

City of Milford



CITY COUNCIL AGENDA

August 24, 2015 - 7:00 P.M.

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

WORKSHOP

Call to Order - Mayor Bryan Shupe

Downtown Milford, Incorporated Quarterly Report/Executive Director Lee Nelson

Solid Waste Ordinance/Yard Waste Fee Amendment

Review/Training & Travel Policy (Postponed)*

Adjourn

COUNCIL MEETING

Call to Order - Mayor Bryan Shupe

Invocation

Pledge of Allegiance

Recognition

Communications

Unfinished Business

Monthly Finance Report-June 2015

Adoption/Ordinance 2015-15/Chapter 88-Building Construction/Fees

Adoption/Resolution 2015-19/Building Permit Fees

Appointment/City Charter Review Committee

Adoption/Resolution 2015-20/Authorizing DNREC Wastewater Asset Management Grant

Adoption/Resolution 2015-21/Authorizing DHSS Drinking Water Asset Management Grant

Streets Crew Leader/Job Description

New Business

Milford Parade Committee/Use of City Property

Authorize/Submission Surface Water Matching Planning Grant*

FY 2015-2016 Budget Adjustment/Parks & Recreation Capital Increase*

Introduction/Ordinance 2015-16/City of Milford Comprehensive Plan Amendment #3**

Planning Commission Reappointments

Board of Adjustment Reappointment

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 (Employee Matter)

Employee Matter

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.

070715 072815 081015 081115 081215 *082115 **082115 Late Addition/Omitted in Error



Activity Highlights
January 1 to June 30, 2015

A very active first six months in our 30 block downtown area. Our volunteer driven focus on quality of life, economic development and historic preservation in downtown Milford is highlighted by:

Volunteer hours and investment value

Our **200+ dedicated volunteers** contributed **3,724 hours** or **14% more** than the same period in 2014 (3,258 hours) focusing on downtown Milford only.

Volunteer investment value for the six months: **\$85,649** (per Delaware Economic Development Office).

This is the dollar and community involvement value of DMI's contribution to improving downtown Milford.

Improve quality of life in downtown Milford

We hosted **7 special events** which successfully attracted approximately **10,700 visitors/guests** to our downtown area and continued to improve and diversify our local quality of life. These were:

- **March** - 5th St. Patrick Day 'Toasting the Town'(March 14) and 3rd and final unveiling "Augusta" public art event (March 22)
- **April** - 13th Bug Bud Festival (April 25) and 2nd Flowers and Feathers BBQ (April 4)
- **May** - 1st Historic Preservation Group's 'Roaring 20's' Party (May 16) and 5th 'Milford In Bloom' planting (May 17)
- **June** - 1st Brewgrass Festival (June 14).

DMI and downtown businesses

20th Riverwalk Farmers Market – Opened May 3. In first 10 weeks (out of 24 weeks), we had **3,608 visitors** to 29 local vendors **selling \$62,492** in diversified produce and products. If this run rate continues, we project **46% visitor growth**, 56% vendors increase and **54% increased sales by vendors** over 2014. Guests visit local businesses while downtown for their market shopping.

Supported DEDO funded **one on one marketing coaching** by business consultant Marge Johnson with Patty Cakes, Milford Antiques & Friends and Irish Rose.

DMI looking forward in 2015

Diversity Project: DEDO/AmeriCorps/National Main Street/DMI partnership. AmeriCorps VISTA Noa Kornbluh arrived June 22 for 1 year assignment. Will create, guide and implement partnerships and business development with downtown minority owned businesses and existing organizations.

3rd Project Pop-Up. DEDO/DMI partnership. Three properties have applied to participate in this very successful local business development program.

5 upcoming events: 3rd Eat in the Street (Sept 20). Farmers Market – Fall Market (Nov 21). 2nd Shop Small Saturday (Nov 28). Santa Claus House (Nov 28–Dec 20). Holiday Stroll (Dec 4).

Conclusion

Productive and successful first six months of 2015 in DMI's continuing efforts to make Milford a great place to live, work, play and shop. We are Milford.

ADOPTED March 9, 2015:

ARTICLE III. YARD WASTE

193-12. 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.

193-13. Containers Required;

- A. Depositing or placing any yard waste or matter into any garbage container, recycling container or on any city street or in a drainage gutter is prohibited.
- B. Mandatory Additional Yard Waste Container.
 - (1) Any additional yard waste found outside container will not be picked up. Excessive yard waste will be tagged and customer informed of pending additional yard waste container issuance.
 - (2) Additional container delivery and associated fee will be triggered by two (2) consecutive incidents related to excessive yard waste or three (3) incidents in any rolling six months period.
 - (3) Payment for additional yard waste container will be the responsibility of customer until account is terminated.

193-14. Collection Procedures

- A. The city will collect yard waste provided that such yard waste is deposited into the yard waste containers issued by the city. Disposal of yard waste that will not fit into the container shall be the responsibility of the customer.
- 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.

193-15. Collection Schedule.

- A. The city will collect yard waste as described in Section 193-14A every two weeks.
- B. The loose leaf curbside collection as described in Section 193-14B will be collected once each week.

TRASH CAN

TO; MAYOR CITY OF MILFORD

APRIL 21, 2015

MEMBERS OF THE CITY COUNCIL
CITY OF MILFORD , DELAWARE 19963

SUBJECT ; ADDITIONAL YARD WASTE CONTAINER
ACCOUNT # 29165-12530\SERVICE ADDRESS 15 W THRUSH DR

SEVERAL YEARS AGO THE CITY OF MILFORD PASSED AN ORDINANCE AND PROVIDED EVERY HOME OWNER , THAT REQUESTED , A TRASH CAN FOR THE PURPOSE OF YARD WASTE REMOVAL.

HOMEOWNERS WERE RESTRICTED IN THE SENSE THAT ALL THIS WASTE HAD TO BE IN THE CAN ITSELF.

THOSE HOME OWNERS WHO GARDENED, OR HAD NEED OF AN ADDITIONAL CAN , WERE SPECIFICALLY INFORMED THAT THEY COULD PURCHASE AN ADDITIONAL CAN AT THE PRICE OF SIXTY DOLLARS FOR USE OF DISPOSING THIS YARD WASTE.

IN FACT, THIS WAS A COMMITMENT BETWEEN THE CITY OF MILFORD, DELAWARE , AND THE HOME OWNER AS IT WAS A ONE TIME FEE, PAID BY THE HOMEOWNER TO THE CITY , FOR THIS RIGHT AND PRIVILEGE. NOW THE CITY WANTS TO CREDIT ME AND ALL OTHERS INVOLVED IN THIS " CONTRACT" WITH A REFUNDING OF THE PRICE PAID FOR THIS YARD WASTE CONTAINER , ALONG WITH THE RIGHTS TO PLACE AT CURBSIDE , YARD WASTE THAT NEEDS TO BE DISPOSED . AS REQUIRED BY THE CITY. I WISH TO PROTEST THIS AGREEMENT AS I PAID MY MONEY IN GOOD FAITH AS I TRUSTED THE CITY TO LIVE UP TO ITS END OF AN AGREEMENT WITH ALL OF ITS CITIZENS. IN THIS MATTER.

NOW I AM FACED WITH A DFFICULT CHOICE TO , USING YOUR WORDS, 'TERMINATE THE ADDITIONAL CONTAINER I CURRENTLY HAVE' OR, YOU INTEND TO CHARGE ME WITH A NEW ADDITIONAL , MONTHLY YARD WASTE SERVICE.

I DO NOT WISH TO TERMINATE THE UNDERSTANDING AND AGREEMENT WITH THE CITY IN WHICH I PAID FOR THE ADDITIONAL YARD WASTE

TRASH CAN

CONTAINER,

NOR DO I WISH TO BE ENGAGED IN A NEW MONTHLY YARD WASTE PROPOSAL THAT YOU INDICATE IN YOUR LETTER TO ME.

SINCE I AM A GARDENER, HAVE A NEAT AND PLEASING TO THE EYE LANDSCAPPING, I WANT TO MAKE YOU REALIZE I DID THIS FOR THE PURPOSE OF ENHANCING MY PROPERTY, MY NEIGHBORS PROPERTY, AND TO ENHANCE THE BEAUTY OF THE CITY ITSELF.

I BELIEVE, A NEAT, CLEAN, HOUSING THAT REFLECTS A FEELING OF OTHERS TO MOVE TO MILFORD IS TO THE CITIES OVERALL BENEFIT. TO THIS END, I DO MY BEST.

NOW I AM FORCED TO DESTROY MY PLANTINGS AND GARDENS THAT I THOUGHT,

AS DO MANY OTHERS, TO CONFORM TO A DECISION OF THE CITY COUNCIL TO MANDATE THAT IF IT WILL NOT FIT INTO THE CONTAINER, PICKED UP EVERY TWO WEEKS I AM FORCED TO EITHER PAY ADDITIONAL FUNDS EVERY MONTH TO THE CITY AS ORDERED, OR FACE THE PENALTY OF NOT HAVING A METHOD OF DISPOSING THIS YARD WASTE, AS USAGE OF THE ADDITIONAL CAN I HAD PURCHASED FROM YOU FOR THIS VERY PURPOSE.

I WILL NOT PAY EXTRA MONEY FOR A BASIC CITY SERVICE TO ENHANCE THE

QUALITY OF LIFE IN THIS CITY, AND WISH TO EXPRESS THE VIEW THAT THIS SITUATION IS NOT BEING HANDLED WITH THE THOUGHTS OF THE BEST INTEREST OF THE CITY TO MAINTAIN A QUALITY OF LIFE THAT I HAS THOUGHT WAS UTILIZED IN THE BASIC, OPERATIONS OF CITY SERVICES.

YOU REALIZE THAT YOU SEND A MESSAGE TO THE PUBLIC THAT THEY ARE NOT WELCOME TO MILFORD, TO HAVE HOME OWNERS CREATE LANDSCAOING

THAT IS BEAUTYFULL OR PLEASING TO THE EYE, UNLESS IT FITS INTO A SINGLE CONTAINER, KNOWING FULL WELL, THAT GRASS CUTTINGS IS BELIEVED

BY MANY, TO SMOTHER THE LAWN, CREATING THATCH WHICH MUST THEN BE

REMOVED, AND PREVENTS CUTTING AND SHAPING PLANTS SUCH AS ROSES AND BUSHES.

I ASK THAT YOU REVIEW YOUR DECISION AS IT PERTAINS TO THIS EXTRA

TRASH CAN

DOLLAR CHARGE THAT IS PAID BY HOMEOWNERS IF THEY REALLY HAVE,
IN THEIR MIND, A NEED FOR TWO CANS, WHICH THEY PAID AN EXTRA
SIXTY

DOLLARS TO COVER THE COST OF THE CAN ITSELF.

BUT I REFUSE FOR ANY, AND ALL REASONS, TO PAY THIS MANDATTED
SPECIFIC, FEE.

RESPECTFULLY

Paul Goldstein

PAUL GOLDSTEIN
15 WEST THRUSH DRIVE
MILFORD DELAWARE 19963
302 422 2579

**CITY OF MILFORD
FUND BALANCES REPORT**

Date: June 2015

Cash Balance - General Fund Bank Balance
 Cash Balance - Electric Fund Bank Balance
 Cash Balance - Water Fund Bank Balance
 Cash Balance - Sewer Fund Bank Balance
 Cash Balance - Trash Fund Bank Balance

	General <u>Improvement</u>	Municipal <u>Street Aid</u>	Real Estate <u>Transfer Tax</u>	Solid Waste <u>Reserves</u>
Beginning Cash Balance	391,027	1,080,108	1,640,726	0
Deposits	117,128		30,962	
Interest Earned this Month	67	162	245	
Disbursements this Month	(60,404)	(3,244)	(41,667)	
Investments				250,000
Ending Cash Balance	\$447,818	\$1,077,026	\$1,630,266	\$250,000

	GF Capital <u>Reserves</u>	Water Capital <u>Reserves</u>	Sewer Capital <u>Reserves</u>	Electric <u>Reserves</u>
Beginning Cash Balance	741,239	5,392,994	3,088,293	4,898,676
Deposits	50,000	366,006	220,790	174,630
Interest Earned this Month	124	383	227	377
Disbursements this Month	(11,247)		(124,930)	(745,230)
Investments	250,000			
Ending Cash Balance	\$1,030,116	\$5,759,383	\$3,184,380	\$4,328,453

	Water <u>Impact Fee</u>	Sewer <u>Impact Fee</u>	Electric <u>Impact Fee</u>	Economic Development <u>Fund</u>
Beginning Cash Balance	1,275,782.00	851,269	362,140	1,016,231
Deposits	9,712	5,132	2,400	
Interest Earned this Month				
Disbursements this Month				
Investments				
Ending Cash Balance	\$1,285,494	\$856,401	\$364,540	\$1,016,231

INTEREST THROUGH THE TWELTH MONTH OF THE FISCAL YEAR:

General Fund	11,721	Water Fund	4,006
GF Capital Reserves	1,366	Water Capital Reserves	4,129
Municipal Street Aid	1,823	Sewer Fund	1,718
Real Estate Transfer Tax	2,565	Sewer Capital Reserves	2,447
Electric Fund	7,413	Trash Fund	6,871
Electric Reserves	4,083		

TOTAL INTEREST EARNED TO DATE \$48,142

REVENUE REPORT

Page Two

Date: June 2015	AMOUNT BUDGETED	MTD	YTD	100% of Year Expended YTD%
ACCOUNT				
Economic Development Fund	205,578	27,838	72,948	35.48%
General Fund Reserves	94,245	448	74,989	79.57%
Realty Transfer Tax-Police	520,000	61,667	520,000	100.00%
Real Estate Tax	3,769,010	1,682	3,700,683	98.19%
Business License	40,000	1,075	35,800	89.50%
Rental License	85,000	600	83,950	98.76%
Building Permits	60,000	7,473	61,303	102.17%
Planning & Zoning	21,737	13,295	29,744	136.84%
Grasscutting Revenue	23,000	1,000	23,000	100.00%
Police Revenues	502,000	87,234	506,084	100.81%
Misc. Revenues	267,460	129,711	291,490	108.98%
Transfers From	3,215,480	267,956	3,215,480	100.00%
Total General Fund Revenues	\$8,803,510	\$599,979	\$8,615,471	97.86%
Water Revenues	2,655,351	224,535	2,652,666	99.90%
Sewer Revenues	2,659,860	194,324	2,460,119	92.49%
Kent County Sewer	1,700,000	136,436	1,700,971	100.06%
Solid Waste Revenues	1,090,545	88,792	1,065,963	97.75%
Electric Revenues	24,669,500	2,136,278	25,600,169	103.77%
TOTAL REVENUES	\$41,578,766	\$3,380,344	\$42,095,359	101.24%
YTD Enterprise Expense	87,887			
YTD Enterprise Revenue	83,886			
LTD Carlisle Fire Company Building Permit Fund		110,190		

EXPENDITURE REPORT

Page Three

Date: June 2015

100% of Year Expended

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	YTD%	UNEXPENDED BALANCE
City Manager					
Personnel	446,455	\$99,717	467,892	104.80%	(21,437)
O&M	191,608	\$5,734	127,647	66.62%	63,961
Capital	14,995	\$0	14,995	100.00%	0
Total City Manager	\$653,058	\$105,451	\$610,534	93.49%	42,524
Planning & Zoning					
Personnel	130,127	\$18,815	78,552	60.37%	51,575
O&M	81,568	\$17,488	56,321	69.05%	25,247
Capital	0	\$0	0		0
Total P, C & I	\$211,695	\$36,303	\$134,873	63.71%	76,822
Code Enforcement & Inspections					
Personnel	147,175	\$20,349	145,697	99.00%	1,478
O&M	60,900	\$17,550	48,220	79.18%	12,680
Capital	0	\$0	0		0
Total P, C & I	\$208,075	\$37,899	\$193,917	93.20%	14,158
Council					
Personnel	31,225	\$4,375	27,088	86.75%	4,137
O&M	44,712	\$2,362	45,779	102.39%	(1,067)
Council Expense	16,870	\$312	16,231	96.21%	639
Contributions	211,000	\$0	211,000	100.00%	0
Codification	4,461	\$0	4,459	99.96%	2
Employee Recognition	9,369	\$0	9,368	99.99%	1
Insurance	31,000	\$0	36,670	118.29%	(5,670)
REDLG Program	60,000	\$0	0	0.00%	60,000
Armory Expenses	18,050	\$49	11,247	62.31%	6,803
Total Council	\$426,687	\$7,098	\$361,842	84.80%	64,845
Finance					
Personnel	352,620	\$41,380	347,839	98.64%	4,781
O&M	61,085	\$7,269	47,948	78.49%	13,137
Capital	0	\$0	0		0
Total Finance	\$413,705	\$48,649	\$395,787	95.67%	17,918
Information Technology					
Personnel	181,080	\$13,236	113,111	62.46%	67,969
O&M	180,765	\$9,223	175,476	97.07%	5,289
Capital	85,430	\$0	84,818	99.28%	612
Total Information Technology	\$447,275	\$22,459	\$373,405	83.48%	73,870

