

MINUTES

COMMISSIONERS OF BRIDGEVILLE OCTOBER 4, 2004 - 7:00 P.M. TOWN HALL

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

Minutes of the regular board meeting held on September 13, 2004 were distributed for review and approval. Commissioner Correll made a motion to accept the minutes as presented. Motion was seconded by Commissioner Jefferson and so carried.

PRESENTATIONS:

President Conaway presented a proclamation proclaiming October 18 through October 22, 2004, as National Business Women's Week. The goals of Business and Professional Women/USA are to promote equality for all women and to help create better conditions for working women through the study of social, educational, economic and political problems. Women-owned businesses account for 28 percent of all U.S. business, generating \$1.5 trillion in sales. Commissioner Jefferson made a motion to approve the National Business Women's Week Proclamation. Motion seconded by Commissioner Correll and so carried. Ms. Donna Smith, member of the Seaford Chapter of National Business and Professional Women/USA, accepted the proclamation and extended her thanks to the Commissioners for their support.

Town Manager Walls introduced Ms. Kathy Rash, representative of the YMCA Resource Center of Delaware, who was present to request financial assistance from the town. Ms. Rash advised through the Century 21 Grant, the YMCA has been able to sponsor an after school program at the Phyllis Wheatley Middle School (grades 4 to 6) located on Church Street. There are approximately 64 students enrolled and every nine weeks a new program is initiated. Ms. Rash advised gym mats were recently purchased at a cost \$1,200 which depleted the supply fund. The school district does not provide money for the program, but permits the use of the cafeteria and four rooms. Ms. Rash stated the program is in need of a sponsor for basketball uniforms. President Conaway made two suggestions: (1) He explained the town's budget cycle, and suggested a letter of request for funding in the future should be submitted in April, and (2) The current budget

has provisions for donations to community based organizations. The money set aside for the little league program was not requested this year, therefore leaving \$1,000 in the budget. After a general discussion, Commissioner Greason made a motion to grant \$1,000 to the University of Delaware - Woodbridge after school program. Motion was seconded by Commissioner Correll. Motion carried.

III. CORRESPONDENCE

The fall newsletters from Delaware Read-A-Loud Program, Comcast, and Preservation Delaware, Inc. were received and available for review.

Town Manager Walls read a thank you letter from the Boys and Girls Club of Delaware and Ms. Peggy Geiser, Executive Director of the Western Sussex Club, for the town's \$100 donation toward their annual bowl-a-thon.

A card was received from Seaford Mayor Dan Short thanking the Commission for their support of the Vietnam Veterans Moving Wall which was hosted by the City of Seaford.

Town Manager Walls advised a letter was received from St. Mary's Episcopal Church Brown Baggers Group expressing their thanks to the Commissioners and Town Manager for school supplies donated to their project.

A letter of request has been received from the Seaford Chamber of Commerce regarding their 50th Anniversary Edition of the Community Profile and Membership Directory (also known as the Seaford Book). The book is used for visitors and relocation pamphlets. They hope to have the book produced and distributed by the end of 2004. Ad amounts were presented with no action being taken.

Town Manager Walls read a letter from the Woodbridge High School District thanking the Commission for advertising on their athletic fall poster.

A letter of request was received from the Morning Star Publications regarding newspaper placement in the local schools. Last year the town sponsored 25 newspapers per week for \$6.25 (\$212.50 yearly). Finance Director Savage advised money was allotted in the FY-2005 budget for the program. The Commission agreed to sponsor the same program as last year.

IV. APPROVAL OF FINANCIAL REPORTS AND BILLS PAYABLE

After a review of the financial reports and bills payable, Commissioner Correll made a motion to accept the Financial Reports and to pay the bills. Motion seconded by

Commissioner Greason. Motion carried.

