

## MINUTES

### COMMISSIONERS OF BRIDGEVILLE DECEMBER 13, 2004 - 7:00 P.M. TOWN HALL

#### I. CALL TO ORDER

President Joseph Conaway called the regular meeting to order at 7:00 p.m. Present: Commissioners Margaret Sipple, Earl Greason, Patricia Correll, Bill Jefferson and Town Manager Bonnie Walls. The meeting started with the flag salute and Lord's Prayer.

#### II. APPROVAL OF MINUTES

After a review of the distributed minutes of the November 8, 2004 meeting, Commissioner Correll made a motion to approve the minutes as presented. Motion was seconded by Commissioner Sipple. Motion carried.

#### PUBLIC HEARING

President Conaway opened the scheduled public hearing at 7:03 p.m. regarding public participation in the development of an application to the State of Delaware Community Development Block Grant Program (CDBG). Mr. Bill Lecates, Director, Sussex County Community Development Block Grant Program, pointed out the primary objective of the CDBG Program is the development of viable urban communities, including decent housing, suitable living environments and expanding economic opportunities, principally for persons of low and moderate income. Residents of Bridgeville have the opportunity to participate for grant funding until the end of January 2005, in cooperation with the Town of Bridgeville and Sussex County Council. There is \$2 million dollars available for Kent and Sussex County residents. In the past, 70% of funding has been allocated for housing and rehabilitation and 30% for infrastructure projects (which require matching funds from the community). The CDBG program is funded through the Department of H.U.D. to The Delaware State Housing Authority. Mr. Lecates presented guidelines for the block grant assistance program. The owner must live in the home, must not have over \$15,000 in the bank, unable to make necessary improvements, taxes must be current with the town and county, and the home must be insurable. There is a non-interest bearing lien for persons who qualify and interested in the program (ten years for those under sixty-two years of age and five years for those over sixty-two). In the last eleven years, the Town of Bridgeville has received \$693,823 from the CDBG for various grants-infrastructure activity, demolition, and primarily rehabilitation. The town received \$90,000 last year for various projects. Mr. Lecates advised he is hoping for six or seven rehab projects to occur this year for Bridgeville.

President Conaway presented a Resolution which endorses the CDBG project to be submitted to the Delaware State Housing Authority for funding from the U. S. Department of Housing and Urban Development. The town's application is for demolition and rehab funding. There being no comments or questions from the public regarding the Community Block Development Grant, President Conaway presented the required Resolution for adoption. Commissioner Sipple made a motion to adopt the Resolution as presented. Motion seconded by Commissioner Correll. Motion carried.

President Conaway presented a Resolution relating to The Town of Bridgeville and the Community Development Block Grant Program. The Resolution authorizes the Commissioners of Bridgeville to act as administrator of a Community Block Grant to take action as necessary to affirmatively further fair housing in connection with the said Community Development Block Grant. Commissioner Greason made a motion to adopt the Resolution and approve and execute necessary forms: Certificate of Assurance and the Delaware State Housing Authority FY05 Delaware CDBG Application. Motion seconded by Commissioner Sipple. Motion carried. President Conaway closed the public hearing at 7:08 p.m.

### **III. CORRESPONDENCE**

Town Manager Walls advised a request was received regarding the Elizabeth Cornish Annex and the previously submitted site plans. Due to the utilities not being laid out properly, they are asking for an easement to relocate utilities. Water Superintendent Jones and Wastewater Superintendent Mowbray reviewed the easement request site and advised they concurred with the request. Town Manager Walls advised she would request Town Solicitor Dennis Schrader to review the document. If Mr. Schrader approves the document, the document would be executed and sent to Elizabeth Cornish Landing for their signing. Commissioners concurred.

Town Manager Walls advised thank you cards were received from the following: Alma and Ron Fleetwood for flowers received during the recent loss of Mr. Everett Fleetwood.; Sharon Schultz for flowers received during the recent loss of her father; and Kathy Myers and family for flowers received during the recent loss of her father.

Town Manager Walls advised the 2004 Annual Bridgeville Library Report is available for review.

