

City of Milford



CITY COUNCIL AGENDA Monday, April 27, 2020

In accordance with the State of Emergency Declaration issued by Governor John Carney that became effective on March 13, 2020, all meetings of Milford City Council shall be conducted electronically to prevent unnecessary public gatherings. In response, City Council will meet remotely through GoToMeeting.com until further notice. This meeting is available for viewing by the public by accessing the following link:
<https://global.gotomeeting.com/join/653426645>

Members of the public may also dial in by phone using the following number:
Phone Number: (224) 501-3412 Access Code: 653-426-645

® *Public Comments may be submitted on the items on the agenda via email to cityclerk@milford-de.gov by 7:00 p.m. All public comments received will be read into the record at the meeting.*

6:30 P.M.

WORKSHOP

Utility Financial Solutions LLC
Electric Cost of Service and Rate Design Study

7:00 P.M.

COUNCIL MEETING

Call to Order - Mayor Archie Campbell

Invocation

Pledge of Allegiance

Public Hearings ®

Ordinance 2020-09
Code of The City of Milford
Part I-Administrative Legislation
Chapter 55-Personnel

Recognition

Proclamation 2020-06/Municipal Clerks Week

Communication & Correspondence

Unfinished Business

New Business

Introduction/Ordinance 2020-13/City Code/Appendix B/Electric Rules & Regulations/Eliminates Summer/Winter Electric Rates/Adds Agricultural Classification
Introduction/Ordinance 2020-14/Chapter 26/Carlisle Fire Co Enhancement Funds/Adds Process Funding Authorization/Tenth Street Well Project/Drilling of Two Test Wells
Authorization/Change Order/2019 Road Rehabilitation Project A/Contract 2020-ST-002
Authorization/City of Milford 2021-2025 Capital Improvement Plan
Reappointment/Board of Elections/Annual Election

Executive Session

Motion to Recess into 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

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

Return to Open Session

Potential Vote/Approval/Employee Contract
Confirmation/Union Benefit Copay
Authorization/Legal Matter/Copay

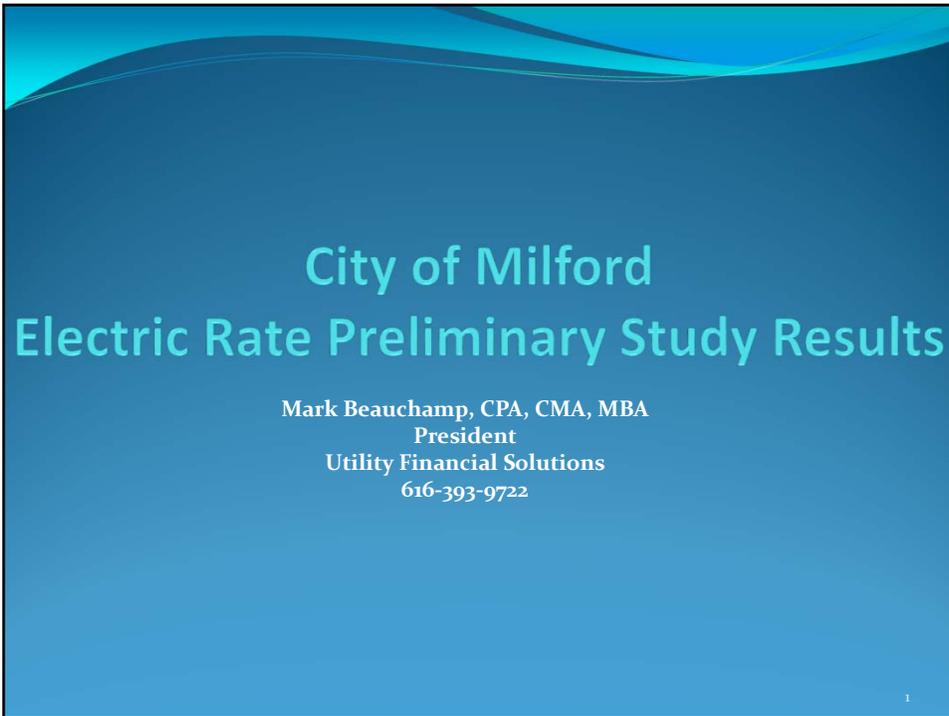
Adjournment

All items on the Council Meeting Agenda are subject to a potential vote.

**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.**

04.15.2020 04.16.2020 04.17.2020
04.27.2020 Ord 2020-13 Clarified

Original Agenda posted on April 20, 2020 at 6:00 p.m.

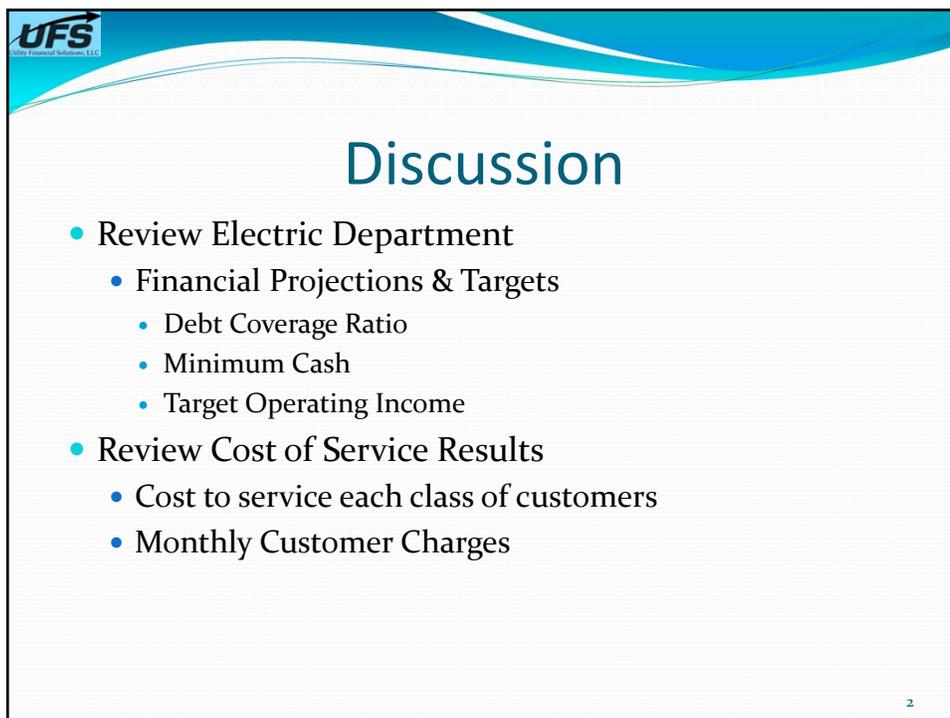


City of Milford

Electric Rate Preliminary Study Results

Mark Beauchamp, CPA, CMA, MBA
President
Utility Financial Solutions
616-393-9722

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UFS
Utility Financial Solutions, LLC

