

## MINUTES

### COMMISSIONERS OF BRIDGEVILLE NOVEMBER 20, 2006 – 7:00 P.M. TOWN HALL

Original  
for  
Signature

#### 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.

#### 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 October 2, 2006 and Executive Session Minutes from September 11, 2006 were presented for approval. Commissioner Correll made a motion to approve both sets of minutes as presented. Commissioner Jefferson seconded the motion. Motion carried.

#### IV. CORRESPONDENCE

Town Manager Walls acknowledged a thank you card from Commissioner Sipple for flowers received from the Commissioners and Town employees upon the recent death of her sister-in-law and brother-in-law.

A thank you card was received from Commissioner Correll for a fruit basket from the Commissioners and Town employees following her hip surgery.

Town Manager Walls advised a phone call was received from Earl Willey of 302 Laws St. commending Police Officer Truluck for his knowledge and professional assistance during two recent incidents at Mr. Willey's home.

Town Manager Walls brought to the Commissioners' attention their copy of the Board of Adjustment meeting minutes from October 26, 2006. Mr. Robert Richey of 203 S. Main Street received a variance concerning the placement of his new garage.

A letter was received from the Apple Scrapple Festival Committee thanking the Commissioners for their support and thanking Public Works Department Superintendents Doug Jones, Phillip Mowbray and Rick Passwaters for their assistance during and after the festival.

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The second and third quarter newsletter from Kent-Sussex Industries, Inc. is available for review.

The Town received a letter from Ms. Connie Holland of the State Office of Management and Budget informing the Town its Comprehensive Plan was re-certified.

President Conaway advised receipt of the 2006 Annual Report of the Bridgeville Public Library and recommended that a representative from the library be invited to the December Commission meeting to receive monies set aside for the new library.

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

Finance Director Jesse Savage directed the Commissioners to the Budget Vs. Actual report. As of October 31<sup>st</sup> the Town is one-third through the fiscal year; therefore the target percentage is 33½%. Transfer tax is down, although we are a month behind in receiving the monies. Since this report was finalized, the Town has received October transfer taxes of \$45,000. Transfer taxes are yet to be received for 24 settlements and the month of November will bring 23 settlements, all of which should result in an additional \$250,000. The transfer taxes and building permits will continue to be monitored. President Conaway advised a new policy has been established by the Town office which requires attorneys and real estate agents to submit a request for survey recordation and final water readings one week prior to settlement. Finance Director Savage reported expenses are on target. Looking at the balance sheet, once bills are paid, the Town has approximately \$725,000 in unencumbered funds. The rainy day fund, which sets aside monies for capital expenditures, stands at \$469,000. Impact fees coming from new construction are now being set aside in separate accounts to pay for future Town improvements to avoid increasing fees/taxes to the residents. Finance Director Savage advised the \$122,318 in bills which would have been approved at the regular November 6<sup>th</sup> meeting were approved by Town Manager Walls and have been paid. A new set of bills in the amount of \$29,000 is being presented for approval tonight. Commissioner Sipple made a motion to pay the bills as presented. Commissioner Correll seconded the motion. Motion carried.

## **VI. DEPARTMENT HEAD REPORTS**

President Conaway reported this is the 96<sup>th</sup> consecutive month our Wastewater Treatment Plant has not had a violation of its NPDES permit.

The Wastewater Treatment Plant will be working with Mr. Bob Norcross and Mr. Jerry Williams from the Delaware Technical and Community College (DTCC) and their Environmental Training Center in a pilot Wastewater Asset Management Program. This will require considerable time and effort from the Public Works Department, but the potential benefits are worthwhile. Town Manager Walls advised the program will provide the Town with a way to manage its infrastructure capital assets. There are three components to the program: facility inventory, condition assessment and asset evaluation. All wastewater assets and equipment details will be entered into the computer, a labor intensive job. Mr. Norcross will assist Wastewater Superintendent Mowbray with data entry. At budget time this wealth of information

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will be helpful to determine efficiently what equipment should be budgeted for replacement. This program will replace guessing original installation dates or waiting until equipment dies. In the future Town Manager Walls would like to bring this program to the other departments, i.e. Water, Streets, Police and Administration.

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

Town Manager Walls welcomed Commissioner Correll back after surgery and expressed everyone's wishes for a full recovery.

The Apple Scrapple Festival was held on October 13<sup>th</sup> and 14<sup>th</sup> and was very successful with good weather for the event. Town Manager Walls expressed thanks on behalf of the Commissioners and residents to the Apple Scrapple Committee for their continued hard work and many efforts. She also expressed personal thanks to the public works department and police department for their assistance.