V. DEPARTMENT HEAD REPORTS

Code Enforcement - The written report submitted by Constable Jack Kimlel advised ten residents received letters concerning abandoned vehicles - eight have taken corrective action or responded with a time and date for compliance. The property demolished on Second Street has only a large pile of brush to be removed (per the Dangerous Building Inspection Committee report submitted on December 8, 2003). All problem lots, except Oak Street and a Church Cemetery have been mowed. Constable Kimlel is currently working on Housing Standards, used by Selbyville, relating to rental units. It appears the only way to control how many people are living in a single family rental unit is to require a certain amount of square footage per individual per sleeping area. Sussex County and the State will be adopting Selbyville's Housing Standards in the near future. The Commission will review the housing standards to see how they can be applied in Bridgeville.

President Conaway thanked Constable Kimlel for his report and stated he supports Mr. Kimlel's efforts in correcting town code violators.

Constable Kimlel advised that on January 1, 2005, the building codes in the State of Delaware and Sussex County will be changing to the International Building Code. Constable Kimlel recommended that in order to bring Bridgeville up-to-date they should consider adopting the International Building Code, which would keep the town in line with the County and State. The major changes relate to residential building, with a few changes in the commercial area (County will handle the commercial area as they have in the past). After a general discussion, Commissioner Jefferson made a motion to adopt the International Building Code relating to residential buildings once the County has adopted the code. Motion was seconded by Commission Correll. Motion carried.

Water - The written report submitted by Superintendent Doug Jones advised lead and copper samples were collected and analyzed during the week of September 13th. Results from the testing indicate that the Town of Bridgeville Water Department has met the requirements set forth by the Environmental Protection Agency for MCLG (maximum contaminant level goals) for Lead and Copper. On September 29th representatives from the Delaware Rural Water Association performed water quality testing by utilizing the ECLOX testing equipment. The tests develop base information on toxicity parameters for existing water quality. This data would be used if there was any suspect of tampering of the town's water supply.

Wastewater - The written report submitted by Superintendent Phillip Mowbray advised this is the sixth year without a NPDES violation. Excell Coatings is scheduled to

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power wash the lime silo on October 8th, with painting to begin on October 12th with a completion date scheduled for October 15th. Superintendent Mowbray conducted a tour of the Wastewater Treatment Facility for Mr. Steve Rohm of The Department of Natural Resources and Environmental Control and five students from Delaware Technical Community College on September 26, 2004. The subject discussed concerned the wastewater treatment process control.

Streets - The written report submitted by Superintendent Rick Passwaters advised tree branches were cut and hauled away on Gum Street, North Cannon Street, and Chestnut Alley. Curbs have been painted at the corner of Edgewood and Laws Streets. Prices are currently being obtained for garage doors and paving the floor in the salt building.

Commissioner Jefferson suggested any street and alley way pot-holes be patched with hot mix until they can be re-paved.

Police - The written report submitted by Chief Allen Parsons advised there were 234 traffic arrests for the month of September.

VI. CITIZEN'S PRIVILEGE

Commissioner Jefferson advised there was a problem this past Friday night near the athletic field regarding youth riding skateboards in the streets. President Conaway stated the police have the authority to eliminate this type of activity. Commissioner Jefferson will discuss the matter with Chief Allen Parsons.

Mr. Nick Rocks, developer of Heritage Shores, advised invitations were mailed to all Bridgeville residents regarding the ribbon cutting ceremony for Heritage Shores scheduled for Saturday, October 16, 2004. Mr. Rocks stated Governor Ruth Ann Minner will be in attendance and inquired if the Bridgeville Police Department will take care of traffic issues. Mr. Rocks was assured the Police Department will hand the matter. Lennar Homes and Brookfield Homes, home builders for the development, will have a booth at the Apple-Scrapple Festival offering information on the development.

President Conaway advised there has been some concern with the town's engineer, Davis, Bowen & Friedel, Inc., in regards to Heritage Shores development inspections. Inspections, with a second inspector being added, have taken place since the last week of July to September with no executed contract in place. Mr. Rocks stated he had spoken with U. S. Homes and they advised they would rather have more inspections than less - which is a credit to them.