EXPENDITURE REPORT

Page Four

Date: June 2015

100% of Year Expended

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	YTD%	UNEXPENDED BALANCE
Police Department					
Personnel	3,811,255	\$431,539	3,714,722	97.47%	96,533
O&M	519,015	\$35,136	452,753	87.23%	66,262
Capital	121,200	\$50,116	120,697	99.58%	503
Total Police	\$4,451,470	\$516,791	\$4,288,172	96.33%	163,298
Streets & Grounds Division					
Personnel	442,810	\$44,512	391,397	88.39%	51,413
O&M	448,132	\$29,349	402,535	89.83%	45,597
Capital	82,343	\$0	74,444	90.41%	7,899
Debt Service	20,520	\$1,313	20,520	100.00%	0
Total Streets & Grounds	\$993,805	\$75,174	\$888,896	89.44%	104,909
Parks & Recreation					
Personnel	604,225	\$81,092	601,494	99.55%	2,731
O&M	251,515	\$8,164	232,175	92.31%	19,340
Capital	142,000	\$0	139,556	98.28%	2,444
Total Parks & Recreation	\$997,740	\$89,256	\$973,225	97.54%	24,515
Total General Fund					
Operating Budget	\$8,803,510	\$939,080	\$8,220,651	93.38%	582,859

EXPENDITURE REPORT

Page Five

Date: June 2015

100% of Year Expended

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	YTD%	UNEXPENDED BALANCE
Water Division					
Personnel	281,615	\$33,113	281,266	99.88%	349
O&M	1,056,516	\$70,944	850,653	80.51%	205,863
Capital	347,000	\$227,000	252,000	72.62%	95,000
Debt Service	970,220	\$199,585	970,210	100.00%	10
Total Water	\$2,655,351	\$530,642	\$2,354,129	88.66%	301,222
Sewer Division					
Personnel	281,615	\$33,110	281,247	99.87%	368
O&M	1,194,475	\$96,580	1,081,055	90.50%	113,420
Capital	612,500	\$207,590	235,941	38.52%	376,559
Debt Service	571,270	\$152,626	573,254	100.35%	(1,984)
Sewer Sub Total	\$2,659,860	\$489,906	\$2,171,497	81.64%	488,363
Kent County Sewer	1,700,000	\$136,436	1,700,962	100.06%	(962)
Total Sewer	\$4,359,860	\$626,342	\$3,872,459	88.82%	487,401
Solid Waste Division					
Personnel	371,835	\$43,110	364,714	98.08%	7,121
O&M	718,710	\$37,253	643,445	89.53%	75,265
Capital	0	\$0	0		0
Total Solid Waste	\$1,090,545	\$80,363	\$1,008,159	92.45%	82,386
Total Water, Sewer Solid Waste					
	\$8,105,756	\$1,237,347	\$7,234,747	89.25%	871,009
Electric Division					
Personnel	1,210,610	\$121,634	1,125,400	92.96%	85,210
O&M	1,723,380	\$123,498	1,453,784	84.36%	269,596
Transfer to General Fund	2,500,000	\$208,333	2,500,000	100.00%	0
Capital	335,855	\$161,429	305,095	90.84%	30,760
Debt Service	399,655	\$95,572	397,632	99.49%	2,023
Electric Sub Total	\$6,169,500	\$710,466	\$5,781,911	93.72%	387,589
Power Purchased	18,500,000	\$1,701,488	19,463,111	105.21%	(963,111)
Total Electric	\$24,669,500	\$2,411,954	\$25,245,022	102.33%	(575,522)
TOTAL OPERATING BUDGET	\$41,578,766	\$4,588,381	\$40,700,420	97.89%	878,346

INTERSERVICE DEPARTMENTS REPORT

Page Six

Date: June 2015

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	100% of Year Expended YTD%	UNEXPENDED BALANCE
Garage					
Personnel	84,085	9,600	83,238	98.99%	847
O&M	69,965	(6,182)	47,794	68.31%	22,171
Capital	40,000	0	32,012	80.03%	7,988
Total Garage Expense	\$194,050	3,418	\$163,044	84.02%	31,006
Public Works					
Personnel	198,550	8,460	110,132	55.47%	88,418
O&M	201,160	11,959	150,978	75.05%	50,182
Capital	6,000	0	0	0.00%	6,000
Total Public Works Expense	\$405,710	20,419	\$261,110	64.36%	144,600
Billing & Collections					
Personnel	522,210	59,053	514,964	98.61%	7,246
O&M	229,785	10,281	205,919	89.61%	23,866
Capital	0	0	0		0
Total Billing & Collections	\$751,995	69,334	\$720,883	95.86%	31,112
City Hall Cost Allocation					
Personnel	0	0	0		0
O&M	61,530	2,822	50,430	81.96%	11,100
Capital	0	0	0		0
Total City Hall Cost Allocation	\$61,530	2,822	\$50,430	81.96%	11,100

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.



Sussex County Association of Towns

P.O. Box 589 Georgetown, DE 19947

- Town of Bethany Beach*
- Town of Bethel*
- Town of Blades*
- Town of Bridgeville*
- Town of Dagsboro*
- Town of Delmar*
- Town of Dewey Beach*
- Town of Ellendale*
- Town of Fenwick Island*
- Town of Frankford*
- Town of Georgetown*
- Town of Greenwood*
- Town of Henlopen Acres*
- Town of Laurel*
- City of Lewes*
- City of Milford*
- Town of Millsboro*
- Town of Millville*
- Town of Milton*
- Town of Ocean View*
- City of Rehoboth Beach*
- City of Seaford*
- Town of Selbyville*
- Town of Slaughter Beach*
- Town of South Bethany*
- Sussex County Council*

MEETING NOTICE

LOCATION: Sussex County Association of Realtors
23407 Park Avenue, Georgetown

DATE: Wednesday, September 9, 2015

TIME: 6:00 p.m. – Social
6:30 p.m. – Dinner

HOST: Sussex County Association of Realtors

SPEAKER: Paula Martino
REALTOR® Party Consultant for NAR
(National Association of Realtors)

COST: \$22.00

MENU: Dinner Buffet by THE BBQ DOCTORS

- Appetizers
- BBQ Chicken and Ribs
- Tossed Salad
- Cole Slaw
- Country Green Beans w/potatoes
- Baked Beans
- Macaroni and Cheese
- Dessert – Pie

RSVP to Cheryl at the Sussex County Association of Realtors office at 855-2300.

PLEASE RSVP BY WEDNESDAY, SEPTEMBER 2ND

Make checks payable to the Sussex County Association of Realtors. (Checks can be mailed to Sussex County Association of Realtors, 23407 Park Avenue, Georgetown, Delaware.)



DEMEC

Delaware Municipal Electric Corporation

22 Artisan Drive, PO Box 310, Smyrna, Delaware 19977 Phone 302 653-2733 Fax 302 653-2734

August 14, 2015

TO: DEMEC Board of Directors
FROM: Kimberly Schlichting, Sr. VP Operations & Power Supply
SUBJ: DEMEC 21st Annual Dinner

Enclosed are invitations to DEMEC's 21st Annual Dinner on **Wednesday, September 23rd** at the Dover Downs Hotel and Conference Center.

If you have not done so already, *please promptly distribute this invitation* to your elected officials; mayors and councils/boards.

The agenda for the day will be in keeping with years past:

4:00pm	Board Meeting
5:30pm	Social Hour
6:30pm	Dinner

As discussed by the board, this annual dinner will be used as a forum for DEMEC's second Joint Council Briefing. Therefore, please encourage their attendance.

Please also distribute the invitation to involved staff and utility committees.

We strongly encourage you to also invite your State elected officials that you want to keep informed about electric operations. *(Keep in mind that an invitation coming directly from the community they represent means more than an invitation coming from DEMEC alone.)*



The Board of Directors of
Delaware Municipal Electric Corporation
Cordially invite you to their
Twenty-first Annual Dinner

The Electric Utility of the Future

Speaker: Patrick E. McCullar, DEMEC President & CEO

Wednesday, September 23, 2015

Social Hour 5:30pm

Dinner 6:30pm

Dover Downs Hotel
1131 North DuPont Highway
Dover, Delaware 19901

R.S.V.P. by September 14, 2015
To: Stephanie Dove at (302) 653-2733 or
SDOVE@DEMECINC.Net



OFFICE OF THE MAYOR
BRYAN W. SHUPE
TELEPHONE 302-424-3712

201 S. WALNUT STREET
MILFORD, DE 19963
FAX 302-424-3558

August 17, 2015

Dear Business Leader:

An initiative driven under the Economic Strategic Plan adopted by City Council in 2011, the Milford Workforce Development Commission promotes work place experience for Milford High School students by providing work history, educational experiences and financial support to prepare them for college or technical training after graduation.

Research has revealed that two of three students that graduate from Milford High School do not return to the City of Milford after college. Although the city's emphasis has been on economic development and job creation, the City of Milford has tagged this statistic as a main focal point to prosperity. Working with school leaders, students and local businesses, the Workforce Development Commission hopes to increase the retention of young Milford leaders by connecting them with local leaders and introducing them to the opportunities available here at home.

The Work Development program allows Milford students to gain valuable work experience as local businesses assist the City of Milford and Milford School District in developing future leaders. To explain in more depth, it helps students develop skills associated with long-term success and prepares them for college or aids in offsetting expenses associated with further education. Understanding the financial needs of these students, the Workforce Development Commission has developed an agreement with the Delaware Community Foundation. In addition to the paycheck the student takes home, a fund is set aside for each student that can be used at the end of the program for future advancement. The student, the employer and the Workforce Development Commission each donate \$1 for every hour the student works for a total of \$3 per hour. It is estimated that a student beginning the program in their junior year could accumulate as much as \$4,800 for his/her future education and earn approximately \$13,000 while working in the program.

The Workforce Development Commission has already been successful with a relatively small number of participating employers. Unfortunately, there are many more qualified students who want to participate.

We are reaching out to you to help us obtain our goal of getting more employers signed on to help these well deserving students.

The support of our business community is vital. If you are interested in becoming a part of this rewarding partnership by providing a unique experience for a young man or woman, please contact David Markowitz at davengloria@verizon.net.

Sincerely,

Mayor Bryan W. Shupe

WWW.CITYOFMILFORD.COM

CITY OF MILFORD
ORDINANCE 2015-15
Chapter 88-Building Construction

WHEREAS, the City of Milford has adopted a Building Construction Code whose current standards reference the International Residential Code and the International Building Code; and

WHEREAS, said code proposes that a fee for each plan examination, building permit and inspection be fixed by City Council from time to time; and

WHEREAS, the purpose of the fees are to defray the municipal costs of administering the code.

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

Section 1.

Article I-International Residential Code-Chapter 88-Building Construction, of the Code of the City of Milford, is hereby amended by deleting and repealing §88-2(A)(3)(a) **Section R108 Fees.**

Section 2.

Article II-International Building Code-Chapter 88-Building Construction, of the Code of the City of Milford, is hereby amended by deleting and repealing §88-4(A)(4)(a) **Section 108 Fees.**

Section 3.

Article I-International Residential Code-Chapter 88-Building Construction, of the Code of the City of Milford, is hereby amended by inserting the following language:

Fee schedule. Permit fees shall be set by resolution adopted by City Council and maintained by the City Clerk's Office.

Section 4.

Article II-International Building Code-Chapter 88-Building Construction, of the Code of the City of Milford, is hereby amended by inserting the following language:

Fee schedule. Permit fees shall be set by resolution adopted by City Council and maintained by the City Clerk's Office.

Section 5.

Dates.

Introduction: August 10, 2015

Adoption (Projected): August 24, 2015

Effective: September 3, 2015

CHAPTER 88-Building Construction

Article I – International Residential Code

§ 88-2. - Additions, insertions and changes.

The following sections or portions are hereby revised as follows:

A. Chapter 1, Administration.

(3) Section R108, Fees.

(a) Add: **R108.2.1. Fee schedule.** A fee for each plan examination, building permit and inspection(s) shall be fixed, from time to time, by City Council.

Fee schedule. Permit fees shall be set by resolution adopted by City Council and maintained by the City Clerk's Office.

Article II – International Building Code

§ 88-4. - Additions, insertions and changes.

The following sections or portions are hereby revised as follows:

A. Chapter 1, Administration.

(4) Section 108, Fees.

(a) Add: **108.2.1. Fee schedule.** A fee for each plan examination, building permit and inspection(s) shall be fixed, from time to time, by City Council.

Fee schedule. Permit fees shall be set by resolution adopted by City Council and maintained by the City Clerk's Office.

City of Milford



RESOLUTION 2015-19

SECTION 88-2 AND SECTION 88-4 OF THE CITY OF MILFORD BUILDING CONSTRUCTION CODE CHAPTER 88 DOES NOT ESTABLISH A METHOD FOR CITY COUNCIL TO ESTABLISH BUILDING PERMIT FEES; ORDINANCE 2015-19 AUTHORIZES CITY COUNCIL, THROUGH RESOLUTION, TO ESTABLISH BUILDING PERMIT FEES.

WHEREAS, the City of Milford strives to provide excellent service to the community at all times and believes fiscal responsibility is a means for promoting community health and well-being; and

WHEREAS, City Council is aware that certain fees and charges must periodically be reviewed and amended to offset any increased costs of operations; and

WHEREAS, the City of Milford Building Inspections Department has a need to update its building permit fee schedule from time to time; and

WHEREAS, to support this effort, building permit fees shall be set in a resolution adopted by City Council.

NOW, THEREFORE, BE IT RESOLVED, that on August 24, 2015, by majority vote of City Council, the following City of Milford Building Permit Fee Schedule is hereby adopted with an effective of September 3, 2015:

Residential Building Permits

Addition, Garage, Deck, Ramp, Exterior Stairway, Interior/Exterior Renovation: \$10.00 base plus \$5.00 per \$1,000 up to \$1M and \$2.00 per \$1,000 over \$1M based on cost of project

New Dwelling Unit: \$50.00 per 100 heated square feet plus \$13.00 per 100 unheated square feet

Commercial Building Permits

New Construction, Footer/Foundation Fit Out, Interior/Exterior Renovation, Addition, Ramp, Sign, Sales/Construction Trailer: \$10.00 base plus \$5.00 per \$1,000 up to \$1M and \$2.00 per \$1,000 over \$1M based on cost of project

Miscellaneous Building Permits

Demolition, Roof/Siding: \$10.00

Pool, Shed, Solar Panels: \$10.00 base plus \$5.00 per \$1,000 up to \$1M and \$2.00 per \$1,000 over \$1M based on cost of project

Renewal of any Permit: \$50.00 or 10% of permit fee, whichever is greater

Mayor Bryan W. Shupe

Attest: _____
City Clerk Teresa K. Hudson

CHARTER REVIEW COMMITTEE

Presiding: Mayor Shupe

1st Ward-

2nd Ward-

3rd Ward-Councilman Brooks

4th Ward-

City of Milford



RESOLUTION NO. 2015-20

WASTEWATER ASSET MANAGEMENT INCENTIVE PROGRAM GRANT

WHEREAS, The Mayor and Council of the City of Milford have made application for a non-matching grant through the State of Delaware Department of Natural Resources and Environmental Control (DNREC) Environmental Finance on May 15, 2015; and

WHEREAS, the Water Infrastructure Advisory Council (WIAC) reviewed said application and recommended funding approval; and

WHEREAS, the State of Delaware DNREC has made an offer to the City of Milford in the amount of \$70,000 to implement a Wastewater Asset Management Plan, for which the implementation requirements are set forth in the program guidelines and application.

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor and Council of the City of Milford accept the terms and conditions set forth in the offer from the State of Delaware Department of Natural Resources and Environmental Control for the Wastewater Asset Management Incentive Program in the amount of \$70,000.

IN WITNESS WHEREOF, I hereunto set my hand and caused the Seal of the City of Milford to be affixed this 24th day of August 2015.

Mayor Bryan W. Shupe

City Clerk _____

Adopted: August 24, 2015

City of Milford



RESOLUTION NO. 2015-21

DRINKING WATER ASSET MANAGEMENT INCENTIVE PROGRAM GRANT

WHEREAS, The Mayor and Council of the City of Milford have made application for a non-matching grant through the State of Delaware Department of Health and Social Services (DHSS) on May 15, 2015; and

WHEREAS, the Water Infrastructure Advisory Council (WIAC) reviewed said application and recommended funding approval; and

WHEREAS, the State of Delaware DHSS has made an offer to the City of Milford in the amount of \$90,000 to implement a Drinking Water Asset Management Plan, for which the implementation requirements are set forth in the program guidelines and application.

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor and Council of the City of Milford accept the terms and conditions set forth in the offer from the State of Delaware DHSS for the Drinking Water Asset Management Incentive Program in the amount of \$90,000.