Town Manager Walls advised a letter was received from Comcast, Inc. explaining new rate increases beginning January 2005.

The monthly newsletter from Comcast, Inc. and the winter edition of Preservation Delaware, Inc. were received and are available for review.

President Conaway advised an updated manual was received from Delaware Attorney General Jane Brady regarding the Freedom of Information Act.

#### **IV. APPROVAL OF FINANCIAL REPORTS AND BILLS PAYABLE**

President Conaway advised building permits were obtained for the clubhouse and aquatic building at Heritage Shores. Finance Director Jesse Savage advised invoices owed to Davis, Bowen & Friedel, Inc. have been reimbursed to the town by U.S. Home, home builders in Heritage Shores. After a general review of the financial reports and bills payable, Commissioner Correll made a motion to accept the financial reports and to pay the bills as presented. Motion seconded by Commissioner Sipple. Motion carried.

#### **V. DEPARTMENT HEAD REPORTS**

Water - The written report submitted by Superintendent Doug Jones advised a problem with a sewage blockage near the cemetery has been resolved. Repairs were made to a sewer cleanout with installation of a cleanout box in the sidewalk made for the U.S. Post Office on Walnut Street (the owner of the post office is installing new sidewalks). Eleven water meters were installed at Elizabeth Cornish Landing Apartment Complex. A four way valve and feed tube was replaced on Well #2-2D located at Cherry Alley.

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Wastewater - The written report submitted by Superintendent Phillip Mowbray advised this is the 74th consecutive month without a NPDES violation. The sewer main blockage between the WWTP and Bridgeville cemetery is scheduled to be cleaned on December 14 and 15, 2004. Superintendent Mowbray suggested the sewer main between the WWTP and North Main Street be cleaned in the near future.

Streets - The written report submitted by Superintendent Rick Passwaters advised Satterfield and Ryan replaced timers, meter pans, circuit breakers and boxes for the Christmas lights. A special thanks to Conectiv and the Bridgeville Historical Society for their donation to help offset costs refurbishing the lights. Also a thank you to the Bridgeville Kiwanis Club for the new Christmas lights. New street signs were installed on Vine and Spruce Streets.

Code Enforcement - The written report submitted by Code Enforcement Constable Jack Kimlel advised letters were sent to two residents regarding abandoned vehicles-both have been referred to the Police Department. The owner of the property located at the corner of William and John Streets has been notified of a visibility problem. Code Enforcement Constable Kimlel suggested the consideration of implementing a contractor/services license for those performing their services in town.

President Conaway advised there are municipalities that require business licenses, but it means the town would be responsible for the services being rendered. If a business has acquired a state license, how can a municipality require a second license. He believes it would send a wrong message to the business community. After a general discussion, no action was taken.

Code Enforcement Constable Kimble's report advised there are several properties in town that have travel trailers or motor homes parked either on the front or side yards. President Conaway expressed his concern with visibility with tractor trailers parked on the streets. There is nothing in the code to cover these concerns. After a general discussion, it was decided to request the Town Solicitor, Wilson, Halbrook and Bayard, to prepare an amendment to the Zoning Code, Chapter 234, pertaining to parked motor homes, travel trailers and commercial vehicles in town. With the solicitor's schedule allowing, the amendment will be introduced at the January 10, 2005 meeting. It is noted Chief Parsons supported the need for attention to these types of vehicles, etc

Police - The written report submitted by Police Chief Allen Parsons advised there were 291 traffic arrests for the month of November for estimated revenue of \$23,371. Commissioner Jefferson advised there have been mechanical problems with the department's vehicles. The 1995 vehicle needed repairs at a cost of \$1,000 and a transmission is needed in the 1996 vehicle (used transmission plus installation labor totals \$750). The 1995 or 1996 will be given to the town for use by the administrative staff and other vehicle will be used by Chief Parsons.

