

City of Milford



AGENDA

Monthly Council Meeting

June 9, 2014

Joseph Ronnie Rogers Council Chambers, Milford City Hall, 201 South Walnut Street, Milford, Delaware

7:00 P.M.

COUNCIL MEETING

Call to Order - Mayor Bryan W. Shupe

Invocation

Pledge of Allegiance

Approval of Previous Minutes

Recognition

Monthly Police Report

City Manager Report

Committee & Ward Reports

Communications & Correspondence

Unfinished Business

Ordinance 2014-08/Chapter 193/Solid Waste Code Amendment

New Business

Bid Award/Digger Derrick & Winch/Electric Department

Reappointment of City of Milford Planning Commissioners

FY 2013-2014 Budget Adjustment/Electric Substation Project Completion

FY 2013-2014 Budget Adjustment/Former PNC Bank Renovations-Billing Office

Introduction-Ordinance 2014-09/Chapter 48/Parks and Recreation Commission*

Introduction-Ordinance 2014-10/Chapter 165/Adds New Chapter/Parks and Recreation*

Introduction-Ordinance 2014-11/Chapter 176/Adds New Chapter/Public Peace and Good Order*

Introduction-Ordinance 2014-12/Chapter 197/Streets and Sidewalks/Adds Article II/Miscellaneous Provisions*

Milford Vinyard Shipyard Property Offer/Sudler and Joan Lofland Owners**

Monthly Finance Report

Adjourn

This agenda shall be subject to change to include additional items including executive sessions or the deletion of items including executive sessions which arise at the time of the public body's meeting.

**SUPPORTING DOCUMENTS MUST BE SUBMITTED TO THE CITY CLERK IN ELECTRONIC FORMAT
NO LATER THAN ONE WEEK PRIOR TO MEETING; NO PAPER DOCUMENTS WILL BE ACCEPTED
OR DISTRIBUTED AFTER PACKET HAS BEEN POSTED ON THE CITY OF MILFORD WEBSITE.**

Milford Police Department



E. Keith Hudson
Chief of Police



400 N.E. Front Street
Milford, Delaware 19963

TO: Mayor and Members of City Council

FROM: E. Keith Hudson, Chief of Police

DATE: June 9, 2014

RE: Activity Report/May 2014

Monthly Stats:

A total of 699 arrests were made by the Milford Police Department during May 2014. Of these arrests, 130 were for criminal offenses and 569 for traffic violations. Criminal offenses consisted of 12 felonies and 118 misdemeanors. Traffic violations consisted of 263 Special Duty Radar, 5 Drunk-Driving charges, and 301 other.

Police officers investigated 51 accidents during the month (4 personal injury, and 47 property damage) and issued 116 written reprimands. In addition, they responded to 1286 various complaints including city requests and other agency assistance.

Monthly Activities:

Held in Harrington, three officers attended the National Association of School Resource Officers' (NASRO) week-long certification course and were certified as School Resource Officers at its conclusion. NASRO provides quality training to school-based law enforcement officers in order to promote safer schools and safer kids.

Several Officers attended a one-day seminar relating to Bank Security.

Staff members attended a one-day seminar involving Milford Police Department's Code Red Emergency Notification System.

Two staff members attended the Delaware Police Chiefs Conference held in Rehoboth and received FBI Supervisor/Leadership Training.

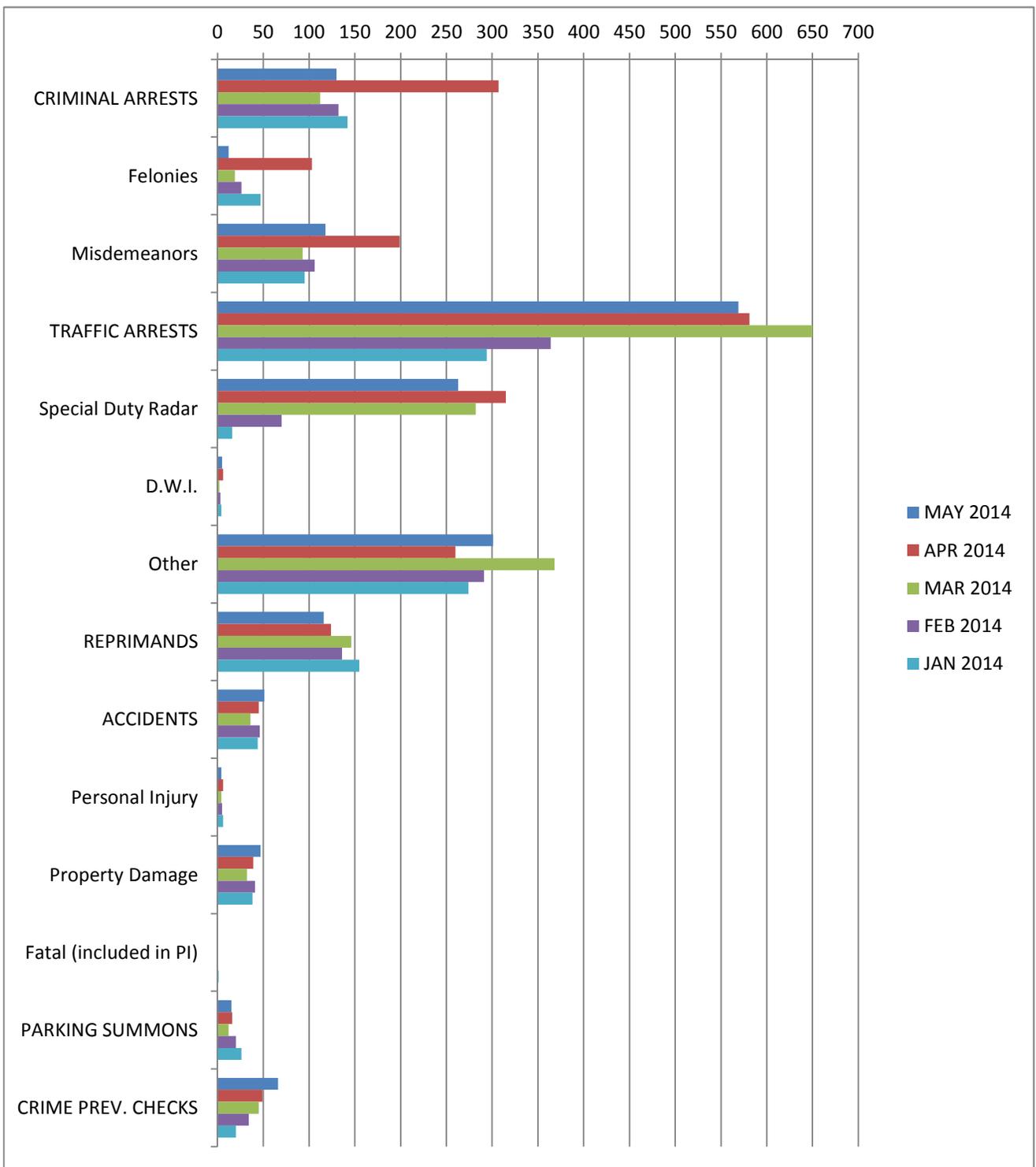
Officers assisted with the Milford High School Senior Cruise on May 21st and the Girls on the Run 5K on May 31st.

The Milford Hospital Fair 5K Fun Run/Walk and Kiddie K was initially scheduled for Friday evening, May 16th. Due to inclement weather, it was rescheduled for Saturday, June 21st.

Several officers also worked the 57th Annual Milford Memorial Hospital Fair on Saturday, May 17th.

MAY 2014 ACTIVITY REPORT

	MAY 2014	TOTAL 2014	MAY 2013	TOTAL 2013
COMPLAINTS	1286	5887	1102	5335
CRIMINAL ARRESTS	130	823	119	541
Felonies	12	207	23	123
Misdemeanors	118	611	96	418
TRAFFIC ARRESTS	569	2458	294	1977
Special Duty Radar	263	946	95	441
D.W.I.	5	20	0	15
Other	301	1494	199	1521
REPRIMANDS	116	677	97	684
ACCIDENTS	51	222	58	247
Personal Injury	4	25	2	26
Property Damage	47	197	56	221
Fatal (included in PI)	0	1	0	0
PARKING SUMMONS	15	89	18	95
CRIME PREV. CHECKS	66	214	44	152
FINES RECEIVED	\$ 15,651.35	\$ 49,490.95	\$ 10,157.12	\$ 53,895.48





MILFORD CITY HALL
TELEPHONE 302-424-3712
FAX 302-424-3558

201 SOUTH WALNUT STREET
MILFORD, DE 19963
WWW.CITYOFMILFORD.COM

COUNCIL REPORT JUNE 9, 2014

ADMINISTRATION

Work has started at the PNC building which will soon be known as the City of Milford Business Office. Brad Dennehy and I did a final walk through on June 5th with the project manager.

Mr. Portmann and I have been meeting with staff to discuss and prepare the city budget for Fiscal Year 2014-2015. All involved are making every effort to keep costs as low as possible, but to continue our services at an acceptable level.

ELECTRIC

Our crews have begun removing the decorative lights near the Washington Street basketball courts so they can be powder coated due to the original finishes failing. These lamps will be refitted with LED lighting.

We experienced an outage on Monday, June 2, 2014 in the early evening when a fuse failed on McCoy Street and caused a breaker to open at the new substation. The breaker is supposed to close itself after it opens as a result of a problem down the line. It did not reopen so crews were required to reset it and open the breaker manually. The breaker is being repaired. The Elks Lodge Road Substation was down as we prepared to move one of our transformers. Because of that, we were carrying our entire load through the new station.

STREETS

The curb and sidewalk work is proceeding on Southeast Front Street. I am still receiving complaints about the condition of the street due to the patches. For the most part, traffic has not been hindered by the work.

Street crews have been working in several areas of the city repairing storm grates. A number of grates settled due to the severe winter temperatures. These catch basins can cause a traffic hazard if not lifted to a reasonable height with the street.

SEWER AND WATER

We will be replacing sewer laterals on Lemuel and Claude Streets. These two streets, located in the area of LuLu Ross School, have a high traffic volume because of the school. Both will be repaved this summer. By getting the trench work done early there will be appropriate time for the compaction of the fill material prior to paving. I have scheduled a pre-construction meeting on the water extension project from Route 1 to the east city limits on Cedar Neck Road. This will provide the ability to deliver water to the annexed properties in the east areas.

RSVP BY JUNE 4

William.Miller@nscorp.com

Include name, title, organization, email, phone, and if you DO NOT plan to ride the bus for the return trip. If you cannot attend, please invite another representative from your organization. Trips are for adults only.

QUESTIONS:

Will Miller • Manager Grade Crossing Safety • 404-582-6937
Derrick Mason • Manager Grade Crossing Safety • 404-582-4350



SeeTracksThinkTrain.org

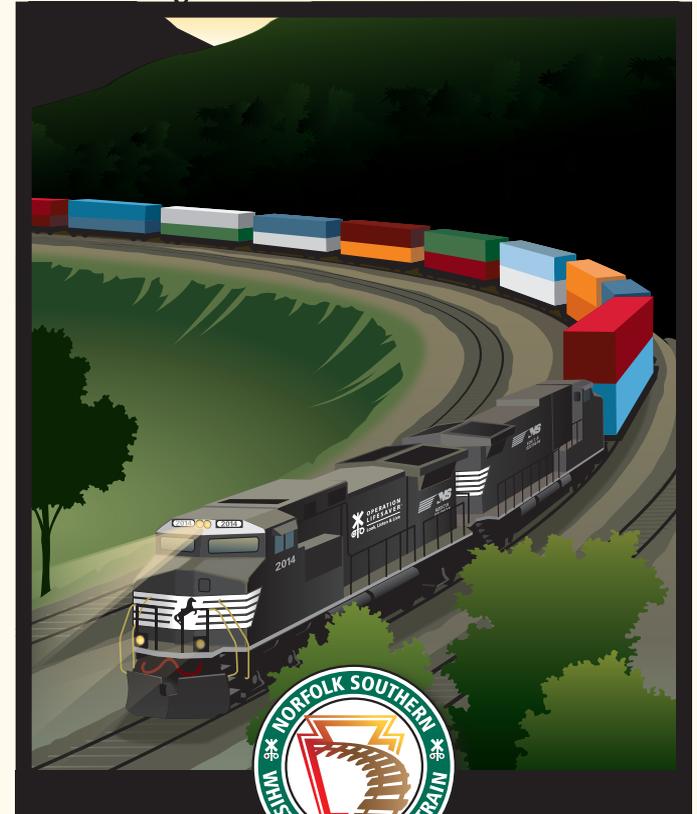
DID YOU KNOW?

- Expect a train at any crossing, in any direction, at any time.
- While driving or walking near tracks – hang up your phone, remove earphones; turn down your radio; don't text, or email.
- It can take a freight train the length of 18 football fields to stop.
- Don't get trapped on the tracks; proceed through a crossing ONLY if you are sure you can completely clear it without stopping.

Operation Lifesaver is a nationwide, non-profit public safety program to eliminate collisions, deaths and injuries where streets and roads cross railroad tracks and on railroad rights-of-way.



You're Invited

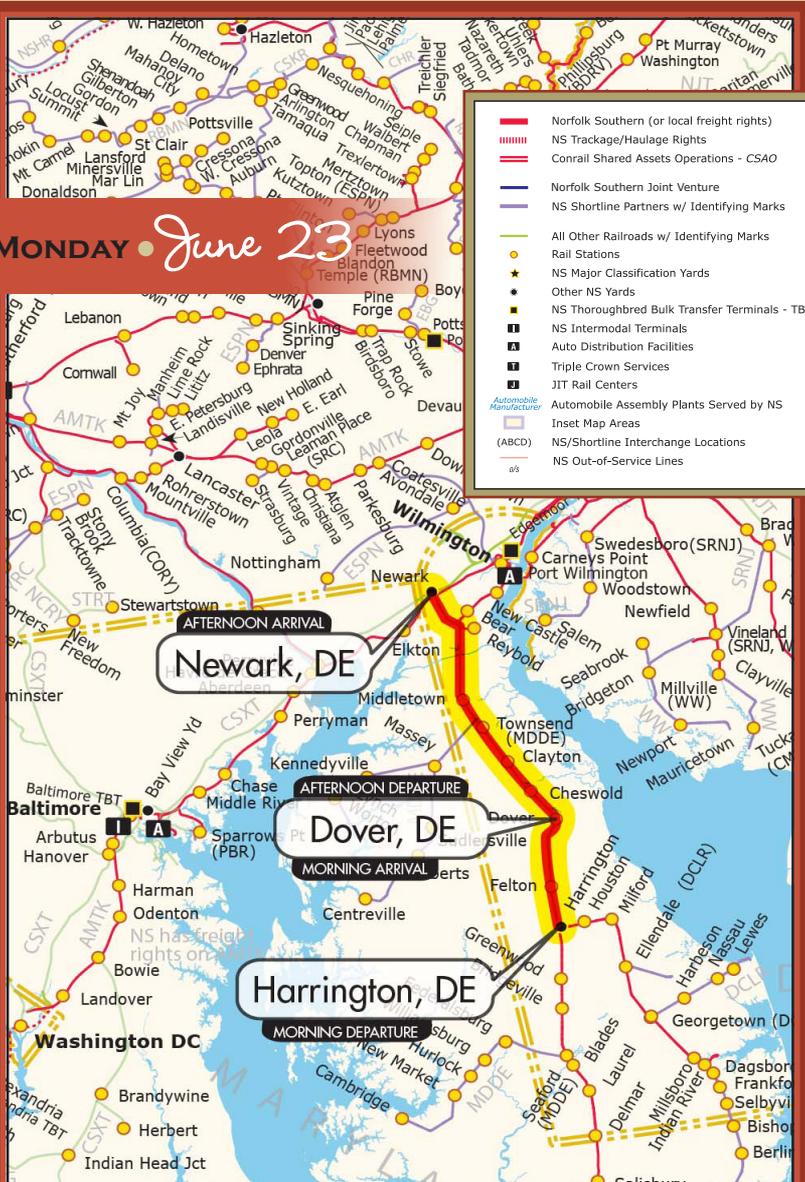


• OPERATION LIFESAVER •

Keystone Whistle-Stop Safety Train

JUNE 23, 2014

MONDAY • June 23



• OPERATION LIFESAVER •

Keystone Whistle-Stop Safety Train

MONDAY • JUNE 23, 2014

Norfolk Southern and Operation Lifesaver invite you to ride aboard a special safety train to learn about highway-railroad crossing and pedestrian safety.

SCHEDULE
HARRINGTON • DOVER • NEWARK

When completing your RSVP, select either morning or afternoon trip.
Please arrive 45 minutes prior to departure time.

MORNING TRIP

Harrington: 101 Delaware Avenue, Harrington, DE 19711
Departure: 9:00 a.m.

Dover: 500 West Lookerman Street, Dover, DE 19901
Arrival: 10:30 a.m.

AFTERNOON TRIP

Dover: 500 West Lookerman Street, Dover, DE 19901
Departure: 12:00 p.m.

Newark: 429 South College Avenue, Newark, DE 19711
Arrival: 3:30 p.m.

RETURN TRIP FOR ALL GUESTS BY MOTOR COACH

Attire: Business casual. Wear rubber-soled shoes for safety.
NO sandals or open-toe shoes permitted.

Refreshments: Lunch, snacks, coffee, water, and soft drinks available.

CODE OF THE CITY OF MILFORD
PART II - GENERAL LEGISLATION

CHAPTER 193 - SOLID WASTE **MANAGEMENT**

ARTICLE I ~~COLLECTION AND DISPOSAL~~ SOLID WASTE

193-1 Definitions

As used in this chapter, the following terms shall have the meanings indicated:

~~YARD WASTE-The part of solid waste consisting of leaves, grass clippings, twigs, small branches (less than four ft. in length), shrubbery, prunings and other garden material.~~

SOLID WASTE-Commonly referred to as trash or garbage, consisting of everyday items that are discarded which may include food wastes, containers and product packaging and other miscellaneous wastes from residential or commercial sources. Solid Waste does not include yard waste, inert waste such as construction debris, hazardous waste, toxic waste or medical waste.

193-2 Unlawful Acts; Containment Required; Containers

It shall be unlawful to deposit or place any trash or garbage into any yard waste container or recycling container on a City street or drainage gutter. Said materials shall be deposited in containers as provided for by the City. The City shall provide containers to each residence and professional office upon request. If any container is lost or destroyed another container shall be provided at cost to the customer. Multi family dwellings shall utilize a City approved dumpster.

193-3 Collection Procedures

A. General.

- (1) All collection of solid waste materials from residences, apartment houses and other approved establishments shall be by City public works crews or contractors hired or contracted by the City Manager.
- (2) It shall be unlawful for any person to place any solid waste container within any public utility easement or public way except on designated collection days at the curblin. All containers shall be placed just behind the curblin of the street abutting such property but shall not be placed where the containers will interfere with vehicular or pedestrian traffic.
- (3) Where solid waste is collected from the front or side street, containers shall be placed there no earlier than 3:00 p.m. of the day preceding the day of collection and not later than 7:00 a.m. on the scheduled day of collection and shall be removed to a point at the side or rear of the structure not later than 7:00 p.m. of the day of collection.
- (4) No solid waste, ~~trash, brush~~ *yard waste, recycling, bulk items* or any other material shall be placed in the street or on the sidewalk. No solid waste of any description shall be disposed of within the limits of the City in any manner other than that prescribed herein. Deposit of solid waste upon any land, alley, street, public place, vacant lot, watercourse, ditch or any other method of disposal not in accordance with this article shall be a violation as prescribed in Section 193-5.

B. Bulk collection. Owners of multi-family units desiring to utilize containers for bulk storage may do so, provided that the container and the placement of the container is approved by the City Manager or his designated representative. In no case shall the container be in excess of three cubic yards' capacity.

C. Items the City will not collect.

- (1) The scope of the service rendered by the City in the collection and removal of solid waste materials is intended to serve the needs of dwelling units, professional offices and their directly related activities. It is considered to be beyond the scope of such service to collect or remove solid waste materials generated by clearing, construction, demolition and any other such activity producing quantities of solid waste.
 - (2) Rock, scrap building materials, appliances containing freon or other trash resulting from construction, remodeling or destruction by fire, the elements, acts of God or other causes resulting from a general cleanup of vacant or improved property or trees, brush and/or debris cleared from a property in preparation for construction or landscaping shall not be collected and removed by the City. Such materials will be removed at the expense of the owner.
 - (3) Tires will not be collected by the City. Items too bulky or heavy to be removed during the regular City collection may, at the discretion of the City Manager, be removed by the City after special arrangements have been made by the owner.
 - (4) The placing of leaves in the streets of the City is prohibited.
- D. Frequency and routes of collection. The City Manager shall divide the City into districts and shall schedule the collection of solid waste in these districts on the day or days and at the times that shall be most efficient and convenient. Adequate notice of the collection schedules shall be given to the residents of the times and schedules and any changes thereto.
- (1) ~~All special collections will be on Wednesdays:~~
 - (a) ~~Bulk or large items, including appliances and furniture, will be collected on Wednesdays.~~
 - (b) ~~Customers are required to contact our Solid Waste Department to schedule a time for a Solid Waste employee to determine the cost of this service.~~
 - (c) ~~Upon agreement, the special collection fee will be placed on the customer's monthly utility statement.~~
 - (2) ~~Additional special collections may be announced.~~

§ 193-4. Containers:

~~A. The City shall provide containers to any person occupying a residence. The resident must use these containers in lieu of personal containers. Professional offices being served by the City shall also use City containers. Multi-family dwellings will utilize city-approved dumpsters; refer to Section 193-5B, bulk collection. If any container is lost or destroyed, another container shall be provided at cost to the customer.~~

~~B=F. Reserved.~~

~~G. Any residential customer regularly placing trash in excess of the limits provided for in Section 193-4A, as determined solely by the City, shall be provided an additional container and billed the residential rate for each container provided by the City.~~

193-4 *Collection & Rate Schedule*

~~Rates shall be as follows:~~

- A. The City will collect solid waste as described in Section 193-3 once every week.*
- B. The City Manager shall divide the City into districts and shall schedule the collection of solid waste in these districts on the day or days and at the times that shall be most efficient and convenient to the City. Adequate notice of the collection schedules shall be given to the residents of the times and schedules and any changes thereto.*
- C. Special collections will be held one week in the months of April and October of each year. Residents shall be able to put out extra solid waste during these weeks without charge. Adequate notice of the special collection dates and details shall be given to the residents.*
- D. Residential buildings with 12 units or less: \$23.50 monthly for one container or \$47.00 monthly for two containers.*

E. Non-Residential buildings: \$23.50 monthly for one container or \$47.00 monthly for two containers.

Code Number	Description	Monthly Rate
Residential rates-		
01	Single-family and multi-unit buildings with \$23,500 or less 1 x per week collection	\$23.50
Commercial rates-		
CART	95-gallon 1 x per week collection	\$32.00
05	3-yard 2 x per week collection	\$80.00
06	Customer-owned 3-yard 3 x per week collection	\$192.00
07	3-yard 3 x per week collection	\$134.00
08	City-owned 3-yard 3 x per week collection	\$198.00

193-5 Violations and Penalties

- A. Any person or any officer of any firm or corporation violating any of the provisions of this article shall, upon conviction thereof before a Justice of the Peace, be sentenced to pay a fine of not less than \$25 nor more than \$300, together with costs of prosecution.
- B. Every violation of this article shall be deemed a separate offense for each and every day a violation shall continue and shall be subject to the penalty imposed by this section for each and every such separate offense.

ARTICLE II YARD WASTE

193-6 Definitions

As used in this chapter, the following terms shall have the meanings indicated:

YARD WASTE-Biodegradable waste consisting of leaves, grass clippings, twigs, small branches (less than four ft. in length), shrubbery, prunings and other garden material.

193.7 Unlawful Acts; Containment Required; *Containers*

- A. It shall be unlawful to deposit or place any ~~leaves, grass trimmings, tree trimmings or other vegetative debris~~ *yard waste* or matter into any garbage container, recycling container on a City street or drainage gutter. *Said materials shall be deposited in containers as provided for by the City. The City shall provide containers to each residence and professional office upon request. If any container is lost or destroyed another container shall be provided at cost to the customer. Multi family dwellings shall utilize a City approved dumpster.*
- B. An additional yard waste container is available upon request. A one-time fee will be charged to the utility account. The fee is determined upon the size of container requested. The additional container is property of the City of Milford.
 - 95 Gallon \$65
 - 65 Gallon \$60
 - 35 Gallon \$55

193-8 Collection Procedures

- A. The City will provide for the collection of ~~leaves, branches and tree trimmings~~ *yard waste* from April 1 through October 31 of each year, provided that such refuse is deposited into the

yard waste containers as provided for in [Section 193-7](#). Disposal of leaves, branches and tree trimmings *yard waste* that will not fit into the container shall be the responsibility of the property owner.

- B. The City will provide for loose leaf curbside collection from November 1 through January 31 in accordance with the following conditions:
- (1) Loose leaves shall be raked and placed behind the curb for removal by the City's leaf vacuum.
 - (2) Leaves must be free of stones, branches, brush and grass clippings or they will not be collected.
 - (3) It is illegal to place, sweep or blow leaves and other yard waste into the street, storm drains or catch basins.

~~193-11~~ **9** Collection & rate schedule.

- A. The City will collect yard waste as described in Section 193-~~10A~~ **8** once every ~~other~~ *two* weeks.
- B. The loose leaf curbside collection as described in Section 193-10B will be collected once each week.
- C. The City Manager shall divide the City into districts and shall schedule the collection of yard waste in these districts on the day or days and at the times that shall be most efficient and convenient to the City. Adequate notice of the collection schedules shall be given to the residents of the times and schedules and any changes thereto.
- D. Special collections will be held one week in the months of April and October of each year. Residents shall be able to put out extra solid waste during these weeks without charge. Adequate notice of the special collection dates and details shall be given to the residents.*

~~§ 193-12. Violations and penalties.~~

~~Any person(s) or party violating any provision of this article shall, upon conviction thereof, be guilty of a misdemeanor and shall be fined as follows:~~

- ~~A. First offense: not less than \$25 and not more than \$100.~~
- ~~B. Subsequent offenses: not less than \$50 and not more than \$250.~~

193-10 Violations And Penalties

- A. Any person or any officer of any firm or corporation violating any of the provisions of this article shall, upon conviction thereof before a Justice of the Peace, be sentenced to pay a fine of not less than \$25 nor more than \$300, together with costs of prosecution.*
- B. Every violation of this article shall be deemed a separate offense for each and every day a violation shall continue and shall be subject to the penalty imposed by this section for each and every such separate offense.*

ARTICLE III RECYCLING

193-11. Definitions

As used in this chapter, the following terms shall have the meanings indicated:

RECYCLING-Trash including cardboard, glass bottles and jars (any color), junk mail and envelopes (all types), magazines and catalogs, metal cans (tin/steel/aluminum), milk jugs, bleach/detergent bottles and shampoo bottles, narrow-neck plastic bottles, newspapers and brown paper bags, paperboard (cereal/tissue boxes), plastic grocery bags, telephone and soft cover books, pizza boxes (free of food residue). Recycling materials does not include styrofoam (all types), hardback books (pages are acceptable, remove hard cover), light bulbs (all types), household batteries, electronics, broken glass/mirrors/window glass, empty aerosol spray cans, paint cans.

193-12 Unlawful Acts; Containment Required; Containers

It shall be unlawful to deposit or place any recycling material or into any cartage container or yard waste container on a City Street or drainage gutter. Said materials shall be deposited in containers as provided for by the City. The City shall provide containers to each residence and professional office upon request. If any container is lost or destroyed another container shall be provided at cost to the customer. Multi family dwellings shall utilize a City approved dumpster.

193-13 Collection Procedures

The City will provide for the collection of recycling material, provided that such material is deposited into a recycling container as provided for in Section 193-12. Disposal of excessive material that will not fit into the container shall be the responsibility of the property owner.

193-14 Collection & Rate Schedule

- A. The City will collect recycling material once every two weeks.*
- B. The City Manager shall divide the City into districts and shall schedule the collection of solid waste in these districts on the day or days and at the times that shall be most efficient and convenient to the City. Adequate notice of the collection schedules shall be given to the residents of the times and schedules and any changes thereto.*

193-15 Violations And Penalties

- A. Any person or any officer of any firm or corporation violating any of the provisions of this article shall, upon conviction thereof before a Justice of the Peace, be sentenced to pay a fine of not less than \$25 nor more than \$300, together with costs of prosecution.*
- B. Every violation of this article shall be deemed a separate offense for each and every day a violation shall continue and shall be subject to the penalty imposed by this section for each and every such separate offense.*

ARTICLE IV BULK

193-16. Definitions

As used in this chapter, the following terms shall have the meanings indicated:

BULK TRASH-Trash other than regular household trash, such as furniture, appliances, large items lawn mowers, bbq grills, hot water heaters, air conditions, televisions, doors, cabinets, kid's toys or excessive amounts of household trash placed in bags or boxes. Bulk trash does not include materials generated by clearing, construction, demolition and any other such activity producing quantities of solid waste, rock, scrap building materials, appliances containing Freon or trash resulting from construction, remodeling or destruction of fire, the elements, acts of God or other causes resulting from a general cleanup of vacant or improved property or trees, brush and/or debris cleared from a property in the preparation for construction or landscaping, leaves, grass clippings, twigs, small branches, shrubbery, prunings and other garden material shall not be collected and removed by the City. Such materials will be removed by the Owner.

193-17 Unlawful Acts

It shall be unlawful to place any bulk material or any hazardous chemical on a City street or near a drainage gutter.

193-18 Collection Procedures

- A. Customers are required to contact our Customer Service Department to schedule a pickup.*
- B. Excessive household trash shall be bagged or placed in boxes.*

193-19 Collection & Rate Schedule

- A. *The bulk fee shall be determined on a sliding scale based on the amount of bulk trash or large items picked up from the residence as follows:*

Trash- bagged or boxed:

1 - 5 small pieces \$10

6 - 10 pieces \$20

11 - 15 pieces \$30

16 - 20 pieces \$40

21-50 pieces \$50

Over 50 pieces TBD by supervisor

Large Items (appliance, furniture, misc items) \$10 per item

A minimum of at least \$10 will be billed for each pickup.

- B. *The City will collect bulk material every Wednesday.*

- C. *The City will not collect bulk material on weeks when a holiday occurs.*

- D. *Special collections will be held one week in the months of April and October of each year.*

Residents shall be able to put out extra solid waste during these weeks without charge.

Adequate notice of the special collection dates and details shall be given to the residents.

193-20 Violations And Penalties

- A. *Any person or any officer of any firm or corporation violating any of the provisions of this article shall, upon conviction thereof before a Justice of the Peace, be sentenced to pay a fine of not less than \$25 nor more than \$300, together with costs of prosecution.*

- B. *Every violation of this article shall be deemed a separate offense for each and every day a violation shall continue and shall be subject to the penalty imposed by this section for each and every such separate offense.*

ARTICLE V MISCELLANEOUS PROVISIONS

193-21 Temporary Suspension of temporary Service

- A. The Public Works Director may suspend trash and recycling (and yard waste when applicable) collection services on an owner-occupied residence only if the home is unoccupied for a minimum of three months.

- B. A "Temporarily Suspend Garbage Service Application" must be completed in order to place the service on hold.

- C. A "Temporarily Suspend Garbage Service Application" must be received by the Public Works Department at least five business days prior to the start of the suspension period.

- D. The Solid Waste Department will collect the trash, recycling and yard waste (if applicable) containers at the start of the suspension and redeliver them on the expected date of return.

- E. The residence for which the suspension has been approved shall remain vacant during the suspension period.

- F. Service will automatically be reactivated at the end of the approved suspension period, unless a request for an additional period of temporary suspension has been requested and approved by the Public Works Director prior to the automatic reactivation. Failure to request an extension prior to the reactivation date will result in the resumption of the monthly solid waste fee. To continue a suspension of service after reactivation, a new "Temporarily Suspend Garbage Service Application" must be filed with the appropriate fee.

- G. When a suspension is active, the customer may not use any other city trash/recycling/yard waste services, including someone else's container or bulk service.

- H. No credit will be issued should customer fail to submit and complete the "Temporarily Suspend Garbage Service Application."

- I. Partial or retroactive payments of monthly fees are prohibited.

193-22 Suspension Fee

- A. At the time of the suspension request, a service fee of \$35 will be charged for the removal, storage and redelivery of the containers.
- B. Service fee shall be paid at the time the "Temporarily Suspend Garbage Service Application" is submitted to the Public Works Department.

193-23 Noncompliance, Violations And Penalties

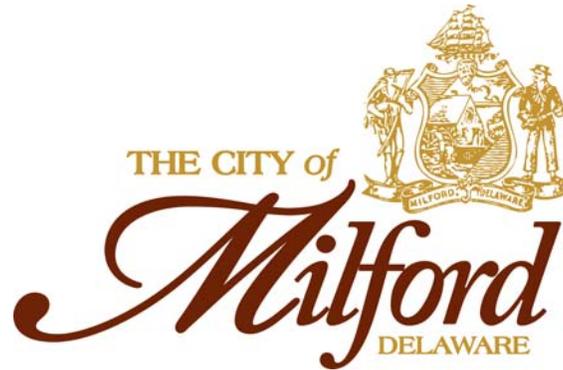
- A. Noncompliance of this article will result in the immediate reactivation of the solid waste services.
- B. The account will be billed the full service fees for the entire suspension period and a \$100 account reconciliation fee assessed for noncompliance.
- C. Violations and Penalties set forth in Section 193-7 5 shall also apply to ~~Article III~~.

193-24 Bills And Payments

- A. The City shall provide for the collection of solid waste to every residential property owner. Disposal of solid waste for other than residential customers shall be either by the City of Milford or by private commercial haulers who meet all requirements under Chapter 193.
- B. The rates as established shall be an assessment and shall be billed to the resident of the property on a monthly basis. All bills for service are due and payable each month for normal and additional services performed. Monthly charges, if not paid by the due date, shall accrue interest at the rate of 1 1/2% per month until paid.
- C. Bills are rendered for any indicated period of service, either special or monthly, and will show the proper charge as determined by the applicable rate schedule. Bills shall be considered as duly rendered when delivered at or mailed to the recorded address of the customer, as provided by him for that purpose. Non-receipt of a bill shall not constitute a waiver thereof. The city, on request, will issue a duplicate bill to the customer.
- D. The annual charge imposed under ordinance shall be a lien against the property served and shall be and remain a lien for ten years from the date of assessment of such charge. Such lien shall have priority over any other lien, encumbrance or conveyance even though such other lien or liens may be of a date prior to the time of attaching of this lien. The City Manager shall have the same authorities, remedies and powers with respect to the collection of this charge as are provided for the collection of taxes.
- E. Any customer, upon receipt of a bill, having reason to doubt its accuracy shall bring or mail the bill within five days to the City for investigation.