IN WITNESS WHEREOF, I hereunto set my hand and caused the Seal of the City of Milford to be affixed this 24th day of August 2015.

Mayor Bryan W. Shupe

City Clerk _____

Adopted: August 24, 2015

CITY OF MILFORD

STREETS CREW LEADER

GENERAL RESPONSIBILITIES

Performs skilled and technical work in the installation, maintenance, repair and construction of municipal streets.

ESSENTIAL DUTIES

(These are intended only as illustrations of the various types of work performed. The omission of specific duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.)

- Complete projects efficiently according to work plans and orders.
- Inspect street and utility construction, street, ditch and ground maintenance, repair, installation and construction sites.
- Assist workers on jobs; keep records and make detailed reports.
- Respond to complaints from the public.
- Work scheduled on call duties and respond to emergency situations.
- Performs related work as required.

KNOWLEDGE, SKILLS AND ABILITIES

General knowledge of the practices of street construction, repairs and/or maintenance; thorough knowledge of the occupational hazards and safety precautions of the work; ability to plan and supervise the work of semi-skilled or unskilled workers on a small scale; ability to establish effective working relationships with others.

EDUCATION AND EXPERIENCE

High school diploma or equivalent. Considerable experience in construction or maintenance work. A comparable amount of training and experience may be substituted for the minimum qualifications.

PHYSICAL REQUIREMENTS

Must have the use of sensory skills in order to effectively communicate and interact with other employees and the public through the use of the telephone and personal contact as normally defined by the ability to see, read, talk, hear, handle or feel objects and controls. Physical capability to effectively use and operate various items of office related equipment, such as, but not limited to a, personal computer, calculator, copier, and fax machine. Significant climbing, stooping, kneeling, crouching, reaching, standing, walking, pushing, pulling, lifting, grasping, and repetitive motions. Ability to perform manual labor for long periods of time in bad weather conditions.

STREETS CREW LEADER

SPECIAL REQUIREMENTS

CDL

FLSA STATUS

Non Exempt

PAY GRADE

8

Rev. 10/14

The City of Milford assures Equal Employment Opportunities and equal education opportunities for employees and students as required by Federal and State Orders and Laws. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential tasks. This job description is intended to accurately reflect the position activities and requirements. However, management and administration reserves the right to modify, add, or remove duties and assign other duties as necessary. It is not intended to be and should not be construed as an all-inclusive list of all the responsibilities, skills, or working conditions associated with the position.



MILFORD COMMUNITY PARADES, INC.
P.O. Box 1153 **Milford, DE 19963**

August 1, 2015

City of Milford
Mayor
City Council
Walnut St
Milford, DE 19963

Dear Mayor and City Council:

On behalf of Milford Community Parades, Inc., thank you for accepting our request to hold the annual Milford Community Parade, October 21, 2015. On behalf of the Committee, I am requesting the use of the City's reviewing stand to be placed at Gooden's Floral Shop, the front yard and parking area of the Armory, the use of the City Hall property (front area), and the lot adjacent to the Customer Service Center Building.

Thank you for your consideration,

Charles

Charles Gray
2015 Chairperson
302.604.9446



PLANNING & ZONING DEPARTMENT
P 302.424.3712 F: 302.424.3558

201 SOUTH WALNUT STREET
MILFORD, DE 19963

www.cityofmilford.com

TO: Mayor Bryan Shupe & City of Milford Council Members
FROM: Rob Pierce, Coordinator of Planning & Economic Development Activities *WRP*
DATE: August 24, 2015
RE: Surface Water Matching Planning Grant

The City has completed the attached DNREC Surface Water Matching Planning Grant application to be submitted by August 26, 2015. The application focuses on a planning study to investigate and provide preliminary design for the use of living shoreline techniques to stabilize portions of the Mispillion River and provide natural water quality treatment through the implementation of constructed wetlands, vegetative buffers, and/or other innovative techniques along a 1,500 foot stretch of river bank. The grant would also investigate the feasibility of removing the existing causeway to Goat Island.

The Parks and Recreation Department currently has \$30,000 budgeted for the removal of the causeway which could be used as a match for the planning grant. The City would like to move an additional \$20,000 from General Fund Reserves to maximize the matching planning grant application request at \$100,000.

The City would like to enter into a partnership with the Partnership for the Delaware Estuary, which has done similar projects throughout the Delaware River Watershed.

It is anticipated that the construction portion of the results from the planning grant would be funded through future loan/grant programs with the State of Delaware, budgeted City funds, and potential private donations.

Staff recommends a motion to authorize the City to submit for the planning grant and authorize the Finance Director to move \$20,000 from the General Fund Reserves to include in the planning match application.



Jeff Portmann, Finance Director



Brad Dennehy, Parks and Recreation Director

www.cityofmilford.com

SURFACE WATER MATCHING PLANNING GRANTS

Delaware Water Infrastructure Advisory Council
Grant Application

Submitted By:



CWSRF Non-Federal Administrative Account
Application for Surface Water Matching Planning Grants

Table of Contents

APPLICATION COVER SHEET AND CHECKLIST.....3
COUNTY / MUNICIPAL INFORMATION SHEET.....4
BACKGROUND AND JUSTIFICATION.....5
SCOPE OF WORK.....6
TIME SCHEDULE AND BENCHMARKS.....7
PROJECT BUDGET.....7
QUALIFICATIONS.....8

CWSRF Non-Federal Administrative Account

Application for Surface Water Matching Planning Grants

Application Cover Sheet and Check List

Applicant Name: The City of Milford

Date of Application: August 21, 2015

Date Received: _____

Check List for Application Materials

- Application Cover Sheet and Checklist
- County / Municipal Information Sheet
- Scope of Work

CWSRF Non-Federal Administrative Account

Application for Surface Water Matching Planning Grants

Information Sheet

Applicant Name: City of Milford
Contact Name: Rob Pierce, Coordinator of Planning and Economic Dev. Activities
Mailing Address: 201 S. Walnut Street
Milford, DE 19963
Telephone: 302-424-3712 ext. 311 Fax: 302-424-3558

Date of Current or Previous Comprehensive Plan (if any)? 1/26/09

Type of grant application: [] Surface Water Matching Planning Grant (maximum \$50,000)

Project Description: A planning study to investigate and provide preliminary design for the use of living shoreline techniques to stabilize portions of the Mispillion River and provide natural water quality treatment through the implementation of constructed wetlands, vegetative buffers, and/or other innovative techniques along 1,500 LF of river bank. Investigate the feasibility of removing the existing Goat Island causeway which would enhance recreational activities along the Mispillion Riverwalk (the City maintains a Kayak launch in close proximity to project site). Incorporate an educational component through the use of signs and placards detailing the nutrient reduction and stabilization methods implemented along with other outreach regarding TMDLs and water quality improvement standards.

Who will complete the project (staff or consultant)? A combination of City staff and consultants. The City would like to partner with the Partnership for the Delaware Estuary for the planning, design and eventual implementation but the primary work will be completed by the selected Environmental Engineering Consultant.

Project Start Date: January 1, 2015

Project Completion Date: December 31, 2016

Cost Summary:

Estimated Total Project Cost: \$100,000.00
Assistance Request: \$50,000.00
Amount of Local Funds Available (match): \$50,000.00

Does your insurance coverage meet the grant requirements? Yes, see page 5 under Qualifications.

Name of Authorized Representative: Jeff Portmann, Finance Director/Interim City Manager

Signature of Authorized Representative

Date

CWSRF Non-Federal Administrative Account

Application for Surface Water Matching Planning Grants

Background and Justification

The proposed project is located along the southern bank of the Mispillion River in downtown Milford, Delaware as shown on the attached exhibit. Currently, the majority of the River bank in the downtown area is stabilized by riprap and bulk heads. The project would address a specific stretch on the outside of a meander that is currently exposed to the forces of the river. Instead of placing a few thousand tons of riprap along the bank, the City would like to construct a living shoreline to provide stabilization and water quality treatment. The project would also focus on a specific stretch of shoreline adjacent to Goat Island.

The target area includes two (2) stormwater outfall pipes which discharge directly into the river with limited quality treatment. There may be an opportunity to create filtration swales, constructed wetlands, or other vegetative buffer techniques to increase nutrient reduction.

The Mispillion River Watershed is a targeted watershed with an established TMDL for bacteria, nutrients, and dissolved oxygen based on a report prepared by DNREC in August of 2006. In December 2012, the Mispillion and Cedar Creek River Tributary Action Team developed a Watershed Pollution Control Strategy outlining steps required to mitigate the amount of Nitrogen, Phosphorous, Bacteria and Suspended Solids within the Watershed.

According to the published Pollution Control Strategy, structural BMPs including buffers and constructed wetlands are the most effective and practical means of preventing or reducing bacteria from entering surface waters. Dense vegetative buffers facilitate conventional bacteria removal through detention, filtration by vegetation, and infiltration into soil. Constructed wetlands can reduce Nitrogen, Phosphorous, Suspended Solids and Bacteria by filtering out nutrients through plant uptake. The proposal would investigate the implementation of vegetative buffers and constructed wetlands along the targeted shoreline areas and around the existing stormwater outfalls.

The Pollution Control Strategy recommends developing and implementing a comprehensive education program for citizens regarding stormwater runoff. The location of the targeted shoreline areas is in a highly visible, highly traveled area located adjacent to the City's Riverwalk and Goat Island Trail. The City believes this project provides a unique opportunity to utilize innovative water quality improvement technology on display for the public.

CWSRF Non-Federal Administrative Account

Application for Surface Water Matching Planning Grants

Scope of Work

The Planning Grant would be utilized to hire an environmental engineering consultant to determine the feasibility of bank stabilization and best management practices in water quality improvement along the targeted areas. The City intends to partner with the Partnership for the Delaware Estuary for guidance through the planning/design process and the implementation phase. The environmental engineering consultant would provide a feasibility study, preliminary engineering design, and a cost estimate for construction.

The City would like to construct approximately 1,500 LF of Living Shoreline in two areas, as depicted on the attached exhibit, providing bank stabilization and water quality improvement benefits. The Study would determine the feasibility of utilizing innovative water quality improvement techniques along these areas, including but not limited to vegetative buffers, constructed wetlands and possibly the use of bivalves to filter out nutrients and sedimentation.

The project site includes two (2) existing stormwater outfalls which discharge into the river with minimal quantity and quality treatment. The feasibility study would determine if these outfalls could be retrofitted to provide better water treatment by constructing wetlands, bioswales or other BMPs.

The project would remove the existing causeway connecting Goat Island to the mainland. The City maintains a small boat launch within the project area, and removing the causeway would enhance recreation by allowing the public to navigate completely around the island. The feasibility study would determine both positive and negative impacts of removing the causeway and determine what permits would be required.

The project area parallels the existing Mispillion Riverwalk and Goat Island trail which would provide an opportunity to educate the public and other visitors on water quality improvement methods and TMDLs. This area could provide an outdoor classroom for students of all ages.

CWSRF Non-Federal Administrative Account

Application for Surface Water Matching Planning Grants

Time Schedule and Benchmarks

Assuming that Grant application process will take approximately four months for the review, award and contractual agreements to be completed, the City anticipates a project start date of January 1, 2016 and completion by December 31, 2016, approximately 12 months. Below is a summary of the target dates for completion of each Task.

Task 1 – RFQ for Environmental Engineering Consultants January 1, 2016

The City will solicit for qualified environmental engineering consultants to perform the feasibility study, preliminary planning and cost estimate. An RFQ will be prepared and advertised for 30 days. The City will determine the best qualified candidates and perform individual interviews prior to selection.

Task 2 – Determine the Qualified Consultant March 1, 2016

A selection of the most qualified consultant will be made and an agreement will be entered into between the City and the selected consultant.

Task 3 – Consultant to Complete Feasibility Study/Preliminary Design December 31, 2016

Consultant will prepare a feasibility study as discussed in the scope of work and provide preliminary design and cost estimate to be used in obtaining future funding for the implementation phase.

Project Budget

The project budget consists of expenses by the selected environmental engineering consultant and the Delaware Estuary Program for the time and material required to prepare the feasibility study and preliminary design (see Table I). The City will not request reimbursement for any City staff time in managing the planning phase.

Table I – Planning Grant Project Budget

Item	Description		Quantity	Unit Price	Total Cost
1	Env. Engineering Consultant - Feasibility Study/Preliminary Design	LS	1	\$ 80,000.00	\$ 80,000.00
2	Partnership for the Delaware Estuary - Site Assessment & Conceptual Plan	LS	1	\$ 20,000.00	\$ 20,000.00
					\$ 100,000.00

It is anticipated that the construction portion of the project will be funded through future loan/grant applications with the State of Delaware, budgeted City funds, and potential private donations provided by local companies.

CWSRF Non-Federal Administrative Account

Application for Surface Water Matching Planning Grants

Qualifications

The City of Milford has received loans and grants from the State and Federal government for water, sewer, and recreation projects and is familiar with procuring engineering and other contractual services. Though the City has not directly been involved in an environmental or stormwater engineering project, the primary contact for this proposal managed a wetland creation and nutrient reduction project within the Murderkill River Watershed which involved converting an old farm pond into wetlands and retrofitting an existing stormwater pond with bioswales.

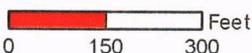
The project design will require approval from several State agencies along with the Army Corps of Engineers (USACE), which will provide oversight on the final project design. The City intends to partner with the Partnership for the Delaware Estuary, a non-profit group, who has performed other similar projects throughout the Delaware River Watershed and will provide technical assistance during the preliminary planning and construction phases.

The City of Milford meets or exceeds the insurance requirements for grant recipients. See attached for a copy of certificate(s) of insurance.



-  Existing Stormwater Outfall Pipe
-  Proposed Education/Informational Sign

Digital Aerial Solutions, LLC

	Scale:  Feet 0 150 300	Title: <h2 style="margin: 0;">Mispillion River Water Quality Improvement Project Conceptual Layout</h2>
	Drawn by: WRP Date: 08/04/15	
Filepath: \\GEO_PROJECT\MispillionRiver_WaterQualityImprovement.mxd		



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
6/25/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Strategic Insurance Partners 492 Franklin Avenue Nutley NJ 07110	CONTACT NAME: Celeste Santos	
	PHONE (A/C, No, Ext): (973) 667-2600 FAX (A/C, No): (973) 667-5842 E-MAIL ADDRESS:	
INSURED City of Milford 201 South Walnut Street Milford DE 19963	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A: Safety National Casualty Corp.	15105
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	

COVERAGES CERTIFICATE NUMBER: Certificate of Liability REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:					EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$ \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N	N/A AGC4051702	7/1/2015	9/1/2016	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Coverages are subject to Terms, Conditions and Exclusions on the policy.

CERTIFICATE HOLDER For Specimen Purposes Only For Specimen Purposes Only	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE Mark Grossbard/CO 

Previous Policy Number
NEW

Policy Number
S 2170295

SELECTIVE INSURANCE COMPANY OF SOUTH CAROLINA
3426 TORINGDON WAY, CHARLOTTE, NC 28277

DECLARATIONS - COMMERCIAL UMBRELLA LIABILITY COVERAGE

Item One - Name of Insured & Mailing Address SEE COMMERCIAL POLICY COMMON DECLARATION: IL-7025		Policy Period From: JULY 1, 2015 To: JULY 1, 2016 12:01 A.M., Standard Time At The Insured's Mailing Address.	
Producer: SEE COMMERCIAL POLICY COMMON DECLARATION: IL-7025		Producer Number: 00-04048-00000	
Named Insured is: ASSN/LABOR/RE			
Business of the Named Insured: MUNICIPALITY			
Limits Of Insurance			
Occurrence Limit	\$5,000,000.00	Aggregate Limit	\$5,000,000.00
Self Retained Limit:	\$.00		
Schedule of Underlying Insurance and Limits			
Standard Employers Liability or Stop-Gap Employers Liability Policy		Policy No.	TBD
Company All Other P&C			
Policy Period		Employers Liability Each Accident	\$500,000
From: JULY 1, 2014		Disease Each Employee	\$500,000
To: JULY 1, 2015		Disease Each Policy	\$500,000
Commercial General Liability Policy		Policy No.	S 217029500
Company Selective Ins Co of South			
Policy Period		General Aggregate	\$2,000,000
From: JULY 1, 2015		Products-Completed Operations	\$2,000,000
To: JULY 1, 2016		Personal and Advertising Injury Limit	\$1,000,000
		Each Occurrence Limit	\$1,000,000
Automobile Liability Policy		Policy No.	S 217029500
Company SELECTIVE INS CO OF SOUTH			
Policy Period		Bodily Injury and Property	
From: JULY 1, 2015		Damage Combined Each Accident	\$1,000,000
To: JULY 1, 2016			
Premium Schedule:			
Estimated Exposure Base	Rate	Rate Per	Annual Minimum Premium
			Estimated Premium Due
In the event of cancellation by the Named Insured we will receive and retain not less than as the Policy Minimum Premium.			\$250.00
Forms and Endorsements: SEE FORMS AND ENDORSEMENT SCHEDULE: IL-7035			Estimated Total Premium \$52,164.00

4110625004



Preliminary Land Use Service (PLUS) Comprehensive Plan Amendments and Municipal Ordinances

Delaware State Planning Coordination
122 William Penn Street • Dover, DE 19901 • Phone: 302-739-3090 • Fax: 302-739-6958

Name of Municipality: City of Milford	
Address: 201 S Walnut Street Milford, DE 19963	Contact Person: Rob Pierce
	Phone Number: (302) 424-3712
	Fax Number: (302) 424-3558
	E-mail Address: rpierce@milford-de.gov

Date of Most Recently Certified Comprehensive Plan: 01/26/09 _____

Application Type:

Comprehensive Plan Amendment: Amend Future Land Use Map _____

Ordinance: N/A _____

Other: N/A _____

Comprehensive Plan Amendment or Municipal Ordinance prepared by:	
Address: 201 S Walnut Street Milford, DE 19963	Contact Person: Rob Pierce
	Phone Number: (302) 424-3712
	Fax Number: (302) 424-3558
	E-mail Address: rpierce@milford-de.gov

Maps Prepared by: City of Milford	
Address: 201 S Walnut Street Milford, DE 19963	Contact Person: Rob Pierce
	Phone Number: (302) 424-3712
	Fax Number: (302) 424-3558
	E-mail Address: rpierce@milford-de.gov

**Preliminary Land Use Service (PLUS)
Comprehensive Plan Amendments and Municipal Ordinances**

Delaware State Planning Coordination
122 William Penn Street • Dover, DE 19901 • Phone: 302-739-3090 • Fax: 302-739-6958

Please describe the submission:

see attached.