Chief Parsons advised the estimated cost to install needed equipment on the two new vehicles totals \$11,400. The only cost not covered by grant money is in the amount of \$900 for the striping of two vehicles. Chief Parsons advised one grant for CJC has been approved. The cost to install new radios in the new vehicle costs \$4,000 will be for the purchase of one radio and the balance will help defray the cost of the second radio. The EIDE Funds will cover the remaining balance of the second 800mz radio. The balance of EIDE Funds will be used for drug duty overtime for the police officers. Chief Parsons advised he has carry-over funds in the amount of \$1,500 leaving a balance of \$800 to be paid by the town. After a general discussion, Commissioner Sipple made a motion to pay repairs to the 1995 and 1996 police vehicles, install the necessary equipment to the new vehicles, purchase one new radio, and move one radio (1996) to one of the new vehicles. Motion was seconded by Commissioner Correll. Motion carried.

## VI. CITIZEN'S PRIVILEGE

Mr. George Mackenrodt of 105 Edgewood Street asked if the police could patrol the area of Edgewood Street, namely after school traffic (racing of cars). Chief Parsons

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advised police offers direct traffic at the corner of Edgewood and Laws Street and South Main and Edgewood Streets each day. Mr. Mackenrodt stated the school buses have a difficult time exiting onto Edgewood Street in the afternoon. Chief Parsons advised a school employee usually directs the buses exiting this area in the afternoons, thereby allowing the buses to be on their way. Chief Parsons was asked to have the officers look into the matter. Mr. Mackenrodt was asked to report to the Commission next month if there is an improvement on the discussed matters.

Mr. Mackenrodt expressed his appreciation to the police department for their cooperation in patrolling his neighborhood regarding disruptive youth.

Mr. Robert Rauch, engineer for the Heritage Shores Development, advised the construction of the golf course is underway with the contract being awarded to Whites. The sites are literally being built for all phases of the project which is absolutely unique. The site for the clubhouse is currently being prepared for construction. Mr. Rauch explained all infrastructure has to be completed before structures can be constructed. The progress, from his perspective, is unbelievable. Off site utilities have been completed and the request for final approval has been received. Verizon and Chesapeake Utilities have been working diligently with the engineers. The Department of Transportation (DelDOT) has approved the entrance into the development; the next step is to get the bond amounts approved. As soon as the full entrance is under construction on Rt. 13 (Sussex Highway), the developer will apply for a temporary entrance at the maintenance area on Wilson Farm Area.

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Phase II lots at Heritage Shores are being designed which will enable the engineers to stay ahead of the construction workers. The expectation is to deliver full engineer's plans for Phase II is February 2005.

Mr. Rauch advised the maintenance area has been designed which is incorporated with the golf course contract. The bike/walk trail will run along Wilson Farm Road (10' off the road).

When the weather clears, house builders, Brookfield Homes and Lennar, will begin construction on the new homes. The design for the sales centers have been completed and will be located on two of the loop areas in the development. Mr. Nick Rocks, developer, advised there will be four to six model homes for each builder.

Mr. Rocks explained he wants to be good neighbors with the town, so if there are any issues or concerns, please discuss them with him.

Mr. Rocks stated a request has been submitted to the Commission for annexation of a parcel of land, south of the development for Phase IV, which will allow for all-age homeowners.

Commissioner Correll commended Mr. Rocks and Mr. Rauch for the quality of work being accomplished at Heritage Shores.

Mr. Rauch advised that a project of this size cannot have any dates etched in stone. Most projected schedules are within months of the expected dates and time. This project has broken all records as far as getting work accomplished, required permits approved, breaking ground, etc.

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

Town Manager Walls presented an update on the paving of the parking lot at St. Mary's Church where it was discovered when work began, that debris from two previous existing homes situated on the lot, had been buried. On November 30th, she had a meeting with Mr. Gary Pusey, P & A Engineering, Inc. Mr. Pusey advised the ground is still wet and spongy and he strongly recommends the paving be accomplished in the spring. An estimate in the amount of \$13,391.00 was presented at the November meeting for materials, equipment and labor to stabilize the lot. An invoice has been received for \$4,485.50 for actual work completed to date.

