

MINUTES

COMMISSIONERS OF BRIDGEVILLE NOVEMBER 10, 2003 - 7:00 P.M. BRIDGEVILLE TOWN HALL

I. CALL TO ORDER

The meeting was called to order by President Joe Conaway. Present: Commissioners Margaret Sipple, Pat Correll, Earl Greason, Bill Jefferson, and Town Manager Bonnie Walls. The meeting started with the flag salute and the Lord's Prayer.

II. APPROVAL OF MINUTES

The minutes from the regular meeting of October 20, 2003 were presented for review and approval. President Conaway expressed his thanks to Town Clerk Alma Fleetwood for preparing the minutes in a timelier manner and to Town Manager Walls for seeing that preparation was carried out. He explained the need and importance of having the minutes available in a reasonable amount of time following the meeting. With there being no questions or comments, Commissioner Jefferson made a motion to accept the minutes as presented. Motion was seconded by Commissioner Sipple and carried unanimously.

III. PUBLIC HEARING

President Conaway opened the scheduled public hearing at 7:02 P.M. regarding public participation in the development of an application to the State of Delaware Community Development Block Grant Program (CDBG). Mr. William Lecates, Director, Community Development Block Grant Program, pointed out the primary objective of the CDBG Program is the development of viable urban communities, including decent housing and suitable living environment and expanding economic opportunities, principally for persons of low and moderate income. 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 the 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). Mr. Lecates advised there is a year round three percent loan program, Housing Rehabilitation Loan Program, available for rental properties. In the last eleven years, the Town of Bridgeville has received \$603, 823 for approximately sixty three rehabs through the CDBG Program. This year communities must have five targeted homes to be eligible for the program and Bridgeville currently has twenty one applications.

President Conaway presented a list of seven infrastructure projects (water main replacements) submitted by Water Superintendent Jones for possible funding. The most inexpensive area being approximately \$21,800 for Cooper Alley and the most expensive of approximately \$195,900 for Walnut Street. The amount of all seven project areas total \$462,000. Mr. Lecates stated that in past years, any project under \$100,000 has been approved. The Town would have to justify why the lines need replacing. Street Superintendent Rick Passwaters submitted a written request for five manhole restorations on North Cannon Street with an estimated cost of \$1,500 each. An engineer's report supporting an infrastructure loan application is required. Mr. Lecates also pointed out that demolition monies are available. Town Manager Walls will meet with Mr. Lecates to discuss the feasibility of an infrastructure and demolition application along with rehabs.

There being no comments or questions from the public regarding the Community Development Block Grant Funding Program, Commissioners supported President Conaway signing the required Certificate of Assurance. After a general discussion, the Commission decided to address the required resolution at the December 8, 2003 meeting. President Conaway closed the public hearing at 7:20 P.M.

IV. APPROVAL OF BILLS

President Conaway complimented Town Treasurer Jesse Savage for preparing and having available to the Commissioners the financial report for review prior to the meeting. This is the first time during the time period of November, the general fund money available, totals \$251,000 (does not include police pension or smaller funds). Building Permit applications total \$6,000 and the Emergency Service Fund totals \$3,200. President Conaway commented on the following tax collection: tax budgeted this year \$192,000 with \$190,942 collected; capitation tax budgeted \$9,190 with \$8,300 collected; and only one tax payer has not paid the in lieu of tax fund. To date \$37,426 has been collected in fines by the police department. The impact fee for Elizabeth Landing additional apartments totaled \$34,000 which was not anticipated in the budget.

President Conaway explained that four years ago the previous Commission borrowed money to operate the Town. Last year \$24,000 was applied toward the loan, leaving a balance of \$20,000, which hopefully will be paid the first part of 2004. Town Treasurer Savage explored various investment avenues for unused funds, with the best investment option to keep monies in a money market account. After a general discussion, Commissioner Correll made a motion to pay the bills as presented and to accept the financial reports. Motion was seconded by Commissioner Sipple and carried unanimously.

V. DEPARTMENT REPORTS

Police-The submitted police department report from Chief Allen Parson advised the October, 2003 traffic arrest revenues estimate to be \$23,989.50.

Water-The report submitted by Superintendent Doug Jones advises the State is allowing the monthly monitoring of nitrates of blended water samples. Fluoridation costs for Well #2-2D located at Cherry Alley, and Well #5D located on South Cannon Street, are being updated by Davis, Bowen & Friedel for submittal to the Office of Drinking Water. Grant funding will cover the cost for installation of equipment at each well site.

