

MINUTES

COMMISSIONERS OF BRIDGEVILLE July 11, 2005 - 7:00 P.M. TOWN HALL

I. CALL TO ORDER

The meeting was called to order by President Joseph Conaway at 7:00 PM Present: Commissioners Margaret Sipple, Earl Greason, Patricia Correll, William Jefferson and Town Manager Bonnie Walls. The meeting started with the flag salute and Lord's Prayer.

II. APPROVAL OF MINUTES

Minutes of the regular board meeting held on June 6, 2005 were presented for adoption. Commissioner Correll made a motion to accept the minutes as presented. Commissioner Sipple seconded the motion. Motion carried

III. CORRESPONDENCE

Town Manager Walls made the Commission aware of a report of grants which were awarded to the State of Delaware in FY-03. All the state grants and agencies which received the grants are listed. It is available for review.

The Boys and Girls Clubs of Delaware Spring 2005 Newsletter is available for review. Town Manager Walls pointed out the 2005 Youth of the Year Winner, Cherise Spruill, who was chosen from among all the state clubs. Cherise is from Newark, Delaware; she will attend St. John's University this fall majoring in secondary education. The Town is pleased to acknowledge young people who are doing well.

The Department of Natural Resources and Environmental Control's quarterly newsletter is available for review, as well as Kent-Sussex Industries' second quarter newsletter.

Sussex Spotlight Read Aloud Delaware July/August Newsletter arrived with good advice encouraging parents and children to turn off the TV one night a week and read.

A letter was received from the Mayor of Newark, Delaware, sharing information about the Jefferson Awards Civic Engagement Program. This free program honors and encourages public and community service. The Commission approved a follow-up search for more information.

A packet from Nemours Health and Prevention Services for Children concerning the health and development of children is available for review.

A packet from the Department of Agriculture was received regarding Urban and Community Forestry and the importance of trees. A leaflet has been posted for our residents and additional information is available for review.

IV. APPROVAL OF FINANCIAL REPORTS AND BILLS PAYABLE

President Conaway commented that we ended the Fiscal 2005 year in excellent financial shape. We are at least \$80,000 in the black from last year. Our escrow accounts continue to draw interest, so funds are available for emergencies, renovations, etc.

Finance Director Savage presented the monthly financial reports and bills payable for approval. He pointed out that we are still receiving bills for fiscal year 2005 and there are outstanding revenues due as well. An updated balance sheet will be produced for the next Commission meeting for a complete picture of the year-end balance. Commissioner Jefferson made a motion to pay the bills as presented. Commissioner Sipple seconded the motion. Motion carried.

President Conaway explained that Heritage Shores building permit fees include \$100 for the new Library and one-quarter of one percent for the Emergency Services Fund. A recommendation was made to establish a new account to avoid co-mingling these funds with our General Fund. The Emergency Services monies will be presented to the Fire Company at the end of the year and the Library funds will be held until construction begins on the new facility. A motion was made by Commissioner Correll and seconded by Commissioner Greason to establish a new account with President Conaway, Secretary Sipple, Finance Director Savage and Town Manager Walls as signatories.

The Sale of Bonds for the first phases of the Special Tax District at Heritage Shores will soon take place. \$348,337.87 from the sale of the bonds will be transferred to the Town of Bridgeville to cover Town growth expenses due to Heritage Shores development. Expenses include renovations to Town Hall and the Police Station, the public parking lot, Town brochures, land purchased adjacent to the sewer plant, the Town Code update, the new zoning ordinance, new police cars, phone system and snowplow. These expenses will be reimbursed.

V. DEPARTMENT HEAD REPORTS

Street Superintendent Passwaters reported that the paving and striping of St. Mary's Church parking lot is complete.

President Conaway commented on the Police Department Report, stating one of our officers-in-training withdrew from the Academy in Wilmington. The Commissioners had one additional candidate tested in anticipation of any problems, and he reported to the Academy today, July 11, 2005. The Police Department has written \$325,000 in tickets which translates into only \$134,000 in revenue.

The Water Department report from Doug Jones indicates the chemical feeder pump at well #2-2D has been rebuilt.