Some of the immediate needed repairs to the Christmas light have been completed, with the remaining repairs to be completed in the spring.

Town Manager Walls advised settlement on the Thurman W. Adams property was held Tuesday, November 9, 2004. Commissioners voted at their August 9, 2004 meeting to purchase the 1.3 acre site which currently is being used for the entrance to the Wastewater Treatment Facility.

Concrete work on Project #03-P=PROG-69 (Walnut Street and Delaware Avenue) started on Wednesday, November 17th and was completed on November 19th. The repaving of streets will be accomplished in the spring.

SCAT President/Commissioner President Conaway and Town Manager Walls attended the annual Sussex County Associations of Town (SCAT) workshop on November 19th. Issues facing Sussex County and municipalities were reviewed, discussed and prioritized. At the January Steering Committee meeting, legislators will be invited and priority items will be discussed (unfunded mandates, full staffing of state

agencies, Municipal Street Aid, state beach utilization, evacuation procedures, new recycling program, and the creating of a "utility" to run storm water ponds).

Town Manager Walls advised the deadline date of November 30, 2004 for the demolition of two trailers located at 603 North Cannon Street was not met. The Dangerous Building Inspection Committee completed their investigation and submitted their report at the June 14, 2004 Commission meeting. The mobile homes have been abandoned for years, could present hazardous conditions and definitely are an eyesore to the community. No response has been received from the owners, and a letter has been sent to the town's attorney, Mr. Dennis Schrader, asking him to proceed with corrective action.

The S.P.C.A. patrolled the town on December 4th-no report has been received concerning activities that took place.

Town Manager Walls sent a letter to Representative Ben Ewing requesting \$150,000 to help defray the cost of street/sidewalk projects. Representative Ewing responded on December 9th, stating he had requested a transfer of funds in the amount of \$149,912 to The Town of Bridgeville for some of the proposed work. Senator Thurman Adams, Jr. recently agreed to give the town \$175,000, bringing the total to \$325,000. This sum will allow the town to make a number of improvements to streets, curbing and sidewalks, hopefully including the entrance to the Wastewater Treatment Facility. President Conaway stated hopefully the work can begin in the spring.

Town Manager Walls reminded everyone that Caroling in the Park is scheduled for Tuesday, December 14th at 6:30 p.m. Participants are asked to bring a canned food item for the needy.

Christmas Holidays for town employees will be Friday, December 24th and Monday, December 27th. Town Manager Walls, on behalf of the employees, thanked the Commissioners for the Christmas Party on December 4th

### **VIII. OLD BUSINESS**

President Conaway advised bids for a water meter system have been reviewed by Town Engineer, Miss Annie Williams and Assistant Project Manager Rouletta Blowers, of Davis, Bowen & Friedel, Inc. and their recommendation is to contract with National Water Works (Invensys Metering System). Mr. Ed Denver, representative with National Water Works, explained that with the purchase of 2,000 water meters, software to operate the system will be included in their package. Mr. Denver advised service to the equipment will be addressed 24 to 36 hours after contact with their office. Their local office is located in Smyrna, Delaware. After a general discussion, Commissioner Greason

made a motion to award the contract to National Water Works regarding the investment of a water meter system. Motion was seconded by Commissioner Correll. Motion carried.

President Conaway advised Mr. Byron C. Lewis of 411 Laws Street, submitted a request for ownership on 1,540 square foot parcel (alleyway no longer in use) that connects to his property. It was pointed out there is a provision that the town must have a permanent easement in case there is ever a need to install utility lines. Any and all costs incurred will be at the expense of Mr. Lewis. After a general discussion, Commissioner Greason made a motion to deed the abandoned alley which adjoins Mr. Lewis's current property to Mr. Lewis. Motion was seconded by Commissioner Jefferson. Motion carried.

President Conaway stated that for years this Commission has been under the "gun" to develop a new wastewater treatment facility for the community. The treatment of choice today is spray irrigation, and in order to do so, good land must be available for spraying.

