

MINUTES
COMMISSIONERS OF BRIDGEVILLE
JULY 11, 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. She also asked for a motion to add an Executive Session at the end of tonight's meeting concerning Site Acquisition and Personnel Matters. Commissioner Kovack made a motion to add an Executive Session. Commissioner Tassone seconded the motion. Motion carried.

III. APPROVAL OF MINUTES

Commissioner Tassone made a motion to approve the June 13, 2011 Commission meeting minutes as presented. Commissioner Mervine seconded the motion. Motion carried.

IV. CORRESPONDENCE

Town Manager Burke reported the receipt of a thank you note from Commission President Correll concerning the plant she received from the Town at the death of a close family member.

Notice has been received from the Office of State Planning Coordination / the Department of Natural Resources and Environmental Control (DNREC) concerning a TMDL meeting scheduled on July 13th; Town Manager Burke will be attending on behalf of the Town. Bridgeville is a part of the Chesapeake Bay watershed and faces serious reduction limits of both nitrogen and phosphorus.

Correspondence has been received from DNREC concerning additional funds from the last fiscal year to be re-awarded to various applicants. Two workshops are scheduled concerning the 2011 State Revolving Fund priority list (funding mechanisms for water /wastewater). Finance Director Savage and Town Manager Burke are attending these workshops to be fully apprised of funding opportunities.

V. APPROVAL OF FINANCIAL STATEMENTS AND BILLS PAYABLE

Finance Director Savage directed the Commission to the Balance Sheet for the period ending June 30th. The General Fund totaled \$230,891, a \$152,000 decrease from last month. All accounts totaled \$801,813, which is a decrease of \$135,000 from last month. Accounts Receivable stands at \$126,000, \$60,000 of which is for state loan and grant programs. The state is currently

updating their finance software and the Town should be paid in early August. Our outstanding long-term loan balance is \$5,704,846, which is a decrease of \$63,000, due to June principal payments. Concerning the Budget Report, the Town ended its fiscal year on June 30th; however, we will continue to receive invoices and water/sewer fees from the month of June; therefore, these figures are not final for FY-11. Currently, June income stands at 91.5%, which is a 5% increase from last month. Budget line items that are currently below budget will be receiving monies in July. On the expense side, totals also stand at 91.5%, which is an 8% increase from last month. There are still invoices to be received/paid in this category, as well. The engineering fees are well above budget, due to sewer line repairs throughout Town. Concerning Accounts Payable, we have received bills totaling \$178,018. The Town pension contribution is included, in the amount of \$36,600. Expected expenses before the next meeting total \$108,000, for a total amount to be approved of \$295,000. It was clarified that Wilson, Halbrook and Bayard bills of \$3,600 account for our solicitor's assistance with Planning and Zoning applications and a court case.

Commissioner Kovack questioned where we stand with the court case. Town Manager Burke advised this is a current outstanding case with the Police Department. Commissioner Tassone made a motion to pay the bills as presented. Commissioner McCarron seconded the motion. Motion carried.

VI. DEPARTMENT HEAD REPORTS

Town Manager Burke advised the Department Head Reports are available to the public. He reported the Town of Greenwood averaged 70,000 gallons of their 85,600 gallon allocation per day in their June wastewater discharge to the Bridgeville wastewater facility. This indicates we have had dry conditions. During wet conditions the flow averages 100,000 gallons per day, due to I and I (inflow and infiltration) of stormwater. The sewer leak to Route 13 has been repaired; therefore, the RBC project can now continue. Code Enforcement Officer Butler has been working diligently on grass cutting violations, animal complaints, building permits and rental inspections. Mr. Butler reported he deals with virtually the same property owners every year concerning grass violations. A new ordinance has been passed that requires grass cutting violations to be corrected within 72 hours or fines will be assessed. Concerning rental inspections, rental property owners will be given specific months to submit paperwork and schedule inspections to better organize the operation for the 2012 filing year. Commissioner Correll questioned building permits for new homes. Mr. Butler advised several of the June building permits were for new homes and he already has 4 permits for new homes in July; Heritage Shores is still growing. Commissioner Kovack asked if there is any way the Commissioners can assist Mr. Butler. He suggested the Code Book needs re-evaluation and revision. There are also codes that will be re-submitted in the near future. Court 14 is now hearing cases from the Towns and there is a steep learning curve for the court and judges to learn the individual Towns' codes. Mr. Butler has been in communication with Solicitor Schrader concerning the Town's fine structure, as the Town now takes violators to the court system rather than assessing violations itself. Commissioner Kovack stated the fines are assessed by the Commissioners, not by the Code Enforcement Constable. Mr. Butler is to enforce the ordinances the Commissioners have approved. If a homeowner does not respond and correct the violation, it is up to the Commissioners and Town Manager to send the violator to court. The judge makes the final decision concerning the fine amount, with a fine rate structure suggested by the Town. Town Manager Burke added that some fines include an administrative fee based on Town staff time