Discussion

- Review Electric Department
 - Financial Projections & Targets
 - Debt Coverage Ratio
 - Minimum Cash
 - Target Operating Income
- Review Cost of Service Results
 - Cost to service each class of customers
 - Monthly Customer Charges

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Assumptions

- Annual Inflation 2.2%
- Power Supply Change:
 - 2022 – 2.2%
 - 2023 – 1.5%
 - 2024 – 0.8%
 - 2025 – 3%
- Usage Change
 - 2022 – 0.5%
 - 2023 – 0.5%
 - 2024 – 0.5%
 - 2025 – 0.5%
- Capital Improvements Plan
 - 2021 – \$1.375M
 - 2022 – \$1.2M
 - 2023 – \$1.225M
 - 2024 – \$1.2M
 - 2025 – \$1.2M
- 2021 Debt Defeasance

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Projection without Rate Change (with Debt Defeasance)

Fiscal Year	Projected Rate Adjustments	Debt Coverage Ratio	Projected Expenses	Projected Revenues	Adjusted Operating Income	Target Operating Income	Projected Cash Balances	Recommended Minimum Cash
2021	0.0%	N/A	\$ 23,944,157	\$ 25,793,507	\$ 1,849,349	\$ 1,082,172	\$ 13,365,170	\$ 7,645,208
2022	0.0%	N/A	24,491,731	26,279,502	\$ 1,787,771	1,119,527	\$ 15,160,261	7,781,185
2023	0.0%	N/A	24,960,616	26,660,705	\$ 1,700,090	1,157,502	\$ 16,929,327	7,896,607
2024	0.0%	N/A	25,329,212	26,940,077	\$ 1,610,866	1,194,702	\$ 18,677,889	7,990,730
2025	0.0%	N/A	26,081,624	27,602,084	\$ 1,520,460	1,231,902	\$ 20,393,541	8,162,944

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Debt Coverage Ratio (Current Rates) (with Debt Defeasance)

Description	Projected 2021	Projected 2022	Projected 2023	Projected 2024	Projected 2025
Debt Coverage Ratio					
Net Income	\$ 1,945,735	\$ 1,860,796	\$ 1,806,173	\$ 1,712,167	\$ 1,631,258
Add Depreciation/Amortization Expense	1,115,194	1,139,294	1,187,894	1,236,394	1,284,394
Add Interest Expense	-	-	-	-	-
Cash Generated from Operations	\$ 3,060,929	\$ 3,000,091	\$ 2,994,067	\$ 2,948,561	\$ 2,915,652
Debt Principal and Interest	\$ -	\$ -	\$ -	\$ -	\$ -
Projected Debt Coverage Ratio (Covenants)	N/A	N/A	N/A	N/A	N/A
Minimum Debt Coverage Ratio	1.4	1.4	1.4	1.4	1.4

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Minimum Cash Recommendation (with Debt Defeasance)

Description	Projected 2021	Projected 2022	Projected 2023	Projected 2024	Projected 2025
Minimum Cash Reserve Allocation					
Operation & Maintenance Less Depreciation Expense	12.3%	12.3%	12.3%	12.3%	12.3%
Purchase Power Expense	15.4%	15.4%	15.4%	15.4%	15.4%
PCA Premium	5.0%	5.0%	5.0%	5.0%	5.0%
Historical Rate Base	3%	3%	3%	3%	3%
Current Portion of Debt Service Payment	83%	83%	83%	83%	83%
Five Year Capital Improvements - Net of bond proceeds	20%	20%	20%	20%	20%
Loss of Major Customer	20%	20%	20%	20%	20%
% Plant Depreciated	53%	55%	56%	58%	59%
Calculated Minimum Cash Level					
Operation & Maintenance Less Depreciation Expense	\$ 782,354	\$ 792,713	\$ 803,300	\$ 814,117	\$ 825,171
Purchase Power Expense	2,531,709	2,599,205	2,650,569	2,686,257	2,780,679
PCA Premium	824,160	846,133	862,853	874,471	905,209
Historical Rate Base	1,047,263	1,083,413	1,120,163	1,156,163	1,192,163
Current Portion of Debt Service Reserve	-	-	-	-	-
Five Year Capital Improvements - Net of bond proceeds	1,241,200	1,241,200	1,241,200	1,241,200	1,241,200
Loss of Major Customer	1,218,521	1,218,521	1,218,521	1,218,521	1,218,521
Minimum Cash Reserve Levels	\$ 7,645,208	\$ 7,781,185	\$ 7,896,607	\$ 7,990,730	\$ 8,162,944
Projected Cash Reserves	\$ 13,365,170	\$ 15,160,261	\$ 16,929,327	\$ 18,677,889	\$ 20,393,541

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Target Operating Income (with Debt Defeasance)

Description	Projected 2021	Projected 2022	Projected 2023	Projected 2024	Projected 2025
Target Operating Income Determinants					
Net Book Value/Working Capital	\$ 16,299,283	\$ 16,364,988	\$ 16,402,094	\$ 16,365,700	\$ 16,281,306
Outstanding Principal on Debt	-	-	-	-	-
System Equity	\$ 16,299,283	\$ 16,364,988	\$ 16,402,094	\$ 16,365,700	\$ 16,281,306
Debt:Equity Ratio	0%	0%	0%	0%	0%
Target Operating Income Allocation					
Interest on Debt	0.00%	0.00%	0.00%	0.00%	0.00%
System Equity	6.64%	6.84%	7.06%	7.30%	7.57%
Target Operating Income					
Interest on Debt	\$ -	\$ -	\$ -	\$ -	\$ -
System Equity	\$ 1,082,172	\$ 1,119,527	\$ 1,157,502	\$ 1,194,702	\$ 1,231,902
Target Operating Income	\$ 1,082,172	\$ 1,119,527	\$ 1,157,502	\$ 1,194,702	\$ 1,231,902
Projected Operating Income	\$ 1,849,349	\$ 1,787,771	\$ 1,700,090	\$ 1,610,866	\$ 1,520,460
Rate of Return in %	6.6%	6.8%	7.1%	7.3%	7.6%

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Projected Rate Track (with Debt Defeasance)

