

## **MINUTES**

### **COMMISSIONERS OF BRIDGEVILLE OCTOBER 2, 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 asked the Commission and guests to remember the tragedy in Lancaster, Pennsylvania, where three young girls are dead and 7-8 others are in critical condition due to a school shooting.

#### **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 September 11, 2006 and minutes of the Zoning Change Hearing held on August 14, 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. CORRESPONDENCE**

Town Manager Walls reported the receipt of a letter from the Town of Greenwood requesting 3 EDU's for use by their Fire Company. Mrs. Walls has consulted with our engineer and President Conaway, who both feel the Town can approve these additional EDU's. President Conaway advised the Town can afford the EDU's and the Fire Company is helpful to Bridgeville as well as to Greenwood. He recommended the request be granted unless there are objections from the Commissioners. No objections were voiced. Request was granted.

The Town has sent letters to our Congressional delegation in support of beach replenishment for Bethany Beach and South Bethany Beach. A reply was received from Congressman Castle stating he appreciated our interest and will do what he can to help these two beach communities. This was a SCAT initiative.

The Bridgeville Historical Society Fall 2006 Newsletter is available for review. Christmas in Bridgeville Craft Show is scheduled for Saturday, December 2<sup>nd</sup>, from 9 A.M. to 3 P.M. at the Woodbridge High School.

A thank you letter was received from the Woodbridge High School for the Commissioners' support of the fall athletic poster by purchasing an ad.

A thank you card was received, possibly from Charles Cephas, which says, "Thank you for the demolition," referring to the demolition of 102/104 N. Main Street.

The September/October newsletter from Comcast is available for review.

A letter of invitation has been received from the Apple Scrapple Festival for the Commissioners to participate in the Opening Ceremony on Friday, October 13, 2006, at 6:00 p.m. Town Manager Walls asked the Commissioners to RSVP immediately, enabling her to respond to the committee. All Commissioners and Town Manager will attend.

President Conaway advised receipt of a ransom letter in his mailbox for the missing block of scrapple used for the Mayoral Scrapple Sling.

## **V. APPROVAL OF FINANCIAL STATEMENTS AND BILLS PAYABLE**

Finance Director Savage directed the Commissioners to the Budget vs. Actual Report. The target percentage of budget for this month is 25%, as the Town is  $\frac{1}{4}$  into the budget year. The building permit line item is above budget; however, in September the Town issued only two permits for Heritage Shores, indicating a slowing of work there. Mr. Savage will watch permits issued and transfer taxes closely. Quarterly taxes will be billed this week in the amount of \$11,400. Miscellaneous income is up due to duplicate tax payments. Police fines are down, but the September checks have not yet arrived. Since this report was printed, municipal street aid funds were received in the amount of \$43,000. Impact fees are up (though not budgeted), due to fees received from Sonic and Good Will Industries. Concerning expenses, Town Cleanup is over budget due to the demolition of 102/104 N. Main Street. President Conaway questioned whether funds would come from the Community Development Block Grant Program for these demolitions. Town Manager Walls advised funds would not come from that organization. Expenses are in-line. Net income is approximately \$698,000 at this point in the budget year. According to the Balance Sheet, there is available cash in the General Fund, Money Market Fund and escrow accounts of \$1,000,015. The EM Fund has \$51,007 and the Library Fund has \$23,760. Concerning Bills Payable, some of the bills are reimbursable; the majority of the bills are usual expenditures. Commissioner Jefferson made a motion to pay the bills as presented. Commissioner Correll seconded the motion. Motion carried.

## **VI. DEPARTMENT HEAD REPORTS**

Not all departmental information is available, due to the Commission meeting being rescheduled for one week earlier than usual. The Wastewater Treatment Plant anticipates maintaining its NPDES record; however, notification has not yet been received. Town Manager Walls reported notification should be received Wednesday, October 4<sup>th</sup>, and Superintendent Mowbray anticipates no problems.

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Town Manager Walls introduced the new Director of Public Safety, Mr. Aaron Chaffinch. He is available to assist residents in any way possible. President Conaway added he is pleased Aaron is joining the Town staff.

**VII. CITIZEN'S PRIVILEGE**

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

**VIII. TOWN MANAGER'S REPORT**

Town Manager Walls gave an update on the Nemours Health and Prevention Services, the 5, 2, 1, almost one campaign. This is an effort to reduce the intake of sodas by children and adults and encourage people to exercise and get on a healthy track. Mrs. Walls has been working with the Woodbridge School District and Mercantile Peninsula Bank to join Nemours in sponsoring a walk for community health awareness. The walk is scheduled for March and Mrs. Walls will keep the Commissioners updated on plans.

The street curbing and paving project should be completed by Tuesday, October 3<sup>rd</sup>. The company is completing needed back filling in some areas and the paving portion of the project is already complete. The Town thanks Senator Adams and Representative Ewing for their financial support.

Certified Public Accountants Lank, Johnson and Tull have started the Town audit for fiscal year 2006. Their report should be completed and ready for presentation in the near future.