193-25 Supplemental Regulations

The City Manager is hereby authorized to make additional rules and regulations for the administration of the solid waste collection system, provided that such rule or regulation is not in conflict with the specific provisions of this article and is in no way inconsistent with the established policies of the City Council.



ELECTRIC DEPARTMENT
(302) 422-1110 FAX (302) 422-1117

180 VICKERS DRIVE
MILFORD, DE 19963

www.cityofmilford.com

INVITATION TO BID

Sealed bids for the latest model year “Hydraulic Rotating Digger Derrick with a Turntable Winch” will be received by the City of Milford at City Hall, 201 S. Walnut Street, Milford, Delaware until 2:00 p.m., local time on Thursday, May 15, 2014, and then at said office publicly opened and read aloud.

Specifications are available at the City of Milford Public Works Facilities, 180 Vickers Drive, Milford, Delaware, or at Milford City Hall.

Mailing Address: City of Milford
Attn: City Clerk
201 South Walnut Street
Milford, DE 19963
(302) 422-6616

Bids must be clearly marked “*Sealed Bid –Digger Derrick*”. Award of the bid will be made at the next regularly scheduled City Council meeting.

The City of Milford reserves the right to reject ANY AND ALL BIDS and to waive any informality within the bids.

INFORMATION FOR BIDDERS

Bids for a latest model year **“Hydraulic Rotating Digger Derrick with a Turntable Winch”** will be received by the City of Milford at City Hall, 201 S. Walnut Street, Milford, Delaware until 2:00 p.m., Thursday, May 15, 2014, and then at said office publicly open and read aloud.

Each Bid must be submitted in a sealed envelope addressed to *City Clerk*, at Milford City Hall. Each sealed envelope containing a bid must be plainly marked on the outside as ***Sealed Bid-Digger Derrick***, and the envelope should bear on the outside the name of the Bidder and his address. If forwarded by mail, the sealed envelope containing the Bid must be enclosed in another envelope addressed to the City of Milford at 201 South Walnut Street, Milford, DE 19963.

All Bids must be made on the required Bid form. All blank spaces for Bid prices must be filled in, in ink or typewritten, and the Bid form must be fully completed and executed when submitted. ***Two (2) copies of the Bid form and specifications are required!***

The City of Milford may waive any informalities or minor defects or reject any and all Bids. Any Bid may be withdrawn prior to the above scheduled time for the opening of the Bids or authorized postponement thereof. Any Bid received after the time and date specified shall not be considered. No Bidder may withdraw a Bid within 60 days after the actual date of the opening thereof. Should there be reasons why the contract cannot be awarded within the specified period of time, an extension may be granted by mutual agreement between the City of Milford and the Bidder.

Information obtained from an officer, agent, or employee of the City of Milford or any other person shall not affect the risks of obligations assumed by the Bidder or relieve him from fulfilling any of the conditions of the Bid Document.

Each Bidder is responsible for reading and being thoroughly familiar with the Bidding Documents. The failure or omission of any Bidder to do any of the foregoing shall in no way relieve the Bidder from any obligation in respect to his Bid.

It is the intent of the following specifications to set up minimum requirements for a latest model year **“Hydraulic Rotating Digger Derrick with a Turntable Winch”** that will be provided by the successful Bidder, as per the following specifications. The specifications must be considered as minimum requirements. If it is necessary to bid alternate equipment or take exceptions to these specifications as set forth, it must be stated so in the bid.

****Any reference to a model or brand name is only to denote quality and does not mean that equal equipment will not be considered.***

Each Bidder must clearly indicate whether or not his bid is in compliance with each item listed. Any Bidder found to have bid exceptions or alternates and has not indicated such may have his bid disqualified.

Specifications Covering a Hydraulic Rotating Digger Derrick with a Turntable Winch

It is the intent of the following specifications to set up minimum requirements for a latest model year Hydraulic Rotating Digger Derrick with a Turntable Winch. These specifications must be considered as minimum requirements. If it is necessary to bid alternate equipment or to take exceptions to the specifications as set forth, this must be so stated in your bid. Any reference to a model or brand name is only to denote quality, and does not mean that equal equipment will not be considered. This unit must be tested to meet OSHA and ANSI A10.31- 2006 standards, and all pertinent DOT and FMVSS safety regulations.

Design Criteria:

- Design criteria is in accordance with current industry and engineering standards applicable and accepted for structural and hydraulic design.
- Meets ANSI/ASSE A10.31-2006.

Please Note All Exceptions:

Elevation:

- From +80 degrees above horizontal to -20 degrees below horizontal.

Please Note All Exceptions:

Pedestal & Turntable:

- Square constructed pedestal has access holes for maintenance of hydraulic plumbing. The turntable is an off-set design to provide maximum stability and strength. The turntable is fabricated from high-strength steel side plates and a single-piece bottom plate.

Please Note All Exceptions:

Dual Lift Cylinders:

- Double-acting cylinders with chrome plated rods and integral holding valves. Trapezoid mounting design offers greater boom support and stability, which means less wear and longer life; plus, either cylinder can hold the rated lifting capacity of the derrick.

Please Note All Exceptions:

Steel Lower Boom:

- The boom is a fabricated box utilizing high-strength steel plates.

Please Note All Exceptions:

Steel Intermediate Boom:

- Fabricated box constructed of high strength steel. Powered by a double acting hydraulic cylinder equipped with integral holding valves on both extend and retract ports.

Please Note All Exceptions:

Fiberglass Hydraulic Upper Boom:

- Capable of lifting the hydraulic capacity of the derrick in all positions.
- Tested and rated for line voltage up to and including 46 KV AC.
- Tapered non-metallic rollers mounted at the end of the intermediate boom support the fiberglass boom under load minimizing scratches and abrasions. The sides of the fiberglass boom are supported and guided by non-metallic rollers to reduce tracking.

Please Note All Exceptions:

Boom Interlock:

- To operate the boom all outriggers must be extended.

Please Note All Exceptions:

Continuous & Unrestricted Rotation:

- A hydraulic rotary manifold provides a rotating oil distribution system for continuous and unrestricted rotation.
- Planetary gear drive rotation including spring loaded hydraulically released parking brake and reversible hydraulic motor (non-slip rotation).

Please Note All Exceptions:

Combined Speed Hydraulic System:

- Provides a shared digger / winch flow with boom operation.
- 50 gallon hydraulic oil reservoir includes 10 micron replaceable cartridge type return line filter mounted in reservoir with bypass valve incorporated in filter to prevent restricted flow.
- A 100 mesh in screen in filter cap. A 40 mesh screen included in tank outlet and a 2 1/2" full flow gate type shut off valve.
- Relief valves to protect the derrick circuits and digger-winch circuits.
- Hydraulic hoses are equipped with permanent type hose fittings.

Please Note All Exceptions:

Miscellaneous:

- A custom load chart stating actual lifting capacity considering all final options, chassis, body, outriggers, and other fixed equipment with capacity based on completed unit stability is included.
- A boom-angle indicator and decal are mounted on each side of the lower boom.
- All metallic components of the complete digger derrick device are prime painted.
- Two complete manuals providing operational and maintenance procedures, and a replacement parts listing.
- Warning decals provided with unit.
- Clevis for two part line attachment.

Please Note All Exceptions:

Turntable Winch Including Transferable Pole Buddy Assembly:

- 15,000 lb. bare drum capacity worm gear winch equipped with hydraulic counterbalance valve mounted on the derrick turntable. Equipped with flanged pole buddy transferable from intermediate boom to upper boom.

*Note: For use of a synthetic rope on worm gear winch (wire rope not acceptable option).

Please Note All Exceptions:

Bare Boom Lift Capacities:

- Boom Angle:

Maximum Elevation
* 10 Ft. Radius

- 45 Degree Boom Angle
- 0 Degree Boom Angle

All Booms Retracted	Intermediate Boom Extended	Intermediate & Upper Boom Extended
30000	27810	20010
16050	14010	13080
13160	8200	5990
8300	5120	3690

Please Note All Exceptions:

Sheave Height:

- With intermediate boom extended, 37.2 ft. at maximum elevation.
- With upper boom extended, 45.6 ft. at maximum elevation.
- Dimensions are based on a 40" chassis frame height.

Please Note All Exceptions:

Load Radius:

- 27.6 ft. from C/L of rotation, at 0 degree, intermediate boom extended.
- 36.1 ft. from C/L of rotation, at 0 degree, upper boom extended.

Please Note All Exceptions:

QTY **DESCRIPTION**

1 **Pedestal:**

Please Note All Exceptions:

1 **Open Front Command Post with "Exclusive Single Stick T" Control on Right-Hand Side:**

- * Allows operator to easily climb into command post area from the front of the station.
- * Control allows one hand to operate three functions: rotation, boom elevation, and intermediate boom extension.
- * Upper boom extension and other functions have individual controls.
- * Glycerin filled pressure gauge is provided to monitor system pressure.
- * Permanent type control decals are provided.
- * Adjustable cushioned operator seat is provided as standard and includes side rails.
- * Hydraulic foot throttle.
- * Includes a control and horn.

Please Note All Exceptions:

1 **Remote Sensor Bracket:**

* Bracket to be used with the Williams remote sensor; Installed to supply sensor to work with truck engine.

Please Note All Exceptions:

1 **Stop / start at control station:**

Please Note All Exceptions:

1 **Curbside Command Post Location:**

Please Note All Exceptions:

1 Operator light at controls at command post:

Please Note All Exceptions:

1 12/24 volt DC receptacle at controls:

Please Note All Exceptions:

1 Deluxe High Back Reclining Seat with Arm Rests for Command Post:

Please Note All Exceptions:

1 14,000 ft-lb Two Speed Digger With Hydraulic Shift (Mark IV):

- * Planetary gear drive powered by reversible hydraulic motor.
- * Digger hanger bracket is box section and is equipped with a transfer protection system, auger stowage bracket with self latching auger catch, hydraulic auger release, hydraulic shift, and auger roll- up cable.
- * The auger stowage bracket stores up to a 24" diameter auger, in the standard position.
- * Telescopic trombone tube is provided to shift the two-speed digger hydraulically.
- * Digger storage protection system to protect the auger storage cable from damage caused by over-winding. Oil from the digger system is returned to tank before the cable is over-stressed.

Please Note All Exceptions:

1 Streetside Digger Location:

Please Note All Exceptions:

1 Solid Hex Auger Shaft:

- * 60" long x 2-5/8" hex auger shaft with auger adjustment holes.

Please Note All Exceptions:

1 Nylon 1" flat webbing strap for auger roll-up in lieu of steel cable:

Please Note All Exceptions:

1 Auger Stowage Bracket, 36" in lieu of standard:

* The auger stowage bracket stores up to a 36" diameter auger.

Please Note All Exceptions:

1 Terex Texoma 18" TXD (dirt tooth auger):

* 104" long - 60" of 5/16" flighting, 2 5/8" hex bushing.

* Rollup dish and cable pin welded in place and auger painted Genie Blue.

Please Note All Exceptions:

1 Pole Guide For Transferable Pole Buddy:

* Hydraulic cylinders equipped with holding valves operate the tilt and open/close on pole guide arms.

* Pole guide hoses are contained in a chain type carrier, installed on the side of the boom.

* Transfers from the end of the intermediate boom to the end of the upper boom and vice versa.

* The pole guide is installed on the transferable pole buddy flange assembly.

Please Note All Exceptions:

1 Pole Claw Arms:

* Unique circular design of arms that handle poles up to 29 inch diameter.

Please Note All Exceptions:

1 Pole Guide Interlock For Transferable Pole Guide:

* Protects both the pole guide and the boom from accidental damage caused by extending the upper boom while the pole guide is on the intermediate boom and tilted downward.

Please Note All Exceptions:

1 Hydraulic Overload Protection for Boom system:

- * An Operator aid to prevent damage to the derrick by stopping selected functions if an over load occurs. The functions necessary to eliminate the overload condition remain operational, to relieve the cause of overload.
- * Disables boom extend, winch up, and digger dig when boom lift senses an overloaded condition.
- * The system is fully automatic relative to the operation and re-set functions.

Please Note All Exceptions:

1 X-Boost Option:

- *Optional capacity control system for increased lifting capability at higher boom angles to meet customer specifications for 10' capacities.
- *Increases capacities an average of 17% on C4000 Series Digger Derrick.
- *Includes: Electric collector ring, wiring harness and XDPS component.
- * Note: Must have a form of Boom HOP or LML.

Please Note All Exceptions:

1 Customer Declined, Load Moment Limiter (Hydraulic Overload Protection):

- * Purchaser is aware of OSHA Crane and Derrick standard, subpart CC for construction (1926.1416), and declines Load Moment Limiting device/HOP.

Please Note All Exceptions:

1 Customer Declined, Anti-Two Block:

- * Purchaser is aware of OSHA Crane and Derrick standard, subpart CC for construction (1926.1416), and declines Anti Two-Block device.

Please Note All Exceptions:

1 Electric collector ring, minimum 4-conductor:

Please Note All Exceptions:

1 **Full length sub-frame for 114" CA chassis:**

* Constructed with 6" x 6" x 3/8" wall square tubing with 3/8" thick steel plate.

Please Note All Exceptions:

1 **Possum belly application:**

Please Note All Exceptions:

1 **Tie down kit:**

Please Note All Exceptions:

2 **Extra Heavy Duty A-frame Outriggers:**

- * Hydraulic double acting outriggers including integral holding valves.
- * 146.7 " spread pin to pin and 158.8 " to outside of pads at 9.3 " penetration and 40 " frame height.
- * 13 " x 12 " swivel type stabilizer pads.

Please Note All Exceptions:

1 **Controls For 2-Sets Of Outriggers And Auxiliary Tool Outlets Below Rotation (Diggers):**

- * Recessed at rear of truck each side for ease of view for outrigger placement.
- * Includes switches and alarm for outrigger in motion alarm.

Please Note All Exceptions:

1 **Extend two sets outrigger feet to adjust for chassis frame height:**

- *4" or 6" applicable only.
- *Note: For use of A-Frame or X-Frame outriggers.

Please Note All Exceptions:

1 Two Part Sheave Assembly with 12 ton capacity:

* Two-part line attachment includes one snatch block.

Please Note All Exceptions:

1 Pump For Use (Required Approximate 120% PTO):

*Tandem vane high efficiency 3000 psi rated hydraulic pump providing 40 gallons per minute combined flow.

* Provides 16 gallons per minute to boom functions and 24 gallons per minute to digger / winch functions and combines flow when boom is not in operation providing 40 gallons per minute to digger / winch at 1600 rpm engine speed, boom extension is faster than winch.

* Provides up to 6 gallons per minute for tools at 700 rpm engine speed.

*Includes pump kit.

FOR GENERAL ONLY: With the use of Radio Controls.

Please Note All Exceptions:

1 B&G Welding Inc. 24" line body 48" High X 94" wide:

*24 Inch compartment depth.

*25 Inch top of floor to top of body.

* 16 Ga. body materials.

*12 Ga. treadplate compartment tops.

*Stainless steel rod and brass socket type door hinges.

* Spring loaded door holders on all vertical doors.

*Double Panel Body Doors.

* Master door lock system.

*Compartment lights mounted in top of all body compartments. With switch on each light.

** Does not include boxes*

*Automotive Bulb Type Weather-stripping. (Ship Loose)

Please Note All Exceptions:

B&G Welding Inc. 156" tread-plate flatbed 94" wide.

- *12 Ga. Tread-plate floor.
- *4" removable Composite board around perimeter of flatbed.
- * Structural steel I-Beam cross-members on 12" centers.
- *Thru and under-slung compartments (18" H x 18"W) with vertical access doors on street-side and curbside.
- * Punched Metal bottom
- *9-Lamp light bar installed at rear.

Please Note All Exceptions:

Street-side Compartmentation:

1st Vertical:
 24 Inches wide with Three (3) adjustable shelves each with adjustable dividers on 6" centers.

Please Note All Exceptions:

Curbside Compartmentation:

1st Vertical:
 24 Inches wide with one fixed plain shelf, 14.5" from the top with a 2" lip on bottom.
 Four (4) fixed material hooks 1-2-1.

2nd Vertical:
 24 Inch wide tread-plate access steps to bed area.

Please Note All Exceptions:

Sub-frame Installation:

Weld jacks to Customer Supplied sub-frame and body cross-members to TOP of sub-frame.
 Possum belly access with drop down door at rear.
 Stop in possum belly at 132 inches.

Please Note All Exceptions:

Tool Boxes: (Ship Loose)

One (1) - 48" long X 18" high X 18" wide with dropdown side access doors.

Please Note All Exceptions:

Thru Box: (Ship Loose)

94" wide X 20" long X 14.5" high with dropdown access door on each end.

Please Note All Exceptions:

Streetside Box: (Ship Loose)

One (1) - 132" long X 18" high X 18" wide with rear dropdown access door.

Please Note All Exceptions:

Curbside Box: (Ship Loose)

One (1) - 72" long X 6" high X 12" wide with open rear end, front closed 3" from the top.

Please Note All Exceptions:

Punched Metal Basket: (Ship Loose)

Two (2) - 24" long X 12" high X 24" wide.

Please Note All Exceptions:

Paint:

Prime Paint Complete.

Please Note All Exceptions:

INSTALLATION & ACCESSORIES

1 Install Derrick Over Rear Axle And Install All Associated Components:

* Final test and inspect completed unit including stability and dielectric testing per manufacturers requirements and ANSI/ASSE A10.31-2006.

Please Note All Exceptions:

1 Miscellaneous shop supplies:

Please Note All Exceptions:

1 Hose and fittings to connect the hydraulic system from the oil reservoir to the pump and unit:

Please Note All Exceptions:

1 Power take-off with indicator light for automatic transmission:

Please Note All Exceptions:

1 Back-up alarm to sound when the vehicle is shifted into reverse:

Please Note All Exceptions:

1 DOT Inspection:

Please Note All Exceptions:

1 Set chassis parameters:

Please Note All Exceptions:

4 **Sauber 18" x 18" aluminum outrigger pads:**

* Includes outrigger pad storage.

Please Note All Exceptions:

2 **Rubber wheel chocks with eye bolt:**

Please Note All Exceptions:

2 **Wheel chock bracket, single for mounting under the body:**

Please Note All Exceptions:

1 **Bracket for storing grounding cable:**

Please Note All Exceptions:

1 **2/0 Black Electrical Cable used for grounding per ASTM F855-04:**

* 50' of multi-strand flexible copper cable, three grounding lugs, two ferrules and grounding clamp.

* Three point grounding system for grounding vehicle during work operations.

* Cable must be fully removed from bracket before use.

****NOTE! Purchaser to verify this meets their company's requirements for fault current.****

Please Note All Exceptions:

1 **Cone holder bracket, fold down type:**

Please Note All Exceptions:

1 Grab handles as necessary for 3-point contact:

Please Note All Exceptions:

1 Rigid stirrup step mounted on side access for ground to body access:

Please Note All Exceptions:

2 Sauber #8467-11 safety swing step:

Please Note All Exceptions:

1 Grip strut access steps around the pedestal:

Please Note All Exceptions:

1 Pair of mud flaps with logo 30" tall:

*Trim As-Required.

Please Note All Exceptions:

1 A mounting kit for over 45" flatbed frame height for a pair of mud flaps:

Please Note All Exceptions:

6 Buyers Products D-ring tie down rated for 2000# safe working, recessed, 360 degree swivel:

Please Note All Exceptions:

1 Boom rest for Digger Derrick, H-frame style weldment used on Super-Duty outriggers, 36" wide:

Please Note All Exceptions:

1 Pole carrier kit bunk style with a ratchet with 2" wide webbing tie down strap to secure pole and pole bunk arm weldment:

Please Note All Exceptions:

1 Pole carrier assembly 18" bunk style, removable and pedestal mount:

Please Note All Exceptions:

1 Digger Derrick dual position boom rest saddle:

Please Note All Exceptions:

1 Peterson LED 7-lamp DOT Lighting Package:

- * Complies with FMVSS 108
- * Includes required lights, junction box and wiring harness.
- * Note: Back-up lights are incandescent.

Please Note All Exceptions:

1 Lighted license plate bracket kit:

- * Light is incandescent.

Please Note All Exceptions:

2 Preco 4242A amber strobe light with 4" tall & 6" dia. lens, and Preco BG4240 branch guard:

Please Note All Exceptions:

1 Strobe mounting bracket weldment mounted under the pole rack:

Please Note All Exceptions:

1 Strobe and Golight mounting bracket weldment:

Please Note All Exceptions:

1 Whelen 4 corner LED, Amber Strobe Light Kit with 4" grommets:

*Wired into On/Off switch in cab.

NOTE: Install two in front winch, two in rear light channel.

Please Note All Exceptions:

1 Whelen 2 corner LED, Amber Strobe Light Kit with 4" grommets:

*Wired into On/Off switch in cab.

NOTE: Install one each side in fender panel.

Please Note All Exceptions:

2 Golight 7901 spotlight, portable, programmable wireless remote, suction cup & magnetic mount shoe, 15' cord w/cigarette plug and white in color:

Please Note All Exceptions:

4 **12 volt outlet, cigarette electrical style:**

Please Note All Exceptions:

2 **Unity AG-R-H halogen 6" spotlight with round mounting bracket.**

*50 Watt

Please Note All Exceptions:

1 **15 ton pintle hook:**

* Safety chain eyes.

* Chassis frame reinforcements.

Please Note All Exceptions:

1 **Tekonsha Voyager electric brake control:**

Please Note All Exceptions:

1 **7-prong trailer socket:**

Please Note All Exceptions:

1 **Glad Hand Kit:**

*Requires tractor protection valve and air lines to the rear.

Please Note All Exceptions:

2 Recovery tow eye, 29,000#:

Please Note All Exceptions:

1 ICC rear bumper:

Please Note All Exceptions:

2 Remote engine stop / start and two-speed control from rear of vehicle:

Please Note All Exceptions:

1 Heat shields, as required to protect hydraulic system from exhaust:

Please Note All Exceptions:

1 Oil tank mounting for external reservoirs:

Please Note All Exceptions:

1 Fill with Hydraulic oil for general purpose use:

* Refer to the product maintenance manual for specific type to be used.

Please Note All Exceptions:

1 1" x 100' Samson, 2-IN-1 Stable Braid uncoated rope:

Please Note All Exceptions:

1 Nylite spool, shield and shackle, #4, orange:

Please Note All Exceptions:

1 Miller swivel hook, 6 ton:

Please Note All Exceptions:

1 Tread-plate for a rear outriggers, triangle shape for a-frames:

Please Note All Exceptions:

1 Hannay spring loaded hydraulic hose reel with 4-way roller assembly with 35' of 1/2" Hose Set:

* Quick disconnect HTMA male and female flush faced couplers and dust covers.

* Installed on hose reel with ball stop.

Please Note All Exceptions:

2 10-lb ABC fire extinguisher with the use of 0092099 bracket:

Please Note All Exceptions:

1 James King triangle reflector kit:

Please Note All Exceptions:

1 Orion flare kit with holder:

Please Note All Exceptions:

1 Sight rods, 33" tall, 1" diameter tube, one pair:

Please Note All Exceptions:

1 Paint T-40 saddle box one color white to match cab:

Please Note All Exceptions:

1 Paint flatbed one color white to match cab:

*Note - Paint under carriage black.

Please Note All Exceptions:

1 Paint C5000 derrick one color white to match cab:

Please Note All Exceptions:

1 Paint front winch one color white to match cab:

Please Note All Exceptions:

1 Paint box/basket one color white to match cab:

Please Note All Exceptions:

1 Paint body floor with non-skid paint:

Please Note All Exceptions:

1 Paint compartment top with non-skid paint:

Please Note All Exceptions:

WINCH

1 Braden PD35A-35119-01 EB BUMP ER Hydraulic Sgl Spd, Front Mounted Bumper Winch Assembly Including:

- * 35,000-lb rated capacity.
- * Extended shaft to curb side for take-up reel with 2 speed gearbox.
- * Four way roller assembly
- * Tool Box
- * Tow Angle
- * Miscellaneous hose and fittings.

NOTE: Requires a larger hydraulic tank on the Unit Model, if internal tank will require external tank.

Please Note All Exceptions:

1 Wire rope, 3/4" x 175', 6x19, one eye with thimble:

Please Note All Exceptions:

1 Winch control installed at front bumper and in-cab:

Please Note All Exceptions:

CHASSIS

1 2015 7400 SFA 4X2:

Please Note All Exceptions:

1 Delivery:

Please Note All Exceptions:

WARRANTY

Extended derrick/aerial device warranty, two (2) year, in lieu of standard one year warranty for installed unit.

Please Note All Exceptions:

Proposal of: **Hydraulic Rotating Digger Derrick with Turntable Winch**

To the City of Milford,

In compliance with the Invitation to Bid, Bidder hereby proposed to furnish one (1) latest model year Hydraulic Rotating Digger Derrick with Turntable Winch in strict accordance with the specifications at the price stated below.

By Submission of this Bid, each Bidder certifies, and in the case of a joint Bid, each party thereto certifies as to his own organization, that this Bid has been arrived at independently without consultation, communication or agreement as to any matter relating to this Bid with any other Bidder or with any other competitor.

Bidder acknowledges receipt of the following (if any) Addendum: _____

Bid Schedule

Make, Model, Year: _____

▪ **1 – Digger Derrick** \$ _____ . _____

Total Net Bid Price \$ _____ . _____

Delivery Date: _____

Net Terms: _____

Availability of parts and service will be a factor in acceptance of the bid. Location of Bidder's parts and service nearest specified delivery point for the equipment offered in this proposal:

Bidder Information:

Company Name: _____

Address: _____

Contact Name: _____

Phone Number: _____

***Any reference to a model or brand name is only to denote quality and does not mean that equal equipment will not be considered.**

Prepared For:

~~EREX - # 9747-01 CITY OF MILFORD, DE 65045~~
~~Ryan Kloos~~
~~500 Oakwood Road~~
~~Watertown, SD 57201~~
~~(605)882-4000~~
~~Reference ID: N/A~~

Presented By:

NORTH CENTRAL INTL
Robin Kunz
4511 NORTH CLIFF
SIOUX FALLS SD 57104 -
(605)336-3820

Thank you for the opportunity to provide you with the following quotation on a new International truck. I am sure the following detailed specification will meet your operational requirements, and I look forward to serving your business needs.

Model Profile
2015 7400 SFA 4X2 (SA525)

APPLICATION:	Utility/Service (Other)
MISSION:	Requested GVWR: 39000. Calc. GVWR: 39000 Calc. Start / Grade Ability: 30.91% / 2.65% @ 55 MPH Calc. Geared Speed: 80.1 MPH
FUEL ECONOMY:	8.92 MPG @ 55 MPH
DIMENSION:	Wheelbase: 189.00, CA: 114.00, Axle to Frame: 100.00
ENGINE, DIESEL:	{MaxxForce DT} EPA 10, 300 HP @ 2200 RPM, 860 lb-ft Torque @ 1300 RPM, 2400 RPM Governed Speed
TRANSMISSION, AUTOMATIC:	{Allison 3500_RDS_P} 5th Generation Controls; Wide Ratio, 5-Speed, With Overdrive; On/Off Hwy; Includes Oil Level Sensor, With PTO Provision, Less Retarder, With 80,000-lb GVW & GCW Max.
CLUTCH:	Omit Item (Clutch & Control)
AXLE, FRONT NON-DRIVING:	{Meritor MFS-16-143A} Wide Track, I-Beam Type, 16,000-lb Capacity
AXLE, REAR, SINGLE:	{Meritor RS-23-160} Single Reduction, 23,000-lb Capacity, 200 Wheel Ends, Driver Controlled Locking Differential Gear Ratio: 4.89
CAB:	Conventional
TIRE, FRONT:	(2) 315/80R22.5 UNISTEEL G291 (GOODYEAR) 491 rev/mile, load range J, 18 ply
TIRE, REAR:	(4) 11R22.5 HDO (CONTINENTAL) 490 rev/mile, load range H, 16 ply
SUSPENSION, RR, SPRING, SINGLE:	Vari-Rate; 23,500-lb Capacity, With 4500 lb Auxiliary Rubber Spring
FRAME REINFORCEMENT:	Outer "C" Channel, Heat Treated Alloy Steel (120,000 PSI Yield); 10.813" x 3.892" x 0.312"; (274.6mm x 98.9mm x 8.0mm); 480.0" (12192mm) Maximum OAL
PAINT:	Cab schematic 100GM Location 1: 9219, Winter White (Std) Chassis schematic N/A

<u>Code</u>	<u>Description</u>	<u>F/R Wt</u> (lbs)	<u>Tot Wt</u> (lbs)
SA52500	Base Chassis, Model 7400 SFA 4X2 with 189.00 Wheelbase, 114.00 CA, and 100.00 Axle to Frame.	6778/3995	10773
1570	TOW HOOK, FRONT (2) Frame Mounted	8/0	8
1CBU	FRAME RAILS Heat Treated Alloy Steel (120,000 PSI Yield); 10.125" x 3.580" x 0.312" (257.2mm x 90.9mm x 8.0mm); 480.0" (12192) Maximum OAL	-10/383	373
1GBP	FRAME REINFORCEMENT Outer "C" Channel, Heat Treated Alloy Steel (120,000 PSI Yield); 10.813" x 3.892" x 0.312"; (274.6mm x 98.9mm x 8.0mm); 480.0" (12192mm) Maximum OAL	316/680	996
1LLA	BUMPER, FRONT Steel, Swept Back	0/0	0
	<u>Includes</u> : BUMPER, FRONT Powder Coated Gray (Argent) Color		
1SAL	CROSSMEMBER, REAR, AF (01)	-3/43	40
1WEV	WHEELBASE RANGE 146" (370cm) Through and Including 195" (495cm)	0/0	0
2ARU	AXLE, FRONT NON-DRIVING {Meritor MFS-16-143A} Wide Track, I-Beam Type, 16,000-lb Capacity	95/0	95
	<u>Notes</u> : The following features should be considered when calculating Front GAWR: Front Axles; Front Suspension; Brake System; Brakes, Front Air Cam; Wheels; Tires.		
3ADE	SUSPENSION, FRONT, SPRING Parabolic, Taper Leaf; 16,000-lb Capacity; With Shock Absorbers	76/0	76
	<u>Includes</u> : SPRING PINS Rubber Bushings, Maintenance-Free		
	<u>Notes</u> : The following features should be considered when calculating Front GAWR: Front Axles; Front Suspension; Brake System; Brakes, Front Air Cam; Wheels; Tires.		
4091	BRAKE SYSTEM, AIR Dual System for Straight Truck Applications	0/0	0
	<u>Includes</u> : BRAKE LINES Color and Size Coded Nylon : DRAIN VALVE Twist-Type : DUST SHIELDS, FRONT BRAKE : DUST SHIELDS, REAR BRAKE : GAUGE, AIR PRESSURE (2) Air 1 and Air 2 Gauges; Located in Instrument Cluster : PARKING BRAKE CONTROL Yellow Knob, Located on Instrument Panel : PARKING BRAKE VALVE For Truck : QUICK RELEASE VALVE Bendix On Rear Axle for Spring Brake Release: 1 for 4x2, 2 for 6x4 : SLACK ADJUSTERS, FRONT Automatic : SLACK ADJUSTERS, REAR Automatic : SPRING BRAKE MODULATOR VALVE R-7 for 4x2, SR-7 with relay valve for 6x4		
	<u>Notes</u> : Rear Axle is Limited to 23,000-lb GAWR with Code 04091 BRAKE SYSTEM, AIR and Standard Rear Air Cam Brakes Regardless of Axle/Suspension Ordered.		
4193	BRAKES, FRONT, AIR CAM 16.5" x 6", Includes 24 SqIn Long Stroke Brake Chambers	0/0	0
	<u>Notes</u>		

<u>Code</u>	<u>Description</u>	<u>F/R Wt</u> (lbs)	<u>Tot Wt</u> (lbs)
	: The following features should be considered when calculating Front GAWR: Front Axles; Front Suspension; Brake System; Brakes, Front Air Cam; Wheels; Tires.		
4619	TRAILER CONNECTIONS Four-Wheel, With Hand Control Valve and Tractor Protection Valve, for Straight Truck	2/0	2
4732	DRAIN VALVE {Berg} Manual; With Pull Chain, for Air Tank	0/0	0
	<u>Includes</u> : DRAIN VALVE Mounted in Wet Tank		
4AZA	AIR BRAKE ABS {Bendix AntiLock Brake System} Full Vehicle Wheel Control System (4-Channel)	0/0	0
4EBT	AIR DRYER {Bendix AD-IP} With Heater	22/3	25
	<u>Includes</u> : AIR DRYER LOCATION Inside Left Rail, Back of Cab		
4ETE	BRAKE CHAMBERS, FRONT AXLE {Haldex} 24 SqIn	0/0	0
4EVL	BRAKE CHAMBERS, REAR AXLE {Haldex GC3030LHDHO} 30/30 Spring Brake	0/0	0
	<u>Includes</u> : BRAKE CHAMBERS, SPRING (2) Rear Parking; WITH TRUCK BRAKES: All 4x2, 4x4; WITH TRACTOR BRAKES: All 4x2, 4x4; 6x4 & 6x6 with Rear Tandem Axles Less Than 46,000-lb. or GVWR Less Than 54,000-lb.		
4NDB	BRAKES, REAR, AIR CAM S-Cam; 16.5" x 7.0"; Includes 30/30 Sq.In. Long Stroke Brake Chamber and Spring Actuated Parking Brake	0/0	0
	<u>Notes</u> : The following features should be considered when calculating Rear GAWR: Rear Axles; Rear Suspension; Brake System; Brakes, Rear Air Cam; Brake Shoes, Rear; Special Rating, GAWR; Wheels; Tires.		
4SBC	AIR COMPRESSOR {Bendix Tu-Flo 550} 13.2 CFM Capacity	0/0	0
4VDX	AIR TANK LOCATION (2) : Two Mounted Outside Right Rail, Under Cab, On Step Mounting Brackets	0/0	0
	<u>Notes</u> : This air tank location reduces ground clearance by 2" vs. the standard air tank location. : Use Air Tank Location Code 04VDX with Exhaust Code 07BEJ and Battery Box Code 08WGE or 08WGG to provide clean CA.		
5AAA	STEERING COLUMN Stationary	0/0	0
5CAL	STEERING WHEEL 2-Spoke, 18" Diam., Black	0/0	0
5PSL	STEERING GEAR {Sheppard M-110} Power	0/0	0
7BEJ	EXHAUST SYSTEM Single, Horizontal, Aftertreatment Device Frame Mounted Outside Right Rail Under Cab; Includes Vertical Tail Pipe and Guard	4/-17	-13
	<u>Includes</u> : EXHAUST HEIGHT 10' Exhaust Height - Based on Empty Chassis with Standard Components (+ or - 1" Height) : MUFFLER/TAIL PIPE GUARD Non-Bright Finish		
8000	ELECTRICAL SYSTEM 12-Volt, Standard Equipment	0/0	0
	<u>Includes</u>		

