

**MINUTES  
COMMISSIONERS OF BRIDGEVILLE  
NOVEMBER 10, 2008, 7:00 P.M.  
TOWN HALL**

**I. CALL TO ORDER**

The meeting was called to order by President Joseph Conaway at 7:00 P.M. Present: Commissioners Patricia Correll, Ruth Skala, 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 from the October 6, 2008 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. PRESENTATION BY MR. ED LEWANDOWSKI, CHAIRMAN  
2<sup>ND</sup> ANNUAL BRIDGEVILLE CHARITY OPEN GOLF TOURNAMENT**

President Conaway introduced Mr. Ed Lewandowski, Chairman of this year's 2<sup>nd</sup> Golf Tournament. President Conaway reported the golf committee had projected a donation of \$6,000 to each of three Bridgeville charity organizations and presented those checks at the end of the Tournament on October 10<sup>th</sup>. More monies have come in and Mr. Lewandowski presented \$3,000 checks to Mr. Shawn Hatfield of the Lions Club, Mr. Richard Beauchamp and Mr. Glenn Bailey of the Kiwanis Foundation and Mrs. Fran Smith of the Bridgeville Senior Center. This year's \$9,000 donation to each organization tops last year's gift of \$8,500. President Conaway advised there were less sponsors this year; however there was a good number of tee sponsors and a full field of players. The Senior Center was very appreciative of the donation. Last year they bought a van with the Golf Tournament donation; this year, food costs to the center have risen and they intend to use the money to pay for meals for their constituents. The Kiwanis Club was very appreciative of the donation to the Kiwanis Foundation. Mr. Hatfield of the Lions Club reported that with these monies in their operations fund, they will be able to help the Town, as there are only a few Club fundraisers throughout the year. This money will multiply their efforts to supply hospital beds and other medical equipment for those in need. They are currently looking for new Town projects to fund. President Conaway advised the Town still needs assistance in helping residents place house numbers on all dwellings in Town. This is to aid the Fire Company in finding addresses in an emergency. Mr. Hatfield will speak with Town Manager Walls about the need.

## **V. CORRESPONDENCE**

Town Manager Walls advised the receipt of a letter of thanks from the Bridgeville Senior Center for the \$6,000 donation from the Golf Tournament.

The October 2008 Woodbridge Elementary School newsletter and the November 2008 Bridgeville Lions Club newsletter are available for review.

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

Finance Director Savage directed the Commission to the Balance Sheet. (The following amounts are in rounded figures.) As of November 4, 2008, the General Checking and Savings accounts totaled \$775,000, which is \$13,000 less than this time last year. The escrow funds total \$536,000 and checking and saving accounts total \$1,488,000, which is slightly lower than this time last year. In Accounts Receivable, the Town has collected all but \$12,800 of tax assessments, which is excellent. President Conaway commented it is a sign of the current difficult economic times; people are being careful to pay their taxes so they don't lose their homes. Concerning the Budget vs. Actual Report, the Town should be at 33% of their budget this month. Building Permits are down; there was one new home start in October. Due to the adoption of our supplemental permit Ordinance, the Town has made up the difference and has collected \$17,700. The October transfer tax check of \$22,000 has not yet arrived; the Town is almost at 50% of this income line item. The Town has received \$26,922 from the Municipal Street Aid grant fund, which is one-half of this year's grant. Water fee collection is high due to the fact that irrigation systems have been used throughout the summer months. That will slow down as cold weather comes. Concerning expenses, most categories are in-line with the budget. The leases figure is high, as a payment is due for lease of the Wheatley farm for spray irrigation. The current payment is #4 out of 10 payments. Concerning Accounts Payable for Approval, bills received to date total \$79,879, with an added \$94,600 expected expenses before the next meeting, for a total of \$174,479 for approval. Commissioner Correll made a motion to pay the bills as presented. Commissioner Greason seconded the motion. Motion carried. President Conaway advised the Town is in good financial shape; although general fund totals are dropping. To preserve the Town's financial condition this last budget year, the Commission planned to have sufficient funds on hand to manage the budget for one more year. That has been done. Since there is no indication that the economy will improve soon, President Conaway recommended, if there was no objection from the Commission, that it would be prudent for Town Manager Walls and Finance Director Savage to re-visit the budget and present a proposal at the next Commission meeting for a 5% budget reduction (\$150,000). The Town should try to save now so it does not have to raise property taxes in the future. Bridgeville is probably in the best financial shape of all surrounding Towns and would like to stay that way. The state budget deficit is rumored to be as high as \$300 to \$500 million. The Towns will continue to fight for their real estate transfer taxes. President Conaway suggested that the state is at the point it will have to cut employees. If not, they will have to raise fees and taxes, both of which have been done recently.

