

Original
for
Signature

IDGEVILLE
: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, Michael Collison, Jay Mervine, Lawrence Tassone and Town Manager Merritt Burke IV. The meeting began with the Flag Salute and the Lord's Prayer.

II. QUORUM

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

III. CHIEF OF POLICE OATH OF OFFICE

New Bridgeville Chief of Police Robert Longo took the Oath of Office and was sworn in by Commission President Jefferson. President Jefferson complimented Chief Longo and the entire Police Department for a job well done during the Apple Scrapple Festival on October 8 and 9, 2010. He has heard positive comments from residents concerning Chief Longo. Commissioner Correll added her thanks for the good work of the police officers during the Festival.

IV. APPROVAL OF MINUTES

President Jefferson presented the September 13th Commission meeting minutes for approval. Commissioner Correll made a motion to approve the minutes as presented. Commissioner Tassone seconded the motion. Motion carried.

V. CORRESPONDENCE

Town Manager Burke advised the Town has received a letter from County Administrator David Baker regarding the Community Development Block Grant Program (CDBG). Bridgeville intends to apply for the next program year, with the hope of receiving grant monies for housing rehabilitations, rather than demolitions, at this time. Code Enforcement Constable Butler is preparing a list of homes which need rehab work. Town Manager Burke has been in contact with program Director William Lecates; our letter of request will be followed by the CDBG applying for grant funding on our behalf. A Public Hearing will take place during the November or December Commission meeting. The funds would be available starting July 2011, should we be approved.

VI. APPROVAL OF FINANCIAL STATEMENTS AND BILLS PAYABLE

Finance Director Savage directed the Commission to the Balance Sheet for the period ending September 30, 2010. (The following amounts are in rounded figures.) The General Fund totaled \$662,600, due in large part to tax revenue. Commissioner Mervine asked how many homeowners are included in the delinquent taxes. Finance Director Savage suggested there are

approximately 150 accounts that are past due; he will research the exact numbers of accounts and advise. Impact fees totaled \$85,000 and escrow accounts totaled \$385,400. All accounts totaled \$1.2 million, an increase of \$441,000 from last month. Concerning Accounts Receivable, as of September 30th, the Town was owed \$101,000 in taxes. Delinquency notices should be mailed by the end of this week. Regarding deferred revenue, the Wastewater Department decreased by \$18,000, due to six new building permits at Heritage Shores, decreasing the outstanding prepaid impact fees. On the Budget Report, the Town is three months into the new budget year and should be at 25% of the budget. State grant funds are currently above budget due to Office of Highway Safety grants and the Municipal Street Aid Grant in the amount of \$39,500. (The Town budgeted \$36,000.) User fees have increased, as water usage is averaging 20% over this time last year; this is not due to fee increases. Total income stands at \$1,037,500, which is 49% of the yearly budget. On the expense side, engineering fees are over budget due to special wastewater issues, including a leak on Redden Rd. and the end of warranty inspection at Heritage Shores. Total expenses stand at \$482,700, which is 21% of the budget. Commissioner Collison questioned the street aid grant. The Town has received \$39,500 from the state for streets; it was cut last year and 2/3 of the amount was returned to the Towns in this year's state budget. The Town also receives Community Transportation Fund monies from our State Representative and Senator. We requested \$75,000 from them last year (Senator Booth - \$50,000; Representative Wilson - \$25,000). Concerning Accounts Payable, bills received to date equal \$25,000. The bill from MT Trash for Clean-Up Day reflects almost 14-1/2 tons of trash removed, less than last year. President Jefferson reported that Representative Wilson has said to contact him if the Town doesn't have enough clean-up credits to cover the bill for Clean-Up Day. Finance Director Savage advised expected expenses before the next Commission meeting include regular bills along with a semi-annual principle & interest payment on the Town's 1990 loan of \$15,500; the balance on the loan is \$362,000. Total accounts payable for approval is \$173,518. Commissioner Collison questioned the Police Department tactical shorts purchase. It involves necessary clothing to begin the bike patrols. Police Chief Longo advised the department should be able to start bike patrols this week. Commissioner Collison also questioned the \$933 bill for flashlights. Chief Longo reported the new flashlights are for the health and safety of the police officers. These eight flashlights replace old lights that were dying on the road for the officers. The Chief researched the best price for the best flashlight and purchased these; they are re-chargeable and can illuminate an entire yard. Commissioner Collison asked that the Police Chief and Town Manager scrutinize all purchases. The Police Department is not meeting its income goals and this is a very large outlay of money for flashlights. Commissioner Correll made a motion to pay the bills as presented. Commissioner Tassone seconded the motion. Motion carried.

