief Parsons advised patrols have been conducted in the area of Sussex Avenue pertaining to speeders but nothing extraordinary was reported. Commissioner Sipple stated noisy mufflers are still a problem in the area. Chief Parsons will investigate the noise situation in the next few days.

Per Ordinance No. A04-3, letters were sent to residents with abandoned or inoperable vehicles on their property to either have the vehicle removed or tagged and operable by May 1, 2004. Chief Parsons was directed by the Commission to follow up on the matter.

Chief Parsons advised letters will be mailed to residents who are in violation of Chapter 90 of the Code of The Town of Bridgeville as it relates to overgrown brush, grass, and weeds.

XI. ADJOURNMENT

President Conaway thanked the Commission for supporting its professional staff and moving forward in 2005.

Commissioner Sipple made a motion to adjourn the meeting at 7:48 p.m. Motion seconded by Commissioner Correll and so carried.

Respectfully submitted by:

Margaret W. Sipple
Margaret W. Sipple Commission Secretary

Alma Fleetwood
Alma Fleetwood, Transcriptionist