

MINUTES

COMMISSIONERS OF BRIDGEVILLE JULY 12, 2004 - 7:00 P.M. BRIDGEVILLE TOWN HALL

I. CALL TO ORDER

President Protemp Bill Jefferson called the regular monthly meeting to order at 7:00 P.M. Present: Commissioners Margaret Sipple, Patricia Correll, Earl Greason, and Town Manager Bonnie Walls. The meeting started with the flag salute and Lord's Prayer.

Commissioner Jefferson advised President Joseph Conaway would be arriving later in the evening and the agenda would be addressed out of sequence.

II. APPROVAL OF MINUTES

The minutes of the regular monthly meeting held on June 14, 2004 were presented for adoption. Commissioner Sipple made a motion to adopt the minutes as presented. Commissioner Correll seconded the motion. Motion carried.

III. CORRESPONDENCE

The monthly Cable Line newsletter from Comcast, Inc. and the monthly report from The Department of Natural Resources and Environmental Control were received for review.

Commissioner Correll advised a catalog was received from Displays Sales regarding Christmas decorations. The catalog is available for review in the town office.

IV. DEPARTMENT HEAD REPORTS

Water-Commissioner Correll presented for review the written monthly report submitted by Superintendent Doug Jones. Consumer Confidence Reports were mailed to residents on June 19, 2004, and hand delivered to all apartment complexes on June 22, 2004. Meters and pit setters were ordered for the new apartment units at Elizabeth Cornish Landing on June 25, 2004. Also reported was customer contacts made during the month. Commissioner Correll pointed out this item is a regular routine duty.

Wastewater-Commissioner Greason presented for review the written monthly report submitted by Superintendent Phillip Mowbray. Construction on the glass house at the wastewater treatment facility is scheduled to begin the week of July 12, 2004. Excel

Coatings is scheduled to begin painting the lime silo on July 26, 2004. This is the 69th consecutive month without an NPDES violation. The wastewater treatment plant experienced high levels of Biochemical Oxygen Demand (BOD) during the month of June (often spiked in the summer months). After discussing the matter with Town Engineer Annie Williams, Superintendent Mowbray increased the recirculation in the Rotating Biological Contactors (RBC's) by adding another recirculating pump, conducted additional analysis of the biological waste process, and increased the chlorine dosage in the contact tank. Hopefully this new process measure will lower the BOD level.

Police-Commissioner Jefferson presented for review the written monthly report submitted by Chief Allen Parsons. Vehicle maintenance for the month of June totaled \$1,805.51. Estimated revenue for the month totaled \$43,898.50 with an estimated sum of \$390,938.83 written in fines and other revenue to date. Commissioner Jefferson stated he would check into the high vehicle maintenance cost for the month.

V. TOWN MANAGER'S REPORT

Town Manager Walls advised under the State of Delaware's Summer Youth Employment Program, the town has hired one youth for the summer months (8 weeks).

On June 24, 2004 a bid opening was scheduled for the repair and repaving of streets and sidewalks. No bids were received. Town Manager Walls has contacted The Department of Transportation (DelDOT) and asked what procedures the town is to follow concerning this situation. DelDOT officials assured Town Manager Walls all southern Delaware municipalities are experiencing the same problem due to contractors being extremely busy. The DelDOT representative will look into the matter and advise in the near future on how we must proceed.

Town Manager Walls advised Street Superintendent Rick Passwaters will see his doctor this Thursday (July 15) and hopefully will be able to return to work on light duty status. Mr. Passwaters had shoulder and hand surgery this past May (not work related).

Town Manager Walls reminded Commissioners and those in attendance, the second Neighborhood Crime Watch meeting is scheduled for Tuesday, July 27, 2004 at 7:00 P.M. in the town hall. Per the Commissioner's request, Town Manager Walls is making arrangements for them to speak at local churches on July 18, 2004, regarding the Neighborhood Crime Watch Program and upcoming meeting date. As of today, two churches have responded to the request.

During the FY-05 budget workshop, Town Manager Walls made a request to Commissioners for consideration of two additional holidays for town employees. She

was asked to present the request at the July meeting. Town Manager Walls presented a request for two additional holidays, President's Day and Return Day (which occurs every two years in November). After a general discussion, Commissioner Greason made a motion to add to the list of town holidays celebrated by the town, President's Day and Return Day, for all town employees. Motion seconded by Commissioner Correll. The vote was as follows:

Commissioner Greason - Yes
Commissioner Correll - Yes
Commissioner Sipple - No
Commissioner Jefferson - Yes

Motion carried.