**Preliminary Land Use Service (PLUS)
Comprehensive Plan Amendments and Municipal Ordinances**

MD-16-183.07-01-01.00-00001 – Perdue Real Estate Holdings, Inc. (PERDUE)

Perdue has a Site Plan application pending approval by City Council for a live holding shed, chiller addition, and electric/refrigeration addition on 33.40 +/- acres across multiple parcels. In order to obtain final approval from the City, Perdue must combine four of their six parcels because the plant footprint crosses parcel boundary lines. Of the four parcels to be combined, Parcel MD-16-183.07-01-01.00-00001 is zoned C-3 while the other three are zoned I-2. A change of zone of this parcel from C-3 to I-2 is required in order to avoid split zoning of the consolidated parcel. After review of the Future Land Use Map in the Comprehensive Plan, the proposed I-2 zoning is not compliant with the existing highway/commercial land use. Therefore, the City requests an amendment to the Future Land Use Map of the Comprehensive Plan changing the future land use to Employment.

Amberwood Subdivision – Crop Production Services, Inc. (HOLLY HILL ROAD)

The recorded subdivision Amberwood, parcels MD-16-182.07-01-01.00-00001 through MD-16-182.07-01-99.00-00001, MD-16-182.07-02-01.00-00001 through MD-16-182.07-02-99.00-00001, and MD-16-182.07-03-01.00-00001 through MD-16-182.07-03-23.00-00001, is located along Holly Hill Road in Milford. The property is currently owned by Crop Production Services, Inc. and all lots within the subdivision are unimproved. The owner would like to consolidate all parcels and change the zoning from R-3 to I-2. The City feels this is a more suitable land use since the property is adjacent to the Baltimore Air Coil facility. The City requests an amendment to the Future Land Use Map of the Comprehensive Plan changing the future land use from Moderate Density Residential to Employment.

Wilkins Road Area

The City of Milford anticipates a sewer service request for the White Oak Mobile Home Park, tax parcels 3-30-15.00-056.00 & 057.00, located along Wilkins Road in Milford. These properties are part of a group of parcels located at the southeast corner of the Wilkins Road and Elk Lodge Road intersection and are part of the Southeast Neighborhood Master Plan. The City requests an amendment to the Future Land Use Map of the Southeast Master Plan changing the land use of the White Oak Mobile Home Park along with parcels 3-30-15.00-053.00, 054.00, 055.00, and 056.01 from Low Density Residential to High Density Residential.

Lands of Charles Wilkerson (N.E. FRONT STREET)

Parcel MD-16-183.08-01-04.00-00001 is unimproved and located on Wilkerson Drive in Milford. The property owner has requested a zoning change from R-2 to I-1 to match the zoning of his surrounding properties. Parcel MD-16-183.07-01-23.00-00001 is improved with one building and is already zoned I-1. The City requests an amendment to the Future Land Use Map of the Comprehensive Plan changing the future land use for these two parcels from Moderate Density Residential to Employment.

1-30-3.00-080.02 – Mispillion Realty, LLC (OLD SHAWNEE ROAD)

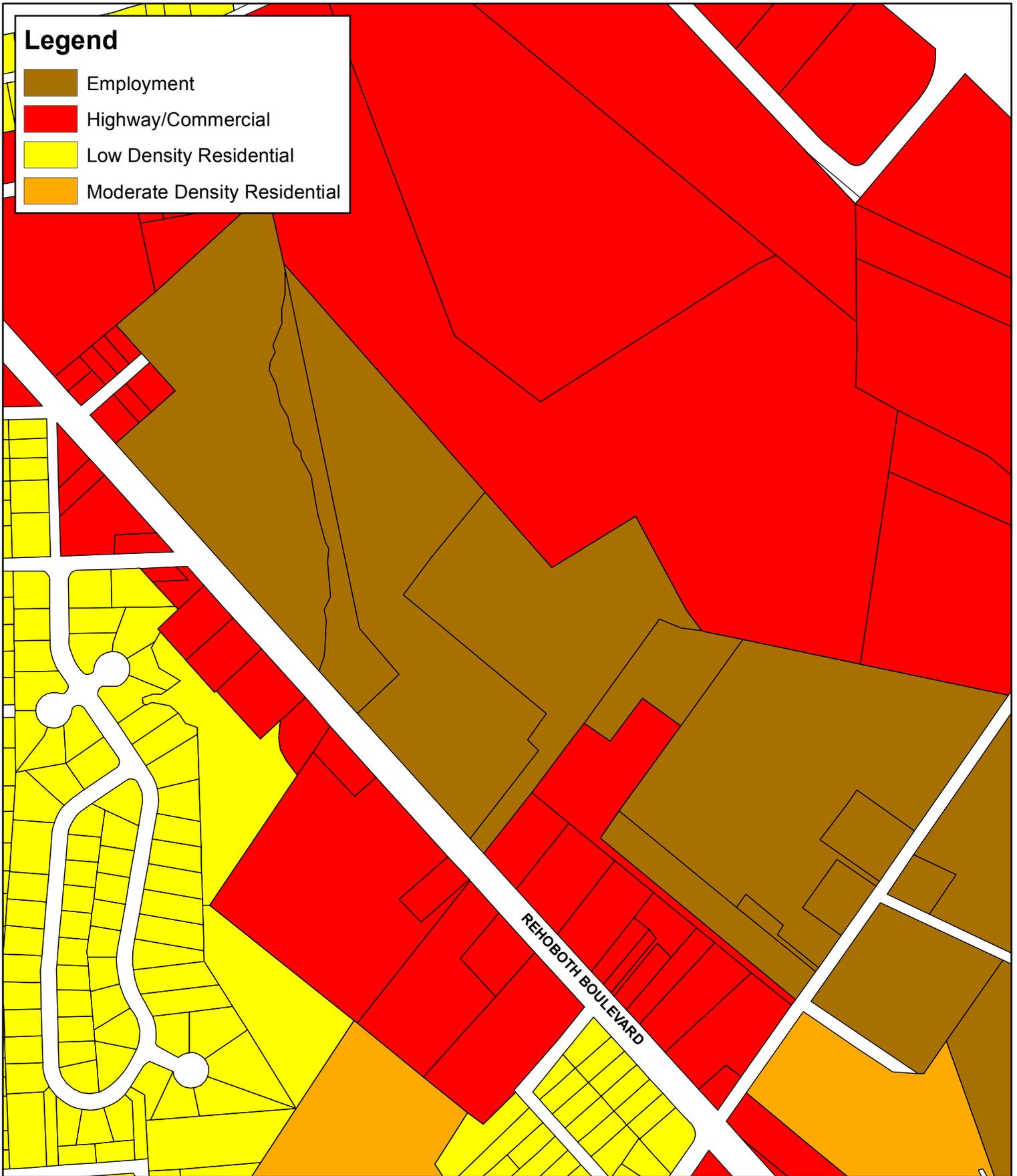
Parcel 1-30-3.00-080.02 is approximately (2) two acres in size and located along Old Shawnee Road in Milford. This property is located adjacent to Brookstone Trace outside City limits and is currently unimproved. The owner/developer of Brookstone Trace has purchased the parcel and intends to annex the property into the City and incorporate the parcel into the subdivision. The City requests an amendment to the Future Land Use Map of the Comprehensive Plan changing the future land use from Low Density Residential to Moderate Density Residential.

MD-16-183.06-02-14.00-00001 – City of Milford - Armory

Parcel MD-16-183.06-02-14.00-00001 is owned by the City of Milford and is the site of the old Armory Building. This property was deeded to the City by the State of Delaware with the understanding that the property would not be sold or developed for residential use. The City would like to change the zoning from R-2 Residential District to OB-1 Office Building District to allow for the operation of professional offices of a low-profile, low traffic category in residential areas. Therefore, the City requests an amendment to the Future Land Use Map of the Comprehensive Plan changing the future land use from Low Density Residential to Employment.

Legend

- Employment
- Highway/Commercial
- Low Density Residential
- Moderate Density Residential



EXISTING LAND USE MAP PERDUE MILFORD, DELAWARE

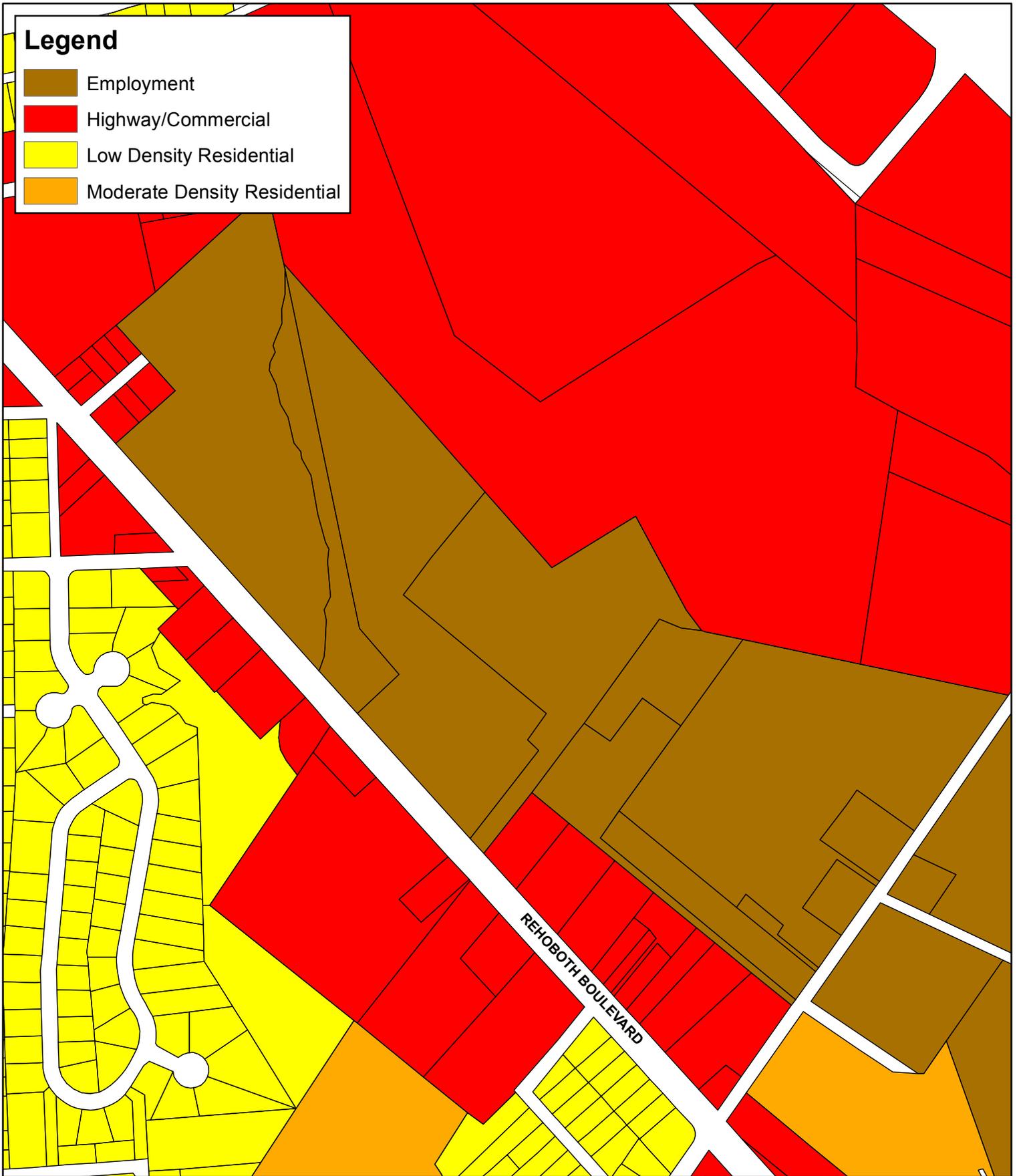
DATE: 5/12/15

SCALE: 1" = 400'

MAP 1 of 2

Legend

- Employment
- Highway/Commercial
- Low Density Residential
- Moderate Density Residential



PROPOSED LAND USE MAP
PERDUE
MILFORD, DELAWARE

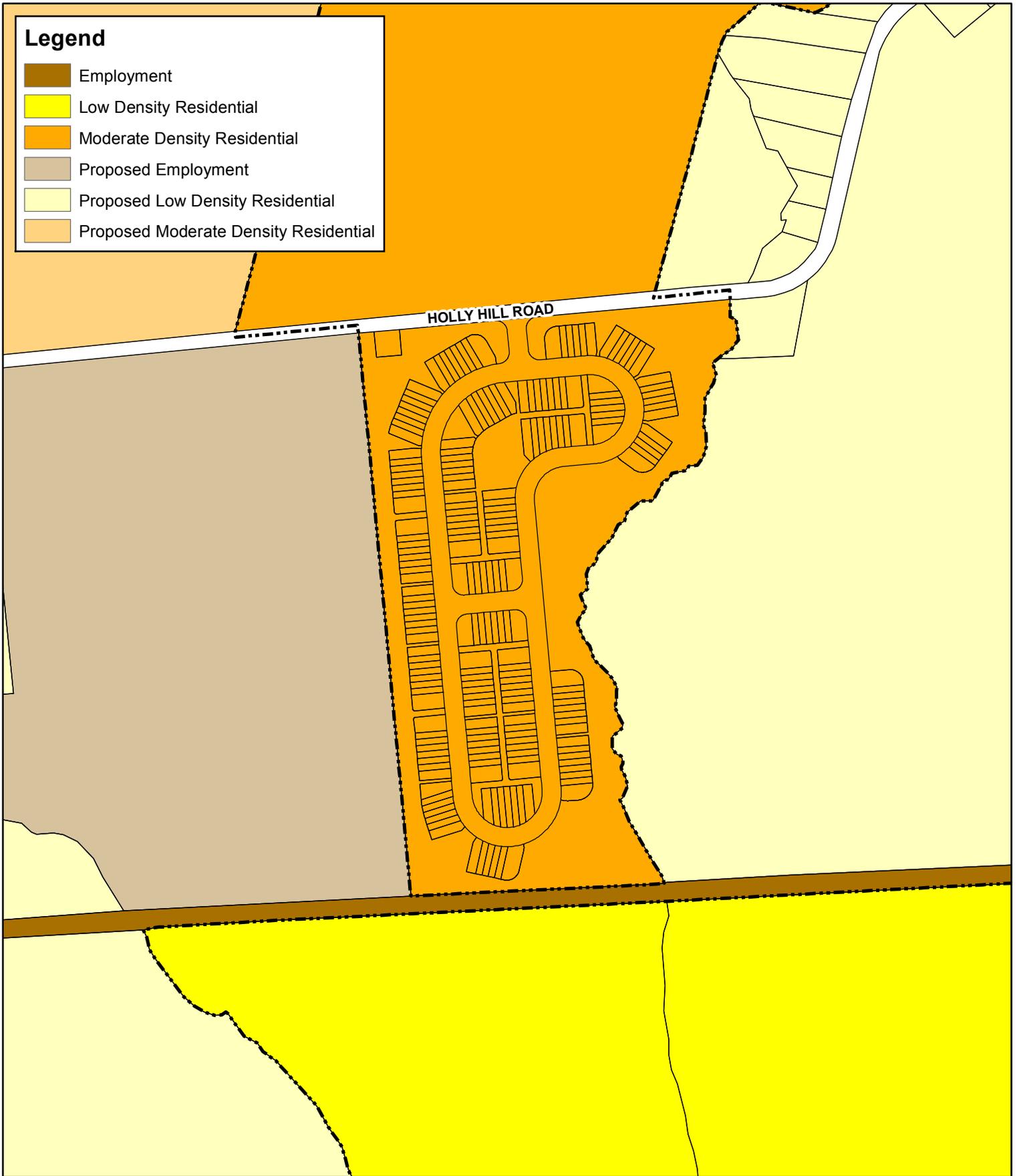
DATE: 5/12/15

SCALE: 1" = 400'