<u>Code</u>	<u>Description</u>	<u>F/R Wt</u> (lbs)	<u>Tot Wt</u> (lbs)
	: BATTERY BOX Steel with Plastic Lid		
	: DATA LINK CONNECTOR For Vehicle Programming and Diagnostics In Cab		
	: FUSES, ELECTRICAL SAE Blade-Type		
	: HAZARD SWITCH Push On/Push Off, Located on Top of Steering Column Cover		
	: HEADLIGHT DIMMER SWITCH Integral with Turn Signal Lever		
	: HEADLIGHTS (2) Sealed Beam, Round, with Chrome Plated Bezels		
	: HORN, ELECTRIC Single		
	: JUMP START STUD Located on Positive Terminal of Outermost Battery		
	: PARKING LIGHT Integral with Front Turn Signal and Rear Tail Light		
	: RUNNING LIGHT (2) Daytime, Included With Headlights		
	: STARTER SWITCH Electric, Key Operated		
	: STOP, TURN, TAIL & B/U LIGHTS Dual, Rear, Combination with Reflector		
	: TURN SIGNAL SWITCH Self-Cancelling for Trucks, Manual Cancelling for Tractors, with Lane Change Feature		
	: TURN SIGNALS, FRONT Includes Reflectors and Auxiliary Side Turn Signals, Solid State Flashers; Flush Mounted		
	: WINDSHIELD WIPER SWITCH 2-Speed with Wash and Intermittent Feature (5 Pre-Set Delays), Integral with Turn Signal Lever		
	: WINDSHIELD WIPERS Single Motor, Electric, Cowl Mounted		
	: WIRING, CHASSIS Color Coded and Continuously Numbered		
8518	CIGAR LIGHTER Includes Ash Cup	1/0	1
8GXD	ALTERNATOR {Leece-Neve AVI160P2013} Brush Type; 12 Volt 160 Amp. Capacity, Pad Mount, With Remote Sense	0/0	0
8HAB	BODY BUILDER WIRING Back of Standard Cab at Left Frame or Under Extended or Crew Cab at Left Frame; Includes Sealed Connectors for Tail/Amber Turn/Marker/ Backup/Accessory Power/Ground and Sealed Connector for Stop/Turn	2/0	2
8HAH	ELECTRIC TRAILER BRAKE/LIGHTS Accommodation Package to Rear of Frame; for Combined Trailer Stop, Tail, Turn, Marker Light Circuits; Includes Electric Trailer Brake Accommodation Package With Cab Connections for Mounting Customer Installed Electric Brake Unit, Less Trailer Socket	0/2	2
8MKL	BATTERY SYSTEM {International} Maintenance-Free, (3) 12-Volt 1950CCA Total	42/13	55
8RMD	RADIO AM/FM/WB/Clock/3MM Auxiliary Input, with Multiple Speakers	1/0	1
8TKK	TRAILER AUXILIARY FEED CIRCUIT for Electric Trailer Brake Accommodation/Air Trailer ABS; With 30 Amp Fuse and Relay, Controlled by Ignition Switch	1/0	1
8WCL	HORN, AIR Black, Single Trumpet, Air Solenoid Operated	0/0	0
8WGG	BATTERY BOX Steel, With Aluminum Cover, 3 Battery Capacity, Mounted Right Side Under Cab Below Frame Mounted Exhaust, Provides Clean CA	-18/-17	-35
8WTK	STARTING MOTOR {Delco Remy 38MT Type 300} 12 Volt; less Thermal Over-Crank Protection	0/0	0
8WWJ	INDICATOR, LOW COOLANT LEVEL With Audible Alarm	0/0	0
8XAH	CIRCUIT BREAKERS Manual-Reset (Main Panel) SAE Type III With Trip Indicators, Replaces All Fuses Except For 5-Amp Fuses	0/0	0
9585	FENDER EXTENSIONS Rubber	6/0	6
9HBM	GRILLE Stationary, Chrome	0/0	0
9WBC	FRONT END Tilting, Fiberglass, With Three Piece Construction; for 2007 & 2010 Emissions	0/0	0
10060	PAINT SCHEMATIC, PT-1 Single Color, Design 100	0/0	0

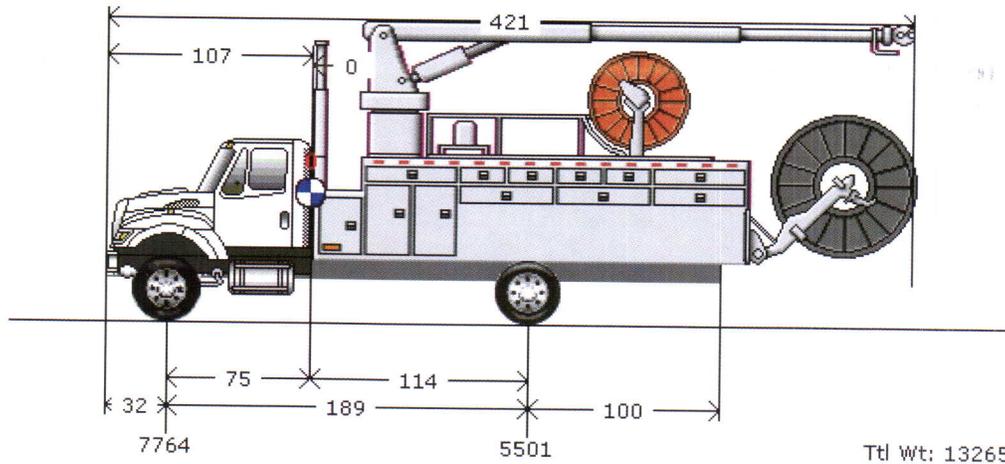
<u>Code</u>	<u>Description</u>	<u>F/R Wt</u> (lbs)	<u>Tot Wt</u> (lbs)
	<u>Includes</u> : PAINT SCHEMATIC ID LETTERS "GM"		
10761	PAINT TYPE Base Coat/Clear Coat, 1-2 Tone	0/0	0
11001	CLUTCH Omit Item (Clutch & Control)	-64/-11	-75
12959	BLOCK HEATER, ENGINE {Phillips} 120 Volt/1250 Watt	2/0	2
	<u>Includes</u> : BLOCK HEATER SOCKET Receptacle Type; Mounted below Drivers Door		
12NUT	ENGINE, DIESEL {MaxxFORCE DT} EPA 10, 300 HP @ 2200 RPM, 860 lb-ft Torque @ 1300 RPM, 2400 RPM Governed Speed	0/0	0
	<u>Includes</u> : AIR COMPRESSOR AIR SUPPLY LINE Naturally-Aspirated (Air Brake Chassis Only) : ANTI-FREEZE Red Shell Rotella Extended Life Coolant; -40 Degrees F/ -40 Degrees C; for MaxxFORCE Engines : COLD STARTING EQUIPMENT Intake Manifold Electric Grid Heater with Engine ECM Control : CRUISE CONTROL Electronic; Controls Integral to Steering Wheel : ENGINE OIL DRAIN PLUG Magnetic : ENGINE SHUTDOWN Electric, Key Operated : FUEL FILTER Included with Fuel/Water Separator : FUEL/WATER SEPARATOR Fuel/Water Separator and Fuel Filter in a Single Assembly; With Water-in-Fuel Sensor; Engine Mounted : GOVERNOR Electronic : OIL FILTER, ENGINE Spin-On Type : WET TYPE CYLINDER SLEEVES		
12THZ	FAN DRIVE {Horton Drivemaster Polar Extreme} Direct Drive Type, Two Speed, With Residual Torque Device for Disengaged Fan Speed	46/-3	43
	<u>Includes</u> : FAN Nylon		
12UAR	RADIATOR Aluminum, Cross Flow, Series System; 1228 SqIn Core and 648 SqIn Charge Air Cooler and 342 SqIn Low Temperature Radiator and With Transmission Oil Cooler	-7/2	-5
	<u>Includes</u> : DEAERATION SYSTEM with Surge Tank : HOSE CLAMPS, RADIATOR HOSES Gates Shrink Band Type; Thermoplastic Coolant Hose Clamps : RADIATOR HOSES Premium, Rubber		
12UNK	FEDERAL EMISSIONS EPA, OBD and GHG Certified for Calendar Year 2014; MaxxFORCE DT Engines	0/0	0
12VBC	AIR CLEANER Single Element	0/0	0
	<u>Includes</u> : GAUGE, AIR CLEANER RESTRICTION Air Cleaner Mounted		
12VXU	THROTTLE, HAND CONTROL Engine Speed Control for PTO; Electronic, Stationary Pre-Set, Two Speed Settings; Mounted on Steering Wheel	0/0	0
12VZA	ENGINE CONTROL, REMOTE MOUNTED Provision for; Includes Wiring for Body Builder Installation of PTO Controls; With Ignition Switch Control for MaxxFORCE post 2007 Emissions Electronic Engines	0/0	0

<u>Code</u>	<u>Description</u>	<u>F/R Wt</u> (lbs)	<u>Tot Wt</u> (lbs)
12WZC	EMISSION COMPLIANCE 5 Min., Tamper-Proof Engine Shutdown System, Complies With California Clean Air Regulations, Does Not Certify Engine for Low-NOx Extended Idling	0/0	0
13AVG	TRANSMISSION, AUTOMATIC {Allison 3500_RDS_P} 5th Generation Controls; Wide Ratio, 5-Speed, With Overdrive; On/Off Hwy; Includes Oil Level Sensor, With PTO Provision, Less Retarder, With 80,000-lb GVW & GCW Max.	192/57	249
13WBL	TRANSMISSION SHIFT CONTROL {Allison} Push-Button Type; for Allison 3000 & 4000 Series Transmission	0/0	0
13WGH	TRANSMISSION DIPSTICK Relocated to Right Side of Transmission	0/0	0
13WLP	TRANSMISSION OIL Synthetic; 29 thru 42 Pints	0/0	0
13WUC	ALLISON SPARE INPUT/OUTPUT for Rugged Duty Series (RDS); General Purpose Trucks, Construction	0/0	0
13WYL	SHIFT CONTROL PARAMETERS Allison Performance Programming in Primary and Allison Economy Programming in Secondary	0/0	0
14ARB	AXLE, REAR, SINGLE {Meritor RS-23-160} Single Reduction, 23,000-lb Capacity, 200 Wheel Ends, Driver Controlled Locking Differential . Gear Ratio: 4.89	0/241	241
	<u>Includes</u> : REAR AXLE DRAIN PLUG (1) Magnetic, For Single Rear Axle		
	<u>Notes</u> : The following features should be considered when calculating Rear GAWR: Rear Axles; Rear Suspension; Brake System; Brakes, Rear Air Cam; Brake Shoes, Rear; Special Rating, GAWR; Wheels; Tires. : When Specifying Axle Ratio, Check Performance Guidelines and TCAPE for Startability and Performance		
14VAH	SUSPENSION, RR, SPRING, SINGLE Vari-Rate; 23,500-lb Capacity, With 4500 lb Auxiliary Rubber Spring	0/62	62
	<u>Notes</u> : The following features should be considered when calculating Rear GAWR: Rear Axles; Rear Suspension; Brake System; Brakes, Rear Air Cam; Brake Shoes, Rear; Special Rating, GAWR; Wheels; Tires.		
15LKG	FUEL/WATER SEPARATOR with Thermostatic Fuel Temperature Controlled Electric Heater, and Filter Restriction/Change Indicator, Includes Standard Equipment Water-in-Fuel Sensor	5/0	5
15SGJ	FUEL TANK Top Draw; D Style, Non Polished Aluminum, 50 U.S. Gal., 189 L Capacity, 16" Tank Depth, with Quick Connect Outlet, Mounted Left Side, Under Cab	17/5	22
16030	CAB Conventional	0/0	0
	<u>Includes</u> : ARM REST (2) Molded Plastic; One Each Door : CLEARANCE/MARKER LIGHTS (5) Flush Mounted : COAT HOOK, CAB Located on Rear Wall, Centered Above Rear Window : CUP HOLDERS Two Cup Holders, Located in Lower Center of Instrument Panel : DOME LIGHT, CAB Rectangular, Door Activated and Push On-Off at Light Lens, Timed Theater Dimming, Integral to Console, Center Mounted : GLASS, ALL WINDOWS Tinted : GRAB HANDLE, CAB INTERIOR (1) "A" Pillar Mounted, Passenger Side : GRAB HANDLE, CAB INTERIOR (2) Front of "B" Pillar Mounted, One Each Side		

<u>Code</u>	<u>Description</u>	<u>F/R Wt</u> (lbs)	<u>Tot Wt</u> (lbs)
	: INTERIOR SHEET METAL Upper Door (Above Window Ledge) Painted Exterior Color		
	: STEP (4) Two Steps Per Door		
16HBA	GAUGE CLUSTER English With English Electronic Speedometer	0/0	0
	<u>Includes</u>		
	: GAUGE CLUSTER (6) Engine Oil Pressure (Electronic), Water Temperature (Electronic), Fuel (Electronic), Tachometer (Electronic), Voltmeter, Washer Fluid Level		
	: ODOMETER DISPLAY, Miles, Trip Miles, Engine Hours, Trip Hours, Fault Code Readout		
	: WARNING SYSTEM Low Fuel, Low Oil Pressure, High Engine Coolant Temp, and Low Battery Voltage (Visual and Audible)		
16HGH	GAUGE, OIL TEMP, ALLISON TRAN	1/0	1
16HKT	IP CLUSTER DISPLAY On Board Diagnostics Display of Fault Codes in Gauge Cluster	0/0	0
16JNT	SEAT, DRIVER {National 2000} Air Suspension, High Back With Integral Headrest, Vinyl, Isolator, 1 Chamber Lumbar, With 2 Position Front Cushion Adjust, -3 to +14 Degree Angle Back Adjust	28/11	39
	<u>Includes</u>		
	: SEAT BELT 3-Point, Lap and Shoulder Belt Type		
16SDJ	MIRRORS (2) {Lang Mekra} Rectangular, 7.44" x 14.84" & 7.44" sq. Convex Both Sides, 102" Inside Spacing, Breakaway Type, Black Heads, Brackets & Arms	0/0	0
16SEE	GRAB HANDLE Chrome; Towel Bar Type With Anti-Slip Rubber Inserts; for Cab Entry Mounted Left Side Only at "B" Pillar	3/0	3
16SML	SEAT, TWO-MAN PASSENGER {National} Fixed Back, Integrated Headrest in Both Occupant Positions, Vinyl, Less Under Seat Storage Compartment	33/32	65
16WCT	AIR CONDITIONER {Blend-Air} With Integral Heater & Defroster	40/7	47
	<u>Includes</u>		
	: HEATER HOSES Premium		
	: HOSE CLAMPS, HEATER HOSE Mubea Constant Tension Clamps		
	: REFRIGERANT Hydrofluorocarbon HFC-134A		
16WJS	INSTRUMENT PANEL Center Section, Flat Panel	0/0	0
16WKY	HVAC FRESH AIR FILTER	0/0	0
16WLE	STORAGE POCKET, DOOR Molded Plastic, Full Width; Mounted on Passenger Door	1/0	1
16WRX	CAB INTERIOR TRIM Deluxe	0/0	0
	<u>Includes</u>		
	: "A" PILLAR COVER Molded Plastic		
	: CAB INTERIOR TRIM PANELS Cloth Covered Molded Plastic, Full Height; All Exposed Interior Sheet Metal is Covered Except for the Following: with a Two-Man Passenger Seat or with a Full Bench Seat the Back Panel is Completely Void of Covering		
	: CONSOLE, OVERHEAD Molded Plastic; With Dual Storage Pockets with Retainer Nets and CB Radio Pocket		
	: DOOR TRIM PANELS Molded Plastic; Driver and Passenger Doors		
	: FLOOR COVERING Rubber, Black		
	: HEADLINER Soft Padded Cloth		

<u>Code</u>	<u>Description</u>	<u>F/R Wt</u> (lbs)	<u>Tot Wt</u> (lbs)
	: INSTRUMENT PANEL TRIM Molded Plastic with Black Center Section : STORAGE POCKET, DOOR (1) Molded Plastic, Full-Length; Driver Door : SUN VISOR (2) Padded Vinyl with Driver Side Toll Ticket Strap, Integral to Console		
16WSK	CAB REAR SUSPENSION Air Bag Type	0/0	0
27DPL	WHEELS, FRONT DISC; 22.5" Painted Steel, 5 Hand Hole, 10-Stud (285.75MM BC) Hub Piloted, Flanged Nut, Metric Mount, 9.00 DC Rims; With .500" Thick Disc, Non-Standard Offset and Steel Hubs	122/0	122
	<u>Includes</u> : PAINT IDENTITY, FRONT WHEELS White		
	<u>Notes</u> : Aluminum Wheels not Painted or Coated : Compatible Tire Sizes: 12R22.5, 295/75R22.5, 295/80R22.5, 315/80R22.5		
28DMA	WHEELS, REAR DUAL DISC; 22.5" Painted Steel, 2 Hand Hole, 10-Stud (285.75MM BC) Hub Piloted, Flanged Nut, Metric Mount, 8.25 DC Rims; With Steel Hubs	0/0	0
	<u>Includes</u> : PAINT IDENTITY, REAR WHEELS White		
	<u>Notes</u> : Compatible Tire Sizes: 11R22.5, 12R22.5, 255/70R22.5, 255/80R22.5, 265/75R22.5, 275/70R22.5, 275/80R22.5, 295/75R22.5, 295/80R22.5		
29PAR	PAINT IDENTITY, FRONT WHEELS {Accuride} Disc Front Wheels; With Vendor Applied (PKWHT21) White Powder Coat Paint	0/0	0
60AAG	BDY INTG, REMOTE POWER MODULE Mounted Inside Cab behind Driver Seat; Up to 6 Outputs & 6 Inputs, Max. 20 amp. per Channel, Max. 80 amp Total (Includes 1 Switch Pack With Latched Switches)	0/0	0
60ABC	BDY INTG, REMOTE START/STOP To Start and Stop Vehicle Engine	0/0	0
60ABE	BDY INTG, PTO ACCOMMODATION for Electric over Hydraulic PTO, Does Not Include Solenoids, With Latched Switch Mounted on Dash Includes Audible Alarm and Indicator Light in Gauge Cluster (Requires 1 Remote Power Module input & 1 output)	0/0	0
60AJH	BDY INTG, THROTTLE CONTROL for Dual Function Input, for Utility Applications, Remote Throttle Control When Engine is Running, & Activating Output for Emergency Power When the Engine is Not Engaged; Useable Only When Vehicle is Stopped and Park Brake is Applied(requires 1 Remote Power Module input & output)	0/0	0
7382135413	(4) TIRE, REAR 11R22.5 HDO (CONTINENTAL) 490 rev/mile, load range H, 16 ply	0/12	12
7702540190	(2) TIRE, FRONT 315/80R22.5 UNISTEEL G291 (GOODYEAR) 491 rev/mile, load range J, 18 ply	22/0	22
	Total Component Weight:	7764/5500	13264
	120 DAY TERMS	0/0	0
	Total Goods Purchased:	0/0	0

The weight calculations included in this proposal are an estimate of future vehicle weight. The actual weight as manufactured may be different from the estimated weight. Navistar, Inc. shall not be liable for any consequences resulting from any differences between the estimated weight of a vehicle and the actual weight.



Graphics are provided as visual aids only and are not intended to represent the actual scale, shape, or color of the truck or its components. All weights are represented in lbs.

Truck			Body/Trailer			Chassis/Empty Weights	
Bumper to Axle	(BA)	32.0	Body Length	(BL)	314	Tractor Front Axle:	7,764
Wheelbase	(WB)	189.00				Tractor Rear Axle:	5,500
Axle to Frame	(AF)	100.00					
Axle to Back Cab	(ABC)	75					
Cab to Axle	(CA)	114					
Usable CA		114					
CA Reduction Adjustment		0					
Fuel-Diesel(Gals)		0					
DEF(Gals)		0					

Before the Cab			Cab			Payloads				After the Body		
#	Weight	CG	#	Weight	CG	Chassis		Body		After the Body		
#	Weight	CG	#	Weight	CG	#	Weight	CG	#	Weight	CG	
						1	0	0				

Loads	
Payload Weight:	0
Driver:	0
Fuel-Diesel(Lbs):	0
DEF(Lbs):	0

Weight Distribution	
Total Front Axle:	7,764
Total Rear Axle:	5,501
Total Weight:	13,265

Weights and clearances in this proposal are estimates only. Navistar, Inc. is not liable for any consequences resulting from any differences between the estimated weights and clearances and the actual manufactured weights and clearances.

Weight Distribution

All weights are represented in lbs.

	Truck		
	Front	Rear	Total
<u>Chassis Weight</u>			
Chassis Weight:	7,764	5,500	13,264
Fuel:	0	0	0
DEF:	0	0	0
Empty Body:	0	1	1
	(Curb Weight): 7,764	5,501	13,265

Loads

Payloads:	0	0	0
Driver:	0	0	0
	Axle Totals (Gross Weight): 7,764	5,501	13,265

Weight Ratings

	Truck	
	Front	Rear
Axle(axle capacity)	16,000	23,000
Tire(tire capacity)	16,540	26,440
Suspension(suspension capacity)	16,000	23,500
Spring:	0	
Fed Bridge Law (axle spread):	20,000	20,000

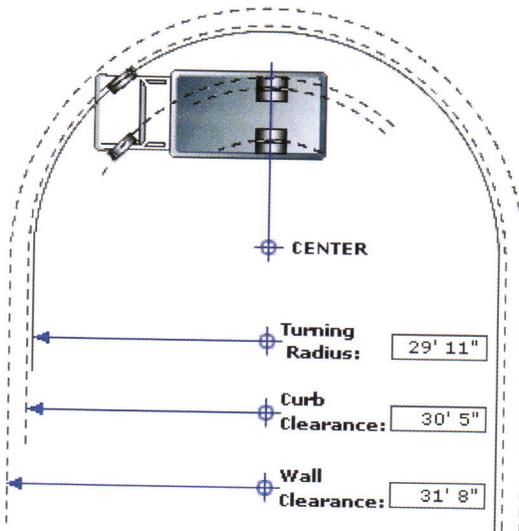
Wheel Combination	Load	Limit
1 - 2	13,265	45,000

Federal Total Vehicle Weight Limit: 80,000

Maximum Gross Vehicle Weight Rating (GVWR) 39,000 - Gross Vehicle Weight(GVW) 13,265 = 25,735 Reserves

Weight Summary

* Distributed weights are within capacity limits



Series: 7000
 Model: SA525
 Description: 7400 SFA 4X2
 Model Year: 2015

Calculation Factors

Wheelbase: 189
 Front Axle: 0002ARU
 Description: AXLE, FRONT NON-DRIVING, {Meritor MFS-16-143A} Wide Track, I-Beam Type, 16,000-lb Capacity
 Front Wheel: 0027DPL
 Description: WHEELS, FRONT, DISC; 22.5" Painted Steel, 5 Hand Hole, 10-Stud (285.75MM BC) Hub Piloted, Flanged Nut, Metric Mount, 9.00 DC Rims; With .500" Thick Disc, Non-Standard Offset and Steel Hubs
 Front Tire: 07702540190
 Description: TIRES, 315/80R22.5 UNISTEEL G291 (GOODYEAR) 491 rev/mile, load range J, 18 ply
 Steering Gear: 0005PSL
 Description: STEERING GEAR, {Sheppard M-110} Power

Turning Radius Statistics

General Information

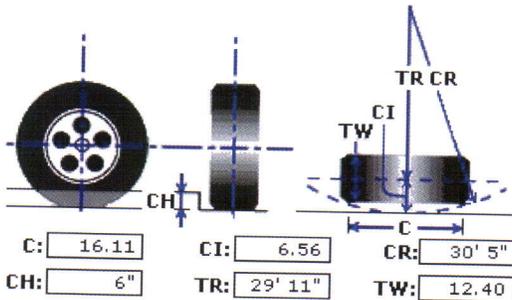
Inside Turn Angle: 41 Degrees
 Radial Overhang: 21

Axle Information

KingPin Inclination: 6.25 Degrees
 KingPin Center: 71.5

Turning Radius - Curb View

C - Curb Contact Length: 16.11
 CI - Curb Clearance Increment: 6.56
 CR - Curb Clearance Radius: 30'5"
 CH - Curb Height: 6"
 TR - Turning Radius: 29'11"
 TW - Tire Width: 12.40



* All Measurements are in inches, unless otherwise specified.

This information is based on engineering information available at this time. Actual figures may vary. Navistar, Inc. cannot accept liability for consequences due to this variance.

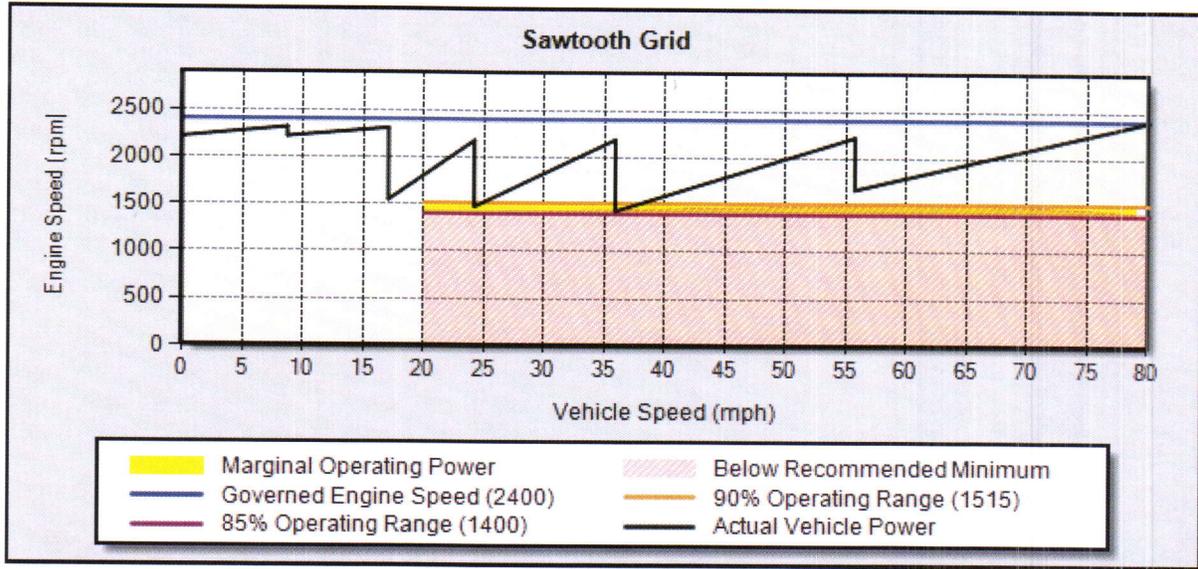
ENGINE, DIESEL (0012NUT)

ATTACHMENTS: 0012UAR (RADIATOR) 0012WZC (EMISSION COMPLIANCE) 0012VXU (THROTTLE, HAND CONTROL)

<u>Parameter</u>	<u>Value</u>	<u>UOM</u>
Max Vehicle Speed:7902	75	
Max Eng Speed w/Veh Spd Fault:7901	2216	MPH
Idle Shutdown Mode:7400	1, IDLE SHUTDOWN ALLOWS ACTIVE ENGINE SPEED CONTROL TO RUN	N/A
Idle Shutdown Time:7401	5	N/A
Cruise Min Vehicle Speed:7603	35	MIN
Cruise Max Vehicle Speed:7604	75	MPH
AESC Max Engine Speed:7508	2200	MPH
AESC Preset 1:7505	1000	RPM
AESC Preset 2:7506	1500	RPM
AESC Ramp Rate:7507	100	RPM
AESC Max Vehicle Speed:7501	5	RPM/SEC
AESC Vehicle Speed Override:7518	0, AFFECTS RPS	MPH
AESC Disable In-Cab Interface:7503	0, NO (OFF) OR DISABLE	N/A
AESC Enable Overrides:7526	1, ENABLE FEATURE OR FUNCTION	N/A
AESC In Cab Control Override:7517	0, AFFECTS RPS	N/A
AESC Park Brake Override:7515	1, NO EFFECT TO RPS	N/A
AESC Brake Override:7514	0, AFFECTS RPS	N/A
AESC Driveline Override:7516	0, AFFECTS RPS	N/A
AESC Driveline Mode:9301	0, NEUTRAL OPERATION	N/A
Remote Pedal - Enable:7504	0, NO (OFF) OR DISABLE	N/A
Remote Pedal - Return To 0 Req:7513	1, RETURN TO ZERO FUNCTIONALITY NOT REQUIRED	N/A
Remote Pedal - Enable Override:7525	1, ENABLE FEATURE OR FUNCTION	N/A
Remote Pedal - Brake Override:7520	0, AFFECTS RPS	N/A
Remote Pedal - VS Kickout En:9102	0, AFFECTS RPS	N/A
Remote Pedal - In-Cab Override:7523	0, AFFECTS RPS	N/A
Remote Pedal - Park Brake Ovr:7521	1, NO EFFECT TO RPS	N/A
Remote Pedal - Driveline OVRD:7522	0, AFFECTS RPS	N/A
Service Interval Indicator:9500	1, ACTIVATE PARAMETER	N/A
Service Interval - Distance:9503	12000	N/A
Service Interval - Run Time:9502	450.0	MILES
Service Interval - Fuel Used:9501	1500	HOURS
Customer Password:8700	0000	GALLONS
		N/A

These Electronic Parameters have been successfully finalized

ENGINE/TRANSMISSION MATCHING



Sawtooth Details

Gear	Trans Ratio	Upshift Power Avail		Govern Power Avail		Peak Power Comparison			Warn Msg
		Veh Spd (MPH)	Eng Spd (RPM)	Veh Spd (MPH)	Eng Spd (RPM)	Gear Step (%)	85% Range (%)	90% Range (%)	
1C	4.59	0.0	2213	8.7	2318	N/A	71	58	
2C	2.26	8.7	2219	17.1	2310	N/A	71	58	
2L	2.26	17.1	1546	24.2	2181	N/A	71	58	
3L	1.53	24.2	1476	35.9	2194	N/A	71	58	
4L	1.00	35.9	1434	55.7	2225	N/A	71	58	
5L	0.75	55.7	1669	80.1	2400	N/A	71	58	

@ - WHEELSLIP CAN OCCUR AT THE GRADE SHOWN. THE VEHICLE IS CAPABLE OF INCREASED GRADEABILITY IF MORE WEIGHT IS PLACED ON THE DRIVE AXLES.

STEADY STATE PERFORMANCE

Performance Results	Gear	Veh Spd (mph)	Eng Spd (rpm)	Fuel Econ (mpg)	Grade (%)	Notes
LEVEL ROAD MAXIMUM SPEED	5L	80.7	2416	4.95	0.00	
HI GEAR SPEED @ RATED RPM	5L	80.1	2400	5.01	0.27	
55.0 MPH STEADY-STATE	5L	55.0	1647	8.92	2.65	
TYPICAL OPERATING SPEED	5L	65.0	1947	7.01	2.01	- Calculated Grade Ability/Fuel Economy

VEHICLE ORDER CODING ERRORS MAY RESULT IF THE "LEVEL ROAD MAX SPEED" VALUE EXCEEDS THE "HI GEAR SPEED @ RATED RPM" AND IS USED AS THE ENGINE PROGRAMMABLE VEHICLE SPEED LIMIT.

IF THE RESULTS CONTAIN "-----", VEHICLE CANNOT ATTAIN THAT SPEED.

IF THE RESULTS CONTAIN "*****", THE ENGINE USED DOES NOT HAVE A FUEL MAP. FUEL ECONOMY CANNOT BE PREDICTED.

Recommendations / General Information

IDLE FUEL RATE : 0.99 GALS/HR @ 800.0 RPM
TORQUE CONVERTER : TC-413 STALL RATIO: 2.44

Fuel Economy Route: Normal Route - City, Suburban, and Highway

Key Fuel Economy Information	City	Suburban	Highway	Notes
MILES PER GALLON	5.77	8.79	8.33	
AVERAGE MPH	19.0	39.8	54.6	
MISSION MINUTES	29.80	51.96	173.34	

IF THE RESULTS CONTAIN "*****", THE ENGINE USED DOES NOT HAVE A FUEL MAP. FUEL ECONOMY CANNOT BE PREDICTED.

GRADEABILITY PERFORMANCE

Enroute - Full Throttle Upshift Performance

Gear	Trans Ratio	Veh Spd (mph)	Eng Spd (rpm)	Whl Pwr (hp)	Grade (%)	Warn Notes
1C	4.59	0.0	2213	0.00	41.28	@ STALL
		5.0	2227	186.44	37.33	70% EFF
		6.7	2254	209.83	30.91	80% EFF
		8.7	2318	218.93	24.31	
		8.7	2318	218.93	24.31	
2C	2.26	8.7	2219	170.54	18.56	
		17.1	2310	219.99	11.69	
2L	2.26	17.1	1546	228.28	12.16	
		24.2	2181	266.85	9.84	
3L	1.53	24.2	1476	218.09	7.88	
		35.9	2194	266.48	6.12	
4L	1.00	35.9	1434	211.22	4.63	#
		55.7	2225	261.16	2.96	
5L	0.75	55.7	1669	241.91	2.63	
		74.8	2241	253.48	1.00	
		78.5	2350	238.85	0.50	
		80.1	2400	231.34	0.27	RATED RPM
		80.7	2416	212.34	0.00	LEVEL ROAD

STARTING / TOP GEAR PERFORMANCE

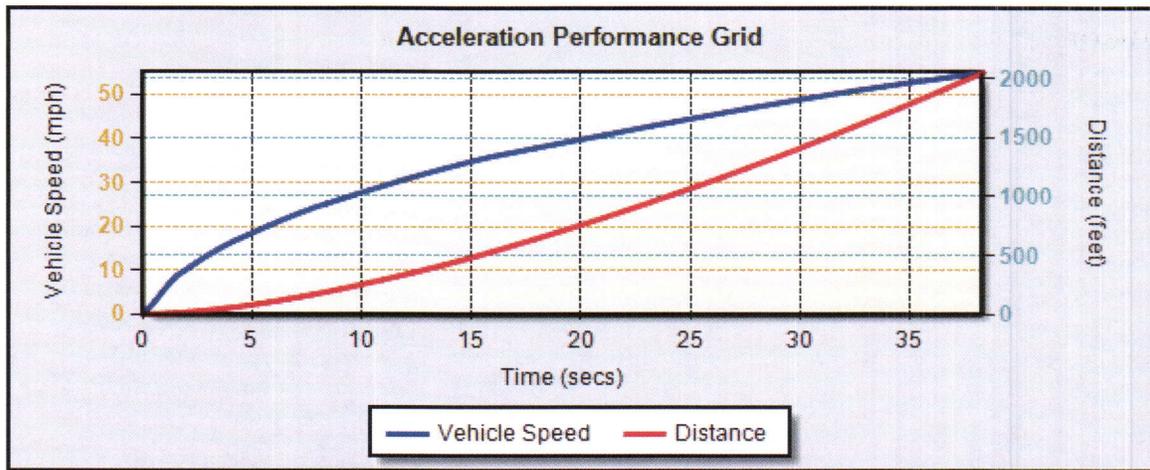
Gear	Trans Ratio	Veh Spd (mph)	Eng Spd (rpm)	Whl Pwr (hp)	Grade (%)	Warn Notes
1C	4.59	0.0		0.00	41.28	@ STALL
		6.7		209.83	30.91	80% EFF - Calculated Start Ability

@ - WHEELSLIP CAN OCCUR AT THE GRADE SHOWN. THE VEHICLE IS CAPABLE OF INCREASED GRADEABILITY IF MORE WEIGHT IS PLACED ON THE DRIVE AXLES.