The Town has had an agreement with Chesapeake Utilities which allows the company to use and occupy our streets, alleys, etc. for constructing, maintaining, repairing/or operating a gas distribution system through the Town of Bridgeville. This agreement is renewable every twenty-five years, first entered into in 1957, renewed in 1981 and now renewable again. The Town Solicitor is presently reviewing the agreement and is checking other municipality agreements to compare them with ours. The Town should be able to proceed with the necessary action on the agreement at the December meeting.

Town Manager Walls reminded the Commissioners that a zoning change request by Ms. Kathleen Wright on Walnut Street will be held at the December Commission meeting.

Public Safety Director Chaffinch and Police Chief Parsons have reported the Town Halloween celebration went smoothly with no problems reported.

Town Manager Walls reported her attendance at the Woodbridge School Advisory dinner meeting on October 23<sup>rd</sup> for the third year. An overview of the following issues was presented:

- school climate and safety (cameras, uniforms, breakfast)
- instructional programs and progress (advanced placement courses, Spanish composition, literature, U.S. History, and an overall of performance review with test results ranking Woodbridge as meeting or exceeding standards)
- community involvement (PTO, advisory committees, parents night, volunteers)
- facilities update (air conditioning, bleachers, track field, administrative building)
- enrollment, housing for staff, partnerships with Town, County and State as it pertains to growth

Town Manager Walls advised she shared with the group the Town's adoption of a moderately priced housing program with its intent to help young people, teachers, emergency personnel, etc. to purchase a home in Bridgeville.

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The Town will continue its participation in the county's Community Development Block Grant Program. A public hearing is scheduled for the December 11<sup>th</sup> Commission meeting. Town Manager Walls requested the Commissioners consider requesting monies for rehabs and demolitions in the Town.

Caroling in the Park is scheduled for Friday, December 1<sup>st</sup>, 6:30 P.M. at the Historical Society Park. At the event the Town collects canned goods for the needy at Christmas. Town Manager Walls was advised by Ms. Penny Risdon of Brookfield Homes that the Heritage Shores residents will be having a "Pilgrim's Dinner" and will collect canned goods at the event. They are graciously adding their canned goods to the Town's, and we should be able to help additional families at Christmas this year.

Town Manager Walls advised, effective January 1, 2007, she would like to implement a personal day for Town employees. This day would take the place of overtime and comp time being offered when employees have required meetings to attend (i.e. pension meetings, training classes, etc.) In the long run, this will save the Town money. The personal day must be used between January 1<sup>st</sup> and the end of March. Commissioner Jefferson made a motion to adopt a personal day for Town employees which will replace comp time and overtime for required attendance at meetings called by the Town Manager and Department Heads. Commissioner Correll seconded the motion. Motion carried.

On December 13th a 100-level Incident Command System training course will be held at the Town office. The course is designed to prepare the Town and its employees for emergencies which include extreme weather, terrorism, etc. The course will take place from 9:00 A.M. until 2:00 P.M. This training is mandatory for employees and the Town will provide lunch. Commissioners are urged to attend if possible.

On behalf of the employees, the Town extends its thanks for the kind invitation to share Thanksgiving lunch at the Woodbridge High School on Thursday, November 16<sup>th</sup>. The food was delicious and the employees enjoyed the event.

Repairs have been made to the exterior of the Town Hall due to bird nests under the roof line and areas of rotten wood. The fascia was covered with metal, the soffit was covered with vinyl and the rain gutters and down spouts were replaced. In soliciting bids for the job, we were informed the Town Hall roof should be replaced. Our code enforcement constable concurred with that opinion. Town Manager Walls requested approval from the Commissioners to accept the low bid among the four roofing bids she had received. There was discussion concerning the type of shingles which were bid and whether they are comparable. The Town has received the state license and proof of insurance from the low bidder. It was recommended Mrs. Walls request specs and cost on the shingles to compare the bids. It was also recommended the Town use architectural, 30 years shingles. Commissioner Jefferson made a motion to allow Town Manager Walls to award the contract after additional checking on the shingle used in the individual bids and her satisfaction as to the pricing and type of shingle offered. Commissioner Correll seconded the motion. Motion carried.

President Conaway reported the Sussex County Association of Towns (SCAT) held a planning meeting on Friday, November 17<sup>th</sup>. He will present a detailed report at the December meeting; however they did set some priorities for the new year.