Fiscal Year	Projected Rate Adjustments	Debt Coverage Ratio	Projected Expenses	Projected Revenues	Adjusted Operating Income	Target Operating Income	Projected Cash Balances	Recommended Minimum Cash
2021	-5.0%	N/A	\$23,944,157	\$24,522,674	\$ 578,517	\$ 1,082,172	\$ 12,094,337	\$ 7,645,208
2022	0.0%	N/A	24,491,731	25,002,315	\$ 510,585	1,119,527	\$ 12,605,887	7,781,185
2023	0.0%	N/A	24,960,616	25,377,133	\$ 416,517	1,157,502	\$ 13,078,610	7,896,607
2024	0.0%	N/A	25,329,212	25,650,087	\$ 320,875	1,194,702	\$ 13,517,927	7,990,730
2025	0.0%	N/A	26,081,624	26,305,644	\$ 224,019	1,231,902	\$ 13,911,339	8,162,944

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Electric Cost of Service Results

Customer Class	Cost of Service	Projected		% Change
		Revenues		
Residential	\$ 9,038,342	\$ 9,243,542		-2.2%
Small General Service	1,169,006	1,218,785		-4.1%
Municipal Small General (to be updated)	-	-		0.0%
Private Area Lighting	22,419	39,962		-43.9%
Municipal Street Lighting	123,135	81,739		50.6%
Medium General Service	4,666,466	4,816,871		-3.1%
Large General Service	704,040	704,056		0.0%
General Service Primary	2,735,722	2,763,450		-1.0%
Special Contract Primary	5,741,855	6,092,607		-5.8%
Municipal Medium General (to be updated)	389,378	393,679		-1.1%
Agriculture	59,107	61,956		-4.6%
Total	\$ 24,649,471	\$ 25,416,648		-3.0%

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Monthly Charge

Customer Class	COS Customer Charge	Current Average Customer Charge
Residential	\$ 21.13	\$ 16.00
Small General Service	30.28	23.00
Municipal Small General (to be updated)	-	-
Private Area Lighting	1.75	-
Municipal Street Lighting	1.75	-
Medium General Service	99.40	75.00
Large General Service	199.00	150.00
General Service Primary	419.69	290.00
Special Contract Primary	419.69	385.00
Municipal Medium General (to be updated)	99.40	75.00
Agriculture	99.40	75.00

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United Financial Services, LLC

Questions



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The slide features a blue header with the UFS logo and the word "Questions" in a large, dark blue font. Below the title is a central illustration on a dark teal background. It depicts six hands of different colors (orange, yellow, green, blue, purple, and pink) reaching upwards, each holding a question mark of a matching color. A larger, white question mark is positioned in the center, slightly above the other hands. The entire slide is framed by a thin black border.

City of Milford - Electric Rate Design

3/31/2020

**Utility Financial Solutions, LLC
185 Sun Meadow Court
Holland, MI 49424
608 230 5849**

Email: mjohnson@utilityfinancialsolutions.com

Submitted Respectfully by:
Mike Johnson
Manager, Utility Financial Solutions



City of Milford - Electric
Rate Design
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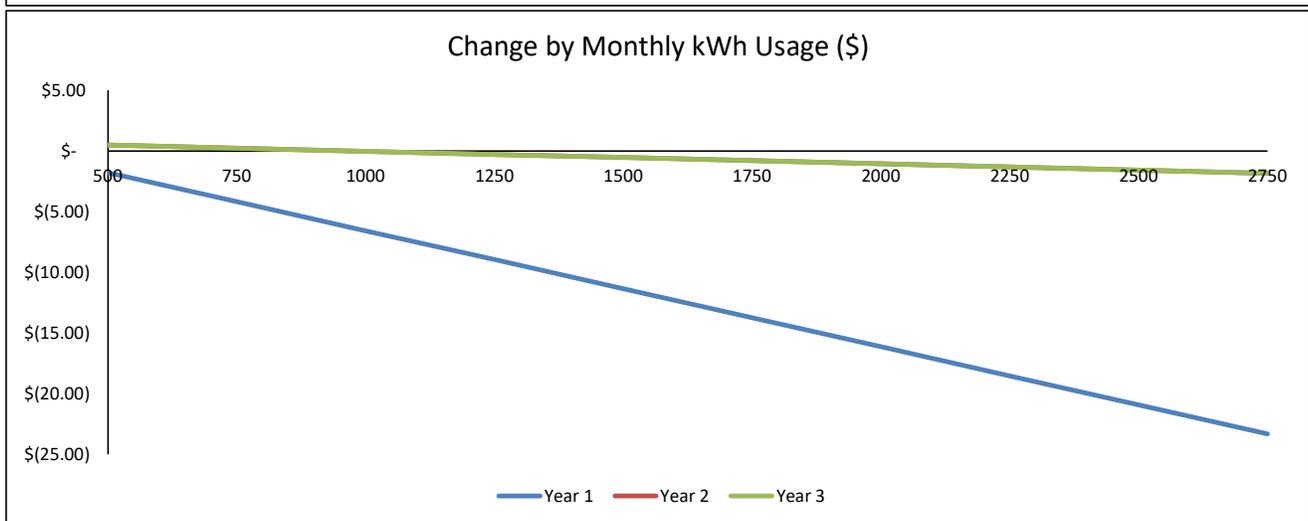
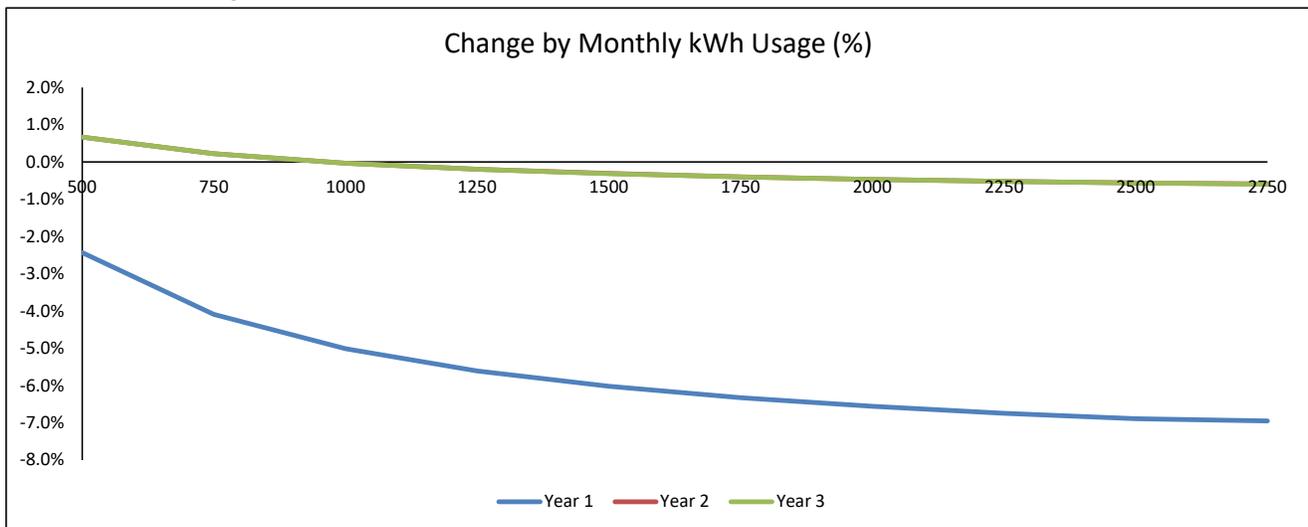
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City of Milford - Electric
Rate Design
Rate Design Summary