VI. NEW BUSINESS

Town Manager Walls explained the Chater/Code Book was recently updated by adding ordinances, resolutions, and charter changes as adopted by the Commission over the past several years. A certification must be approved by the Commission stating the chapters contained are based upon local laws, ordinances, and resolutions of the Board of Commissioners of the Town of Bridgeville. After a general discussion, Commissioner Greason made a motion to approve the Certification of Officials. Motion was seconded by Commissioner Sipple. Motion carried.

VII. SPECIAL REPORTS

Commissioner Jefferson advised the special reports - loud noise on Sussex Avenue and basketball hoops in streets - that were to be addressed by Chief Parsons, be tabled until the August 9, 2004 meeting, due to Chief Parsons being on vacation. Commissioner Greason made a motion to table Chief Parsons's reports until the August meeting. Motion was seconded by Commissioner Sipple. Motion carried.

VIII. CITIZEN'S PRIVILEGE

A resident inquired if motorized scooters on town streets had been addressed. Commissioner Jefferson advised a law to abandon scooters on streets was introduced in the Delaware General Assembly, but did not pass. Bridgeville Police Officers are trying to keep scooters off the streets. Residents were urged to contact the police department if scooters were seen on the streets.

A resident voiced her concern over loose dogs, barking dogs, etc. Commissioner Greason reminded everyone there is an animal ordinance (Ordinance No. 84) that

pertains to animals causing a nuisance. In order to curtail the problem, the police department needs the help of residents by contacting them immediately should they have a problem, etc. Town Manager Walls advised efforts are being made to work with the S.P.C.A. on dog issues. More on the matter to follow.

A resident expressed her concern over confidential files being left open and unattended by police officers in the police department. The resident provided details of an incident that occurred involving her son due to unattended files. A teenager was in the police department; read an unattended file, and relayed information to his friends which pertained to her son. The resident stated messages were left for Chief Parsons to contact them concerning the matter, but to date, Chief Parsons had not contacted them. Commissioner Jefferson advised the police department is currently being remodeled and anyone entering the lobby will have to report to the front window. This security measure will help to stop this type of incident from occurring. Commissioner Correll suggested files should be placed under lock and key when unattended. Commissioner Jefferson assured the resident that Chief Parsons would contact her regarding this matter, as well as sending a letter of apology.

Mr. Nick Rocks, developer of Heritage Shores, advised construction actively continues and hopefully the golf course will be open by next Labor Day. Commissioner Jefferson asked if the parcel between Earlee Avenue and The Manor could be mowed a couple of times before the Apple-Scapple Festival on October 8 and 9, 2004. Mr. Rocks stated he would have the matter taken care of.

President Protemp Jefferson turned the meeting over to President Conaway as he arrived at 7:33 p.m.

IX. APPROVAL OF FINANCIAL STATEMENTS & BILLS PAYABLE

Finance Director Jesse Savage advised the amount of \$180 needed to be added to the invoice of Saul Ewing, Attorneys at Law, for the cost of issuing General Obligation Bonds in the amount of \$2,700,000 for a Department of Natural Resources and Environmental Control loan for upgrades to the wastewater treatment facility. The amount was inadvertently omitted and was for photocopying charges, travel expenses, etc.

President Conaway advised all financial statement income line items carry positive amounts, including an impact fee that was fifteen hundred and forty nine percent of what was projected (pages 13-14). Total income received for FY-2004 was \$1,496,785, with a projection amount of \$1,580,647. With expenses the amount of \$1,313,321 was spent, leaving a surplus amount of \$183,463. The FY-2005 budget allows two areas of savings for residents-lower monthly water meter fee charge and the elimination of capitation tax. After a general discussion, Commissioner Correll made a

motion to accept the Financial Reports and to pay the bills. Commissioner Sipple seconded the motion. Motion carried.

X. OLD BUSINESS

Town Manager Walls advised two applications were approved at the re-zoning meeting held on June 24, 2004:

A) Mr. Charles Royal, 219 First Street, Bridgeville, was granted a request to open a daycare/learning center with the following stipulations:

- 1) Hours of operation shall be between 6:30 a.m. to 5:30 p.m., Monday through Friday.
- 2) No more than 14 children will be allowed on the premises at any one time.
- 3) There will be no more than three employees and they must be properly licensed and supervised according to all ordinances, statues, and regulations.
- 4) Three off street parking spaces must be provided for the employees within 150 feet of the property. These spaces maybe located on the property itself or arrangements with neighbors may be made for parking.
- 5) The premises must be maintained in a clean and orderly fashion.
- 6) No children will be allowed to play outside the fenced in yard.
- 7) One sign will be permitted.
- 8) The applicant and employees shall obtain all necessary licenses and permits required by the state, federal, and county agencies and provide copies to the town.

B) Ms. Kathleen Wright and Mr. Roland Passwaters, 418 Walnut Street, Bridgeville, was granted down zoning on this parcel from C-1 District to R-1 District. The parcel is currently owned by Mr. Sam Ireland.