THE TRANSMISSION WAS SIMULATED IN PERFORMANCE OPERATING MODE.

ACCELERATION PERFORMANCE RESULTS

Acceleration Performance Grid



Acceleration Performance: TIME TO ACCELERATE ON A GRADE TO 55.0 (MPH) IS 38.37 (SECS)

Acceleration Performance Details

Gear	Time (secs)	Distance (feet)	Speed (mph)	Notes	
1C	0.19	0.1	1.0		
	0.39	0.6	2.0		
	0.56	1.2	3.0		
	0.72	2.0	4.0		
	0.88	3.1	5.0		
	1.04	4.3	6.0		
	1.21	6.0	7.0		
	1.40	8.1	8.0		
	2C	1.55	9.9	8.7	
		1.85	14.0	9.7	
		2.15	18.4	10.7	
2.45		23.3	11.7		
2.76		28.8	12.7		
3.09		35.2	13.7		
3.44		42.4	14.7		
3.81		50.7	15.7		
2L	4.20	60.1	16.7		
	4.39	64.8	17.1		
	4.84	76.4	18.1		
	5.29	88.7	19.1		
	5.74	101.6	20.1		
	6.21	115.7	21.1		
	6.69	131.1	22.1		
	7.20	148.0	23.1		
3L	7.74	166.6	24.1		
	7.76	167.3	24.2		
	8.40	190.4	25.2		
	9.03	214.4	26.2		
	9.67	239.4	27.2		
	10.31	265.4	28.2		
	10.96	292.4	29.2		
	11.61	320.7	30.2		

Gear	Time (secs)	Distance (feet)	Speed (mph)	Notes
	12.28	350.8	31.2	
	12.97	383.0	32.2	
	13.69	417.5	33.2	
	14.44	454.4	34.2	
	15.22	494.0	35.2	
4L	15.82	525.2	35.9	
	16.86	580.8	36.9	
	17.90	638.1	37.9	
	18.95	697.2	38.9	
	20.01	758.2	39.9	
	21.07	821.0	40.9	
	22.13	885.8	41.9	
	23.20	952.4	42.9	
	24.28	1021.1	43.9	
	25.37	1091.7	44.9	
	26.47	1165.0	45.9	
	27.60	1242.2	46.9	
	28.77	1323.5	47.9	
	29.98	1409.3	48.9	
	31.23	1500.0	49.9	
	32.52	1595.7	50.9	
	33.87	1697.0	51.9	
	35.26	1804.3	52.9	
	36.72	1918.1	53.9	
	38.23	2039.0	54.9	
	38.37	2050.4	55.0	

REQUIRED TCAPE INFORMATION

TCAPE Factors For Vehicle

Selected Rear Axle Gear Ratio(s):	4.89
Vehicle Vocation:	GENERAL ON HIGHWAY
Road Surface Type:	TYPICAL
Enroute PTO:	NO
Transmission Mode:	Performance
Fuel Economy Route:	Normal Route - City, Suburban, and Highway
ID Wheel Slip Conditions:	Yes
Engine Fan Type:	TWO SPEED TYPE
Parked PTO:	NO
Road Governor/Cruise Ctrl:	No
Acceleration Grade (%):	0.0
Weight on Drive Axle (LBF):	23000
Alternator (A):	40
Frontal Area (FT2):	76
Air Compressor (HP):	2.20
Vehicle Width (IN):	96
Vehicle Height (IN):	114
Steering Gear (HP):	2.60
Air Conditioner (HP):	3.20
Acceleration Vehicle Spd (MPH):	55.0
Speed Limit on Route (MPH):	61.0
Relative Drag Coefficient:	85
TIRE, FRONT	2 - RADIAL LOWPROFILE
TIRE, REAR	4 - RADIAL NORMAL

Components

0002ARU	AXLE, FRONT NON-DRIVING {Meritor MFS-16-143A} Wide Track, I-Beam Type, 16,000-lb Capacity
0004SBC	AIR COMPRESSOR {Bendix Tu-Flo 550} 13.2 CFM Capacity
0005PSL	STEERING GEAR {Sheppard M-110} Power
0008GXD	ALTERNATOR {Leece-Neville AVI160P2013} Brush Type; 12 Volt 160 Amp. Capacity, Pad Mount, With Remote Sense
0012NUT	ENGINE, DIESEL {MaxxForce DT} EPA 10, 300 HP @ 2200 RPM, 860 lb-ft Torque @ 1300 RPM, 2400 RPM Governed Speed
0012THZ	FAN DRIVE {Horton Drivemaster Polar Extreme} Direct Drive Type, Two Speed, With Residual Torque Device for Disengaged Fan Speed
0013AVG	TRANSMISSION, AUTOMATIC {Allison 3500_RDS_P} 5th Generation Controls; Wide Ratio, 5-Speed, With Overdrive; On/Off Hwy; Includes Oil Level Sensor, With PTO Provision, Less Retarder, With 80,000-lb GVW & GCW Max.
0014ARB	AXLE, REAR, SINGLE {Meritor RS-23-160} Single Reduction, 23,000-lb Capacity, 200 Wheel Ends, Driver Controlled Locking Differential
0016030	CAB Conventional
0016WCT	AIR CONDITIONER {Blend-Air} With Integral Heater & Defroster
07382135413	TIRE, REAR 11R22.5 HDO (CONTINENTAL) 490 rev/mile, load range H, 16 ply 11R22.5 HDO (CONTINENTAL) 490 rev/mile, load range H, 16 ply
07702540190	TIRE, FRONT 315/80R22.5 UNISTEEL G291 (GOODYEAR) 491 rev/mile, load range J, 18 ply 315/80R22.5 UNISTEEL G291 (GOODYEAR) 491 rev/mile, load range J, 18 ply

TCAPE HAS BEEN DESIGNED TO GIVE ECONOMY AND PERFORMANCE PREDICTIONS WHICH HAVE BEEN SHOWN TO BE TYPICAL FOR MOST OPERATIONS. HOWEVER, DUE TO OPERATING CONDITIONS, DRIVER INFLUENCES, AND OTHER FACTORS, YOUR RESULTS MAY VARY FROM THOSE PREDICTED. ALSO, BECAUSE OF FUEL MAPPING PROCEDURES USED BY VARIOUS ENGINE MANUFACTURERS, COMPARISONS OF FUEL ECONOMY RESULTS FOR DIFFERENT BRANDS OF ENGINES MAY VARY FROM THOSE SHOWN.

NAVISTAR, INC. SHALL NOT BE LIABLE FOR ANY LOSS OF PROFITS, LOSS OF USE, INTERRUPTION OF BUSINESS OR INDIRECT, SPECIAL, INCIDENTAL OR CONSEQUENTIAL DAMAGES OF ANY KIND THAT ARE INCURRED BY DEALER OR BY DEALER'S CUSTOMERS AS A RESULT OF RELIANCE ON TCAPE, WHETHER THE CLAIM IS IN CONTRACT, TORT (INCLUDING NEGLIGENCE), STRICT LIABILITY OR OTHERWISE.

WEIGHT AND CG REPORT FOR AERIALS

2/24/2014:2:48 PM

MODEL: C5045-TM
OPTIONS: 0 0, ESK 2 SPD, 18 AUG, TRANS TPP
CHASSIS: INTERNATIONAL 7400 4x4
CUSTOMER: City of Millford
QUOTE: 8500271

WB: 189 75 Back of cab to front axle
CA: 114 47 Frame height
DATE: 12/16/13 11440

ORIGINATOR: JJH
DRAWING DATE:

DRAWING REV:

DESCRIPTION	WT (LBS)	HCG (IN)	VCG (IN)	FA (LBS)	RA (LBS)	
(ITEM 1, ALL CGS FROM BOOM PIVOT)						
Tower, Mast & Lift Cylinders	2803	-1.76	-34.42			48.91 Pedestal height (min)
Main, 2nd, 3rd, & 4th Booms	2977	106.1	0.00			Pedestal may not be slid t
Weight of TM Winch	230	-20.00	1.50			154.91 Estimated Travel Height
Options on Main Boom	1345	135.92	-6.25			
Options on 2nd Boom, PG Winch	175	182.25	6.00			
Options on 3rd/Boom Tip	335	224.0	10.50			
Winch line/hook	0	226.0	1.50			
D/D WT & CG FROM BP	7865	75.8	-12.7			BLMIN: 3152
DISTANCE FROM RA TO BP: -25.00		1.00	<--- change here to move unit forward (+) or rearward (-)			
DISTANCE FROM GRD TO BP: 119.00		0.00	<--- change here to move boom pivot up (+) or do			-23.00
A/D WT & CG FROM RA OR GRD	7865	50.78	106.29	2113	5752	
(ITEMS 2 THRU 30, ALL CGS FROM RA OR GRD)						
SUBFRAME	9.5	1625	20.0	50.0	172	1453
FRONT JACK, 8348 EHD A-FRAME		975	100.5	50.0	518	457
REAR JACK, 8348 EHD A-FRAME		975	-40.0	50.0	-206	1181
MOUNTING KIT		550	-24.0	47.0	-70	620
BOOM REST		150	100.0	36.0	79	71
HYD TANK W/OIL		400	65.0	67.0	138	262
PUMP		85	114.0	21.0	51	34
S/L HYD KIT		100	45.0	42.0	24	76
PTO		35	114.0	21.0	21	14
STEEL FLATBED	6.25	975	1.50	50.0	8	967
GRAB HANDLE		60	-83.0	65.0	-26	86
PINTLE HOOK		225	-89.0	43.0	-106	331
TAILSHELF	6.25	306.25	-64.5	51.0	-105	411
TOOL BOXES		336	84.0	59.0	149	187
MUDFLAPS		20	-27.0	20.0	-3	23
LIGHTS		35	106.5	119.0	20	15
COMMAND POST	200	200	-12.5	95.0	-13	213
HANDLE RACK CONTROLS	200	0	-35.5	65.0	0	0
BRADEN 30,000 LB BUMPER WINCH		1222	240.0	47.0	1552	-330
PAINT		250	50.8	119.0	67	183
CABGUARD		0	151.5	116.0	0	0
CHASSIS WEIGHT		13264	110.6	48.0	7764	5500
Correction to actual	0	0	0.0	0.0	0	0
Tool Box		100	0.0	0.0	0	100
Ground Reel		75	0.0	0.0	0	75
Pole Carriers		250	40.0	0.0	53	197
Hydraulic reel		75	0.0	0.0	0	75
In cab safety		25	200.0	0.0	26	-1
MISC		0	0.0	0.0	0	0
MISC		0	0.0	0.0	0	0
MISC		0	0.0	0.0	0	0
MISC		0	0.0	0.0	0	0
MISC		0	0.0	0.0	0	0
MISC		0	0.0	0.0	0	0
MISC		0	0.0	0.0	0	0
MISC		0	0.0	0.0	0	0
MISC		0	0.0	0.0	0	0
MISC		0	0.0	0.0	0	0
MISC		0	0.0	0.0	0	0
WEIGHT & CG (NO FUEL OR MEN):	30178	76.57	63.78	12226	17951	
Req'd for stability						
FUEL	100%	390	132.00	47.00	272	118
PAYLOAD		0	1.50	65.00	0	0
TONGUE LOAD		0	-89.00	43.00	0	0
PUSHER CAPACITY	0		81.00	24.00	0	<--- WITH PUSHER DOWN
TAG AXLE CAPACITY	0		-81.00	24.00	0	<--- WITH TAG DOWN
BALLAST		0	-60.00	44.00	0	0
WHEEL CHOCKS		60	0.0	35.0	0	60
OUTRIGGER PADS		120	30.3	35.0	19	101
PERSONNEL		500	132.00	65.00	349	151
WEIGHT & CG W/ FUEL AND MEN:	31248	77.83	63.42	12867	18381	
CHASSIS AXLE CAPACITIES	39000			16000	20000	
RESERVE CAPACITY	7752			3133	1619	
PERCENT RESERVE	19.9%			19.6%	8.1%	

2848 PSI
1649 PSI

Tiedown Drawing: 608826
 Tiedown Kit: 608848
 Pedestal: 472687
 Subframe: 1003530
 Front Jack: 8348
 Rear Jack: 8348
 Notes:

THIS IS AN ESTIMATED WEIGHT STUDY USING BASIC EQUIPMENT, ANY VARIATION IN EQUIPMENT AND/OR LOCATION MAY AFFECT TOTAL WEIGHTS AND CGS.

**City of Milford Electric
Bid Tabulation**

2:00 p.m.

Thursday, May 15, 2014

2014 Digger Truck

<u>Bidder</u>	<u>Truck Bid</u>	<u>Manufacturer</u>	<u>Delivery Terms</u>	<u>Exceptions</u>	<u>Trade-In Value</u>	<u>Total Bid Price</u>
1.) Terex	\$244,430.64	2015 Terex C5045	240-300 Days	None	N/A	\$244,430.64
2.) Altec	\$276,779.00	2014 Altec D4050	270-300 Days	None	N/A	\$276,779.00
3.)						
4.)						

Chapter 57-Planning Commission

§ 57-1. Establishment.

There is hereby established, pursuant to 22 Del. C. § 701 et seq., the Milford Planning Commission.

§ 57-2. Membership; terms of office.

The Commission shall consist of nine members to be appointed by the Council. The term of each member so appointed and confirmed shall be for three years, except that of the members first appointed, three shall be appointed to a term of three years, three shall be appointed to a term of two years and three shall be appointed to a term of one year.

§ 57-3. Removal; vacancies.

Any member of the Planning Commission may be removed for cause, after a public hearing, by the Mayor with the approval of the City Council. A vacancy occurring otherwise than by expiration of term shall be filled for the unexpired term in the same manner as an original appointment.

§ 57-4. Ex officio members.

The Mayor and City Manager shall be ex officio members of the Planning Commission and may exercise all of the powers of the regular members; provided, however, that an ex officio member may not hold an office on the Commission and shall have no right to vote on matters coming before the Commission.

§ 57-5. Salaries and compensation.

All members of the Commission shall serve without compensation but may be reimbursed for actual expenses incurred in connection with their official duties.

§ 57-6. Officers; staff; custodian of records.

The Commission shall elect annually a Chairman and Secretary from among its own number and may employ experts, clerical help and other assistants. The Commission may appoint a custodian of its Comprehensive Plan and records, who may be the City Manager or other employee of the Council.

§ 57-7. Rules of procedure; meetings; records.

The Commission shall adopt its own rules of procedure and determine the times of its meetings and methods of notice thereof. All meetings of the Commission at which any official action is taken shall be open to the public, and all records of the Commission shall be public records.

§ 57-8. Powers and duties; reports.

The Milford Planning Commission shall have all the powers and authority vested in municipal planning commissions under the provisions of Title 22, Delaware Code, Chapter 7, subject to the same conditions and limitations set forth therein at the effective date of this chapter. The Planning Commission shall report at each monthly meeting of the Council and shall present copies of its minutes of the preceding month.

CITY OF MILFORD

PLANNING COMMISSION MEMBERS

James F. Burk, Chairman

Appointed: 11/08

Term Expiration: 08/31/15

Marvin C. Sharp

Appointed: 09/08

Term Expiration: 08/31/15

Archie J. Campbell

Appointed: 10/09

Term Expiration: 08/31/16

William J. Lane

Appointed: 08/10

Term Expiration: 08/31/15

Kerri B. Fry

Appointed: 08/11

Term Expiration: 08/31/2016

W. Ed Holloway

Appointed: 01/12

Term Expiration: 08/31/2014

Vacant

Term Expiration: 08/31/2016

Deborah A. O'Neill

Appointed: 10/12

Term Expiration: 08/31/2014

Rae M. Mims

Appointed: 12/12

Term Expiration: 08/31/2014

Please mail correspondence to:

Planning Commission

c/o Planning Department

201 S Walnut St

Milford, DE 19963

On May 16, 2014, at 2:50 PM, "Jeffrey Portmann" <jpportmann@milford-de.gov> wrote:

What is the latest cost estimate for the substation project? Council will need to approve funding from reserves as we have spent the bond issue funds if \$5,500,000 plus the approved prior year's capital of \$1,149,035.

Thanks, Jeff.

Jeff Portmann
Finance Director
City of Milford
302-424-5141-Phone
302-424-5932-Fax

From: Rick Carmean
Sent: Friday, May 16, 2014 2:58 PM
To: Jeffrey Portmann
Subject: Re: substation

\$8.6 to \$9 million

From: Jeffrey Portmann
Sent: Thursday, May 29, 2014 11:42 AM
To: Richard D. Carmean
Cc: Terri Hudson
Subject: FW: substation

We will need council approval of at least \$1,950,965 from electric reserves. If we use the lower cost estimate of \$8,600,000, to be able to continue to pay for the substation project. We should request \$1,950,965 which is the \$8,600,000 less the \$5,500,000 bond issue and \$1,149,035 of prior year's capital budgets that were approved and already spent on this project.

Thanks, Jeff.

From: Jeffrey Portmann
Sent: Wednesday, May 28, 2014 2:16 PM
To: Terri Hudson
Subject: PNC Building

Council approved the contract for \$317,000 for the PNC Bank Renovations. Previously they had approved \$300,000 of electric reserves to do renovations. An additional \$17,000 needs to be approved from electric reserves to cover the contract.

It also did not include any funds for a DBF contract to oversee the construction. That would need additional council approval to cover their fees if they decide to use them.

Jeff Portmann
Finance Director
City of Milford
302-424-5141-Phone
302-424-5932-Fax

PUBLIC NOTICE
Ordinance 2014-09
Chapter 48-Parks and Recreation Commission

The following ordinance is currently under review by Milford City Council:

An Ordinance to amend the Code of the City of Milford by abolishing the Parks and Recreation Commission, Part 1, Administrative Legislation, Chapter 48, 'Parks and Recreation Commission'.

Whereas, the City Council of the City of Milford has analyzed and reviewed the dormant status of the Parks and Recreation Commission; and

Whereas, the City Council further believes that the citizens of the City of Milford will be better served if the Parks and Recreation Commission was abolished and duties pertaining to parks and recreation purposes and programs within the city be placed under the Parks and Recreation Department as authorized by the City Manager.

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

Section 1.

Chapter 48 of the Code of the City of Milford Code entitled "Parks and Recreation Commission" is hereby repealed and rescinded.

Section 2.

Chapter 48 of the Code of the City of Milford, is from the effective date following adoption of this ordinance, to be held reserved for future use by the City of Milford.

Section 3.

All ordinance, or parts of ordinances, which are inconsistent herewith are hereby repealed to the extent of their inconsistency.

Section 4.

Dates.

Introduction 06-09-14

(Proposed) Adoption 06-23-14

Section 5.

Effective Date.

This ordinance shall take effect ten days following its adoption by Milford City Council.

Additional information is available through the City of Milford website at cityofmilford.com or by contacting the City of Milford Offices at 302-424-3712.

PUBLIC NOTICE
Ordinance 2014-10
Chapter 165-Parks and Recreation

The following ordinance is currently under review by Milford City Council:

WHEREAS, the City of Milford owns and maintains various parks and recreation facilities for the use and benefit of the public; and

WHEREAS, portions of such parks and facilities are made available for the exclusive use of individuals and groups; and

WHEREAS, the City of Milford has a need to establish a rules and rental fee schedule for use of City Parks and Recreational Areas and Facilities which are scheduled by the Milford Parks and Recreation Department.

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

Section 1.

An Ordinance to Amend the Code of the City of Milford by Adding a New Chapter 165 entitled Parks and Recreation.

Section 2. Article 1-General-is hereby added to read as follows:

Article I - General.

Section 1.01. Definitions.

Direct Route: The shortest and most direct path a person may travel to access the pedestrian bridge for the purpose of reaching the opposite side of the Bicentennial Park without any detour or additional stop in the park along the way.

Park area: All city parks, playgrounds, recreation fields and areas.

Parks and Recreation Director: City of Milford Parks and Recreation Director and any employee or designee thereof.

Permittee: Person granted and receiving approved permit.

Special event: Any outdoor meeting, activity, parade, gathering or group of persons, vehicles, or a combination thereof having a common purpose, design or goal, upon any public street, sidewalk, alley, park, beach or other public property, place or building, which special event substantially inhibits the usual flow of pedestrian or vehicular travel or which occupies any outdoor area of any public area or building which results in use preempting normal use otherwise to be made of the area by the general public or which deviates from the established use. The term "special event" shall not be construed to include a funeral procession.

Section 1.02. Fees.

Fees for permits and services required by this chapter shall be established by resolution of City Council.

Section 1.03. Enforcement and penalties.

(a) The Milford Police Department, Code Enforcement Officials and Parks and Recreation Director shall

enforce this chapter.

(b) Any city employee authorized to enforce this chapter, as provided herein, has the authority to eject from a park facility any person in violation of this chapter or any other law.

Section 3. Article II-Parks and Recreation Rental Rules and Regulations-is hereby added to read as follows:

Article II. Parks and Recreation Rental Rules and Regulations

Section 2.01. Purpose.

The purpose of this article is to establish rules and regulations governing the operation and use of park and recreation facilities including established and designated park, picnic areas, buildings and shelters devoted to recreational purposes, athletic fields, bocce ball courts and other recreational areas and facilities, and the parking areas provided in connection therewith which are located within the Milford City limits, for the end and purpose that the public may obtain the maximum enjoyment and utilization thereof in accordance with the purposes intended, and that the facilities may be conserved and protected for the public good.

Sec. 2.02. Hours.

All public parks, owned and operated by the City of Milford, shall be closed from sunset to sunrise daily, except where otherwise posted or permitted.

Exceptions.

(a) Bicentennial Park-Persons traveling by foot or bike from the Franklin Street area to the Northeast Front Street area, or reverse, shall only be by direct route and must immediately exit the park upon completion.

(1) Persons found congregating, standing, loafing or remaining in the park when required to take the direct route when the park is closed shall be considered in violation of this chapter.

(b) Parks owned by City of Milford but managed and operated by Milford Little League.

(c) Any other exception to the hours of operations shall require the approval of City Council.

(d) Notice of any permitted exception must be provided to the Milford Police Department.

Section 2.03. Rules and Regulations.

(a) Patrons shall remove all trash that is brought into the park.

(b) Dogs and other pets are not permitted in the parks during rentals or special events.

(c) Deposit shall be refunded only after buildings, grounds and/or equipment is inspected and found to be clean and without damage.

(d) No alcoholic beverages permitted. Refer to Chapter 77 of the City of Milford Code.

(e) The Parks and Recreation Director shall determine whether permittee is required to hire Special Duty Police Officers from the Milford Police Department.

(f) It is the responsibility of the permittee to rent portable restrooms if required.

(g) Noise levels must comply with Chapter 157 of the City of Milford Code.

(h) Special event hours are restricted to the following times:

(1) Monday-Saturday 9:00 a.m. to Dusk

(2) Sunday 1:00 p.m. - 6:00 p.m.

- (i) Fire, health and safety regulations must be obeyed at all times.
- (j) The Parks and Recreation Director reserves the right to refuse any application, revoke any approval of accepted application and/or cancel the proposed event which has been previously approved.

Section 2.04. Application

The Park, Pavilion or Equipment Reservation Application must be completed and signed by the applicant. Approval by the Milford Parks and Recreation Department is required.

Section 2.05. Hold Harmless Agreement

A Hold Harmless Agreement, releasing the City of Milford and its agents from all injury and liability of any kind arising from permittee's use and occupancy of city property must be signed by permittee and received by Milford Parks and Recreation Department before any permit will be issued.

Section 4. Article III-Renting Prohibited-is hereby added to read as follows:

Article III. Renting Prohibited.

Facilities funded by a source other than the City of Milford which prohibits renting or the designation for exclusive use may not be rented. Such facilities are considered open to the public and cannot be denied access.

Section 5. Article IV-Penalty for Violations-is hereby added to read as follows:

Article IV. Penalty for Violations.

Any person found violating any clause or provision of any section of this chapter shall be fined, not less than \$50.00 and not more than \$250.00, for each offense upon conviction thereof.

Section 6.

Dates.

Introduction 06-09-14

(Proposed) Adoption 06-23-14

Section 7.

Effective Date.

This ordinance shall take effect ten days following its adoption by Milford City Council.

Additional information is available through the City of Milford website at cityofmilford.com or by contacting the City of Milford Offices at 302-424-3712.

PUBLIC NOTICE
Ordinance 2014-11
Chapter 176 - Public Peace and Good Order

The following ordinance is currently under review by Milford City Council:

WHEREAS, the City Council of the City of Milford has the authority to pass regulations to protect the health and safety of its citizens; and

WHEREAS, the City Council desires to have and maintain a clean and safe community; and

WHEREAS, the City Council finds that it is in the public interest to prohibit public urination; and

WHEREAS, while state law prohibits indecent exposure, such exposure must be done in a lewd manner and the act of public urination or defecation does not uniformly constitute indecent exposure; and

WHEREAS, the City Council of the City of Milford finds that it is in the best interests of the public health, welfare, and safety to prohibit public urination and public defecation within the City of Milford.

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

Section 1. AN ORDINANCE TO AMEND THE CODE OF THE CITY OF MILFORD BY ADDING A NEW CHAPTER 176, Public Peace and Good Order.

Section 2. Article 1, Offenses Against Public Decency, is hereby added to read as follows:

Article 1. OFFENSES AGAINST PUBLIC DECENCY

§176 -1. Public Urination and Defecation

§176 -1(a)-Definitions.

§176 -1(b)-Unlawful Act.

§176 -1(c)-Penalty for Violation.

§176 -1(a)- Definitions.

"Public Place" means an area generally visible to public view and includes, but is not limited to, streets, sidewalks, bridges, alleys, plazas, parks, bike trails, driveways, parking lots, automobiles whether moving or not, vacant land and buildings open to the general public, including but not limited to those that serve food or drink or provide entertainment, and the doorways and entrances to buildings or dwellings and the grounds enclosing them, and all other places of like or similar nature to which the general public has unrestricted right of access, and which are generally used by the public.

§176 -1(b)-Unlawful Act,

A. It is unlawful for a person to urinate or defecate in public places, other than when using a toilet, urinal or commode located in a restroom, bathroom or other similar structure enclosed from public view.

B. The provisions of this chapter shall apply to any person over five years of age.

§176 -1(c)- Penalty for violation.

Any person who is found guilty of violating any of the provisions of this article shall, upon conviction thereof, be subject to a fine of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) or a term of imprisonment of not more than ninety (90) days or both a fine and term of

imprisonment.

Section 2.

Dates.

Introduction 06-09-14

(Proposed) Adoption 06-23-14

Section 3.

Effective Date.

This ordinance shall take effect ten days following its adoption by Milford City Council.

Additional information is available through the City of Milford website at cityofmilford.com or by contacting the City of Milford Offices at 302-424-3712.

PUBLIC NOTICE
Ordinance 2014-12
Chapter 197-Streets and Sidewalks

The following ordinance is currently under review by Milford City Council:

Chapter 197 STREETS AND SIDEWALKS

WHEREAS, Chapter 197 of the City of Milford Code governs street and sidewalks regulations in the city; and

WHEREAS, there is a need for miscellaneous regulations to be added to Chapter 197 to balance the requirements of public safety, code enforcement, our resident's right to quiet enjoyment and the health and safety of our city.

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

Section 1.

A new Article II, entitled Miscellaneous Provisions, has hereby been added to Chapter 197 as follows:

ARTICLE II. MISCELLANEOUS PROVISIONS

197-15. Authority to temporarily close streets and sidewalks.

Both the city manager and/or designee and chief of police and/or designee shall have the authority to temporarily close streets, sidewalks or private entrances onto public streets to vehicular and pedestrian traffic when necessary for the public safety or convenience or to conduct work on streets or sidewalks.

197-16. It shall be unlawful for any person to cast, throw, drop, place, or otherwise cause or permit to be located upon, in, or about any public street, sidewalk, alley or or any private or public property adjacent thereto, any litter, refuse, or debris.

(a) Exception.

Items permitted and regulated in Chapter 193.

197-18. Throwing and kicking objects and playing games in streets. It shall be unlawful for any person to throw, kick or project, in any manner whatsoever, any stone, ball or other object in the city streets, or to play or practice athletic games, pitching pennies and like games on the city streets, unless a specific area has been officially designated for those purposes by the city manager.

Section 2.

Dates.

Introduction 06-09-14

(Proposed) Adoption 06-23-14

Section 3.

Effective Date.

This ordinance shall take effect ten days following its adoption by Milford City Council.

Additional information is available through the City of Milford website at cityofmilford.com or by contacting the City of Milford Offices at 302-424-3712.

**CITY OF MILFORD
FUND BALANCES REPORT**

Date: April 2014

Cash Balance - General Fund Bank Balance	\$2,573,201
Cash Balance - Electric Fund Bank Balance	\$3,193,077
Cash Balance - Water Fund Bank Balance	\$2,198,433
Cash Balance - Sewer Fund Bank Balance	\$694,752
Cash Balance - Trash Fund Bank Balance	\$394,216

	General <u>Improvement</u>	Municipal <u>Street Aid</u>	Real Estate <u>Transfer Tax</u>	Solid Waste <u>Reserves</u>
Beginning Cash Balance	352,549	1,146,797	1,768,556	0
Deposits	10,000	55,676	73,944	
Interest Earned this Month	31	164	131	
Disbursements this Month	(135,310)	(24,271)	(41,666)	
Investments				250,000
Ending Cash Balance	\$227,270	\$1,178,366	\$1,800,965	\$250,000

	GF Capital <u>Reserves</u>	Water Capital <u>Reserves</u>	Sewer Capital <u>Reserves</u>	Electric <u>Reserves</u>
Beginning Cash Balance	2,280,487	5,082,923	3,372,224	10,481,287
Deposits				
Interest Earned this Month	131	292	199	825
Disbursements this Month	(80,346)	(40,251)	(3,743)	(23,563)
Investments	250,000			
Ending Cash Balance	\$2,450,272	\$5,042,964	\$3,368,680	\$10,458,549

	Water <u>Impact Fee</u>	Sewer <u>Impact Fee</u>	Electric <u>Impact Fee</u>
Beginning Cash Balance	1,135,752	\$778,533	\$311,108
Deposits	9,340	\$4,936	\$7,800
Interest Earned this Month	53	\$39	\$15
Disbursements this Month			
Investments			
Ending Cash Balance	\$1,145,145	\$783,508	\$318,923

INTEREST THROUGH THE TENTH MONTH OF THE FISCAL YEAR:

General Fund	8,550	Water Fund	2,292
GF Capital Reserves	1,521	Water Capital Reserves	3,279
General Improvement Fund	391	Water Impact Fees	610
Municipal Street Aid	1,025	Sewer Fund	676
Real Estate Transfer Tax	1,348	Sewer Capital Reserves	2,284
Electric Fund	4,351	Sewer Impact Fees	442
Electric Reserves	8,066	Trash Fund	5,757
Electric Impact Fees	171		

TOTAL INTEREST EARNED TO DATE \$40,763

REVENUE REPORT

Page Two

83% of Year Expended

Date: April 2014	AMOUNT BUDGETED	MTD	YTD	YTD%
ACCOUNT				
Budgeted Fund Balance	161,840	0	161,840	100.00%
General Fund Capital Reserves	103,443	63,443	103,443	100.00%
Property Transfer Tax-Police	500,000	41,667	416,667	83.33%
Real Estate Tax	3,621,090	4,592	3,657,105	100.99%
Business License	35,000	2,400	34,100	97.43%
Rental License	85,000	975	83,975	98.79%
Building Permits	80,000	9,119	42,023	52.53%
Planning & Zoning	14,821	4,296	18,948	127.85%
Grasscutting Revenue	28,458	2,371	23,716	83.34%
Police Revenues	315,000	10,702	180,050	57.16%
Misc. Revenues	282,260	3,831	156,355	55.39%
Transfers From	3,215,480	267,956	2,679,566	83.33%
Total General Fund Revenues	\$8,442,392	\$411,352	\$7,557,788	89.52%
Water Revenues	2,715,000	215,502	2,224,551	81.94%
Sewer Revenues	2,385,670	195,886	1,986,404	83.26%
Kent County Sewer	1,464,600	137,567	1,402,992	95.79%
Solid Waste Revenues	1,303,000	102,921	1,083,244	83.13%
Electric Revenues	25,588,450	1,887,144	21,144,394	82.63%
TOTAL REVENUES	\$41,899,112	\$2,950,372	\$35,399,373	84.49%
YTD Enterprise Expense		96,769		
YTD Enterprise Revenue		92,247		
LTD Carlisle Fire Company Building Permit Fund		95,573		

EXPENDITURE REPORT
Page Three

Date: April 2014

83% of Year Expended

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	YTD%	UNEXPENDED BALANCE
City Manager					
Personnel	418,663	\$55,724	350,164	83.64%	68,499
O&M	168,840	\$11,017	123,740	73.29%	45,100
Capital	0	\$0	0		0
Total City Manager	\$587,503	\$66,741	\$473,904	80.66%	113,599
Planning & Zoning					
Personnel	125,100	\$4,573	77,731	62.14%	47,369
O&M	46,661	\$2,396	37,055	79.41%	9,606
Capital	0	\$0	0		0
Total P, C & I	\$171,761	\$6,969	\$114,786	66.83%	56,975
Code Enforcement & Inspections					
Personnel	143,785	\$10,877	111,797	77.75%	31,988
O&M	68,388	\$996	47,706	69.76%	20,682
Capital	0	\$0	0		0
Total P, C & I	\$212,173	\$11,873	\$159,503	75.18%	52,670
Council					
Personnel	31,225	\$2,372	21,938	70.26%	9,287
O&M	46,150	\$3,998	36,595	79.30%	9,555
Council Expense	17,000	\$133	16,508	97.11%	492
Contributions	336,350	\$10,000	336,350	100.00%	0
Codification	4,000	\$0	2,249	56.23%	1,751
Employee Recognition	9,000	\$0	8,976	99.73%	24
Insurance	27,220	\$0	27,220	100.00%	0
Capital-Transfer to Reserves	61,840	\$0	61,840	100.00%	0
Total Council	\$532,785	\$16,503	\$511,676	96.04%	21,109
Finance					
Personnel	341,725	\$25,807	276,263	80.84%	65,462
O&M	52,465	\$4,058	39,077	74.48%	13,388
Capital	0	\$0	0		0
Total Finance	\$394,190	\$29,865	\$315,340	80.00%	78,850
Information Technology					
Personnel	176,860	\$8,451	90,116	50.95%	86,744
O&M	177,490	\$8,394	162,132	91.35%	15,358
Capital	50,000	\$0	42,758	85.52%	7,242
Total Information Technology	\$404,350	\$16,845	\$295,006	72.96%	109,344