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involved. These fees, from \$100-250, are assessed by the Town Finance Director, not by the court system. Commissioner Tassone questioned whether all of the rental inspections are completed for 2011. Mr. Butler advised he still has several inspections remaining. Town Manager Burke extended the grace period to July 15th, after which time violators will be summoned to court. He predicted the Town will likely take 4-5 property owners to court that have refused to respond and comply with the ordinance.

Police Chief Longo thanked the Commissioners, Town Manager, Fire and Police Departments and the community for their support during his recent surgery and recovery. He and his wife are deeply appreciative to everyone. His wife suggested our Town motto should read, "if you lived here you would be family." Chief Longo acknowledged the Police Department received a thank you note for the use of the Fire Hall for the Take Back Drug initiative. The Bridgeville residents collected the second highest amount of prescription drugs (80 pounds) in Sussex County. With Commission approval, he will schedule another event for October 29th; the Commission extended its support for the October event. Chief Longo advised an excessive heat warning has been posted for July 12th. He requested that everyone check on their neighbors and senior citizens in Town. President Correll expressed her support for the Chief continuing to attend the monthly Police Chiefs' meeting. She believes that Bridgeville needs to be heard and involved at the state level. She would like all issues discussed at the Chiefs' meeting to be relayed to the Commissioners in written form after each meeting. Town Manager Burke advised he would write a similar report each time he attends the SCAT (Sussex County Association of Towns) monthly meeting. Commissioner Kovack questioned the 12 alarms last month, most of which came from Heritage Shores. Chief Longo advised they are going to schedule a meeting with Mr. Jason Feller from Heritage Shores concerning this issue. Commissioner Kovack asked that Chief Longo report back to the Commissioners.

Commission President Correll introduced the new Woodbridge School District Superintendent, Dr. Phyllis Kohel. Dr. Kohel acknowledged that former superintendent Dr. Kevin Carson left very large shoes to fill. She plans to become a part of this community and has felt comfortable and welcomed here. President Correll advised the Commissioners have always worked closely with the school district and look forward to working with her.

VII. CITIZEN'S PRIVILEGE

Mrs. Ruth Skala from 108 Whistling Duck Drive, President of the Friends of the Library reported the group will have their annual meeting on Wednesday, July 13th at 6 P.M., followed by a special banjo and horn program at 7 P.M. In August the Mosaic String Duo will also perform at the library. She welcomed the school district and its teachers and administrators to these special programs.

Ms. Dottie Harper from Brookfield Homes advised building permits and sales are up the last few months at Heritage Shores. Three new homes will break ground within the next few weeks; they are making slow but sure progress. She requested that Chief Longo inform her of the date and time of the alarm meeting with Heritage Shores personnel.