Mr. George Mackenrodt of 105 Edgewood Street expressed his concern over low water pressure. He has had all pipe lines inspected and the plumber found no reason for the low pressure. President Conaway explained with an additional tower at the new development there will be a looping of the lines which might make a difference in water pressure.

VII. TOWN MANAGER'S REPORT

Town Manager Walls advised Mr. and Mrs. Dave Speicher of 310 South Main Street and Mr. George Mackenrodt of 105 Edgewood Street have advised they would be Crime Watch Volunteers.

Town Manager Walls advised Clean Up Day held Saturday, September 18, 2004 was a huge success. Town Manager Walls thanked the residents of Bridgeville for their cooperation, employees of M-T Trash, Inc., and town employees, Rick Passwaters, Doug Jones and Phillip Mowbray for their help with the project. There was approximately 30 tons of trash removed from town. Town Manager Walls expressed her appreciation to Senator Thurman Adams and Representative Ben Ewing for funding the landfill cost. Commissioner Jefferson suggested lunch be purchased for the eleven employees from M-T Trash and the three town employees for their efforts. Commissioner Correll thanked Town Manager Walls for all her dedicated efforts on the project. A Certificate of Appreciation will be prepared to M-T Trash, Inc. employees for their efforts in Clean Up Day. After a general discussion, Commissioner Jefferson made a motion to purchase lunch (Craft's Deli) for those who worked on the clean up project on Saturday, September 18th. Motion seconded by Commissioner Greason. Motion carried.

Town Manager Walls advised The Bridgeville Historical Society has donated \$1,000 to The Town of Bridgeville to help defray the cost of Christmas light repairs.

As reported at the regular monthly Commission meeting on September 13, 2004, regarding the award of a tree planting grant in the amount of \$1,000 from the Delaware Forest Service and the Delaware Urban Community Forestry Council, Commissioner Correll attended the required tree grant workshop on September 30, 2004. She reported per Forester Coordinator, Bryan Hall, Barton's will be in town this week, before the Apple-Scrapple Festival, to complete the planting of trees on Walnut Street.

Town Manager Walls expressed her appreciation to President and Mrs. Conaway for their donation of window toppers throughout the Town Hall.

The Sussex County Council has authorized the Sussex County Community Development Office through the Delaware State Housing Authority to prepare applications for Community Block Grant Funding. Per procedures, for our participation

to make application, a public hearing needs to be held and one has been scheduled for Monday, December 13, 2004.

VIII. OLD BUSINESS

President Conaway advised St. Mary's Episcopal Church offered their parking lot to the town as a public parking lot and an agreement for same was executed by both parties. Due to the use as a public parking lot, the Commission agreed to pave the parking lot.

Town Manager Walls advised bids were opened regarding the paving of St. Mary's Episcopal Church lot located on North William Street on September 20, 2004 at 4:00 P.M. with three bids being received.

Delmarva Paving Company, Seaford, Delaware - \$42,687 (without sidewalks)
P & A Engineering Company, Delmar, Delaware - \$30,206 (without sidewalks)
A.P. Croll & Sons, Georgetown, Delaware - \$36,185 (without sidewalks)

The low bidder was P & A Engineering Company with a bid of \$30,206. Town Manager Walls pointed out the amount in the FY-05 Budget for this project is \$11,000. President Conaway advised money will be available from surplus funds, and recommended with the needed paving, the project go forward. After a general discussion, Commissioner Jefferson made a motion to pave St. Mary's Episcopal Church parking lot, North William Street, with the contract being awarded to P & A Engineering Company for \$30,206. Motion was seconded by Commissioner Correll. Motion carried.

President Conaway opened the scheduled public hearing at 7:56 p.m. pertaining to the second and final reading of an Amendment to the Personnel Policy - Non Emergency/Elective Surgeries. Section 8. Sick Leave Defined, by adding the following:

- (4) Non-emergency/elective surgeries that will require an employee to be absent from their regular work duties for more than one week, must be scheduled in advance and approved by the employees Department Head, the Town Manager, and Commissioners of Bridgeville.