EXPENDITURE REPORT

Page Four

Date: April 2014

83% of Year Expended

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	YTD%	UNEXPENDED BALANCE
Police Department					
Personnel	3,791,065	\$278,133	2,850,171	75.18%	940,894
O&M	499,040	\$27,561	377,487	75.64%	121,553
Capital	107,810	\$0	107,498	99.71%	312
Total Police	\$4,397,915	\$305,694	\$3,335,156	75.83%	1,062,759
Streets & Grounds Division					
Personnel	438,755	\$32,914	336,454	76.68%	102,301
O&M	379,635	\$29,682	287,090	75.62%	92,545
Capital	55,000	\$0	0	0.00%	55,000
Debt Service	45,560	\$0	44,068	96.73%	1,492
Total Streets & Grounds	\$918,950	\$62,596	\$667,612	72.65%	251,338
Parks & Recreation					
Personnel	519,805	\$42,203	388,314	74.70%	131,491
O&M	245,151	\$16,941	223,603	91.21%	21,548
Capital	57,809	\$0	57,122	98.81%	687
Total Parks & Recreation	\$822,765	\$59,144	\$669,039	81.32%	153,726
Total General Fund					
Operating Budget	\$8,442,392	\$576,230	\$6,542,022	77.49%	1,900,370

EXPENDITURE REPORT

Page Five

Date: April 2014

83% of Year Expended

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	YTD%	UNEXPENDED BALANCE
Water Division					
Personnel	300,425	\$22,790	247,556	82.40%	52,869
O&M	1,070,445	\$57,631	756,976	70.72%	313,469
Capital	525,000	\$0	14,568	2.77%	510,432
Debt Service	819,130	\$0	615,169	75.10%	203,961
Total Water	\$2,715,000	\$80,421	\$1,634,269	60.19%	1,080,731
Sewer Division					
Personnel	300,425	\$22,791	247,539	82.40%	52,886
O&M	1,063,445	\$149,483	1,024,642	96.35%	38,803
Capital	347,000	\$2,888	51,860	14.95%	295,140
Debt Service	689,400	\$12,735	536,887	77.88%	152,513
Sewer Sub Total	\$2,400,270	\$187,897	\$1,860,928	77.53%	539,342
Kent County Sewer	1,450,000	\$137,644	1,403,048	96.76%	46,952
Total Sewer	\$3,850,270	\$325,541	\$3,263,976	84.77%	586,294
Solid Waste Division					
Personnel	362,410	\$27,249	295,392	81.51%	67,018
O&M	775,590	\$56,863	623,167	80.35%	152,423
Capital	165,000	\$0	0	0.00%	165,000
Total Solid Waste	\$1,303,000	\$84,112	\$918,559	70.50%	384,441
Total Water, Sewer Solid Waste	\$7,868,270	\$490,074	\$5,816,804	73.93%	2,051,466
Electric Division					
Personnel	1,248,005	\$81,954	939,112	75.25%	308,893
O&M	1,693,265	\$116,932	1,293,903	76.41%	399,362
Transfer to General Fund	2,500,000	\$208,333	2,083,333	83.33%	416,667
Capital	1,005,950	\$5,000	9,161	0.91%	996,789
Debt Service	641,230	\$0	544,106	84.85%	97,124
Electric Sub Total	\$7,088,450	\$412,219	\$4,869,615	68.70%	2,218,835
Power Purchased	18,500,000	\$1,357,146	15,656,558	84.63%	2,843,442
Total Electric	\$25,588,450	\$1,769,365	\$20,526,173	80.22%	5,062,277
TOTAL OPERATING BUDGET	\$41,899,112	\$2,835,669	\$32,884,999	78.49%	9,014,113

INTERSERVICE DEPARTMENTS REPORT

Page Six

Date: April 2014

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	83% of Year Expended	UNEXPENDED BALANCE
				YTD%	
Garage					
Personnel	79,700	6,093	64,379	80.78%	15,321
O&M	66,355	4,845	53,913	81.25%	12,442
Capital	0	0	0		0
Total Garage Expense	\$146,055	10,938	\$118,292	80.99%	27,763
Public Works					
Personnel	185,195	14,507	150,654	81.35%	34,541
O&M	200,915	11,961	112,777	56.13%	88,138
Capital	27,100	0	25,499	94.09%	1,601
Total Public Works Expense	\$413,210	26,468	\$288,930	69.92%	124,280
Billing & Collections					
Personnel	487,045	35,550	364,850	74.91%	122,195
O&M	242,120	17,369	199,919	82.57%	42,201
Capital	0	0	0		0
Total Billing & Collections	\$729,165	52,919	\$564,769	77.45%	164,396
City Hall Cost Allocation					
Personnel	0	0	0		0
O&M	74,475	3,905	59,990	80.55%	14,485
Capital	0	0	0		0
Total City Hall Cost Allocation	\$74,475	3,905	\$59,990	80.55%	14,485

ALL COSTS SHOWN ON PAGE 6 ARE ALSO INCLUDED IN THE VARIOUS DEPARTMENTS LISTED ON PAGES 3-5 OF THE EXPENDITURE REPORT WHO UTILIZE THE SERVICES OF THE DEPARTMENTS LISTED ABOVE. INTERSERVICE FUNDS ARE ENTIRELY FUNDED BY OTHER CITY DEPARTMENTS.

MILFORD CITY COUNCIL
MINUTES OF MEETING
April 14, 2014

The Monthly Meeting of Milford City Council was held in the Joseph Ronnie Rogers Council Chambers of Milford City Hall, 201 South Walnut Street, Milford, Delaware on Monday, April 14, 2014.

PRESIDING: Mayor Joseph Ronnie Rogers

IN ATTENDANCE: Councilpersons Bryan Shupe, Garrett Grier, S. Allen Pikus, Dirk Gleysteen,
Owen Brooks, Jr., Douglas Morrow, Sr., James Starling, Sr. and Katrina Wilson

City Manager Richard Carmean, Police Chief Keith Hudson and City Clerk/
Recorder Terri Hudson

Solicitor David Rutt, Esquire

CALL TO ORDER

Mayor Rogers called the Monthly Meeting to order at 7:00 p.m.

INVOCATION AND PLEDGE

The Pledge of Allegiance followed the invocation given by Councilman Starling.

APPROVAL OF MINUTES

Motion made by Mr. Brooks, seconded by Mr. Pikus to approve the minutes of the February 24, 2014 Public Hearing, March 10, 2014 and March 24 Council Meetings as presented. Motion carried.

RECOGNITION

Councilwoman Wilson reported that prior to the start of the April 10, 2014 Mayoral Debate at Milford High School sponsored by our local NAACP, Reverend Mack Holt, the former pastor from Mount Enon Baptist Church recognized Mayor Rogers. Unfortunately, the mayor had a prior commitment and was not in attendance.

On behalf of the NAACP, Councilwoman Wilson presented Mayor Rogers with a plaque that read as follows:

Awarded to the Most Honorable Joseph Ronnie Rogers in grateful recognition for your outstanding years of service to our Greater Milford Community.

The NAACP Milford-Slaughter Neck Chapter 2030
April 10, 2014

MONTHLY POLICE REPORT

Police Committee Chairman Morrow presented the police report on behalf of Chief Hudson. Ms. Wilson moved to accept the monthly police report, seconded by Mr. Pikus. Motion carried.

CITY MANAGER REPORT

Mr. Carmean presented the following report:

ADMINISTRATION

Davis, Bowen and Friedel (DBF) advertised the bid for the PNC building renovations on March 25th. The pre-bid meeting was held April 8th and bids were due to be opened on April 22nd. A couple of the interested bidders asked for some additional time because they were not familiar with the pneumatic system for the drive-up window. Though it was scheduled to be approved by city council on April 28th, it will take some additional time for them to obtain prices for the specialized items. As a result, it will most likely be presented at the May meeting before the bid is presented to council.

Even though the second floor and basement will not be renovated, the fire marshal required those areas be added to the drawings. DBF then had to redesign the drawings.

We hope to be operating out of the building in three to four months.

SEWER AND WATER

Approximately 380 feet of the 8-inch water main replacing the existing 4-inch water main on Columbia Street has been installed. The new main has successfully passed the pressure and bacteriological testing. The existing services can now be transferred to the new main.

Thirty-two existing water services along Southeast Front Street have been replaced. This includes new tapping saddles and corporation stops on the existing 8-inch water main, new service lines, new meter pits and new meters. Some of these were connections that were transferred from the existing 6-inch and 4-inch mains which will be abandoned. The others were to replace existing water services that were tapped into the 8-inch main, but the service pipes were galvanized and the meter pits outdated at best. A considerable amount of this work was not included in our contract. We uncovered additional problems while doing the planned work and made repairs on infrastructure we did not know we would have to make. Some funds will have to be transferred to pay for the additional costs of the project later in the meeting.

We have completely abandoned Well 9 at Seabury Avenue. This well has been failing for sometime so we will not see any change in our production at the location. We will be replacing this well with shared funding from Redner's Market.

The Washington Street Sewer Pumping Station is totally operational and complete. The building looks very attractive and is odor free. We are going to have to talk with the contractor about some issues though I am confident they will be addressed.

The Southeast Milford Tower and Water Treatment Project is in the second week of advertising for bids. We will be giving interested bidders four weeks to return bids unless they request a little more time for bid preparation. This is a large project and could take an extra week or so to complete. I will then present bid options to the Mayor and Council for acceptance; the project should be underway by June.

ELECTRIC

We will have a bid opening in the near future on the new digger truck. This vehicle will replace a 1980's truck which is a much smaller vehicle. This is a budgeted purchase.

Our new substation was completed this past weekend. This finishes our 138kV transmission line from the DP&L connection on Route 113 (adjacent to the DSWA facility) to our Route 14 substation. We will go hot with it Thursday and hopefully there should be no major glitches. Once we go hot, it will be shut down for a short period of time to get some other things done there. Right now, we have the capability with the three bays at the present substation to utilize 66 megawatts. The transformer purchased in 2010 will be moved to this substation which will give us 44kV there and 44kV at the new substation. We will then have the capability of adding another to the old substation which means the city could have five transformers in the future.

These additions have doubled our electrical capacity.

Mr. Carmean confirmed we will provide illumination at the substation southwest of Milford.

Mr. Gleysteen asked about the new transformer that was transported to the new substation last week. Mr. Carmean explained they changed out some of the equipment but it did not include one of the big bay transformers. However, some upgrades were done on the sanding transformers and other equipment though that did not include the large ones he referenced. They hope to be able to move the transformer for less than \$30,000 and avoid the public bidding process.

The extension of our new or upgraded transmission lines on Route 14 & 15 will be done in approximately four weeks. I want to commend Electric Superintendent Rick Carmean who oversaw this project on the city side. From the 2008 referendum to the recent completion, he stayed on top of all aspects of the build. We will have close to \$9 million in the much needed and important electric infrastructure upgrades, \$5 million from our referendum approved bond sale and \$4 million from electric reserves. This assures future growth will not be hindered by our lack of ability to provide electric power.

We have heard a lot about the water tower and treatment facility that was not completed and approved during that referendum as well. I feel we can now handle a large industry that wants to develop here on the water side though electric was questionable.

STREETS AND SOLID WASTE

Serious street repairs will be started to winter damaged areas. The following projects will also be completed this summer:

- *North Washington Street (4th Street to Rehoboth Boulevard)
- *N.E. 7th Street
- *N.E. 4th Street
- *Bridgeham Avenue (S.E. 2nd to S.E. 4th Street)
- *Park Avenue
- *Lemuel Street
- *Claude Street

No federal money was obtained for these repairs though we received CTF funds from legislators in addition to Municipal Street Aid.

Solid waste crews did an excellent job during the Annual Spring Clean-Up Week.

We have had a customer request regarding a second yard waste receptacle. The policy is customers have to pay for the second receptacle though there is no increase in their monthly fee. A written complaint from a customer was received about the requirement to purchase an additional can. To open the door and supply customers with a second yard debris container can be costly and an expense to the remaining customers.

Mr. Morrow asked if they are reimbursed the \$60 when the container is turned in; Mr. Carmean said yes as long as the can is in good condition.

Mr. Pikus moved to accept the city manager report, seconded by Mr. Grier. Motion carried.

SHOPPING CENTER PARKING LOTS

Ms. Wilson said she is aware the shopping center parking lots are considered private property and their maintenance the responsibility of the shopping center owner/managers. She recalled several years ago, when the city manager contacted them to ask they make the proper repairs to ensure the safety of pedestrians and vehicles.

The city manager confirmed the city did contact the manager of Milford Plaza Shopping Center which has the biggest problems. They informed the city they plan to blacktop those areas once the weather warms up. This particular shopping center has had some major renovations to the facility so he believes this will be done soon.

Mr. Pikus believes the plan is to repave the parking lot once construction of the Chick-Fil-A Restaurant is completed.

The city will also do some striping especially in the area of the auto part's store on the corner of the center and adjacent to the bank/donut shop. The city manager suggested that Chief Hudson and he look at the area and consider adding a stop sign or a better crosswalk.

Mr. Brooks noted the area behind Hardees off the Route 113 entrance whose travel lanes are difficult to distinguish particularly with the two-way traffic.

Ms. Wilson noted that there are also paving issues at the Milford Square Shopping Center; Mr. Carmean does not believe they have been contacted though he will follow-up.

Mr. Pikus recalled when the entrance into Milford Square Shopping Center was deeded over the city. Mr. Carmean said he has been trying for a couple years to get the striping completed there though he noted that he has gotten the striping corrected on Route 113 at North Street Extended.

Mr. Carmean and Mr. Brooks both agreed the striping that was done a number of years ago was very confusing to drivers traveling in both directions.

COMMITTEE & WARD REPORTS

First Ward

Councilman Grier announced that Chris Mergner, who lives in Orchard Hill, has expressed an interest in City Council. During a recent conversation, Mr. Grier suggested Mr. Mergner consider running if it is determined a special election will be needed in June.

Mr. Mergner acted very interested and plans to file before the deadline.

Councilman Shupe then reported that he received information from DelDOT that construction work on the overpass will resume on April 28th. They had numerous setbacks as a result of the tough winter we experienced. Unfortunately, a completion date was not provided.

Second Ward

Councilman Pikus advised that the 2014 Milford School District referendum failed. He hopes the school will consider another referendum with some alternative plans though that must be determined by the school board.

There is a lot of concern about the school being vacant should it not be able to be used in the future.

Public Works Committee

Mr. Brooks announced that Mr. Carmean scheduled a Public Works Committee Meeting on Wednesday, April 16th at 9:00 a.m. He asked Mr. Carmean to invite Erik Retzlaff from Davis, Bowen and Friedel.

The city manager confirmed that he spoke with Mr. Retzlaff and asked that he provide a status report of some of our projects as well as a recent request that needs to be addressed.

Police Committee

Mr. Morrow said he spoke to the city manager regarding the status of the contract on the Growmark land and whether or not the \$50,000 check has been sent.

City Solicitor Rutt responded by stating the contract is done. When Mr. Morrow asked if it had been signed by all parties, the solicitor explained that Growmark has not yet signed the document. He indicated their attorney is very difficult to

communicate with and according to Mr. Rutt, has been called periodically over the past couple months and he has not yet received a call back.

Mr. Pikus pointed out the check was cut when the contract was initially approved many months ago. Because of the length of time, it had to be voided while we waited for the signed contract. He noted that we are prepared to send another as soon as the contract is received.

Mr. Carmean said he also spoke with Mr. Morrow and agrees this has taken a long time and would like to see this matter brought to a close. He thought the check had been sent some time ago.

Mr. Grier said the agreement was voted on what seems like a year or so ago and also thought everything was done.

Mr. Rutt will follow up with a certified letter as he did with another attorney who was unresponsive.

COMMUNICATIONS & CORRESPONDENCE

Mr. Starling advised that on Friday morning, his church has a large funeral beginning at 9 a.m. The service will begin at 12:00 noon and they are expecting a number of attendees.

He asked that Chief Hudson contact him with any questions or concerns.

UNFINISHED BUSINESS

The city manager advised the Plan of Services, which provides the Office of State Planning with information on how the city will provide services to Legates/Currey parcel, was reviewed and accepted by the state. Therefore, it is being presented for final action by city council.

Ms. Wilson moved to adopt Resolution 2014-02, seconded by Mr. Pikus:

Adoption of Resolution/2014-02/Annexation of Anna M. Legates & JoAnn L. Currey Lands

Annexation/Lands belonging to Anna M. Legates & JoAnn L. Currey
Tax Parcel No. MD-00-174.00-02-27.00-00001
6.481 +/- Acres
Current Zone AR-1/Proposed Zone C-3

Whereas, the Milford City Council having considered the advantages and disadvantages of annexing into the City the following described lands, to wit:

Reference: Tax Map MD-00-174.00-02-27.00-00001

All that certain tract, piece and parcel of land, lying and being situate in Milford Hundred, Kent County, and the State of Delaware, as depicted on a survey prepared by Bob Nash Associates, Inc., dated 30 July 2013, fronting on the northeasterly right-of-way line of State Highway Route 408A, at sixty (60) feet wide, and a twelve (12) foot wide access, adjoining lands now or formerly of David A. & Jean W. Morgan, lands now or formerly of Carl J. & Cindy L. Popelas, lands now or formerly of Robert E. & Edgar W. Cannon, and lands now or formerly of J. & R. Scarborough, Inc., being more particularly described as follows, to wit:

Beginning at a found iron pipe at a corner for lands now or formerly of David A. & Jean W. Morgan, and at a point on the northeasterly right-of-way line of State Highway Route 408A, at sixty (60) feet wide, said point being distant 2,600 feet, more or less, from the right-of-way intersection of N.E. Tenth Street; thence running with said right-of-way line of 408A and deflecting right along a 2,173.85 foot radius curve, the chord of which bears North 31 degrees 55 minutes 29 seconds West 230.82 feet, an arc distance of 230.93 feet to a found concrete monument at a corner for lands now or

formerly of Carl J. & Cindy L. Popelas; thence proceeding with said Popelas lands the following two (2) courses and distances:

- 1) South 76 degrees 35 minutes 48 seconds East 340.28 feet to a set capped rebar, and
- 2) North 13 degrees 21 minutes 42 seconds East 208.72 feet to a set capped rebar on line of a twelve (12) foot wide access,

thence running with said access road South 76 degrees 39 minutes 47 seconds East 600.00 feet to a set capped rebar on line of lands now or formerly of Robert E. & Edgar W. Cannon; thence proceeding with said Cannon lands South 03 degrees 41 minutes 11 seconds West 337.35 feet to a found iron pipe on line of lands now or formerly of J. & R. Scarborough, Inc.; thence continuing with said Scarborough lands North 86 degrees 05 minutes 27 seconds West 487.62 feet to a found iron pipe at a corner for aforementioned Morgan lands, thence running with said Morgan lands, the following two (2) courses and distances:

- 1) North 02 degrees 23 minutes 45 seconds East 130.08 feet, and finally,
- 2) North 89 degrees 11 minutes 34 seconds West 396.68 feet to the place of beginning,

CONTAINING 6.481 acres of land, more or less.

and having considered the recommendation of the Annexation Committee appointed to investigate said annexation on whether or not to proceed with said annexation, having considered the zoning recommendation of the Planning Commission subject to compliance with Chapter 230 of the City of Milford Code, having held a Public Hearing on February 18, 2014, having received acknowledgment of the accepted Plan of Services by the State of Delaware as required of Title 22, Section 101, Delaware Code, the City of Milford, hereby determines as follows:

Now, Therefore, Be It Resolved,

That this land is hereby annexed into the municipal boundaries of the City of Milford and the description and plot of said lands are to be recorded in the Office of the Recorder of Deeds in Kent County, Delaware where said lands are situate.

The Petitioner and the City of Milford enter into an annexation agreement for purposes including, but not limited to, the dedication of easements and/or right-of-ways to the City of Milford or State of Delaware for future utility, roads or other public improvements as determined by the City of Milford and/or State of Delaware.

That from and after the adoption date of this resolution, the territory annexed will be assessed and taxed at the same rate and basis as other taxable properties within the City of Milford.

The annexation area is contiguous to Ward 3 and City Council intends that these parcels become part of and be included within the Ward 3 area upon annexation.

That the Official Zoning Map and Boundary/Ward Map(s) of the City of Milford, Delaware be amended to include the herein described property.

Now I, Joseph Ronnie Rogers, Mayor of the City of Milford, do hereby certify that the foregoing is a true and correct copy of a Resolution passed by the affirmative vote of two-thirds (2/3) of all the elected members of the City Council of the City of Milford at a meeting held on APRIL 14, 2014 at which a quorum was present and voting throughout and that the same is still in full force and effect.

s/Mayor Joseph Ronnie Rogers

Motion carried.

Adoption of Ordinance 2014-01/Anna M. Legates & JoAnn L. Currey/Change of Zone

Based on the adoption of the previous resolution relating to the Legates/Currey annexation, the following ordinance will rezone the land from Kent County's designation of AR-1 to C-3 in the City of Milford.

Mr. Morrow moved to adopt Ordinance 2014-01, seconded by Ms. Wilson:

*Annexation/Lands belonging to Anna M. Legates & JoAnn L. Currey
Tax Parcel MD-174.00-02-27.00-00001
6.481 +/- Acres
Current Zone AR-1/Proposed Zone C-3*

An Ordinance to Amend the Zoning Designation of the parcel of land, under the ownership of Anna M. Legates & JoAnn L. Currey, Tax Parcel MD-174.00-02-27.00-00001, situated east of Delaware Route 1, between County Road 408A (east) and Carpenter Pit Road (north), upon its annexation into the City of Milford through the adoption of a resolution by the majority members of Milford City Council.

WHEREAS, the land hereinafter described is contiguous and adjacent to the City of Milford and the owner, thereof, has petitioned City Council to annex the same into the City of Milford, and

WHEREAS, it appears to the Mayor and City Council of the City of Milford, Delaware, that the hereinafter described property will be annexed and become part of the City of Milford and that a zoning classification is required, and

WHEREAS, the land owned by the City of Milford is presently zoned by Sussex County as "AR-1" (Agricultural Residential District), and

WHEREAS, City Council referred the zoning of the affected territory to the Planning and Zoning Commission for a report and recommendation and after a due hearing on February 18, 2014 as provided by law, the Planning and Zoning Commission made its recommendation to City Council, and

WHEREAS, following a Public Hearing held on February 24, 2014 and consideration of the recommendation of the City Annexation Committee, City Council has determined the proper classification under the zoning ordinance of the City of Milford for the property to be annexed.

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

That the following described land situated in Sussex County, Delaware, to wit:

Tax Parcel No. MD-174.00-02-27.00-00001

All that certain tract, piece and parcel of land, lying and being situate in Milford Hundred, Kent County, and the State of Delaware, as depicted on a survey prepared by Bob Nash Associates, Inc., dated 30 July 2013, fronting on the northeasterly right-of-way line of State Highway Route 408A, at sixty (60) feet wide, and a twelve (12) foot wide access, adjoining lands now or formerly of David A. & Jean W. Morgan, lands now or formerly of Carl J. & Cindy L. Popelas, lands now or formerly of Robert E. & Edgar W. Cannon, and lands now or formerly of J. & R. Scarborough, Inc., being more particularly described as follows, to wit:

Beginning at a found iron pipe at a corner for lands now or formerly of David A. & Jean W. Morgan, and at a point on the northeasterly right-of-way line of State Highway Route 408A, at sixty (60) feet wide, said point being distant 2,600 feet, more or less, from the right-of-way intersection of N.E. Tenth Street; thence running with said right-of-way line of 408A and deflecting right along a 2,173.85 foot radius curve, the chord of which bears North 31 degrees 55 minutes 29 seconds West 230.82 feet, an arc distance of 230.93 feet to a found concrete monument at a corner for lands now or formerly of Carl J. & Cindy L. Popelas; thence proceeding with said Popelas lands the following two (2) courses and distances:

1) South 76 degrees 35 minutes 48 seconds East 340.28 feet to a set capped rebar, and

2) North 13 degrees 21 minutes 42 seconds East 208.72 feet to a set capped rebar on line of a twelve (12) foot wide access,

thence running with said access road South 76 degrees 39 minutes 47 seconds East 600.00 feet to a set capped rebar on line of lands now or formerly of Robert E. & Edgar W. Cannon; thence proceeding with said Cannon lands South 03 degrees 41 minutes 11 seconds West 337.35 feet to a found iron pipe on line of lands now or formerly of J. & R. Scarborough, Inc.; thence continuing with said Scarborough lands North 86 degrees 05 minutes 27 seconds West 487.62 feet to a found iron pipe at a corner for aforementioned Morgan lands, thence running with said Morgan lands, the following two (2) courses and distances:

- 1) North 02 degrees 23 minutes 45 seconds East 130.08 feet, and finally,
- 2) North 89 degrees 11 minutes 34 seconds West 396.68 feet to the place of beginning,

CONTAINING 6.481 acres of land, more or less.

Upon final approval of its annexation into the City of Milford, as classified under the Zoning Ordinance of the City of Milford, shall be zoned henceforth as C-3 (Highway Commercial District).

Dates:

Adoption Date April 14, 2014

Effective Date April 24, 2014

Motion carried.

2013 Comprehensive Plan Amendment/US Route 113 Properties

City Manager Carmean advised that the owners of the residential properties along the south/eastern area of Route 113 had asked the comprehensive plan be amended to reflect a commercial district instead of the current residential district. He pointed out that most properties with highway frontage are already zoned commercial.

This will involve all properties along the east side of Route 113 from south city limits, currently zoned low density residential, including and up to the McWilliams property.

Mr. Pikus moved for approval of the comprehensive plan amendment, as recommended by the city manager, seconded by Mr. Grier. Motion carried.

Adoption of Ordinance 2014-06/Chapter 75/False Alarm Code

City Solicitor Rutt advised that this ordinance has been discussed on numerous occasions. Amendments are noted in italics. The objective was to make the violations civil penalties versus a criminal offense. The civil penalties will be assessed based on the number of alarms though there will be no penalty for the first three alarms.

He explained that the fourth penalty for false alarms begins at \$50 and increases to \$250 for sixteen and more.

It also provides a means of appeal through the Justice of the Peace Court and also requires the alarm systems be registered. That will allow provide additional information to the police department.

When asked if Chief Hudson has any problems with the ordinance, he indicated that he has reviewed it and it appears to be appropriate.

Mr. Grier stated that he feels it is more than fair.

Mr. Morrow moved to adopt the following ordinance, seconded by Mr. Grier:

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

Section 2. That Section 75-1, Definitions, of the above-entitled ordinance be amended to read as follows:

§ 75-1. Definitions.

For the purpose of this article, the following definitions shall be applicable unless the context clearly indicates to the contrary:

CALENDAR YEAR — *The period beginning January 1 and terminating on December 31, both dates inclusive.*

FALSE ALARM — The activation of an alarm system “without cause” that forces the police, fire company or other emergency personnel to respond. *“Without cause”* does not include, for example, alarms caused by hurricanes, tornadoes, earthquakes, mechanical failures, malfunctions, or improper installations. However, during the course of the calendar year, an alarm user that has had mechanical failures, malfunctions, or improper installations causing three false alarms, *will not be assessed a civil penalty.* Beginning with the fourth false alarm, any false alarm, including those caused by mechanical failure, malfunction or improper installation, *shall be assessed a civil penalty according to the schedule identified in §75-4(A).*

Section 3. That Section 75-4, Violations and Civil Penalties, of the above-entitled ordinance be amended to read as follows:

§75-4. Violations and Civil Penalties.

A. Any *alarm user* violating any provision of this article shall be subject to a *civil penalty* as set forth below for false alarms responded to by the Milford Police Department and/or the Carlisle Volunteer Fire Company within a calendar year.

Number of False Alarms	<i>Civil Penalty</i> Per False Alarm
4 to 5	\$50.00
6 to 9	\$100.00
10 to 15	\$200.00
16 and over	\$250.00

Section 4. That Chapter 75 of the City of Milford Code be amended by adding thereto a new Section 75-5 to read as follows:

§75-5. *Notice of Violation.*

A notice of violation shall be sent by Milford Police Department to the alarm user for each false alarm. The notice shall contain the number of false alarm violations by that alarm user for the calendar year and the corresponding civil penalty being assessed, if any. The notice of violation may be issued by mailing such notice to the alarm user at the address where the alarm system is located or registered.

Section 5. That Chapter 75 of the City of Milford Code be amended by adding thereto a new Section 75-6 to read as follows:

§75-6. *Payment.*

All payments for civil penalties received under this article shall be delivered to the Milford Police Department (payable to the City of Milford) within thirty (30) days after receipt.

Section 6. That Chapter 75 of the City of Milford Code be amended by adding thereto a new Section 75-7 to read as follows:

§75-7. Procedure to Contest a Violation.

An alarm user who wishes to contest the validity of the false alarm violation under this article may contest the violation by appealing the decision to the Justice of the Peace Court, which shall have exclusive jurisdiction to hear the appeal.

Section 7. That Chapter 75 of the City of Milford Code be amended by adding thereto a new Section 75-8 to read as follows:

§75-8. Failure to Pay Civil Penalty or Successfully Contest the Violation.

If the alarm user fails to pay the civil penalty within thirty (30) days from the time the notice of violation was mailed, Milford Police Department may enforce the civil penalty by any means available in law or equity, including but not limited to civil action in the Justice of the Peace Court, including seeking judgment and execution on a judgment against the alarm user.

Section 8. That Chapter 75 of the City of Milford Code be amended by adding thereto a new Section 75-9 to read as follows:

§75-9. Alarm System Registration.

A. An alarm user shall not operate, or cause to be operated, an alarm system without first registering the alarm system. A separate alarm system registration is required for each alarm system site.

B. The alarm system registration application form must be submitted to the Milford Police Department within thirty (30) days after the alarm system at a particular site has been activated or within thirty (30) days after a transfer in possession of the alarm system. Failure to submit a timely application will result in a non-registered alarm system. Use of a non-registered alarm system shall consider the first false alarm in a calendar year to be the fourth violation, with the civil penalty being assessed accordingly.

C. Each alarm system application must include the following information:

- (1) The name, complete address (including apartment/suite number) and telephone numbers of the person who will be the registration holder and responsible for the proper maintenance and operation of the alarm system;*
- (2) The name and complete address of the alarm system site, the classification of the alarm system site as either residential (includes apartment, condominium, mobile home, etc.) or commercial, and the name, address and telephone number of the person responsible for that alarm system site;*
- (3) For each alarm system located at the alarm system site, the classification of the alarm system (i.e. burglary, holdup, duress, panic alarms, etc.) and for each classification whether such alarm is audible or silent;*
- (4) The mailing address, if different from the address of the alarm system site;*
- (5) Any dangerous or special conditions present at the alarm system site;*
- (6) The names and addresses of at least two (2) individuals who are able to, and have agreed to:
 - a. Receive notification of an alarm system activation at any time and who can respond to the alarm system site and, upon request, gain access to the alarm system site and deactivate the alarm system if necessary; or,*
 - b. Receive notification of an alarm system activation at any time and who has access to the alarm system user for purposes of deactivating the alarm system, if necessary.**
- (7) Type of business conducted at a commercial alarm system site;*

- (8) Signed certification from the alarm system user stating the following:**
- a. The date of installation, conversion or transfer of the alarm system, whichever is applicable;**
 - b. The name, address and telephone number of the alarm system inspection company or companies performing the alarm system installation; conversion or takeover of the alarm system installation company responsible for providing repair service to the alarm system;**
 - c. The name, address and telephone number of the monitoring company if different from the alarm system installation company;**
 - d. That a set of written operating instructions for the alarm system, including written guidelines on how to avoid false alarms, has been left with the applicant by the alarm system installation company; and,**
 - e. That the alarm installation company has trained the applicant in proper use of the alarm system, including instructions on how to avoid false alarms.**

(9) Acknowledgment that any delay in law-enforcement authority response time may be influenced by factors including, but not limited to priority of calls, weather conditions, traffic conditions, emergency conditions, staffing levels, etc.

(10) Any false statement made by an applicant for the purpose of obtaining an alarm system registration shall be sufficient cause for refusal to issue a registration.

(11) An alarm system registration shall not be transferable to another person or alarm system site. An alarm system user shall inform the alarm system administrator of any change that alters any of the information listed on the alarm system registration application within thirty (30) days of such change.

Section 9. Dates.
 Adoption Date April 14, 2014
 Effective Date April 24, 2014

Mr. Brooks confirmed that the police committee review was a prior option though it was not part of the ordinance that was adopted. Mr. Rutt clarified that any appeal would now go straight to the court.

Motion carried with no opposition.

NEW BUSINESS

FY2013-2014 Budget Adjustment/Sewer Reserves Transfer/Washington Sewer Pump Station Project

The city manager asked that this item be postponed until the next meeting on April 28th.

Bid Award/Trash Truck/Solid Waste Department

Sealed bids were received, publicly opened and read aloud on April 8, 2014 for a 2014 or later model Kenworth Cab and Chassis with a 25-yard Rear Load Packer.

Bids were received as follows:

TRASH TRUCK		BID AMOUNT	
BIDDER	LOCATION	Proposal #1	Alternate Bid-Proposal #2
Western Star Trucks of Delmarva	24360 Ocean Gateway Mardela Springs, MD 21837	\$164,852	
GranTurk Equipment Co., Inc.	One Schuylkill Parkway – Bldg B Bridgeport, PA 19405	\$157,895	

TRASH TRUCK		BID AMOUNT	
GranTurk Equipment Co., Inc.	One Schuylkill Parkway – Bldg B Bridgeport, PA 19405		\$157,203

Mr. Carmean noted the \$700 difference pointing out that one bidder is from Maryland the other is from Dover. He informed council they do not have to take the lower bidder.

He explained that Public Works Director Brad Dennehy and the city mechanic feel the \$700 is minor because we will need to get the trash truck to the dealer for repairs, either by towing or driving it to Maryland if the low bid is accepted.

Mr. Carmean reported that Mr. Dennehy's recommendation is to accept the higher bid which is \$700 more.

When Mr. Dennehy explained the situation to the lower bidder, Mr. Carmean said they did offer free towing for a year. Mr. Carmean pointed out the best year will be the first year because typically there are very few problems at that point. As a result, he feels there will be very little savings overtime.

Mr. Carmean also pointed out the truck will be under warranty during that period of time. If there is an issue with the hydraulics or the tipper, that will require one employee driving the vehicle and a second vehicle and employee pick them up.

His recommendation is to go with the bid that is \$700 higher.

Mr. Pikus then moved to award the bid to the dealer in Dover with the higher price.

Joe Pierschek was present and asked to speak. He stated that he works for JG Parks and Sons and sells Western Star Trucks. They were one of the two bidders. He advised they also have a store in Dover that distributes parts. He advised the one-year towing warranty was not anything given and instead, is basic coverage when you buy a Western Star Truck.