## **VII. DEPARTMENT HEAD REPORTS**

President Conaway advised the Department Head reports are available for review. He asked Police Chief Parsons about the Town's three new recruits. All three started the academy a week ago. He also requested that Chief Parsons add to his monthly Bridgeville Complaint listing a line item for "Confiscated Skateboards." The Town's skateboard Ordinance allows for skateboards to be confiscated by the police if skateboarders do not follow the new rules, including skateboarding in the alleyways only. President Conaway remarked that the Town Water Department has installed more radio-read units for water meters, which is a positive step.

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

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

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

Town Manager Walls advised the recent Apple Scrapple Festival was very successful. We had beautiful weather for the day. On behalf of the Commissioners, she extended thanks to the Festival committee for a job well done. She also thanked Town employees for their yearly assistance to the Festival.

For the past several years the Commissioners have held the Caroling in the Park event at the Historical Society Park. This year the event would be Friday evening December 5<sup>th</sup>. She asked for the Commissioners' opinion on continuing the event. There has been past discussion about stepping away from the event. Commissioner Correll has already begun planning the event for this year and suggested re-evaluating after this 5<sup>th</sup> year. There are usually 35-40 people who attend and the children enjoy seeing Santa Claus. She suggested if the event is not continued, it would be nice to have Santa come to the Town Hall one day for children to visit or some similar event. The event will take place this year on December 5<sup>th</sup> at 6:30 P.M. with Commissioner Correll making all the arrangements. Residents are encouraged to bring canned goods for the needy. These will be added to donations from the Commissioners and Town employees for food baskets for the needy at Christmas. The Town office usually delivers the baskets the second week of December.

Concerning the problems with the new geo reactor, Parkson Corporation has furnished modifications to Mr. Jason Loar at Davis, Bowen & Friedel to correct the length of the shaft of the geo reactor. DBF is reviewing the paperwork and the modifications look good, so far. They hope to finalize their review by the end of the week. When Parkson is given final approval, they will need three to four weeks to prepare the geo reactor.

Daisy Construction is almost finished with the punch list at the spray irrigation project. The spray site flow meter has been sent back to the manufacturer due to an apparent factory defect. As soon as the flow meter is in place, possibly tomorrow, a complete start-up of the system will be held with the Department of Natural Resources and Environmental Control in

attendance so they can witness the system. Turbidity and chlorine analyzer training was held for the Public Works Department this past Wednesday.

Town Manager Walls spoke with Mr. McIlvaine at the Delaware Department of Transportation regarding the opening of Route 13A. A previous opening date of November 20<sup>th</sup> is fast approaching and she requested an update. The road should be ready in several weeks, weather permitting. Another week of rain and wind could delay the opening. The overall project is still scheduled for completion in the spring of 2009, weather permitting. President Conaway commented there is a new sign up indicating there will be new traffic patterns on or about November 17<sup>th</sup>.

Royal Farms has requested the additional purchase of seven EDU's for their store. They anticipate the store will grow in volume when the Route 13 and 404 intersection is complete. We have discussed this with our engineer and have confirmed the availability of the additional EDU's for Royal Farms. We will move forward to amend our agreement with Royal Farms to include the seven EDU's. Finance Director Savage advised the Town would receive \$45,500 from Royal Farms for this increase. President Conaway commented the advantage is that there is no new construction or expense involved in this increase, but the Town will benefit financially.

The Town Christmas Street Lights should be turned on Thanksgiving weekend.

In celebration of Thanksgiving, the Town offices will be closed November 27<sup>th</sup> and 28<sup>th</sup>.

Town Manager Walls has sent a letter to Southern Delaware Tourism recommending the Apple Scrapple Festival, Inc. for the 2008 Tourism Recognition Award.

Commissioner Skala requested an update on the additional expenses for the spray irrigation project. Town Manager Walls said they are working toward a final figure and believe there will be a shortfall of approximately \$75,000. President Conaway reported the estimates had ranged from \$60,000 to \$365,000. The money should be available from the special tax district.

