

**MINUTES
COMMISSIONERS OF BRIDGEVILLE
MAY 12, 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 April 14, 2008 monthly Commission meeting were presented for approval. Commissioner Correll made a motion to approve the minutes as presented. Commissioner Skala seconded the motion. Motion carried.

IV. BRIDGEVILLE HISTORICAL SOCIETY – BOOK PRESENTATION

President Conaway introduced President of the Historical Society, Mr. Howard Hardesty, who presented the Commissioners with the Delaware Historic Preservation Law Handbook. The book was made available at a Historic Preservation meeting in Seaford several weeks ago and was written by the guest speaker, Dr. Reed. It was designed to assist municipalities in writing a Preservation Ordinance. The Commissioners thanked Mr. Hardesty for the helpful gift.

**V. DAVIS, BOWEN & FRIEDEL, INC. UPDATE: SPRAY IRRIGATION PROJECT
MS. ANNIE WILLIAMS**

President Conaway introduced Town Engineer, Ms. Annie Williams, from the firm of Davis, Bowen & Friedel, Inc. and Jason Loar, Contract Administrator for the Town's Spray Irrigation project. They presented information on the progress of the spray irrigation project, specifically the force main pipe. As design engineer on the project, Ms. Williams advised the 1.3 mile outfall pipe which runs from the Wastewater Treatment Plant to the Nanticoke River has had some unanticipated problems.

- The force main is 18 inches in diameter and has a 50-100 year life expectancy. It has been in use almost 20 years. Under low pressure the pipe has performed well.
- In the project design phase of the Spray Irrigation project, the engineers reviewed the record drawings of the force main pipe and discovered five video inspection areas (holes) and several air vents and release valves that had been added to the force main. The engineers believed that these record drawings were a true representation of all holes added to the force main.

- Based on that information, the contract documents included pricing for the project contractor, Daisy Construction, to perform the test pitting needed during construction, as well as inspection of the entire pipe to confirm that the force main is viable.
- During testing it was discovered that more holes had been cut in the pipe after installation and not noted on the drawings. In pressure testing a portion of the pipe failed, as the integrity of the pipe was compromised due to the additional holes.
- DBF is now looking for the most cost-effective and reliable course of action.
- Mr. Jason Loar continued the discussion, reiterating that the engineer included money in the contract to investigate the pipe. They examined how the video access holes were repaired, concerned about whether they were pressure rated. The contractor did test pitting to identify access holes. They discovered the five video access holes and their repair, involving curved sheet metal covering the pipe with neoprene rubber over the hole with u-bolts. Bolts were rusted and many had fallen off. None of these repairs are pressure rated.
- The contractor has now been repairing the holes with an 18 inch stainless steel clamp which is pressure rated. After these repairs the line was pressure tested and failed again, due to additional video access holes that were found. Twelve video access holes have been found, the majority of which are located on the west side of Route 13, although several are located on the east side of Route 13 along Redden Road.
- DBF believes they have found all of the holes; however, they cannot be certain.
- The engineers are ready to pressure test the force main on the east side of Route 13 for the first time and have found another small, man-made hole repaired with duct tape! A clamp has arrived to fix this hole so that the repair will pressure test. All weak points will need to be repaired.
- Mr. Loar has been assessing finances as each new hole is found and repair made. He feels that if there are no more holes discovered, the project can stay within the budget; however, Mr. Loar cannot assure the Commissioners this will be true. He had previously informed President Conaway that there may be a need to find additional funding if the untested pipe has as many problems as the tested pipe has had. Mr. Loar suggests testing the force main east of Route 13 to find out what problems may be there.
- The new force main from the Branch to the spray site and other construction at the spray site are all virtually completed.
- The exorbitant cost of repairs was questioned. The repairs made in the past to the force main did not use manufactured repair clamps, as should have been used. Ms. Williams advised the correct clamps are standard, manufactured products in the water industry and are extremely expensive. Mr. Loar has been negotiating with the contractor concerning repair costs. The contractor has shown Mr. Loar their invoice for the materials, so Mr. Loar feels he is getting a realistic price for the clamps and other materials. The repair work shown in pictures brought before the Commissioners was approximately \$7,500, material and installation. The clamp itself, a heavy 3-piece, 36" clamp, costs about \$3,500. Valves also cost in the thousands. One lineal foot of installed pipe costs \$190. Replacement of the entire pipe would cost approximately \$750,000.
- The pipe was laid in 1989; the original contractor does not appear to be in business any longer.