Along with President Conaway, Town Manager Walls attended a follow-up Emergency Response meeting hosted by the Sussex County Emergency Operation Center. Organizations such as Red Cross, DelDOT, school districts and health services have or will participate in these meetings, so that when an emergency occurs, everyone will know their role. Each municipality is working toward implementing an emergency operations plan. Bridgeville anticipates having a disaster preparedness brochure for residents to assist them in preparing for a disaster in the near future. Mrs. Walls will keep the Commissioners updated on procedures, etc. as they are finalized.

Town Manager Walls attended a meeting with President Conaway, Solicitor Robinson and Historical Society President Hardesty to review and discuss a proposed Historic Preservation Ordinance. General objectives, goals and parameters were discussed. The Town Solicitor will prepare a draft Ordinance for the Commissioners to review, followed by a public hearing to receive public input.

Town Manager Walls met with the Dover SPCA regarding the continuation of unannounced visits, etc. The Delaware SPCA no longer contracts with the State of Delaware to handle dog control in Sussex and New Castle counties. Dog control includes unlicensed dogs, dogs at large, potentially dangerous/dangerous dogs, kennel inspections and theft or poisoning of

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dogs. The Delaware SPCA will focus on their true mission, which includes prevention of cruelty to animals, humane education, spay/neutering and pet adoptions. Dover SPCA Director Mr. Murray Goldthwaite assured Mrs. Walls full cooperation with the Town's needs.

Town Manager Walls reported A-1 Wildlife is in Town trapping squirrels. Currently they have relocated approximately 25 squirrels, 2 opossums and 1 cat. They did need to purchase fresh nuts for bait. The traps are checked daily.

Reports received regarding the community-wide yard sale were positive. A number of residents participated and had a productive day, as well as a good time socializing with neighbors and customers. Commissioner Jefferson commented he believes this was the best turnout for the event. Clean up Day, held on September 30<sup>th</sup>, was also very successful. M-T Trash has reported all went smoothly with little to pick up.

Town Manager Walls reminded the Commissioners the November meeting has been rescheduled for November 6<sup>th</sup>. Following this meeting a Zoning Change Hearing has been scheduled at 8:15 P.M. regarding a request by Kathleen Wright at 418 Walnut Street.

The houses at 102/104 N. Main Street have been demolished. The next step is a sheriff's sale for the properties, with liens from the Town, health service agencies, etc. all looking for outstanding debts to be paid. Finance Director Savage is tracking all expenses incurred by the Town. Mr. Jeff Bowers of the Bowers Group on West Market Street has offered to do seeding at these locations. We sincerely appreciate his commitment to the community. Commissioner Correll thanked President Conaway, Mrs. Walls, Commissioner Jefferson the Town attorney and all those involved in accomplishing the demolition. It took 5 years, but she is very glad it was completed before the 2006 Apple Scrapple Festival. President Conaway had to return to Chancery Court concerning 104 N. Main Street; however, the Town moved ahead with demolition. Commissioner Correll added she has had more community response concerning those 2 houses than any other issue in the Town. Commissioner Jefferson commented, since the Dangerous Building Ordinance went into effect, 5 structures have been removed. President Conaway added these 2 houses took the longest and were the most difficult to remove; however, in the other situations people were more cooperative.

## **IX. OLD BUSINESS**

### **A. Appointment of Election Board**

**Reference Referendum to Borrow \$750,000.00 for upgrades to the Town  
Wastewater Treatment Plant scheduled for October 21, 2006**

President Conaway advised an Election Board must be appointed for the Referendum on October 21<sup>st</sup>. Voting will take place from 10 A.M. to 2 P.M. at Town Hall. The Town Manager and secretary will be involved in the election. Mr. William Hartzell is not available to be the election judge; therefore, President Conaway approached Mr. John Shockley, who is agreeable to accept the responsibility of election judge for this referendum, if the Commissioners do not

oppose the appointment. Town Manager Walls reported information concerning the referendum is in The Journal newsletter and it will be in The Star newspaper 3 consecutive weeks. President Conaway commented it is important to let people know there is a loan from the state and money is in the budget for the upgrades, so there will likely be no changes in fees necessary to pay off the loan. These improvements will increase the capacity of our plant and keep it within regulations. Anyone who is a resident or property owner may vote in the referendum. A corporation is entitled to one vote with presentation of corporate letterhead. There were no objections to the appointment of the Election Board.

