

MINUTES

COMMISSIONERS OF BRIDGEVILLE SEPTEMBER 11, 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, Margaret Sipple, Earl Greason, William Jefferson and Town Manager Bonnie Walls. The meeting began with the flag salute and Lord's Prayer. President Conaway reminded those assembled of the attack on America five years ago on Tuesday, September 11, 2001. He asked all to remember and honor those who have given the ultimate sacrifice for our country and those who continue to give of themselves for our freedom. President Conaway read a Prayer to commemorate the occasion, followed by a moment of silence.

President Conaway requested the Agenda be amended to add an Executive Session. Commissioner Sipple made a motion to add an Executive Session to the Agenda. Commissioner Jefferson seconded the motion. Motion carried.

II. QUORUM

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

III. APPROVAL OF MINUTES

Minutes of the regular monthly Commission Meeting held on August 14, 2006 and minutes of a Public Hearing on an Amendment to the Comprehensive Plan held on August 23, 2006 were presented for approval. Commissioner Correll made a motion to approve both sets of minutes as presented. Commissioner Sipple seconded the motion. Motion carried.

IV. EXECUTIVE SESSION

Commissioner Jefferson made a motion to go into Executive Session for personnel discussions. Commissioner Sipple seconded the motion. Motion carried. The regular session recessed at 7:04 P.M.

The regular session reconvened at 7:36 P.M. President Conaway reported the Commissioners discussed personnel issues and no action was taken.

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V. CORRESPONDENCE

Town Manager Walls reported the receipt of a letter from the Bridgeville Apple Scrapple committee requesting permission to hold a fireworks display on Saturday evening, October 14, 2006 on property south of S. Cannon Street. It is being sponsored by Providence of Brookfield Homes, Heritage Shores. The Woodbridge School District has agreed to open the bleachers at the football field located on Sussex Ave. Extended to the public for viewing the fireworks. Town Manager Walls met with Mrs. Risdon from Brookfield Homes earlier today to discuss the necessary paperwork.

Thank you notes were received from the Ben Ewing family and Union United Methodist Church Memorial Fund for gifts received from the Commissioners following the death of Mrs. Pat Ewing.

A letter was received from the 35th District Democrat Club canceling the Family Fun Day scheduled for September 16th. The Commissioners had previously approved this event to be held at the Children's Sanctuary Park. They hope to reschedule at a later date.

The Sussex Spotlight Read Aloud Delaware Sept-Oct 2006 newsletter is available for review.

Town Manager Walls reported receipt of the Food Vendor List for the 2006 Apple Scrapple Festival. A 2001 Ordinance requires the Commissioners to approve the food vendors who will operate during the festival each year and the license fee to operate is waived. This year there are 40 food vendors involved. President Conaway reported the majority of the vendors have participated in the past. Commissioner Correll made a motion to approve the list of food vendors as submitted and allow the Town Manager to approve any additional food vendors who are added at a later date. Commissioner Greason seconded the motion. Motion carried.

President Conaway will present correspondence from the Woodbridge School District later in the meeting.

VI. APPROVAL OF FINANCIAL STATEMENTS AND BILLS PAYABLE

Finance Director Savage directed the Commissioners to the Budget vs. Actual Report. The target percentage for this month is 16.67%. Our income line items are, for the most part, at or above that mark. The Town has only received one-quarter of the property taxes due; the deadline is September 30, 2006. The Town should receive most of the income this month. Our sewer and water rents are on target. Our equipment expenditures are up due to a SLEAF state grant for in-car cameras, upgrades and equipment for the Police department in the amount of \$27,409. It will be reflected in the December budget changes. Miscellaneous expenses are high due to the re-paving of N. Cannon Street after rain storm damage. This is reimbursable through