MAP 2 of 2

Legend

- Employment
- Low Density Residential
- Moderate Density Residential
- Proposed Employment
- Proposed Low Density Residential
- Proposed Moderate Density Residential



EXISTING LAND USE MAP
HOLLY HILL ROAD
MILFORD, DELAWARE

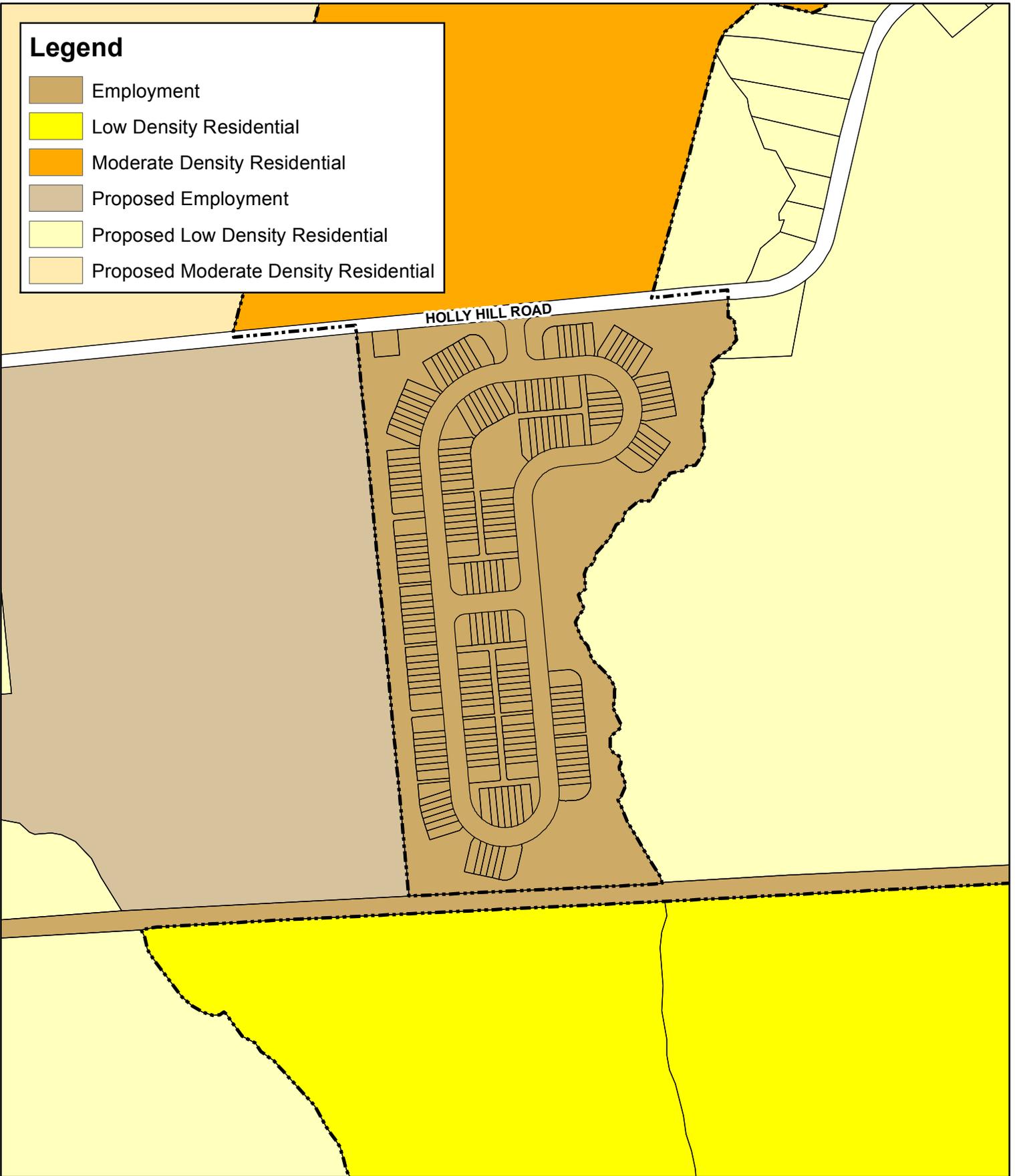
DATE: 5/12/15

SCALE: 1" = 400'

MAP 1 of 2

Legend

-  Employment
-  Low Density Residential
-  Moderate Density Residential
-  Proposed Employment
-  Proposed Low Density Residential
-  Proposed Moderate Density Residential



PROPOSED LAND USE MAP
HOLLY HILL ROAD
MILFORD, DELAWARE

DATE: 5/12/15

SCALE: 1" = 400'

MAP 2 of 2

Milford South East Neighborhood Master Plan

Map #1 Land Use

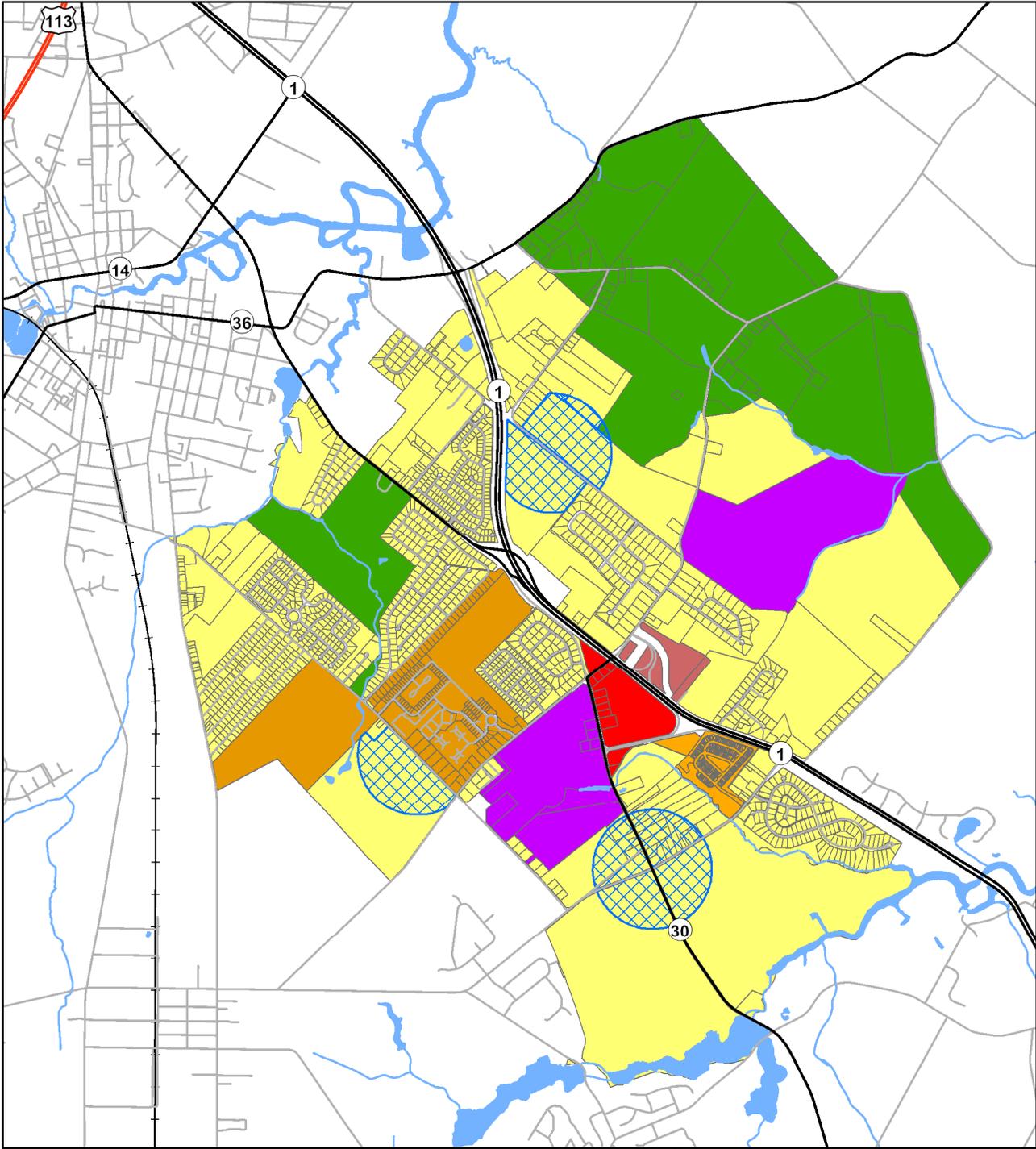
Revised February 2015

Legend

- Residential - Low Density
- Residential - High Density
- Open Space Agriculture
- Employment Center
- Commercial
- DelDOT Owned
- TDR Receiving Areas



0 0.25 0.5 1 Miles



Milford South East Neighborhood Master Plan

Map #1 Land Use

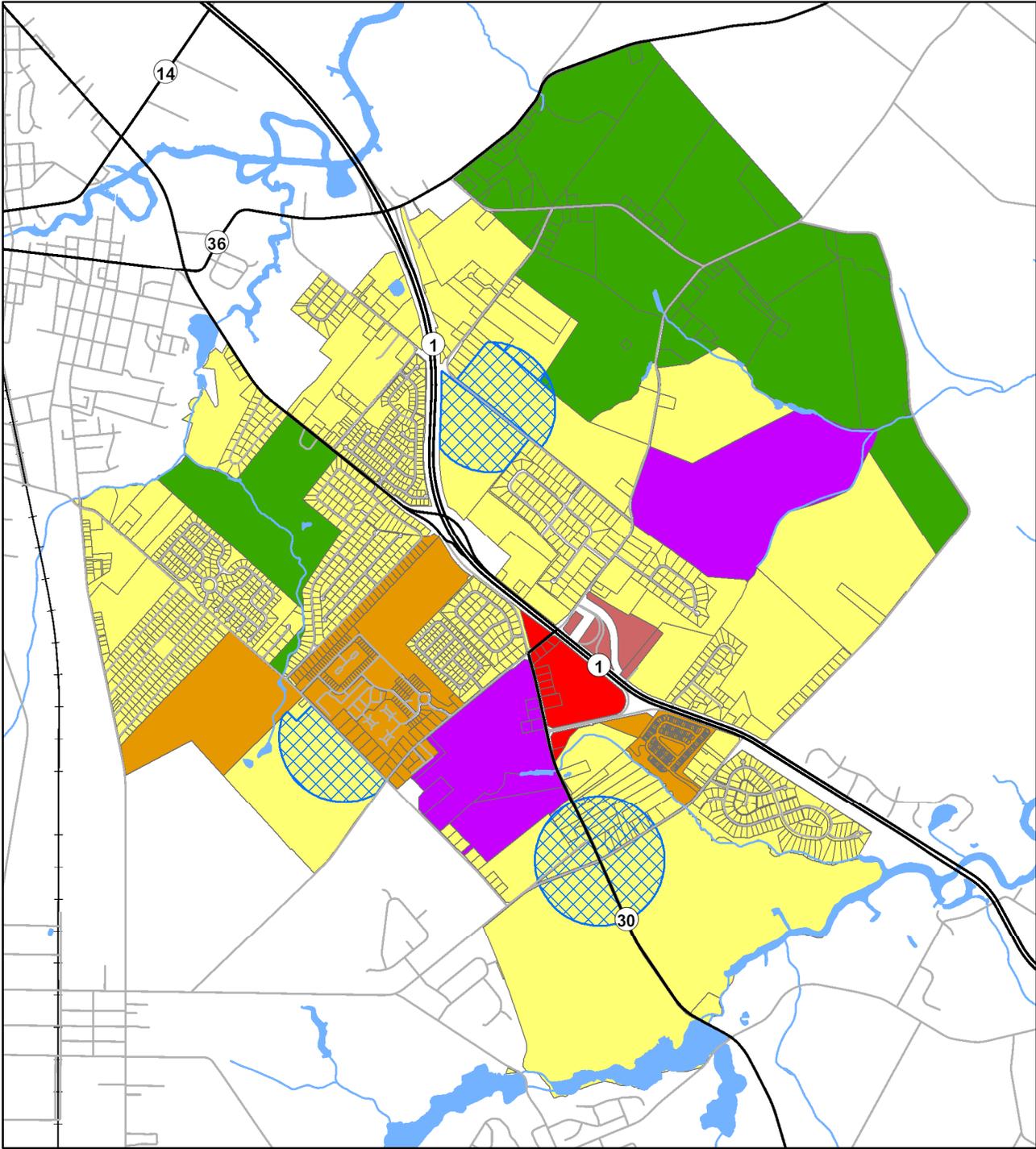
Revised May 2015

Legend

- Residential - Low Density
- Residential - High Density
- Open Space Agriculture
- Employment Center
- Commercial
- DeIDOT Owned
- TDR Receiving Areas

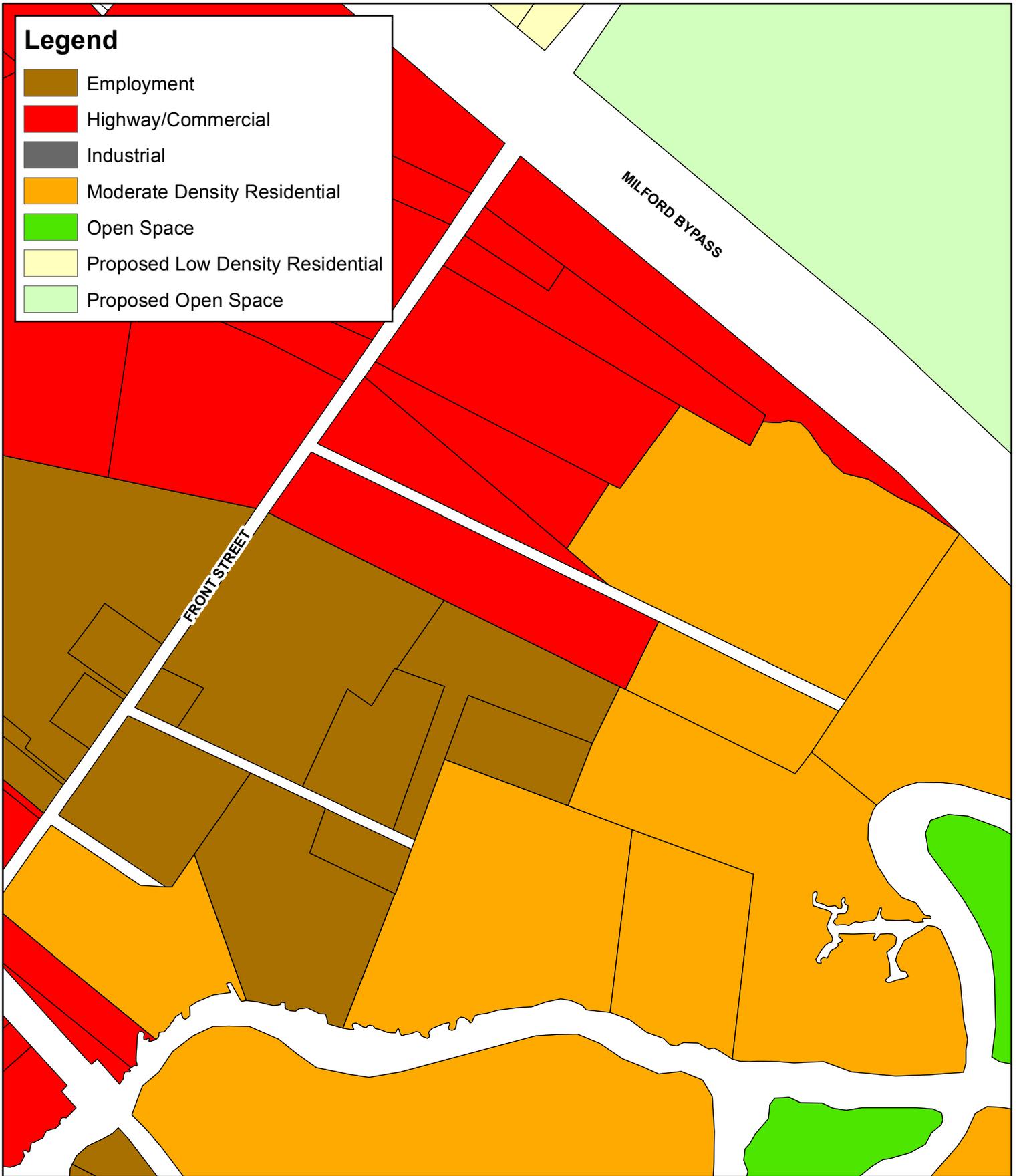


0 0.25 0.5 1 Miles



Legend

- Employment
- Highway/Commercial
- Industrial
- Moderate Density Residential
- Open Space
- Proposed Low Density Residential
- Proposed Open Space