- The original record drawings were by Cabe Associates and it was an Environmental Protection Agency (EPA) project. Based on EPA's involvement, there is an expectation that the line would have been pressure tested. The problems were not identified earlier in this project because DBF accepted the previous engineering work as being proper.
- President Conaway commented it appears that when the project was accepted by the Town, it was not properly built.
- Mr. Loar understands that in original testing, the original contractor did not get the flow through the pipe that they had expected – hydraulics were not working properly – and therefore they drilled the video access holes to look for a blockage. He believes that after the original flow issues were resolved, there were no additional problems.
- Mr. Loar suggested the small hole (repaired by duct tape) could have been a temporary blow-off during the original pressure test.
- A pressure test on the east side of Route 13 on Redden Road is scheduled for May 13 or 14, depending on the weather. After that testing, it can be determined whether there are additional holes to be repaired. Based on the shoddy work found so far, it is likely there are more repairs to be made.
- It appears that the video access holes came after the original installation. Although the original contractor is no longer in business, Mr. Loar was able to ascertain, through someone who worked on the project that the video holes were not in the original installation. Mr. Loar added that five of the video access holes did show up on record drawings, so they were cut before the drawings were completed. The other seven holes were cut later. The holes were man-made, not the result of a line being cut by accident.
- Ms. Williams stated if the original holes had been repaired properly, there would be no issues today.
- Current repairs are being made per the pipe manufacturer's recommendation and authorization; the pipe manufacturer has been on-site.
- Per Mr. Loar, there is no reason to believe the pipe will not last another 20-30 years if it pressure tests positively.
- It was questioned whether replacing a portion of pipe might be more cost effective than a repair. Mr. Loar responded that they are anticipating doing just that in some cases, although the couplings which are required to secure old pipe to new pipe are very costly (approximately \$14,000) and costs more than the stainless steel clamp used for repairing the pipe. In cases where it is more cost effective to replace pipe, that will be done. It is not necessarily cheaper to replace pipe than to repair it.
- The force main has never been under high pressure, as it will be now.
- President Conaway advised there is approximately \$216,000 still available within the grant money; however, DBF is reluctant to conclude that will be sufficient to pay for the repairs.
- Mr. Loar estimates it will cost \$200,000-300,000 to make known and currently unknown repairs/replacements of the pipe. Mr. Loar would rather estimate high and come in low on the anticipated cost.
- President Conaway asked whether Finance Director Savage had contacted United States Department of Agriculture (USDA) concerning additional funding. Mr. Savage advised

USDA is reluctant to commit themselves; they said if there was a cost overrun, emergency funding could be available, but they couldn't give a dollar amount.

- President Conaway advised USDA is at the end of a fiscal year and they need to ascertain available funds; however, he wouldn't describe this as a "cost overrun".
- The length of pipe that has not yet been tested is 2,500 to 3,000 feet, starting at the east side of Route 13 on Redden Road and going to the Branch.
- Delay potential for opening the plant: Mr. Loar indicated that they cannot open the spray site until all repairs/replacement have been completed and the entire pipe pressure tests positively. All other aspects are operational, although there will be some additional pump testing that must be accomplished after the full pipe is successfully pressure tested.
- Time Estimate: DBF will know better after anticipated pressure testing takes place on the east side of Route 13. If no additional problems arise, mid to late June would be the spray site opening.
- President Conaway added the Town has sufficient EDU's available if there is a delay in opening the spray irrigation site.
- Ms. Williams suggested delaying the pressure testing right now because there is an excess amount of ground water lying around the pipe due to recent heavy rains. It is not conducive to detecting leaks. She also recommended an extended pressure testing with extra hours to, so to speak, blow out the system.
- President Conaway asked if the lines have been pressure tested from the Branch to the spray site. Mr. Loar responded affirmatively. All pipe is new and pressure tested.
- President Conaway commented the Town will expect a guarantee that the pipe is adequate before the engineer signs off on the project. Mr. Loar responded that once the pipe will hold pressure, there is no reason to believe it will not continue to do so.
- President Conaway advised replacing the pipe would be too costly and would set the project back months. So far, the repairs have been within the Town's financing ability. Due to the road project by the athletic fields, there might be additional funds available for this project. We don't need to change our finances to cover these problems, although we trust the pipe on the east side of Route 13 won't have as many problems as on the west side. Mr. Conaway stated, "Please find all problems and fix them." He would rather pay more now than have these same problems show up again in years to come.
- The Town Manager has been given authority to sign change orders for the project and the Commission will await the change order from the Daisy Construction (after all problems in the pipe are identified) for these repairs and replacements of the force main pipe.