VII. DEPARTMENT HEAD REPORTS

Commissioner Collison asked that Police Chief Longo revive the proposed bike patrol schedule from last spring to keep the Commission informed concerning the bike patrols. He also asked that the Chief include the foot and bike patrol hours in his monthly report.

Commissioner Correll commended the Public Works Department for taking up the slack during Water Superintendent Jones' medical leave, especially with all the extra responsibilities

during the Apple Scrapple Festival. These employees have worked very hard and she expressed her appreciation.

VIII. TOWN MANAGER'S REPORT

Town Manager Burke reported the Town Clean-Up Day on September 25th went smoothly, with M-T Trash collecting almost 14-1/2 tons of trash/furniture, etc. in five hours' time, at a cost of \$2,550. It was well worth the money to prepare the Town for Apple Scrapple visitors.

The Delaware Department of Transportation (DelDOT) has completed a pedestrian crossing study along Market Street. The Town will be meeting with them in the future for the definitive location and consideration of the cost and signage for the project. The report concluded that there is no logical location for a pedestrian crossing on Main and Market Sts. close to the Town Hall. The Town is also working with DelDOT on specific locations to upgrade sidewalks and add handicap curb ramps. This will entail the use of Community Transportation Funds from Senator Booth and Representative Wilson.

The Bridgeville Police Department applied for and received a \$650 Delaware Office of Highway Safety (OHS) grant for Halloween DUI Mobilization patrols on October 29 and 30, comprised of four 4-hour DUI enforcement patrols between 9:00 P.M. and 3:00 A.M. checking seat belts, child restraints and DUI. Town Manager Burke supports these traffic safety initiatives; he believes it is a good use of federal dollars.

Street Superintendent Passwaters conducted a street light survey to locate areas in Town that are in need of additional lighting for safety. Delmarva Power will install brighter lights on existing poles for six streets in Bridgeville. It was determined that a previous Delmarva Power project replacing bulbs with low sodium has been completed.

The Town has selected D.G.M., Inc. from Rehoboth Beach, Delaware to demolish a structure at 24 Church St. Code Enforcement Constable Butler is spearheading this project. Bridgeville continues to work with the Sussex County Community Block Grant Program (CDBG) to provide grants to rehab and demolish homes, as needed, in the Town.

Town Manager Burke and Code Enforcement Constable Butler attended an Affordable Housing Conference in Seaford on September 30th, concerning new policies and regulations. The conference was sponsored by the Delaware State Housing Authority. Town Manager Burke anticipates that many of the newly annexed parcels will be coming in as part of moderately-priced or affordable housing programs. This is not necessarily Section 8 or HUD housing; it includes housing in the \$200,000 range, which is the current price in Sussex County. They attended the conference to cultivate relationships and better understand housing issues.

Town Manager Burke attended the 2010 Delaware and Maryland Downtown Revitalization Conference in Rehoboth Beach on September 28th, networking with local and state Main Street leaders regarding revitalizing our downtown. It was an excellent learning experience. He has since

met with Mr. Rick Ferrell from Delaware Main Street and they plan to re-energize the Town's Economic Development Committee and possibly apply for some Main Street grants.

Local student, Mr. Alan Alcantara, performed five hours of community service for the Town during the week of September 20-24. This 14-year old is a fine young man and we wish him well in the future. (He is a Harvard hopeful!)

Town Manager Burke thanked the Town residents and businesses for supporting the 19th Annual Apple Scrapple Festival. He was in attendance both Friday night and Saturday. Town Manager Burke acknowledged the Public Works Department for their efforts on behalf of the Town and the Police Department for keeping the Town safe. It is a great family event and was very successful. President Jefferson added the Town's thanks to part time Public Works Department member, Mr. Bruce Williamson for his assistance.

IX. CITIZEN'S PRIVILEGE

Mr. Jim Durkin of 49 Ruddy Duck Ln. asked if the Town has investigated the finances involved in administrating the new rental registration and inspection Ordinance. Finance Director Savage advised that during the budget process they had discussed that issue with Code Enforcement Constable Butler, who will be conducting the inspections and is an employee of the Town. They have a fairly good idea of the cost; however, they are still gathering information on the number of rental units within Town limits. The fee will cover the necessary yearly inspections; there is a \$25 per bedroom charge for the inspection and registration of rental units. President Jefferson reported the expenses have been figured into this year's budget. Town Manager Burke added that at the Affordable Housing seminar he learned that HUD and Section 8 housing projects already have multiple inspections per year and the Town might consider accepting those inspections, rather than duplicating inspections, with the approval of the Commission. Currently, the Code Enforcement Constable has the time to invest in this extra duty. Mr. Durkin feels that the state, county and Town all inspecting the same properties is simply more government in the peoples' private lives. Town Manager Burke acknowledged that, based on information from the recent conference, the Town may be investigating different violations than the other entities. Bridgeville will do its best not to duplicate. Commissioner Collison added that the rental units the Town is currently having problems with are not under any other agencies' jurisdiction. Town Manager Burke advised adherence to fire safety regulations is vital.