Customer Class	Projected Revenues Under Current Rates	Projected Revenues Under Proposed Rates Year 1	Projected Revenues Under Proposed Rates Year 2	Projected Revenues Under Proposed Rates Year 3
Residential	\$ 9,243,542	\$ 8,777,827	\$ 8,777,827	\$ 8,777,827
Small General Service	1,218,785	1,157,379	1,157,379	1,157,379
Private Area Lighting	39,962	39,962	39,962	39,962
Municipal Street Lighting	81,739	81,739	81,739	81,739
Medium General Service	5,210,550	4,948,029	4,948,029	4,948,029
Large General Service	704,056	672,104	672,104	672,104
General Service Primary	2,763,450	2,624,220	2,624,220	2,624,220
Special Contract Primary	6,092,607	5,785,645	5,785,645	5,785,645
Agriculture	61,956	58,126	57,999	57,999
Totals	\$ 25,416,648	\$ 24,145,031	\$ 24,144,904	\$ 24,144,904
Change		-5.0%	0.0%	0.0%

City of Milford - Electric
Rate Design
Projected Residential Rates

Rates	Current	Year 1	Year 2	Year 3
Monthly Facilities Charge:				
All Customers	\$ 16.00	\$ 19.00	\$ 20.00	\$ 21.00
Energy Charge:				
Winter Block 1 (0 - 2,500 kWh)	\$ 0.11587	\$ 0.10560	\$ 0.10456	\$ 0.10353
Winter Block 2 (Excess)	\$ 0.12787	\$ 0.11760	\$ 0.11656	\$ 0.11553
Summer Block 1 (0 - 2,500 kWh)	\$ 0.12587	\$ 0.10560	\$ 0.10456	\$ 0.10353
Summer Block 2 (Excess)	\$ 0.13787	\$ 0.11760	\$ 0.11656	\$ 0.11553
Power Cost Adjustment:				
All Energy	\$ (0.00403)	\$ -	\$ -	\$ -
Revenue from Rate	\$ 9,243,542	\$ 8,777,827	\$ 8,777,827	\$ 8,777,827
Change from Previous		-5.0%	0.0%	0.0%



City of Milford - Electric
Rate Design
Projected Residential Rates

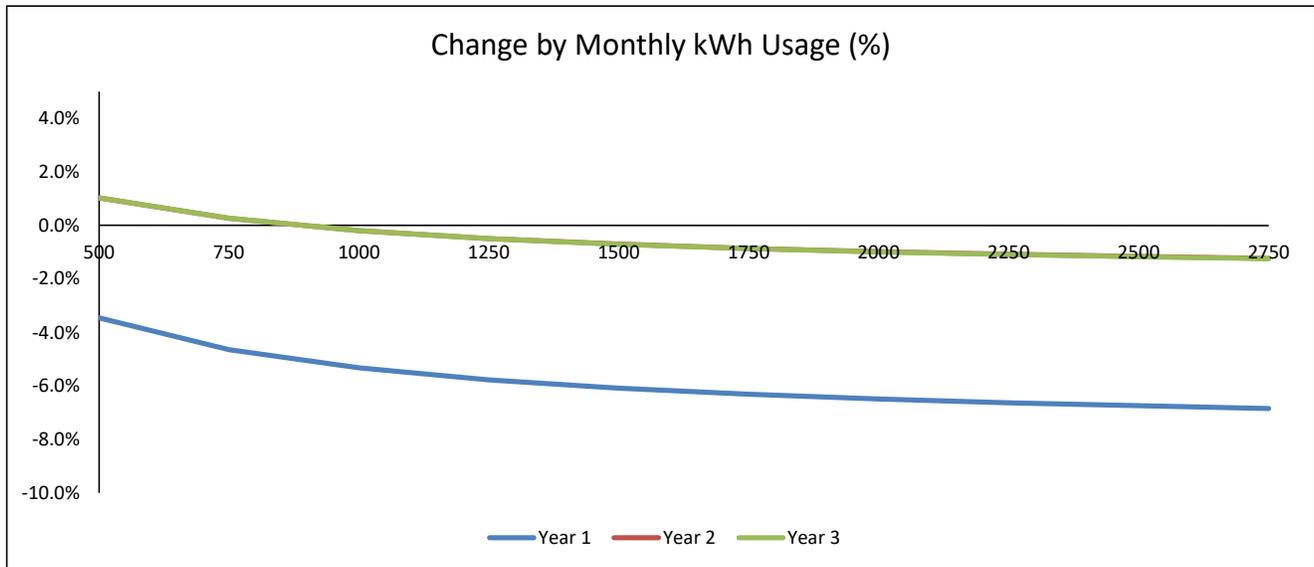
Monthly Energy	Average Monthly Bill by Energy Usage					
	Current \$	Year 1 \$	Year 2 \$	Year 3 \$	Year 4 \$	Year 5 \$
500	\$ 73.59	\$ 71.80	\$ 72.28	\$ 72.76	\$ 25.00	\$ 26.29
750	\$ 102.38	\$ 98.20	\$ 98.42	\$ 98.65	\$ 32.50	\$ 34.62
1000	\$ 131.17	\$ 124.60	\$ 124.56	\$ 124.53	\$ 40.00	\$ 42.95
1250	\$ 159.97	\$ 150.99	\$ 150.70	\$ 150.41	\$ 47.50	\$ 51.29
1500	\$ 188.76	\$ 177.39	\$ 176.84	\$ 176.29	\$ 55.00	\$ 59.62
1750	\$ 217.55	\$ 203.79	\$ 202.98	\$ 202.18	\$ 62.50	\$ 67.95
2000	\$ 246.35	\$ 230.19	\$ 229.13	\$ 228.06	\$ 70.00	\$ 76.29
2250	\$ 275.14	\$ 256.59	\$ 255.27	\$ 253.94	\$ 77.50	\$ 84.62
2500	\$ 303.93	\$ 282.99	\$ 281.41	\$ 279.82	\$ 85.00	\$ 92.95
2750	\$ 335.73	\$ 312.39	\$ 310.55	\$ 308.71	\$ 116.38	\$ 126.84