VI. CORRESPONDENCE

Town Manager Walls reported a letter has been received from the Kiwanis Club of Bridgeville thanking the Commissioners for sponsoring and participating in the May 3rd Prayer Breakfast.

The Commissioners have received a copy of a letter received from the Department of Transportation (DelDOT) concerning the request for three additional stoplights on Route 13 in Bridgeville. President Conaway advised the Town is waiting on additional information

concerning traffic studies at these stoplight locations. The Secretary of the Department of Transportation is under the impression that forthcoming information from our three developers (Allen & Rocks, Batta & Amato) has not been received. Allen & Rocks has indicated traffic counts on the proposed location for a light at Route 13 and Heritage Shores have been sent. Batta/Farr sent their information to the Georgetown DelDOT office, which should have been forwarded to Dover, and has now arrived. President Conaway is still very concerned about these stoplights. He intends to contact Secretary Wicks again when he is sure all information has been sent to the Dover office. He is also concerned that the rejection of stoplights for Bridgeville was public information before the Town government was told. This is not a dead issue.

VII. APPROVAL OF FINANCIAL STATEMENTS AND BILLS PAYABLE

Finance Director Savage directed the Commissioners to the Balance Sheet. (The following amounts are in rounded figures.) The checking and savings accounts total \$298,188. The Escrow accounts and the Impact Fees and Sewer Sinking funds total \$881,776. The current Interim Financing balance is \$1.76 million. President Conaway advised these figures indicate the Town has the ability to raise a million dollars quickly if it needed to. Concerning the Budget report, the Town is ten months through the fiscal year so the target percentage for all budget items should be 83%. The Town received \$20,700 in transfer tax which is not reflected in this report. The total for transfer tax this year is \$260,000, with two months remaining in the fiscal year and six known settlements yet to take place. Miscellaneous fees (annexation fees, EDU violations, etc.) are right at the budget figure. Water/sewer/garbage fees are all at the targeted percentage or above. Capital outlay expenses are down; however, there are a few more items to be purchased that have been priced. Approximately \$15,000 of the Fluoride Grant will not be spent and will be forfeited, as the project came in under budget. The Public Works building is complete and the Town saved money there. Overtime pay is right on target and utility fees are at budget. Five settlements are due at Heritage Shores for approximately \$22,000. An empty lot and a house on Church St. will go to settlement soon, as well. Horney Electronics has sold their property to another electric company. Finance Director Savage advised Bills Payable stand at \$209,702, half of which is for Daisy Construction and the Spray Irrigation project. All 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.

VIII. DEPARTMENT HEAD REPORTS

Mr. Conaway reported that Police Officer of the Year 2007, Officer Richard James, solved a construction equipment burglary. Clean-up Day on May 10th yielded approximately 16 tons of trash, compared to last year's 28 tons. Many people took advantage of the discarded items and salvaged a great deal before the trash trucks came. People knocked on doors and asked permission to take discarded items, which was very polite. Unfortunately, it appears that the metal bin at Town Hall was not used at all. Mr. Conaway added that there was good participation for the May 3rd Yard Sale, with lots of traffic in Town. In the future, he would like to see Heritage Shores participate in the event and have their yard sales the same day as the Town. According to homeowners and Ms. Dottie Harper of Brookfield Homes, in the past, their

yards sales had more business on a different day than the Town Yard Sale. They may change the date next year to coincide with the Town event.

IX. CITIZEN'S PRIVILEGE

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

X. TOWN MANAGER'S REPORT

Town Manager Walls reported the Town advertised and received bids on the 1989 Ford pick-up from the Wastewater Treatment Plant. The accepted high bid was \$1,951. Commissioner Jefferson commented he believes the new owner got a good buy because the body was in good shape and the truck has a snow plow.