EXISTING LAND USE MAP N.E. FRONT STREET MILFORD, DELAWARE

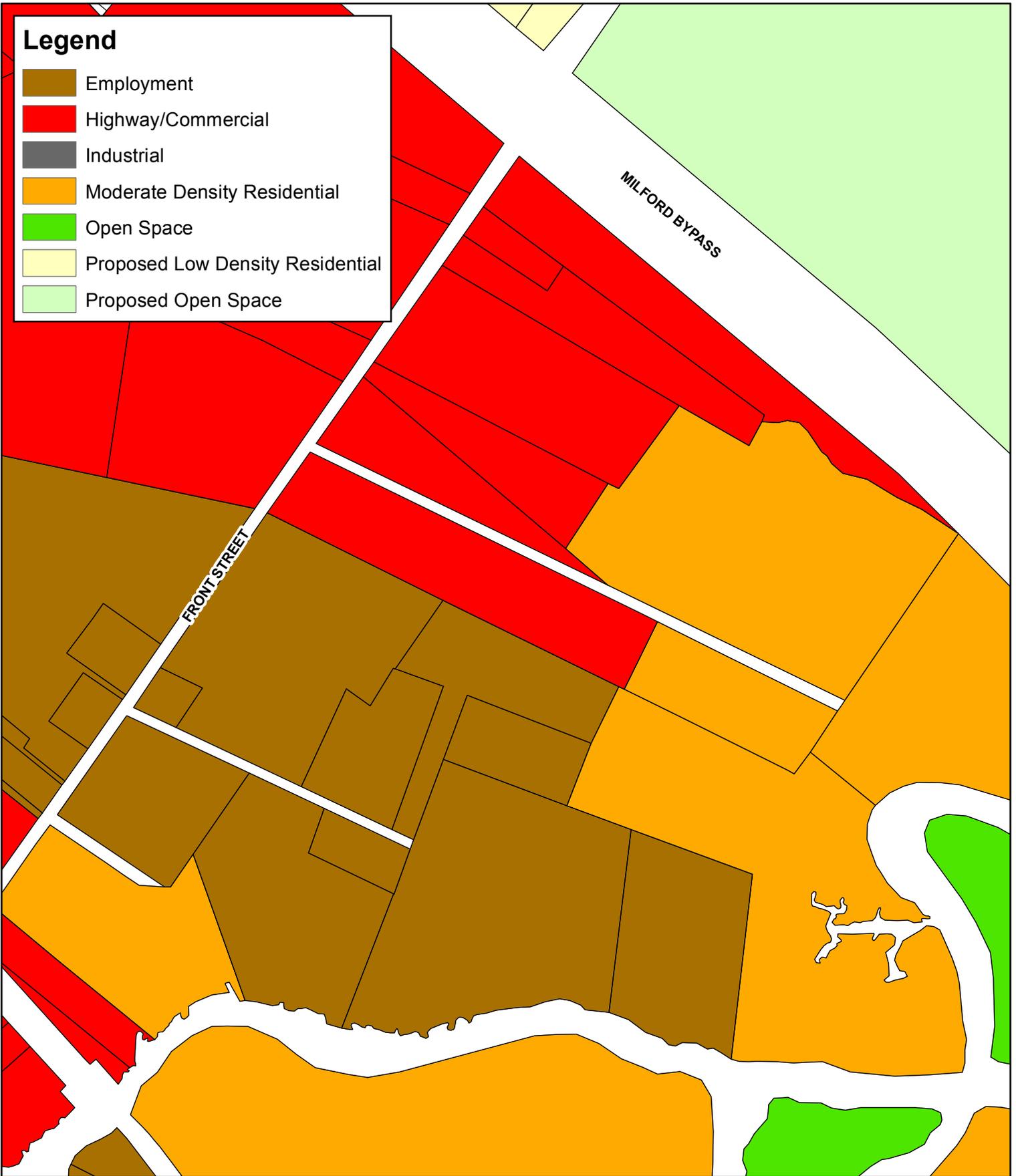
DATE: 5/12/15

SCALE: 1" = 400'

MAP 1 of 2

Legend

- Employment
- Highway/Commercial
- Industrial
- Moderate Density Residential
- Open Space
- Proposed Low Density Residential
- Proposed Open Space



PROPOSED LAND USE MAP N.E. FRONT STREET MILFORD, DELAWARE

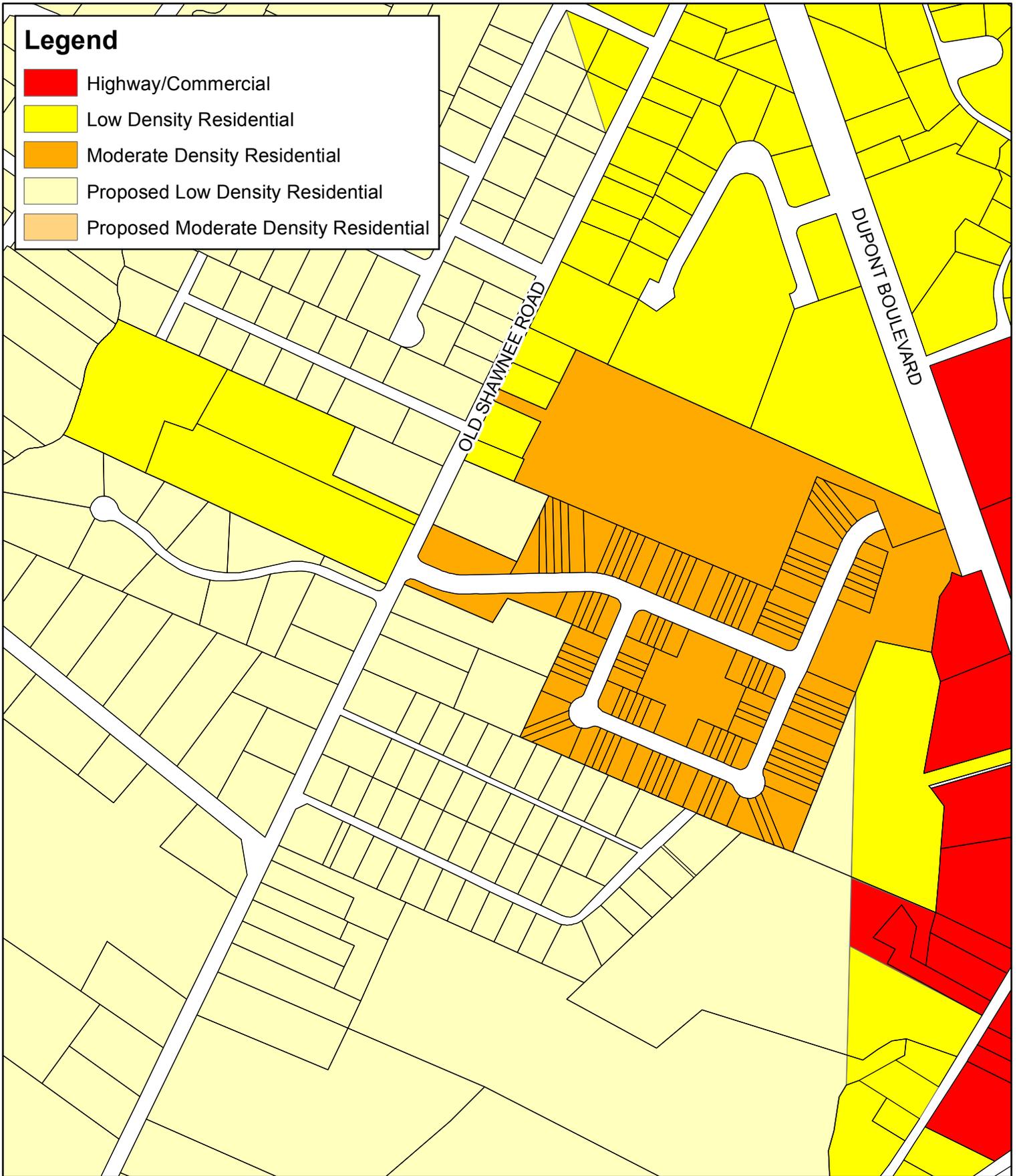
DATE: 5/12/15

SCALE: 1" = 400'

MAP 2 of 2

Legend

-  Highway/Commercial
-  Low Density Residential
-  Moderate Density Residential
-  Proposed Low Density Residential
-  Proposed Moderate Density Residential



PROPOSED LAND USE MAP OLD SHAWNEE ROAD MILFORD, DELAWARE

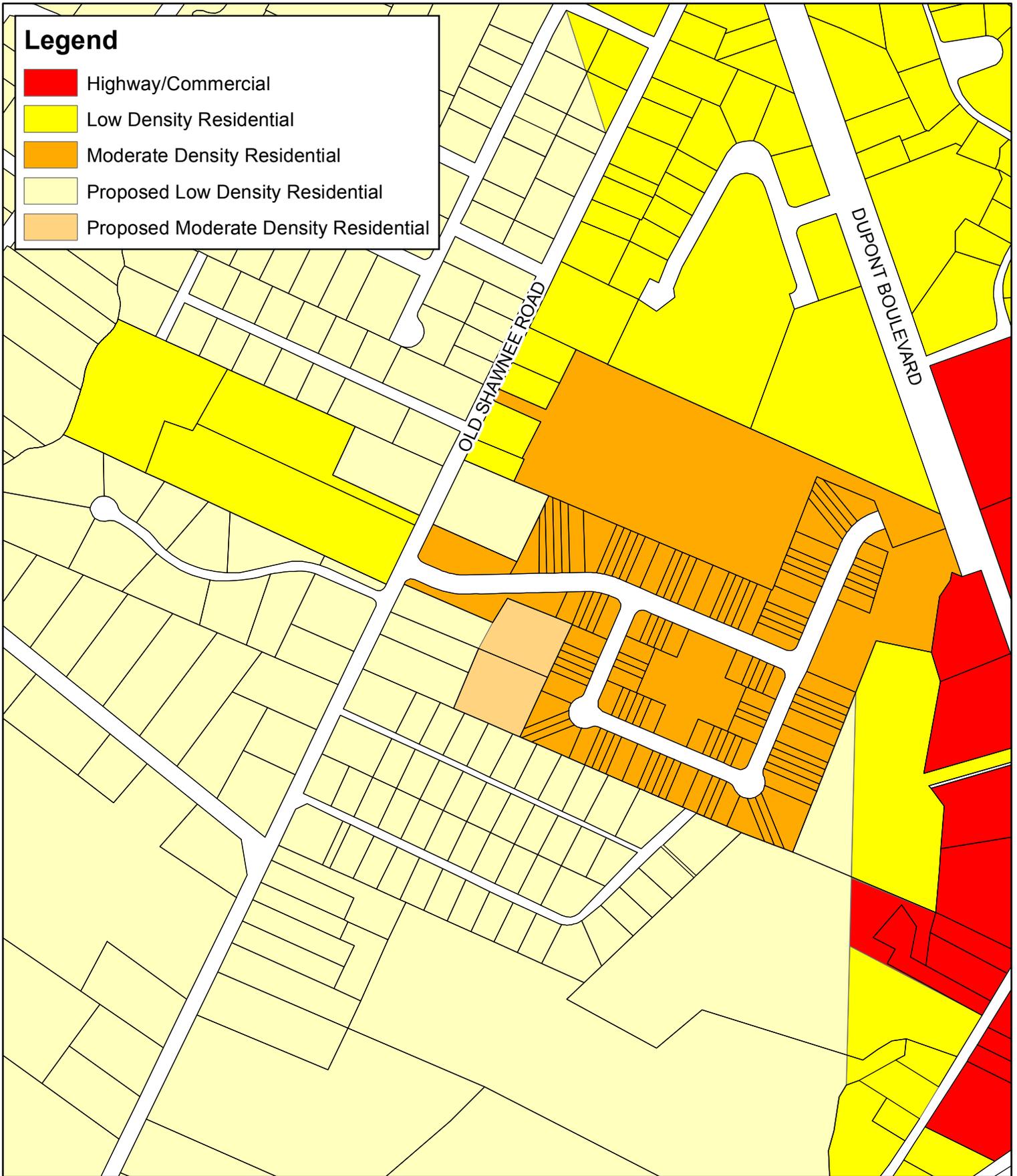
DATE: 5/12/15

SCALE: 1" = 400'

MAP 2 of 2

Legend

-  Highway/Commercial
-  Low Density Residential
-  Moderate Density Residential
-  Proposed Low Density Residential
-  Proposed Moderate Density Residential



**PROPOSED LAND USE MAP
OLD SHAWNEE ROAD
MILFORD, DELAWARE**

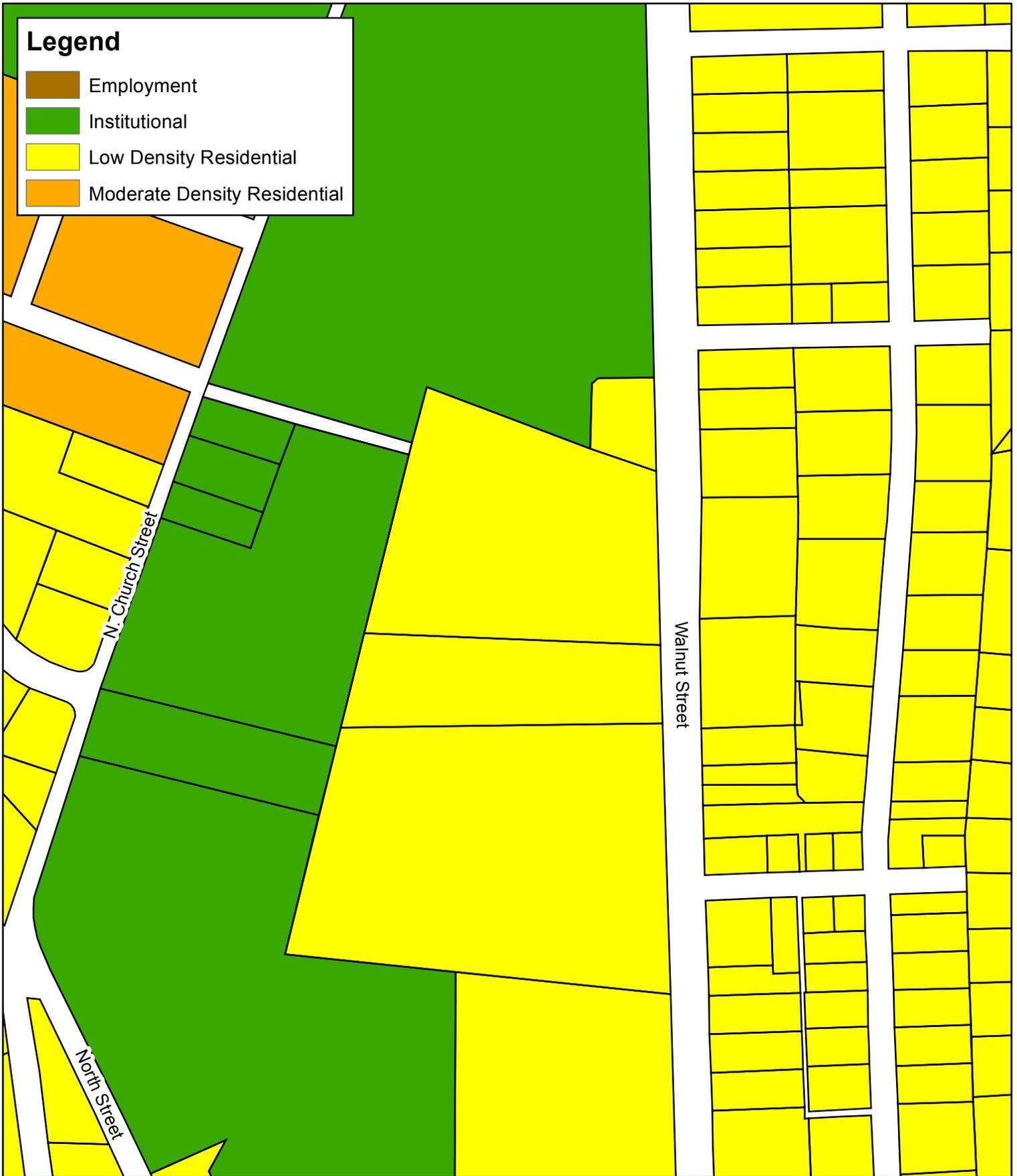
DATE: 5/12/15

SCALE: 1" = 400'

MAP 2 of 2

Legend

-  Employment
-  Institutional
-  Low Density Residential
-  Moderate Density Residential