President Conaway advised the first Neighborhood Crime Watch meeting was held on July 1, 2004. Approximately ten interested citizens were in attendance. After a general discussion, it was decided Commissioners will speak at local churches on July 18, 2004 to promote the crime watch program and to advise of the next meeting date. A second meeting is scheduled for Tuesday, July 27, 2004 at 7:00 p.m. at the town hall.

President Conaway advised all documents pertaining to the General Obligation Bond to finance improvements to the town's wastewater treatment facility were signed in the amount of \$2.7 million dollars.

President Conaway advised the town, over the years, has had problems with dogs running at-large. The S.P.C.A. has been very responsive to our needs in the past, but unfortunately by the time they arrive in town, the dogs are no longer to be found. The

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town has proposed to the S.P.C.A. the hiring of an agent on a bi-weekly basis, canvassing the town at random times, patrol the streets and to enforce the state dog ordinances. Town Solicitor, Mr. Dennis Schrader, suggested the Commission review this concept rather than using the town police or hiring a police officer to handle the problems. Town Manager Walls stated the costs for the S.P.C.A. would be \$23.25 per hour, 47 cents per mile, and should an animal have to be euthanized, the cost would be \$25. The S.P.C.A. will bill the town and can be available bi-weekly or once a month (approximately twice a month would cost \$400 or \$4,800 a year). When the S.P.C.A. agent is patrolling the town, all animal state laws will be enforced.

President Conaway advised in the new Zoning Ordinance, which is currently being drafted, anyone having more than three dogs will be considered a kennel. A kennel becomes a commercial operation which means the property would have to be located in a commercial district, thereby requiring the owner to apply for a Conditional Use. After a general discussion, Commissioner Greason made a motion to hire the S.P.C.A. to patrol the town randomly twice a month at a cost of approximately \$400 in an effort to control the dog situation in Bridgeville. Motion was seconded by Commissioner Correll. So carried.

President Conaway announced the owner of the condemned house located at 305 Second Street had complied with a demolition order deadline date of July 1, 2004 per the Dangerous Building Inspection Committee findings, etc.

Commissioner Jefferson advised two letters regarding the condition of homes have been received. The first letter pertains to 38 Church Street in Bridgeville, and the second letter pertains to 102 North Main Street, Bridgeville. The Dangerous Building Inspection Committee will meet to inspect the properties and submit their report at the August meeting.

Town Manager Walls advised Town Solicitor Dennis Schrader has filed needed paperwork in Superior Court pertaining to 104 North Main Street. This property was declared unfit for human habitation by the Dangerous Building Inspection Committee. Commissioners decided to do a tax sale of the property with the understanding the new owner would have to bring the structure up to code or have it demolished.

Town Manager Walls gave a report regarding the Office of Highway Safety grant in the amount of \$2,500 and the Commissioners requesting the grant be used for foot patrol. Town Manager Walls stated the Office of Highway Safety conducted extensive

date as to driven traffic crash and injury problem identification in town. Their investigation concluded that occupant protection (seatbelt and child restraint use) was needed in our area. Therefore, grant funds have been awarded in the amount of \$2,500 for overtime funding for occupant protection. After a general discussion, Commissioners agreed to accept the grant as offered.

Commissioner Jefferson advised the new officer, Patrolman Chad Spicer, will be performing foot patrol for approximately three months.

Town Manager Walls presented a proposal from Davis, Bowen and Friedel, Inc. regarding the elevated storage tank design and construction phase services for South Bridgeville/Heritage Shores services area. In talking with Mr. Robert Rauch, engineer for the new development, Town Manager Walls advised the exact location of the storage tank has not been determined but will be placed somewhere on the development. Under the scope of work, Mr. Rauch suggested the Commissioners approve items No. 1, 2, and 3, which consist of preliminary engineering in the amount of \$7,800; computer water modification in the amount of \$6,600; and the design work in the amount of \$43,550. Mr. Rauch suggested the Commissioners wait until a later date for other approvals as he would like time to review the contract with Davis, Bowen, & Friedel, Inc.. Mr. Rocks advised the first water tower to be installed will be on agriculture land. After a general discussion, Commissioner Correll made a motion to approve contract items No. 1 in the amount \$7,800; No. 2 in the amount of \$6,600; and No. 3 in the amount of \$43,550 (approximately \$55,000) pertaining to the elevated storage tank design for Heritage Shores. Motion seconded by Commissioner Jefferson. Motion carried.

XI. ADJOURNMENT

Commissioner Correll made a motion to adjourn the meeting at 8:08 p.m. Motion seconded by Commissioner Sipple and so carried.

Respectfully submitted by:

Margaret W. Sipple
Margaret W. Sipple, Commission Secretary

Alma Fleetwood
Alma Fleetwood, Transcriptionist