Town Manager Walls reported on a meeting with Mr. Mike Collison, President of the Lion's Club. They discussed the club's participation in the 911 Addressing Ordinance requiring all Town dwellings to post their address on the building. Mr. Collison will speak to the Lion's Club about their participation.

In conjunction with the celebration of Arbor Day on April 25th and with the assistance of Woodbridge High School FFA students, a plum tree was planted on Walnut Street. The Town extends its thanks to FFA teacher Ms. Karen Breeding and her students for their help and expertise in planting the tree.

Town Manager Walls and Street Superintendent Rick Passwaters attended an Arbor Day Ceremony at Redden State Forest. Agriculture Secretary Scuse, Governor Minner and State Forester Austin Short presented certificates to Arbor Day Poster Award winners. This involved youth throughout the state, grades kindergarten through four. Bridgeville and other municipalities who participate in the Delaware Tree City USA were also presented with a certificate indicating their involvement.

The Town-wide Yard Sale was held May 3rd and Clean-Up Day was held May 10th. Per M-T Trash, the total tonnage collected for Clean-Up Day was 15.86 tons. This amount is consistent with other recent Clean-Up days. The Town thanks the employees of M-T Trash for a job well done.

National Night Out has been scheduled for Wednesday, August 27th at 6:00 P.M. The First State Force Band will perform at the event and preparations are underway to solicit displays and important informational handouts for that evening from various organizations, such as the Office of Highway Safety.

Town Manager Walls met with Apple Scrapple Chairman Bonnie Workman regarding the 2008 Apple Scrapple Festival. The Festival will again be held the second weekend in October, this year on the 10th and 11th. Plans are well underway, with the promise of another outstanding Festival.

The Town's Memorial Day Celebration will be held Monday, May 26th at 9:30 A.M. The event will take place at the Veteran's Memorial in the Bridgeville cemetery. Town Manager Walls would appreciate everyone's involvement.

XI. OLD BUSINESS

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

President Conaway advised this Ordinance was introduced for a first reading at last month's Commission meeting. It would amend Chapter 84 by adding a section concerning dog ownership. President Conaway opened the Public Hearing on the Ordinance at 8:04 P.M., informing residents that public testimony for or against the Ordinance would be entertained. Hearing no comments from the public, President Conaway closed the Public Hearing at 8:05 P.M. The floor was then opened for comments from the Commissioners. Commissioner Skala asked if we know how many households currently have more than two dogs. President Conaway said there was no way of knowing. He made a cursory review of the highlights; the Ordinance includes:

- No more than 2 dogs are allowed in a household.
- Animals must be licensed and vaccinated for rabies.
- Dogs may not run at-large; they must be leashed.
- Dogs must be confined by a fence or kennel outdoors; they may not be tethered to any object outdoors.
- A Board of Animal Control is created (Code Enforcement Constable plus 2 residents appointed by the Commission.)
- The Ordinance defines a dangerous dog, with specific accommodations and insurance required.
- Fines are clearly defined.

Town Manager Walls added that the Town will work with residents who have more than two dogs and who need to build/install proper kennel facilities. A time frame will be developed to accommodate those residents who need to make changes; however, the Ordinance will be followed. President Conaway stated the Town needs relief from howling dogs at night and there are many dogs that need a humane way of life, therefore this Ordinance is necessary.

Commissioner Jefferson questioned the leash law and fencing. President Conaway commented a dog must be leashed when they are outside a confined, fenced-in area. Despite the fact that some dogs are fairly responsive to their owners' control and supervision, all dogs must be leashed. The owners will be fined if the leash law is not respected. President Conaway suggested the Town does not want to be in a position to judge which dogs should be leashed and which are fine without a leash; therefore, all dogs must be treated the same. Town Manager Walls advised she needs this Ordinance because there are dogs running at large who are chasing the mail carrier, children, etc. President Conaway added there is a safety issue here and one has to look beyond their neighbor's friendly dog. Commissioner Jefferson is still concerned about the well-mannered dogs who stray once in a while and their owners are fined. Town Manager Walls assured him that she would not necessarily fine a dog owner automatically for a violation. Commissioner

Correll made a motion to adopt Ordinance A08-2 concerning Dog Ownership. Commissioner Skala seconded the motion. Motion carried.