EXISTING LAND USE MAP CITY OF MILFORD - ARMORY BLDG MILFORD, DELAWARE

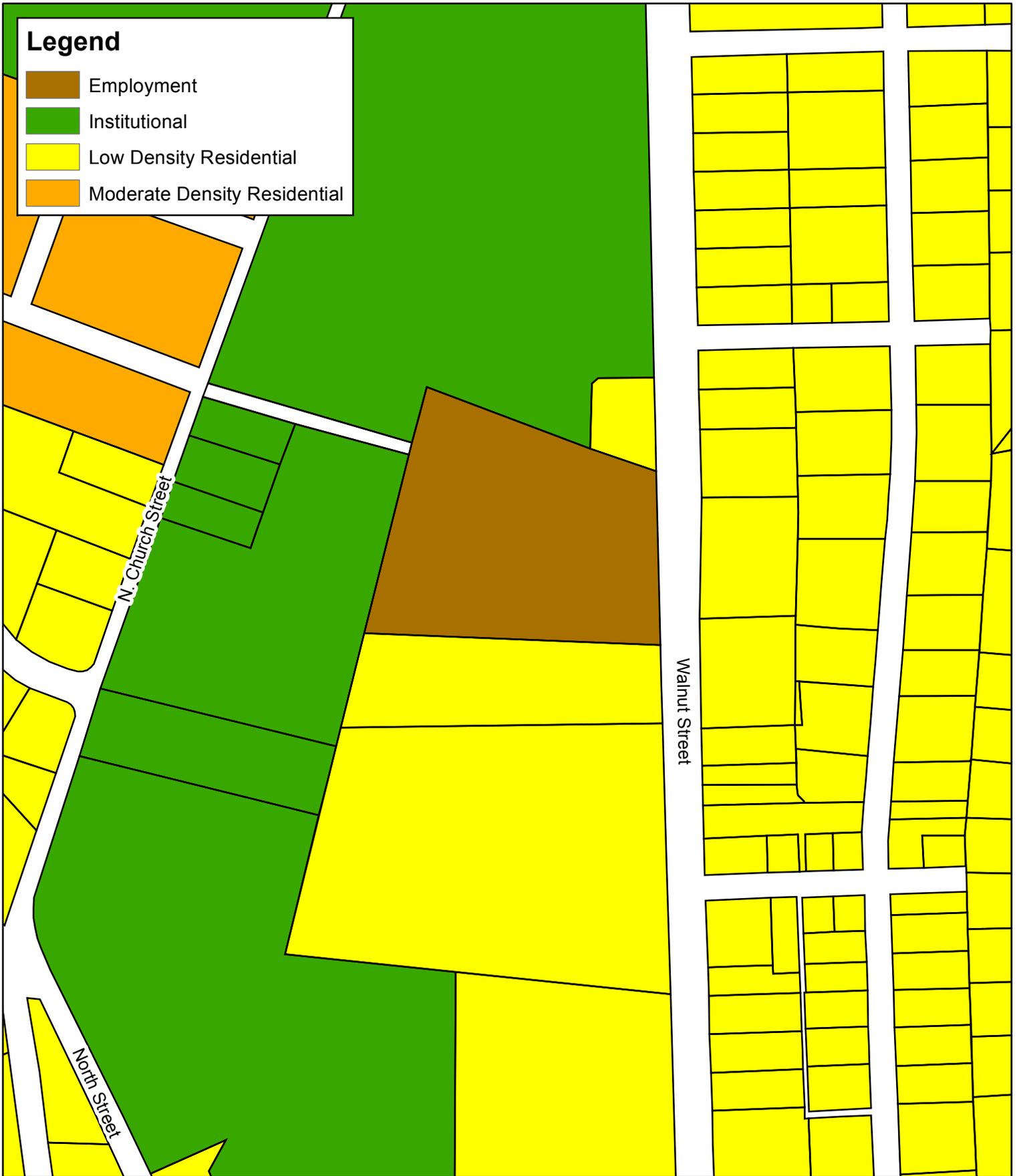
DATE: 5/27/15

SCALE: 1" = 200'

MAP 1 of 2

Legend

-  Employment
-  Institutional
-  Low Density Residential
-  Moderate Density Residential



PROPOSED LAND USE MAP CITY OF MILFORD - ARMORY BLDG MILFORD, DELAWARE

DATE: 5/27/15

SCALE: 1" = 200'

MAP 2 of 2



**STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF STATE PLANNING COORDINATION**

July 23, 2015

Mr. Rob Pierce
City of Milford
201 Walnut Street
Milford, DE 19963

RE: PLUS review 2015-06-02, City of Milford Comprehensive Plan Amendment

Dear Rob,

Thank you for meeting with State agency planners on June 24, 2015 to discuss the proposed comprehensive Plan Amendments for the City of Milford. The amendments addresses proposed changes of certain parcels in Milford's Proposed Land Use Map.

Recommendations: Our office strongly recommends that the Town consider these recommendations from the various State agencies as you review your plan for final approval.

This office has received the following comments from State agencies:

Office of State Planning Coordination – Contact David Edgell 739-3090

- This application represents a series of amendments to the Milford Comprehensive Plan. We understand that these amendments have been awaiting action for some time, and that it is important for the City to move forward with them expediently. While we would have preferred that these were included in the Plan Update that is underway, we understand the time constraints. We have no comments on the individual plan amendments. Our office encourages the City to prepare an overall Plan Update to integrate these and other changes.

Department of Transportation – Contact: Bill Brockenbrough 760-2109

- DelDOT has no regulatory requirements with regard to any of the proposed Comprehensive Plan changes or rezoning applications. However, all of the proposed changes are prompted by currently pending or proposed future changes in land use that could require DelDOT participation in the City's site plan approval process, as per Section P.3 of the Development Coordination Manual and could require the developers to

122 Martin Luther King Jr. Blvd. South – Haslet Armory · Third Floor · Dover, DE 19901
Phone (302)739-3090 · Fax (302) 739-5661 · www.stateplanning.delaware.gov

obtain entrance plan approvals and entrance permits from DeIDOT, again as per Section P.3 of the Development Coordination Manual.

In all cases, the City should refer the applicants or their engineers to our Subdivision Review Coordinator for Kent County, Ms. Wendy Polasko, to determine what approvals they will need to obtain. We recognize that two of the proposed changes refer to parcels in Sussex County. Ms. Polasko's responsibilities include all of Milford, regardless of County. Ms. Polasko may be reached at (302) 760-2542.

With particular regard to the Perdue Farms parcels, we may be able to significantly limit our review if the company proposes no changes to its access or the volume of traffic using that access. However, we will need to determine those conditions apply.

The Department of Natural Resources and Environmental Control – Contact: Kevin Coyle 739-9071

Habitat and Wildlife.

- Note that the following comments apply to any projects that will result in the clearing of an acre or more (≥ 1) of trees:

Due to population declines largely caused by white nose syndrome, a fungal disease known only to affect bats, Northern Long-eared Bat (NLEB – *Myotis septentrionalis*) have been listed as federally threatened under the U.S. Endangered Species Act. Note that any project that proposes to clear an acre or more (≥ 1) of trees will be subject to review by the U.S. Fish and Wildlife Service. For more information, please contact Julie Thompson at Julie_Thompson@usfws.gov or 410-573-4595.

Perdue Real Estate Holdings, Inc. (PERDUE)

Source Water Protection Areas.

- The parcel intersects two undelineated wellhead protection areas for public wells owned by the City on the southeast side (see image). In developing this area, the City should consider their source water protection ordinances.



Air Quality.

- The Division of Air Quality (DAQ) notes that this area currently appears to be used for parking and that the Perdue site has a mix of residential and commercial neighbors. Between Perdue and its neighbors stands an established vegetative buffer. Please be advised that the following regulations may apply to this project:

Table 1: Potential Regulatory Requirements	
Regulation	Requirements
7 DE Admin. Code 1102 - Permits	<ul style="list-style-type: none"> • Report and obtain approval of equipment which has the potential to discharge air contaminants into the atmosphere • Submit any relevant information that the DAQ may request. Relevant information includes information that, in the DAQ's opinion, is relevant to any permit application/registration or that is necessary to determine the applicability of or compliance with any State or Federal requirement, any permit term or condition, or any condition of registration. Such information also includes a permit application or a registration form, or a corrected or supplemented application/registration.
7 DE Admin. Code 1106 - Particulate Emissions from Construction and Materials Handling	<ul style="list-style-type: none"> • Use dust suppressants and measures to prevent transport of dust off-site from material stockpile, material movement and use of unpaved roads. • Use covers on trucks that transport material to and from site to prevent visible emissions.
7 DE Admin. Code 1113 – Open Burning	<ul style="list-style-type: none"> • Prohibit open burns statewide during the Ozone Season from May 1-Sept. 30 each year. • Prohibit the burning of land clearing debris.

	<ul style="list-style-type: none"> • Prohibit the burning of trash or building materials/debris.
7 DE Admin. Code 1135 – Conformity of General Federal Actions to the State Implementation Plan	<ul style="list-style-type: none"> • Require, for any “federal action,” a conformity determination for each pollutant where the total of direct and indirect emissions would equal or exceed any of the de minimus levels (See Section 3.2.1)
7 DE Admin. Code 1141 – Limiting Emissions of Volatile Organic Compounds from Consumer and Commercial Products	<ul style="list-style-type: none"> • Use structural/ paint coatings that are low in Volatile Organic Compounds. • Use covers on paint containers when paint containers are not in use.
7 DE Admin. Code 1144 – Control of Stationary Generator Emissions	<ul style="list-style-type: none"> • Ensure that emissions of nitrogen oxides (NO_x), non-methane hydrocarbons (NMHC), particulate matter (PM), sulfur dioxide (SO₂), carbon monoxide (CO), and carbon dioxide (CO₂) from emergency generators meet the emissions limits established. (See section 3.2). • Maintain recordkeeping and reporting requirements.
7 DE Admin. Code 1145 – Excessive Idling of Heavy Duty Vehicles	<ul style="list-style-type: none"> • Restrict idling time for trucks and buses having a gross vehicle weight of over 8,500 pounds to no more than three minutes.

For a complete listing of all Delaware applicable regulations, please look at our website:
<http://www.awm.delaware.gov/AQM/Pages/AirRegulations.aspx>.

Additional measures may be taken to substantially reduce the air emissions associated with Perdue’s expansion. These measures include:

- **Constructing with only energy efficient products.** Energy Star qualified products are up to 30% more energy efficient. Savings come from building envelope upgrades, high performance windows, controlled air infiltration, upgraded heating and air conditioning systems, tight duct systems and upgraded water-heating equipment. Every percentage of energy efficiency translates into a percent reduction in pollution. The Energy Star Program is an excellent way to save on energy costs and reduce air pollution.

- **Offering geothermal and/or photo voltaic energy options.** These systems can significantly reduce emissions from electrical generation and from the use of oil or gas heating equipment.
- **Constructing with high albedo, high solar reflectance materials.** This includes roofing and hardscape. These materials help to reduce heat island impacts and, by extension, help to minimize the potential for localized ground-level ozone formation. These materials also help reduce demands on air conditioning systems and save on energy costs.
- **Providing shade for parking areas.** Approaches may include architectural devices, vegetation, or solar panels. Providing shade for parking areas helps to reduce heat island impacts, and, by extension, helps to minimize the potential for localized ground-level ozone formation. Such measures can also have the additional benefit of channeling or infiltrating stormwater.
- **Encouraging the use of safe multimodal transportation.** This measure can significantly reduce mobile source emissions. For every vehicle trip that is replaced by the use of a sidewalk, bike path, or mass transit, 7 pounds of VOC and 11.5 pounds of NOx are reduced each year. There is an existing DART bus stop within walking distance of the property on North Rehoboth Boulevard at the intersection of North Walnut Street and NW 10th Street. The stop is served by route 303, which extends from points north in Dover to points south in Georgetown.
- **Using retrofitted diesel engines during construction.** This includes equipment that is on-site as well as equipment used to transport materials to and from site.
- **Using pre-painted/pre-coated flooring, cabinets, fencing, etc.** These measures can significantly reduce the emission of VOCs from typical architectural coating operations.
- **Planting/maintaining trees in vegetative buffer areas.** Native trees reduce emissions by trapping dust particles and replenishing oxygen. Trees also reduce energy emissions by cooling during the summer and by providing wind breaks in the winter, whereby reducing air conditioning needs by up to 30 percent and saving 20 to 50 percent on fuel costs.

This is a partial list, and there are additional things that can be done to reduce the impact of the development.

Amberwood Subdivision – Crop Production Services, Inc. (HOLLY HILL ROAD)

Source Water Protection Areas.

- The parcels proposed for rezoning from R-3 to I-2 are within an excellent groundwater recharge potential area. The City's zoning designation of I-2 represents a General

Industrial District. It appears that this zoning change is inconsistent with the City's Code of Ordinances §230-19.5 - Source Water Protection District.



Site Visit Request.

- Our Division of Fish and Wildlife scientists have not surveyed the project area. In order to provide more informed comments, we request the opportunity to conduct a survey of the forest within the project area. Specifically, we would like to evaluate the habitat and determine the potential for species of conservation concern prior to the initiation of any projects that disturb the forest or wetlands on site. Please note that our scientists have extensive knowledge of the flora and fauna of the state. The survey will be conducted at no expense to the landowner. Please contact Kate Fleming at (302) 735-8658 or at Kate.Fleming@state.de.us if the landowner will grant a site visit.

Bald Eagle.

- There is an active Bald Eagle (*Haliaeetus leucocephalus*) nest adjacent to the parcels proposed for rezoning. Bald eagles and their nests are protected under the federal Bald and Golden Eagle Protection Act (BGEPA). The U.S. Fish and Wildlife Service (USFWS) developed *National Bald Eagle Management Guidelines*, to help landowners and others minimize impacts to eagles, including disturbance, which is prohibited by the BGEPA. The guidelines focus on minimizing disturbance through the use of suggested buffer zones (330 ft. to 660 ft. from a nest) and time-of-year restrictions for certain activities in several categories. Portions of the areas proposed for rezoning do fall within these buffer zones. It will be necessary to contact Craig Koppie with the USFWS prior to engaging in any activities that may disturb the nest and nesting eagles. For more information, please contact Craig Koppie of the USFWS at (410) 573-4534 or Craig_Koppie@fws.gov.

Northern Long-Eared Bat.

- Due to population declines largely caused by white nose syndrome, a fungal disease known only to affect bats, Northern Long-eared Bat (NLEB – *Myotis septentrionalis*) have been listed as federally threatened under the U.S. Endangered Species Act. Note that any project that proposes to clear an acre or more (≥ 1) of trees will be subject to review by the U.S. Fish and Wildlife Service. For more information, please contact Julie Thompson at Julie_Thompson@usfws.gov or 410-573-4595.

Swamp Pink.

- Swamp pink (*Helonias bullata*) is a federally listed plant that has been documented just downstream of this project site, and as such, could potentially occur in the wetlands found along the eastern border of the project area. This species appears to be very sensitive to sedimentation. Note that a site visit will be necessary to determine if swamp pink is present on site.

Wetland Buffers.

- Although we have never surveyed this property, there are records of rare plants and freshwater mussel species within the tributary system that empties into Haven Lake as well as rare species within the Lake. Because of the State's concern regarding water quality, rare species and the amount of funding and staff time that is spent to manage water quality problems within State-owned ponds, wetland buffers of a minimum of 100 feet should be retained.

Air Quality.

- DNREC believes that rezoning to Industrial could potentially change future land use compatibility, giving way to additional industrial and/or commercial uses in a largely agricultural part of Milford. DNREC further believes that such development would introduce negative impacts to human health and the environment through increased air pollution and decreased air benefits. Please note that DNREC encourages sustainable growth practices that:
 - Control sprawl;
 - Preserve rural and forested areas;
 - Identify conflicting land use priorities;
 - Encourage growth on previously developed sites and denser communities while at the same time protect our diminishing land base;
 - Coordinate transportation, environment, and climate protection plans with land use plans; and
 - Demonstrate that communities can achieve the qualities of privacy, community, and contact with nature without degrading the natural environment or generating unacceptable environmental costs in terms of congestion, use of natural resources, or pollution.

Wilkins Road Area

Source Water Protection Areas.

- There are two wellhead protection areas for public wells within the parcels proposed for rezoning (see image). In developing this area, the City should consider their source water protection ordinances. If the redevelopment is to be served by City water, the wells should be properly sealed.



Northern Long-Eared Bat.

- Due to population declines largely caused by white nose syndrome, a fungal disease known only to affect bats, Northern Long-eared Bat (NLEB – *Myotis septentrionalis*) have been listed as federally threatened under the U.S. Endangered Species Act. Note that any project that proposes to clear an acre or more (≥ 1) of trees will be subject to review by the U.S. Fish and Wildlife Service. For more information, please contact Julie Thompson at Julie.Thompson@usfws.gov or 410-573-4595.

Lands of Charles Wilkerson

Site Visit Request.