Town Manager Burke questioned whether Ms. Harper had any questions or wanted to discuss the grass ordinance at this meeting. She understands there is a process to follow concerning the variance they have filed. She is available should the Commission have any questions concerning the variance. Commissioner Kovack wanted to make sure that Heritage Shores will continue to maintain current grass cutting expectations until the variance is addressed by the Commissioners. Ms. Harper intends to do so. Code Enforcement Officer Butler believes the issue will be addressed by the Board of Adjustment rather than the Commissioners. (Additional note: further review of the request after this meeting has determined that this issue will be considered by the Commissioners of Bridgeville.) Heritage Shores has also submitted a variance request to the Town concerning height for accessory buildings. Commissioner Tassone questioned the term "casita." Ms. Harper reported another name for it is a "man cave" and it is a small, detached accessory structure approximately 20' x 22' which could house a home theater, billiard table, art studio, home office, etc. It is additional conditioned space that is not an extension of bedroom space. It is ideal for outdoor living with an outdoor kitchen and patio.

VIII. OLD BUSINESS

There was no Old Business to discuss this month.

IX. NEW BUSINESS

A. Bay to Bay Scenic Byway – Mr. Mark Chura, Delaware Greenways

Town Manager Burke introduced Mr. Mark Chura, previous Director of Project Management at Ocean Atlantic – Schell Brothers and Town Manager Burke's former boss for four years. He is now the Executive Director of Delaware Greenways and is very active in preservation and conservation arenas. He was also a driving force years ago in creating the Breakwater Junction Trail through Lewes and is actively working on several other rail to trail projects, as well as other conservation projects. Mr. Chura advised Delaware Greenways has been an entity for approximately 20 years. It is a statewide organization with offices in Lewes. One of their purposes is to promote an agriculture/tourism trail. For the past 10 years they have been advocates of the Scenic Byways program, which runs through DelDOT and works with communities offering money for local programs. It is fashioned after the Federal byways program, which operates in New Castle. Both the federal program and DelDOT look at the road system through the states and discover that some of these areas or Towns have stories to tell. These are as significant in terms of the resources on these byways as what some of the national parks have to offer. Examples include Coastal Rt. 9 from Wilmington through Dover as one important area and the Western Sussex Byway which includes Laurel, Seaford and Bethel and was recently approved. The program creates an opportunity for communities to say tourism and preservation are important to us. Communities can identify the things they like about their area and determine the resources, such as farms, that they would like to see protected; those things they would like to see happen; the type of tourism they would like to see in their community. Sometimes Mr. Chura works with communities that just want to see tourism keep going by. (I.E. potato farmers on Rt. 9 don't want people stopping. This program looks for opportunities for people to stop and get educated and then move on. It's dependent on what the communities want. The program was approached several months ago by a

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group in Virginia that is working on a scenic highway that will connect to what is known as the Blue Crab Highway in Maryland. Maryland already has a Byway established and it has two links into Delaware; one is on Rt. 1 in Fenwick and the other is on Rt. 24. The idea is to bring both of those routes into Delaware. Mr. Chura has met with DelDOT and others with the hope of establishing a byway linking Virginia, Maryland and Delaware, ultimately coming to Lewes and then to Cape May, New Jersey. Mr. Chura believes it has the potential to become a national byway. He believes there are many stories to tell along our roadways. There is an agriculture story, a maritime history story and a religious history story in our area; the Methodist church in particular settled here and moved across the landscape. Mr. Chura is hoping Bridgeville will want to participate in this program. Delaware Greenways works with the communities themselves finding out what things are important to them and what they would like to see improved in their Town. A nomination application must be funded and then the Town would be eligible for federal funds on an 80-20% basis. When the planning phase is completed and DelDOT accepts the proposed project, the Town is eligible for grants, some significant in size. The money can be used for tourism, signage, brochures, improvements to facades, road landscaping, etc. The money is used for what Bridgeville wants. The grants run on an annual cycle. Commissioner Tassone said that aspects of this program sound like the "Main Street" initiative. Mr. Chura agreed; they actually run Delaware City's Main Street program because the two programs mesh. It depends on the programs themselves. Mr. Chura believes the route would come up from the south and include Bridgeville, Milton and Milford and move on to Slaughter Beach, due to the shipbuilding in that area.