B. Second Reading and Adoption of Ordinance A08-3, An Ordinance Relating to Impact Fees

President Conaway reported this Ordinance defines what the Town will charge for non-infill resident impact fees. These are fees charged to property owners who annex into Town. Those who are in Town and have a lot would not be charged these fees, but would be charged infill rates. President Conaway opened the Public Hearing at 8:13 P.M., informing residents that public testimony for or against the Ordinance would be entertained. Hearing no comments from the public, President Conaway closed the Public Hearing at 8:14 P.M. The floor was then opened for comments from the Commissioners. Hearing no comments, Commissioner Correll made a motion to adopt Ordinance A08-3 relating to Impact Fees. Commissioner Skala seconded the motion. Motion carried.

C. Second Reading and Adoption 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 opened the Public Hearing at 8:15 P.M., informing residents that public testimony for or against the Ordinance would be entertained. President Conaway advised this Ordinance requires that anyone who annexes to Bridgeville must sign a new Public Works Agreement, which is more detailed than the current contract already in use. It spells out their responsibilities to extend public works lines with the possibility of being paid back some of their expenses if they extend the lines for more than their property. It is a typical Public Works Agreement. President Conaway was concerned about a five-year payback schedule in the Ordinance. This would allow a property owner to wait five years and one day to start development and thereby avoid paying back the original property owner who had funded the total improvements. This has been changed to a ten-year pay back. President Conaway gave Royal Farms as an example of how this works. Royal Farms paid to extend water/sewer lines to their property. If within ten years another property owner ties into those lines that Royal Farms paid for, the new property owner will be responsible to pay back Royal Farms for a portion of the original cost of the improvements. Hearing no comments from the public, President Conaway closed the Public Hearing at 8:18 P.M. The floor was then opened for comments from the Commissioners. Commissioner Correll asked if the Ordinance is retroactive to past improvements; President Conaway replied it is not retroactive. Commissioner Greason made a motion to adopt Ordinance A08-5 relating to Public Works Agreements. Commissioner Jefferson seconded the motion. Motion carried.

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

President Conaway expressed his continuing concerns about this Ordinance. Town Manager Walls and Finance Director Savage clarified aspects of the Ordinance for the Commissioners after the Ordinance was first brought to the April 14th meeting, but these clarifications did not change President Conaway's concerns. He gave several illustrations: If a residential area homeowner wants to run a two-chair Beauty Salon, he/she currently would make application for either a change of zoning or a Conditional Use, for a \$500 charge. On the other hand, a large developer pays a \$1,500 annexation fee for his land and provides the Town with a preliminary plan to bring before voters in anticipation of an Annexation Referendum. The property is then annexed to the Town and zoned commercial. This Ordinance is set up with too many charges to him as a developer. The Variance, Conditional Use, Zoning Change fee must be maintained (\$500). There should be a fee for the Town to review a major development's application, but the Town shouldn't charge the developer multiple fees (i.e. \$1,500 to annex, \$1,500 for application fee and \$2,000 to have the Town review the Plan, plus 10% administrative charges.) There isn't enough work to be done in a Minor Development (4 lots or less) to justify the \$1,000 fee. President Conaway would prefer it be removed, but would consider a \$500 charge. Variances are legislative action that the Town/Planning and Zoning Commission are responsible for, not the residents. To charge for recommending a change in the Ordinance does not make sense to President Conaway. He suggests amending the Ordinance as follows:

Keep Variance, Zoning and Conditional Use Hearing Fee	\$500
Keep Major Development Review Application Fee	\$2,000
Remove the RPC Fee	
Reduce the Minor Development Review Application Fee to	\$500
Remove the Zoning Map & Text Amendment Application...	
Keep the 10% administrative charge	