## **X. OLD BUSINESS**

### **A. Public Hearing and Second Reading of Ordinance A08-9 Amending Chapter 172 of the Code of the Town of Bridgeville as it Relates to Peddling and Soliciting**

President Conaway opened the Public Hearing on Ordinance A08-9 at 7:33 P.M. The Ordinance changes the word "license" to permit; it amends the hours of soliciting; it requires additional documentation from the applicant and changes the permit from 10-day to yearly. Non-profit organizations will not be charged. The Town intends to contact the schools and other organizations requesting prior written notice of fundraisers, so the Town and Police Department will be aware of the project. President Conaway opened the floor for public comment for or against the Ordinance. Mr. Russ Beard of 25 Amanda's Teal Drive requested clarification of the

hours. Peddling and soliciting hours will be from 10:00 A.M. to 9:00 P.M., rather than ending at 7:00 P.M. Mrs. Jacqueline Vogel of 124 Widgeon Way asked if the permit applied to people selling Avon products. President Conaway replied it did not apply to them, because they usually sell by personal contact, but if they go door-to-door, they would need a permit. Residents may ask to see the permit of anyone who knocks on their door. President Conaway closed the Public Hearing at 7:38 P.M. Commissioner Correll made a motion to adopt Ordinance A08-9 relating to Peddling and Soliciting. Commissioner Skala seconded the motion. Motion carried. Commissioner Correll cautioned everyone concerning solicitation phone calls from organizations. She traced a recent call supposedly from the Veterans and found that the call was made from a prison. It has also been reported that people can piggyback off your phone and make long distance calls.

#### **B. Discussion Regarding Participation – State Police Pension Fund**

President Conaway reported the Commission met with the Bridgeville Police Department and representatives from the State Pension Fund on September 15<sup>th</sup> concerning a request from the police officers to move their pension fund into the state pension fund. There were a number of costs associated with the program that would be picked up by the employees, including a contribution they do not make with our present program. This is the state pension plan for policemen, but not the State Police pension plan. One concern was about our Police Chief, who is at the age where he could retire. If he elected not to participate, would the Town be able to adopt this pension plan? President Conaway advised the Town would not be able to participate in this program. Would the Town have to go back and buy-in all the chief's (longest-serving employee's) time? The Town would not have to go back and purchase any prior service. It could start from the signing date of the new plan and continue for the future. The pension plan from the Town would cover the longest-serving employee up to the point of the state pension plan start date. The Town would need a waiver from the Chief to avoid a very large pay-off of hundreds of thousands of dollars. In the state pension plan, the Town would become responsible for the employer contribution, which is currently 13% of the salary. The advantage of this system for the police officers is they can carry this pension program from Town to Town, should they seek police employment elsewhere. The program is not good for Bridgeville. The Commission and Police Department did not come to a decision at the September 25<sup>th</sup> meeting; however, President Conaway believes a decision should be made. He feels that if the Police Department wants this new pension plan he would have all the present employees and the new recruits at the Academy personally sign a statement that they want this plan. The initial cost to the Town would be less than the Town currently pays, but would be more in the long run. This is not just a police pension; therefore, the other employees may want to look into the plan as well. It may only be the beginning of the process. It is an "all in, all out" type of program. Commissioner Correll asked if waivers would also be available for other long-time Town employees, like Chief Parsons, if the Town pursued this plan for other employees. Superintendents Mowbray and Jones also have long years of service. President Conaway advised they would be considered the same as Chief Parsons. The present Town Plan is a non-contributory plan. Commissioner Jefferson commented if all the police officers are in favor of the state pension plan, the Town should show their concern for the officers by changing to this plan. Commissioner Correll

