

MINUTES
COMMISSIONERS OF BRIDGEVILLE
SEPTEMBER 14, 2009 – 7:00 P.M.
TOWN HALL

I. CALL TO ORDER

The meeting was called to order by President William Jefferson at 7:00 P.M. Present: Commissioners Patricia Correll, Ruth Skala, Michael Collison, Earl Greason and Town Manager Bonnie Walls. The meeting began with the Flag Salute and Lord's Prayer. President Jefferson asked that the audience remain standing for a moment of silence in memory of Police Officer Chad Spicer, a former Bridgeville policeman who was shot and killed on September 1st while on duty serving on the Georgetown Police Force. Commission President Jefferson began the meeting by introducing newly-elected Senator Joseph Booth from Georgetown. Senator Booth replaced deceased Senator Thurman Adams in a special election for the 19th Senatorial District. Senator Booth acknowledged he wants to be informed about the Towns in his district and coming to a Town's Commission/Council meeting is a good place to find out about the needs and concerns of his constituents. President Jefferson extended a personal invitation to Senator Booth to participate in the Scrapple Sling at the Apple Scrapple Festival.

II. QUORUM PRESENT

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

III. APPROVAL OF MINUTES

Minutes from the August 10th Commission meeting were presented for approval. Commissioner Correll made a motion to approve the minutes as presented. Commissioner Skala seconded the motion. Motion carried.

IV. CORRESPONDENCE

Town Manager Walls advised a letter has been received from Apple Scrapple Festival Secretary, Ms. Karen Parker, inviting the Commissioners to participate in the Opening Ceremony for the Festival on Friday, October 9, 2009 at 6:00 P.M. at the main stage behind the Bridgeville Fire Hall. All of the Commissioners will be attending and Town Manager Walls will RSVP for them to Ms. Parker.

V. APPROVAL OF FINANCIAL STATEMENTS AND BILLS PAYABLE

Finance Director Savage directed the Commission to the Balance Sheet. (The following amounts are in rounded figures.) At the end of August, the General Fund balance was \$456,000; the Town's Rainy Day Fund (including the Escrow, Sewer Sinking and Impact Fee accounts) totaled \$496,000. Total cash on-hand was \$952,608 and all accounts totaled \$1,092,000, which is an increase of 10% from last month. Yearly tax receipts account for the increased total. On

the Budget Report the target is 16%, as we are two months into the FY-10 budget year. To-date we have received \$120,000 in property taxes; we are expecting another \$315,000 in the next several weeks, as the due date is September 30th. The industrial sewer fee line item stands at 26%, which we believe stems from production changes at RAPA that haven't reduced as much as we anticipated. On the Expense side, the quarterly debt service payment is \$43,000. The wastewater impact fees are from the new Walgreens; the developer's agreement absolves them from paying water impact fees. Concerning Accounts Receivable, bills received to-date total \$38,282; expected expenses before the next meeting total \$160,000, for a total of \$198,882. Finance Director Savage advised approximately 75% of the money for Well #6 will come back to the Town through the Recovery Act and the remainder will be the Town's responsibility through a DNREC loan. The Police Department has been purchasing office equipment through a JAG grant from the federal government. Commissioner Correll made a motion to pay the bills as presented. Commissioner Collison seconded the motion. Motion carried.

VI. DEPARTMENT HEAD REPORTS

The Department Head Reports are available to the public. Commissioner Skala asked whether the 55 seatbelt violations were routine stops or a part of the Click It or Ticket program. Police Chief Parsons advised it was a part of the program; they also found an increased number of people driving without a license. Commissioner Correll questioned House Bill 290. Due to state budget cuts, this bill will increase the amount of money the Towns must pay for food at the Police Academy. Chief Parsons expects additional expenses to be passed along to the Towns. The next academy class begins in October. Commission President Jefferson advised he is seeing a high number of grain haulers in Town and asked that the Police Department increase their truck patrols in Town. Chief Parsons advised Church Street is considered a truck route, although it is in Town limits. Commissioner Collison feels that this month's count of 11 ticketed trucks is low compared to the amount of truck traffic. Commissioner Collison questioned Greenwood's increased sewer flows since August 22nd. Town Manager Walls does not believe Greenwood has offered an explanation. It is likely due to the increased rain we have had. Finance Director Savage suggested that the figures spike when it rains and that tends to keep the average up for the rest of the month. Daily averages have gone down, but totals stay up after the rain. Greenwood's development on the north side of Town, "The Cove" always seems to flood the system.