Wastewater-Superintendent Phillip Mowbray's submitted report advises the grinder at the septic receiving station is need of repair or replacement. The final report regarding "land disposal of the solids from phragmites bed clean out" was received from the University of Delaware. Phillip Mowbray was instrumental in this project from the beginning and has worked closely with the University.

This is the sixty-first consecutive month without an NPDES violation at the wastewater treatment plant. President Conaway announced that Thursday, November 13, 2003, at eleven o'clock, the Town of Bridgeville will be receiving the Clean Water Partnership Award, due to the efforts and accomplishments of Phillip Mowbray, assisted by Doug Jones and Rick Passwaters.

On Thursday, November 6, 2003, Commissioner Correll attended the Open House celebrating the new facility of Delmarva Rural Water in Milford, Delaware.

Town Manager Walls advised the needed speed limit and town limits signs for Wilson Farm Road will be installed as soon as Miss Utility and the fiber optics are located at the proposed location.

VI. CITIZEN'S PRIVILEGE

No comments from citizens.

VI. TOWN MANAGER REPORTS

A thank you note was received from the Western Boy and Girls Club for the donation toward their annual Bowl-A-Thon held in August.

After speaking with a DelDOT representative pertaining to the re-alignment of Rt. 404 and 13 (intersection and all service roads), Town Manager Walls advised the project

designer should receive this week the completed survey of the proposed project. Once the designer has the survey, work on the project should move quickly with the construction date still scheduled for 2006.

The Commissioners were reminded The Clean Water Partnership Award Ceremony is scheduled for Thursday, November 13, 2003 at eleven o'clock at the Wastewater Treatment Facility.

Town Manager Walls advised at the monthly Commission meeting in October, discussion was held pertaining to contacting M-T Trash, Inc. to see if they would donate services at the Sanctuary for Kids playground. The owner of M-T Trash, Inc. has agreed to collect the trash as a donation to the Town.

Town Manager Walls announced M-T Trash, Inc. was awarded the garbage collection contract for the Town effective December 5, 2003. Details are currently being finalized with the Town and M-Trash. A flyer has been drafted which will be sent to all residents having garbage service in Town explaining the company, what will and will not be picked up, new day pick up-Friday, and other related details.

VIII. OLD BUSINESS

The referendum held Monday, October 27, 2003, to accept grants and borrow funds for the required upgrade to the wastewater treatment facility was approved by the people of Bridgeville, 105 for the issue and 4 opposed.

After interviewing three candidates on Thursday, October 30, 2003, Town Manager Walls announced Ms. Dawn Maurer of Seaford, Delaware, was selected to fill the position of Code Enforcement Constable for the Town of Bridgeville. Ms. Maurer will begin employment on Monday, November 17, 2003 working two days a week, 8:30 A.M. to 4:30 P.M. Work days will be scheduled and announced so the public will know when Ms. Maurer will be available. After a general discussion, Commissioner Sipple made a motion under Delaware Code, Chapter 29, Code Enforcement Constables, to appoint Ms. Dawn Maurer as Bridgeville's Code Enforcement Constable. Motion was seconded by Commissioner Correll and carried unanimously.

Mr. Kenneth Wilson recently submitted a written request to the Town for consideration of annexing his property on Wilson Farm Road (Rd. 546) into the Town of Bridgeville. The Town is in the process of working with the State Planning Office to determine the request. President Conaway explained at the October, 2003 Agricultural Lands Preservation Foundation monthly meeting, a conceptual plan for the agricultural

development of the Wilson Farm (permanently preserved) was presented by Mr. Bob Rauch of Passwaters Farm, LLC. The conceptual plan included a nursery, orchard, sod and possible aquaculture operations. The plan also included a road network allowing access through the property in northern/southern and eastern/western direction. On October 28, 2003, Mr. Bob Rauch withdrew the conceptual plan with the exception of roadways. President Conaway advised the Agricultural Lands Preservation Foundation removed any rejection to the Wilson Farm annexation with the understanding the farm remains permanently preserved. They also have expressed their willingness to allow a north/south route through the property.

