

MINUTES

COMMISSIONERS OF BRIDGEVILLE AUGUST 14, 2006 – 7:00 P.M. TOWN HALL

I. CALL TO ORDER

The meeting was called to order by President Joseph Conaway at 7:00 P.M.
Present: Commissioners Patricia Correll, Earl Greason, William Jefferson and Town Manager Bonnie Walls. (Commissioner Sipple arrived at 7:02 P.M.) The meeting began with the flag salute and Lord's Prayer.

II. QUORUM

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

III. APPROVAL OF MINUTES

Minutes of a Conditional Use Hearing held on June 19, 2006 and minutes of the regular Commission meeting held on July 10, 2006 were presented for approval. Commissioner Correll made a motion to approve both sets of minutes as presented. Commissioner Jefferson seconded the motion. Motion carried.

IV. INTRODUCTION OF NEW POLICE OFFICERS

The Bridgeville Police Department's two newest officers were introduced and welcomed. Officers Robert Brode from Harrington and Robert James from Bridgeville have recently joined the force, bringing the number of officers to seven.

V. PUNKIN CHUNKIN FESTIVAL

President Conaway reported the Punkin Chunkin event began approximately 20 years ago as the lighthearted idea of a group of men at a Lewes blacksmith shop and has grown to an international event with almost 45,000 attending. This has been a tremendous tourism benefit for Sussex County; however it was discovered the event might re-locate to Maryland for lack of a large enough site in the county. The Town of Bridgeville has leased over 1,000 acres from Wheatley Farms, approximately 3 miles east of Town, for a spray irrigation site. The event coordinators have expressed interest in bringing the event to Wheatley Farms. An informal meeting was held between the Town, its engineers, the president of the event, Mr. Frank Shade, and the Wheatley family to consider bringing the event to the Wheatley Farms property beginning in November 2007. This would benefit Bridgeville area businesses and complement the Apple

Scrapple Festival and Christmas in Bridgeville. Punkin Chunkin has its own organization and donates thousands of dollars to charity, including 21 high school senior scholarships in Sussex County. It was suggested that a scholarship could be dedicated for a Bridgeville student. The organization would locate the event close to Route 404 and far from our spray site. The event coordinators are interested in providing a camping area, but they would need county approval. Our engineers foresee no problems with the event taking place around the spray irrigation area. It will be at least five years before the Town sprays on the field, which is adequate time to prepare for the event and spray irrigation to co-exist at the site. President Conaway advised a contract will be drawn and insurance to cover the Town is already in place. State Police will be in charge of the event, although they might involve our Town Police if assistance was offered. Commissioner Correll reported the Punkin Chunkin organization would financially support any Town services that it uses (i.e. Fire Company.) Commissioners Jefferson and Sipple made a motion to bring the Punkin Chunkin to Town property at Wheatley Farms in Bridgeville. Commissioners Correll and Greason seconded the motion. Motion carried.

VI. DAVIS, BOWEN & FRIEDEL, INC. – MS. ELIZABETH BROWN

RE: COMPREHENSIVE PLAN AMENDMENT – PLUS COMMENTS/RESPONSES

Certified Land Use Planner Ms. Elizabeth Brown from Davis, Bowen & Friedel has been assisting the Town with its Comprehensive Plan update. The Commissioners previously accepted the proposed amendment to the Plan prepared by the Town Planning Commission and presented it to the Office of State Planning Coordination for their review. Various agencies have responded back to the Town in writing, commenting on different aspects of the Amendment and making recommendations. There was only one key comment to the Town regarding a certification issue, the identification of property within Heritage Shores as a proposed park. The Delaware Department of Agriculture pointed out in its comments that the property is in agricultural preservation and it had reservations about even placing the label of park on the map. The land is currently in agricultural preservation, involving more than one parcel and property owner. The inclusion of this area in our growth plan predates the Heritage Shores development. Rather than operating as a farm, it would be used as park land, a potential farmer's market site, or community garden, all related to the historic agriculture center that Bridgeville is, but better suited to the needs of a growing Town – a park and open space area. The Town has developed a comment letter to the Office of State Planning Coordination advising the Town intends to continue considering this area undeveloped open space, but it would better serve the Town as a park once it is surrounded by the actual Town. The property was put into agricultural preservation in the early 1990's before the Livable Delaware program was directing development to the Town centers. It was not anticipated then that the Bridgeville Town limit would extend as far south as it does today. The current Land Use Plan is committed to the preservation of this land as open space with its existing woodlots and not using it as active agriculture land. Ms. Brown welcomed additional comments from the Commissioners for the Town response to the Office of State Planning Coordination. The comment letter will accompany the full Land Use Plan plus an additional chapter added to it as an amendment, along with updated maps. Commissioner Greason reported that during Governor Minner's first term of office, a Greenway initiative was begun. The Town did not have appropriate land and therefore could not comply with the initiative. However, this particular

