

## **MINUTES**

### **COMMISSIONERS OF BRIDGEVILLE NOVEMBER 5, 2007 – 7:00 P.M. TOWN HALL**

#### **I. CALL TO ORDER**

The meeting was called to order by President 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.

#### **II. QUORUM PRESENT**

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

#### **III. APPROVAL OF MINUTES**

Minutes from the September 10, 2007 Executive Session and from the October 8, 2007 monthly Commission meeting were presented for approval. Commissioner Correll made a motion to approve the minutes as presented. Commissioner Sipple seconded the motion. Motion carried.

#### **IV. RECOGNITION – “OFFICER OF THE QUARTER”**

President Conaway introduced Public Safety Director Aaron Chaffinch to present the Officer of the Quarter award. Mr. Chaffinch advised the Commissioners that Sergeant Burke Parker was chosen as Officer of the Quarter for the 3<sup>rd</sup> quarter of the year. A back injury kept Officer Parker from attending the meeting and accepting the award from the Commissioners personally. Mr. Chaffinch reported that Sergeant Parker is excellent in his position. He knows the job well and is in charge of the department in the Chief's absence. Officer Parker had 4 DUI arrests and generally, had an excellent quarter. He was chosen to attend to the Homicide Conference and the Law Enforcement Executive Development Course. President Conaway inquired whether the Police Department had any special concerns during Punkin' Chunkin'. Public Safety Director Chaffinch reported there was one DUI stop and he did not know if it related to the event or not. Dorchester County stopped a driver that chose to flee and ended up coming to Bridgeville. He is currently in the Georgetown Correctional Institute.

#### **V. CORRESPONDENCE**

Town Manager Walls reported the receipt of a thank you letter from Mayor Ed Butler of the City of Seaford. He expressed his appreciation for being invited to participate in the Mayoral Scrapple Sling during the Apple Scrapple Festival.

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A letter of thanks was received from Kiwanis Club of Bridgeville for the \$8,000 donation to the Kiwanis Foundation from the Bridgeville Charity Golf Tournament. The money will be used to support the foundation's scholarship program for students in the Bridgeville community.

The Bridgeville Senior Center also sent a letter of thanks for the \$8,000 they received from the Golf Tournament. The money will be used to replace their old meal delivery van.

Town Manager Walls directed the Commissioners to a letter received from a Heritage Shores property owner who outlined her concerns regarding the construction of homes by Lennar Builders at the new development. Town Manager Walls discussed the letter with President Conaway, who believes the issue should be resolved between the homeowner and contractor.

A letter was received from resident Polly Adams Mervine concerning her application to the Mrs. Delaware America organization. She competed in the pageant on November 4, 2007 as "Mrs. Bridgeville," and expressed her pride in being able to promote her hometown. Commissioner Correll advised Mrs. Mervine came in third place in the pageant.

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

Finance Director Savage directed the Commissioners to the Balance Sheet. The following figures presented are rounded figures and therefore approximate. As of October 31, 2007, the Town escrow accounts totaled \$764,000. Combined with the impact fee and sewer sinking accounts, there is a total of \$839,000 in rainy day funds. The General Fund totals \$87,500 and the Money Market Savings account has \$675,700. The EM Fund does not reflect the \$89 added in October, based on the few building permits that were issued. Building permits should be at 33%; however, the totals are lower. No Heritage Shores building permits were issued in October. On the Budget vs. Actual Report, transfer taxes do not include October's check, which should total \$25,000. Miscellaneous fees are up, as no EDU violations were included in the budget. We are expecting three or more settlements this month, two of them from Heritage Shores. Office supplies reflect furnishing the upstairs office, anticipating the hiring of a new secretary to work at the front desk. On the Accounts Payable Report, bills for the Town total about \$44,000; bills for the Wastewater Treatment Plant upgrades total \$896,000 and will be paid from interim financing. The Town Manager advised the project is on or ahead of schedule. The Davis, Bowen & Friedel bills are all reimbursable except the Little League bill. This month has three payroll periods. Commissioner Correll made a motion to pay the bills as presented. Commissioner Sipple seconded the motion. Motion carried.