Monthly Energy	Change by Monthly kWh Usage (%)				
	Year 1	Year 2	Year 3	Year 4	Year 5
500	-2.4%	0.7%	0.7%	-65.6%	5.1%
750	-4.1%	0.2%	0.2%	-67.1%	6.5%
1000	-5.0%	0.0%	0.0%	-67.9%	7.4%
1250	-5.6%	-0.2%	-0.2%	-68.4%	8.0%
1500	-6.0%	-0.3%	-0.3%	-68.8%	8.4%
1750	-6.3%	-0.4%	-0.4%	-69.1%	8.7%
2000	-6.6%	-0.5%	-0.5%	-69.3%	9.0%
2250	-6.7%	-0.5%	-0.5%	-69.5%	9.2%
2500	-6.9%	-0.6%	-0.6%	-69.6%	9.4%
2750	-7.0%	-0.6%	-0.6%	-62.3%	9.0%

Monthly Energy	Change by Monthly kWh Usage (\$)				
	Year 1	Year 2	Year 3	Year 4	Year 5
500	\$ (1.79)	\$ 0.48	\$ 0.48	\$ (47.76)	\$ 1.29
750	\$ (4.18)	\$ 0.23	\$ 0.23	\$ (66.15)	\$ 2.12
1000	\$ (6.58)	\$ (0.03)	\$ (0.03)	\$ (84.53)	\$ 2.95
1250	\$ (8.97)	\$ (0.29)	\$ (0.29)	\$ (102.91)	\$ 3.79
1500	\$ (11.37)	\$ (0.55)	\$ (0.55)	\$ (121.29)	\$ 4.62
1750	\$ (13.76)	\$ (0.81)	\$ (0.81)	\$ (139.68)	\$ 5.45
2000	\$ (16.15)	\$ (1.07)	\$ (1.07)	\$ (158.06)	\$ 6.29
2250	\$ (18.55)	\$ (1.32)	\$ (1.32)	\$ (176.44)	\$ 7.12
2500	\$ (20.94)	\$ (1.58)	\$ (1.58)	\$ (194.82)	\$ 7.95
2750	\$ (23.34)	\$ (1.84)	\$ (1.84)	\$ (192.32)	\$ 10.45

City of Milford - Electric
Rate Design
Projected Small General Service Rates

Rates	Current	Year 1	Year 2	Year 3
Customer Charge:				
All Customers	\$ 23.00	\$ 25.00	\$ 27.00	\$ 29.00
Energy Charge:				
Winter Energy	\$ 0.12264	\$ 0.11258	\$ 0.11039	\$ 0.10821
Summer Energy	\$ 0.13264	\$ 0.11258	\$ 0.11039	\$ 0.10821
Power Cost Adjustment:				
All Energy	\$ (0.00403)	\$ -	\$ -	\$ -
Revenue from Rate	\$ 1,218,785	\$ 1,157,379	\$ 1,157,379	\$ 1,157,379
Change from Previous	-	-5.0%	0.0%	0.0%



City of Milford - Electric
Rate Design
Projected Private Area Lighting Rates

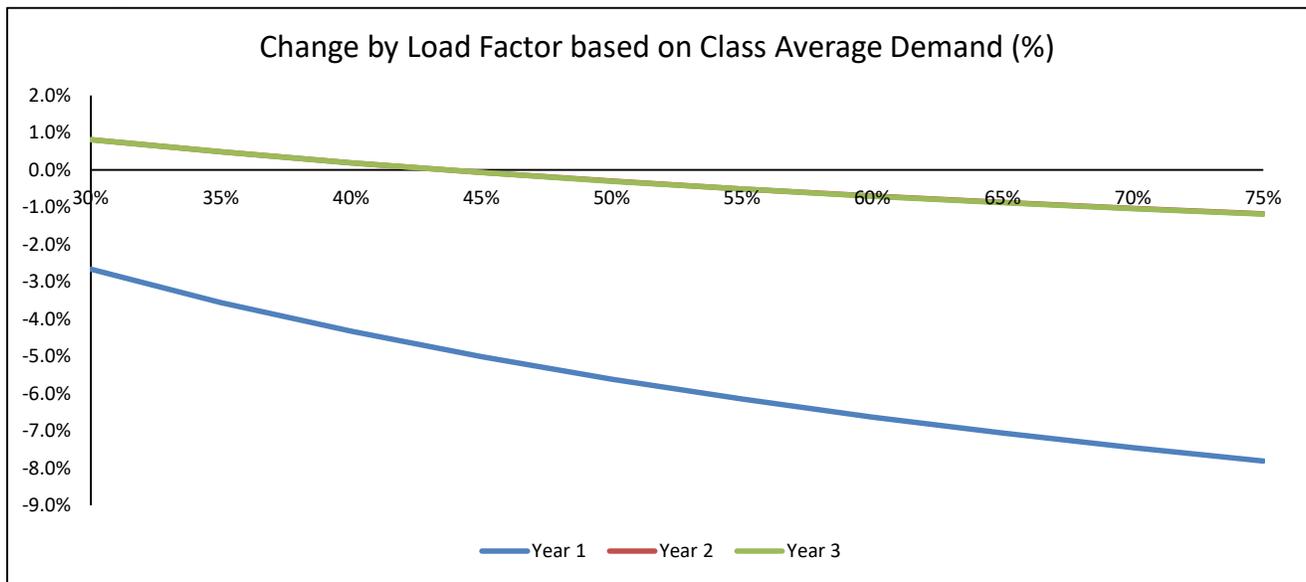
Rates	Current	Year 1	Year 2	Year 3
Monthly Facilities Charge:				
LED (100W)	\$ 7.89	\$ 7.89	\$ 7.89	\$ 7.89
LED (400W)	\$ 10.85	\$ 10.85	\$ 10.85	\$ 10.85
HPS (9500 Lumens)	\$ 7.89	\$ 7.89	\$ 7.89	\$ 7.89
HPS (16000 Lumens)	\$ 10.85	\$ 10.85	\$ 10.85	\$ 10.85
Mercury (22500 Lumens)	\$ 22.69	\$ 22.69	\$ 22.69	\$ 22.69
HPS (50000 Lumens)	\$ 24.27	\$ 24.27	\$ 24.27	\$ 24.27
Mercury (8600 Lumens)	\$ 11.34	\$ 11.34	\$ 11.34	\$ 11.34
250 Watt	\$ 12.36	\$ 12.36	\$ 12.36	\$ 12.36
MH (110000 Lumens)	\$ 53.27	\$ 53.27	\$ 53.27	\$ 53.27
MH (40000 Lumens)	\$ 24.27	\$ 24.27	\$ 24.27	\$ 24.27
Revenue from Rate	\$ 39,962	\$ 39,962	\$ 39,962	\$ 39,962
Change from Previous		0.0%	0.0%	0.0%