Commissioner Jefferson made a motion to adopt the Amendment to the Personnel Policy- Non Emergency/Elective Surgeries, as presented. Motion seconded by Commissioner Greason. Motion carried. The public hearing closed at 7:59 p.m.

At the September 13, 2004 Commission meeting, a resident expressed a concern of not being able to see when exiting onto Main Street from John Street. Commissioner Jefferson stated he believes if the tree and bushes were trimmed back, the problem would

be resolved. Chief Parsons submitted a recommendation the traffic pattern be reversed on John Street (vehicles would enter from Main Street). Following a general discussion, Commissioner Jefferson made a motion to table the matter until the November 8th meeting. Motion was seconded by Commissioner Greason. Motion carried.

President Conaway advised the second and final reading on an Amendment to Chapter 90 - Brush, Grass, and Weeds, was not properly advertised. Therefore, the second and final reading will take place at the November 8, 2004 meeting.

Town Manager Walls advised a proposal to paint the outside (eaves, windows, etc.) of the Town Hall from Mr. Kevin Mason has been received. The cost is \$1,900 which includes supplies and labor. After a general discussion, Commissioner Correll made a motion to retain Mr. Mason to paint the eaves, windows and doors of the Town Hall. Motion seconded by Commissioner Greason. Motion carried.

Town Manager Walls advised the bid opening for water meters was held today at 4:00 p.m. with no bid contractors in attendance. Town Manager Walls recommended to the Commission the bid packages be submitted to Town Engineer, Davis, Bowen & Friedel, Inc., for their review. Bids were received from the following:

Metering Solutions, Inc. - Chalfont, Pennsylvania
Neptune, Inc. - Martinsburg, West Virginia
National Water Works - Smyrna, Delaware
Master Meters, Inc. - Mansfield, Texas

President Conaway suggested a meeting be held for a demonstration of the water meters and to answer questions, etc. Commissioners supported this proposal.

Finance Director Savage advised three proposals have been received regarding the development and printing of a town brochure. Proposals were received from the following:

PT Mailers - \$1,454.91 - 3000 copies, 100 pound paper. They take pictures and the town will be responsible for text.
Chesapeake Publishing - \$1,044 - 3000 copies, 80 pound paper; town would be responsible for pictures and text.
Delmarva Digital Media Group - \$2,500 - pictures and 3000 copies, 100 pound paper; printing cost - \$3,920.

Town Manager Walls and Finance Director Savage's recommendation to the Commission was to award the brochure project to PT Mailers at a cost of \$1,454.91, with a sample brochure being produced for review. After a general discussion, Commissioner Jefferson made a motion to award the brochure project to PT Mailers in the amount of \$1,454.91. Motion seconded by Commissioner Greason. Motion carried.

IX. NEW BUSINESS

President Conaway advised a letter was received from G.L. Jefferson requesting an extension of the premises, Jeff's Tap Room located at 416 Market Street, during the Apple-Scapple Festival on October 8 & 9, 2004. Commissioner Greason made a motion to permit the extension to G.L. Jefferson for the days of October 8 & 9, 2004. Motion seconded by Commissioner Correll. Commissioner Jefferson abstained from voting. Motion carried.

President Conaway presented the Apple-Scapple Festival Vendor List for 2004: Trade Show, Food Court, Trinity Craft Show and Senior Center Craft Show. Under the terms of Ordinance No.01-2, Vendors in Town, Chapter 172, Section #172-4, vendors must be approved by the Commission prior to the opening of the festival. Commissioner Jefferson made a motion to approve the vendors list for the 2004 Apple Scapple Festival with President Conaway approving any additional vendors that might be added later to the list. Motion was seconded by Commissioner Correll. Motion carried.

President Conaway advised the Commission has been invited to participate in 2004 Apple Scapple Festival Opening Ceremony which is scheduled for 6:15 p.m. on Friday, October 8, 2004, behind the fire hall. The Mayor's Scapple Sling will take place on Saturday, October 9, 2004 at 2:00 p.m.