Mr. Pierschek explained that they offered to work out a deal with Mr. Dennehy to have the truck worked on locally. Any repairs, including the warranty work, would be done by Rick Wilson of Wilson Fleet and Equipment who is located in the industrial park behind McDonalds. In that manner, the city will not have to tow, move or send someone for a vehicle. Instead, the work can be done right here in Milford.

Mr. Carmean asked when Mr. Pierschek spoke with Mr. Dennehy about that option; Mr. Pierschek stated last Thursday adding that the information was in writing in an e-mail. Mr. Carmean asked Mr. Pikus if Mr. Dennehy had informed him of that when he spoke to him about the Dover dealer. Mr. Pikus confirmed that Mr. Dennehy spoke with him this morning about the situation and never mentioned this option.

The city manager stated that Mr. Dennehy did not discuss that option. Mr. Carmean is willing to follow-up with Mr. Dennehy and informed Mr. Pierschek that his offer makes him much more comfortable. He noted that Wilson Fleet handles most of the city's heavy truck work.

Council recommended that Mr. Carmean follow-up with Mr. Dennehy and bring the matter back before council on April 28th.

Bid Award/SE Water Main Extension-Phase II/DBF, Inc.

Erik Retzlaff of Davis, Bowen and Friedel advised the completion of the project for the water tower includes the extension of the water main out to the tower site.

Sealed bids were received, publicly opened and read on April 10, 2014. Bids were received from Teal Construction in the amount of \$362,681, Dixie Construction in the amount of \$448,543 and Zack Excavating in the amount of \$677,213.50.

The following letter of recommendation was submitted by DBF Project Engineer Brandon Kohler:

The bids for the above referenced project were received on April 10, 2014. We have evaluated the bids and the associated documentation submitted by each of the Contractors and all documentation is in order. Please find enclosed a tabulation of all of the bids received.

Based on our review of the bids, we recommend that the Contract be awarded to Teal Construction, Inc. Teal Construction's total bid is \$362,681.00.

If Council is in agreement with our recommendation, the formal award of the Contract should be made contingent on USDA's approval of the bid process. We have attached two (2) copies of each set of bid documentation, the bid tabulation, and proof of advertisement to bid. One copy is for the City's files. Please forward the second copy to the City attorney.

Please request the City attorney review the documentation and provide the City with a letter as to the adequacy of the bid process. A copy of the attorney's letter and a letter of concurrence in our recommendation from the City will be forwarded to USDA, along with copies of the bid documentation.

Mr. Grier asked the budgeted amount for this work. Mr. Carmean said some of the money will be paid from the USDA funding used for the Route 1 water main. The balance will be paid from water reserves.

Mr. Pikus asked the percentage of both though Mr. Carmean nor Mr. Retzlaff had those numbers.

Mr. Brooks moved to award the bid to Teal Construction, Incorporated in the amount of \$362,681.00, seconded by Mr. Pikus.

Mr. Gleysteen asked for clarification of the differences in the bid prices of Teal Construction and Zack Excavating which is almost twice as much. Mr. Retzlaff believes that Teal Construction is better suited and has the manpower and equipment to do the work at a lower price than Zack which is a smaller company.

Motion carried.

Bid Award/Wickersham Production Well/DBF, Inc.

Sealed bids were received, publicly opened and read on March 27, 2014. Bids were received from A.C. Schultes of Delaware \$114,188 and Uni-Tech Drilling Company Teal Construction in the amount of \$148,512.

Mr. Carmean explained that this is part of the tower portion of the USDA project approved by voters in the 2008 referendum.

Mr. Retzlaff reported that is for the production well needed at the tower facility. Without this well, the tower would have to be filled from a well within the town.

The following letter of recommendation was submitted by Project Engineer Brandon Kohler of DBF:

The bids for the above referenced project were received on March 27, 2014. We have evaluated the bids and the associated documentation submitted by each of the contractors and all documentation is in order. Please find enclosed a tabulation of all of the bids received.

Based on our review of the bids, we recommend that the Contract be awarded to A.C. Schultes of Delaware, Inc. A.C. Schultes of Delaware, Inc.'s total bid is \$114,188.00. If Council is in agreement with our recommendation, the formal award of the Contract should be made contingent on USDA's approval of the bid process.

We have attached two (2) copies of each set of bid documentation, the bid tabulation, and proof of advertisement to bid. One copy is for the City's files. Please forward the second copy to the City attorney. Please request the City attorney

review the documentation and provide the City with a letter as to the adequacy of the bid process. A copy of the attorney's letter and a letter of concurrence in our recommendation from the City will be forwarded to USDA, along with copies of the bid documentation.

Mr. Retzlaff advised that A.C. Schultes is from Bridgeville and Uni-Tech is out of New Jersey. The difference may be attributed to travel expenses.

Mr. Pikus moved to award the bid to A.C. Schultes, seconded by Mr. Gleysteen. Motion carried.

Bid Award/City of Milford Street Improvements/DBF, Inc.

Mr. Carmean advised these improvements apply to the streets listed in his monthly report earlier in the meeting.

Sealed bids were received, publicly opened and read on April 10, 2014. There was an option to bid the street improvements and not the concrete work, the concrete work without the street improvements or both the pavement and the concrete work.

No bids were received on the concrete work. Four bids were received on the pavement project.

The city manager explained that the public works department prefers a local contractor (Shea Concrete) the city uses on a regular basis. Most of the concrete work on the individual streets will come in under \$30,000 except North Washington Street.

Mr. Carmean said the other option is to re-bid the project in hopes of getting additional bids. This is a much smaller project in scope than the Southeast Front Street project and some streets do not require concrete work. Washington Street will be the more expensive street due to the addition of handicapped ramps at each intersection.

Mr. Brooks advised that the city manager called him today to discuss the situation. He asked Mr. Retzlaff how he feels about the local vendor being discussed. Mr. Retzlaff agreed he is more than capable.

Mr. Retzlaff explained the biggest problem the bidders had with the concrete work was there was no guarantee because it was bid street by street and the concrete work had to be completed before it is paved. The contractors were hesitant without knowing the exact scope of the work.

Mr. Carmean confirmed the low bidder on the pavement/road work was Jerry's Paving. Mr. Retzlaff emphasized there has been no recommendation on the bid award because new regulations require the handicapped ramps be done whenever paving is done.

The city manager asked if council would allow the city proceed with Shea Concrete and that final approval would be granted at the April 28th meeting; council concurred.

Bid Award/Trash Truck/Solid Waste Department (continued)

Ms. Wilson pointed out that the e-mail Mr. Pieroschek referenced was included in the council packet.

The city manager explained that he texted Mr. Dennehy after the earlier discussion and asked his opinion on the offer Mr. Pieroschek had made. However, Mr. Dennehy did not respond in regard to his feeling. His impression is Mr. Dennehy still does not agree.

Mr. Carmean said that Mr. Dennehy indicated that Mr. Pieroschek stated that Wilson can do the repairs after the warranty runs out though he is unsure Wilson even works on Western Stars or not. The city manager said he thinks Mr. Dennehy will check that.

It was confirmed that Mr. Dennehy was going to confirm this information with Wilson Fleet.

Appointment/City of Milford Election Officers/2014 General Election

Mr. Brooks moved that the following residents be appointed to work the April 26, 2014 election, seconded by Mr. Morrow:

Patricia Bailey	999 S. DuPont Boulevard
George Mason	153 Barksdale Court, Hearthstone Manor
Carlene Wilson	10 Nelson Street
Kayla Boone	402 N.E. Fourth Street
1st Ward Clerk	
Antoinette Sauls	2 E. Thrush Drive, Meadows at Shawnee
Carol Mason	153 Barksdale Court, Hearthstone Manor
2nd Ward Clerk	
Donna Merchant	108 Franklin Street
3rd Ward Clerk	
Joyce Todd	3 Governor Watson Court, Saw Mill Village
4th Ward Clerk	
Teresa Franklin	5 Lucia Circle

Motion carried.

Certification/2014 City of Milford Voter Registration List

Mr. Pikus moved to certify the 2014 City of Milford Voter Registration List as presented, seconded by Mr. Grier. Motion carried.

Downtown Milford, Inc./Farmers Market/Misphillion River Brewery/Beer Sales/Tastings/Alcohol Code Waiver Requested

Mr. Carmean explained this is similar to the approval needed by St. John's Oktoberfest every year. In this situation, full beers will not be provided and instead, only small sampling provided.

The city manager advised that before a business can be issued a day permit from the State of Delaware Alcohol Beverage Commissioner, city council approval was required. The state will not grant permission without the approval of the city.

No written request was received at this time.

Mr. Pikus moved to approve and allow beer tastings at the Farmers Market sponsored by Downtown Milford, Incorporated, and provided by Misphillion River Brewery, seconded by Mr. Gleysteen. Motion carried with Mr. Starling casting the dissenting vote.

Chamber of Commerce for Greater Milford /Misphillion River Brewery/Alcohol Code Waiver Requested

Executive Director Jo Schmeiser submitted the following request:

The Chamber of Commerce for Greater Milford is preparing for their annual Smile for Freedom 5K Run/3K Walk. The date has been changed to Saturday, June 28, 2014 at 9:00 a.m. and location moved to the Greater Milford Business Park and Independence Commons.

The start and ending location will be at the Mispillion River Brewery at 255 Mullet Run in the city's business park. We are planning a post party event that will involve the sale of beer by the brewery and consumption by our participants. Because of the number of participants expected, this will most likely occur outside the brewery. Because Chapter 77 of the Milford City Code prohibits the possession of open containers of alcoholic beverages, we are respectfully requesting your permission that beer be permitted in the outside areas surrounding Mispillion River Brewery for this special event. Those consuming alcohol would be restricted to the brewery property.

An application for a Gathering License has been submitted to the State of Delaware Division of Alcohol and Tobacco Enforcement. We understand the city's approval is contingent upon the state's approval.

Mr. Carmean explained this is a benefit and a few beers will be served though the number of beers is limited to the participants.

Mr. Pikus moved to approve the request, seconded by Mr. Morrow. Motion carried with Mr. Starling casting the dissenting vote.

MHS Class of 1984/Alcohol Code Waiver Requested (Grottos)/Open Container Law

The following request was received from Michelle Chisenhall, MHS Class of 1984 Reunion Committee:

I am writing on behalf of Milford's Class of 1984 Class Reunion.

The Class of 1984 is planning its 30-year class reunion to be held at Grotto Pizza in Milford. It is to take place on Saturday, August 2, 2014, starting at 6:00pm, with a cash bar, food being served and a band playing from 7:00 p.m. until 11:00 p.m., with goodbyes until midnight.

The reunion is going to be held outside of Grottos, under an enclosed tent. The tent will connect to the building by the bar/patio area extending out into the parking lot.

We are asking the Council to grant us permission or a variance to have alcohol outside of the restaurant, but underneath the tent. There will be NO children at this event.*

There was some question regarding the last sentence that children would be at the event. (However, the city clerk confirmed there was a typo* and the request was amended to reflect the original intent.)

Mr. Pikus moved to approve the request submitted by MHS Class of 1984 Reunion Committee, seconded by Mr. Grier. Motion carried by a 6-2 roll call vote with Mr. Brooks and Mr. Starling casting dissenting votes.

Mr. Brooks explained that he is concerned about traffic on Tenth Street and Route 1 which he feels could be a problem.

Recommendation/Zoning Code Amendment/Chapter 230/Chapter 230/Garage Height Restriction

The following request was received from Councilman Pikus:

RE: Accessory Structures Height

The Code of City of Milford, in the R1 and R2 zoning districts, restricts the height of accessory buildings to 15'. I have been approached by a resident in my ward asking the Planning Commission and City Council review the possibility of increasing the height of accessory buildings in the R1 and R2 zoning districts from 15' to 22'. I offer the following information for discussion:

The minimum suggested building lengths for different types of cars are as follows:

- *Average car: 14'*
- *Small pickup truck: 18'*
- *Full pickup truck, SUV, or van: 20' or 22'*

The most common sizes for garages are 12 x 24, 14 x 28, 20 x 20 and 24 x 24. For the sake of comparison, all models will be based on a two car, 24 x 24 garage, with typical overhead door sizes of 9' wide x 7' high.

Based on the above information, a 24x24 garage with the below specifications would provide garages with overall heights as follows:

For typical 8' high walls:

A 4/12 pitch roof = 12' tall garage

A 5/12 pitch roof = 13' tall garage

A 6/12 pitch roof = 14' tall garage

For typical 9' high walls:

A 8/12 pitch roof = 17' tall garage

A 10/12 pitch roof = 19' tall garage

Mr. Pikus advised this request is the result of a variance recently granted to a property owner by the Board of Adjustment. The city code official reviewed the majority of garages in the area and found most are higher because of the pitch in the roof which coincides with the construction of the house.

Mr. Pikus moved to refer this matter to the planning commission for their review and recommendation to city council, seconded by Mr. Starling. Motion carried.

Smart Metering Program

Mr. Carmean decided to present this matter to the Public Works Committee for their review before bringing it to councils' attention. If the committee agrees, Mr. Carmean will have the Siemen Group, whom has been working with the public works department, present their offer to city council.

Bid Award/Trash Truck/Solid Waste Department (continued)

Mr. Carmean returned to the trash truck bid again for a final discussion. He asked the city solicitor if it was appropriate to allow them to speak with Wilson Fleet.

The city manager then asked Mr. Pieroschek if he spoke to any other fleet repair businesses that may be willing to work on the vehicle. Mr. Pieroschek stated that his employee spoke with Wilson Fleet and confirmed that Mr. Wilson is willing to work on the truck.

Mr. Carmean said he and Mr. Dennehy will speak with Mr. Wilson tomorrow. If he agrees to work on the truck, Mr. Carmean will recommend council accept the low bid.

Mr. Rutt said the matter has already been tabled until the next meeting and pointed out if they are going to talk to them tomorrow, there is no need to bring it off the table. The city manager pointed out that council votes on other matters contingent on something happening. They vote in favor of it and if it does not happen, then nothing occurs. He explained the contingency would be that Wilson agrees to work on the Western Star.

Mr. Carmean said if Wilson agrees, then he and Mr. Dennehy will agree to talk with Mr. Pieroschek to make sure everything is in place. He feels we need to add some language to the agreement stating they will agree to pay some of the bills at Wilson if the truck were to have some problems.

Mr. Rutt said either they, or someone else, should cover the warranty work. He said the e-mail sent to Mr. Dennehy stated 'that any minor repairs that surface and do not require towing can be performed by Wilson Fleet and Equipment Services located in Milford, Delaware.'

Mr. Rutt suggested it be asked if that includes warranty work or major work—noting the e-mail only states minor repairs. He feels the work Wilsons will be performing should be clarified.

Mr. Pieroschek responded and stated that is fine with him. He also pointed out the council would not award a contract through either his company or the company in Dover. The bid is being awarded to a company outside Philadelphia that is simply buying the truck chassis from either the place in Dover or the place in Maryland. Therefore, any of the hydraulic issues that may go wrong with the trash packer are not covered by Dover or Maryland. Instead, they would be covered by the company in Pennsylvania regardless of if they came down here to do the work or whether the city would have to take it to them. They found someone like Rick Wilson to do the repairs which is what Mr. Pieroschek would suggest.

Mr. Carmean believes that the minor repairs could be the hangup.

Mr. Pieroschek said they are referring to any repairs because they are all covered under warranty. The towing is covered for one year and the transmission for five years. He pointed out it is all under warranty and not something the City of Milford will have to pay for.

Mr. Grier prefers having everything in line before the bid is awarded.

Mr. Carmean said that is ok and will keep the matter tabled until the next meeting.

Mr. Pikus questioned the location adding that we are actually dealing with a company out of Pennsylvania and not Dover.

Mr. Carmean explained that involves the chassis and will be the same situation as the Digger truck. Mr. Morrow agreed he does not believe there is a company in Delaware that makes them.

Mr. Gleysteen said if the hydraulics are the same, then it will need to be taken to Philadelphia. Mr. Pieroschek stated yes, unless the company in Philadelphia agrees to hire someone like Rick Wilson to do the repairs. They may also have road service that comes down here.

The city manager pointed out that once the warranty runs out on the hydraulics, the city mechanic can handle it.

Mr. Carmean will get more information and bring that matter back to the April 28th meeting.

Mr. Pieroschek confirmed the matter will be determined when the city manager discusses the matter with Rick Wilson at Wilson Fleet. The warranty decision will then be based on that decision.

The city manager stressed this is not a desperate situation and preferred to postpone the matter for another two weeks.

EXECUTIVE SESSION

Pursuant to 29 Del. C. §10004(b)(4) Strategy sessions, including those involving legal advice or opinion from an attorney-at-law, with respect to collective bargaining or pending or potential litigation (Easement Issue)

Mr. Grier moved to go into Executive Session reference a pending legal issue, seconded by Mr. Pikus. Motion carried.

Mayor Rogers recessed the Council Meeting at 8:10 p.m. for the purpose of an Executive Session as is permitted by Delaware's Freedom of Information Act.

Return to Open Session

City Council returned to Open Session at 8:20 p.m.

Easement Issue

Mr. Gleysteen moved that no further action be taken on the legal issue discussed in Executive Session, seconded by Ms. Wilson. Motion carried.

MONTHLY FINANCE REPORT

Finance Committee Chairman Pikus reported that through the eighth month of Fiscal Year 2013-2014 with 67.00% of the fiscal year having passed, 70.39% of revenues have been received and 63.55% of the operating budget expended.

Mr. Pikus noted every account the city has is shown on this report in addition to their balances.

He said there will be \$4 million subtracted from electric reserves to pay for the substation project. We have billed 100% of our projected taxes and our overall financial status is great.

When questioned, Mr. Pikus advised that our building permit revenue is only at 39% which is somewhat behind. We budgeted \$80,000 and only have \$31,000 coming in. However, we are not into the prime building season as of the date of this report.

It was confirmed that the Chick-Fil-A building permit fees are not yet shown in the account totals due to the report being two months behind.

Motion made to accept the February 2014 Finance Report by Mr. Pikus, seconded by Mr. Grier. Motion carried.

ADJOURN

With no further business, Mr. Pikus moved to adjourn the Council Meeting, seconded by Mr. Grier. Motion carried.

The Council Meeting adjourned at 8:22 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

MILFORD CITY COUNCIL
MINUTES OF MEETING
April 16, 2014

A Meeting of the Public Works Committee of Milford City Council was held in the Joseph Ronnie Rogers Council Chambers of Milford City Hall, 201 South Walnut Street, Milford, Delaware on Wednesday, April 16, 2014.

PRESIDING: Chairman Owen Brooks, Jr.

IN ATTENDANCE: Committee Members Councilman Bryan Shupe and Dirk Gleysteen

ALSO: City Manager Richard Carmean and City Clerk/Recorder Terri Hudson

Transfer/\$3.5M/Water Reserves to Separate Fund created for Water System Improvements (continued later in meeting.)

Public Works Committee Chairman Brooks called the meeting to order at 9:15 a.m. and turned the meeting over to the City Manager.

City Manager Carmean said the budget transfer is the first item on the agenda, but had requested Erik Retzlaff of Davis, Bowen and Friedel to discuss the matter.

However, Mr. Carmean will speak with Finance Director Portmann to find out if he is willing to put this money in its own separate account or leave it in the reserve account, earmarked for the two projects that were part of the 2014 Referendum (valve program and SCADA system).

Mr. Carmean stated that Mr. Retzlaff asked to discuss how Davis, Bowen and Friedel wanted to start the project right away.

(Mr. Retzlaff arrived later in the meeting.)

Smart Meeting

The city manager announced that he asked Electric Department Superintendent Rick Carmean to give a report on smart metering.

Mr. Carmean reported that he has met with the Siemens Group on several occasions. He explained the problem we may run into is the exact situation that occurred with the Public Works Radio Replacement Project. Public Works Director Brad Dennehy invited a company to come in. They spent a lot of time and effort reviewing our radio system to determine our needs. That company later provided the specifications that were included in the bid. In the end, the bid was awarded to the lowest bidder who was another company and not the one Mr. Dennehy had been working with.

The city manager wants to get in front of any potential problem with the Siemens Group because they are flying people in here and spending a great deal of time with our staff.

Mr. Carmean believes there are several ways the city can contract with them on a project of this size. However, that will be discussed once he has more information himself.

Mr. Brooks recommended Rick Carmean discuss the advantages, disadvantages and projected costs of the project. Mr. Carmean explained that he has some information on Newark's costs though we have no idea of what our costs will be at this point. He feels that when we see the numbers on how many meters were installed, the city can take that percentage and compare to the number of meters in Milford. We can then come up with some idea of the costs

Mr. Brooks said he was able to keep up with Newark's progress through the News Journal. Those articles included the costs and the cost to the electric customers. Mr. Carmean noted that Rick Carmean is unable to speak too much to the cost of the project.

Rick Carmean then explained that during the meetings with Siemens, they did not discuss the cost of the project at all. He said the only thing they discussed was the time our employees spent handling reads. They reviewed the number of trips to different residences which smart metering will eliminate.

He said this will allow us to turn someone's power off from the office. We will no longer need an employee, who takes twenty to thirty minutes plus the cost of gas, time and overtime, to go out and turn someone off and then come back.

Once a smart meter is installed, it will provide an IP address which is an address on a computer. That will then provide a GPS location. He said they can then overlay that on Google Earth and see exactly where the meter is by lighting up a color. If it has power, we will be able to circle the road on Google Earth and determine if there the power is out in an area. He said it will show dots of red if it is out of power and green if it on.

Rick Carmean stated that it would be the same with reading a meter. When a customer is changing at a rental, they can call up that meter by the IP address and read it. That prevents sending an employee out with a van, which takes twenty or thirty minutes to read and the cost of gasoline to get there and back.

Councilman Gleysteen arrived at this time.

Rick Carmean explained that though we get a lot of calls when the power is out, we have no way of knowing why the customer is out. If Google Earth is showing green, they will know the meter has power. Instead of sending one of our employees, they will tell the customer to call an electrician.

Rick Carmean pointed out there will be a substantial savings on personnel costs, gas and mileage. Overtime will be the big saver.

He believes the Smyrna Finance Director handles disconnects through his phone after hours using the smart meter program. The disconnected customer in Milford will no longer go to the police department to pay. It will be handled as is done in Smyrna with one of our employees being called. If the customer agrees to pay their bill the next morning, they will turn them back on. If the money has not been received by 9:00 a.m., the customer is turned off again.

This system will prevent overtime with the meter personnel.

When asked if the Finance Director is familiar with the customer's history and whether there are medical issues, Rick Carmean explained that they would be turned off during the day by the customer service staff. They would be familiar with those situations before considered for disconnecting.

Rick Carmean explained that there will be very little electric used after the phone call is made and if and when the customer does not take care of this bill the first thing in the morning, they will be turned off again. At that point, they will not have their electric turned back on until they have paid their bill in full.

Rick Carmean said that Smyrna has a disconnect list and those customers are turned off during the day. A lot of times the meter readers are on call after hours if people go to the police department to pay their bill. Then the meter readers are called in to turn them back on.

In Smyrna, they call the Finance Director's cell phone and he can turn them off by the cell phone. No other department is involved including the meter reader. The Finance Director is given a new list and if that customer has not paid by 9 o'clock that morning, they are turned back off. Their electric is not turned on until we have the money for their bill.

The city manager advised the city cannot legally turn off a customer with proven medical conditions. However, they must be registered with the city and provide official documentation from the doctor.

Rick Carmean explained that their account is flagged with a sticker and notification is provided.

The city manager pointed out we have a number of customers who have their electric disconnected every month and are notified with a pink disconnect beforehand. On the other hand, we have customers who sometimes forget to pay their bill or they might be away for two weeks. The due date may fall during that two weeks and the customer has forgotten to take care of it. In addition, there are many times when someone's electric is disconnected and causes their freezer and food to thaw.

Mr. Carmean noted that even if they are historically late and always paying penalties, the customer will no longer get away without paying for electric between 6:00 p.m. and 8:00 a.m. the following morning.

He explained that a meter person is paid to be on call. When they come in, they get are paid a minimum of overtime for turning the customer back on. It is common for the meter staff to get into an argument with the customer when they arrive at their home to turn their electric off. Typically these are the customers who know they will be disconnected. When one of our city trucks pulls up and the employee walks to the meter, the customer confronts them. All that will be avoided with the smart metering program.

The city manager asked Rick Carmean to cover smart metering from the customer service side and what they can do within in their own homes.

Rick Carmean advised that the customer will be able to go online and through the use of a password see a graph showing their usage from an hour to within fifteen minutes depending on the distance of the broadband or how we are able to bring the data in. He said it can be as close as five minutes depending on how everything is set up.

He said they will also be able to compare the current bill to last year by going on line.

Mr. Brooks pointed out the current electric bill has that comparison for the previous twelve months.

Rick Carmean stated that the billing staff will have a computer available where they can access this type of information and discuss with any customers at their office.

Mr. Brooks asked if there will be a way to compare temperatures and the amount of electricity being used by similar homes; Rick Carmean said it depends on how far we want to go with the program. He suggests we have the temperature, humidity and other weather related items added with a graph.

Mr. Brooks feels that would be an advantage and would answer a lot of questions as to why more electricity was used during a specific time frame.

Rick Carmean said that Siemens is willing to put in a data management system that will bring in information from each meter. In turn, it will talk to billing, to GIS and three or four other things running at public works.

Rick Carmean is hoping to get a GIS system with mapping. With the IP address and GIS with meters, he will be able to bring information into the GIS. He can do that with the transformers and will be able to tell how much load is on each transformer in town. They could then determine if it is overloaded or under-loaded.

He reported that we have a lot of losses in the city and the finance director continually reminds him to keep the losses down. Part of the losses are the result of a customer with a 1,000 amp service which causes the city to put in a larger transformer to feed it. Then it is determined they only have 200 to 300 amps which creates a loss. This will allow him to see that through the system. Then two or three years down the road, they can change their transformer out and downsize the load to 80% instead of 40% which cuts their losses. The transformer otherwise burns power and it is a cost to the city.

He reported that can also be done with smart metering. They can review each transformer and see what size that is in real time and can correct them to the appropriate size after a couple years.

A recorder was installed at different businesses several years ago for three to four weeks to determine what was being used in July. Either the transformer was changed out or it was left there. He said that two or three transformers were lost over the winter because they were overloaded.

Mr. Carmean noted that this will provide a network that the police can use. As a result, they will no longer have to pay for that service separately.

Rick Carmean then explained that some smart meters have a mesh network. The city has upgraded the switches at the yard for fiber optic because the new substation and tap station will be on fiber. More things are being put on fiber because the FCC cut the frequencies of the radios they are using. They barely went to 12½ with the new radios that were just purchased. In 2016, it will be reduced to 6½ so the SCADA system will be put on fiber.

Smart meters have a mesh network they use and when the meters are plugged in, each meter will talk to different meters. They are considering putting a wide area network over the mesh so that any computer can communicate with it.

The city can also consider adding it to a phone which allows a wide area network app. Anyone in the city could then tie in using their smart phone.

According to Rick Carmean, the police department, electric and water crews can all access the billing software with computers in their vehicles. The mesh network can also talk to different SCADA radios throughout the city.

Rick Carmean explained the power source is right off the meters. The batteries last for twelve years. The same type batteries are currently used in the remote radio readers that are a backup when the power goes out.

Mr. Gleysteen asked if smart meters will control peak demand; Rick Carmean said yes that can be done. With the mesh network, they can add hot-water heaters and thermostats. Currently, load switches are used that talk to the SCADA system.

Mr. Gleysteen verified this would require the homeowners' approval; Rick Carmean explained there are currently more than 400 switches used during peak loads in the summer. They would probably replace the switches on the hot water switches and thermostats.

Mr. Brooks asked how many meters are needed to get started and will extra ones be ordered; Rick Carmean explained the vendor would come in and put everything in for water and electric. We would have two or three on the shelves. They would assist with installing the first batch. Following that, Siemens would train our employees to handle everything from that point on.

According to Rick Carmean, we have smart meters currently on the shelves. We are just using them with the radio that we read directly from the trucks. He explained this is a smarter module that will be put into the meters than currently exists. The present modules only transmit data and this will provide the capability of talking back and forth to the new one. It can be told to shut off or can be asked the usage for a previous time frame.

Rick Carmean said we will need 6,500 to 6,800 for electric and approximately 3,400 for water though that is an estimate. The city manager pointed out there are a number of possibilities we have not yet discussed with Siemens.

Mr. Carmean then referenced some project highlights he received from the City of Newark regarding smart metering:

*Honeywell successfully analyzed, designed and is installing Automatic Meter Infrastructure (AMI) smart meters.

*\$11.7 million project with total savings and revenue impact of \$24,056,120 over a fifteen-year period.

*Residential and commercial installation - 11,968 electric meters and 10, 142 water meters

*City-wide broadband system for AMI meters as well as police vehicles.

*New wireless security cameras

*67 smart pads

*New billing system provides website with up-to-date utility usage information

*Project is completely self funded and no taxpayers' dollars are required

*Guaranteed results

Newark's City Manager Carol Houck provided the city manager with other references including the City of Wilmington (\$14.4 million energy project), Wilmington Housing Authority (\$6 million) and Delaware State University (no numbers provided).

City Manager Carmean compared Newark's cost of \$11.5 million for 12,000 electric meters and \$10,000 for water meters to 6,800 electric and 3,435 water meters in Milford. He noted that we are talking with Siemens right now though Newark purchased their meters from Honeywell. He reported the project will come in less than \$5 million. He emphasized that the smart metering program pays for itself over a ten to fifteen-year period.

City Manager Carmean pointed out we have two meter readers right now. Through attrition or a different assignment, he will not lay anyone off because of an upgrade to technology. He wants our employees to be reassured they will not lose their jobs.

Mr. Gleysteen noted using the City of Newark's \$11.7 million project, would take 15 years to see \$24 million savings. He asked if that is a six or seven-year payback but for the ease of use and convenience, it is worth looking into.

Mr. Gleysteen's concern is that technology changes a lot. He asked if 15 years is the expected life of these meters or would they need to be upgraded prior to the end of that time.

Rick Carmean said that what is being used currently is the AMR which started in the 1990's. He expects they may need upgrades overtime similar to computer upgrades. He is not willing to say the city will have to pay for them but feels we will have to be upgraded as is needed.

He believes the life expectancy to be around 15 years.

Mr. Gleysteen asked what other suppliers would be considered. Rick Carmean said we also use Elster meters, GE meters and Itron meters. There are other systems such as a TWACS system though he is unsure we want to do that because we would only reduplicate the SCADA system already in place.

Mr. Gleysteen questioned the savings in large part and asked if we would purchase only one type of meter and one type of system. Rick Carmean stated yes adding that this is a smart reading meter though there is more on the operation and maintenance side than just reading the meters. He said there are many possibilities and we could go as far as having the ability to see our meters on Google earth and being able to determine if they are on or off.

Rick Carmean said that daily, the SCADA system sends him a text at 3 o'clock to confirm things are up and running. Before that is sent, every meter is checked. The smart metering program can be set up in a similar fashion.

He reiterated that when a customer calls in and reports they do not have power, smart metering will prevent sending a truck to their house. Instead they can call up the meter and look at the data. They can then inform the customer the problem is on their side and that they need to call an electrician. Right now, it involves two employees in a bucket truck and a minimum of an hour to determine whether or not it is a city problem.

Rick Carmean stated that when we receive several outage calls, currently our crews do not know which substation has the problem. The city has gone from four circuits and one substation to eight circuits, two stations and a tap station. We have a lot more flexibility though it is more complex.

The city manager pointed out this will make meter tampering very easy to monitor as well. Notification will be immediate.

Rick Carmean emphasized this will involve much more than meter reading. He has even seen switches talking to meters. Hopefully, the city can consider that in another ten years or so. With multiple substations, switches can be installed and if the tap station is lost, the entire substation can be switched to another which provides a lot of backup.

Mr. Brooks asked how many Delaware towns have smart metering. Mr. Carmean said that Smyrna has either built out or is partially built out. According to Rick Carmean, Newark has built out and Dover currently has installed ninety smart meters through a pilot program.

The city manager noted that Delmarva Power and Delaware Electric Cooperative both have the ability to turn on or turn off meters through this program.

Rick Carmean believes Delaware Cooperative has something similar to the TWACS system because they are able to monitor their trucks, meters and what is working and what is not.

Delmarva Power uses a power line carrier system to talk to their meters. Besides thermostats, they are able to talk to different appliances. Delmarva Power has been completely built out on the entire peninsula.

Mr. Shupe reported there are programs that allow meters to talk to the structure in relation to heating, for example. He said if the large industrial users have that information on a daily basis, they can probably save a lot of money by being informed of peak times.

Rick Carmean explained that is the reason they want fiber optic run into the new stations. His plan is to run it to US Cold Storage so that their meter can be added to the SCADA system. He hopes to do the same with Perdue and their water usage. Our employees would then inform US Cold Storage and Perdue when this occurs. They have been considering this for years though they have not had the capability. With fiber optic throughout the town, we now have that capability.

Mr. Gleysteen referenced the various line items on the bill and the one that bothers him the most is the demand charge. He asked if the smart meter can control the customer's usage to reduce the demand charge. Rick Carmean answered no, but added that the customer can control it. The customer logs into their account, looks at their usage, turns various pieces of equipment on and off to determine how each affects the load.

Mr. Brooks pointed out that can be done with the current system. Rick Carmean explained it is a little different with demand because that is based on peak. He explained that another industry in Milford has a solar system and asked why they had a 90kW demand charge. They reviewed it and put a recorder on their meter. It was determined they were turning their heat off at night and when they opened the next morning, turning it back on caused an in rush which jumped their demand up to 90kW. Their solar kicked in at 9 a.m. and shut their entire system down. During the two hours, they peaked their demand.

To resolve the issue, they brought their heat up at night and at 9 a.m. brought it on line so that the solar would knock it down. He has not checked recently, but at one point it had been reduced to 20 to 40 kW demand.

According to Rick Carmean, Delmarva Power and other electric providers are charging demand on residential accounts now. A lot of people are waiting until late at night to use their washers and dryers after the peak time which saves a lot of money.

With no further smart metering discussion, Rick Carmean left at this time.

City Manager Carmean advised that Public Works Director Brad Dennehy has been working with Siemens for some time. Mr. Dennehy asked them to perform energy audits on all city buildings and to determine how savings can be accomplished. The cost of that work will be added to this project.

He feels the city will get at least twelve to fifteen years out of the technology being offered at this time. Even then, he anticipates only one upgrade to our software will be needed though all the meters would not have to be changed out.

The city manager brought this before the committee so that they could decide whether to present this to council at a future workshop. He will contact Siemens and ask them to prepare a presentation of their offer.

Mr. Gleysteen noted the cost of the project and asked how this can be done without public bidding. The city manager explained it can be done. He wants to make sure we take into account all the work this company has done and prevent another company from later coming in after they learn what we are doing and then have to consider them. He wants to stay on top of this and does not want to utilize Siemens' services and they end up not getting the bid.

