

**MINUTES
COMMISSIONERS OF BRIDGEVILLE
OCTOBER 12, 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.

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 September 14th 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. RED RIBBON WEEK PROCLAMATION – MS. DANIELLE SWILLEY

President William Jefferson introduced Ms. Danielle Swilley and Ms. Brenda Lomax of the Lower Delaware Detachment of the Young Marines to make a presentation. The young ladies attended the meeting with their parents and Young Marines Commander, Mr. George Little. Ms. Swilley and Ms. Lomax advised Red Ribbon Week commemorates the work of Enrique "Kiki" Camarena, a Drug Enforcement Administration agent, who was murdered in the line of duty and has come to represent the belief that one person CAN make a difference. National Red Ribbon Week calls on all Americans to show their support for a drug-free state by wearing a red ribbon and participating in drug-free activities during that week. Commissioner Correll made a motion to approve the Proclamation recognizing the week of October 23 – 31st as Red Ribbon Week. Commissioner Collison seconded the motion. Motion carried.

V. CORRESPONDENCE

Town Manager Walls reported the receipt of a thank you letter from the Thurman Adams Family concerning the Commission's monetary donation in memory of Senator Thurman Adams.

The Commissioners have been invited to the Veterans Day service sponsored by the Delaware Commission of Veterans Affairs and Marine Corps League. The program is scheduled for November 11th at 10:30 A.M., at the Memorial Plaza Delaware Memorial Bridge, New Castle, Delaware. Town Manager Walls will be glad to RSVP for any Commissioners wishing to attend; please contact her before October 30th.

The Sussex County Community Development Block Grant Program (CDBG) has invited the Town to apply for grant monies for housing rehabilitations and demolitions in Bridgeville. The CDBG will come to the December or January Commission meeting to make a presentation. Bridgeville must have a minimum of five targeted homes in need of rehab to be eligible for consideration. Code Enforcement Constable Butler is compiling a list of homes to present for CDBG grant funding. Town Manager Walls recommended consideration be given to applying for demolition monies.

VI. APPROVAL OF FINANCIAL STATEMENTS AND BILLS PAYABLE

Finance Director Savage directed the Commission to the Balance Sheet for the period ending September 30th. (The following amounts are in rounded figures.) The General Fund, including General Savings and Checking Accounts, totaled \$755,000. The Town's Rainy Day Fund, including the Escrow, Sewer Sinking and Impact Fee accounts, totaled \$486,000. There is currently \$478,000 in the checking account, due to the property tax deadline of September 30th. \$250,000 has since been transferred to the savings account, in order to take advantage of a slightly higher interest rate. The total for all accounts is \$1,461,000, which is a 33% increase over last month, again, due to property tax collections. There is \$54,000 in outstanding taxes; a 2% penalty has been imposed on each account. Concerning deferred revenue for the Wastewater Department, the impact fees line item has been reduced by \$30,000, due to ten starts at Heritage Shores for the first quarter. Regarding the Department of Natural Resources and Environmental Control (DNREC) loan for Well 6, the \$6,360 shown as a liability is the state portion. The Town has received \$18,000 from the Recovery Act monies for this project. On the Budget Report, the target is 25%, as we are three months into the FY-10 budget year. We are now over budget in building permits, as we had 7 housing starts at Heritage Shores in the month of September. We received approximately \$20,000 in transfer tax today, which is not reflected in this report; there is also \$20,000 outstanding for additional settlements. Total income is at 50% of budget; this is due to the September 30th tax receipt deadline. Please note, this report does not reflect all September bills. The Balance Sheet reflects a September 30th end date; however, the Budget Report reflects an October 7th end date. The Sewer Sinking Fund was questioned; it is a part of the Greenwood sewer agreement. Greenwood contributes quarterly in an amount equal to 10% of our debt service payments. This fund is used to pay for unbudgeted repairs and replacements. The Town had budgeted \$5,000 for a repair that actually cost \$17,000 and the Town was able to take the difference from this fund. Police overtime is up, due to court time for police officers. With regard to line item #4182 (Grant/Special Duty Overtime), grant monies will cover this Police Department expense. Concerning Expenses, utility payments are at or below budget. We are at 21% of expenses for the year, which is under budget. Regarding Accounts Payable, bills received to-date total \$48,500; expected expenses, including semi-annual debt service for the wastewater plant, total \$108,800, for a total of \$157,294. The new shutters for the Town Hall are reflected in this month's bills; the Town received a \$500 grant from the Sussex County Council toward the cost of the shutters. There is also billing for a new refrigerator for the wastewater plant to make ice for testing purposes. Commissioner Collison made a motion to pay the bills as presented. Commissioner Correll seconded the motion. Motion carried.

VII. DEPARTMENT HEAD REPORTS

Commissioner Collison expressed disappointment in the Police Department that only twelve trucks were stopped in Town during September, eight of which were ticketed. The Commissioners are serious about removing truck traffic from Town; the message must get back to the police officers. It was noted that detailed Foot Patrols and Bike Patrols must be included on the Police Report.