IX. NEW BUSINESS

President Conaway expressed his gratitude to Mr. Rick Tull and his firm of Lank, Johnson and Tull for the efforts taken to assist the Town during the period of not having a treasurer and the new treasurer over the past several months to become familiar with our accounting procedures, etc. Mr. Tull presented the Audit Report for the year ending June 30, 2003. Exhibit A-Balance Sheet showed all funds of the Town (mostly cash and receivables) with total assets in the General Fund, \$321,382 and liabilities of \$64,569. Exhibit B showed total revenues were \$1,264,455 and total expenditures \$1,330,224, which resulted in a deficit of \$65,769. There was \$26,530 funded by loan proceeds so the Town was in the red \$39,239 which was covered by carry-over funds from prior years or \$35,761 to the good. Part of the problem is the way the Commission present the budget and the way an audit must be presented. The budget is a cash budget which means all cash coming in, but the audit is a revenue budget which means any carry-over funds shown will not show up in the audit. Mr. Tull commented not many small municipalities have the ability to end the year in a positive situation. Exhibit C which is a comparison to the budget showed the \$75,000 deficit which was the carry-over.

Commissioner Correll and Town Manager Walls expressed their gratitude to Mr. Tull for his many efforts during the vacancy of the treasurer's position. President Conaway thanked the Commission and Mr. Tull for working together to keep the Town financially stable.

President Conaway announced a Resolution honoring Mrs. Rita Hovermale as Delaware's Teacher of the Year was signed and presented today by President Pro-tem Jefferson during a special ceremony in her honor at the Woodbridge High School.

President Conaway presented a proposed Development Improvement and Service Agreement between the developer of the Bridgeville South Project, Nicholas P. H. Rocks, President of Allen and Rocks, Inc. and the Commissioners of Bridgeville.

President Conaway explained the agreement is a very important instrument for the Town and he wanted to take the time to highlight some sections of the agreement-The developer is responsible for construction of streets, water and sewer infrastructure and improvements, inspections, transferring ownership of water and sewer improvements and easements to the Town, bike paths, etc. The Town agrees to waive water impact and water meter fees (copy attached). Sections read and reviewed were as follows:

page 1, items D, E, and F. ;
page 2, 1. a, b, and c;
2. a (i), (ii);
page 3, (iii), (iv), (v), (vi);
page 4, b. (i), (ii) 1. and 2., (iii) 1., 2., 3., and 4. ;
page 5, c. (i), (ii), (iii) 1., 2., and 3. ;
page 6, 3. a. (i), (ii), and (iv); 3. b. and c. ;
page 7, 4. a. and b. ; 5. a. and b. ;
page 8, mention made of all involved parties.

After further discussion and review of the Agreement, President Conaway requested authorization to execute the document on behalf of The Town of Bridgeville. It was pointed out the Agreement has been sent to the Town's Solicitor, Wilson, Halbrook and Bayard, Mr. Dennis Schrader, for final review. Mr. Schrader had previously reviewed and approved the draft of the agreement. Commissioner Sipple made a motion to sign the Agreement. Commissioner Greason seconded the motion with the following votes being recorded.

Commissioner Jefferson - Yes
Commissioner Sipple - Yes
Commissioner Correll - Yes
Commissioner Greason - Yes
President Conaway - Abstain

Motion carried.

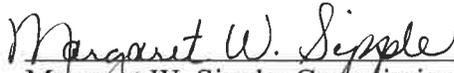
Discussion was held regarding borrowing \$100,000.00 from the Baltimore Trust Company during the interim period of receiving governmental grants and loans for modifications and improvements to the Town's sanitary sewer treatment system to pay for costs involved for hydrogeological testing, studies, and related services. The Baltimore Trust Company has agreed to lend the Commissioners the unsecured needed funds at an interest rate to be determined of not less than 2.8% nor more than 3.2% for no longer than a one year period. Town Manager Walls explained contact had been made with the Department of Natural Resources and Environmental Control, Mr. Al Farling, regarding the proposed loan. Mr. Farling advised the borrowing is allowable as long as

no construction costs are involved-the hydrogeological testing and studies are allowable expenditures. Davis, Bowen and Friedel, town engineers, have been conducting the testing and agreed to hold bills until governmental monies were received. President Conaway explained that he felt it was the Town's responsibility to pay for these services as incurred, therefore the requested loan. After further discussion and presentation of a Resolution agreeing to the borrowing of funds, Commissioner Jefferson made a motion to adopt the Resolution for the borrowing of \$100,000.000 from the Baltimore Trust Company. Motion was seconded by Commissioner Correll and carried unanimously.

X. ADJOURN

Commissioner Sipple made a motion to adjourn the meeting at 8:23 P.M. Motion was seconded by Commissioner Jefferson and so carried.

Respectfully submitted by:


Margaret W. Sipple, Commission Secretary


Alma Fleetwood, Recording Secretary