- Our Division of Fish and Wildlife scientists have not surveyed the project area. In order to provide more informed comments, we request the opportunity to conduct a survey of the forest and wetlands within the project area. Specifically, we would like to evaluate the habitat and determine the potential for species of conservation concern prior to the initiation of any projects that disturb the forest or wetlands on site. Please note that our scientists have extensive knowledge of the flora and fauna of the state. The survey will be conducted at no expense to the landowner. Please contact me at (302) 735-8658 or at Kate.Fleming@state.de.us if the landowner will grant a site visit.

Northern Long-Eared Bat.

- Due to population declines largely caused by white nose syndrome, a fungal disease known only to affect bats, Northern Long-eared Bat (NLEB – *Myotis septentrionalis*) have been listed as federally threatened under the U.S. Endangered Species Act. Note that any project that proposes to clear an acre or more (≥ 1) of trees will be subject to review by the U.S. Fish and Wildlife Service. For more information, please contact Julie Thompson at Julie.Thompson@usfws.gov or 410-573-4595.

Key Wildlife Habitat.

- Note that freshwater tidal scrub-shrub wetlands are documented in portions of the project area, along the southern border of the parcels in question. These habitats are considered Habitats of Conservation Concern according to the Delaware Wildlife Action Plan (<http://www.dnrec.delaware.gov/fw/dwap/Pages/default.aspx>), because it is rare in the state and has the potential to harbor a high diversity of Species of Greatest Conservation Need.

Wetland Buffers.

- To protect the function and integrity of wetlands, a minimum 100-foot buffer should be left intact around the perimeter. This recommendation is based on peer reviewed scientific literature that shows an adequately-sized buffer that effectively protects wetlands and streams, in most circumstances, is about 100 feet in width. Upland buffers also serve as habitat for many terrestrial species that are dependent on aquatic and wetlands habitats for a portion of their annual life cycle. Lot lines, roadways, and infrastructure should not be placed within this buffer zone. Buffers are an integral component of aquatic and wetland habitats, reducing the amount of sediments, pollutants, and other non-point source material that may affect the function and integrity of habitat and the condition and survivability of aquatic organisms.

Air Quality.

- DNREC notes that the Wilkerson properties are surrounded by croplands, forests, and wetlands. While the lands of Charles Wilkerson may not be an appropriate location for residential use, it is also likely that any industrial expansion would be incompatible with the topography and resources of the area. These properties are not far removed from the recently finalized Goat Island, which is part of the Mispillion Greenway and is considered an “outdoor classroom” with partnerships from both DNREC and the US Fish and Wildlife Service. DNREC encourages the City to consider the ecological dynamic and tourist appeal of this area before approving Industrial zoning requests.

Mispillion Realty, LLC

Air Quality.

- DNREC notes that there is a mix of uses surrounding the parcel in play: residential, institutional, commercial, and agricultural. Although Old Shawnee Road is an offshoot of Route 113, there is currently no public transportation in the area. Furthermore, Brookstone Trace and the neighboring properties are not designed to facilitate a walkable

or bike-friendly community, despite the wide shoulders along Old Shawnee Road that would suggest an environment for alternative transportation. As Brookstone Trace is expanded, the DAQ encourages the City and the developer to consider adding sidewalks and bike paths and extending these up to Old Shawnee Road. For every vehicle trip that is replaced by the use of a sidewalk or bike path, 7 pounds of VOC and 11.5 pounds of NOx are reduced each year.

Please be advised that the following regulations may apply to this project, should new homes or other structures be constructed on the reclassified parcels:

Table 2: Potential Regulatory Requirements	
Regulation	Requirements
7 DE Admin. Code 1106 - Particulate Emissions from Construction and Materials Handling	<ul style="list-style-type: none"> • Use dust suppressants and measures to prevent transport of dust off-site from material stockpile, material movement and use of unpaved roads. • Use covers on trucks that transport material to and from site to prevent visible emissions.
7 DE Admin. Code 1113 – Open Burning	<ul style="list-style-type: none"> • Prohibit open burns statewide during the Ozone Season from May 1-Sept. 30 each year. • Prohibit the burning of land clearing debris. • Prohibit the burning of trash or building materials/debris.
7 DE Admin. Code 1135 – Conformity of General Federal Actions to the State Implementation Plan	<ul style="list-style-type: none"> • Require, for any “federal action,” a conformity determination for each pollutant where the total of direct and indirect emissions would equal or exceed any of the de minimus levels (See Section 3.2.1)
7 DE Admin. Code 1141 – Limiting Emissions of Volatile Organic Compounds from Consumer and Commercial Products	<ul style="list-style-type: none"> • Use structural/ paint coatings that are low in Volatile Organic Compounds. • Use covers on paint containers when paint containers are not in use.
7 DE Admin. Code 1144 – Control of Stationary Generator Emissions	<ul style="list-style-type: none"> • Ensure that emissions of nitrogen oxides (NO_x), non-methane hydrocarbons (NMHC), particulate matter (PM), sulfur dioxide (SO₂), carbon monoxide (CO), and carbon dioxide (CO₂) from emergency generators meet the emissions limits established. (See section 3.2). • Maintain recordkeeping and reporting requirements.
7 DE Admin. Code 1145 – Excessive Idling of Heavy Duty Vehicles	<ul style="list-style-type: none"> • Restrict idling time for trucks and buses having a gross vehicle weight of over 8,500 pounds to no more than three minutes.

For a complete listing of all Delaware applicable regulations, please look at our website:
<http://www.awm.delaware.gov/AQM/Pages/AirRegulations.aspx>.

Old Armory Building

Air Quality.

- The Comprehensive Plan Amendment indicates that, in accordance with the agreement between the City and the State of Delaware, the City would like to change the zoning of the old Armory Building from Residential to Office Building in order to 1) prevent residential use or acquisition and 2) allow low profile, low traffic professional office use. The City requests to amend the future land use map to reflect the new classification.

DNREC notes that there is an existing DART bus stop within walking distance of the property on North Walnut Street. The stop is served by route 303, which extends from points north in Dover to points south in Georgetown. For every vehicle trip that is replaced by the use of a sidewalk, bike path, or mass transit, 7 pounds of VOC and 11.5 pounds of NOx are reduced each year.

If any building renovation is planned for this project, please be advised that asbestos and other regulations may apply. For a complete listing of all Delaware applicable regulations, please look at our website:
<http://www.awm.delaware.gov/AQM/Pages/AirRegulations.aspx>.

Table 3: Potential Regulatory Requirements	
Regulation	Requirements
7 DE Admin. Code 1106 - Particulate Emissions from Construction and Materials Handling	<ul style="list-style-type: none"> • Use dust suppressants and measures to prevent transport of dust off-site from material stockpile, material movement and use of unpaved roads. • Use covers on trucks that transport material to and from site to prevent visible emissions.
7 DE Admin. Code 1113 – Open Burning	<ul style="list-style-type: none"> • Prohibit open burns statewide during the Ozone Season from May 1-Sept. 30 each year. • Prohibit the burning of land clearing debris. • Prohibit the burning of trash or building materials/debris.
7 DE Admin. Code 1135 – Conformity of General Federal Actions to the State Implementation Plan	<ul style="list-style-type: none"> • Require, for any “federal action,” a conformity determination for each pollutant where the total of direct and indirect emissions would equal or exceed any of the de minimus levels (See Section 3.2.1)
7 DE Admin. Code 1141 – Limiting Emissions of Volatile Organic Compounds	<ul style="list-style-type: none"> • Use structural/ paint coatings that are low in Volatile Organic Compounds. • Use covers on paint containers when paint containers are not in use.

from Consumer and Commercial Products	
7 DE Admin. Code 1144 – Control of Stationary Generator Emissions	<ul style="list-style-type: none"> • Ensure that emissions of nitrogen oxides (NO_x), non-methane hydrocarbons (NMHC), particulate matter (PM), sulfur dioxide (SO₂), carbon monoxide (CO), and carbon dioxide (CO₂) from emergency generators meet the emissions limits established. (See section 3.2). • Maintain recordkeeping and reporting requirements.
7 DE Admin. Code 1145 – Excessive Idling of Heavy Duty Vehicles	<ul style="list-style-type: none"> • Restrict idling time for trucks and buses having a gross vehicle weight of over 8,500 pounds to no more than three minutes.
Regulation 21 Section 10 – Emission Standards for Hazardous Air Pollutants, Asbestos	<ul style="list-style-type: none"> • Ensure no visible residue of asbestos materials remains in the work area after all asbestos materials are removed in accordance with NESHAP. • Display DANGER signs whenever airborne asbestos may be present in accordance with NESHAP and OSHA • Use wet removal techniques. • Dispose of all asbestos containing waste in clearly labeled sealed containers and store in a secure location awaiting transport to an authorized disposal facility, not to exceed a period of 45 days.

Instructions for Handling Asbestos.

- Please select a Certified Professional Service Firm (CPSF) from the attached list to inspect the facility and sample for Asbestos-Containing Materials (ACM). Once you receive the CPSF report detailing their findings as to how much, what type(s), and the location(s) of the ACM present, you can use that info to fill out the “Notification of Demolition or Renovation” form. If necessary, please select an asbestos abatement contractor from the list, and call to schedule the work to begin three weeks (or more) from the date you mail the form to EPA. When you choose an abatement contractor, please enter the remainder of the required info on the form, to include the name of the Abatement Contractor, name of the Hazmat Hauler who will haul the ACM, and the Hazmat landfill where the ACM will be taken. Once you have completed the form, please make four (4) copies of it, and then send the ORIGINAL to USEPA at the following address:

USEPA Region III
 Attn: Asbestos Coordinator
 1650 Arch Street
 Philadelphia, PA 19103

Send one copy to the DAQ:

DNREC/DAQ
c/o Mr. Thomas Postell
655 S. Bay Rd., Suite 5N
Dover, DE 19901

You must wait a minimum of ten business days after EPA receives your notification, prior to any activity which may disturb asbestos-containing materials (reasoning behind waiting three weeks to begin abatement work). This allows the EPA asbestos inspectors time to coordinate and schedule a site visit if they so desire.

Once the ACM has been abated, a post-abatement inspection by a CPSF asbestos inspector shall be performed to verify that all ACM has been removed.

Following asbestos removal and re-inspection, normal demolition procedures may be employed to complete the demolition process.

State Historic Preservation Office – Contact: Terence Burns 7367404

- There are no known archaeological sites or National Register-listed properties pertaining to the following parcels: the Perdue Real Estate, Amberwood Subdivision, Wilkins Road area, Mispillion Reality, and the City of Milford Armory. However, on lands of Charles Wilkerson, the J. H. Wilkerson and Son Brickworks, which was on the property, but demolished, is in the National Register of Historic Places. With this in mind, there may be archaeological resources, on the parcel that may be associated with that structure.

Therefore, prior to any demolition or ground-disturbing activities, the developer may want to hire an archaeological consultant to examine the parcel for any potential archaeological site or archaeological resources, such as cemetery, burial site, or unmarked human remains. Furthermore, if there is any federal involvement with the project, in the form of licenses, permits, or funds, the federal agency, often through its client, is responsible for complying with Section 106 of the National Historic Preservation Act (36 CFR 800) and must consider their project's effects on any known or potential cultural or historic resources. Owners and developers who may plan to apply for an Army Corps of Engineers permit or for federal funding, such as HUD or USDA grants, should be aware of the National Historic Preservation Act of 1966 (as amended). Regulations promulgated for Section 106 of this Act stipulate that no ground-disturbing or demolition activities should take place before the Corps or other involved federal agency determines the area of potential effect of the project undertaking. These stipulations are in place to allow for comment from the public, the Delaware State Historic Preservation Office, and the Advisory Council for Historic Preservation about the project's effects on historic properties. Furthermore, any preconstruction activities without adherence to these stipulations may jeopardize the issuance of any permit or

funds. If you need further information or additional details pertaining to the Section 106 process and the Advisory Council's role, please review the Advisory Council's website at www.achp.gov.

Please note that changes to the plan, could result in additional comments from the State. Additionally, the lack of comments reflect only issues that are the responsibility of the agencies represented at the meeting.

Once a decision has been reached on this proposed comprehensive plan amendment, please forward a copy of the plan amendment to the Office of State Planning Coordination for our records. The plan amendment must include a revised version of any maps that were updated as well as any text that was approved in amending the comprehensive plan.

Thank you for the opportunity to review this Comprehensive Plan amendment. If you have any questions, please contact me at 302-739-3090.

Sincerely,

A handwritten signature in cursive script that reads "Constance C. Holland".

Constance C. Holland, AICP
Director, Office of State Planning Coordination

CITY OF MILFORD
PUBLIC NOTICE

NOTICE IS HEREBY GIVEN the Planning Commission of the City of Milford will hold a Public Hearing on an amendment to the City of Milford 2008 Comprehensive Plan on Tuesday, September 15, 2015 at 7:00 pm or as soon thereafter as possible.

A FINAL PUBLIC HEARING is schedule on Monday, October 26, 2015 at 7:00 pm or as soon thereafter as possible before Milford City Council. Following the hearing, Ordinance 2015-16 may be adopted, with or without amendments.

Ordinance 2015-16
AMENDING AND ADOPTING BY ORDINANCE
THE 2008 CITY OF MILFORD COMPREHENSIVE PLAN

WHEREAS, pursuant to Title 22-Municipalities, Chapter 7-Planning Commission, Section 7-Establishment; Membership, of the Delaware Code, the City of Milford established a Planning Commission, and

WHEREAS, pursuant to Title 22-Municipalities, Chapter 7-Planning Commission, Section 702-Comprehensive Development Plan, of the Delaware Code, the City of Milford adopted Ordinance 2011-15, a Comprehensive Plan update, on July 11, 2011 to include the addition and implementation of the Southeast Master Plan, and

WHEREAS, the City of Milford adopted Ordinance 2015-06, a Comprehensive Plan Amendment, on July 27, 2015, to amend the Comprehensive Plan, and

WHEREAS, the City of Milford adopted Ordinance 2015-11, a Comprehensive Plan Amendment, on June 22, 2015, and

WHEREAS, the Planning and Economic Development Coordinator have prepared and consulted with the Office of State Planning a third amendment to the 2008 Comprehensive Plan which will permit the future land use designation of thirteen properties to alternate land use designations; and

WHEREAS, the City of Milford Planning Commission held a duly advertised public hearing for public review and comment on the 2008 Comprehensive Plan amendment on September 15, 2015 and did recommend approval and adoption of the third amendment of the 2008 Comprehensive Plan, and

WHEREAS, the Mayor and City Council held a duly advertised public hearing on the third amendment of the 2008 Comprehensive Plan on October 26, 2015 at which time the amendment of the 2008 Comprehensive Plan was reviewed with the public.

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS that the amended 2008 Comprehensive Plan is hereby adopted on October 26, 2015 and made effective as the amended 2008 Comprehensive Plan for Milford on this 5th of November 2015.

Planning Commission Review & Public Hearing: September 15, 2015

City Council Introduction: August 24, 2015

City Council Review & Public Hearing: October 26, 2015

Adoption: October 26, 2015

Effective: November 5, 2015

This ordinance shall take effect and be in force ten days after its adoption.

SYNOPSIS: The comprehensive plan amendment include the following six properties:

1. Perdue Real Estate Holdings, Inc., N Rehoboth Blvd (MD-16-183.07-01-01.00; change of future land use designation from commercial to employment)
2. Crop Production Services f/k/a Amberwood subdivision, Holly Hill Rd (MD-16-182.07-01-01.00 through MD-16-182.07-01-99.00, MD-16-182.07-02-01.00 through MD-16-182.07-02-99.00, MD-16-182.07-03-01.00 through MD-16-182.07-03-23.00; change in future land use designation from moderate density residential to employment)
3. Corp Fellowship Realty, Chad Holleger, Elmer Fannin, James Cannon Jr, George & Darlene Freeman & White Oak Mobile Home Park, Wilkins Rd (3-30-15.00-053.00 through 3-30-15.00-057.00; change in future land use designation from low density residential to high density residential)
4. Charles Wilkerson, NE Front St (MD-16-183.08-01-04.00, MD-16-183.07-01-23.00; change in future land use designation from moderate density residential to employment)
5. Mispillion Realty, LLC, Old Shawnee Rd (1-30-3.00-080.02; change in future land use designation from low density residential to moderate density residential)
6. City of Milford-Armory, N Walnut St (MD-16-183.06-02-14.00; change in future land use designation from low density residential to employment)

Additional information may be obtained by contacting the Rob Pierce of the Planning Department at Milford City Hall either at RPierce@milford-de.gov or by calling 302-424-3712.

Planning Commission Reappointments:

Marvin Sharp (PC),

Expires 08/31/15, 3 year term

William Lane (PC),

Expires 08/31/15, 3 year term

Andrew Fulton (PC),

Expires 08/31/15, 3 year term

Board of Adjustment Reappointment:

Frank Bason (BOA),
Expires 08/31/15, 3 year term