City of Milford - Electric
Rate Design
Projected Municipal Street Lighting Rates

Rates	Current	Year 1	Year 2	Year 3
Monthly Facilities Charge:				
City Security Lights - CISL	\$ 1,080.00	\$ 1,080.00	\$ 1,080.00	\$ 1,080.00
City Street Lights - CIST	\$ 5,681.50	\$ 5,681.50	\$ 5,681.50	\$ 5,681.50
Street Lights - State - STAT	\$ 50.12	\$ 50.12	\$ 50.12	\$ 50.12
Revenue from Rate	\$ 81,739	\$ 81,739	\$ 81,739	\$ 81,739
Change from Previous		0.0%	0.0%	0.0%

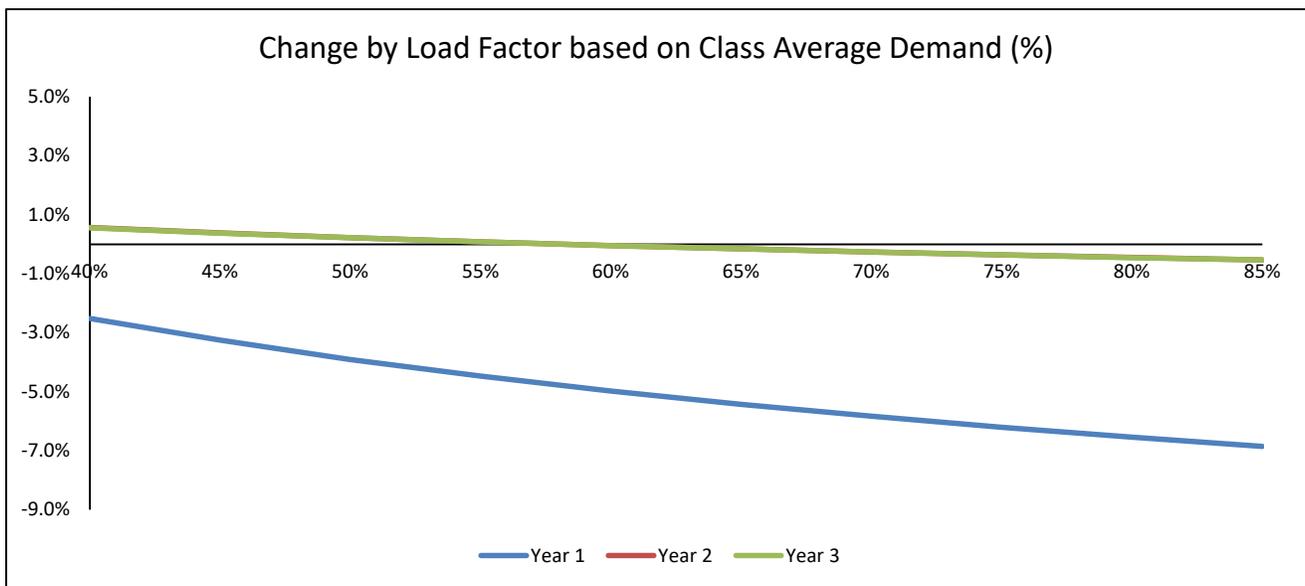
City of Milford - Electric
Rate Design
Projected Medium General Service Rates

Rates	Current	Year 1	Year 2	Year 3
Monthly Facilities Charge:				
All Customers	\$ 75.00	\$ 82.50	\$ 90.00	\$ 97.50
Energy Charge:				
Winter Energy	\$ 0.06270	\$ 0.05246	\$ 0.05008	\$ 0.04770
Summer Energy	\$ 0.07270	\$ 0.05246	\$ 0.05008	\$ 0.04770
Demand Charge:				
Winter Demand	\$ 13.25	\$ 14.80	\$ 15.30	\$ 15.80
Summer Demand	\$ 14.80	\$ 14.80	\$ 15.30	\$ 15.80
Power Cost Adjustment:				
All Energy	\$ (0.00403)	\$ -	\$ -	\$ -
Revenue from Rate	\$ 5,210,550	\$ 4,948,029	\$ 4,948,029	\$ 4,948,029
Change from Previous		-5.0%	0.0%	0.0%



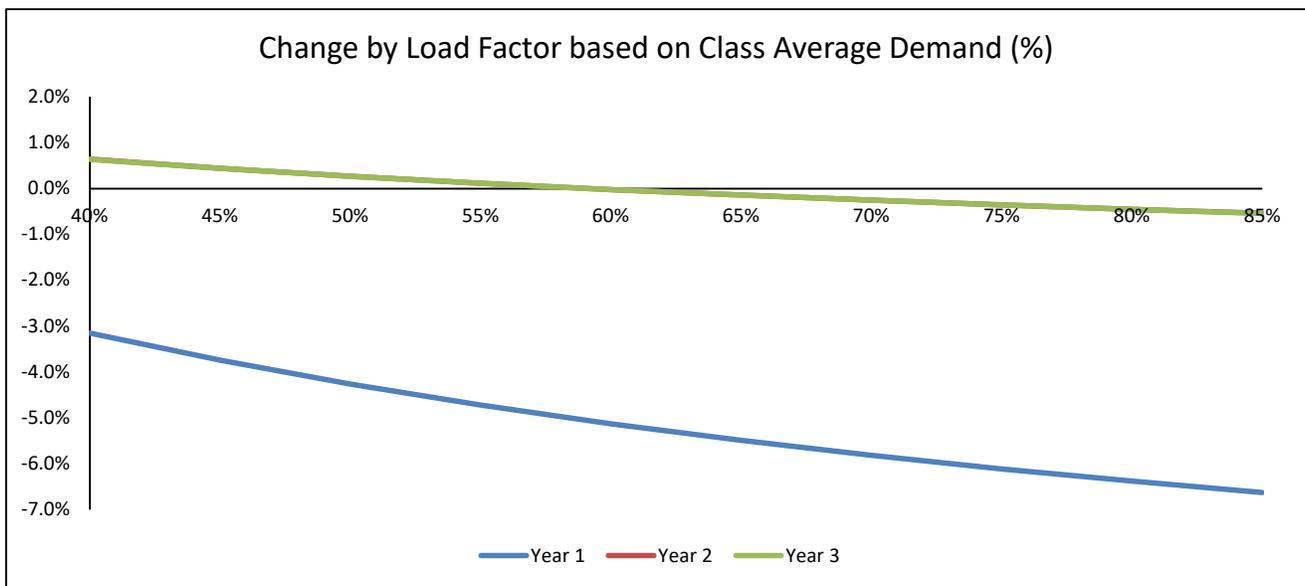
City of Milford - Electric
Rate Design
Projected Large General Service Rates