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

The scheduled Public Hearing was opened at 7:32 P.M. by President Conaway. He advised this amendment is to correct confusion in an existing regulation in the Land Use and Development Code regarding zoning districts. This Ordinance drops a paragraph from the Land Use Code because it is contradictory to another portion of the code concerning the parking of commercial vehicles in residential zones. The code reads that only one commercial vehicle not exceeding one-ton capacity may be parked on a lot in a residential zone. The second paragraph states that, on any lot in a residential zone, large commercial vehicles such as trailers, tractor-trailers and cabs of tractor-trailers shall be parked in the rear of the dwelling. This is contradictory and confusing. The intent of the Land Use Code was to allow for pick-up trucks, small work vans, etc. to be parked on lots in residential areas, but there was no intent for tractor-trailers to be parked in residential zones. The Commission believes paragraph A overrides paragraph B; however, an ordinance should be written clearly and not be subject to interpretation. This new Ordinance amendment removes the confusing section. President Conaway asked for any public comments concerning the Ordinance. Hearing no comments from the audience, he asked for comments from the Commission. Commissioner Jefferson commented the 1-ton designation may be too small, as current pick-up trucks have much higher gross vehicle weights than in the past. He suggested using gvw designation rather than a 1-ton designation. It was recommended Director of Public Safety Chaffinch research and gather information concerning the best designation for acceptable size commercial vehicles and bring the information to the Commission at a later date. President Conaway closed the Public Hearing at 7:42 P.M. and requested a motion to adopt Ordinance A06-6. Although the Commission is still gathering information on the size of allowed commercial vehicles, this Ordinance will solve the discrepancy between paragraphs A and B in the code. Commissioner Correll made a motion to adopt Ordinance A06-6. Commissioner Greason seconded the motion. Motion carried.

**C. Sussex County Sewer Agreement**

President Conaway advised the sewer agreement is not yet ready to be presented to the Commission. He spoke to County Engineer Mr. Mike Izzo on Friday, September 29<sup>th</sup> and has also been in contact with Sussex County Administrator Bob Stickels. The county will definitely

sign an agreement with Bridgeville; there are engineering details to be worked out. It should be resolved shortly allowing the Town to go to bid for the new sewer plant.

## **X. NEW BUSINESS**

### **A. Celebration of Halloween – Tuesday, October 31, 2006**

The Town will celebrate Halloween on Tuesday, October 31<sup>st</sup> from 6:00 P.M. to 8:00 P.M. for children age 12 and under. There will be a Lion's Club Halloween Party at the Historical Society Park at 8:00 P.M.

### **B. Caroling in the Park – Friday, December 1, 2006**

The Town will again hold their Caroling in the Park event on Friday, December 1<sup>st</sup>. Town Manager Walls requested a replacement from among the Commissioners for Commissioner Correll who has always made the arrangements for this event. She will not be able to participate this year due to up-coming surgery. Commissioner Jefferson volunteered himself and Commissioner Sipple to make the arrangements. Commissioner Correll commented she could make phone calls and some of the other preparations and appreciates their help.

### **C. Delaware League of Local Governments**

President Conaway attended the annual Delaware League of Local Governments meeting in September. There are 4 legislative items they are involved in:

1. The restoration of municipal street aid back to a previous total of 6 million dollars. Municipalities were supposed to receive a percentage of the gasoline tax collected in Delaware. According to the original percentage to be dispersed, the Towns should be sharing 20 million dollars. Currently the state only allots 5 million dollars to municipal street aid, after a 1 million dollar loss 2 years ago. The DLLG is trying to restore the level of funds to 6 million.
2. School Districts – impact fee charges for new schools. School Districts do not want to pay any impact fees or other assessments on a school construction project. This bill would transfer the cost of these types of fees to Bridgeville residents, which the DLLG and municipalities oppose.
3. Support of mandatory state-wide recycling, although the DLLG opposes any fees charged to municipalities as a result of mandatory recycling.
4. Oppose any legislation re-districting or hindering annexation by Towns or municipalities.

### **D. Land Use Plan**

President Conaway and Town Manager Walls met with the State Office of Planning Coordination earlier today concerning the certification of our amended Comprehensive Plan. It was a productive meeting and the State is aware of the Town's concerns. President Conaway

believes the State will certify our Plan and then we will have to take additional steps to fulfill our intentions for the Town.

#### **E. Good Will Industries**

The Commissioners and Town Manager Walls attended the ground-breaking ceremonies of the new Good Will Industries facility on September 28<sup>th</sup>. Site work has begun for the facility which is located on Route 13.

#### **F. Route 13 and 404 Intersection**

Signs have gone up on Route 404 east of Route 13 concerning an Intel Motel facility. There are other motels that are also interested in locating in our area. The State Highway Department is purchasing the right-of-way for the intersection improvements. They have already contracted for the work on the east side of the road and hope to start construction before the end of the year. Once that begins, there may be contracts signed concerning a possible shopping center at that intersection. Nanticoke Hospital has clearly indicated they will locate a 5,000 foot satellite facility at that location. Commissioner Sipple advised Nanticoke Hospital has recently been highly acclaimed for services to heart-attack patients.

#### **XI. ADJOURNMENT**

Commissioner Sipple made a motion to adjourn the meeting. Commissioner Correll seconded the motion. Motion carried. Meeting adjourned at 7:50 P.M.

Respectfully submitted by:

Margaret W. Sipple  
Margaret W. Sipple, Commission Secretary

Peggy A. Smith  
Peggy A. Smith, Transcriptionist