## **VII. DEPARTMENT HEAD REPORTS**

President Conaway advised the Department Head reports are available to the public. Building permits, as mentioned earlier, are significantly lower. As reported at the Sussex County Today and Tomorrow Conference, the new Bridgeville development, Lindenmere, is preparing to build 84 townhouses and 146 single family homes early next year on the Federalsburg Road as a part of the Town's moderately-priced housing program.

### **VIII. CITIZEN'S PRIVILEGE**

Lorraine Knepper of 403 Delaware Avenue expressed concern about the growth of the Apple Scrapple Festival. She came to request that the festival be removed from the residential areas of the Town. The festival has clearly surpassed the expectations for the event and has overgrown its boundaries, creating health and safety issues for the Town residents, especially those on the 400 block of Delaware Avenue. The following issues were discussed:

- Properties surrounded by noise, trash, smells and foot traffic.
- Public displaying no regard for personal property. Property owners were advised if they were sued, they would carry the responsibility as property owners. President Conaway corrected the previous statement and advised that property owners could come to the Town if people are trespassing on their property.
- Food vendors causing a fire hazard; grease from vendors getting trampled into the roadway and brought into homes.
- Vendors set up on Thursday this year, forcing property owners to move their cars to their back yards a day early. President Conaway advised vendors were not permitted to set up in front of residential dwellings on Thursday; however it appears that they did so anyway. President Conaway reported he was informed of the same issue at the 2006 festival and took care of the issue. If a call had been made to Mr. Conaway he would have taken care of it again personally.
- Clean up at the end of festival began at 12:45 A.M. with noisy apparatus and shovels on residential streets. Is there a noise ordinance?
- The parking permit system does not work and homeowners cannot move their cars. Mrs. Knepper's husband has a medical condition that could not have been attended to during the festival because of the crowds around her house.
- Recommendation: Stop bringing in new events – i.e. the motorcycle event and the tractor pull.
- Mrs. Knepper suggested that since Market Street is already closed, the Town should move the vendors to that location. In the early years the impact on the residents was minimal. As the festival has grown, the impact has grown as well. President Conaway commented later that this is a state-maintained road and the Town is uncertain about the feasibility of placing vendors along the length of Market Street.
- There is not enough seating space for the public; therefore they trespass on private property. Mr. and Mrs. Boyles of 401 Delaware Avenue joined Mrs. Knepper with their concerns and efforts to enlist the police to keep trespassers off their property. Mr. Boyles reported that the police eventually told Mrs. Boyles not to call them anymore and to take care of trespassers herself.
- President Conaway reported he also hears comments from Town businesses concerning the detrimental effect of the festival on their business that Saturday. He feels the Commission should sit down with the festival committee to discuss the relevant issues.
- Commissioner Jefferson suggested some changes to the layout might be considered, i.e. the information booth changing places with the Scrapple booth on the corner of Delaware Avenue and Laws Street. This would lessen the impact on the Boyles property.

- Adding benches in front of 401 Delaware Avenue was also suggested; however, Town Manager Walls is concerned that other residents would want the same consideration and the Town would be unable to fulfill every property owner's request.
- Commissioner Correll commented that the original plan was to keep the food vendors all together to expedite clean up.
- The suggestion of moving the festival out of Town will not be entertained; the popularity of the festival hinges on the fact that it is one of the few festivals that is held in Town limits. President Conaway advised that Seaford's Riverfest is in-town, as are Georgetown's Return's Day and Milton's festival. Mrs. Knepper asked President Conaway for a written statement that the festival will not be moved out of Town. President Conaway stated he will comply with the request.
- The Commission is not responsible for the festival per se; however, they do have the responsibility to close streets for the event. President Conaway believes the festival committee can do more to address these issues and others. It may be time for the committee to have added supervision from the Commission; however, he does not want to lose the benefits of the festival. It may eventually become too large an event to stay in Town.
- Mrs. Boyles passed around pictures of people trespassing on her property.
- Commissioner Jefferson commented that the committee has very little manpower for such a large endeavor; they could use more help.
- The festival committee must carry liability insurance for the event. Claims can be submitted to the committee for those who sustain damage to their property, regardless of knowing who did the damage.
- Commissioner Greason commented that, living on South Main Street, he has had to adjust to the festival; it is only one weekend a year.
- President Conaway advised the end of the festival will be when parking becomes impossible. The Town of Bridgeville is known across the country for this festival.