President Conaway feels that excessive charges will make developers avoid doing business with the Town; we would not be "business-friendly." Commissioner Correll expressed concern that Town Manager Walls had requested comments from the Commissioners before this meeting, so she is very surprised at the number of issues being brought up tonight concerning this Ordinance. President Conaway did not feel the clarifications on each line item were acceptable justification for the charges. Town Manager Walls is concerned that the Town not have to pay for the Solicitor's involvement, the advertising that must be done, as well as engineering costs. President Conaway agrees that the Town should not have to pay the expenses, but should treat it as a "pass-through fee", meaning these types of costs would be passed on to the developer. Engineer Williams agreed if there is a "pass-through" clause? then it would be acceptable. She also commented that there have been meetings with developers to interpret Ordinances and water/sewer problems which cost the Town money. President Conaway feels this Ordinance makes it very expensive. Ms. Williams commented that commercial developments are more labor-intensive and expensive. President Conaway agreed; there is currently no distinction between residential and commercial in this fee structure, and perhaps this should be added. President Conaway requested that the Ordinance be tabled again. The Developer's Agreement guarantees that water/sewer expenses are all pass-through. DelDOT, Soil Conservation and

other reviews do not go through the Town; therefore, the Town would not have any financial responsibilities. President Conaway believes the Ordinance should have a measure of fairness. Ms. Williams agreed that pass-through is the key; however, there is a need for some token fees to accommodate the office staff time and labor in meeting with developers. Commissioner Greason asked for clarification of the 10% administrative charges. He feels that the developer is already paying fees; additional services could be billed directly, rather than be dealt with as an administrative fee. Commissioner Jefferson made a motion to table Ordinance A08-4. Commissioner Greason seconded the motion. Motion carried.

E. Re-Introduce Ordinance A08-6, An Ordinance Amending the Code of the Town of Bridgeville as it Relates to Land Use and Development

President Conaway advised this Ordinance helps to define a major and a minor development. You could argue that a minor development could include any number of lots, as long as it doesn't involve building a road. He agrees that 4 lots or less is a reasonable designation for a minor subdivision. President Conaway suggested that in Section 234-56 General Requirements, the words "Adequate Public Facilities" give a false impression and he would ask that it be amended to read "Master Plan," because that is really what the paragraph is explaining. President Conaway requested an amendment to change the wording as noted. Commissioner Skala asked for clarification on the change in wording. President Conaway responded that the words "adequate public facilities" could be interpreted different ways, whereas, "master plan" indicates the correct intent: the developer needs to plan for the development, which would include adequate public facilities. Commissioner Greason made a motion to re-introduce Ordinance A08-6, amending Section 234-56/General Requirements/B. to read "Master Plan." Commissioner Correll seconded the motion. Motion carried.

XII. NEW BUSINESS

A. Introduction of the FY-09 Budget

On behalf of all the Commissioners, President Conaway congratulated Town Manager Walls and Finance Director Savage on their efforts in preparing the FY-09 Budget. It is very difficult to prepare a budget in a time of falling revenues and building slow-downs. They both worked very hard to hold the line on expenses with many unknowns in the year ahead. Staff and Department Heads all worked hard to lower expenses for a balanced budget. A Budget Highlight Sheet is attached to the permanent minutes. In FY-07 the Town budget was \$2,876,000; in FY-08, anticipating revenue problems, the budget was \$2,600,000 (10% reduction). The FY-09 budget is \$2,300,000. The total reduction from 2 years ago is 17%. The Town enters the new budget year with reserves of \$80,730 plus Escrow funds of approximately \$500,000. The total assessment for Bridgeville is \$24,855,560. This means that for each cent we collect in taxes, the Town raises \$2,487. A major line item in Bridgeville's budget is the revenue from real estate transfers. Two years ago the Town received \$675,000. The Town anticipated a drop in transfer taxes this year and budgeted \$350,000 and later re-budgeted to \$240,000. It appears we will exceed our re-budgeted figure. The Town Manager and Finance Director have been very careful to see that expenditures do not exceed revenue. If the General Assembly and Governor decide

by June 30th to take away the 1-1/2% transfer tax, the Town will have no recourse but to raise taxes by \$.61 on each property. The Commissioners are appealing to our legislators to understand the devastating effect that tax raise would have on our residents. The Sussex County Association of Towns (SCAT) has agreed to send letters to SCAT lobbyist, Mr. Maxwell so he can distribute them to all state legislators, showing the effect the loss of transfer tax would have on all municipalities. (The taxes in Lewes would double! In Georgetown the tax bills are already out, so they would likely have to re-bill.) Bridgeville cannot wait until June 30th when the legislators make a decision on transfer taxes. The Town must adopt its new budget by the second Tuesday in June. With no disagreement voiced by the Commissioners, a letter will be sent to the lobbyist for the legislators informing them of the dramatic loss of revenue for Bridgeville if transfer taxes are lost and the subsequent tax raise it would cause for our Town.