VIII. CITIZEN'S PRIVILEGE

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

IX. TOWN MANAGER'S REPORT

The Charity Open Golf Tournament was a big success. The Commission presented a check for \$2,500 each to the Kiwanis Club of Bridgeville, the Bridgeville Lions Club and the Bridgeville Senior Center. After all event bills have been paid, there may be additional funds to present to each organization. We extend our sincere thanks to those who participated in any way.

The Apple Scrapple Festival was again a huge success. We do not have a number count of visitors; however it appeared to be a large crowd. The Scrapple Sling was won again by Mayor Ed Butler of Seaford.

Clean-Up Day was held on September 26th. M-T Trash began at 6:00 A.M. and by 9:30 A.M., was sending the last trucks to the landfill.

Halloween will be celebrated in Bridgeville on Saturday, October 31st from 6:00 – 8:00 P.M., with children twelve years of age and younger participating. The Lions Club will host a party at the Historical Society Park at 8:00 P.M. after trick-or-treating.

Brookfield Homes has scheduled a golf tournament for June 17, 2010, in memory of Police Officer Chad Spicer. Proceeds will go to a fund established for his daughter, Aubrey Spicer. Mrs. Dottie Harper is working on the tournament and the Town will be glad to cooperate. More information will be forthcoming.

Mr. Brian Phillips has completed the retouching and application of a clear protective coating on the Jack Lewis mural, located on the Dollar General Store building. Mr. Phillips suggested that every two-three years the mural be examined for needed repairs.

As a reminder to the Commissioners, there will be a tree planting in memory of Senator Thurman Adams on Wednesday, October 14th at 10:00 A.M. in the park across from Town Hall. The Woodbridge Future Farmers of America teacher, Ms. Karen Breeding, and her students will be in attendance and do the actual planting. The Adams family will also be in attendance and the public is invited.

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The Commission discussed lighting and entrance issues on Route 13 at Heritage Shores several months ago. Town Manager Walls has been in contact with Mr. Thomas Meyers from the Delaware Department of Transportation (DelDOT) and found out last week that they are still working on the lighting issue; they are anticipating the receipt of a "crash report" that will help them determine if the current access lane is adequate. There should be another update in a few weeks. Ms. Dottie Harper from Brookfield Homes added that evidently, the more crashes which occur at that intersection, the greater the potential for a light to be installed. Ms. Harper advised DelDOT has issued a work order to replace the reflective tape/paint on the curbs at that intersection and replace reflectors that have been knocked down. Any other improvements are not likely.

On October 7th, Town Manager Walls and Commissioner Skala attended a Delaware Economic Development Office (DEDO) Workshop addressing Downtown Vacancy Treatments. The suggested goal is to establish a written standard for the treatment of vacant buildings which affects the overall appearance of the downtown area. Some very good ideas were suggested at the workshop. Town Manager Walls has given copies of information to the Commissioners for their review and comments, after which a workshop could be held in Bridgeville to discuss putting into place a written standard for our downtown area. Along with implementing a Vacancy Treatment Standard for our Town, Downtown Delaware has allocated funding for three 50/50 matching grants of \$1,000 each. If we wish to proceed, an application must be submitted by November 1, 2009. Commissioner Skala added that the Town's 50% involvement in the grant could be "in kind" participation, not necessarily monetary. The owner of the property must also be supportive of any proposed improvements.

Town Manager Walls publicly thanked DelDOT for cutting the grass on Wilson Farm Road. She had inquired whether they could have the grass cut before the Apple Scrapple Festival. The maintenance supervisor for this area said he would take care of it in time in for the festival and we appreciate his efforts. Commissioner Correll expressed concern that the median strip on Route 13 between O.A. Newton on the north side of Town and Rt. 18 on the south side of Town were not cut for the Festival. Apparently they only cut the grass twice a year.

For several years the Commissioners have sponsored "Caroling in the Park" on the first Friday evening in December. Commissioner Correll, chairperson of this event, reported it had been started to provide an opportunity for the local children to visit Santa Claus. She advised the Fire Company has scheduled a "Family Night" for the firemen that evening and the Santa Claus used for the Caroling event will be at the Fire Hall, and therefore unavailable. Christmas in Bridgeville the next day also entertains children with a visit from Santa Claus. Commissioner Correll approached the Commissioners concerning whether the caroling event should continue. Caroling in the Park has averaged 25-35 carolers, with only a handful of children in attendance. It was recommended canceling Caroling in the Park, but continuing to collect canned goods at the Town Hall for the needy at Christmas by advertising on the Town sign and on the water bills. We will support the other local events as they host Santa Claus for Bridgeville children.