President Conaway reminded the Commission the Sussex County Association of Towns (SCAT) meeting is scheduled for Wednesday, October 6, 2004 in Dewey Beach with fourteen political hopefuls in attendance.

President Conaway advised the property located at 105 Sussex Avenue has a potential buyer but during a survey of the property, a problem was discovered. An alleyway exists only on paper with an encroachment which happens to be a shed (9' x 12'). The buyers are asking for a license agreement between them and the town. The license agreement would allow the owners to keep the shed where it is currently located. The owners would agree to the true boundary line which is on the survey and it would only be used for said shed. If the shed should be removed, etc., the agreement would be terminated. The town would be held harmless for any thing that may happen to the owners while on that parcel. After a review and discussion of the survey,

Commissioner Jefferson made a motion to grant the license agreement for the property located at 105 Sussex Avenue. President Conaway abstained from voting. Motion was seconded by Commissioner Greason. Motion carried.

X. SPECIAL REPORTS

Commissioner Jefferson of the Dangerous Building Inspection Committee reported the hazardous conditions of the property owned by Ms. Linda Young of 109 North Cannon Street, as required by Ordinance No. A03-2: Maintaining of Dangerous Buildings (written report attached). After a general review of the report, Commissioner Greason made a motion to adopt the report as presented by the Dangerous Building Inspection Committee pertaining to the property located at 109 North Cannon Street. Motion was seconded by Commissioner Correll. Motion carried. President Conaway advised the next step, per the Ordinance, is to schedule a public hearing where the owners of 109 North Cannon Street will have an opportunity to discuss the findings of the Dangerous Building Inspection Committee. The public hearing will allow for the owner's comments, as well as any public comments concerning the condition of the property. The Commission will take action regarding the property at the conclusion of the public hearing.

President Conaway advised he approached Mr. Robert Rauch, engineer of Heritage Shores, to see if his landscape engineer could design a plant/flower layout for the park located at the corner of Market and Main Streets. Upon receipt of suggested plants, etc., President Conaway checked with Jeff's Greenhouse and East Coast Perennials to see if the plants/flowers were available. President Conaway recommended the design prepared by Land Design, Inc. be accepted with the exception of the placement of three Rose of Sharon bushes behind the Bridgeville sign. He suggested Nadina bushes be placed in that area. The flower area will be mostly maintenance free except for the planting of a few spring and summer flowers. The cost of the project is \$319.20. After a general discussion and review of the design, the Commission agreed to purchase the plants at a cost of \$319.20.

President Conaway advised that on June 24, 2004, the Commission approved the down zoning (commercial to residential) of 418 Walnut Street to Ms. Kathleen Wright and Mr. Roland Passwaters. At that time, Ms. Wright stated she would not use the workshop/office building as an apartment. The building has never been inspected or approved for apartment use. Therefore, the property owner has been notified of the violation of the Town's zoning ordinance. The purpose of the down zoning was to allow Ms. Wright to obtain a lower interest rate for a loan. President Conaway advised the town will not be party to any fraud perpetrated on a bank. The town will be forced to advise the bank that this property is being used as a commercial structure, and the bank will take

whatever steps are necessary. The matter has been turned over to Town Solicitor, Mr. Dennis Schrader.

Commissioner Correll and Commissioner Jefferson expressed their appreciation to the employees for their endurance and cooperation during the renovations of the town hall and their everyday dedication.

President Conaway expressed his gratitude to the residents of Bridgeville for their endurance with visitors, traffic, etc. during the two days of the Apple-Scrapple Festival.

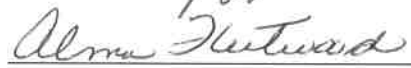
XI. ADJOURNMENT

Commissioner Correll made a motion to adjourn the meeting at 8:52 p.m. Motion seconded by Commissioner Greason and so carried.

Respectfully submitted by:



William Jefferson, President Protemp



Alma Fleetwood, Transcriptionist