agricultural preservation land would conform to the Greenway initiative, as it is within the railroad corridor initially chosen for the state project. Commissioner Greason suggested this information be included in the comment letter, as it may be advantageous to bring up conformation to the Greenway initiative. Ms. Brown agreed that she should include this information as a reminder to the state of the initiative to reserve green space for public use. President Conaway advised there is also a paved walking/bike path under construction starting at the entrance to the Heritage Shores golf equipment building and going into Town. President Conaway has made some revisions to the comment letter, a copy of which was given to the Commissioners. His comments mentioned this particular parcel in question predates Livable Delaware, which is now the policy of the State of Delaware. The Town believes its proposed use of the property conforms to the livable Delaware initiative. President Conaway made it clear the State will come back for a transfer of developments program and Bridgeville will certainly review it and participate if it is advantageous to Bridgeville. Town Manager Walls requested a motion to move forward by sending our comment letter to Mrs. Constance Holland at the Office of State Planning Coordination. She advised the next step would be to hold a Public Hearing for comment on the Amendment to the Comprehensive Plan. This has been scheduled for Wednesday, August 23rd at 7:00 P.M. The PLUS report and Town's response will be available to the public. Commissioner Correll made a motion to send the comment letter to the State Office of Planning Coordination as currently revised, with the addition of Commissioner Greason's comments on the Greenway Initiative. Commissioner Sipple seconded the motion. Motion carried. Ms. Brown recommended using the September 11, 2006 date on all amendment materials, as that will be the date of final adoption by the Commissioners.

**VII. REVEREND BARON HOPKINS, MT. CALVARY UNITED METHODIST CHURCH
RE: REQUEST TO HOLD BACK TO SCHOOL TENT REVIVAL & CLOSING OF
STREETS**

Reverend Baron Hopkins, Sr. has recently been appointed to the Bridgeville Charge of the United Methodist Church. The church is requesting permission to hold revival services August 22 – 26th from 7:00 – 11:00 P.M. each evening. In addition, they would like to close area streets for a Back to School Block Party on Saturday, August 26th. They would bring in organizations and materials for young people to encourage them off the streets and into the church, making the community safer. President Conaway requested the church alert their neighbors to the upcoming activities. Police Chief Parsons has been alerted as well. On Saturday, August 26th, Church Street will be closed at the entrance to N. Cannon Street and N. Cannon will be closed from Church Street to First Street. Church Street itself will not be closed, as it is a state-maintained street. It was questioned whether there are parking facilities at the church. Rev. Hopkins advised there will be parking there and possibly at Williams Chapel. With Chief Parson's acknowledgement of agreement, Commissioner Jefferson made a motion to approve the revival services, evenings August 22 – 25th, with appropriate notification to neighbors, and closing of the streets from noon – 5:00 P.M. on August 26, 2006. Commissioner Greason seconded the motion. Motion carried.

VIII. CORRESPONDENCE

Town Manager Walls reported receipt of an invitation from the Woodbridge Board of Education for the Commissioners to an Open House for the new Central Office on Thursday, August 24th at 3:00 P.M. Mrs. Walls will be glad to R.S.V.P. on behalf of the Commissioners.

An invitation has been received from the Girl Scouts of the Chesapeake Bay Council for the Commissioners to attend a Celebration honoring former Representative Tina K. Fallon. The Luncheon and Birthday Party is scheduled for Monday, September 11th, from noon to 1:30 P.M. at the Seaford Golf and Country Club, \$35.00 per person. Commissioners should respond to Mrs. Walls if they are interested in attending.