Mr. Durkin asked for additional information regarding the development behind Royal Farms when it is discussed later in the agenda. He has concerns about the traffic flow in that area when the development is built out. Past experience with new developments has caused him to have concerns about huge back-ups going into the development from Routes 13 and 404. Town Manager Burke advised typically no information is divulged about a project in the public sector until it is fully approved; however, the Town's Planning and Zoning Commission meetings are open to the public. Commissioner Collison agreed that the public is welcome to attend Planning and Zoning meetings. Per Code requirements, these meetings are advertised in the newspaper and the Agenda is posted at the Town Hall. These meetings are scheduled as needed. Town Manager Burke is seeking the

Commissioners of Bridgeville Minutes

October 11, 2010

Page 5

transparency of Town government and will strive to post information on the Town's website and explore other communication options.

Mr. Michael Brummell of 52 Church St. asked if it is possible to find out about projects, etc. in Bridgeville by going on the state website, (i.e. DNREC). Town Manager Burke advised any project of 50 or more units can be reviewed through the Delaware Office of State Planning website. Plus Reviews are conducted on projects and all agencies offer comments; however, he is not certain if this information is available on the internet. Tonight the Commissioners will hear a request for final development plan approval concerning Bridgeville Commons Parcel 11, which is a major subdivision. Commissioner Collison questioned what types of projects are found on the Office of State Planning website; are there only projects that are located on state roads? Town Manager Burke believes the number of units in the project is the defining criteria for inclusion on the website.

Mr. Bill Atwood of 113 Emily's Pintail Dr. advised he is on the Planning and Zoning Commission and there is no regularly scheduled meeting date, as they don't have enough projects for a regular schedule. When they do schedule a meeting, it is advertised in the Seaford Star newspaper and posted on the front door at Town Hall. The meetings are public and he would encourage more residents to attend. The form that the meetings take is that an applicant describes the project, followed by questions from the public and from the Planning and Zoning Commission members.

Mr. Brummell commented on Bridgeville's growth and questioned what the Town intends to invest in the children. What types of activities does the Town offer? He understands there is the possibility of a Civic Center and two years ago there was talk of a Boys and Girls Club (BGCA). Town Manager Burke reported the Town has contracted with an Annapolis firm for a feasibility study regarding a potential Civic Center in Bridgeville. The survey was funded by USDA; however, any results from this study will be several years in the future. Commissioner Correll advised there is something similar to the BGCA in the Woodbridge schoolsystem; it is connected to the Seaford BGCA. Mr. Brummell is familiar with that program; apparently finding transportation is difficult and he would like to see the money and children stay in Bridgeville, rather than supporting the Seaford Program. Mrs. Ruth Skala from 108 Whistling Duck Dr. spoke about the opportunities for children of all age groups at the new Bridgeville Public Library. Mrs. Skala thought Mr. Brummell might be referring to the Lindenmere development project. There was some initial discussion about two years ago regarding the possibility of turning a building on the property into a recreation center. That project has not moved forward. President Jefferson advised there is Pop Warner football and Little League baseball in Bridgeville, as well as the United Methodist Church and the playground next door; however, currently, there are no other children's' programs or plans in the works. Mr. Brummell advised he has just met with the BGCA in Seaford and would like to get a conversation started about programs for Bridgeville and Greenwood young people; it would be a great enhancement for our area. He would like to see a positive place for youth to congregate other than staying home with their Playstations. YMCA or BGCA would be a great draw in this area and a safe place to leave children. He remembers as a youth having an arcade and pool tables in Bridgeville for the youth; it was a place to keep young people off the streets and out of trouble with the police. Town Manager Burke acknowledged that he would welcome anyone