The Wastewater Treatment Plant monthly report submitted by Superintendent Mowbray indicates that this is the 81st consecutive month without a NPDES violation. President Conaway commented on a piece of equipment that was loaned to the Town of Snow Hill Wastewater Treatment Plant, saying that he is glad for our ability to share equipment among small towns on Delmarva, avoiding purchase costs. The University of Delaware, College of Marine Studies is conducting research through our Wastewater Treatment Plant. Students have planted phragmites reeds in two uncovered sludge drying beds to demonstrate the benefits of this type of phragmites reed when used in the bio-solids drying process.

Code Enforcement Constable Jack Kimlel reports \$10,000 worth of building permits, although the town receives \$6,300 of the monies and the Emergency Services Fund receives \$3,700. This again demonstrates the need for Emergency Services monies to be separate, avoiding inflation of our General Fund as discussed earlier in the meeting.

VI CITIZEN'S PRIVILEGE

Mrs. Amanda Joseph resident of N. Cannon Street addressed the Commissioners regarding her continuing concerns of the conditions at 109 N. Cannon Street. The Commissioners shared their concerns about the location as well. The Town is making every effort to move forward with legal action on the property. The matter is in the hands of the Town Solicitor and legal action is often a very slow process.

Mrs. Nicole McGill resident of N. Cannon Street presented concerns about the condition of the sidewalk in front of her house. The Commission reported that Delmarva Paving will be dealing with several sidewalk issues starting next week, based on a priority list the town is maintaining. Funds have been made available through Senator Adams and Representative Ewing for street/sidewalk repairs.

Mrs. McGill additionally asked the Commission for direction with town children who are under 12 years of age and not able to be dealt with legally. There are issues with children being intimidated and property being destroyed throughout the town. President Conaway, with assistance from Police Chief Parsons, will look into the matter.

Reverend Terrance Briggs, recently appointed to Bridgeville Charge - Mount Calvary and Trinity churches, introduced himself to the Commission. He was active in his community in Smyrna, Delaware, and based on his experience there, may have ideas for successful programs with youth. President Conaway welcomed the Reverend to the community and mentioned an agreement between the Town of Bridgeville and Mt. Calvary for the paving of their parking lot, (up to approx. \$31,000) in return for a 5 year renewable agreement for public use of the lot. The town needs a signed agreement from Mt. Calvary Church and will then be able to proceed.

VII. TOWN MANAGER'S REPORT

Town Manager Walls received a Town Appreciation Award from AFLAC's district sales coordinator "in appreciation and in recognition for caring about your employees and allowing them to participate in this program."

Town Manager Walls extended her thanks to Chief Allen Parsons, Patrolman Chad Spicer and Patrolman First Class Adam Hitchens for their participation in the Law Enforcement Torch Run, as a benefit for Delaware Special Olympics, on June 9th.

On June 20th, Peggy Smith started employment with the town as a secretary. Town Manager Walls appreciates her hard work.

On June 30th, Town Manager Walls and Wastewater Superintendent Phillip Mowbray met with URS Corporation representatives Ed Strauss and Kyle Gulbronson to conduct a Wastewater Facilities Assessment Review. URS is contracted by the State Department of Natural Resources and Environmental Control, to conduct a state-wide survey of the needs of wastewater facilities. Information is compiled and presented to DNREC and the Environmental Protection Agency. This survey is conducted every five years. We will receive a copy of the report when the results are complete.

Town Manager Walls reported on June 30th, she attended a pre-bid meeting for the 200,000 gallon elevated water storage tank and wells at Heritage Shores. Bids are due Monday, July 18th.

Town Manager Walls reminded the Commission that National Night Out will be held on Tuesday, August 2, at the Sanctuary for Kids Park next to the Police Station from 6:00 - 7:30 PM. Donations are still being accepted and are appreciated.

Commissioners of Bridgeville Minutes

July 11, 2005

Page 5

Town Manager Walls reminded the Commission of a Conditional Use Hearing scheduled for Tuesday, July 12th.

Town Manager Walls reported that Delmarva Paving will be in Town the week of July 18th, weather permitting, to begin street paving and repairs.

Town Manager Walls received notification from the State Department of Transportation that Municipal Street Aid funds have been reduced. Bridgeville's aid for FY-2055 was \$54,244.17. In FY-2006 the town will receive \$44,424.36, a cut of approximately \$10,000. Street Aid for all towns was cut. Initially we could have lost 25%; however, the loss was lowered to 17%. During the Sussex County Association of Towns annual meetings with legislators, they are repeatedly reminded that these funds are vital to the municipalities. President Conaway referred to the executive board meeting discussion of this issue and he has contacted Secretary Haywood with the Department of Transportation with his concerns. Not only was Street Aid to towns cut, but Senator Adams and Representative Ewing also received a \$50,000 cut to their Suburban Street funds..