Trinity Transport, Inc. Charity Foundation has requested sponsorship of their 3rd Annual Golf Tournament. The Commissioners were asked to let Mrs. Walls know if they are interested in participating.

The Comcast Cablelines May-June 2006 newsletter is available for review. Comcast advised the Town they have negotiated a long-term agreement with Mid-Atlantic Sports Network (MASN). Customers will be notified that effective with their next billing statement the Full Standard Service will increase from \$52.95 to \$53.95 per month. Additionally, effective Friday, September 8th, they will be making changes to their channel lineup in Sussex County. The letter provides details of network and channel changes. The information is available for review.

Town Manager Walls has granted permission to Mrs. Pat Ewing, Co-Chair of the 35th District Democratic Club to use the Children's Sanctuary Park on September 16th, from 7:00 A.M. to 4:00 P.M. for a family fun day. They have held this event here in the past and will do a thorough clean-up after the event.

The Commissioners and Town Employees are invited to State Treasurer Jack Markell's election campaign stop in Bridgeville on Friday, August 25th at approximately 11:15 A.M. at the Town Park on Market Street. This informal event will feature a few words from Mr. Markell and lunch for his supporters.

IX. APPROVAL OF FINANCIAL STATEMENTS AND BILLS PAYABLE

Finance Director Savage advised all bills have been received for the fiscal year ending June 30, 2006. The Town has un-encumbered carryover monies in the amount of \$608,553. \$308,550 of the carryover will be added to this year's budget, (already included in the FY-07 budget figures) leaving approximately \$300,000 to be distributed between the departmental "rainy day" funds (\$60,000 to each department). According to the balance sheet, after the first month of FY-07, the Town has money market savings of \$285,000 and a CD was redeemed on Friday, August 11th for over \$312,000 in our General Fund. The Library Fund is currently at \$21,840 and the EMS Fund, \$44,363. These totals include monies received since January 2006. Concerning Income and Expenses, line items should be at 8.3% at the end of the first month of the new budget

year. Most of the funds are on track. President Conaway advised we have had 9 property settlements in July with an anticipated \$50,000 in transfer taxes. These monies should never become the savior of a Town budget. Real estate and development can slow down unexpectedly, and therefore cannot be counted on over the long term. Our Finance Director will closely monitor settlements so we can revise our budget if a housing slow-down occurs. The water meter pit fee line item is higher due to inclusion of the water escrow account. Concerning Accounts Payable, the July bills are high. The majority is Davis, Bowen & Friedel billing for the spray irrigation project and approximately 80% of it is reimbursable from the Department of Natural Resources loan. The General Code Publishers bill involves our yearly code update. The Zoning Ordinance is the bulk of this year's update expense. The bill from J & B Construction involves three loads of dirt replaced after flooding. There are several capital outlay expenditures for the Wastewater Department which involve security upgrades subsidized by a Homeland Security grant. Commissioner Correll made a motion to pay the bills as presented. Commissioner Sipple seconded the motion. Motion carried.

X. DEPARTMENT HEAD REPORTS

President Conaway reported this is the 94th consecutive month our Wastewater Treatment Plant has not had a violation of its NPDES permit. The Department Head Reports are available for review.

XI. SPECIAL REPORTS

A. FY-06 WEAPONS OF MASS DESTRUCTION FUNDING – CHIEF PARSONS

The Bridgeville Police Department is requesting authorization to apply for grant money for two Motorola car radios and three portable radios to allow each officer his own radio at home for a total of \$22,300. At this point, it is at the letter of intent stage. The grant would be 100 % funding. President Conaway recommended considering these requests jointly.

B. OFFICE OF HIGHWAY SAFETY GRANT-IMPAIRED DRIVING – CHIEF PARSONS

The Bridgeville Police Department is requesting authorization to apply for grant money through the Office of Highway Safety for the National Impaired Driving Crack-down Campaign which takes place August 18 – September 4, 2006. It is a \$500 grant to run saturation patrols during those dates.