with new ideas and be glad to discuss them. There might be some building vacancies that could be considered for something like a BGCA; however, an organization on that scale costs a lot of money and needs sound management. If Bridgeville is ready for that type of program here, he is sure Mr. Brummell will get the local support needed to move forward. Mr. Brummell suggested becoming a satellite of the Seaford BGCA; the Seaford Club had suggested getting vans to take children to special programs at the Seaford BGCA (although a van only holds 9 children.) Perhaps this idea would cause parents to be interested in having a BGCA right here; he believes Bridgeville and Greenwood together have more children than Seaford. Mr. Brummell's next step is to talk to BGCA personnel at the state level. Town Manager Burke suggested that Mr. Brummell schedule a meeting with him to discuss the subject further. Commissioner Mervine added that Bridgeville resident, Pastor Tim Banks, is also interested in children's activities. Mr. Brummell is familiar with Mr. Banks. Commissioner Collison advised that the Commissioners agree with Mr. Brummell's concerns and desires for our young people. "We all want the same thing."

X. OLD BUSINESS

A. Certification Of Annexation Referendum – September 16, 2010

Commissioner Collison advised the results of the Annexation Referendum were 17 votes in favor of the Annexation and 0 votes against the Annexation; therefore, Commissioner Collison made a motion to certify the results of the Annexation Referendum concerning the Carannante property on September 16, 2010. Commissioner Correll seconded the motion. Motion carried. The property was successfully annexed into the Town of Bridgeville.

B. Public Hearing and Second Reading of Ordinance A10-3, An Ordinance to Require the Maintenance and Care of Abutting Rights of Way and Curbs, Sidewalks, Bike Paths, Walkways, or Swales

Town Manager Burke advised this Ordinance will be tabled this evening. It will undergo revisions and return to the Commission for a First Reading in the near future. Commissioner Correll made a motion to table Ordinance A10-3. Commissioner Tassone seconded the motion. Motion carried.

XI. NEW BUSINESS

A. Introduction and First Reading of Ordinance A10-10, An Ordinance to Amend Chapter 128 of the Code of the Town of Bridgeville as it Relates to Building Permit Fees

This Ordinance was deleted from the Agenda by Town Manager Burke on October 7, 2010. The Town has an Ordinance in place stating the charge of 1% cost of construction for building permit fees. Ordinance A10-10 would have amended those fees; however, it has been decided to leave the original Ordinance intact. Town Manager Burke advised the Town is expecting approximately \$40,000 in building permit fees for the budget year.

B. Bid Acceptance – RBC Replacement

Town Manager Burke advised the Town received a letter of recommendation from Town engineers, Davis, Bowen & Friedel, Inc. (DBF) on September 22nd concerning the choice of a contractor bid for the replacement of two Rotating Biological Contactors at the Bridgeville Wastewater Treatment Plant. Five bids received and the low bid was from Johnston Construction Company, with a base bid of \$339,373. Finance Director Savage explained that after a refund of original project costs for failed geo reactors at the Wastewater Treatment Plant, there was a remaining balance of \$629,250 available in our loan from the state to add two RBC's in place of the failed geo reactors. The loan has an interest rate of 3.7%. The low bid is well under the available loan funds and we will not need to use the balance of the loan monies. With projected engineering costs, the total project will likely cost between \$480,000 and \$500,000. Town Manager Burke reported he will contact DBF with the Commission's approval; the winning contractor is prepared to begin work within 30 days of approval. The work will be done in phases, due to weather and purchasing considerations. Commissioner Mervine questioned the remaining balance of loan funding from the state. After a discussion of the financing, Finance Director Savage explained the low interest loan is strictly for this RBC project as it was originally approved and bid; we will borrow approximately \$250,000 less than the state has made available for the project and those additional funds must return to the state; no other projects or add-ons can be considered. The Treatment Plant has six RBC's and the Town is replacing two of them. Our engineers inspected the condition of all of the RBC's during this process and the Town should not have to consider another replacement soon. Town Manager Burke advised the Town needs to consider future growth and development in and around Bridgeville when it comes to maintaining an up-to-date wastewater facility. There are state and USDA loans available when the plant needs additional updating. Commissioner Mervine asked Commissioner Collison if he is familiar with the Johnston Construction Company. Commissioner Collison stated he is very familiar with Johnston and the company is very good. Commissioner Correll made a motion to accept the low bid of the Johnston Construction Company and award the RBC Replacement contract to them. Commissioner Tassone seconded the motion. Motion carried. The votes were cast as follows:

Commissioner Tassone	Aye
Commissioner Mervine	Aye
Commissioner Correll	Aye
Commissioner Collison	Abstain – due to his company being under contract with Johnston in Delaware and Maryland projects; he also has an outstanding bid with Johnston
President Jefferson	Aye