The new re-alignment to routes 13 and 404 has been delayed for a year. Hopefully something can be resolved, because the new food store which is planning to build at that intersection may not be willing to wait another year. President Conaway will also speak to Secretary Haywood from the Department of Transportation concerning this issue. As background, during a budget crunch in the 1990's, operational funds for the Department of Transportation were moved into the Federal Transportation Trust Funds for the construction of new roads. That practice has continued and now the money in the Trust Fund is not sufficient for all the outstanding jobs. Other important projects in lower Delaware have been delayed as well.

Town Manager Walls reported notification from the Delaware State Housing Authority that the Town will be a recipient, through Sussex County Council, of \$75,000 to do five rehabs for the upcoming year.

President Conaway took a moment to honor a town resident who died in the line of duty during a fire early Sunday morning, July 10th. Mr. Joe Evans was a public servant, a member of the Bridgeville Fire Company, holding offices in surrounding Fire Associations. He was also a local farmer. The Commissioners and attendees stood for a moment of silence in honor of Firefighter Evans.

VIII. OLD BUSINESS

A. Second Addendum to Development Improvements and Service Agreement

This addendum concerns an agreement between the Commissioners of Bridgeville and Passwaters Farm, LLC and deals with the specifics of transportation improvements. The following sections were added to the agreement.

(iv) "Developer shall maintain and, as necessary, repair the Transportation Improvements" (meaning roads) "until the Town accepts such Transportation Improvements. Additionally, Developer shall assign to the Town a one-year construction guarantee for the correction of all defects and deficiencies in the Transportation Improvements constructed or installed by Developer and accepted by the Town that occur or become evident within one year after completion of construction. If any such defect or deficiency occurs or becomes evident during such period, then the Developer shall, after written demand from the Town to do so, promptly correct it or cause it to be corrected."

(v) "The Developer shall promptly clean all mud, dirt, or debris deposited on any street, sidewalk, ditch or other Transportation Improvements (whether publicly or privately owned) on the Property by the Developer or any agent of, or contractor hired by, or on behalf of, the Developer; and shall repair any damage to any street sidewalk, ditch or other Improvements (whether publicly or privately owned) that may be caused by the activities of the Developer or any contractor hired by, or on behalf of, the Developer."

After a general discussion, Commissioner Correll made a motion to accept the Second Addendum to Development Improvements and Services Agreement; it was seconded by Commissioner Greason. Motion carried.

B. Little League Athletic Fields

Monies are available through our contract with Heritage Shores for the paving of 2 streets, one between the athletic fields and Little League fields, the other a future street for the new library. Engineers Davis Bowen & Friedel, Inc., have submitted two options: Option I - a scope of work to design the streets plus a half-acre parking lot the school district intends to develop. Cost: \$46,180. Option II - same scope of work without the parking lot.

There are drainage issues that must be addressed before the paving can take place. In a second letter the engineers recommended that we accept Option I and negotiate with the school district to develop a cost-sharing process to resolve the drain problems. Their recommendation includes underground structures that would discharge the storm drain system in Cannon St., rather than a large storm water pond. There is an indication that the school district is interested in splitting the cost of the storm water improvements. Commissioner Sipple made a motion to accept Option I and negotiate with the school district based on our engineers' letter of June 10th, concerning the storm drainage improvements; Commissioner Correll seconded the motion. Motion carried

C. Delaware Drinking Water State Revolving Fund Loan Binding Commitment Offer

Town Manager Walls reported at the March meeting the Town had received an invitation to submit a loan application for replacement of 2,300 feet of water main on Walnut Street. The Office of Drinking Water asked if we were interested in selling our water, to which we responded, "no." The Cabinet Committee on State Planning needed this response as a matter of record, a requirement before we could go forward with the project.

