

MINUTES

COMMISSIONERS OF BRIDGEVILLE NOVEMBER 12, 2001 - 7:00 P.M. TOWN HALL

I CALL TO ORDER

The meeting was called to order by President Joe Conaway. Present: Commissioners Margaret Sipple, Pat Correll, Earl Greason and Bill Jefferson. The meeting started with the flag salute and The Lord's Prayer. A moment of silence was given for the another tragic accident in New York.

II. APPROVAL OF MINUTES

MOTION: Commissioner Sipple made a motion to approve the minutes as presented. Motion was seconded by Commissioner Correll and carried unanimously.

III. APPROVAL OF BILLS

The Christmas lights have been received for Church Street from Liberty Flag and Specialty Company for a cost of \$2,707.57. Through the efforts of Commissioner Correll donations of \$2,000 were received from the Lioness Club and Kiwanis Club leaving a difference of \$707.57. **MOTION:** Commissioner Correll made a motion to pay the monthly bills and to include the addition of \$707.57. Motion was seconded by Commissioner Jefferson and carried unanimously.

President Conaway stated the balance sheet has changed for the good. Much of the change is due to property taxes received. The Town currently has a \$99,000 surplus. The Commissoin has been successful in attracting other moneys.

PRESENTATIONS: Certificates of Appreciation

1. Mr. Jason Deibel (who was not able to attend) will receive a certificate for his achievement as an Eagle Scout. Commissioners Correll and Sipple attended the Scout ceremony on Sunday.

2. Mr. Robert Duncan, Duncan Petroleum, for building renovations and the opening of a new business at 100 South Main Street.

IV. CORRESPONDENCE

1. An invitation was received from Jason Deibel to attend his Eagle Scout Court of Honor on Sunday, November 11, 2001 at the Union United Methodist Church.

2. A letter was received from the Bridgeville Senior Center complimenting the Apple Scrapple Committee for a job well done.

3. A letter was received from Sussex County Councilman Vance Phillips congratulating the Town on another successful Apple Scrapple Festival, and the opportunity to participate in the Scrapple Sling (who took home the trophy).

4. Confirmation was received from Mr. Glen Stevenson regarding the \$100,000 grant for street improvements that was approved for the Town by DelDOT.

5. Letters of complaint were received from Mr. Howard Hardesty and Mr. Tim Curry pertaining to the residents of the house on North Main Street. President Conaway stated that Chief Parsons is working on the problem. A suggestion was received that an 8' fence be erected between the house and the Town's parking lot. Bridgeville Building and Loan Association is willing to pay \$1900, and Mr. Curry offered \$100 towards the fence project. President Conaway said he hates to spend money because people will not abide by the laws of the Town. Commission Jefferson is to check on the price of a fence and have the police department continue their efforts in trying to correct this matter.

6. Senator Thomas Carper will be holding a Town Meeting on November 17, 2001, 10 to 12 noon, Sussex County Emergency Medial Service, 9 South DuPont Highway, Georgetown, De.

7. Notice was received regarding the Watershed Stockholders Roundtable gathering to be held December 3, 4 and 5, 2001.

8. Notice received from Delaware Solid Waste Authority pertaining to unacceptable materials for disposal.

9. A letter was received from Agrilink Foods indicating that approximately 70 employees will be laid off January 2, 2002. President Conaway explained if the company had asked for assistance early on, the State and County have the ability to help companies in situations of this nature. If other officials had been notified sooner the employees could of had time to re-train for other jobs.

During a recent Citizen's Advisory Meeting Mr. Bob Slater suggested maybe Agrilink's spray site might be able to be used by the Town for a future spray system.

10. Reminder was received from General Code Publishers explaining the next code supplement is scheduled for December.

11. The Sussex County Land Use Plan Update will be Wednesday, November 14 at the Greenwood Fire Hall from 5 to 7 PM.

12. A letter was received from Meals on Wheels asking for donations.

13. The IRS sent notice of the new public web site (www.irs.gov) which will help provide access to federal tax materials.

14. DelDOT will be holding a public workshop on the U.S. 13 Corridor Capacity Preservation Program on December 4, 2001, 4 to 8 PM at the Seaford Middle School, 500 East Stein Highway, Seaford, De.

15. A letter was received from Attorney General Jane Brady regarding a Train the Trainers event being held on November 27, 2001 at Delaware Technical Community College Terry Campus in Dover, De. 8:30 until 12:30.

16. A letter was received from Mr. Nathan Hayward, Secretary of Transportation, explaining the Scenic and Historic Highway program in Delaware.

17. The Commission received the Annual Delaware State Housing Authority Report for 2001.

V. DEPARTMENT REPORTS

1. Written reports available.

2. Police-Total estimated revenue for October, 2001 was \$25,937.75. Commissioner Jefferson said the person presently attending the police academy might decide not to come to work for the Town upon his graduation. If he decides to seek employment elsewhere, the Town will be reimbursed for his expenditures by the city where he seeks employment.

3. WWTP-The plant has 37 consecutive months without a NPDES violation; President Conaway explained the heating system in the screening building needs repair or replacement. The Commission agreed to proceed with the repairing of the heaters.

Because of the late arrival of the quote from C.C. Oliphant pertaining to redoing the roofs at the wastewater facility, it was decided not to act at this time.

4. Water-A security system has been installed at #2-2D well site.

VI. OLD BUSINESS

1. The second reading of Ordinance #01-9, ABSENTEE VOTING, was presented by President Conaway. MOTION: Commissioner Correll made a motion to adopt the Absentee Voting Ordinance. Motion was seconded by Commissioner Greason and carried unanimously.

2. Last month bids were submitted from firms pertaining to the water tower maintenance program. Two bids were received and opened on October 22, 2001. 1) Utility Service Company submitted a four year bid for \$78,867. Assuming that years 4-10 would be \$7,572 yearly the total cost would be \$124,299. Corrosion Control Corporation submitted a package bid of \$91,900 for the ten year program. After reviewing the bids, Mr. Doug Jones recommended Corrosion Control Corporation. MOTION: Commissioner Sipple made a motion to accept the bid from Corrosion Control Corporation. Motion was seconded by Commissioner Jefferson and carried unanimously.

3. Dr. Kevin Carson, Mr. Mike Breeding and Mr. Coulter Passwaters from the Woodbridge School District were in attendance to receive an answer to their request of last month regarding the waiving of building and impact fees for the new school structures. President Conaway said because of not knowing the cost of the new building he had no way of knowing what the building permit fee would be. He proposed the Commission waive 15% of the building permit fee for the two new school structures and continue the policy of not waiving impact fees. If the 15% waive is granted the Commission needs to be assured the money will be used for the students and not be a part of the bid process.

After discussing impact fees with a number of governments, President Conaway reported impact fees have never been waived. Water and sewer systems are enterprise funds and designed to pay for themselves. Even though the amount of students on the system will not change, only relocate, it will change the expense to the people of Bridgeville.

Dr. Carson asked if the EDU's were to be calculated using 200 gpd or 300 gpd. The new middle school will accommodate 500 students, bringing the total number of students to the ECEC facility to 650. The impact fee will be calculated on whatever water producer the new building has planned (student numbers, staff, cafeteria and gym facility). Currently there are 271 students in the ECEC building and 809 students in the middle and high school. After moving students from Greenwood and the present middle school, the new student increase will only be 34. President Conaway said the engineers will come up with the calculated number for the impact fees based on a formula developed by them several years ago. The water and sewer use is metered based on usage while the impact fee will be based on how many gallons the school is designed to contribute to the system.

A concern of Dr. Carson relates to Ordinance #2-00, Section F, which states that after one year of operation, each structure with water usage in excess of 2500 gpd shall be re-evaluated and the number of EDU's recalculated based on the formula. This impact fee adjustment shall be billed or refunded at the time of the next regularly scheduled billing. Dr. Carson stated the current use per student is 5 gpd. President Conaway stated that

Ordinance #2-00 relates only to the sewer line to the Bridgeville Plaza, and there is a second ordinance for other sewer line fees. Dr. Carson requested a copy of the second ordinance.

Dr. Carson was asked to submit numbers of how many people the new facility will have over the old facility. Dr. Carson asked if any consideration will be taken for moving the 350 students from Laws Street over to the ECEC school. The vocational building is a stand alone structure with approximately 6,000 sq. ft. that will be adjacent to the current agriculture building. The middle school addition is being built as an add-on type structure to the current building (ECEC). Dr. Carson said according to his calculations both structures would carry a building permit fee of approximately \$16,014. With the 15% waiver it would discount the fee by \$2,700. The Commission cannot issue a building permit until all other required permits have been obtained. Dr. Carson was asked to provide the Commission with a list of fees the district will be required to pay and who is waiving what fees.

Commissioner Correll said, speaking for herself, that the Commission needs to set the same precedent for everyone. She realizes the school district is a vital part of the community, but she needs time to study the figures before she can vote.

MOTION: Commissioner Sipple, after much discussion, made a motion to table the impact fees and building permit fees until the required permits have been obtained. Motion was seconded by Commissioner Greason and carried unanimously. After all permits have been obtained, the Town Commission will call a special meeting to discuss the fees.

The Town has agreed to allow Davis, Bowen and Friedel the opportunity to engineer the new structures for the school district. Because of a possible conflict of interest with them being the Town's engineers, the Commissioners believe it would be in the best interest of the Town if an independent engineering firm, Environmental Consultants of Reboboth Beach, be hired to review the district's plans. The cost of this firm will be at the expense of the school district if the technical plans need to be reviewed. **MOTION:** Commissioner Sipple made a motion to obtain Environmental Consultants as a backup engineering firm for the Town for reviewing the plans for the new school buildings. Motion was seconded by Commissioner Correll and carried unanimously.

President Conaway explained that if the school district gives the Town plans that need reviewing and to certify that nothing is going to affect the Town's system in any negative way, the Town needs to be protected.

4. County Councilman Finley Jones donated another \$500 towards the renovations of the downstairs meeting room.

VII. NEW BUSINESS

1. President Conaway announced the election for new Commissioners will be Saturday, January 12, 2002 from noon until 7:00 P.M. Interested residents have until Friday, December 14, 2001 (noon) to file for one of the three positions.

One Year Term currently held by Pat Correll

Two Year Terms currently held by Margaret Sipple and Earl Greason

Residents must be registered with the Town to be eligible to vote. Registration is open until January 2, 2002. The office will be open December 10, 2001 from 5:00 until 7:00 P.M. for registration or Monday through Friday, 8:30 A.M. until 4:30 P.M.

Absentee voting is available but procedures must be followed as stated in the new ordinance.

Commissioner Sipple announced she will be a candidate for another two year term.

2. President Conaway said a letter of request for annexation into the Town of Bridgeville has had been received from Kenny, Inc., an agriculture related business that wash cucumbers. Currently they are in the process of purchasing 136 acres of land across from the Perdue Company. Local purchased products will be processed, cleaned and shipped out to other destinations. Mr. Kenny will make a presentation at the December meeting. If annexation occurs, Mr. Kenny is prepared to pay for water and sewer.

3. President Conaway explained that since January there have been a lot of concerns and violations concerning odors from Cannon Cold Storage (available for review in the Town Office), There is a two part problem with CCS: one being the sewer problem and the other being an odor problem. He read an account of continued violations and a log of complaints from residents pertaining to the odors. He said it is time the odors in this Town subside. Any resident can sign a warrant against the property owner if odors persist around their property.

CCS/PPP approached the Town regarding their permit and a possible new calculation which might help their violation problem. President Conaway said he would not sign the amendment to the existing permit until CCS/PPP can guarantee the Commission and the people of this Town that the odor problem has been resolved.

Mr. Bob Hunsberger, CCS/PPP, said he has been working for four days straight trying to resolve the problem. The company has spent thousands of dollars on ideas suggested by the engineers but so far nothing has corrected the problem.. Mr. Hunsberger said he has always done whatever the Town's engineer suggested to do to try and get the plant odor free. He said he would begin this weekend to drain the tanks and treat them with a hypochlorite solution on Monday which hopefully will solve the problem. Because the odors often start in evening, it was suggested that maybe someone work a longer shift to make sure odors are not escaping after the processing procedures are completed during the day. The company has tried every solution to resolve the odor problem that has been suggested to them from their engineer, the Town's engineer and the state but nothing has worked to this date.

A notice of violation will be issued to CCS/PPP regarding the persistent odors from their plant. Per CCS's Industrial Permit No. IWDP-04-2, Special Conditions I, Section C, Paragraph C.8, the industry is prohibited from discharging, "any noxious or malodorous liquids, gasses, solids, or other wastewater, which, either singly or by interaction with other wastes, are sufficient to create a public nuisance, a hazard to life, or to prevent entry into the sewers for maintenance and repair". The company will have 30 days to correct stated violations.

Mr. Hunsberger said out of all the violation dates President Conaway read only three were reported to him from DNREC (4 month period), and the flow violations have been alleviated. All odor complaints are to be called in to Mr. Hunsberger.

Commissioner Greason suggested CCS/PPP send information out to the residents regarding the odor problem and what they are trying to do to resolve the problem.

4. President Conaway said the Commission held a special meeting to discuss the police department. A new pay scale was adopted that points out clearly the steps that can be taken for advancement in the department. Commissioner Jefferson thanked Office Chuck Manuszak for remaining with the Town's police force.

VIII. CITIZEN'S PRIVILEGE

1. Mr. James Ashmead from Seaford attended the meeting stating he has applied for a full-time police officer position in Bridgeville. Chief Parsons said the next fourteen week academy would start the first week in March.

2. Ms. Myna Dixon, 313 First Street, asked where residents would go in case of emergency situation. Chief Allen Parsons stated in an emergency residents could go to the firehall. If the Town were under some type of emergency public announcements would be made on local radio and television.

Mrs. Dixon would like to see speed signs placed on First Street. She believes the speed limit should be less than 25 mph because of all the children in the area. Commissioner Sipple and Chief Parsons will check into the matter.

IV. ADJOURNMENT

MOTION: Commissioner Jefferson made a motion to adjourn the meeting. Motion was seconded by Commissioner Correll and so carried.

Respectfully Submitted,



Margaret W. Simple
Commission Secretary