C. Final Development Plan Review – Bridgeville Commons, Parcel 11

Town Manager Burke advised the Planning and Zoning Commission met on September 15, 2010 to hear this application. They sent a recommendation of approval to the Commissioners of Bridgeville, with a vote of six members in favor and one abstention, due to a conflict of interest. This project is located behind Royal Farms with 58,000 square feet of commercial space. The Town welcomes commercial and residential development such as this. Mr. Michael Riemann,

engineer for the Bridgeville Commons project, came forward to make a presentation. The project began in early 2009 when the Tatman Farm was annexed into Bridgeville. In late 2009 they went through the preliminary development plan process and received preliminary approval from the Planning and Zoning Commission and the Commissioners of Bridgeville. Since then the developer has moved forward to obtain construction plan approvals from various agencies, including DelDOT, the Sussex Conservation District concerning stormwater, the Town engineer regarding utilities, DNREC, the Fire Marshall, etc. All approvals have been received and they are returning to the Commissioners for their final approval. The next step is acquiring tenants. The property owner has a number of tenants committed, but must have 50-60% of the spaces leased before moving dirt. President Jefferson asked that Mr. Riemann answer the traffic flow question that was brought up during Citizen's Privilege. Mr. Riemann advised DelDOT invested a significant amount of money in Bridgeville when they constructed the Route 13/404 realignment. It was anticipated that this property would be developed and it was included in the Town's comprehensive plan to be developed. The developer has been working with DelDOT for over a year in order to receive entrance approvals. A key design feature is that there is no direct entrance to the development on Route 404. The accesses to the project are on the service road, not the main road and that intersection is signalized. The developer is confident the design will eliminate traffic problems on the main roads. Mr. Larry Skala of 108 Whistling Duck Dr. asked how far along the developer was tenant goal to begin work. Mr. Riemann suggested he is probably at approximately 15% in leased spaces. Commissioner Mervine asked if there is a time limit attached to the approval. Mr. Riemann believes that the approval time limit on a major development is five years. The various state agencies' approval time limits may vary; however, there are opportunities for extensions. Mr. Jim Durkin of 49 Ruddy Duck Ln. asked for generic names of the types of businesses that are ready to lease property in this development. Mr. Riemann is not involved in that aspect of the project; Mr. Bariglio, the developer, would be able to share that type of information. Mr. Durkin asked if there are plans to widen Route 404 at that location. President Jefferson advised there are no plans for widening the road. Commissioner Correll made a motion to approve the final development plan for the Bridgeville Commons Parcel 11 project. Commission Collison seconded the motion. Motion carried.

Commission Collison requested that the Commission direct the Town Manager to send a letter to the Planning and Zoning Commission because there seems to be some confusion regarding the actual fees that are charged and the process for approving zoning and businesses within the downtown district. He suggested making it very clear what the codes and ordinances are, with copies attached, along with a copy of the Land Use and Development Plan, so there is no misunderstanding why the fees were assessed and what the general fees are regarding future applications. Commissioners Correll and Collison commended Mr. Bill Atwood, chairman of the Planning and Zoning Commission for the excellent job he does in that position.

D. Celebration of Halloween – Saturday, October 30, 2010

Town Manager Burke advised the Town has scheduled Halloween trick-or-treating this year on Saturday, October 30th from 6:00 – 8:00 P.M. for children 12 years of age and under. Commissioner Correll made a motion to approve the celebration of Halloween in Bridgeville for Saturday, October 30th. Commissioner Mervine seconded the motion. Motion carried.

President Jefferson expressed his appreciation to the Apple Scrapple Festival Committee for their hard work making the Festival a success and the envy of the state. He thanked the Police Department for their extra hours of hard work and all of the Town and State government officials and candidates who participated in the Scrapple Sling (approximately 30 participants.)

E. Office of Highway Safety – Halloween DUI Mobilization

Town Manager Burke reported Halloween is one of the deadliest holidays for DUI fatalities. To keep the roadways safe, the Town has applied for an Office of Highway Safety (OHS) grant in the amount of \$650 to conduct child restraint/seatbelt/DUI checks. This mobilization will take place October 29 and 30, 2010. Commissioner Mervine made a motion to participate in the Highway Safety Grant Program for a Halloween DUI Mobilization. Commissioner Collison seconded the motion. Motion carried.

XII. ADJOURNMENT

Commissioner Collison made a motion to adjourn the meeting. Commissioner Tassone seconded the motion. Motion carried. The meeting was adjourned at 8:05 P.M.

Respectfully submitted,

Patricia M. Correll
Patricia M. Correll, Commission Secretary

Peggy A. Smith
Peggy A. Smith, Transcriptionist