DEMA. President Conaway reported a surplus of \$491,000 last month. The county is running approximately one month behind in transfer taxes. Due to a slowing of the housing market, President Conaway has asked Finance Director Savage and Town Manager Walls to carefully monitor the number of housing settlements and the transfer taxes they generate, as this may slow in the future. It is a significant line item in our budget at \$500,000. President Conaway added we have \$425,000 cash in hand, which includes the General Fund and Money Market Savings Fund. Our escrow funds are now at \$465,000, putting us in a position to fund emergencies and plan for expansion and other capital projects. Finance Director Savage reported the EMS fund stands at \$42,642 and the Library Fund stands at \$23,560. Accounts Payables are high this month at \$137,000. \$57,000 is reimbursable from Heritage Shores. The Town will make its 2006 pension contribution of \$44,000 this month. Loan payments for Wastewater Treatment Plant and Water upgrades from the early 1990's are due in the amount of \$26,578, a portion of which is paid by the Town of Greenwood. The Street Department billing is high due to the curbing/paving projects which are reimbursable. The bill from Atlas is another small street project, with money provided by the state. The Ransom Cat bill is an engine meter for the Wastewater Treatment Plant. The demolitions at 102/104 N. Main Street required advertising, an Asbestos Report from Sussex Environmental and extermination by Ehrlich. Commissioner Correll made a motion to pay the bills as presented. Commissioner Sipple seconded the motion. Motion carried.

VII. DEPARTMENT HEAD REPORTS

Town Manager Walls introduced and welcomed Mr. Jerry Butler, who has just begun part-time employment as Code Enforcement Constable. Mr. Butler has been a general contractor since 1969 and a Seaford resident for 17 years. Recently he has been working in landscaping and irrigation and has phased out his building and remodeling work. President Conaway reported Mr. Butler will be here two full days per week on Tuesdays and Thursdays, in addition to continuing his personal businesses.

President Conaway reported an error in the curbing contractor's work. 150 feet of curbing was replaced in the 100-200 block of Delaware Avenue, which was not to be considered in the 2006 curbing project. The \$5,000 worth of work will be paid for by the contractor, not by the Town.

President Conaway reported this is the 95th consecutive month our Wastewater Treatment Plant has not had a violation of its NPDES permit.

President Conaway advised two steel roll-up doors have been installed at the new regional pump station at Heritage Shores, paid for by Lennar Homes. The building had become a popular place for birds to gather and Lennar Homes installed doors and power washed the building, which is very much appreciated.

President Conaway questioned Police Chief Parsons about the six arrests in August for criminal mischief. There has been some spray painting in Town, possibly by children.

VIII. EXTENSION OF M-T TRASH CONTRACT

Town Manager Walls reported the Town went to bid for its trash contract in December 2003. M-T Trash of Bridgeville was the successful low bidder and the contract was awarded to owners Mark and Shannon Banks. The Town is allowed to renew the contract for one additional year and Town Manager Walls respectfully requested the Commissioners approve the renewal of the M-T Trash contract. Mrs. Shannon Banks was in attendance at the meeting and Town Manager Walls commended the company for performing an outstanding job for the Town. After tropical storm Ernesto came through the area, Mrs. Walls called Mrs. Banks at home over the weekend, requesting a dumpster at the treatment plant for the disposal of tree limbs. M-T Trash went out of their way to help. They supplied trash cans for Bridgeville's National Night Out and are always very community-oriented and anxious to help. They also do an outstanding job for the residents. Commissioner Jefferson made a motion to extend the M-T Trash contract for one year before going out to bid again. Commissioner Correll seconded the motion. Motion carried. President Conaway commented the M-T employees go out of their way to place containers back where they belong and likely pick up more trash than the contract stipulates. He is pleased that the Town is using a local company. Commissioner Correll added her appreciation for M-T Trash employees' respect for the older residents, going out of their way to bring the trash container back to a convenient place for them.

IX. CITIZEN'S PRIVILEGE

Robert L. Patterson, III of 305 Second Street requested information concerning Town sidewalks. There are few sidewalks in his area of Town. He has two young children and is concerned about their safety with no sidewalks. Church Street and N. Cannon Street are the only streets that have sidewalks in his neighborhood. He has seen the current curbing and sidewalk improvements taking place and questioned if sidewalks are planned for his street. President Conaway advised sidewalks are the property and responsibility of the homeowner. The Town's responsibility starts from the outer edge of the sidewalk and goes to the curb line. Previous Commissions spent the little money they had on sidewalk repair. The Town does not have enough money to install and repair sidewalks. The current street/curbing improvement project involves repairs to deteriorating curbs and handicapped accessible improvements, which are required by law. Some homeowners, with the Commission's approval, have contacted the paving company for sidewalk repairs on their property. These projects are being paid for by individual homeowners. Mr. Patterson asked if the Commissioners would assist homeowners with permits, etc. if they worked with the paving company to install sidewalks at his property. President Conaway responded the Commission would assist him as a homeowner. Street paving is about to begin and there are only limited funds for those projects as well. Commissioner Sipple reported Sussex Street, where she lives, also does not have sidewalks. She was the Street Commissioner at the time sidewalks were being installed at various locations in Town. At that particular time, the individual donating the money requested that it be used on sidewalks; therefore, some sidewalks were installed at that time. Since then the Town has not had funds to

repair and install sidewalks. Mr. Patterson also questioned an alleyway behind his house which is not paved and has never been used for vehicle traffic. President Conaway advised the property can be deeded to the homeowner. Town Manager Walls can assist with necessary paperwork after receiving a written request and survey of the land.

X. TOWN MANAGER'S REPORT

Along with Commissioners, Town Manager Walls attended the ribbon cutting ceremonies for YSD Running Boards, LLC and the Open House of Millermetal Fabrications, Inc. Both are located on Sussex Highway in Bridgeville. Mr. Jeffrey Bowers hosted the event and provided an overview of their products.

Town Manager Walls also attended, with the Commissioners, an Open House for the new Woodbridge District Administrative Offices, now housed in the former State Police Troop 5 building on Sussex Highway. It has been completely renovated and is a very nice facility.

The Town held its second annual Night Out Against Crime on Thursday, August 31st. It was a very successful event. State and Millsboro Police presented dog and taser demonstrations; finger printing and photo identification was available; and McGruff the Crime Dog made an appearance. Bicycle helmets donated by Nanticoke Memorial Hospital were distributed to children. Walmart, Herr's and H.C. Davis donated hot dogs, chips, drinks and candy, which were enjoyed by all. The Town extends its thanks to all who helped in any way and to residents for participating and bringing their children to the event. A special thank you goes to Officer Adam Hitchens for his assistance in preparing for the event and for volunteering in the dog and taser demonstrations.

State Treasurer Jack Markell was in Bridgeville on Friday, August 25th with his "Tour de Delaware". For his re-election campaign, Mr. Markell rode his bike from Claymont to Delmar, stopping at towns and cities along the way.

Town Manager Walls reminded the Commissioners of the Community-Wide Yard Sale scheduled for Saturday, September 23rd and Clean Up Day scheduled for Saturday, September 30th.

A special thank you goes to Water Superintendent Doug Jones for installing a replacement water cooler at Town Hall.

Town Manager Walls advised of a meeting with representatives from Goodwill Industries of Delaware, as they proceed with plans to build a 20,000 square foot, million dollar structure. The facility will be located on Route 13 between the car wash and Art's Antique Alley. It will house the regional offices for Goodwill Industries, a retail store, as well as a training facility for the handicapped. The facility should bring new jobs to the area. Plans are being reviewed by the Town engineer and water/wastewater superintendents.

The Town is again offering an employment opportunity for a Woodbridge High School student during the school year. Senior Charelle Bolden has chosen Business as her pathway and will be available two days per week for one hour each day to assist at the Town offices.

XI. OLD BUSINESS

A. Public Hearing

Adoption of a Resolution Proposing That a Referendum be Held to Approve or Disapprove the Borrowing by the Commissioners of the Town of Bridgeville a Sum not to Exceed Seven Hundred Fifty Thousand Dollars (\$750,000.00) 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.

The scheduled Public Hearing was opened at 8:06 P.M. to hear public comments on the Referendum. President Conaway advised the equipment purchase would upgrade and correct the mechanics of our Wastewater Treatment Plant so it will be able to treat a greater volume of wastewater. The equipment replacement is necessary to allow the plant to meet its BOD limits, especially during the summer months. The loan has been approved by the state. The Commissioners understood they could accept this loan without a referendum based on recent legislation passed; however, the Bond Council required the Town to go through the Referendum process. President Conaway asked for public comments in favor or against the Referendum to borrow \$750,000.00. Hearing no public comment, the public hearing was closed at 8:08 P.M. Commissioner Jefferson made a motion to adopt the Resolution as stated above. Commissioner Greason seconded the motion. Motion carried. The Referendum is scheduled for Saturday, October 21st from 10:00 A.M. to 2:00 P.M. at the Bridgeville Town Hall.

B. Public Hearing – Ordinance A06-7 Comprehensive Land Use Plan Amendment

The scheduled Public Hearing was opened at 8:10 P.M. to hear public comments on the above mentioned Amendment to the Comprehensive Land Use Plan. President Conaway advised two technical changes which have been made to the Plan. Map 8 Future Land Use Map A was inconsistent with previous actions legally taken by the Town and has been corrected, concerning a commercial area that was part of the previous annexation Phase IV. Appropriate text has been added to Chapter 4-1 also discussing this commercial development area. Map 9 has been corrected in regards to the actual size of the proposed park in Heritage Shores. Copies of these additions and maps are attached to the minutes. The Town is in the midst of the certification process, which may have hindrances. The use of agricultural preservation land south of Heritage Shores as a park must still be settled. In 2011 the Comprehensive Plan will again be updated. This brings us into compliance with Livable Delaware. President Conaway opened the floor for comments in favor of or against the Amendment to the Comprehensive Land Use Plan. Hearing no comments, Mr. Conaway closed the Public Hearing at 8:15 P.M.

C. Second Reading and Adoption of the Comprehensive Land Use Plan Amendment

President Conaway advised this is the second and final reading of the Amendment to the Comprehensive Land Use Plan. Commissioner Correll made a motion to adopt Ordinance A06-7, the Comprehensive Land Use Plan Amendment. Commissioner Sipple seconded the motion. Motion carried.

XII. NEW BUSINESS

A. Board of Election Appointments

President Conaway advised Election Commissioner Frank Calio attended the SCAT Steering Committee meeting on September 8th, discussing future municipal elections. Bridgeville will hold one more municipal election before new requirements are enacted based on the new election law. The Town will be required to appoint a Board of Election of at least 3 and not more than 5 members. Currently, Town Manager Walls requires the appointment of an Election Board for the Referendum to borrow funds for wastewater treatment plant upgrades scheduled for October 21st, between the hours of 10:00 A.M. and 2:00 P.M. The appointment of an Election Board will be postponed until the next Commission meeting.

B. First Reading – Ordinance A06-6 An Ordinance Amending Section 234-45 of the Bridgeville Land Use and Development Code Relating to the Parking of Commercial Vehicles in Residential Zones

The original Ordinance prepared by the Town Solicitor was not the intention of the Commission. A corrected Ordinance has been prepared. Our current zoning ordinance Article 11, Paragraph C, paragraph 3 allows one commercial vehicle not exceeding one-ton capacity to be parked on a residential lot. It also adds that large commercial vehicles such as trailers, tractor-trailers and cabs of tractor-trailers must be parked in the rear of the dwelling. The intention was never to allow large commercial vehicles to park in a residential zone. The first Ordinance prepared by the Town Solicitor would allow no commercial vehicles at all, which was not the intention of the Commissioners. The corrected Ordinance simply deletes the section concerning parking in the rear of the dwelling. No large commercial vehicles may be parked in Town. The Code Enforcement Constable will be responsible to enforce this Ordinance and will allow the occasional circumstance that requires a resident to park a larger commercial vehicle in Town for a short time. Street parking restrictions are different than parking on properties. There were questions concerning recreational vehicle parking; however, that issue is already addressed separately in the Town code. It was decided to only consider commercial vehicles in a residential zone in this Ordinance. Commissioner Correll made a motion to introduce Ordinance A06-6 for a first reading. Commissioner Sipple seconded the motion. Motion carried.

C. Woodbridge/Seaford School District Lines

President Conaway reported there is an unusual situation with the school districts dividing lines. A property located south of the current Heritage Shores development, whose southern border ends at Cannon Road, has requested annexation into the Town of Bridgeville. The developer will be required to provide land for a new elementary school at no cost within the proposed development. It has been agreed that 22 acres will be set aside for a school, should the land be annexed. Unfortunately, this land is located within the Seaford School District, as the school district line crosses north of Cannon Rd. in this area. The Commission has received a letter from Woodbridge School District Superintendent Kevin Carson indicating he has approached the Seaford District about trading this land to the Woodbridge District. Woodbridge would, in turn, trade a piece of land currently in the Woodbridge School District which is located south of Cannon Road to the Seaford School District. Basically, it would be swapping acreage. The Seaford School District has indicated they are not interested in pursuing this option. President Conaway commented the Town would not build a school in Bridgeville Town limits for the Seaford School District. This issue goes back to consolidation of the school districts when superintendents drew the lines for the two districts. Hopefully the issue can be resolved.

D. Grant Acceptance U.S. Forestry Program

Town Manager Walls advised the Town has received a grant totaling \$1,489.00 for tree planting in the Town of Bridgeville. Commissioner Correll made a motion to accept the grant. Commissioner Sipple seconded the motion. Motion carried.

E. October / November 2006 Meeting Date Changes

President Conaway requested a date change for the October 2006 Commission meeting from the 9th to the 2nd of October. He also requested a date change for the November 2006 Commission meeting from the 13th to the 6th of November. Commissioner Jefferson made a motion to change the meeting dates. Commissioner Correll seconded the motion. Motion carried. Commissioner Correll commented she would not be available for the November meeting with or without the date change.

F. Hiring of Director of Public Safety

President Conaway reported that during its FY-07 Budget Workshop, the Commission created a new position that would benefit the entire community. In these post-9/11 days, there is a need for another level above the Police Chief to deal with Homeland Security and storm-related issues. The Town is growing and needs to plan for police services in a broader sense. The Commission looked for an individual who could bring this type of professional knowledge to the Town. Hiring a consultant was considered; however, that would have cost \$50,000 and would not include on-going advice. The Town advertised in local and state newspapers for a Director of Public Safety and was encouraged by the 19 applications received. The expertise of these individuals was beyond expectations. The Town Manager interviewed 8 applicants and then recommended 5 finalists for consideration by the Commissioners. That interview process

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took place on August 21st and President Conaway was pleased with the broad background of the applicants beyond Police experience; some even had federal law enforcement experience. The Commissioners chose one individual from the 5 and believe he will be an outstanding addition to the staff. Mr. L. Aaron Chaffinch is the successful candidate who will be hired tonight if the Commission so chooses. He has been in Police work since 1978 and rose through the ranks of the Delaware State Police to the position of Superintendent from February 2002 though May of 2005. He is a graduate of Woodbridge High School and the University of Delaware with a Bachelor of Science degree in Marketing. He has gone through the F.B.I. National Academy and various law enforcement courses throughout his career. Mr. Chaffinch is an addition to our Public Safety staff; Chief Parsons will continue to run our Police Department and will report to Mr. Chaffinch, who will report to Town Manager Walls. The salary was set at \$53,000 and he will be in a 90-day probationary period. No contract is offered on this job. The Commission believes he brings the expertise that will assist our able Chief of Police and other matters of Homeland Security. Commissioner Correll made a motion to hire Mr. L. Aaron Chaffinch as Director of Public Safety. Commissioner Greason seconded the motion. Motion carried.

XIII. ADJOURNMENT

Commissioner Sipple made a motion to adjourn. Commissioner Correll seconded the motion. Motion carried. The meeting was adjourned at 8:43 P.M.

Respectfully submitted by:

Margaret W. Sipple
Margaret W. Sipple, Commission Secretary

Peggy A. Smith
Peggy A. Smith, Transcriptionist