VII. CITIZEN'S PRIVILEGE

Commission President Jefferson requested a Heritage Shores update from Ms. Dottie Harper of Brookfield Homes. Ms. Harper advised there has been increased interest and sales at Heritage Shores. They will soon request building permits for two new model homes. Ryan Homes has sold approximately eight homes since they have joined Brookfield Homes as a builder at Heritage Shores. The first closing should come in September or October. She thanked the Commission for their cooperation with the Walgreens groundbreaking ceremony and thanked Senator Booth for attending, as well. Ms. Harper thanked Town Manager Walls for her assistance over the past week concerning the county's 911 addressing project, making sure the

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address numbers follow the code. The issues have been resolved concerning the Architectural Control Committee.

Ms. Jacqueline Vogel of 124 Widgeon Way expressed concern about a recent rainfall which raised the levels in the ponds at the golf course to a degree that alarmed her. She believes there should be a written policy that deals with the threat of flooding from these ponds in the golf course and a chain of command to carry out the policy. Ms. Vogel is asking that this problem be addressed. Town Manager Walls advised she has shared with Ms. Vogel that the Homeowner's Association is the first entity to deal with the ponds; if there are Town code issues, the Town can step in. Ms. Harper reported the ponds are heavily monitored by the Department of Natural Resources & Environmental Control (DNREC); they monitor the rainfall and are alert should there be any problems. It is a highly engineered system that handles the water in the ponds. She added the entire system went through an extensive review process through the State of Delaware before approval to build was given. Heritage Shores has adequately handled more inches of rain than this recent rainfall. On another issue, Ms. Vogel questioned current and future entrances and exits at Heritage Shores and their adequacy for the number of homes there now and when it is fully built out. Her concern was about emergency evacuation. President Jefferson advised a third entrance/exit will be added as the commercial development increases and in Phase 5 there are plans to connect Laws St. to the Heritage Shores development. Commissioner Collison added that Heritage Shores is a planned development with all the entrances and exits approved through the State Department of Transportation (DelDOT). Ms. Harper advised DelDOT has all the specifics on traffic patterns and the number of cars the roads can handle. In the event of an evacuation, all streets would become one-way exiting the development. Ms. Harper will investigate the issue and make certain the development's exits mesh into Town evacuation plans.

Mr. Harvey Lieberman of 144 Widgeon Way requested correct information on the placement of the reflective house numbers, a new requirement from Sussex County's 911 Addressing Division. Town Manager Walls advised per the Town code, and based on county requirements, the address must be placed either on the mailbox (3-inch numbers) or on the house (4-inch numbers). After a lengthy discussion of the desire for uniformity in Heritage Shores and the need to follow Town code, Ms. Harper advised a new policy has been publicized today indicating that either silver or black numbers would be acceptable; they must be 4 inches in height, even though the current numbers on the houses are 5 inches in height. The silver numbers have a black background and they are acceptable according to Town Code Enforcement Constable Butler. Commissioner Skala has been working with the HOA concerning the issue for the past six weeks. She has checked to see that H. C. Layton's in Bridgeville sells the correct color and size of reflective numbers. Despite the inconvenience, it is for everyone's health and safety.

Mr. Frank Mills of 64 Emily's Pintail Dr. advised his understanding of the Ordinance is that the 4-inch requirement of the number was a minimum. That is correct; the numbers must be a minimum of 4 inches. Mr. Mills also questioned the enforcement policy. Town Manager Walls advised the Town waited until the county was ready to move forward with enforcement. Both county and Town enforcement action will begin October 1st; however, Heritage Shores has asked for, and received, permission to extend their deadline until October 15th.

Ms. Vogel had concerns about the reflectivity of the Layton numbers. Ms. Harper advised the fire trucks and police do not rely on their headlights to hit the reflective numbers; they rely on special spotlights. The Fire Company informed Ms. Harper that a flashlight or headlight is not adequate to judge the reflective quality. In addition, Heritage Shores has post lamps, porch lights and street lights that are always on. These diminish the true reflective quality, but they also give enough light so that 100% reflectivity is not required.

VIII. TOWN MANAGER'S REPORT

Town Manager Walls publicly thanked Senator Joseph Booth for his appropriation of \$50,000 for Bridgeville street repairs. The Town contacted both Senator Booth and Representative Wilson about the possibility of giving street funds to the Town. The Town appreciates Senator Booth's generosity.