## **IX. TOWN MANAGER'S REPORT**

Town Manager Walls reported the Town met with the Delaware Solid Waste Authority concerning a curbside recycling program. 75% participation is necessary to initiate the program. To-date there are approximately 80 interested households; the Town will review the program again in the future. The residents are to be commended for the amount of recycling they already do.

The Delaware Emergency Management agency held a level 3 Incident Command training program at Town Hall on October 23<sup>rd</sup> and 24<sup>th</sup>, preparing Town employees for weather-related, hazardous spill or terrorist emergencies in Town.

Town Manager Walls has again asked the Delaware Department of Transportation for an update on the traffic study on Railroad Avenue and Wilson Farm Road. She has been assured that she will have the report the beginning of this week. Traffic has picked up significantly on those roads.

Chief Parsons reported to Town Manager Walls that Halloween went fairly smoothly with some mischief taking place.

Town Manager Walls reported that the Commissioners made appointments to newly created Town Committees at their May 7, 2007 meeting. Mr. Michael Collison was appointed chairman of the Planning & Zoning Committee. President Conaway voted for that appointment; however, in retrospect it would have been appropriate to abstain since Mr. Collison is his son-in-law. President Conaway spoke with the Town Solicitor, who recommended that the vote be retaken with an abstention vote. Commissioner Sipple withdrew her motion of May the 7th to create the Planning & Zoning Commission and appoint its members. Commissioner Correll withdrew her second to the motion stated above. The following votes were recorded to withdraw the motion.

Commissioner Correll – Yes  
Commissioner Greason – Yes  
Commissioner Jefferson – Yes  
Commissioner Sipple – Yes  
Commissioner Conaway – Abstain

Commissioner Correll made a motion to create the Planning & Zoning Committee and appoint the following members to it: Chairman, Michael Collison, Bill Atwood, Jack Cannon, Sandie Rementer, John Shockley and Ruth Ann Tull. Commissioner Jefferson seconded the motion. The following votes were recorded.

Commissioner Correll – Yes  
Commissioner Greason – Yes  
Commissioner Jefferson – Yes  
Commissioner Sipple – Yes  
Commissioner Conaway – Abstain

Bridgeville Police Chief Parsons has requested that the Commissioners consider an Office of Highway Safety Grant regarding a DUI Campaign during the upcoming holidays. Town Manager Walls asked for approval to accept the grant without the amount of money offered or exact dates of the campaign, as the details are not yet available. Commissioner Jefferson made a motion to accept the Office of Highway Safety Grant regarding a DUI Campaign. Commissioner Correll seconded the motion. Motion carried.

## **X. OLD BUSINESS**

### **A. Trash Bid Results**

Town Manager Walls reported the Town went out to bid for the trash contract. The Town received five bids opened on the Thursday, November 1<sup>st</sup> deadline. After reviewing the bids for conformity, the low bidder was identified as our current trash hauler, M-T Trash, with a year 1 bid of \$11.81, year 2 – \$12.31, year 3 – \$12.81. Should the DSWA increase their tipping fees that would influence the contract price. Town Manager Walls made a recommendation that the Commissioners accept the low bid of M-T Trash for a contract period of three years, with an optional 1-year renewal at the end of the contract. Commissioner Jefferson made a motion to

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accept the bid of M-T Trash. Commissioner Sipple seconded the motion. Motion carried. For the purpose of the record, the current rate is \$11.02. The third-year bid at \$12.81 would still be the low bid compared to other bids received. Commissioner Correll thanked Mrs. Shannon Banks of M-T Trash for the company's service to the Town. Town Manager Walls added that M-T Trash has been very community-oriented. They have always had outstanding employee cooperation for regular garbage pick-up and for Community Clean-Up Days.

