

**MINUTES  
COMMISSIONERS OF BRIDGEVILLE  
JUNE 13, 2011 – 7:00 P.M.  
TOWN HALL**

**I. CALL TO ORDER**

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

**II. QUORUM PRESENT**

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

**III. APPROVAL OF MINUTES**

Commissioner Mervine made a motion to approve the May 9, 2011 Commission meeting and Executive Session minutes. Commissioner Kovack seconded the motion. Motion carried.

**IV. CORRESPONDENCE**

Town Manager Burke read a letter from Woodbridge High School senior Ms. Amanda Reed. Her senior project involves investigation into pollution and she intends to work toward Commission approval to ban smoking in the Sanctuary for Kid's Park and possibly in Cahall Park (next to the Historical Society). Ms. Reed included numerous photos depicting the excessive amount of cigarette butts that can be found at the Sanctuary Park. President Correll requested agreement from the Commissioners to respond to Ms. Reed that the Commissioners will look into her request. Commissioner Kovack advised the Commission will need to approach the Union United Methodist Church concerning the issue, as they own the Sanctuary Park. President Correll mentioned that the Town has responsibility for maintenance of the park for several more years. It was determined that the Town is currently holding \$9,576 for the maintenance of the park. There have been no committee meetings concerning the park since 2005. Commissioner Mervine advised Mr. Jim Mitchell from the church has been involved in the project before and would be glad to meet with Commissioner Kovack and others concerning park maintenance.

The Commissioners received a letter of thanks from the American Diabetes Association for their monetary donation in memory of Bridgeville resident Charles Singman who recently passed away. Mr. Singman was a former Commissioner.

A letter was received from the Department of Natural Resources and Environmental Control (DNREC) advising they are accepting grant proposals for community water improvement projects, with a deadline of August 1<sup>st</sup> and a cap of \$100,000.

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

Finance Director Savage directed the Commission to the Balance Sheet for the period ending May 31<sup>st</sup>. All accounts totaled \$936,871, which is a \$45,000 increase from last month. The General Fund totaled \$383,436, a \$20,000 increase from last month. In Accounts Receivable there is an outstanding invoiced balance of \$57,165, the majority of which will be reimbursed by DelDOT for the street project. The RBC loan line item has increased to \$150,000 due to the installation of the first unit, which has been paid for and reimbursed. On the Budget Report we are 11 months into the budget year and should be at 92% of the budget. Transfer tax is currently \$30,000 above budget; we are expecting 7 settlements in June, bringing another \$30,000. Total income stands at \$2,279,445, an increase of 8% over last month. On the Expense side, the Town is at \$2,061,346, which is 83% of the budget and is an increase of 11% from the previous month. Concerning repairs, the \$43,000 figure does not include the most recent wastewater line leak. We are anticipating the new repair to cost \$6,000- \$7,000. Concerning Accounts Payable, the Town has received bills totaling \$139,106, \$110,000 of which is for the wastewater department and involves debt service to DNREC of over \$93,000. Expected expenses before the next monthly meeting total \$151,600, which includes regular monthly expenses and a USDA debt service payment of \$43,000. Bills to be approved total \$290,706. Commissioner McCarron made a motion to pay the bills as presented. Commissioner Tassone seconded the motion. Motion carried.

## **VI. DEPARTMENT HEAD REPORTS**

Sergeant Burke Parker came to represent the Bridgeville Police Department; he is administrating the Police Department while Chief Longo is on medical leave. Please contact him with any concerns, or if he is not available, Sergeant Parsons. The department wrote 285 tickets last month and made 38 criminal arrests, several of which were drug arrests. One of those arrests led to cooperating with the Milford police to remove 20 stolen guns and 2 pounds of marijuana from the streets in Milford. The Police Department wrote \$23,255 in tickets in May; however, actual monies received by the department averages 18-24% of the total. Foot and bike patrols were performed. The Police patrol the Sanctuary for Kids Park and will be watching for cigarette butts; the patrol is to assure the park is being used appropriately. The department is currently short-handed; one officer returned today and the other two should be back to work for a full complement of officers in early July. Sergeant Parker has identified "Cool-Down Locations" for use during extreme heat. He will work with Mrs. Peggy Smith to prepare public notices for local cool down locations in Bridgeville at the Town Hall and Bridgeville Library. This information will be posted on the website and on our Town Hall sign during extreme heat. Commissioner Kovack advised the Town is also updating a list of elderly, living alone, or handicapped residents who should be checked on from time to time by the Police Department. He reported one elderly resident recently fell in their yard during the extreme heat and could not get up and back inside by herself. A neighbor intervened; however, we want to monitor individuals such as this to make sure they are safe. Sergeant Parker reminded everyone to stay hydrated and to go outdoors for only limited amounts of time during excessive heat. It was determined there were no other heat-related issues during our recent hot weather.

Sergeant Parker advised the department would like to apply for an Office of Highway Safety Grant with the permission of the Commissioners. This is for a DUI Mobilization on July 4<sup>th</sup>.

Commissioner Tassone made a motion to approve the application for this grant. Commissioner Mervine seconded the motion. Motion carried. Commissioner Tassone questioned the five false alarms in this month's Police report. Sergeant Parker advised none of the alarms required fines.

Town Manager Burke thanked Sergeant Parker for his leadership in cleaning up the Police station and making it more presentable. He also commended Sergeant Parker for the job he is doing while the Chief is on medical leave.

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

Town Manager Burke advised the FY-2012 budget was passed on June 1, 2011; it is a balanced budget with no tax or fee increases. He appreciates the efforts of the Department Heads to cut costs and deliver a high level of service to the community.

The Town thanks the Delaware Economic Development Office (DEDO) for sponsoring a Community Branding program in Bridgeville. The special workshops were funded by a USDA Rural Development Grant to provide economic development training to rural towns. Town Manager Burke regretted that there was not ample time to schedule the event properly. Ms. Diane Laird, Delaware Main Street Director, was given a time-sensitive deadline that had to be strictly adhered to. Town Manager Burke attempted to re-schedule the workshop for late June or early July; however, the deadline was hard and fast and there was no alternative.

Town management is continuing to coordinate the Delaware Energy Office grants for lighting retrofits and window and door projects.

Concerning the \$700 DUI grant approved earlier in the meeting, Town Manager Burke was pleased to report there have only been seven alcohol-related deaths this year, compared to fifteen last year. Increased traffic enforcement reduces fatalities and injuries.

The Town is working with the Government Information Center (GIC) on a new and improved website. The site will be interactive in nature.

The summer newsletter will be mailed to citizens before the end of June. Highlights will include information on heat safety, since the area received its first heat advisory this past week.

Mr. John Street of Street's Produce on northbound Route 13 has generously agreed to allow the Town to install a "Welcome to Bridgeville" sign on his property. This is the 4<sup>th</sup> sign installed within the boundaries of Town. We thank Senator Booth and Representative Wilson for paying the installation cost from their Community Transportation Funds. Phillips Signs has designed the billboard and will be installing it within the next few weeks.

DelDOT has notified the Town that they will perform pavement overlay work on North Main St. from Town Hall to Weller's Utility Trailers after July 1<sup>st</sup>. This project will be completed before the Apple Scrapple Festival, per the request of President Correll.

The Delaware Office of State Planning and DNREC applied for a \$100,000 National Fish and Wildlife Foundation grant on behalf of the Town to help develop a comprehensive master plan and complete its required comprehensive plan. There is a required 25% match which would be \$10,000 cash and a \$15,000 in-kind donation.

The DelDOT street project is 50% complete. Kwik and Crafty Contracting LLC has run into a few minor problems with DelDOT, but has completed most of the ADA curb ramps on Market St. and will be completing ten ADA ramps on Main St. by the end of the month. Street Superintendent Passwaters is monitoring the work.

The developers of the Bridgeville Professional Center have broken ground on Antique Alley. One 9,400 square foot building will be complete by the end of the summer. Nanticoke Memorial Hospital has leased a portion of the space and they owners are actively pursuing additional tenants.

A third sewer leak on the effluent line from the WWTP to Route 13 is currently under repair. The Commission has approved replacement of that line if the Town is approved for state grant or loan funding.

The Town is seeking a new Water Superintendent. Mr. Doug Jones is retiring after 25 years of dedicated service. Job applications are available on the Town website or at Town Hall.

The Code Enforcement Officer is continuing to enforce all Town Ordinances, including the rental unit inspection license, barking dogs and other nuisances and matters of responsible property maintenance. Please contact the Town Manager if you have any issues to discuss.

## **VIII. CITIZEN'S PRIVILEGE**

Commissioner McCarron announced the Fire Company is having a memorial benefit for deceased vice-president, Mr. Bob Moyer, on Saturday, June 18<sup>th</sup>. The Poker Run begins at 11:30 AM with a pig roast/band at 3 PM. All proceeds will benefit the Moyer family.

Mr. Dave Levy from 34 Amanda's Teal Dr., Chairman of the Town's Emergency Planning Committee, gave an update on the Sussex County Emergency Plan. He has spoken with Mr. Joe Thomas, Director of Sussex County Emergency Operations Center, who advised they are putting the finishing touches on the County plan. The County Council should have the plan in their hands by the first of July for review. They are hoping for a late July approval from the Council so that Bridgeville's committee can return to finalize the Town plan.

Mr. James Lofland from 3 Oak St. returned to this month's Commission meeting regarding his continued concern about the rental unit license ordinance. He has been waiting to hear from Commissioner Mervine and Town Manager Burke on the issue and advised he has sent a letter to all the Commissioners regarding his concerns. He believes it is unfair for the landlords to pay an inspection fee for each bedroom. He has spoken to a Chamber of Commerce organization that advised they had never witnessed this type of thing; they were going to conduct research and contact Mr. Lofland again. He has come to request that the Commissioners re-visit this Ordinance and is asking if

anything can be done. Commissioner Kovack advised he is also a landlord in Bridgeville and received notice from the Town after the Ordinance was put in place in July 2010. The Ordinance had the required advertisements and 2 public hearings before the Commissioners before it was passed. It was also publicly advertised on the February Town water bill, public notices, newsletter, website, etc. Commissioner Kovack read and entered into the record a letter from Town Attorney, Mr. Dennis Schrader, concerning Mr. Lofland's continued concerns; this letter, dated June 10<sup>th</sup>, recommended that Mr. Lofland come into compliance or face the consequences. Mr. Kovack further advised the codes adopted by the Commission are intended to protect all the citizens of the Town and provide safe living quarters; we all have to live with the decisions of the Commission. Mr. Lofland wants the Commission to repeal the Ordinance. Commissioner Mervine advised the Ordinance was legally enacted by this body; comply or face the consequences. It is his understanding that the Code Enforcement official and Town Manager have been to Mr. Lofland's properties and Mr. Lofland has not come into compliance. Commissioner McCarron advised the inspection is fairly general and is not overbearing. At \$25 per bedroom, a 3-bedroom house would cost less than \$10 per month. He also referred to a study done by the Institute of Real Estate Management on mandatory inspection of rental properties by municipalities for a fee to prove that Bridgeville is not doing anything wrong or unusual by requiring a rental inspection and fee. Mr. Lofland advised he has no problem with a rental inspection; he is willing to come into compliance. Commissioner Mervine advised the purpose of the rental inspection and associated cost is for the protection of the citizens who live in rentals. Other Towns have problems with multiple families living in single-family dwellings. Bridgeville wants to make sure that does not take place here. All citizens are entitled to safe living conditions and not being taken advantage of by a landlord. These are the reasons the Town of has entered into this Ordinance. There is a cost associated with the inspection, which is a reasonable fee. Town Manager Burke advised the applications have been available since 2010. The process is to complete the application, pay the fee and an inspection is scheduled. President Correll reiterated the Town has passed this Ordinance and compliance is necessary. Payment must be made before an inspection can take place. If one of Mr. Lofland's rentals does not pass an inspection, the Town will gladly give him time to bring the property into compliance. Mr. Lofland advised he is available to come to Bridgeville on Wednesday to begin the rental unit inspection process.

Commissioner Tassone thanked the Bridgeville Fire Company for their prompt response to a lightning strike fire on July 12<sup>th</sup> at 112 Whistling Duck Dr.

President Correll thanked Commissioner Kovack and his wife, Lynette, for planting new flowers in downtown flower barrels and for adding American flags to each of the flower barrels. She appreciates their efforts to beautify the Town.

Commissioner Kovack expressed concern about the Greenwood wastewater agreement and the lack of communication regarding updating the agreement. Commissioner Kovack recently spoke with Woodbridge Superintendent Carson about the new high school and learned that the intention is to dig wells for water and tap into Greenwood's sewer line that comes to Bridgeville. Town Manager Burke advised impact fees will be charged. Commissioner Kovack believes there are some innate problems ahead and Town Manager Burke advised the issue is likely to go to arbitration. Commissioner Kovack believes the wastewater from the new high school should be metered so that it can be charged properly. President Correll advised it will likely be two years before these decisions will be made.

Town Manager Burke suggested reviewing this issue further at another venue, as we do not have all pertinent information at this time to discuss the issue in any depth. The Town will certainly seek all actions that will benefit Bridgeville. Commissioner Kovack is also anxious to address overages from Greenwood. President Correll advised a new school superintendent is imminent, which may change circumstances to some extent. She also advised Bridgeville resident Mr. John Barr, who is in the audience tonight, will begin his term of office as a Woodbridge School Board member on July 7<sup>th</sup>. She asked Mr. Barr to keep the Commissioners informed on important issues.

## **IX. OLD BUSINESS**

### **A. Second Reading and Adoption of Ordinance A11-1, an Ordinance to Amend Chapter 90 of the Code of the Town of Bridgeville as it Relates to Grass, Brush and Weeds**

Town Manager Burke read the Ordinance in its entirety and then summarized the Ordinance stating that the Town will no longer send letters to property owners in violation of excessive grass height; the Town will warn the property owner once and then the Town will cut the grass and bill the owner. This is necessary to keep the Town neat. President Correll opened the Public Hearing at 8:03 P.M. Mr. Frank Mills from 64 Emily's Pintail Dr. questioned the definition of "days" for compliance; when does the time start and end? The Ordinance reads "3 days after the receipt of notice," which is sufficient. Commissioner Kovack recommended sending the letter certified and counting from the signed receipt of letter. Town Manager Burke advised this Ordinance is intended for the egregious violator. President Correll advised if there are extenuating circumstances, our Code Enforcement Official will certainly make exceptions. These letters tend to be sent to the same violators all the time. There being no further questions, the Public Hearing was closed at 8:12 P.M. Commissioner Kovack made a motion to adopt Ordinance 11-1 with the changes as submitted for this second reading. Commissioner McCarron seconded the motion. Motion carried.

## **X. NEW BUSINESS**

### **A. Community Branding Workshop**

Town Manager Burke read a summary of "Delaware Main Street," a program of the Delaware Economic Development Office, which received a USDA Rural Development Grant of \$234,643 to provide training to rural communities and Towns, including Bridgeville. (The full text is an attachment to the permanent minutes.)

Commissioner Tassone read his report outlining the "Community Branding Workshop" that was held in Bridgeville on June 8-10 by consultant Mr. Ben Muldrow. Community focus groups, Town officials, merchants, tourism officials, etc. met with Mr. Muldrow during the workshops. There is a strong interest among many segments of the Town for an organization to help with creating a greater awareness of Bridgeville and its assets to both the traveling public and possible merchants interested in Bridgeville for a business location. (The full report text is an attachment to the permanent minutes.)

President Correll advised Mr. Muldrow was very interesting. She told him the Town was not changing its slogan. She has since driven around Milford, which has gone through this program, to see their new signs, etc. and stated she wasn't enthusiastic concerning all of the aspects, but is open to the possibilities. She added that she has spoken with a potential merchant who would love to start a florist business in Bridgeville. President Correll advised the most important thing she took from the sessions she attended was that we must all buy locally in order to make our Town successful. We must support our local businesses, even if the price is higher. As an example, she mentioned Dollar General Store, which she heard had been considering not renewing their lease a year ago. She has since learned that our Dollar General is the 3<sup>rd</sup> fastest-growing store in the chain. There is an 800 phone number displayed at the store to express public support. She asks that people support the store by calling the 800 number and expressing appreciation for the store.

Commissioner McCarron expressed his appreciation to Commissioner Tassone for his hard work on this project. President Correll commented there had been very little lead-time to make this event successful. Commissioner Kovack believes Commissioner Tassone did an excellent job in organizing the event; however, he believes it will be very important to get the Town's "major players" – the commercial business owners, involved in the program. (The downtown area is located within Commissioner Kovack's election district.) Owners need to be involved and not all business owners were aware of the workshop. Commissioner Tassone advised the Town had given him a business owner list and he made approximately 40 phone calls before the June 8-10 meetings. There was additional discussion concerning economic development history in Bridgeville and the unfortunately tight time-frame of the Branding Workshop.

**B. Office of Highway Safety – July 4<sup>th</sup> DUI Mobilization**

This agenda item was considered and approved during Department Head Reports.

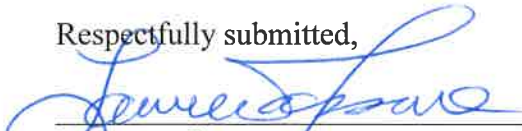
**C. EECBG Contract Award – A.C. Schultes of Delaware**

AllFacilities Energy Group is recommending that A.C. Schultes of Delaware be awarded the Energy Efficiency Community Block Grant (EECBG) for motor replacements at well houses #2 and #5 in the amount of \$65,949. A.C. Schultes was the only bidder on this project; however, it has taken several weeks for the State of Delaware to accept the component parts as "made in America". The Town's grant administration policy calls for grants to be approved by the Commissioners, unless approvals are necessary before the next meeting. In this case, the policy allows the Commission President and Town Manager to approve grants. It was confirmed that the Commissioners are in agreement with the policy of allowing the Commission President and Town Manager to approve bids in time-sensitive circumstances. Unit prices #1-8 are not being approved at this time, but may be brought before the Commission or approved by President Correll and Town Manager Burke in the future. Commissioner Mervine made a motion to award EECBG Contract #2011-003 to A.C. Schultes of Delaware in the amount of \$65,949. Commissioner Kovack seconded the motion. Motion carried.

**XI. ADJOURNMENT**

Commissioner McCarron made a motion to adjourn the meeting. Commissioner Mervine seconded the motion. Motion carried. The meeting was adjourned at 8:38 P.M.

Respectfully submitted,

  
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Lawrence Tassone, Commission Secretary

  
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Peggy Smith, Transcriptionist