C. AUTOMATIC EXTERNAL DEFIBRILATOR GRANT – CHIEF PARSONS

The Bridgeville Police Department is requesting authorization to apply for grant money to place A.E.D.'s at the Town Hall, Police Station, Wastewater Treatment Plant and a Police vehicle. Currently, the remaining police vehicles already have an A.E.D. installed. This grant provides four A.E.D.'s at no cost to the Town. The only stipulation involves reporting back in one year verifying the deployment of the A.E.D.'s. The Police officers are trained to use the equipment.

Commissioner Jefferson made a motion to apply for the three above-mentioned grants. Commissioner Greason seconded the motion. Motion carried.

XII. CITIZEN'S PRIVILEGE

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

XIII. TOWN MANAGER'S REPORT

Town Manager Walls reported the hiring of two summer youth employees for the Town program, approved by the Commissioners at the June 12th meeting. The youth worked Tuesday through Thursday weekly, from 9:00 A.M. to 4:00 P.M. They were under the direction of each of our three Public Works Superintendents one day a week. The program ended on August 10th. Town Manager Walls complimented Jorge Young and Jackee Pauls for their manners and willingness to work. It was a worthwhile experience.

Town Manager Walls provided an update on the Squirrel situation discussed at the July 10th meeting. The Town will be ready in the near future for A-1 Wildlife to set traps and relocate squirrels. This action is being undertaken due to squirrels chewing on electrical lines and blowing transformers, with Verizon replacing approximately 800 feet of phone cable. A letter of understanding has been created, whereby participating homeowners grant their permission.

The Bridgeville Historical Society held their 28th Annual Auction and Social at the Bridgeville Fire Hall on August 5th. Town Manager Walls expressed thanks for the invitation to attend; it was a very nice event.

The fall Clean Up Day is scheduled for Saturday, September 30th. Items will need to be curbside by 6:00 A.M. or out the night before. M-T Trash will only go down each street one time. Allowable items for pick up include furniture, household trash, stoves and limbs bundled in four-foot lengths. Items that will not be picked up include tires, batteries, oil, construction materials, dirt, rocks, bricks, etc. M-T Trash will have a truck available to pick up refrigerators, freezers and air-conditioners, as long as the Freon has been removed. They will also have a truck to pick up paint, stain, etc. These items must be kept separate from the rest of the trash. Large limbs can be delivered to a special area at the Town's Wastewater Treatment Plant. A scrap metal container will be placed at the Town Hall parking lot for the disposal of items such as aluminum siding, window frames, barbecue grills, tire rims, bicycles and stainless steel. No other trash may be placed in this container. President Conaway advised Senator Adams and Representative Ewing have given the Town clean up credits to help defray the landfill costs. The Town spent just under \$1,000 last year, so this money should cover both a fall and spring Clean Up Day.

The Town of Bridgeville will host a Community-Wide Yard Sale on Saturday, September 23rd, starting at 7:00 A.M.

Town Manager Walls reported Patrolman and Mrs. John Truluck have a new baby boy named Michael, weighing in over nine pounds. Mother and baby are doing well. Congratulations are extended to the family.

XIV. OLD BUSINESS

A. UPDATE: 102 NORTH MAIN STREET

B. UPDATE: 104 NORTH MAIN STREET

Town Manager Walls reported an ad was placed in The Star, The Salisbury Daily Times, The Leader and the Delaware State News requesting bids on the demolition of these properties. Contract A relates specifically to 102 N. Main Street and Contract B, to 104 N. Main Street. The bid notice stipulates all work must be completed by September 29, 2006. A 10% bid bond is required as well as proof of insurance and a Delaware state license. The Town has the right to reject any and all bids. Bids are due by 4:00 P.M. on Monday, August 28, 2006. President Conaway asked Town Solicitor Robert Robinson if the Town can proceed with knocking down these structures immediately following the granting of the two contracts. Solicitor Robinson advised there is a 30-day period during which an appeal could be filed, and the deadline for that appeal is very close to the August 28th bid opening. President Conaway recommended the Town level the ground and plant grass after the demolition. Solicitor Robinson understands one of the lien holders of the 102 N. Main Street property intends to file a petition to sell it. The demolition lien would be prior to other liens. It was questioned whether tenants are still in the house at 102 N. Main Street. President Conaway saw individuals at the property today. Solicitor Robinson recommended posting large signs on the property with the date of demolition once that has been determined. Immediately prior to demolition, the police should do a final walk-through of the buildings. Also prior to demolition, the properties at 102 and 104 N. Main Street will be treated by an exterminator. President Conaway commended Solicitor Robinson for his handling of the Chancery Court case concerning 102 N. Main Street.