He said the public works radio project bid award bothered both he and Mr. Dennehy though they are happy with the work the other company did. However, he feels we were very unfair to the company that did the feasibility study and determined the specs of the products we needed.

Mr. Gleysteen said we need to make sure the city receives the best deal possible.

Mr. Carmean then pointed out that Newark was extremely happy with Honeywell.

The city manager then asked the committee whether to proceed with the smart metering idea. The committee agreed the idea should be presented to council.

Southeast Milford Water Project/Water Tower and Main Extension

Mr. Carmean asked Erik Retzlaff of DBF to speak on the status of this item.

Mr. Retzlaff advised the tower is out to bid and bids are due in early May.

They have not yet completed the design of the water main extension though they are close to finishing. One of the things they need to determine is how to get power to this area.

He recalled that during the 2008 referendum, voters approved up to \$5 million for the project. The budget is at \$5.6 million though there was no location for the water tower at that time. At this point, there is a \$600,000 shortfall that needs to be transferred from the water reserve account to complete the project.

Mr. Carmean explained the only reason we are over budget is because we did not know where the water tower would be placed. He recalled a few years ago, the plan was to place it on the Mills Farm east of Route 1.

The city manager said there have been a lot of recent discussions among the mayoral candidates about the water tower project and why it has not been completed. He agrees it was approved at the same time the Washington Street substation was approved that was also just completed. According to Mr. Carmean, the city was misled about getting some free land for the water tower which held the project up several years.

As soon as Mr. Carmean came back as city manager, he said the first thing he did was secure the land which he was able to do at no cost to our taxpayers. The deed has been recorded and all easements from the Hall family are now in place.

He explained that the Wickersham development will get water run down Route 30 to this development.

During a conversation with one of our reporters, Mr. Carmean explained that someone can provide an easement across their property. By the time the surveying, engineering and attorney fees are paid, another six to seven months have passed. When

he was rehired by council two years ago, the project was not moving along because the city did not have a site. It has taken him almost two years to get to the point of bidding the project even though he was able to secure the land right away.

Mr. Retzlaff advised the construction on the tower will begin sometime in mid summer. There will not be a lot of work performed at this location initially because the construction and welding of the tank will be handled off site.

Mr. Brooks said that Mr. Carmean indicated that approximately \$800,000 had been saved because of the new location of the water tower; Mr. Carmean said yes, there was a substantial amount of money saved. However, the city did agree to run the water main to the new site and will eventually serve a couple of very large tracts of land in the area. At that point, the city will collect some impact fees to recoup some of that money.

Transfer/\$3.5M/Water Reserves to Separate Fund created for Water System Improvements

Mr. Carmean advised that DBF had suggested that \$3.5 million be transferred from water reserves into a separate project to fund the Water Improvements Project originally planned for the 2014 referendum.

Mr. Retzlaff recalled that this project was initially referred to as the Water System Improvements because it touches three different areas in the city's water system. It includes the distribution system and valve exercising replacement project as well as some SCADA controlled and programming upgrades. Some additional upgrades were needed at the water treatment facilities as well. Portions of that were related to the Seabury Well and Abandonment of Well 9. Also included was the additional work for the test well and production well as well as treatment facilities.

Since then, it has been determined we need some upgrades to our aerators in some of the different treatment systems.

He explained that the way the project was originally proposed to be funded was through the Drinking Water State Revolving Funds. The city was offered 1.5% interest. Council chose to go to referendum and then later decided to come back and actually pay for it out of reserves. That is the reason he is proposing \$3.5 million be earmarked and placed in a separate fund which will allow the work to begin.

Mr. Retzlaff reported the first step is to go out and get a physical location of all valves. The purchase of a valve exerciser was approved last June and is part of the current budget. The key is to locate where they are, determine which ones work, which ones spin and which ones do not work. We would then get an idea of the scope of the valve replacement work. Some mapping would be prepared with valves numbered/named so that the information can be recorded.

He explained that even if the top nut works, he cannot guarantee it will actually hold. Once we determine how many there are, two valves will be shut off and the hydrant opened between to determine if water comes out. Water coming out means that one of the two does not work.

Mr. Retzlaff does not believe it will pay to have a contractor on site sitting around waiting for something to break. If we run into some difficulties, that valve will be marked and revisited at a later date for further investigation.

The replacement valve project will then be bid.

He is hoping the committee will agree to proceeding with the work.

Mr. Carmean likes the plan because he recalls talking about having a full-blown construction firm on hand as the valves were being checked. The mapping of the valves is the first phase of this project.

Mr. Retzlaff advised that a similar project was done in Georgetown where 500 plus water services were replaced. They actually located all the services and valves. If there is a break, instead of having forty sets of blueprints in the back of city trucks to determine the location of the valve that needs to be shut off, once the GIS system is in place with the valves located, the entire system can be seen on a computer versus referencing the different blueprints to figure out when the main was installed. In that manner, the valves needing to be shut off can be determined as well as the ones that actually work.

This is an area where technology will help out a great deal according to Mr. Retzlaff. They just need a place to store the data once they begin to observe these things. It will then be used to build a map of the system.

Mr. Carmean said that once we pay the cost of having the work done, it will become proprietary as far as the city is concerned. The information will be available to our in-house staff and we will not have to continue paying DBF to obtain it. Mr. Retzlaff agreed that the information will be put into a format in a database. That database will fall under the ownership of the city.

The city manager expects the total costs to come in below the \$3.5 million estimate, considering we will be using our own money and eliminate some of the restrictions associated with the borrowing.

Mr. Retzlaff emphasized the \$3.5 million was an estimated number based on the anticipated valves that may be working or not. Until they begin the work, it is an unknown. That is why the scope is so broad on the project as well. If they did not spend as much, other work could be added with money left over.

Any valves in the grassy areas just outside the street will not cost as much to repair as the ones on Route 113 or at the intersection of Route 14 and Route 113, for example.

He emphasized there will be some disturbances to the water as well as some discolored water. But right now, it is difficult to flush mains and do targeted flushing to try and eliminate some of the scale and discolored areas. Mr. Retzlaff explained that the valves not working are pulling water from different directions and stirring things up throughout the system. This is the first step and once the valve numbers are obtained, they will begin to generate work orders and individual valves will be turned.

This will allow an annual flushing program to be put in place which will prevent this from occurring again. The maintenance program will then be reinstated again.

Mr. Carmean feels the public does not need to be apprehensive about this. He explained the valves are open and water is flowing. Most of the pipes are as old as the valves and the water will continue to flow. He has heard some people say that 40% of our hydrants are not working. However, that is far from the truth. The city has no problem getting water out of our hydrants throughout the entire town.

The city manager said the only problem is shutting water off in a situation where a main needs maintenance or a similar situation. There is no concern to the public and this will only strengthen the infrastructure in the future and provide a clean start with our valve program.

Mr. Retzlaff agreed this is not a response to any significant deficiency in the system. He reiterated there is nothing wrong with the bulk of the system and water finds its own way. Milford does not have customers with discolored water. If we are not proactive and try to do this at this point, it will cost two to three times as much when the work is needed. This is only an attempt to get it under control before it gets too far away from us.

Mr. Carmean said he has discussed this with Mr. Portmann and setting up a separate account. Our finance director knows government financing and he will know the best way to do this.

The city manager agrees it is easy to earmark a certain amount and make draws from reserves as was done with the substation. Council talked about the earmarked amounts for capital projects. He reiterated that the money is in reserves to pay for this work, in addition to the \$4 million needed for the substation this year.

The initial work involving the GIS and mapping will not cost a lot of money so \$1 million does not need to be set aside. Mr. Carmean asked Mr. Retzlaff to provide some type of proposal, showing the phases or steps on how DBF will carry this through. For example, the first step Mr. Retzlaff described was the GPS work; the next step will be to spin the valves and have the water hydrants checked out.

Mr. Carmean confirmed the work would be done in phases; Mr. Retzlaff explained the valve exerciser that the public works

department was considering has a GPS device and when connected to a valve, it registers its location. They can then exercise the valve and try to operate it and determine if it works.

Mr. Shupe confirmed that after the valves are located, a maintenance program would be put into place. He asked if Mr. Retzlaff feels there will be an improvement on the hardness of the water being distributed. Mr. Retzlaff explained the hardness is related to the makeup of the raw water coming out of the aquifers. They are pumping more water from one aquifer versus the other aquifer. In addition, the aerators are not functioning as they should. The makeup in the actual treatment is changing. Additional treatment would be needed to adjust the hardness. It could mean the addition of a sequestering agent that will keep it in suspension and from forming.

Currently, water is coming from four different locations and is contributing to the problem. If we stray too far from the hardness and scalene, a corrosivity is developed that will actually eat the pipes.

Mr. Retzlaff pointed out it is a fine balance that keeps the system operating though some upgrades are needed to the aerators. Then some modifications can be made.

Mr. Brooks said the water department runs tests on the water in his house on a regular basis. The results indicate water quality is where it should be. Mr. Retzlaff agreed adding that the hardness is more of a secondary or aesthetic issue. They are willing to work to improve that in order to keep the customers in Milford happy.

It was agreed to proceed with the GIS and GPS mapping which is the initial evaluation.

Mr. Brooks asked the city manager to verify there is enough money to do this project.

Mr. Carmean said he will eventually ask for a report from the committee once he determines the cost of the project. At that time, he will have Ms. Hudson add it to the agenda. Council will need to set aside the money in a different account or earmark funds in the reserve account to ensure the money is not spent on something else.

Mr. Brooks said he feels this is a necessary project. He recalled Mr. Carmean discussing the seventeen projects that were sitting idle when he was rehired as city manager. As the city manager mentioned a couple months ago, fifteen projects have been completed and the other two are being worked on.

The city manager said that when he left in 2008, the city did not have a public works director. Mr. Dennehy was put in that position during his absence and has overseen all these projects since that time. Mr. Carmean now realizes that a town this size needs such a position filled.

Mr. Brooks noted the sign on Rehoboth Boulevard stating that roadwork would begin on April 28th. He asked who is overseeing that project. Mr. Carmean said it is the result of Perdue expanding their workforce and improvements were required by DeIDOT at their entrances. Additional parking was also required.

He noted that Perdue is paying for the cost of the upgrades and not DeIDOT.

Mr. Brooks stated he is pleased with the eight to nine streets that will be paved over the summer. Mr. Carmean agreed adding that some additional street work will be done. With the warm weather here, he has also directed Mr. Dennehy to start the street damage repair caused by the bad winter we had.

Mr. Brooks asked if Public Works Director Dennehy had any comments.

Mr. Dennehy said that a citizen who regularly attends council meetings stated that 40% of our hydrants do not work in the city and pointed out that is such an incorrect statement.

He noted that Water Department Employee Steve Ellingsworth is also a line officer in Carlisle Fire Company. Anytime a hydrant is not working, Carlisle Fire Company calls this employee. Because of the accusation, Mr. Dennehy asked Mr. Ellingsworth how many hydrants are not operating properly and Mr. Ellingsworth answered two. One was hit by a car and

the other was being repaired.

Mr. Dennehy stated that he is unsure where the percentage number came from and he thinks there may have been some confusion between the hydrants and valves.

He concluded by reiterated that the money was allocated last June for a valve exerciser. What is needed right now is a GIS and GPS mapping on how to attack some of these problems.

He pointed out that we have in-house staff that are capable of doing this work.

The public works director stated that the only problem with the system right now is when there is a water main break, we do not know which valves to turn off to do the repairs.

Mr. Carmean said that he may have made the mistake one night by saying that 40% of the hydrants did not work instead of valves. He has since told this citizen five times that it was said in error.

Adjourn

With no other business, Mr. Shupe moved to adjourn the Public Works Committee Meeting, seconded by Mr. Gleysteen. Motion carried.

The Public Works Committee meeting adjourned at 10:34 a.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

MILFORD CITY COUNCIL
MINUTES OF MEETING
May 12, 2014

The Monthly Meeting of Milford City Council was held in the Joseph Ronnie Rogers Council Chambers of Milford City Hall, 201 South Walnut Street, Milford, Delaware on Monday, May 12, 2014.

PRESIDING: Mayor Bryan Shupe

IN ATTENDANCE: Councilpersons Garrett Grier, S. Allen Pikus, Dirk Gleysteen, Owen Brooks, Jr., Douglas Morrow, Sr., James Starling, Sr. and Katrina Wilson

City Manager Richard Carmean, Police Chief Keith Hudson and City Clerk/
Recorder Terri Hudson

Solicitor David Rutt, Esquire

CALL TO ORDER

Mayor Shupe called the Monthly Meeting to order at 7:00 p.m.

INVOCATION AND PLEDGE

The Pledge of Allegiance followed the invocation given by Councilman Starling.

APPROVAL OF MINUTES

Motion made by Mr. Grier, seconded by Mr. Pikus to approve the minutes of the April 28, May 1 and May 5, 2014 Council and Committee Meetings as presented. Motion carried.

RECOGNITION

Proclamation 2014-05/Police Week & Peace Officers' Memorial Day

Mayor Shupe read the following proclamation into record:

WHEREAS, the Congress and President of the United States have designated May 15, 2014 as Peace Officers' Memorial Day and the week in which it falls as National Police week; and

WHEREAS, the members of the law enforcement agency of Milford, Delaware play an essential role in safeguarding the rights and freedoms in Milford, Delaware; and

WHEREAS, it is important that all citizens know and understand the duties, responsibilities, hazards, and sacrifices of their law enforcement agency, and that members of our law enforcement agency recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and

WHEREAS, the men and women of the Milford Police Department unceasingly provide a vital public service.

NOW, THEREFORE, I, Bryan W. Shupe, by virtue of the authority vested in me as Mayor of the City of Milford, Delaware, call upon all citizens of Milford, Delaware, and upon all patriotic, civic and educational organizations to observe the week beginning May 12, 2014 as Police Week, during which time all of our people may join in commemorating law enforcement officers, past and present, who, by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their communities and, in so doing, have established for

themselves an enviable and enduring reputation for preserving the rights and security of all citizens in the City of Milford.

I further call upon all citizens of Milford, Delaware, to observe May 15, 2014 as Peace Officers' Memorial Day in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Milford to be affixed this Twelfth Day of May in the Year of our Lord Two Thousand and Fourteen.

s/Mayor Bryan W. Shupe

MONTHLY POLICE REPORT

Police Committee Chairman Morrow presented the police report on behalf of Chief Hudson. Mr. Pikus moved to accept the police report, seconded by Mr. Starling. Motion carried.

CITY MANAGER REPORT

City Manager Carmean read the following report into record:

ADMINISTRATION

I met with Labor Attorney Gary Simpler and a designated police staff member appointed by Chief Hudson to begin negotiations for a new contract with the police officer's union members. The officers are represented by two of their members and representatives from the Teamsters Local Union 326. Both management and employees hope to have a contract in place for this year's budget preparation.

The next meetings are at the last week of May. In this particular meeting, they did not get into the financial end of their requests. There was no discussion regarding the impact on the budget though that will take place over the next two meetings.

I plan to get something to city council the first week of June as to what we recommend to accept as a compromise. If that can be done at that time, we will be ready to hold budget meetings on June 17th and June 18th. If we cannot come to an agreement by that time, council will proceed with the budget and come back with any approved changes retroactively. It will be more of a task to do that, particularly if the salary ranges or benefits change during the negotiations. Going back retroactively will be more difficult due to the additional paperwork.

Our Finance Director requested that I instruct all supervisors with budgetary responsibilities to forward their budget numbers to me and him by May 14, 2014. I have asked all those involved in developing the upcoming budget do everything within reason to keep our increased costs to a minimum.

Mr. Portmann will go through the budgeted items such as insurance, gas, oil, building expenses, etc. and make those changes.

ELECTRIC

We have successfully energized the new electric substation and the next step will be to transport the transformer from our Elks Lodge Road substation to our new one. This transformer is a very large piece of equipment and requires some planning. This should be accomplished in the next few weeks. Once installed, the Fordmill substation will be live on our system.

We purchased a new transformer that was moved from 84 Lumber on McCoy Street to the old substation on Elks Lodge Road where it was installed. We will now move one of those three transformers to the new substation. We will then have two transformers at the Elks Lodge Road substation and two at the Fordmill substation.

There is a lot of planning and approvals needed to move the transformer so it is a large undertaking.

STREETS AND SOLID WASTE

Council had approved the purchase of a new refuse collection truck at the last meeting. The final acceptance of the bid for that vehicle was contingent on an inspection of a similar vehicle by our Public Works Director. He informed me that he is satisfied with the model so I have since placed the order.

Today the successful bidder informed us the compactor could take up to six months which is a long period of time. Trucks are not replaced before it is necessary.

If there are any further problems, I will inform council but right now, I am still saying we will order the truck.

Southeast Front Street work is continuing and will continue throughout the summer. I have reported that to this point of construction I am satisfied with our contractor's performance. I have no reason to think the project will not continue at an acceptable quality of work.

I met with Davis, Bowen and Friedel (DBF) Engineers Randy Duplechain and Erik Retzlaff to review several projects. That was discussed and both are satisfied with the performance of the contractor.

I have to inform Mayor and Council we are still having some conversations with customers who are unhappy because we no longer pick up all the yard debris they can get to the curb. When I compare our service to customers with other refuse collection services in the area, I think our 90-gallon yard debris containers are a true bonus. Many other haulers do not remove as much as a branch from their customer's properties. Our customers appreciate the service they receive, and in time the majority of those unhappy customers will understand the limitations of what we offer for our more than reasonable fee.

To offer a full yard debris collection system, considering the workman compensation situation and our employees trying to load branches and limbs, is injury-prone work besides being very labor intensive.

A claw truck may be considered in the future but that will come with a big price tag to our customers.

The \$23.50 fee a month is very reasonable for household trash pickup, recycling and yard debris that fits in the container.

Mr. Gleysteen moved to accept the city manager report, seconded by Mr. Brooks. Motion carried.

COMMITTEE & WARD REPORTS

Finance Committee

FY2014-2015 Budget Meetings

Mr. Pikus advised the budget hearings will be held June 17th and 18th.

Re-Evaluation/Tyler Technology Contract/Annual Reassessment Process

Mayor Shupe reported that on Thursday, May 1st, the finance committee met to review the Tyler Technology Annual Reassessment Contract initially approved by city council in July 2011.

Finance Chairman Pikus advised there was a large number of property owners that attended the meeting. The minutes were included in the packet.

Mr. Pikus then moved that all letters sent out to property owners in April, whose property values were adjusted based solely on analyzed market and adjusted numbers and not as a result of any improvements or physical changes since 2012, will be voided and those property values will revert back to their 2012 values. However, Tyler Technologies, who is the city's assessment firm, will continue to perform inspections and handle improvements and change land data as required, continue to value all new improvements and matters related to building permits and similar improvements and/or demolitions, and will visit 10% of the city properties each year of the ten-year cycle, (this will include new construction (permits) and sales verification). This annual field work prevents the city from needing a city wide data collection effort again at the time of the ten-year reassessment anticipated to be in the year 2022.

Mr. Grier seconded motion. Motion carried with no one opposed.

Mr. Pikus then referenced the amended Tyler Technologies contract, dated May 12, 2014, which reflects the previous motion, included in the packet (item 06-I) and read its contents into record:

Tyler\CLT would be pleased to provide an amended contract for the following field related services. Removed from the original agreement is any activity associated with updating assessments. After our meeting, I believe this amended agreement describes the scope of work the City desires.

- *Perform inspections, measure improvements, photograph improvements, and change data as required*
- *Value all new improvements*
- *Field visits to verify sales as needed*
- *Perform other related tasks as requested*
- *Appeal Hearings*
- *Insure 10% of the City's properties are visited each year of the ten-year cycle. We anticipate the majority of the 10% each year consisting of the new construction (permits) and sales verification. This annual field work would prevent the City from ever needing a municipal wide data collection effort again.*

These activities would be performed at the per diem rate of \$685.00 under the terms and conditions of your Univers Support Agreement. We would not exceed \$27,400.00 in 2014 without further written authorization from the City.

Mr. Grier moved for approval of the amended 2014 contract, seconded by Mr. Pikus. Motion carried with no one opposed.

Mr. Morrow referenced the memo, stating that during that ten-year period, all properties will be reassessed though the contract states 10%. He asked if the properties selected are random or if it is possible that a property can be reassessed twice.

Mr. Carmean stated yes, adding that not everyone will necessarily end up with an assessment or fall into that 10% range. This year, single family homes were targeted as well as multi-dwelling or condos. Tyler did 10% of those, which meant that all single family homes are being assessed through the 10%. He said though it is hard to follow, that is what it means. He explained it is similar to comparable comparisons when a house is sold. The realtor goes out and considers homes in the area and comes up with an average sale price. They are developing comparables using the 10%. When they put the numbers together and the software provides the new assessments, property owners will then be able to appeal though that will occur not occur until the time of the ten-year assessment.

Mr. Morrow said the goal at ten years was to avoid another \$300,000 reassessment because it was not kept up with the previous ten years. Mr. Carmean agreed it was to prevent going out and measuring every house in 2022.

Mr. Grier stated that Paul Miller of Tyler Technologies assured council that was the case.

Mr. Brooks recalled Mr. Miller indicating there were more than 10% of the properties in Milford whose values changed this year which caused the letters to be mailed. Mr. Carmean stated that is correct and at the end of the ten years, they can argue parity on the numbers that come out of the software.

Mr. Morrow stated that he only wants assurance the city will not have another \$300,000 bill. Mr. Grier confirmed that he asked that question specifically and he was comfortable with Mr. Miller's answer.

Mr. Pikus advised that at the last reassessment, the city paid almost \$250,000 noting it would be higher in ten years because we have more properties to evaluate.

Ms. Wilson confirmed there were more than 10% of the properties reassessed; council pointed out that 100% of city councils' property values were increased. Mr. Carmean said he also received a tax increase.

Joe Palermo of 5 Misty Vale Court, Meadows at Shawnee, asked how many single family homes we have in Milford; Mr. Carmean said approximately 3,800. Mr. Palermo asked if 10% of the 3,800 were sent reassessments. Mr. Carmean stated that he never asked Tyler that particular question but believes the combination of properties reassessed were close to 10%.

Mr. Palermo said he has a problem because he was told that he was in the 10% and could be reassessed again the following year if the value of homes in Meadows at Shawnee continued to increase. That bothered a lot of people.

Mr. Carmean emphasized that he received a notice like Mr. Palermo did. After he thought about it, he realized he could be reassessed again and only 10% are being increased in taxes though it actually spreads throughout the single family residences. The 10% involves comparables, the price range of the house and what the market is doing.

Mr. Palermo is glad this was settled to the satisfaction of the taxpayers in Milford.

Finance Committee Meeting

Mr. Pikus then reported an Executive Session will be held on Thursday morning at 8:00 a.m. during which time the Finance Committee Meeting will meet to discuss a personnel/financial matter.

COMMUNICATIONS & CORRESPONDENCE

Mr. Starling thanked Chief Hudson and his police officers for a job well done at a number of recent funerals and special events. He feels they do a great job and appreciates their efforts.

UNFINISHED BUSINESS

FY2013-2014 Budget Adjustment/Electric Department/Distribution Line Item/Various Projects

The city manager referenced the letter from Electric Superintendent Rick Carmean that was included in the packet:

It has come to my attention that the Electric Department's Distribution Lines (205-5050-432-50-12) budget line item has exceeded what was budgeted for this fiscal year (\$250,000.00).

We respectfully request an increase of \$67,465.00 to the Electric Department's Distribution Lines line item (Account 205-5050-432-50-12) to cover not only the last two months of the fiscal year 2014, but also outstanding items that the Warehouse Manager, Les Scotton, needs to sign out before his inventory. We ask that this money come out of Electric Sub-Contractors Projects (205-0000-344-10-60, 205-0000-344-10-61, and 205-0000-344-10-62), as we have billed out for numerous jobs, which I have listed below.

- *Solar Project \$13,122.70 (City Project, not budgeted for)*
- *Webb Irrigation \$ 3,795.00 (Billed out, paid)*
- *Scarborough Irrigation \$ 3,795.00 (Billed out, paid)*
- *Evergreen Lane State Job #1 \$23,748.28 (Billed out, paid)*
- *Milford School District \$ 9,346.00 (Billed out, paid) (AG Barn Transformer)*
- *Redner's Market Bore \$ 3,390.00 (Billed out, paid)*
- *Joe Wiley Pole Relocate \$ 1,500.00 (Billed out, paid)*
- *Evergreen Lane State Job #2 \$20,648.95 (Billed out, not yet paid)*

TOTAL BILLED OUT \$79,345.93

Mr. Carmean noted that most of the jobs have been paid. He explained that the money is paid from the electric department's inventory and equipment line items. When it is billed and the money comes into the city, most people assume it reimburses the line item it was paid from. However, we are not allowed to do that.

The city manager noted that it comes in as electric revenue and a transfer is needed to put the money back into that line item. They can then replenish the inventory that was used for that job. There is no cost to the city and only a way to move money around. Currently those funds are sitting in revenue accounts and need to go back into the inventory where it has been paid from.

Mr. Carmean feels it could almost be an in-house managerial move but that is not permitted in government financing. Council must approve the transfer. In addition, \$30,000 is our benchmark for bidding and anything above that requires council approval.

Mr. Pikus confirmed that the electric department is using those funds to replace equipment that has been used. Mr. Carmean stated yes. For example, the transformer that was used recently on a job will need to be replaced and added back to our inventory.

Mr. Brooks moved to approve an increase of \$67,465.00 to the Electric Department's Distribution Lines, Account 205-5050-432-50-12 and transferred out of Electric Subcontractors Projects 205-0000-344-10-60, 205-0000-344-10-61, and 205-0000-344-10-62, seconded by Mr. Pikus. Motion carried with no one opposed.

FY2013-2014 Budget Adjustment/Public Works/Sewer Reserves Transfer/Washington Street Sewer Pump Station Project

Mayor Shupe asked that DBF Engineer Erik Retzlaff discuss this request.

Mr. Retzlaff explained that during the construction of the improvements at the Washington Street Sewage Pumping Station Rehabilitation project, delays in the completion of the work resulted in additional construction phase service fees beyond those amounts authorized by the City.

In order to pay the construction phase services needed to complete the project, a transfer of \$45,000 from sewer reserves to the project is needed. He reported that the contractor failed to complete the project by the established date of January 3, 2014; however, the pump station was up and running fifty-five days later on February 28th.

Per the contract, the city may withhold up to \$1,500 per day in the form of liquidated damages to cover the additional inspections and administrative costs.

Mr. Retzlaff advised that \$20,000 of the \$45,000 transfer request will be reimbursed as a result.

He further explained that the original proposal was an estimated fee submitted by DBF based on a four-month construction period. When the design was completed, a six-month construction period was required to satisfactorily construct the improvements included in the design. This would have resulted in an increase of \$25,575 though no adjustment was made at the time. It was agreed that DBF would try to minimize their time and expenses though they would not compromise the integrity of the job. The project is near completion and DBF has been able to keep their costs down which has resulted in an approximately \$10,000 difference for the additional six months.

The project remains incomplete and the additional \$15,000 is an estimated number for the additional construction services needed to complete the project.

Mr. Pikus asked if the money will be put toward construction, overruns or engineering; Mr. Retzlaff explained it will go toward the inspection and contract administration fees. Mr. Pikus asked who is responsible for that; Mr. Retzlaff advised it was part of the original portion of the city's proposal. All fees related to the delay were created by the contractor. Should the city decide to pursue, it can be withheld from what the city owes the contractor for liquidated damages.

Mr. Pikus asked the reason for the delay; Mr. Retzlaff said it is difficult to say. However, they are on their own timetable and he can only try to push them. Unfortunately, addressing it also racks up additional fees. He emphasized the contractor has been notified and made aware of the issue. He said it is really out of the city's hands as far as the number of employees they have on site each day. A lot of the overruns were the result of their phone calls informing DBF the contractor and electrician were going to be on site. Mr. Retzlaff would send someone who would often wait for two hours. He would then receive a call stating they were not going to make it that day.

Mr. Carmean agreed adding that is the reason the city is going after the money. Both Mr. Carmean and Mr. Retzlaff reported they do good work though there was a timeliness issue.

Mr. Grier confirmed the city is going after the \$1,500 a day; Mr. Carmean and Mr. Retzlaff both stated yes.

Mr. Pikus asked about the other \$10,000; Mr. Retzlaff explained that is related to the fact the original proposal was based on four-month construction period. When they flushed out the design, there was more to the project than originally anticipated. When they sat down to review everything when the project was bid, they noticed it was a six-month time frame instead of the four-month originally anticipated. Instead of trying to ask for the \$25,575 increase, DBF tried to keep their costs to a minimum.

Mr. Brooks asked how much of the overage was created by the city and how much caused by the contractor. Mr. Retzlaff said the contractor is close to \$30,000 to \$35,000 of the problem.

Mr. Pikus asked where the \$45,000 number comes from; Mr. Retzlaff explained that includes an estimated amount to complete the job. He does not expect them to provide the documents which will close the paperwork out.

Mr. Pikus asked exactly how much is needed to pay the bills currently due on the job; Mr. Retzlaff explained that the outstanding bills presently total approximately \$30,000. Mr. Pikus confirmed the additional \$15,000 is only an estimate; Mr. Retzlaff agreed noting that he totally intends to give the city every penny back. However, some funding is needed to get the project to completion.

The city manager informed council this is actually Finance Director Portmann's recommendation and a way to prevent from coming back to council for future budget requests.

Mr. Pikus confirmed we will pay the bills, then try to recoup some money. Mr. Carmean noted that we will not go after the \$15,000 but we will go after the costs for inspections and related work the contractor held us up on that extended the project. Right now it is a little more than \$20,000.

Mr. Pikus agrees we need to go after what is owned the city. If they made a mistake, it is not the city's fault.

Mr. Retzlaff agreed noting that it will only be withheld from the monies due them at the end of the project. Mr. Carmean pointed out that we do not have to go after it because it is our money.

When asked if a motion is needed, Mr. Retzlaff explained that we need a motion to approve the transfer of \$45,000 in order to complete the project.

There was some discussion over the amount to be transferred and Solicitor Rutt referenced the letter in the council packet from Davis, Bowen and Friedel that stated \$45,000 was requested.

Mr. Pikus confirmed that no further funds will be needed. Mr. Carmean agreed emphasizing that once the contractor's tardiness is addressed, that money will reimburse the sewer reserve account.

Mr. Pikus moved that \$45,000 be transferred from the Sewer Reserves Account to cover the additional costs of the Washington Street Sewage Pumping Station Rehabilitation Project as requested in the May 12, 2014 letter, seconded by Mr. Grier.

Mr. Carmean reiterated that \$20,000 of the \$45,000 would be put back into the sewer reserve account. He further explained that the city owes \$15,000 because once our engineers put the project together, they realized it could not be completed in a four-month period though it was completed in six months and still went over by fifty-five days.

Mr. Grier asked if we will legally withhold the final payment. Mr. Rutt explained then explained the liquidated clause in the contract. Typically, it will say if the contract is to be completed January 3rd and that deadline is not met, the liquidated damages clause state that each day beyond January 3rd will cost \$1,500 per day. Generally, there is also a clause that will reduce the number of those days. For example, if one of the reasons was extraordinary weather, a general strike or some unforeseen condition, those liquidated damages days can be reduced.

Mr. Grier asked who determines the number of days. Mr. Rutt explained that after you add up the days (often it will state business days so weekends and holidays are excluded), you then remove any inclement weather days or similar situations. He said frequently, when the city informs the contract they will withhold fifty-five days (for example), the contractor will then provide some reason or excuses and both parties come to an agreement or compromise.

Mr. Brooks asked how much this will cost the city in legal fees noting that each party will argue the facts and it appears an attorney would be involved. Mr. Rutt feels that is something that can be negotiated in house.

Mr. Carmean does not believe that will happen if the numbers are big enough. He said if we go after the entire \$1,500 a day because the city lost \$20,000 in inspection fees, then the contractor can make a case.

Mr. Rutt stated that is not the way it works. Typically, the liquidated damage clause will say that in recognition of the fact that damages cannot be reasonably calculated, everyone will agree to a fixed number per day. Mr. Carmean does not believe they will agree to \$1,500 a day.

Mr. Retzlaff confirmed that approximately \$80,000 has been withheld. Mr. Retzlaff agrees with Mr. Rutt that usually the liquidated damages are negotiated. The \$1,500 fee a day for each of the 55 days totals \$82,500. It would be difficult to show that amount of damages, though Mr. Retzlaff will provide the number of days they were not on site. He feels it will be much easier to come to an agreement under that scenario.

Motion carried.

Mr. Gleysteen noted there are a lot of projects going on and DBF appears to be responsible for the majority of contracts. Frequently, there are cost overruns which require city council to transfer funds from reserves. It is infrequent that a project comes in under budget. He asked Mr. Retzlaff how he could keep the mayor and council informed of the status of projects and how DBF manages the city accounts after they are closed out. In addition, he would be interested in the reasons for cost-over runs and if any contracts came in under budget.

Mr. Retzlaff explained they can normally provide a fixed fee on the design when they are familiar with the scope of the work. The cost of the construction phase depends on the timeliness and quality of the work. If the contractor comes back to the site multiple times, then DBF must provide an inspector multiple times. All construction phase services have been estimated fees built on the cost basis. If DBF is present, the city pays for that day.

He understands this project was difficult to manage because many things were uncovered as a result of its forty-year-old age. When something is new, the numbers are much closer to the estimate. They also do not like submitting a substantial number for construction phase services that could be an overestimate.

Mr. Gleysteen then explained he is not necessarily talking about this project, but the template that could cover all projects along with a report. He recalled that there were at least ten or twelve different items involved in this project. As each one is closed out, the report would indicate the amounts and its original and ending budget. The report could be forwarded to the city manager, mayor and council.

The city manager advised that the way this was handled was somewhat different which is why he asked Erik to be here and provide reasons for the overages. He noted the next item (PNC Bank renovations) will also need some money transferred (\$4,090) to pay some outstanding bills.

Mr. Carmean advised that when the work started on Southeast Front Street, the entire project was bid correctly. When the streets were opened to check our utilities, there were a number of water connections that required improvements. He agrees it is normal that change orders are needed which always state the reason for the overages.

Mr. Grier asked if a project has ever been below the estimated cost. Mr. Retzlaff said the demolition of the South Washington Street water facility was \$15,000 to \$20,000 below the estimate. Mr. Pikus stated that is the first one he is aware of.

Mr. Retzlaff explained the contractor completed the project before the deadline which resulted in it coming in below budget. He feels that because we are required to take the lowest bidder, does not always mean the most prompt with their work or paperwork.

Mr. Carmean met with Mr. Retzlaff and Randy Duplechain of DBF today. He is familiar with firms that inflate the estimates to always look good in the end. They make the estimate \$100,000 or so over the real costs. He said that DBF is the city's representative and is supposed to look out for the city though he agrees it does not hurt to check up on them.

However, the amount of work required to bid a project is just not worth bidding the engineering portion. There is no one in house that could oversee that and he would have to hire someone to handle it.