The first phase of the program is funding. DelDOT does not offer funding; however, this is an eligible expense for legislators' CTF (Community Transportation Fund) monies. Bridgeville would need to write a letter of support of the Byways program to their State Senator and Representative and ask for a commitment of CTF funds. Collectively, all Delaware Towns together would need to establish a coffer of \$50,000 to do this report. \$7,500 from each legislator would be very helpful. No money is being asked from the Towns themselves. Mr. Chura advised Senator Booth is familiar with the program and gave money for the Lewes Byway in the past. Mr. Chura has not spoken with Representative Wilson; he wanted to talk to the Town first. Commissioner McCarron said the program sounds very similar to what Commissioner Tassone already wants to do with the Town's Economic Development Committee and the Main Street project. Commissioner McCarron made a motion to write to Bridgeville's State Senator and Representative supporting the Discover Delaware Byways and seeking funding from them. Commissioner Tassone seconded the motion. Motion carried.

B. Appointment to Economic Development Committee

President Correll was uncertain about protocol for the new fiscal year, but felt that it would be appropriate to reappoint Commissioner Tassone as chairman and appoint Commissioner Kovack as member of the Economic Development Committee. Commissioner Kovack respectfully declined the appointment. He believes someone else from Election District 4 with a business background and interest would better serve the committee than he would. He has talked to proprietors in the downtown area and recommended contacting former Chairman, Mr. Mike Collison, concerning his willingness to return to the committee. It was decided that Commissioner Tassone will maintain his position as chairman of the Economic Development Committee and will follow Commissioner

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Kovack's suggestion and contact Mr. Collison to investigate his interest in returning to the Economic Development Committee. President Correll advised Commissioner Tassone has been very interested in Bridgeville's economic development. Commissioner Tassone advised a separate organization will be formed – the Bridgeville Downtown Partnership. It will act as an agency that can receive funds that a 501C-3 organization cannot accept. This organization will work with the Economic Development Committee to determine what the business owners and citizens would like to see in our Town. It is a cooperative program and won't happen overnight.

C. Board of Adjustment Re-Appointment – Mr. Charles Kelly

Commissioner Kovack made a motion to re-appoint Mr. Charles Kelly to the Bridgeville Board of Adjustment. President Correll advised Mr. Kelly has been on the board for a number of years. Commissioner Mervine made a motion to re-appoint Mr. Charles Kelly to the Board of Adjustment. Commissioner Tassone seconded the motion. Motion carried.

President Correll has received some questions concerning election re-districting after the 2010 Census. She advised that nothing will be initiated before September. A committee will be selected to review our current districts; any changes would not need to be finalized until March of 2012.

X. TOWN MANAGER'S REPORT

Town Manager Burke thanked Commissioner Kovack and resident Ms. Amanda Reed for coordinating the installation of several no smoking and no alcohol signs in the Sanctuary for Kids Park next to the Bridgeville Police Station. The new signs will help prevent smoking and drinking in the park. Commissioner Kovack advised Ms. Reed had sent Town Manager Burke a letter and some pictures several months ago regarding her concern about the bottles and cigarette butts on the ground at the park, as a part of her senior project at Woodbridge High School. After going to the park itself, Commissioner Kovack came to the conclusion that the children should not be exposed to these bad examples in their park. He contacted several hardware stores for no smoking and no alcohol signs and finally enlisted the help of Phillips signs to have six signs made. In late June, Commissioner Kovack, Ms. Reed and Bridgeville Police Officer Baker installed the signs. President Correll reported Ms. Reed will come to the September Commission meeting to receive recognition for her efforts. Ms. Reed's interest in cleaning up the park was an encouragement to the Historical Society, which has since placed similar signs at Cahall Park.

DelDOT has informed Town management that a repaving project from Town Hall north to Route 13 will likely start in September. Town Manager Burke will contact DelDOT concerning the start date, as the paving project must not interfere with the Apple Scrapple Festival on October 14th and 15th. The project was approved in the FY 2012 state of Delaware budget.

All Facilities Energy Group, the consultant contracted to administer the DNREC energy grants, informed Town management that the replacement of windows and doors at the wastewater treatment plant will start during the week of July 17th. The lighting retrofit project contract has been executed and is estimated to start as soon as the contractor receives the lighting products. Lastly,

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the Well House 6 replacement motor award was granted to A.C. Schultes of Delaware and an executed contract is imminent. The pumps and motors were finally approved; all parts had to be made in America, which was difficult to achieve.