President Conaway advised the Town has reviewed the water/sewer rates. Proper financial practice requires that the water and sewer departments pay for themselves, without making a large profit, rather than being funded by tax dollars. The government and our auditor have urged the Town to bring these two departments into line with that philosophy. Currently, the departments do not pay for themselves. The meter charge was reduced to \$3.50 in 2006, with residents receiving a \$42.00 savings. The water Ordinance was last changed in June of 2001 to make it possible for water tower maintenance, previously neglected for 15 years. If approved, the water rate for 5,000–10,000 gallon usage will be raised from \$2.16 to \$2.35 per thousand gallons. For those who use over 10,000 gallons, the rate will be raised from \$2.54 to \$2.75 per thousand gallons. The Town purposely left the lowest usage category for water alone to commend those who conserve water. In the area of sewer fees, there has not been a raise in charges since February, 1998. If approved, the minimum fee will be raised from \$10 to \$15; however, there is a benefit. The range for that minimum fee used to be 0-2,000 gallons and will now be 0-2,500 gallons. The next level, from 2,500-5,000 gallon usage remains the same at \$4.10. The next 5,000 gallons will be raised from \$5.13 to \$5.50 and over 10,000 gallons, the price increases from \$6.15 to \$7.00. These fees are necessary for a balanced budget in FY-09, but will not make the water and sewer departments completely self-sufficient. The Town will still have to provide \$158,430 for the sewer department to operate and \$10,350 for the water department to operate. The Town is concerned about the effect on large water/sewer users, such as RAPA; however, the increase is unavoidable. Commissioner Greason made a motion to introduce the FY-09 Budget. Commissioner Jefferson seconded the motion. Motion carried. A Public Hearing concerning the FY-09 Budget will be held at the Special Commission meeting on June 2nd.

B. Introduction and First Reading of Ordinance A08-7, An Amendment to Chapter 128 – Fees of the Code of the Town of Bridgeville Concerning Water/Sewer Rates

This amendment to fees was discussed fully in the previous budget discussion. (New Business/A) President Conaway called for a motion to introduce. Commissioner Skala made a motion to introduce for a first reading Ordinance A08-7 to amend the Town Code concerning water/sewer rates. Commissioner Jefferson seconded the motion. Motion carried.

C. Swimming Pool Ordinance

This Ordinance will not be considered in this meeting.

D. Proclamation – Come Out to Church Week

President Conaway read a Proclamation encouraging residents to attend the church of their choice and proclaiming the week of May 18 through 24th as Come Out to Church Week. Commissioner Jefferson made a motion to adopt the Proclamation. Commissioner Correll seconded the motion. Motion carried.

E. Greenwood Agreement

President Conaway reported the Town of Greenwood has signed the agreement with Bridgeville concerning sewer services. He added that Greenwood's sewer flows for the last quarter stayed within required levels.

F. Senate Bill 214

President Conaway reported this bill was introduced on Thursday, May 8th in the State Senate. The bill clarifies that individuals in special tax districts will only be responsible for the tax bill for their own property, not the entire development. The bonds are "non-recourse" and therefore do not pledge the full faith and credit of the community. State Senator DeLuca requested this legislation for clarification.


G. Second Annual Bridgeville Charity Golf Open

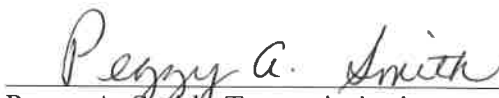
This second tournament is scheduled for October 10, 2008. The first Gold Sponsorship (\$5,000) for the tournament has been received from developer Allen and Rocks. Mr. Ed Lewandowski has been appointed to chair the committee for the event. A news release will soon be sent to the newspapers.

XIII. ADJOURNMENT

Commissioner Skala made a motion to adjourn the meeting. Commissioner Jefferson seconded the motion. Motion carried. The meeting was adjourned at 8:58 P.M.

Respectfully submitted by:


Patricia M. Correll, Commissioner Secretary


Peggy A. Smith, Transcriptionist