The Town has received an updated proposed Sewer Agreement with the Town of Greenwood. Our engineer has reviewed the agreement and offered comments. We will review the proposed agreement this week and wait to hear from Greenwood following their review.

An audit of fiscal year 2009 has been conducted. The presentation will be forthcoming.

Town Manager Walls joined the Commissioners at the ribbon cutting ceremony of the new Bridgeville Public Library on August 17th. The library is an outstanding facility which will meet the needs of the community for many years to come. Town Manager Walls commented that several months ago she was pleased to announce that Mr. Todd Bariglio, of the Bariglio Corporation and the upcoming Bridgeville Commons commercial development, gave a \$25,000 donation to the new library. Mr. Bariglio was present in the audience and Town Manager Walls thanked him publicly for his generous donation.

Ms. Amanda Crisci, a teacher at Woodbridge High School, has offered to have students perform volunteer work for the Town, i.e. – painting curbs, policing alleyways for trash, painting fire hydrants, etc. Once school is underway and student council elections have been held, Ms. Crisci will contact Town Manager Walls to work out details. The Town certainly appreciates this generous offer.

All member Towns of the Sussex County Association of Towns (SCAT) are requested to host a monthly meeting, which averages out to be every two years. Please mark your calendar for May 5, 2010 when Bridgeville will host the SCAT dinner meeting.

National Night Out on August 25th was a great success. The First State Force Band performed, Nanticoke Memorial Hospital had an information booth and the Sheriff's Department offered finger printing. Our thanks go to the businesses who donated food for the event and to all those participating in the event. Town Manager Walls extended her thanks to the police officers who assisted, with a special thank you for a job well done to Officer Bonniwell, who oversaw the event.

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The groundbreaking ceremony for Walgreens was held on August 24th. The building is quickly becoming a reality and we look forward to a grand opening in the near future.

The Bridgeville Charity Golf Tournament scheduled for Friday, October 9th, is quickly approaching. The registration deadline date is September 15th. Please support this important event, as monies will benefit three important service groups – The Bridgeville Lions Club, the Kiwanis Club of Bridgeville and the Bridgeville Senior Center.

The Town has been working with Mr. Robert Tunnell of Sussex Realty Company, regarding their request for possible annexation of property located at the intersection of U.S. Route 13, Camp Road and Cannon Roads (slightly to the south of the entrance to Heritage Shores.) The 99.26 acre community, to be named Baker's Creek, intends to build 140 single-family, detached homes, 180 two-family homes and 80 town houses, for a total of 400 dwellings. An annexation date has not yet been discussed; there is still necessary paperwork required by the Town, which Mr. Tunnell is aware of. The Commissioners will be updated as the potential annexation moves forward.

A Community-Wide Yard Sale will be held on Saturday, September 19th, starting at 7:00 A.M.

Clean-Up Day is scheduled for Saturday, September 26th. All items must be curbside by 6:00 A.M., as 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 4-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. There will also be a truck to pick up paint, stain, etc. These items must be kept in a separate area from the rest of the trash. Large tree limbs can be delivered to the Town's wastewater treatment plant. A scrap metal container will be placed at the Town Hall parking lot for the disposal of such items as aluminum siding, window frames, barbecue grills, tire rims, bicycles and stainless steel. Residents are requested not to place any other types of trash in this container.

The filming of "Mayor Cupcake" is wrapping up. The Town is anxious to see the film. Mr. Pires has promised a local showing of the film when it is completed. Town Manager Walls extended a thank you to Mr. Pires for communicating so well with the Town during the filming. He kept the Town current with all details, locations, etc. throughout their time in Bridgeville.

Town Manager Walls advised at the last Commission meeting of the Bridgeville School District employing Mr. Brian Phillips to do work on the school's Jack Lewis mural. From all the information she received, Mr. Phillips did an outstanding job. Mr. Phillips looked at our mural and gave a price of \$1,100.00, which Town Manager Walls shared by memo to the Commissioners. Mr. Phillips will touch-up the areas that have flaked off and paint a clear protective coat over the existing painting. He is scheduled to begin the work on Tuesday, September 15th.

M-T Trash was awarded a three-year contract with the Town for garbage pick-up, with a condition of renewal for one additional year. Town Manager Walls is prepared to offer M-T Trash the extra year extension. The Town will then go out for bid early next fall, as the M-T Trash bid will expire in November 2010.