Rates	Current	Year 1	Year 2	Year 3
Monthly Facilities Charge:				
All Customers	\$ 150.00	\$ 165.00	\$ 180.00	\$ 195.00
Energy Charge:				
On-Peak Energy	\$ 0.07480	\$ 0.06185	\$ 0.06045	\$ 0.05906
Off-Peak Energy	\$ 0.06480	\$ 0.05185	\$ 0.05045	\$ 0.04906
Demand Charge:				
Winter Demand	\$ 12.75	\$ 15.25	\$ 15.75	\$ 16.25
Summer Demand	\$ 15.25	\$ 15.25	\$ 15.75	\$ 16.25
Power Cost Adjustment:				
All Energy	\$ (0.00403)	\$ -	\$ -	\$ -
Revenue from Rate	\$ 704,056	\$ 672,104	\$ 672,104	\$ 672,104
Change from Previous		-4.5%	0.0%	0.0%



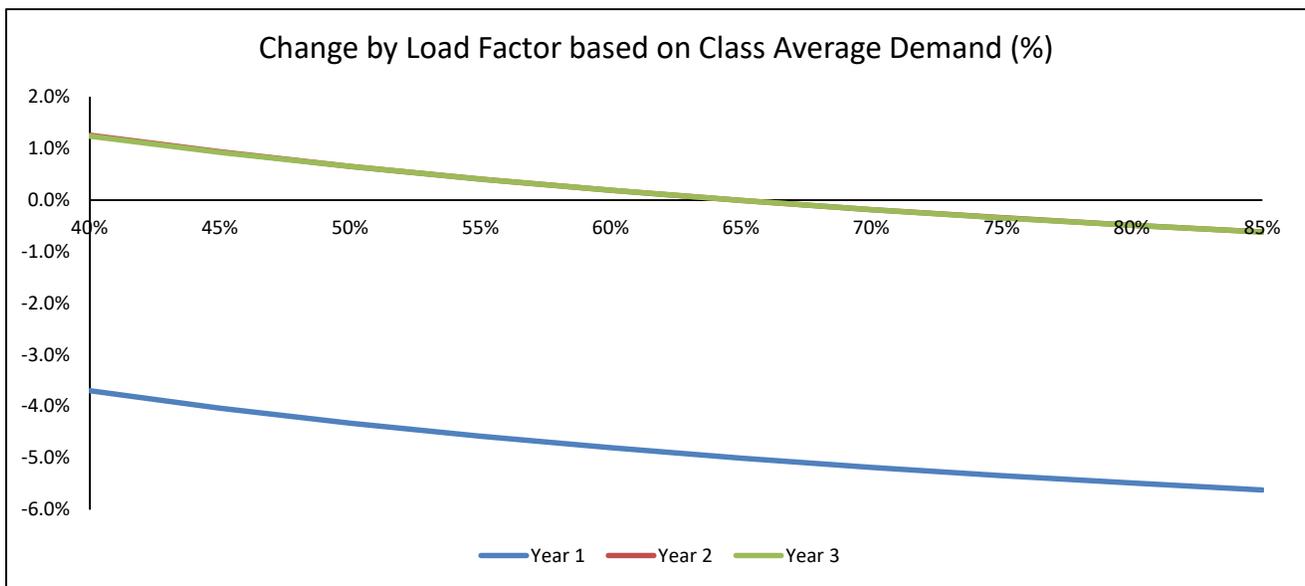
City of Milford - Electric
Rate Design
Projected General Service Primary Rates

Rates	Current	Year 1	Year 2	Year 3
Monthly Facilities Charge:				
All Customers	\$ 290.00	\$ 330.00	\$ 370.00	\$ 410.00
Energy Charge:				
On-Peak Energy	\$ 0.07480	\$ 0.06290	\$ 0.06143	\$ 0.05997
Off-Peak Energy	\$ 0.06480	\$ 0.05290	\$ 0.05143	\$ 0.04997
Demand Charge:				
Winter Demand	\$ 12.62	\$ 14.29	\$ 14.79	\$ 15.29
Summer Demand	\$ 14.29	\$ 14.29	\$ 14.79	\$ 15.29
Power Cost Adjustment:				
All Energy	\$ (0.00403)	\$ -	\$ -	\$ -
Revenue from Rate	\$ 2,763,450	\$ 2,624,220	\$ 2,624,220	\$ 2,624,220
Change from Previous		-5.0%	0.0%	0.0%