expressed concern about contributions by the Town being equal for all employees – police and other departments, even if it involves two separate plans. Town Manager Walls commented that the 13% contribution for the state pension plan can fluctuate. President Conaway advised some long-time employees are receiving an 18 1/2 % contribution to their pension fund. This was revised several years ago and newer employees are receiving an 8-10% contribution from the Town to their pension fund. We already have a disparity in what the Town contributes to the current pension fund. Commissioner Jefferson commented there are some benefits in the state plan that the Town does not currently have. Commissioner Skala understands that in the current plan an employee can, at any point, pull out and get some type of contribution. In the new plan, an employee must be in the plan for at least five years in order to be vested. Finance Director Savage advised, in the current plan, if an employee works less than five years and is removed from the pension plan; they will receive their own contributions back, but nothing out of the pension system. Now you have to wait a year and can receive 20%. Commissioner Skala added that, if you are here only two years, you can get something back; with the new plan, you have to wait five years before you get anything. Commissioner Skala also asked, with the Town plan, does the employee actually get the percentage contributed by the Town back, or is that a premium? Finance Director Savage explained, in our current plan the employee gets all the money back. In the state plan, there is a formula based on years of service and how much you earned over your highest five year period. Town Manager Walls would have to investigate a state plan for the rest of the employees; she does not currently have access to that plan. President Conaway clarified that the Town is currently exploring the possibility of entering the state pension fund for the police department. Later, the Town may explore the state pension plan for other employees. Town Manager Walls advised, once a Town signs up for the state pension plan, it cannot change its mind later. The percentage contribution by the Town is determined by the actuary, not by the Town. Chief Parsons advised the policemen are still in favor of the state pension plan after it was all explained at the September meeting. Chief Parsons agreed that having each officer document in writing their desire to enter the state pension plan would be appropriate. Town Manager Walls suggested that she be given some time to prepare a waiver/letter of understanding to each officer requesting a returned signature that they want to enter this plan. She will then return to the next Commission with the signatures and the proposed State Pension Plan Resolution can be considered. Hearing no objections to Town Manager Walls' suggestion, President Conaway told her to move forward with the paperwork for the police officers.

## **XI. NEW BUSINESS**

### **A. Veteran's Day Proclamation**

President Conaway reported tomorrow is Veteran's Day. A proclamation has been written declaring tomorrow as Veteran's Day in Bridgeville. He proceeded to read the Proclamation. Commissioner Jefferson made a motion to adopt the Proclamation. The Proclamation was seconded by all of the Commissioners. Motion carried. President Conaway asked everyone to stand for a moment of silence on behalf of all of those veterans who have given their lives for our country.

**B. Night of Tribute – Outgoing Sussex County Councilmen**

President Conaway reported a “Night of Tribute” is scheduled on November 22<sup>nd</sup> at the Georgetown Cheer Center. This will be a tribute for County Councilmen Ross Dukes, Finley Jones and Lynn Rogers, who did not seek re-election. They have many years of experience in running the county and have had a direct impact on our daily lives. County Administrators Joseph Conaway (1973-1987), Robert Stickels (1998-2007) and David Baker (2007-2008) are chairmen of this event. President Conaway proposed the Commissioners buy a table-for-10 at \$500 for the event so the Bridgeville Commissioners and their spouses can attend, and others, if spaces are available. (President Conaway has already purchased his tickets.) Many police cruisers and grants, both small and large have come through Councilman Finley Jones. Commissioner Correll made a motion to purchase a table for the banquet. Commissioner Jefferson seconded the motion. Motion carried.

**C. Watermelon Seed-Spitting Contest Trophy**

President Conaway reported he is the grand champion watermelon seed spitter from the Laurel summer festival. The trophy is retired with President Conaway and will be displayed at Town Hall. He also advised the Mayor of Georgetown will be attending an upcoming Commission meeting to award him the trophy for the Hatchet-Tossing Contest at Return Day, November 6<sup>th</sup>. This trophy will stay in Bridgeville for two years, since there will not be another Return Day until 2010. Commissioner Jefferson acknowledged that President Conaway deserved the trophies he has won. President Conaway also expressed that is was wonderful to see Vice President-Elect Joe Biden at the Return Day celebration.

**XII. SPECIAL REPORTS – OFFICE OF HIGHWAY SAFETY DUI ENFORCEMENT GRANT**

Police Chief Parsons reported the DUI Enforcement event already took place on October 31<sup>st</sup> and November 1<sup>st</sup> from 9 P.M. to 4 A.M. Due to a very short application time-frame for these Office of Highway Safety grants, it is not always possible to gain Commission approval ahead of time. Town Manager Walls gave preliminary approval to the application for the grant monies prior to the deadline. Commissioner Correll made a motion for final approval of the grant application for DUI monies. Commissioner Greason seconded the motion. Motion carried. Chief Parsons advised no DUI's were reported during this checkpoint.

Commissioner Jefferson acknowledged President Conaway's hard work to make the first and second annual Golf Tournament successful. President Conaway advised Mr. Ed Lewandowski, this year's chairman, worked very hard and was determined to increase the proceeds in the 2<sup>nd</sup> year, which he did.

### **XIII. ADJOURNMENT**

Commissioner Skala made a motion to adjourn the meeting. Commissioner Jefferson seconded the motion. Motion carried. Meeting was adjourned at 8:03 P.M.

Respectfully submitted,

Patricia M. Correll  
Patricia M. Correll, Commission Secretary

Peggy A. Smith  
Peggy A. Smith, Transcriptionist