**B. Golf Tournament Report**

President Conaway advised the Golf Tournament account will be audited by the Town's C.P.A. firm. It was very successful for a first-year tournament and raised a large sum of money. The committee has already distributed \$8,000 each to the Bridgeville Lions Club, the Bridgeville Kiwanis Foundation and the Bridgeville Senior Citizen Center. It is a more expensive tournament; however, some of the costs will not re-occur, such as the expense for the banner and tee signs. The committee will meet to make recommendations for next year's event. The current bank account balance is \$2,072. Each charity will receive another check for \$500, leaving approximately \$500 in the account for start-up costs next year.

**C. First Reading of Ordinance A07-9 – Establishing Election Voting Districts within the Boundaries of the Town of Bridgeville**

President Conaway advised the Town went to the General Assembly in 2006 to ask for the authority to establish election voting districts. The Town Engineer has prepared a map that creates five election districts, per the Town charter. At this time, only the district 3 Commissioner will serve a one-year term, the other four districts' winners will serve 2-year terms. The Commission may want to consider changing all districts to a two-year term. The districts have been drawn so that existing Commissioners remain in a separate district because the residents of Bridgeville elected these Commissioners and they will not lose their ability to run because of map lines. Commissioner Sipple has indicated she will not run for re-election to her seat. The map takes into consideration growth to the south, west and north. As stated previously, it does not eliminate any of the sitting Commissioners. It will be up to the residents within their districts to determine who will serve. Commissioner Jefferson made a motion to introduce Ordinance A07-9 for a first reading. Commissioner Correll seconded the motion. Motion carried. Public comments will be considered at the December Commission meeting.

**XI. NEW BUSINESS**

**A. First Reading of Ordinance A07-8 – To Amend Chapter 128 of the Code of Bridgeville Relating to Sewer Rates**

President Conaway advised the Ordinance changes one number in our current fee structure to correct a 100-gallon difference technical error. Finance Director Savage reported the current charge is from 0-2500 gallons. The original Ordinance stated 0-2400 gallons, with the second tier starting at 2501, so there is a 100-gallon lapse that needs to be covered. This Ordinance will correct the error. Commissioner Jefferson made a motion to introduce Ordinance A07-8 for a first

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reading. Commissioner Sipple seconded the motion. Motion carried. President Conaway reported that public comments will be received at the December Commission meeting.

**B. Caroling in the Park**

Town Manager Walls advised the Town's Caroling in the Park event has previously been scheduled on the first Friday night in December. Commissioner Correll has requested that the Commissioners change the date to the last Friday in November this year. The Town has scheduled the event in the past for the Friday before Christmas in Bridgeville. This year that will put the event in November, as Christmas in Bridgeville is scheduled for Saturday, December 1<sup>st</sup>. Commissioner Correll made a motion to set the date of the Caroling in the Park event for the Friday night before Christmas in Bridgeville each year. Commissioner Jefferson seconded the motion. Motion carried. Commissioner Correll added that residents are encouraged to bring canned goods to the event for gift baskets prepared by the Town employees for needy residents.

**XII. ADJOURNMENT**

Commissioner Sipple made a motion to adjourn the meeting. Commissioner Correll seconded the motion. Motion carried. Meeting was adjourned at 8:00 P.M.

Respectfully submitted,

Margaret W. Sipple  
Margaret W. Sipple, Commission Secretary

Peggy A. Smith  
Peggy A. Smith, Transcriptionist