He recalled when another engineering firm did some work in Milford and he believes they felt it was the only job they were going to get. So they made the most of it and stung the city really hard.

The city manager said he has no problem reporting to council the reasons for the overages. However, he appreciates council not drilling him for two hours and trusts that he knows what is going on. In this manner, he provides council with the information he gets as Mr. Retzlaff did this evening. Though the PNC project is only more than \$4,000, there should be an explanation given which he does.

From this point on, he will provide that information when each project or phase closes out. In the PNC bank project, this closed out the architectural and inspection phase. We will now proceed to the construction phase and if there are any overages, they will be brought back before council and the reasons provided.

FY2013-2014 Budget Adjustment/Former PNC Bank Renovations/Engineering

Mr. Carmean requested a budget adjustment of \$4,090 to cover the last three DBF invoices on the architectural work at the former PNC building.

He explained that \$60,000 was budgeted to do this work though the finance director informed him we had spent \$80,000. It was determined the \$80,000 was spent on both the architectural work and inspections (\$20,000). Those inspections included soil borings because he did not want to recommend a piece of property be purchased that DNREC would find contaminated. In addition, he asked for a structural integrity inspection of the entire building. The facility is an 80-year-old building and that inspection was approximately \$9,000. Of the \$80,000, \$20,000 was the cost of both inspections and unrelated to the architectural design.

The city manager noted there was also a survey cost included in the architectural fund though Mr. Carmean is unsure if that should have been included. If the survey had been paid from another fund, we would not have gone over the \$4,000.

He recalled discussing a possible elevator. One option included the design of an elevator and it took our architect a considerable amount of time to obtain that cost. That was also included in the architectural costs.

Costs were also associated with the three site meetings with Diebold to discuss the existing vault door and related equipment. It was finally agreed to keep the vault for the aesthetics even though it is very old.

Also included were some costs affiliated with the coordination of the environmental firm when asbestos was discussed and its removal.

Mr. Carmean reported the site work had been completed for the main business office floor. Then the fire marshal requested drawings on the basement and the upstairs. He emphasized that no changes would be made to either level though the fire marshal required drawings. Additional work was needed as a result.

He feels \$4,000 is reasonable considering the unexpected work and inspections.

The city manager confirmed the work is completed and the fire marshal has given their approval to move ahead. The bid package went out and is back in and opened which will be discussed later in the meeting.

Ms. Wilson moved to approve the transfer of \$4,090 from electric reserves to cover the additional architectural costs, seconded by Mr. Starling. Motion carried with no one opposed.

NEW BUSINESS

Bid Award/Bid-Power Transformer Relocation & Recommissioning/Electric Department/Progressive Engineering Consultants

Sealed bids were received, publicly opened, and read on April 29, 2014 for furnishing the labor and equipment to relocate the #1 transformer in the existing 138 kV Substation to the new Substation #2:

Bidder:	Energy Parts Solutions*	SPX Transformer Solutions	Energ-Test**
Relocate Transformer with Oil	\$58,400.00	\$69,500.00	\$59,322.00
Relocate Transformer with Oil Removed	\$84,400.00	\$82,000.00	\$59,711.00
Completion Time	4-6 Days	9-10 Days	Six (6) Days
Exceptions/Clarifications	See Proposal #714-9042	See Scope Letter	See Proposal

Progressive Engineering Consultant Alan Cobb submitted the following recommendation:

As shown by the enclosed tabulation of bids received, Energy Parts Solutions offered the lowest cost proposal for the work in their bid of \$58,400.00. During subsequent discussions with the bidder, we were unable to resolve several of their Terms and Conditions in the city's favor. The most specific issues were dealing with hold harmless clauses and city liability. As a result of these unacceptable Terms and Conditions submitted with the proposal, we have reviewed the proposal of EnerG Test since they had no restrictive terms and conditions submitted with the proposal. This proposal appears to be in compliance with the requirements of the specifications.

Accordingly, it is our recommendation that the city award the project to EnerG Test in the amount of \$59,322.00.

Mr. Grier moved to award the Power Transformer Relocation & Recommissioning bid to EnerG Test in the amount of \$59,322, seconded by Mr. Gleysteen. Motion carried with no one opposed.

Bid Award/Former PNC Building Renovations/Public Works Department/DBF, Incorporated

Sealed bids were received, publicly opened, and read aloud on May 6, 2014 for the Former PNC Building Renovations. The following bids were received:

Bidder	Base Bid	Alternate No. 1	Alternate No. 2
Richard J. Johnson	\$367,715	+\$15,812	+\$11,434
Donald E. Reisinger, Inc.	\$317,000	+\$7,400	+\$2,300

Mr. Carmean recalled the night council discussed remodeling the PNC building and he estimated the renovations to be approximately \$300,000. He noted that the bids came in very close to that number.

DBF Project Manager Michael Bauman submitted the following recommendation:

Bids for the renovation project of the former PNC Building were received and two contractors submitted bids at that time. The lowest bid was received from Donald E. Reisinger, Incorporated with a lump sum bid of \$317,000. We have reviewed the information submitted with the bid and recommend the award of the contract to Donald E. Reisinger, Incorporated in the amount of \$317,000 which does not include any alternate which may be selected during construction.

The city manager advised that he is pleased with the bid but wants the project completed faster than the 160 days indicated on the bid. Even though that moves the billing staff into the building this fall, he hopes to reduce the construction by 20 to 40 days.

Mr. Pikus moved to award the bid to Donald E. Reisinger, Incorporated in the amount of \$317,000, seconded by Mr. Brooks to be paid from electric reserves. Motion carried.

National League of Cities/Annual Membership Dues (2014-2015)

Mr. Morrow moved to approve the annual membership dues in the amount of \$1,117,000 to National League of Cities, seconded by Ms. Wilson. Motion carried with no one opposed.

*FY2013/2014 Budget Adjustment/GF Capital Reserves Transfer/Buy Back Business Park/Lot D4 (portion)
Performance Devices*

City Solicitor Rutt reported that the properties in the business park have a restriction that states if the owner does not begin construction within two years, the city has the right to purchase the property back for the original purchase price.

In this case, Roger DuNaier of Performance Devices submitted the following request:

Re: Greater Milford Business Park / MD-16-173.00-01-03.13 Parcel D4

Due to the unfortunate circumstance of a family illness and several business setbacks, we find ourselves in a position to consider selling our parcel, 100 Kona Circle, in the Greater Milford Business Park. We finalized the purchased of this property on April 17, 2009. Please know that we are very sad to sell as we were looking forward to developing this land and moving our business from the West Coast.

While considering this prospect, we reviewed the Zoning Ordinance and Sales Deed and noticed the section regarding the city's option to repurchase the property if construction has not commenced within two (2) years from the date of purchase. Rather than jeopardize any sale or potential purchaser, I am requesting clarification on this matter from your office. Are we required to offer the property to the City of Milford for the right of first refusal, or is the city willing to waive its option on this matter?

Please know that if the city does waive its option and we do decide to move forward on this issue, any potential purchaser will be properly informed of all the zoning requirements, rules and fees associated with ownership of a property in the Greater Milford Business Park. I hope this letter finds you well and look forward to your response on this matter.

Mr. Rutt confirmed that Performance Devices paid \$145,000 for the lot.

Mr. Grier stated there are more lots in the business park that were purchased at a much cheaper price that should be purchased back at a much cheaper price and believes in the \$30,000 to \$40,000 range. Mr. Pikus agreed.

Mr. Grier expressed concern about buying this back at the higher price of \$145,000 when we can purchase more than one lot back for that price.

Mr. Rutt explained that if the city does not purchase the lot back, the owner can go out on the market and sell it for a profit.

Mr. Morrow agrees we need to purchase the lot back as the restrictions state, but at the same time, we need to take an inventory of how many lots are undeveloped and in the same situation.

The city manager reported that we purchased a lot back from a doctor a year or so ago. Mr. Pikus and Mr. Grier agreed noting it was a \$24,000 lot.

Mr. Pikus asked if we are required to buy the lot back; Mr. Rutt said his recollection is that the city shall buy it back.

Mr. Morrow expressed concern that the lot could possibly be sold by Performance Devices for market value and they could make a substantial profit. Mr. Rutt advised this is an end lot in a cal-de-sac on the Canterbury Road side which is a more valuable parcel.

Mr. Grier recalled when the lots were surveyed a few years ago to determine how many were still undeveloped. At that time, he believed there may have been four or five.

Mr. Grier asked that we look into the lots again and review those that were sold and are still undeveloped. Mr. Carmean stated he will do that and follow-up with council. He agrees that if there are still \$30,000 lots sitting idle, the city should purchase them back as was done with the doctor's lot last year. Mr. Rutt pointed out that in this case, the city did not pursue purchasing the lot back. Instead the owner wanted to sell the lot and contacted the city.

Mr. Grier asked where the money goes when a lot is sold. Mr. Carmean explained that the finance director was at one time keeping the cost those fees separate. However, he may be putting the money into the general fund reserves now. Mr. Grier asked if that money is gone now; Mr. Carmean said he is unsure but pointed out this is a very appealing lot to a medical facility and he has been working with a doctor who is interested in purchasing a lot.

Mr. Pikus asked the current price per acre; Mr. Carmean believes he was told \$135,000 an acre. He then decided, though he has not discussed it with council, that any frontage lot should be sold at a higher price. He will recommend selling an interior lot at \$135,000 an acre but a frontage lot should be sold at a higher cost.

Mr. Pikus asked if those figures have been quoted to anyone recently; Mr. Carmean said there has not been anyone interested though he has been working with a local doctor who is looking for a lot with a great deal of visibility which this lot offers. Mr. Pikus agrees with the city manager and recommends this lot be put on the market for up to \$200,000 considering its prime location.

It was confirmed there is no real estate transfer fee involved in the sale or purchase of municipal property.

Mr. Carmean advised that Mayor Shupe asked today if someone has built in the park and wants to sell, does the city have to buy it or at least have the right to approve the buyer and what the building will be used for. Mr. Rutt noted that the use has to be within the permitted uses of that zone. However, the restriction only applies to a lot without improvements. Any property owner with a building is able to sell the building on their own.

The city manager agreed adding the city has a say in the sale to prevent buyers from speculating.

The breakdown of the funding to repurchase this lot is as follows:

Original Sales Price (From City to Perf Dev): \$145,000
Settlement/Attorney Charges (From City to Rutt): \$1474.50
Refund of City taxes (From City to Perf Dev): \$324.39
Refund of County taxes (From City to Perf Dev): \$10.30
From City to Rutt: TOTAL: \$146,809.19
From Rutt to Perf Dev: \$145,334.69

Mr. Pikus moved to approve the Buy Back of Business Lot D4 (portion), owned by Performance Devices in the amount of \$145,000 and an addition \$1,809.19 for associated legal fees. Those two amounts will be transferred from General Fund Capital Reserves, seconded by Ms. Wilson. Motion carried.

Mr. Pikus thought they were prohibited from putting any lots in the business park in the hands of a realtor. Mr. Rutt explained the city has the right of first offer. If the city does not exercise that right, we cannot buy it back and the property owner has the authority to sell it. He said there is a restraint on alienation of real property which is unconstitutional.

Mr. Grier again asked for a list of the properties still available. The city manager said if there are a number of undeveloped lots that exist, we need to purchase them back.

The city clerk believes there are only two lots left (not counting the Performance Devices lot) that were sold and never developed.

Goat Island Dedication/Recommendation for Gary Emory

Mayor Shupe reported that Parks and Recreation Director Gary Emory invited him to see Goat Island adding this is the final phase of the Riverwalk. He learned from Mr. Emory he has worked on this project for more than three decades. It took 23 phases for him to complete the riverwalk. Therefore, he would like it dedicated in his name.

The city manager said a plaque will be placed at Goat Island with his name on it though the Goat Island name will not change. He is also planning to place a plaque at a pocket park next to the new water plant across from the library.

Mr. Grier moved to put a plaque on Goat Island with Gary Emory's name on it, seconded by Mr. Pikus. Motion carried.

City of Milford Planning Commission Vacancy

Mayor Shupe announced the planning commission has a vacancy in Ward 4. He will follow up with 4th Ward Council Members Wilson and Starling.

Mr. Brooks noted there are three commissioners whose terms expire in August and need to be addressed.

MONTHLY FINANCE REPORT

Finance Committee Chairman Pikus reported that through the ninth month of Fiscal Year 2013-2014 with 75% of the fiscal year expired, 77.69% of revenues have been received and 71.95% of the operating budget expended.

He pointed out our trash fund continues to deplete and warned council it will need to be reviewed during the budget hearings. Interest is low so we are not making a lot of money on our investments though our reserve funds remain in good shape.

Mr. Pikus emphasized that these reports show all city accounts and the balance of each.

Mr. Brooks recalled discussions regarding the trash fund. The residential side was paying for itself and some commercial services because the commercial side was in the red. He noted that several changes were made and asked if it has balanced out. Mr. Carmean said it is too early to predict because we did not eliminate a lot of the commercial services until the end of January. In another month or so, he will provide council with some updated numbers showing the commercial losses and the difference since those changes occurred.

Mr. Pikus reported that account only has about \$390,000 in the bank. Mr. Brooks thought that once the commercial was removed, solid waste services would again pay for itself. Mr. Carmean agreed and pointed out the commercial customers had an option to keep two roll outs.

The city manager was surprised because when he made the decision to eliminate commercial services, he thought he would receive a lot of irate calls but instead it was a smooth transaction.

Mr. Pikus pointed out that if he chooses to eliminate his commercial service at this point, he will contact an outside hauler. He received two bids and one was less and one was more.

Mr. Pikus moved to accept the March 2014 finance report, seconded by Mr. Gleysteen. Motion carried.

ADJOURN

With no further business, Mr. Pikus moved to adjourn the Council Meeting, seconded by Mr. Grier. Motion carried.

The Council Meeting adjourned at 8:12 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

MILFORD CITY COUNCIL
MINUTES OF MEETING
May 15, 2014

The Finance Committee of Milford City Council met in the Joseph Ronnie Rogers Council Chambers at Milford City Hall, 201 South Walnut Street, Milford, Delaware, on Thursday, May 15, 2014, to convene and discuss some confidential matters as is permitted by Delaware Law.

PRESIDING: Chairman S. Allen Pikus

IN ATTENDANCE: Committee Member Douglas Morrow

MAYOR & COUNCIL: Councilpersons Owen Brooks, Jr. and Dirk Gleysteen

STAFF: City Manager Richard Carmean and City Clerk Terri Hudson

The Finance Committee Meeting was called to order at 8:10 a.m. by Chairman Pikus.

Finance Director Jeff Portmann was also present.

Labor Attorney Gary Simpler of Shawe Rosenthal LLP, Baltimore, Maryland participated in the meeting via telephone.

Mr. Pikus moved to go into executive session, reference personnel matters, seconded by Mr. Morrow. Motion carried.

EXECUTIVE SESSION

Pursuant to 29 Del. C. §10004(b)(9) Personnel matters in which the names, competency and abilities of individual employees or students are discussed.

Chairman Pikus moved to go into Executive Session reference personnel matters.

Chairman Pikus recessed the Finance Committee Meeting at 8:11 a.m. for the purpose of an Executive Session as is permitted by Delaware's Freedom of Information Act.

Return to Open Session

The Finance Committee returned to Open Session at 9:29 a.m.

Early Buy Back/General Obligation Bonds, Series of 2005

Chairman Pikus moved that the Finance Committee recommend the city buy back the City of Milford General (Electric) Obligation Bonds, Series of 2005, for \$2.6 million, with funding from the electric reserves to pay the first year of savings to pay for the matter discussed in executive session. Mr. Morrow seconded motion. Motion carried.

Personnel Matters

Chairman Pikus moved to proceed with the personnel matters as were discussed in the executive session, seconded by Mr. Morrow. Motion carried.

Finance Committee Budget Hearings:

Wednesday, June 17, 2014

Thursday, June 18, 2014

Finance Director Portmann announced the above dates of the budget hearings which will begin at 5:00 p.m.

Mr. Carmean advised the hearings are later this year with the hope the Police Union Contract will be finalized and ready for ratification by city council by that time.

ADJOURN

With no further business, Mr. Pikus moved to adjourn the Finance Committee Meeting, seconded by Mr. Morrow. Motion carried.

The Council Meeting adjourned at 9:34 a.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

MILFORD CITY COUNCIL
MINUTES OF MEETING
May 27, 2014

A Meeting of Milford City Council was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall on Tuesday, May 27, 2014.

PRESIDING: Mayor Bryan Shupe

IN ATTENDANCE: Councilpersons S. Allen Pikus, Dirk Gleysteen, Owen Brooks Jr.,
Douglas Morrow, Sr. and James Starling Sr.

City Manager Richard Carmean, Police Chief Keith Hudson and City Clerk/
Recorder Terri Hudson

COUNSEL: City Solicitor David Rutt, Esquire

CALL TO ORDER

Mayor Shupe called the Council Meeting to order at 7:00 p.m.

The mayor noted that Councilman Grier had another commitment this evening and was unable to attend meeting.

Councilwoman Wilson was also absent.

INVOCATION AND PLEDGE

The Pledge of Allegiance followed the invocation given by Councilman Starling.

RECOGNITION

Milford Post Office/Postmaster Lindon Mingo

Lindon Mingo was invited to attend council meeting to introduce himself.

Mr. Mingo stated he has been postmaster for the past two years and has thirty-eight total years of service. Though he has not met a lot of council members, he met Mayor Shupe when he was campaigning.

The postmaster said that he realizes there are a lot of problems with the post office he is trying to fix. One thing is they have UPS and Fed Ex as competitors though he emphasized the postal service can do a better job than either of them. He wants the residents of Milford to know this.

He acknowledged that one concern is the behavior of Milford Post Office employees and he is working to change that. One of his main goals is to improve customer service.

Recently, he has been sending his employees out to inform people of the new services the post office offers. For example, businesses in Milford have the opportunity to advertise (Every Door Direct Mail) for 16.5 cents per piece of mail. Every Door Direct Mail enables you to target your local neighborhood.

He noted that an ongoing problem is their old building. He reported that every year there is a problem with the air conditioning and a great deal of money is being spent on repairs.

Mr. Brooks recalled several years ago, council campaigned for a new post office. At that time, Middletown, Milton and three other Delaware towns received one.

Mr. Pikus agreed adding that he also contacted our federal legislators in Washington, D.C. They indicated they would do what they could though the Postmaster General had the final say.

When asked if that is still being considered, Mr. Mingo explained that when he first came to Milford, a new post office was being considered. At that time, several post offices were being combined. To move Milford would require it to be relocated to Dover. The postal workers would then drive from Dover to Milford to deliver mail. At this time, he believes that Milford is too large to be combined but someone needs to step up and say that will not be done and instead another building is needed. He emphasized it does not make sense to keep putting money into an old building when a new building can be built with no maintenance costs.

The postmaster will be visiting in two weeks at which time Senator Tom Carper will be in attendance. Senator Carper did discuss that possibility this time last year and he is anxious to hear any new considerations.

Mr. Pikus asked if Mayor Shupe would be able to attend that meeting. Mr. Mingo liked the idea but stated that he would have to get back with him.

He also introduced his wife Donna Mingo who was also present.

COMMUNICATIONS

New Journal Article

Mr. Brooks referenced a recent article in the News Journal that reported that Milford was the fastest-growing large city or town in Delaware for 2013 according to U.S. Census population estimates released this week.

According to the report, Milford's population has increased more than 3% since 2012; the estimated population is 10,122.

Mayor Shupe agreed it was a very good article written by Nicole Dobo who had contacted him for his input. The day after it was released, he received an e-mail from State Director of Economic Development Alan Levin congratulating him on the article.

He said he welcomes any areas where we can get some press about economic development.

Mosquito Control Spraying

Mayor Shupe read the following DNREC news release into record:

Weather permitting the Mosquito Control Section is planning the following insecticide application during the evening hours on Tuesday, May 27, 2014 and during the morning hours of Wednesday, May 28, 2014.

Application with a truck-mounted sprayer to control adult mosquitoes will be in Milford, as well as some other towns.

All insecticides to be used are registered with the USEPA for mosquito control and will be applied according to USEPA approved label instructions. The USEPA has determined that the insecticides to be used do not pose unreasonable risks to human health, wildlife, or the environment.

Sitel

Mayor Shupe announced that Sitel contacted him for a meeting last week. They informed him they will be hiring one hundred customer service agents in June at their facility in the old Walmart building off Route 113. The company provides services for Fortune 500 companies across the company.

UNFINISHED BUSINESS

Planning Commission Vacancy/Appointment of Commissioner

Mayor Shupe spoke with the city manager and the 4th Ward Council Representatives regarding the vacancy. He is considering a few people and will be presenting their resumes at a later meeting.

NEW BUSINESS

Bid Award/SE Milford Elevated Storage Tank Project/Public Works Department/DBF, Incorporated

The following sealed bids were received on May 9, 2014 for the general construction of the Southeast Milford Elevated Storage Tank Project, DBF Contract No. 052A138:

<i>Bidder</i>	<i>Base Bid</i>
Phoenix Fabricators & Erectors, Incorporated	\$2,250,350.00
Chicago, Bridge & Iron (CB&I), Incorporated	\$2,264,330.00
Caldwell Tanks, Incorporated	\$2,276,000.00

Davis, Bowen and Friedel, Incorporated over saw the project on behalf of the city. The following recommendation was received from P.E. Randy Duplechain:

Bids for the above-referenced project were received on May 9, 2014. We have evaluated the bids and the associated information submitted by each of the Contractors. Please find enclosed a tabulation of the three (3) project bids received.

Based on our review of the bids we have found that the low bidder, Phoenix Fabricators & Erectors, Inc. (PFE) of Avon Indiana, did not meet the experience requirements set forth in the project specifications. The experience requirements are stated as follows:

"Bids will be received only from experienced tank contractors who have furnished and erected at least five new single pedestal spheroid elevated tanks of equal or greater capacity. A letter shall accompany the bid listing five such tanks including the name of the owner, contact name, phone number, the capacity, location and year completed. Tank contractors must have done all their own design, fabrication, and field erection to be considered a representative project. Subcontracting of any of these critical items will not be considered representative of the level of experience necessary to bid as an experienced tank provider for this contract."

The experience information received with the bid from PFE included only two tanks of equal size to the 750,000 gallon spheroidal type tank proposed for this project. One of these tanks is presently under construction in Fall River, Massachusetts, and therefore not yet complete. The other tank was constructed in 1998 in Bluffton, Indiana.

Based on the lack of experience provided by PFE we evaluated the bid from the second lowest bidder, CB&I, Inc. CB&I is a worldwide company with their closest branch office located in New Castle, Delaware. The experience information provided by CB&I well exceeded the criteria required for this project. From the six page list of CB&I's elevated storage tank experience submitted with their bid, 35 storage tanks were equal to or greater in size to 750,000 gallon tank proposed. Also, our company has direct experience with CB&I, having worked with them on a number of elevated storage tank projects on the Delaware and Maryland Eastern Shore.

Additionally, CB&I has worked for the City of Milford in the past having been the contractor for both the 500,000 gallon 10th Street Tank constructed in 1987 and the 250,000 gallon L.D. Caulk tank constructed in 1999. We, therefore,

recommend award of the S.E. Milford Elevated Storage Tank project to CB&I, Inc. for the estimated amount of \$2,264,330.00.

Should City Council agree with our recommendation, the formal award of the Contract should be made contingent on USDA's approval of the bid process. We have attached one (1) copy of each set of bid documents, the bid tabulation, and the proof of advertisement to bid. A second copy of these documents will be submitted directly to the City's attorney upon the vote by City Council to award this project.

Erik Retzlaff of DBF was in attendance and reported this was part of the Southeast Water Extension Project.

The proposal required the successful bidder to submit five examples of projects of equal or larger sized tanks they have constructed. The low bidder, Phoenix Fabricators & Erectors (PFE) of Avon, Indiana did not meet this experience requirement due to submitting only two equal tanks of which one is still under construction. Therefore, PFE was removed from consideration for award.

Following a thorough review of the next lowest bidder, it was decided to recommend the bid be awarded to CB&I in the amount of \$2,264,330.

Mr. Retzlaff reported a 750,000 gallon tank is being constructed which is 50% larger than the city's biggest 500,000 gallon tank at NE Tenth Street. Besides providing additional pressure, the tank will allow other facilities to be taken off line for maintenance. Currently, that ability is limited.

Mr. Pikus noted that this will take a little more than 15 months to complete.

The city manager advised that additional treatment will also be provided at this tower.

Mr. Pikus asked the time frame on the Wickersham subdivision. Mr. Retzlaff advised that their subdivision has been recorded and the property for the water tower turned over to the city. DBF is currently designing the substation for the sewer which will now be constructed on city land.

Mr. Brooks moved to award the bid to CB&I in the amount of \$2,264,330, seconded by Mr. Morrow. Motion carried.

Mr. Carmean thanked Lisa Fitzgerald of the USDA for her assistance in this project. The city manager reminded council this project has been on hold since 2008 just as the substation project was. When he returned to work, he received a letter from the USDA who was very upset the project had not been started. He and Ms. Fitzgerald worked together until everything was in place.

Tenth Street Water Tower

When asked whether our Water Tower Maintenance agreement will address the mildew problem at the Tenth Street Water tower, Mr. Retzlaff advised that tower is scheduled for pressure washing within the next few months. Each year, one tank is to be recoated and the other two cleaned.

Mr. Retzlaff recalled the Tenth Street Water Tower being repainted approximately four years ago.

Finance Committee FY 2014-2015 Budget Hearing Dates

Finance Chairman Pikus advised the annual budget hearings will be held June 17th and June 18th at city hall.

House Bill 333/Limitation of Municipal Taxing Powers

Mayor Shupe reported that this bill is pending in the state legislature and will limit Delaware municipalities' taxing authorities.

The mayor then read the following synopsis:

§ 11(a), Article VIII, of the Delaware Constitution provides that "No tax ... may be imposed or levied except pursuant to an Act of the General Assembly adopted with the concurrence of three-fifths of all members of each House."

He explained that if Milford were to raise taxes, we would need approval of our Delaware Legislators which is a concern to him.

City Solicitor David Rutt advised this bill is the result of a decision of the Court of Chancery on an issue that arose in Dewey Beach. They passed a licensing fee for businesses which was challenged as being a tax in comparison to a licensing fee.

According to Mr. Rutt, the town essentially agreed it was a tax.

The court stated this was a power of the municipality under the "all powers" clause that all Delaware charters have. Milford's charter reads as follows:

"The City of Milford shall have all powers possible for a city to have under the constitution and laws of this State as fully and completely as though they are specifically enumerated in this Charter."

Mr. Rutt then explained that under Delaware law, the general assembly delegates powers to lower governments such as municipalities and counties. The all powers clause in the Dewey charter allowed them to pass the licensing fee.

He said the court goes through a detailed history of the all powers clause and how municipalities have the authority and power to raise revenue in certain ways. This bill says there is a limitation on municipal taxing powers. It states that every municipal corporation in this state, regardless of population, shall only have the power to impose, levy, assess or collect a tax of any kind as expressly authorized in its municipal charter or this title.

It further states that all powers shall not be construed as exempting a corporation from that limitation. He explained that it essentially says that any fee a municipality wants to impose must be approved by the general assembly by both the house and senate by a 3/5 vote.

Mr. Rutt agrees it will take away quite a few of the powers and especially those granted under home rule to municipalities throughout the state.

It was confirmed the bill was sponsored by Representative Schwartzkopf along with Senator Blevins, Representative Atkins, Dukes, Gray, Hudson, Jaques, Keeley, Longhurst, Viola, Williams, Wilson and Senator Lopez, Poore and Townsend

Mr. Rutt believes some of the sponsors have started to back off due to the opposition from most municipalities. He has even heard some rumblings that some of the smaller municipalities are threatening to turn their charters back to the state stating 'if you want us, you got us'.

He feels this could strip away some of the powers that municipalities have to raise revenue if it is passed.

Mr. Pikus asked if the Court of Chancery ruling has been appealed; Mr. Rutt is unaware if that has occurred. Mr. Rutt explained that the delegation of powers was answered in the case of Sussex County vs. DNREC. DNREC had imposed regulations that set buffers on inland bays. Superior Court determined they could not do that and the opinion of the Supreme Court stated if the General Assembly delegates power to a municipality/county, another entity or government agency (DNREC) could not overstep that. The only way it could occur was if they had powers delegated to them.

Therefore, the whole issue of delegation of powers, under the constitution, has been answered by the Supreme Court.

Mr. Rutt suspects when the Chancery Court decision came out, they decided to go a different avenue and try and get the law changed as opposed to fighting in court.

Both the League of Local Governments and SCAT are opposed to the bill.

Mr. Carmean agrees it flies in the face of home rule and asked how the State of Delaware would feel if the federal government was taking their rights away unless congress approved it.

Mr. Brooks pointed out the number of regulations already imposed by the various agencies in the state though they never offer the city any money to assist with those changes.

Mayor Shupe emphasized the need to be partners with the State of Delaware. He only brought it to council because he feels we need to be aware of what is occurring and perhaps discuss with our state legislators. He has already been in contact with our local legislators to express our concerns should the bill be passed as it is currently written.

As new information is received, he will make sure council is made aware of it in addition to the public.

The recent tax increase created by the ten-year reassessment of property was referenced and the question asked whether that process would be affected by this law. Mr. Rutt explained that our charter lays out a specific plan for reassessment and taxation of real properties. That would not be impacted because it is a specific delegation of power. The all powers clause was challenged in this case which is rather broad. It was indicated the business licensing fee was not a specific delegation. As a result, they claimed it was illegal.

The court ruled that the all powers clause/phrase did give them the right to do that.

The solicitor emphasized that Milford's tax on real estate would not be affected because it is specifically laid out in the charter.

The city manager stated that the charter does not allow us to raise taxes through the reassessment process. Instead, the tax rate needs to be rolled back if the values increase. He asked if we could still increase taxes after that occurs. Mr. Rutt said he read the charter and believes that can still happen.

Milford Armory Building

Mayor Shupe announced that State Representative Harvey Kenton contacted the city manager and himself to find out if the city was interested in the 3.4 acre Milford Armory property on North Walnut Street. He said the state is interested in selling the property. A time was arranged for himself, City Manager Carmean and Chief Hudson to tour the armory. He informed council the building is old but in decent shape. There are a number of outbuildings that could actually be useful to the city.

Mayor Shupe confirmed that Representative Kenton stated the state would be willing to sell the property to the city for \$1. They want the property off their rolls and no longer want to maintain the property. The only condition is the building would have to be used for public use. If the city decides to sell the property in the future, the state would have the first right of refusal.

He reported that with the end of the legislative session quickly approaching, a decision needs to be made. As a result, they gave Senator Kenton a tentative yes until it could be brought before city council.

City Manager Carmean reported that Milford School District was offered the property, but because of the recent referendum failure, the board declined the offer because they felt the cost of maintaining and repairing building would outweigh the benefits of the additional space.

In the meantime, they offered the property to a number of state agencies, including DNREC, and no one was interested. At that time, Representative Kenton contacted the city. Mr. Carmean scheduled a tour with Mayor Shupe, Chief Hudson, Lieutenant Brown, Public Works Director Brad Dennehy, Streets Superintendent Tim Webb, Councilman Pikus and Councilman Morrow. The consensus was that for the price of \$1, it was a great deal for the city.

He noted the rear buildings are large and in excellent condition. There is a large ramp that would be ideal for use by our dump and trash trucks. Also included is an expensive high pressure washing system and the setup is such that these trucks could be easily washed.

Though the roof has leaked, it has since been repaired and all windows recently replaced.

The Parks and Recreation Director was unable to attend though he is very familiar with the property. There is a gym in the main building and Mr. Emory had previously indicated they had used it for their programs which could be done again.

Mr. Carmean recommends the city proceed with the acquisition of the armory.

Mayor Shupe agreed that the Public Works Department would also be able to use the building for storage in addition to cleaning their large trucks.

Mr. Pikus pointed out there are only fourteen days left in this legislative session and asked if a motion was needed. Mr. Carmean advised that the general assembly had Representative Kenton and Senator Simpson present a bill to release the property to the City of Milford. That will need to pass though both legislators believe it will not be a problem.

Mr. Pikus stated the building has the potential for a multitude of uses. He then moved that the city accept the offer to acquire the Milford Armory property for \$1, seconded by Mr. Gleysteen. Motion carried.

EXECUTIVE SESSION

Pursuant to 29 Del. C. §10004(b)(9) Personnel matters in which the names, competency and abilities of individual employees or students are discussed.

Mr. Pikus moved to go into Executive Session reference a pension matter, seconded by Mr. Brooks. Motion carried.

Mayor Shupe recessed the Council Meeting at 7:41 p.m. for the purpose of an Executive Session as permitted by Delaware's Freedom of Information Act.

Return to Open Session

City Council returned to Open Session at 7:51 p.m.

Early Buy Back/General Obligation Bonds, Series of 2005/Funding Approval

Mr. Pikus recommends we pay off our 2005 bonds, which would be payable in 2019. By paying the bonds off early, the city is saving approximately \$320,000 a year. The city will see a substantial annual savings which is fiscally responsible in his opinion.

Mr. Pikus moved for the early payoff of the General Obligation Bonds, Series of 2005 with electric reserves, seconded by Mr. Morrow. Motion carried.

Personnel/Pension Matter/Funding Approval

Mr. Pikus moved to approve funding the pension matter discussed in executive session by using the first year of savings resulting from paying off our outstanding 2005 General Obligation Bonds with electric reserves and eliminating those annual payments. Mr. Gleysteen seconded motion. Motion carried.

Purchase Power Cost Adjustment

Mr. Carmean announced that we have been able to remove the purchase power cost adjustment off our industrial and larger user accounts which is .5 cents per kilowatt. This is a substantial savings to our large use customers. Since December, our revenue streams have been adequate and allowed the city manager to remove that fee. In the future, this could be another fund of revenues that may allow us to continue this for our businesses which will help with economic development and stabilization of some of our larger employers.

He reported that he and Finance Director Portmann will recommend that for the future.

He noted that the .5 cents removal was like a gift that we continued to give through the May bills.

Mr. Gleysteen asked at what level the city considers a customer to be a large user as far as dollars or amount of power. Mr. Carmean informed Mr. Gleysteen that he is affected by this. He noted that Mr. Gleysteen is considered manufacturing and his business would be involved. Some of the larger commercial businesses such as restaurants will also see a savings. He emphasized it is not restricted to Perdue, Sea Watch, etc. and instead trickles down to manufacturing and similar businesses.

The city manager recalled when the city was sought out for an electric takeover. Mr. Carmean said at the time, those prices that were offered would not hold. That company has since had numerous rate increases and he predicts more will come. Council did the right thing by refusing the offer and keeping our electric business in house.

ADJOURN

With no further business, Mr. Pikus moved to adjourn the Council Meeting, seconded by Mr. Starling. Motion carried.

The Council Meeting adjourned at 7:55 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder