

**MINUTES
COMMISSIONERS OF BRIDGEVILLE
DECEMBER 12, 2011 – 6:00 P.M.**

I. CALL TO ORDER

The meeting was called to order by President Pat Correll at 6:00 P.M. Present: Commissioners Paul Kovack, Steve McCarron, Jay Mervine, Lawrence Tassone, Town Manager Merritt Burke IV and Town Solicitor Dennis Schrader.

II. EXECUTIVE SESSION – Personnel Matters

Commissioner Tassone made a motion to go into Executive Session to discuss personnel matters. Commissioner Mervine seconded the motion. Motion carried. The open session recessed at 6:01 P.M.

III. RECONVENE OPEN SESSION

Commissioner Tassone made a motion to come out of Executive Session. Commissioner Kovack seconded the motion. Motion carried. Commission President Correll re-convened the open session at 7:00 P.M. The Commission discussed personnel matters during the Executive Session and no votes were taken.

The open session began with the Flag Salute and the Lord's Prayer. President Correll requested a moment of silence in honor of Mrs. Mildred Pusey who passed away. She was the Town Clerk and Treasurer for 25 years.

IV. QUORUM PRESENT

A quorum was present to conduct the business of the Town of Bridgeville.

V. RESOLUTION – Sussex County Administrator, Mr. David Baker

Mr. David Baker, retiring Sussex County Administrator, was brought forward as a Resolution was read to honor Mr. Baker's 35 years of service to Sussex County as the Finance Director, and most recently as the County Administrator. Mr. Baker is retiring from public service and was thanked for his years of service. Town Manager Burke congratulated Mr. Baker on his retirement and added that it was very easy to see Mr. Baker's numerous accomplishments in his career with the county. President Correll added that the Sussex County Association of Towns also honored Mr. Baker with a book of letters from each of the Towns and she thought that it was also appropriate to invite him to Bridgeville to thank him for his support of our Town, as well as all of the Sussex County Towns during his years of service to our county.

VI. APPROVAL OF AGENDA

Commissioner Tassone made a motion to approve the Agenda as presented. Commissioner Kovack seconded the motion. Motion carried.

VII. FY-2011 AUDIT REPORT – Firm of Lank, Johnson and Tull

Mr. Rick Tull from the accounting firm of Lank, Johnson & Tull came to present the audit report. This is an unqualified opinion, which is the highest level possible. He acknowledged that Town employees do an exceptional job of keeping track of the Town finances and assisting his firm in preparing the audit. Finance Director Savage and Town Manager Burke have been invaluable in their assistance. Mr. Tull advised the balance sheet contains the assets we own and the liabilities we owe. As of June 30, 2011, the Town had assets of \$22 million. Liabilities were slightly over \$8 million and net assets were almost \$14 million. There is \$220,000 of unrestricted assets in cash or accounts receivable available. He advised this is a fairly good balance sheet for a small Town. Exhibits A & B are presented as if this were a for-profit business. Exhibit B – “change in net assets” signifies the net profit of the Town if it were a for-profit business, which is almost \$37,000. Given the state of the economy, that is a favorable result for a small Town. Concerning the Budget, the Town budgeted \$2.6 million in total revenue and actually realized that amount with a favorable variance in revenues of almost \$27,000. Concerning expenses, the Town budgeted almost \$2.5 million and spent almost \$2.6 million, (over by \$110,000) which includes depreciation of \$213,000. During the audit process Mr. Tull, Town Manager Burke and Finance Director Savage discussed the need for capital budgeting. The state/federal government’s lack of funding will likely trickle down to us eventually and the Town should prepare a capital needs assessment for future planning when state funding resources run dry. Many other Towns are doing the same. He recommended more allocation (overhead) to the water/sewer departments for a more realistic number in those departments. He also recommended paying one of the Rural Development loans or a least devising a more aggressive pay-down schedule. One of the loans is at 6% and it should be diminished. Concerning general comments, he believes oversight of the staff is important. There are controls within the office that need to be carried through so that something inappropriate does not take place concerning poor use of Town funds. He does not see any inappropriate spending in Bridgeville; however, he feels it is important to have controls in place. The audit is a good result that the Town can be proud of. He believes the employees deserve a lot of credit. He is available to answer any questions the Commissioners may have through his office contact numbers. It was determined that Bridgeville can begin the process of a capital needs assessment when they address the mid-year budget amendment in the next few months. Finance Director Savage advised there are funds in place for those needs; however, they are not currently earmarked. Mr. Tull admitted making projections is difficult. He advised there are proposed changes in the reporting standards that would require municipalities to project their cash flow for five years, which would be a great challenge. The issue of cost allocation will be included in the mid-year budget amendment. Commissioner McCarron made a motion to accept the Audit Report as presented. Commissioner Kovack seconded the motion. Motion carried.

Town Manager Burke added that Finance Director Savage works very hard; he is a dedicated employee and a professional. He believes he plays a very important part in the Town and is highly skilled in financial matters.

VIII. APPROVAL OF MINUTES

Commissioner McCarron made a motion to approve the minutes from the November 14th Commission Meeting and Executive Session and the November 28th Special Commission Meeting and Executive Session. Commissioner Tassone seconded the motion. Motion carried.

IX. CORRESPONDENCE

Town Manager Burke advised the receipt of a letter from Ms. Fran Smith, Executive Director of the Bridgeville Senior Center, thanking the Commissioners for their monetary donation from the Charity Open Golf Tournament.

The Nanticoke Health Services Foundation has written to the Commissioners requesting a \$5,000 donation toward the \$2 million capital campaign to expand cardiac laboratory services at the hospital. Town Manager Burke advised this type of donation is not currently in the Town's FY-11 budget. President Correll advised all of the Sussex Towns received this letter, although the requested amounts were different, based on each Town. She added that some of the Towns are giving a smaller donation than requested and pledging the rest of the money over a period of time. President Correll believes the hospital is looking for a pledge, rather than all of the money right now. She believes the Commissioners need to discuss it and make a commitment. Finance Director Savage agrees that making a commitment now is appropriate and then looking at the budget amendment in the near future to see what monies can be freed up to donate. He does not believe the Commissioners should pledge a specific amount at this time. Commissioner Tassone believes they are looking for a specific amount in a pledge, but perhaps it would be paid over a period of time. He also believes the Heritage Shores community would be served greatly with more local cardiac care available to them. Per Finance Director Savage, the budget amendment will be considered at the January meeting. Commissioner Mervine suggested answering the letter now with a commitment to contribute an amount to be determined at the upcoming budget amendment. Finance Director Savage questioned Solicitor Schrader about whether the Town's Emergency Services Fund could be used for this type of request. Solicitor Schrader does not believe they are an emergency provider. The Emergency Services Ordinance was written as a donation to first responders, such as the Fire Company. Commissioner Tassone made a motion to consider the Nanticoke Health Services Foundation's request for a \$5,000 donation at the Town's budget amendment in January. Commissioner Kovack seconded the motion. Motion carried. The vote was 4 to 1 with Commissioner McCarron abstaining.

X. APPROVAL OF FINANCIAL STATEMENTS AND BILLS PAYABLE

Finance Director Savage directed the Commission to the Balance Sheet for the period ending November 30th. The General Fund balance was \$416,872 and reserve accounts totaled \$553,810, for a total balance of \$1,203,317. Concerning Accounts Receivable, there are outstanding invoices of \$154,155, of which \$10,024 is property taxes. There are still some outstanding garbage fees due (\$3,500); however, that line item will zero out when all past-due fees are paid, since the Town is no longer collecting garbage fees. On the Budget Report we are five months into the budget year and should be at 42% of the budget. Total income stands at \$1,320,000, which is 52%. Expenses total \$1,035,000, which is 40% of the budget. There is a Building Permit correction; we are currently at \$23,000, which is well above where we expected to be at this time in the budget year. There were three new permits at Heritage Shores in November. Concerning Accounts Payable, the Town has received a total of \$47,075 in bills. Of that, the RBC/Energy project bills total \$1,053. Those monies will be reimbursed through state loans. Expected expenses include DNREC semi-annual debt service on the spray farm of \$93,200 and a quarterly USDA debt service billing of \$43,600. Total amount of bills to be approved is \$298,875. Commissioner Kovack questioned the miscellaneous bills of

\$35,000. These include utility bills and repairs. Finance Director Savage reported electric can be as high as \$8,000 per month and the gas bill is increasing. This figure also includes gas for the Town vehicles. Additional bills include a clarifier sump pump purchase, the replacement of 4 LMI chemical pumps in the well houses, the annual audit and the repair of a fire hydrant for \$3,400. We have not heard back as to whether insurance or some other source will pay for the hydrant repairs. (It was damaged in a traffic accident.) Chief Longo will look into the matter and see where it stands. Commissioner McCarron advised another hydrant has been damaged on Church St. and has a bag over it. Commissioner Tassone made a motion to pay the bills as presented. Commissioner Mervine seconded the motion. Motion carried.

XI. DEPARTMENT HEAD REPORTS

President Correll reported she believes our new Water Superintendent, Scott Kimball, did a good job on his first monthly report. Commissioner Mervine questioned the window in the back of the Police Station. Chief Longo advised he and Code Enforcement Officer Butler have made numerous calls concerning an estimate on frosting the replacement glass for the window. If there is no response imminent, they will contact another company. They would like to use a local glass company, but will go further away if necessary. They do need light to come through that window; two other windows will be replaced, as well and they are anticipating the cost to be around \$300. The current problem is people talking through the window to the individual in the jail cell, which is a nuisance.

Town Manager Burke advised police fines have increased this year; currently the Town receives 23% from fines, rather than the previous 21%.

XII. TOWN MANAGER'S REPORT

Town Manager Burke advised the new Town Website is operational.

Town Manager Burke has received new information from the Delaware Energy Office that there is approximately \$70,000 remaining for energy projects. He would like to pursue some or all of that money. There is no match needed; this is 100% grant money. Our previous energy projects included lighting retrofits, window/door replacements and pump/motor replacements. This is a competitive grant and the deadline for submission is December 23, 2011. Commissioner Tassone asked what type of project Town Manager Burke is considering. Solar and additional insulation in the well houses are being considered, as well as any other ideas that might be submitted. A review of last year's energy audit may uncover other ideas for projects; Town Manager Burke will send a copy to each Commissioner so they have an opportunity to assist in project ideas; he will work with President Correll for project choices after everyone has submitted their ideas. Commissioner Kovack made a motion to approve the submission of an additional EECBG (Energy Efficient Community Block Grant) for consideration by the Delaware Energy Office. Commissioner Mervine seconded the motion. Motion carried.

Town Manager Burke has been in contact with the Office of State Planning concerning moving forward with the Bridgeville Master Plan with meetings and Public Workshops.

The Street Department has bid out 88 feet of curbing on N. Cannon St. This is the area that is prone to flooding in severe storms. An additional \$10,000 in Municipal Street Aid has been directed to this project. The low bid was entered by L&B Concrete, an Ellendale contractor, in the amount of \$4,700. This project will widen the street by two feet. Finance Director Savage advised this capital improvement project was not in the budget. The \$10,000 is restricted money for road and bridge work. Street Superintendent Passwaters is looking for another project to use the remaining \$5,300 that would be available from this Municipal Street Aid money.

The Bridgeville Mustangs 4-H Club will sponsor Caroling in the Park on Sunday, December 18th at 6:30 P.M. at the Historical Society Park. President Correll advised she used to spearhead the caroling event for several years; however, it was poorly attended. The 4-H Club has gone to great lengths to make this an enjoyable event and she hopes that many will attend.

The Town is collecting canned goods and non-perishable food items for needy families. Donations can be brought to Town Hall from 8:30 A.M. to 4:30 P.M. weekdays until Friday, December 16th.

The Town employees and Commissioners will join together for a Christmas luncheon on Wednesday, December 14th at Jimmy's Grille.

Commissioner Mervine questioned if winterization needs to be accomplished at the O'Leary building. The heat is on; therefore, the pipes do not need to be drained, per Code Enforcement Officer Butler. It could cost more to winterize than to leave the heat on low. Town Manager Burke advised there is a possible solution for the use of the building.

XIII. CITIZEN'S PRIVILEGE

Mr. Larry Skala from 108 Whistling Duck Dr. reminded the Commissioners that there is no working light on the top of the water tower at Heritage Shores. Commissioner Tassone believes the tower is under the height maximum for the requirement of a light. Town Manager Burke advised that information is correct.

Mr. Bill Atwood from 113 Emily's Pintail Dr. questioned donations to the Senior Center, Nanticoke Health Services, etc. Do they come out of a single account and are they identified? Finance Director Savage advised the Senior Center donation was money raised at the October 14th Golf Tournament. Currently, there are no donations in the budget, although the Town did make a donation to the Apple Scapple Festival for advertising from the general budget. Mr. Atwood assumed then that a donation to Nanticoke Health Services would be an unusual donation. Commissioner Correll advised that several years ago the Commissioners had set aside \$5,000 each year for donations to some of the community organizations. There were many requests and the Town's financial circumstances changed so that it could not continue; there are always requests for donations. Mr. Atwood suggested caution in choosing recipients. President Correll believes the hospital donation is meant to be a one-time donation, not continuous.

XIV. OLD BUSINESS

There was no Old Business to consider at this meeting.

XV. NEW BUSINESS

A. High Velocity Jetting Bid Award

Town Manager Burke advised the Commissioners approved a \$65,000 contract with A.C. Schultes recently for replacement of pumps and motors at our well houses. At well house #5 they ran into a problem with the well; it was operating at 50% capacity due to the screens being blocked. Mr. Mike Collison from A.C. Schultes sent a proposal to Town Manager Burke to do the work. These wells need consistent maintenance to work at peak performance. The Delaware Energy Office advised the Town could not include this cleaning aspect in the established bid on the energy project, because it wasn't an energy efficient project. Nine companies were sent a scope of services to bid on the project; only three bids were received on Friday, December 9th. A.C. Schultes of Bridgeville was the low bid at \$20,900. Town Manager Burke, Town Engineer Jason Loar and Town Finance Director Savage recommend that the Commissioners award the contract to A.C. Schultes. Once this project is complete, A.C. Schultes will be able to continue the energy department project of replacement of pumps and motors. Commissioner Tassone made a motion to award the high velocity jetting project to A.C. Schultes, as the lowest bidder. Commissioner McCarron seconded the motion. Motion carried.

B. Introduction of Ordinance A11-5, An Ordinance Requiring Licenses for Contractors and Subcontractors Doing Business Within the Town of Bridgeville

Commissioner Mervine made a motion to introduce Ordinance A11-5 for consideration before the Commissioners of Bridgeville.

C. Introduction of Ordinance A11-6, An Ordinance Redistricting Election Voting Districts Within the Boundaries of the Town of Bridgeville

Commissioner Mervine made a motion to introduce Ordinance A11-6 for consideration before the Commissioners of Bridgeville.

D. Board of Adjustment Reappointments

Town Manager Burke advised Reverend Dale Brown and Mr. George Hardesty are both willing to serve another three-year term on the Board of Adjustment. Commissioner McCarron made a motion to reappoint Reverend Dale Brown and Mr. George Hardesty to the Bridgeville Board of Adjustment. Commissioner Mervine seconded the motion. Motion carried.

E. Introduction of Ordinance A11-7, An Ordinance to Amend Chapter 234-22, Land Use and Development, Extending Preliminary Development Plan Approvals

Commissioner Kovack made a motion to introduce Ordinance A11-7 for consideration before the Commissioners of Bridgeville. Solicitor Schrader advised this Ordinance will be referred to the

Bridgeville Planning and Zoning Commission for their hearing and recommendation. President Correll advised Bridgeville is following the county in extending development plan approvals to allow developers extra time to move forward with their project in a difficult economy. This project's approval would lose its preliminary approval in early February without this extension.

F. Sanctuary for Kids Park

Commissioner Kovack asked for assistance with the perpetual park, Sanctuary for Kids Park, in his district. He has tried to contact Mr. Mitchell, who was on the original park committee and Reverend Dale Brown, who is the current pastor at Union United Methodist Church, about park needs. There are boards with splinters, along with other issues that should be dealt with. The Town has the liability for the park at this time and should take care of it. Commissioner Kovack suggested dismantling the park equipment and moving it by the library. Commissioner Mervine suggested that would be a good project for a 4-H group. President Correll suggested the Town's responsibility for the park extends only three more years. Due to grants received to build the park, she is not certain whether the Town would have the authority to move the equipment; the Town must contact the right people and do it legally. The problem is finding out where that decision-making responsibility lies. The playground was built when Rev. Al Taylor was the pastor at Union United Methodist Church and the property belongs to the church. President Correll and Commissioner Mervine were both involved in the project. The Town received the grant and built the playground on church property. They believe the liability was to be turned over to the church after a certain number of years. Solicitor Schrader believes the Commissioners need to investigate the grant conditions that were attached to the grant project. Commissioner Kovack suggested there is an account of \$10,000 for upkeep of the playground, which is held by the Town. He recommended making repairs, dismantling the playground equipment and moving it to the library. It can be placed on the southwest side of the library; he believes the Town owns that land. It was formerly Heritage Shores property. Mr. Rick Tull suggested getting the Lions/Kiwanis clubs involved in the project. Finance Director Savage believes it would be important to contact Mr. Mitchell due to his past involvement; however, they have not been successful in those efforts. Commissioner Mervine has contacted Mr. Mitchell and told him that the Town has money to make repairs. Mulching has been paid for by the Kiwanis Club. Commissioner Tassone will be glad to contact Rev. Brown tomorrow and find out his opinion about the park. President Correll is familiar with some of the people who worked on the project funding and she will see what she can find out. Mr. Bill Atwood advised he has stopped taking his children to the park because there isn't any open area to run around. He will be glad to help with the park any way he can. Commissioner Tassone added that the property owner (the church) must be in agreement with any recommended changes/improvements.

Mrs. Ruth Skala from 108 Whistling Duck Dr. questioned the Ordinances that were introduced tonight. Will copies of the Ordinances be available for review before the Public Hearing? Town Manager Burke advised the Ordinances will be available at Town Hall tomorrow.

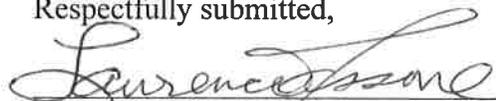
Town Manager Burke asked to, so to speak, "set the stage" for a Bridgeville Park discussion. As alluded to by Ms. Dottie Harper from Brookfield Homes at the last Commission meeting, the primary intent of Heritage Shores was to have a connector path/trail/route to the library from Heritage Shores. That is still "on the table." The Little League has also been in to talk about that area and the potential for another little league field. Parks and trails have been discussed in the library area. There

is a continuous grant – the Delaware Preservation Fund Grant, which could potentially provide up to \$50,000 for trails, etc. We may want to draft a recreation plan for that area and apply for a grant. That idea is a part of the Comprehensive Plan and will be a part of the Master Plan. It is a timely topic as we head into Master Planning.

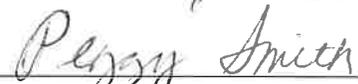
XVI. ADJOURNMENT

Commissioner Tassone made a motion to adjourn the meeting. Commissioner Kovack seconded the motion. Motion carried. The meeting was adjourned at 8:11 P.M.

Respectfully submitted,



Lawrence Tassone, Commission Secretary



Peggy Smith, Transcriptionist