X. OLD BUSINESS

A. DANGEROUS BUILDING PUBLIC HEARING: MRS. MILDRED POLK 13 GUM ST.

Town Manager Walls opened the Public Hearing at 7:40 P.M. and reported that the owner of the property, Mrs. Mildred Polk, called earlier today agreeing that the house at 13 Gum Street cannot be rehabilitated. She is currently pursuing demolition prices for the project. Town Manager Walls advised the Town will send her an official letter of condemnation of the property. The floor was opened for comments from the Commissioners and the public. Hearing none, Town Manager Walls closed the Public Hearing at 7:42 P.M. Commissioner Skala made a motion to condemn the building at 13 Gum Street and seek its demolition. Commissioner Collison seconded the motion. Motion carried.

B. PRESENTATION & AWARD OF BACK UP WELL 6 – MR. BILL REMINGTON, DAVIS, BOWEN & FRIEDEL, INC.

Mr. Bill Remington, Town engineer from Davis, Bowen & Friedel, Inc. (DBF), advised the back up well will be located at Heritage Shores near an existing 725 gallon-per-minute well. The Delaware Office of Drinking Water requires back up water service. Funding was available through the Office of Drinking Water, the Environmental Protection Agency (EPA) and the stimulus package. There were extenuating circumstances with several of the four bids submitted. The low bidder was not considered to be a responsible bidder. The second low bidder's price did not include the cost of the controls and subsequently wanted to use controls from a different company than what the Town currently uses. After much consideration, the bidder was let out of the bid and bid bond. The bid was awarded to the third bidder, A.C. Schultes of Delaware for \$153,776.00. The fourth and highest bid was \$272,000. (A copy of the bid sheet is an attachment to the permanent minutes.) Mr. Remington believes the Town will receive the best job at the least cost. Commissioner Correll made a motion to award the contract to A.C. Schultes. Commissioner Skala seconded the motion. President Jefferson asked for a roll call vote. The votes were recorded as follows:

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| Commissioner Collison | Abstain |
| Commissioner Correll | Aye |
| Commissioner Greason | Aye |
| President Jefferson | Aye |
| Commissioner Skala | Aye |

Motion carried.

C. PRETREATMENT PROGRAM – MR. BILL REMINGTON, DAVIS, BOWEN & FRIEDEL, INC.

Mr. Bill Remington, our engineer from DBF advised the EPA oversees pre-treatment requirements for the state of Delaware concerning the national pollution discharge program and permit. The pre-treatment is for any significant industrial users. Bridgeville has two large users – RAPA and Cannon Cold Storage / Pet Poultry. This updated pretreatment ordinance is

required; the original ordinance was adopted in 1973 and updated in 1994. In April of 2008, EPA asked for another ordinance update. The EPA wants the Town to incorporate Best Management Practices (BMP) for industrial users into the ordinance. This allows the Town to require BMP for the industrial users, but it doesn't require the Town to do it. When passing this ordinance, the Town will have the option when issuing a permit to the industrial users to require BMP or not. The ordinance basically states that the Town "can" require BMP from their industrial users. Currently, there may not be a need to ask industrial users for BMP in their permit, as there are no ongoing issues with industrial users. If issues do arise, the permit can be modified to require BMP. This ordinance does not change anything other than BMP. The BMP defines what information they must provide to the Town. Per the ordinance, industrial users will have to submit any change in the discharge condition or notify the Town on any potential large discharge. Out of courtesy, Bridgeville's industrial users are already doing this. This ordinance better defines the significant non-compliance of the user. Overall, BMP doesn't change what the industry is doing; it's more about accountability of their personnel. If there are issues, the industrial user must force their personnel to improve their recording or go for further training, which is all beneficial. EPA is also requiring a revision to the enforcement response plan for the BMP component of the ordinance. Town Manager Walls originally worked through these issues approximately one year ago with Ms. Annie Williams and Mr. Andy Townsend from DBF. Commissioner Correll made a motion to introduce Ordinance A09-10, an Ordinance amending Chapter 190, Sewers, including a Pretreatment program for a first reading. Commissioner Collison seconded the motion. Motion carried.

XI. NEW BUSINESS

A. PROFIT-SHARING PLAN RESOLUTION / DOCUMENTATION

Town Manager Walls advised the Town approves a Resolution each year concerning its Profit-Sharing Plan. This Resolution states that the Town has received all materials, which will be placed in the Town's Profit-Sharing booklet and the Town will follow the plan, as written. Commissioner Collison made a motion to approve the Certificate of Corporate Resolution concerning the Bridgeville Profit-Sharing Plan. Commissioner Skala seconded the motion. Motion carried.

XII. ADJOURNMENT

Commissioner Skala made a motion to adjourn the meeting. Commissioner Correll seconded the motion. Motion carried. The meeting was adjourned at 7:54 P.M.

Respectfully submitted,

Patricia M. Correll
Patricia M. Correll, Commission Secretary

Peggy A. Smith
Peggy A. Smith, Transcriptionist