In looking for land to purchase for spray irrigation, two land owners were willing to sell and one was willing to lease. President Conaway pointed out the General Assembly and Governor Minner signed a bill into law, which is referred to as The Bridgeville Bill, which allows the use of Ag-Preservation Land as a spray site (no buildings to be built). Federal regulations are requiring municipalities to stop discharging into the Nanticoke.

The town must own land that can accommodate at least a 25 acre lagoon and be able to store water for 90 days in the event water could not be sprayed on the ground. The Addison Tatman family has agreed to sell 123.78 acres of land (County Road 594) to the town for a spray irrigation system at a cost of \$3,837,180.00. President Conaway explained the town has received through federal grants and loans \$1.1 million for land purchase. Because the land price exceeds grants and loans, the town has requested the developer of Heritage Shores for an advancement of 913 impact fees to help defray the cost of the land purchase without having to increase fees to residents. The developer has agreed to the advancement with an agreement to be developed. It was pointed out the need to do spray irrigation was in place prior to the addition of the Heritage Shores project.

The existing outfall line that runs along Route 40 will continue to be used with additional lines being installed to connect to the new site. The town will continue to use the outfall when it is appropriate (mainly winter months). After a general discussion and review of the contract, Commissioner Sipple made a motion to purchase the Addison

Tatman property for a cost of \$3,837,180.00. Motion seconded by Commissioner Jefferson. Motion carried.

## IX. NEW BUSINESS

Chief Parsons stated he discussed SALLE and EIDE funding earlier in the evening which included the purchase of two radios, and drug overtime from remaining EIDE funding. On November 19th the Office of Highway Safety awarded a grant in the amount of \$2,000.00 to the town for "Operation Slow It Down for the State of Delaware". The Town of Bridgeville was selected for the grant because of the high rate of deaths by vehicles. The money is used for traffic overtime enforcement.

Chief Parsons explained SALLE funding is used for equipment (radios); drug EIDE money is used for 50% equipment and the balance must be used for overtime. After a general discussion, Commissioner Correll made a motion to accept the grant funding available from The Office of Highway Safety for the "Operation Slow it Down" program. Motion was seconded by Commissioner Sipple. Motion carried.

A policy and procedure for grants was introduced for consideration by President Conaway. If adopted, the policy and procedures will be used in the future by all department heads when applying for grants. The policy requires the Commission to review grant applications with approval having to be obtained before grants are submitted. ~~President Conaway explained that some police grants come with additional obligations that many municipalities cannot afford and therefore are deciding not to participate. The policy and procedure proposal explains in detail accounting procedures, administrative requirements, etc.~~

Town Manager Walls advised the Department of Natural Resources and Environment Control (DNREC) encouraged the town to have a grant procedure policy in place. After a general discussion, Commissioner Correll made a motion to adopt the Grant Administration Procedure Policy. Motion was seconded by Commissioner Greason. Motion carried.

President Conaway, Town Manager Walls and Mr. Howard Hardesty, Bridgeville Historical Society President, met with Ms. Lisa Chase, representative with the Biggs Museum of American Art, on December 7th. The museum will be honoring the art work of Mr. Edward Redfield who was born in Bridgeville. His art work will be on display in Dover at the museum from January 26 to April 18, 2005. The museum would like to sponsor a reception in Bridgeville and are talking with local business leaders in hopes of raising additional funds for this event. President Conaway stated more information will be available in the near future.

## **X. EXECUTIVE SESSION**

Commissioner Sipple made a motion to hold an executive session to discuss personnel matters. Commissioner Correll seconded the motion. Motion carried. Regular session recessed at 9:00 p.m.

President Conaway reconvened the regular meeting to order at 9:45 p.m. Personnel matters were discussed in the Executive Session - no action taken

## **XI. ADJOURNMENT**

Commissioner Correll made a motion to adjourn the meeting. Motion seconded by Commissioner Sipple. Motion carried. Meeting adjourned at 9:47 p.m.

Respectfully submitted by:

Margaret W. Sipple  
Margaret W. Sipple, Commission Secretary

Alma Fleetwood  
Alma Fleetwood, Transcriptionist