C. RESOLUTION FOR A REFERENDUM

This Resolution will not be considered tonight. It will be placed on the agenda for the September 11, 2006 Commission meeting.

D. A RESOLUTION PROPOSING THAT \$750,000.00 BE BORROWED BY THE COMMISSIONERS OF BRIDGEVILLE TO PROVIDE FUNDS FOR UPGRADES TO THE TOWN WASTEWATER TREATMENT PLANT, INCLUDING THE PURCHASE OF EQUIPMENT, AND ALL OTHER NECESSARY AND RELATED MATTERS ASSOCIATED THEREWITH AND THAT THE BORROWING BE SECURED BY A BOND ISSUE, GRANT APPLICATION OR OTHER FINANCIAL OBLIGATION AND FIXING A TIME AND PLACE FOR A PUBLIC HEARING ON THE MERITS OF SUCH PROPOSAL TO BORROW.

Town Manager Walls advised two existing RBC's at the Wastewater Treatment Plant will be replaced with two Geo-Reactor Moving Bed Bi-Reactor units. Upgrades also include replacement of other equipment to allow the Wastewater Treatment Plant to consistently meet its BOD limit, often an issue during the summer months. The project budget is \$750,000. The source of funds is a Department of Natural Resources and Environmental Control loan. The interest rate will be 3.7 to 4.0%. The exact rate will be determined immediately prior to settlement. Loan repayment will be semi-annual, in the amount of \$26,465 for 20 years. Interest only payments shall be made during the construction period. President Conaway advised the Commission believed a resolution and referendum would not be necessary to borrow this money. They believed legislation passed last year gave the Commission the authority to accept loans and grants from government agencies without coming before the voters. The bond council questioned the Town's ability to accept the loan, and as the liable party, was unwilling to sign unless the Town went through the Resolution/Public Hearing/Referendum process to insure the legality of the borrowing of the \$750,000. Commissioner Correll made a motion to adopt the Resolution to borrow \$750,000 for upgrades to the Wastewater Treatment Plant. Commissioner Sipple seconded the motion. Motion carried. A Public Hearing date was set for September 11th during the next monthly Commission meeting.

XV. NEW BUSINESS

A. MUNICIPALITY ELECTIONS

House Bill 410 regarding new election procedures for municipalities was passed and signed into law. Department of Election Commissioner Calio will have more involvement with municipal elections. The Town will be required to follow additional procedures. The legislation will become effective one year after signing, which might not affect our 2007 Municipal Election. Town Manager Walls will seek counsel from our Solicitor.

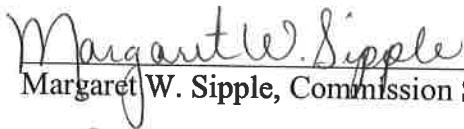
B. RESOLUTION TO ADOPT A 457b PLAN

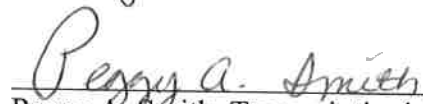
During FY-07 budget meetings the Commissioners agreed to adopt this investment funding program, allowing full-time employees to fund a pre-tax investment fund, separate from the pension fund offered by the Town. There is no vesting schedule. When an employee leaves Town employment they will have access to the amount contributed. Retirement age for the plan is 65. This fund will not receive matching contributions from the Town. Commissioner Jefferson made a motion to adopt the Resolution establishing a 457b Investment Funding Plan allowing for individual contributions. Commissioner Greason seconded the motion. Motion carried.

XVI. ADJOURNMENT

The meeting ended at 8:12 P.M. The Commissioners did not officially adjourn the meeting due to a Zoning Change Hearing scheduled upon completion of the Commission meeting. The minutes of each meeting are recorded separately per the advice of our Town Solicitor.

Respectfully submitted by:


Margaret W. Sipple, Commission Secretary


Peggy A. Smith, Transcriptionist