Town Manager Walls advised the Commissioners of an upcoming Delaware Economic Development Office (DEDO) workshop titled, "Developing a Downtown Vacancy Treatment Standard." The workshop is scheduled for Wednesday, October 7th, in Milford. Town Manager Walls and Commissioner Skala will be attending. Commissioners were requested to advise Town Manager Walls of their interest and she will RSVP.

Town Manager Walls, along with Commissioners Skala and Correll, attended a joint Chamber of Commerce meeting with Laurel, Seaford and Delmar earlier today. The guest speaker was Delaware Economic Development Office Director, Mr. Alan Levin, who gave an overview of the office and their desire to help small businesses. Commissioner Skala added they are appropriately placing emphasis on the tourism industry, but they are also increasing their emphasis on smaller businesses. The DEDO has set up a loan program to help some of the interest costs for lines of credit. Commissioner Correll added that she was glad to see the Chambers working together. She was particularly interested in the idea that small businesses with a line of credit at some banks could get free interest for two years. When the loan is paid back, there is no interest to pay. They are trying to get all the banks involved.

IX. OLD BUSINESS

A. DANGEROUS BUILDING INSPECTION COMMITTEE REPORT RE: 13 Gum Street

A housing inspection report has been submitted by the Dangerous Building Inspection Committee to the Commission for the building at 13 Gum Street. The report is an attachment to the permanent minutes. President Jefferson asked the Commission if this structure threatens the life, health, safety or property of the public or its occupants by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment, to which they responded "yes." President Jefferson asked if this structure had been so damaged or had become so dilapidated or deteriorated as to become an attractive nuisance to children, or a harbor for transients, vagrants, or criminals, to which the Commission responded "yes." President Jefferson asked if this structure was unsanitary, unfit for human habitation or in such a condition that it is likely to cause sickness or disease because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities or other cause, to which the Commission responded "yes." President Jefferson asked if this structure creates a fire hazard by virtue of its condition, to which the Commission responded "yes." President Jefferson asked if this structure constitutes a public nuisance as defined by law, to which the Commission responded "yes." President Jefferson asked if this structure has exits which do not conform to the Town ordinances or any other feature which may cause a hazard to life or safety of the occupants or general public, to which the Commission responded "yes." Commissioner Correll made a motion to accept the Dangerous Committee Report concerning 13

Gum St. Commissioner Skala seconded the motion. Motion carried. Town Manager Walls advised the next step will be to inform the property owner by certified mail of a Public Hearing concerning the property at the October 12th Commission meeting. The property owner will be invited to make comments or advise of any action he/she is willing to take to bring the building up to code. The Public Hearing will be advertised in the newspaper and a public notice will be placed on the property.

B. PERSONNEL POLICY AMENDMENT

Town Manager Walls advised an amendment to the Personnel Policy regarding the accumulation of sick leave was considered at the August Commission meeting and tied at two votes in favor and two votes against. The issue was tabled to be considered at the next Commission meeting. Currently, the Personnel Policy does not include compensation for accrued sick leave upon separation of employment. Employees approached Town Manager Walls and asked that the Commission consider supporting the addition of this policy proposal that an employee with five years of service would receive a maximum of 100 hours accrued sick leave upon separation of employment. Previous discussions included Commissioner Skala saying that five years of service is too short a time to offer these benefits. If there is no accrual, she feels employees will make sure they use them, whether they are legitimately sick or not. Commissioner Collison and President Jefferson were not in favor of the policy. Commissioner Correll supported sick leave compensation. Town Manager Walls requested that the Commissioners again consider this proposed amendment to the Personnel Policy. Commissioner Skala made a motion to approve 90 days of compensated sick leave with 20 years of service. Town Manager Walls advised in the current policy, you cannot accrue more than 90 days sick leave. Commissioner Correll seconded the motion and advised the Commission is the only voice the employees have; if they haven't used their sick leave, they are a dedicated employee. President Jefferson called for the vote; it was recorded as follows:

Commissioner Collison	No
Commissioner Correll	Yes
Commissioner Greason	Yes
President Jefferson	No
Commissioner Skala	Yes

Motion carried. The amendment to the Personnel Policy was passed by a vote of 3 to 2.

C. PRESENTATION AND AWARD OF BID FOR BACK UP WELL #6

Town Manager Walls advised the bids are still being reviewed by the Town Engineer and Solicitor. She asked that the agenda item be tabled until the October meeting.

D. PRETREATMENT PROGRAM

Town Manager Walls asked that this agenda item also be tabled until the October meeting.