- SCAT is asking the county government to increase its funding for the state police and permit flexibility in the grants awarded to Towns for police cars.
- SCAT has also asked for flexibility in the EIDE and SALLE grants. This will be difficult to obtain.
- Another priority is moderately priced housing. SCAT will urge the governor by resolution to convene a summit of all departments and private concerns involved in housing to discuss this need.
- SCAT will encourage a discussion of long-term care needs. There is currently only one facility in the county which can provide long-term care. Average age in the county is approaching 40 and as that continues to rise, the need for local long-term care will become critical and will need to be addressed.
- SCAT hopes to sit down with the new Attorney General and discuss community policing/prosecution.

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

Mr. William Atwood of 113 Emily's Pintail Drive requested information concerning the annexation vote and when it will occur. President Conaway reported the first round of annexations were to be scheduled in December; however, before parcels can be brought up for a vote the Town must have a signed developer's agreement itemizing exactly what the developer's responsibilities are. President Conaway is carefully reading potential agreements and they will be forwarded to our attorney for his review, as well. The agreement is very important because after a property is annexed and zoned, there is little that can be required of the developer; the Town can only enforce its ordinances. There are several parcels of land in this first group to be considered for annexation. The Town has instructed the developer of land south of Heritage Shores to reduce the number of houses in the proposed development from 2,000 to 1,800. The developer has offered 30 acres of agricultural preservation land for a park and the Town is asking that the developer donate a site for a new school. The Town requires that 10% of new construction follow our moderately priced housing program and that 50% be open market, unrestricted. These are the types of things that must be spelled out in the developer's agreement. All of the parcels for potential annexation have been required to pay a share of a water/wastewater facility update. The first scheduled annexation vote will be held on Saturday, January 6, 2007. There will be a public meeting, potentially the Thursday before, giving opportunity for the property owners requesting annexation to "sell their proposal" to the residents of the Town. President Conaway will have very little involvement in that meeting due to his close association with the development community. The subdivision south of Heritage Shores will be considered in this first annexation vote, along with properties along Rt. 13 from the diner north to (approximately) the antique store. In February another annexation vote is anticipated concerning a request for a 1,500 unit development west of the Town of Bridgeville, along with another smaller piece of property. There has been some interest in a third round of annexations east of Town. Bridgeville has prepared for these annexation requests by updating its Comprehensive Plan to accommodate the

new growth and by instituting a policy that new growth pays for the services it necessitates, not current residents. As mentioned in the financial report, impact fees are now being set aside to pay for services that will be necessary to accommodate future growth. The Water/Wastewater Facility Plan indicates it will cost \$14 million to accommodate all potential annexations. New development will be required to pay for all improvements and new services. For instance, new development west of Town would be required to build a third water tower and donate it to the Town. The developer west of Town would potentially donate land for a new fire company facility. The old potato buildings on the development property would potentially be donated for a sports facility for the Town. Both developers have talked about initiating a special tax district, which is the same arrangement that Heritage Shores has. The Town would receive money from the special tax district for lending its name and be paid back for some of the growth-related expenses which would be incurred.

Mr. Atwood requested clarification of the term “moderately priced housing.” President Conaway commented the Commission has set its price for moderately priced housing at \$225,000. Bridgeville is committed to having new growth pay for itself. The Town was able to cut taxes by ten cents and will continue to protect current residents from paying for future growth whenever possible. President Conaway reiterated the events which led to the Town being able to pay for the Tatman spray irrigation property through the use of pre-paid impact fees by the Heritage Shores developer. This pre-payment allowed the Town to move forward with necessary wastewater treatment upgrades using new growth to assist in payment of the improvements.

## **IX. OLD BUSINESS**

### **A. Acceptance of Certificate of Referendum Vote Held Saturday, October 21, 2006**

A Referendum was held to approve or disapprove the borrowing of a sum not to exceed \$750,000.00 to provide funds for upgrades to the Town Wastewater Treatment Plant.

- 33 residents voted for the issue
- 1 resident voted against the issue
- The issue was approved.

Commissioner Jefferson made a motion to accept the Certificate of Referendum Vote. Commissioner Correll seconded the motion. Motion carried.

### **B. A Resolution Prescribing the Details and Form and Providing for the Sale by the Commissioners of Bridgeville of its \$750,000.00 General Obligation Bond to Finance the Costs of Certain Improvements to its Wastewater Treatment System.**

Upon adoption of this Resolution by the Commissioners, the bonds will be issued that pledge the full faith and credit of the Town for these Wastewater improvements. The Town Solicitor has reviewed the document, as has Mr. Hal Salmons, our bond counsel from Potter, Anderson & Corroon LLP. Commissioner Correll made a motion to accept the Resolution. Commissioner Greason seconded the motion. Motion carried. This allows the Town to move forward in the borrowing of \$750,000.00.