Town Manager Walls presented a Binding Commitment Offer in the amount of \$415,000.00 over 20 years. Our project was rated 5th out of 19 projects and we were placed on a priority list for funding. Town Water Superintendent Doug Jones ranks Walnut Street as #1 in needing the pipes replaced. The interest rate has not yet been determined; we can back out if we do not accept the rate established. At the end of FY-2006 we may have payments due; however, the FY-2007 budget would need to include loan payments. Discussion centered on the exact scope of the work, a repair of the main line or replacement and whether or not the work included the laterals. The Commission is concerned that everything up to the meter needs to be replaced and monies need to be found for whatever work is not included in this project. Commissioner Jefferson made a motion to sign the Binding Commitment Offer with the stipulation that Town Manager Walls clarify the scope of the project as to being able to include additional work, etc. and that the Town maintain the option to pull out if the interest rate is not satisfactory. The motion was seconded by Commissioner Greason. Motion carried.

D. South Bridgeville Utilities - Contract A - Piping Change Order

The Heritage Shore Developer and Department of Transportation have worked out a rerouting of existing water lines presently paralleling Route 404. This Change Order provides materials and installation of a six-inch PVC force main from Wawa Convenience Store Pump Station to begin on the west side of U.S. Route 13 and terminate at Manhole 2, directly north of Heritage Shores Pump Station. The Developer will pay for this change order (\$74,230.00) and it will benefit both DelDOT and the Developer. A motion was made to accept Change Order #5 by Commissioner Correll and seconded by Commissioner Greason. Motion carried.

E. Department of Natural Resources & Environmental Control Application

Town Manager Walls requested that a full application for Inflow & Infiltration Removal for miscellaneous sewer improvements be approved. The work would include investigation and removal of approximately four catch basins from the sewer system, installation of new storm drain piping, street repair as needed, and possibly a storm drain outfall to Bridgeville Branch. Also included in the application are miscellaneous improvements to the Bridgeville Mall pump station to include raising the top of the structure to reduce or eliminate flooding, and providing a weather protection enclosure around the electrical control panels. In addition to this work, Davis, Bowen & Friedel and Wastewater Treatment Plant Supervisor Mowbray have recommended adding \$1,317,900.00 to the application for RBC improvements and preliminary engineering for Phase II and spray irrigation facilities. The spray irrigation facilities were already a part of the pre-application (at Wheatley Farms) but due to trouble with bacteria in the summer months, we would like to ask for additional funds for RBC improvements. The funding would hopefully be part loan and part grant. The Town would file the application and see what money is available from the state for this project. A motion was made by Commissioner Greason and seconded by Commissioner Correll to submit the full application. Motion carried.

IX. NEW BUSINESS

There was discussion concerning recent Town improvements. Commissioner Jefferson congratulated the owner at 305 Second Street for demolition of his condemned residence and replacing it with a new home. Code Enforcement Constable Jack Kimmel commented that the house at 42 Church Street is scheduled to be demolished by the owner, and the improvements at 501 Market Street by Jeff Bowers were mentioned as well. The Commissioners requested that letters of thanks be sent to the owners mentioned above. Town Manager Walls commented the Town writes letters to all residents who make significant improvements to their properties to recognize their efforts and the above-mentioned owners will be included. President Conaway referred to his article in the current Town newsletter commending those residents who are taking pride in their properties and making improvements. He also spoke of a desire for more property owners to respond to the need for improvements.

Commissioners of Bridgeville Minutes
July 11, 2005
Page 9

President Conaway advised he had requested additional information from engineers Davis, Bowen & Friedel regarding methods for the new spray irrigation plant. The report "Wastewater Treatment and Disposal Methods" was compiled by the engineers and distributed to Commissioners for their review. President Conaway commended Millsboro's method of deep-water injection, which requires less acreage. Commissioner Jefferson commented that the growth of Bridgeville and Greenwood warrants investigation into these methods.

President Conaway personally thanked Commissioner Sipple for coming to support him in the Nanticoke Riverfest Mayors/Commission Presidents' Canoe Race. It was not a last place finish for Bridgeville! President Conaway also reported that he finished third in the Watermelon Spitting Contest at Laurel's 4th of July Celebration. The next event in the Mayoral/Commission President Challenge will be the Scrapple Slinging Contest at our Apple-Scrapple Festival on October 8th.

X. ADJOURNMENT

Commissioner Correll made a motion to adjourn the meeting. Commissioner Sipple seconded the motion. Meeting was adjourned at 8:32 P.M.

Respectfully submitted by:

Margaret W. Sipple
Margaret W. Sipple, Commission Secretary

Peggy Smith
Peggy Smith, Transcriptionist