X. NEW BUSINESS

A. Public Hearing – Planning and Zoning Commission Recommendation

Town Manager Walls opened the Public Hearing at 8:02 P.M. She advised a recommendation letter and minutes have been placed before the Commissioners of Bridgeville from the Planning and Zoning Commission meeting of August 19th for two requests:

1. Bridgeville Public Library – LED Sign

The request is for an LED sign to be placed outside the Bridgeville Public Library at 600 S. Cannon St. The Planning and Zoning Commission recommends approval of this request by the Commissioners of Bridgeville. Library Board of Trustees President, Mr. Matt Davis, and Phillips Signs representative, Mr. Matt Phillips, were present to answer any questions. Commissioner Collison lives on the same street as the new library and he prefers to see the library LED sign turned off approximately one hour after closing; he also requested that the sign not be brightly lit. There were no citizens present who wished to speak in favor of or against the request. Commissioner Collison made a motion to approve the library LED sign request with the stipulation that the sign not be brightly lit and that it be turned off one hour after the library closes. Commissioner Correll seconded the motion. Motion carried.

2. Bridgeville Commons Preliminary Development Plan Review

The request is for approval of a preliminary development plan. The plan includes DelDOT-approved parking, road access, water/sewer system, building layout and the Town Engineer's comments on the project. The Planning and Zoning Commission recommends approval of this request by the Commissioners of Bridgeville with conditions. Mr. Michael Riemann, the civil engineer and architect for Bridgeville Commons from the Becker Morgan Group and Mr. Todd Bariglio of the Bariglio Corporation were present to answer any questions. Mr. Riemann advised they would go back to DelDOT for final approvals and return to Planning and Zoning and the Commissioners for final approval of the project. This parcel will contain 2 buildings of 33,000 square feet and 25,000 square feet. There would likely be eight to twelve tenants in each building. There is flexibility built-in to accommodate the individual tenants' size needs. They anticipate major stores coming into the development. The proposed Car Wash, which is further north on a different land parcel, is moving forward. There were no citizens present who wished to speak in favor of or against the preliminary plan approval. Commissioner Correll made a motion to approve the preliminary plan with the condition that the engineers' comments and concerns at the preliminary review be addressed at the final review. Commissioner Collison seconded the motion. Motion carried. Mr. Riemann anticipates groundbreaking in April or May.

The Public Hearing for the two Planning and Zoning requests was closed at 8:09 P.M.

B. APPROVAL OF APPLE SCRAPPLE VENDOR LIST

Commissioner Correll made a motion to approve the Apple Scrapple Vendor List with the stipulation that any food vendors that the Apple Scrapple Festival committee might add, may be approved by Town Manager Walls. Commissioner Greason seconded the motion. Motion carried.

C. APPOINTMENT TO THE ANIMAL CONTROL BOARD

President Jefferson advised Mr. Robert Richey of 203 South Main Street is interested in filling the vacancy on the Town's Animal Control Board, as one member has resigned. The Town will be sending letters to residents with dangerous dogs that are left outside on a chain with no proper housing. Town Manager Walls would like to have the Board fully staffed to move forward with these issues. Commissioner Collison made a motion to appoint Mr. Robert Richey to the Animal Control Board. Commissioner Correll seconded the motion. Motion carried.

D. HERON NEWSLETTER

President Jefferson advised the Commission would like to receive copies of the Heron newsletter from the Heritage Shores development when they are printed. It is helpful for the Commissioners to know what is happening at the development, as it is all a part of Bridgeville. The Commissioners were turned down. Commissioner Correll commented the Commissioners do not intend to attend Heritage Shores events unless invited, but they would just like to receive notice of their activities. The Heritage Shores residents in attendance did not know who had turned the Commissioners' request down. Ms. Harper reported the newsletter is created and managed by a group of homeowners under the supervision of the HOA. She will research the situation and report back to the Commissioners. Commissioner Greason suggested the Heron newsletter be placed in the Bridgeville Public Library. On another topic, Ms. Harper reported the Golf Club and various police associations are organizing a Charity Golf Tournament to benefit the trust fund for Aubrey Spicer, the 3-year-old daughter of deceased police officer Chad Spicer. Ms. Harper asked for support from the Commission as the tournament takes shape.

XI. ADJOURNMENT

Commissioner Skala made a motion to adjourn the meeting. Commissioner Correll seconded the motion. Motion carried. The meeting was adjourned at 8:18 P.M.

Respectfully submitted,

Patricia M. Correll
Patricia M. Correll, Commission Secretary

Peggy A. Smith
Peggy A. Smith, Transcriptionist