## **X. NEW BUSINESS**

### **A. Delaware Preservation Fund, Inc. Grant Application**

Town Manager Walls advised receipt of an application for a \$1,000 grant to be used for a project of a historical nature. The Town would use the money for repairs already made to the Police Department roof and chimney. The total project cost \$4,100 and this \$1,000 grant, if awarded, would help to defray the expense to the Town. Commissioner Jefferson made a motion to go forward with the application. Commissioner Sipple seconded the motion. Motion carried.

### **B. Request of Bridgeville Volunteer Fire Company to Close Union Alley**

The Volunteer Fire Company has proposed closing the alley directly behind the Fire Hall to vehicular traffic for reasons of safety. There have been "close calls" in the past and the Fire Company intends to expand the current building, bringing it right up to the alley. President Conaway recommended passing this request to Director of Public Safety Chaffinch to investigate and return with a recommendation. Fire Chief Cannon reported the Fire Company uses the alley as much as 1,000 times per year and it is unsafe to allow vehicles and foot traffic in the alley behind the Fire Hall. The Fire Company reported the homeowners on that block do not seem to use the alley on a regular basis. A physical barrier would need to be constructed. It should not affect other residents in the 300 block of Delaware Ave. and Market St., unless unsuspecting vehicles need to turn around on properties. A turn-around will be investigated. Commissioner Correll recommended the area homeowners be contacted for feedback. Mr. Chaffinch will investigate the situation and report at the December meeting.

The Volunteer Fire Company is also requesting re-zoning of lots 72, 73, 74 and 82 on Delaware Ave. to commercial (C-1). Two lots have rental houses and the other two lots comprise the parking lot. President Conaway commented he was hesitant to bring commercial zoning into that residential area. The Fire Company needs to build storage on the back of their existing building to accommodate larger fire equipment. According to Town Code, the Fire Company is considered "government facility and services"; therefore, a facility expansion or appropriate building that doesn't detract from the neighborhood would be permitted with the development plan approved by the Commission. A zoning change would not be necessary for these properties, based on the above Code Book information. President Conaway recommended combining all four lots into one deed to avoid any variance issues for new structures. A plot plan must be developed and approved by the Commission. This will involve demolition of the two houses on Delaware Ave., with a demolition permit. These recommendations are based on the possibility of the Fire Company moving out to Rt. 404 west of Town in the distant future, should property be annexed into Town that would be donated to the Fire Company. Should this take place, the Fire Company would want to sell their property in Town and the Commissioners do not want that property, which is in a residential district, to be zoned commercial for future commercial use.

## **XI. SPECIAL REPORTS**

### **SALLE & EIDE GRANT APPLICATIONS – POLICE CHIEF PARSONS**

Chief Parsons reported it is time for the Police Department to apply for 2007 grants. The department has been asked to become a model agency for the E-Ticket program. Additionally, current officer pistols have been in use since 1992 and need replacement. (The weapons are only supposed to be in use for 7 years.) The replacement would complete the State Aid to Local Law Enforcement Grant for \$6,579.70. The EIDE grant would be used for overtime pay. This has been discussed with Director of Public Safety Chaffinch. The Police Department would also like to apply for an Impaired Driving grant of \$600 from the Office of Highway Safety. Commissioner Jefferson made a motion to apply for the SALLE, EIDE and Office of Highway Safety grants. Commissioner Sipple seconded the motion. Motion carried.

On a personal note, President Conaway reported his son Joey is home from Iraq and will soon be attending Warrant Officer School in Georgia. The Conaway's daughter, Jennifer, is convalescing in Bridgeville after donating a kidney in a 4-way kidney operation in Birmingham, Alabama. He appreciates everyone's concerns and prayers. He further commented the month of November has been difficult for several Commissioners and Town employees with operations and family losses.

President Conaway reminded everyone to participate in Caroling in the Park on December 1<sup>st</sup> and the Christmas in Bridgeville Craft Show on December 2<sup>nd</sup>.

## **XII. ADJOURNMENT**

Commissioner Sipple made a motion to adjourn the meeting. Commissioner Correll seconded the motion. Meeting was adjourned at 8:20 P.M.

Respectfully submitted by:

Margaret W. Sipple  
Margaret W. Sipple, Commission Secretary

Peggy Smith  
Peggy Smith, Transcriptionist