The summer newsletter was mailed to all residents in late June. A copy can be obtained at Bridgeville Town Hall or on the Town web site. The Town is continuing to work with the Government Information Center to redesign our website for a more interactive experience. It will likely be a January 1st unveiling.

Mr. Joe Thomas from the Sussex County Emergency Operations Center reported that the county Emergency Plan will be approved in August 2011. Once approved, the Town of Bridgeville will draft a similar emergency response plan. Mr. Dave Levy, with assistance from the Town Manager, is coordinating the approval of the Town plan.

On June 10th, Town officials supported the preservation of 30 wooded acres off Route 13 by the Nanticoke Watershed Alliance.

Town Manager Burke participated in a one-day stormwater management training seminar in Millsboro. The program, sponsored by DNREC, was to educate public officials on the latest stormwater regulations and future policies that could impact stormwater runoff.

Town Manager Burke and President Correll attended the Sussex County Association of Towns steering committee meeting on July 8th. Sussex County government officials were notified that the State of Delaware FY 2012 budget included an additional \$1,000,000 for Sussex towns for street improvements. The Town of Bridgeville will receive approximately \$10,000 additional funds for street improvements.

State Representative Dave Wilson arrived at the meeting just in time for President Correll to tell him that Bridgeville needs \$7,500 to participate in the Bay to Bay Scenic Byways program. He joked that he knew it was the wrong night to be in Bridgeville. President Correll thanked Representative Wilson for all he does for our Town; he keeps in contact with us about what is transpiring in Dover and works on our behalf. She added that she has had other legislators tell her that we have the best representative. Representative Wilson acknowledged he is pleased to represent Bridgeville and he appreciates all of the communities that he represents. He is available day or night to all his constituents for their needs and desires to help the Fire Company, Police Department and any other group. He believes the state doesn't need to necessarily pass more laws; they need to enforce what they have and do away with some of the others. They need to find a way to make our Towns sovereign without raising taxes.

President Correll informed the audience that Water Superintendent Doug Jones has been working for the Town for over 25 years. Many people know of his medical condition; he has not been able to work in over a year and there is no chance of him being able to return. He had a heart attack and several mini-strokes in May of 2010; he has additional medical issues that have come up, as well. On June 30th Doug retired from working for the Town. It was a very difficult decision to make. The Town is moving forward to hire a new Water Superintendent. On Thursday the Town

staff and Commissioners will be going to Doug's house for a small party. The Town office will be closed for a short time to allow all employees the opportunity to participate. We owe a great deal to Doug. It was also noted that in over 25 years of service, he only missed one day. His wife, Joan, needs our prayers.

XI. EXECUTIVE SESSION – SITE ACQUISITION / PERSONNEL MATTERS

Commissioner Kovack made a motion to go into Executive Session to discuss site acquisition and personnel matters. Commissioner Tassone seconded the motion. Motion carried. The regular session recessed at 8:10 P.M.

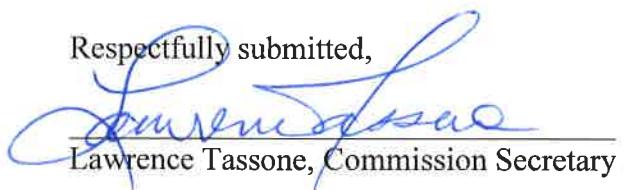
I. RECONVENE REGULAR SESSION

Commissioner Tassone made a motion to re-convene the regular session. Commissioner Mervine seconded the motion. Motion carried. The Commission re-convened the regular session at 8:56 P.M. President Correll advised the Commission discussed site acquisition and personnel matters and no votes were taken.

II. ADJOURNMENT

Commissioner Tassone made a motion to adjourn the meeting. Commissioner Mervine seconded the motion. Motion carried. The meeting was adjourned at 8:56 P.M.

Respectfully submitted,



Lawrence Tassone, Commission Secretary



Peggy Smith, Transcriptionist