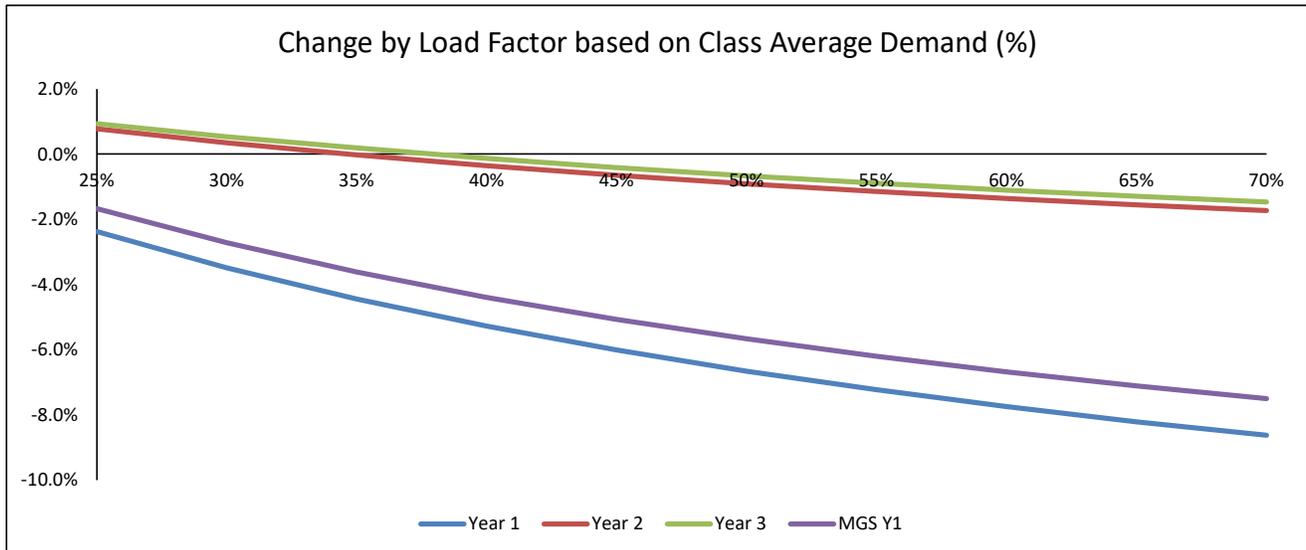
City of Milford - Electric
Rate Design
Projected Special Contract Primary Rates

Rates	Current	Year 1	Year 2	Year 3
Monthly Facilities Charge:				
All Customers	\$ 385.00	\$ 395.00	\$ 405.00	\$ 415.00
Energy Charge:				
On-Peak Energy	\$ 0.07560	\$ 0.06595	\$ 0.06382	\$ 0.06170
Off-Peak Energy	\$ 0.06560	\$ 0.05595	\$ 0.05382	\$ 0.05170
Demand Charge:				
Winter Demand	\$ 12.00	\$ 12.68	\$ 13.68	\$ 14.68
Summer Demand	\$ 12.68	\$ 12.68	\$ 13.68	\$ 14.68
Power Cost Adjustment:				
All Energy	\$ (0.00403)	\$ -	\$ -	\$ -
Revenue from Rate	\$ 6,092,607	\$ 5,785,645	\$ 5,785,645	\$ 5,785,645
Change from Previous		-5.0%	0.0%	0.0%



City of Milford - Electric
Rate Design
Projected Agriculture Rates

Rates	Current	Year 1	Year 2	Year 3	MGS Y1
Monthly Facilities Charge:					
All Customers	\$ 75.00	\$ 82.50	\$ 90.00	\$ 97.50	\$ 82.50
Energy Charge:					
Winter Energy	\$ 0.06270	\$ 0.05141	\$ 0.04847	\$ 0.04577	\$ 0.05246
Summer Energy	\$ 0.07270	\$ 0.05141	\$ 0.04847	\$ 0.04577	\$ 0.05246
Demand Charge:					
Winter Demand	\$ 13.25	\$ 14.80	\$ 15.30	\$ 15.80	\$ 14.80
Summer Demand	\$ 14.80	\$ 14.80	\$ 15.30	\$ 15.80	\$ 14.80
Power Cost Adjustment:					
All Energy	\$ (0.00403)	\$ -	\$ -	\$ -	\$ -
Revenue from Rate	\$ 61,956	\$ 58,126	\$ 57,999	\$ 57,999	\$ 58,658
Change from Previous		-6.2%	-0.2%	0.0%	-5.3%



Last 12 Months Usage	MGS	Agriculture	Savings
Hill Farms Inc	\$ 6,796.49	\$ 6,741.93	\$ 54.56 0.8%
Lednum Branch 3 & 4	\$ 16,567.19	\$ 16,429.70	\$ 137.50 0.8%
MCCOLLEY LYNNE75515822	\$ 11,952.09	\$ 11,852.79	\$ 99.30 0.8%
MCCOLLEY, LYNNE76454852	\$ 12,468.85	\$ 12,369.63	\$ 99.22 0.8%
YUTZY, DANIEL J	\$ 8,693.30	\$ 8,606.97	\$ 86.33 1.0%

CITY OF MILFORD
NOTICE OF PUBLIC HEARINGS

City Council Hearing: Monday, March 23, 2020

NOTICE IS HEREBY GIVEN that the City Council will hold Public Hearings at 7:00 p.m., or as soon thereafter as possible, in the Joseph Ronnie Rogers Council Chambers at Milford City Hall, 201 South Walnut Street to allow interested parties to participate in the discussion and consideration of the following matter:

ORDINANCE 2020-09
CODE OF THE CITY OF MILFORD
PART I-ADMINISTRATIVE LEGISLATION
CHAPTER 55-PERSONNEL

WHEREAS, Chapter 55 of the City of Milford Code governs personnel policies for all City of Milford employees; and

WHEREAS, the Chapter is intended to inform employees with important information about the City's rules, policies, practices, and procedures, as well as educated them on their own privileges and responsibilities; and

WHEREAS, the City of Milford encourages our employees to explore opportunities for personal and professional development including degree programs at accredited institutions of higher learning; and

WHEREAS; tuition reimbursement is designed to help employees pay for eligible expenses related to pursuing an undergraduate and/or graduate degree.

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

Section 1. The following text is hereby amended by adding a new Section 7.14, as set forth below:

SECTION 7 - EMPLOYEE BENEFITS

7.14 TUITION REIMBURSEMENT

Regular full-time employees are eligible for tuition reimbursement after completing six (6) months of full-time employment with the City.

The employee must be enrolled in an approved degree program that is related to the current job position held or must be appropriate for preparation for another position within the City. Courses are only eligible for reimbursement if they are required as part of the curriculum for the approved degree the employee is pursuing. Undergraduate and Graduate degrees are eligible, however law degrees, medical degrees, doctorate degrees, or PhDs are not eligible. The immediate supervisor, Department Director, and the City Manager will determine whether the course and/or degree program is eligible for tuition reimbursement.

Police officers shall apply for any financial grants from the Delaware Criminal Council Tuition Program available throughout the State at the same time as applying for the City program. If the Delaware Criminal Council Tuition Program is discontinued, then this provision will be void. The officer shall only be responsible to reimburse funds received through the City's program. A partial

payment from the Delaware Criminal Tuition Program does not preclude an officer from asking for the balance of the total amount as long as the course/and or degree program meets the eligibility requirements of this policy.

Eligible expenses include:

- Tuition
- Books
- Mandatory non-refundable fees, such as registration, admission, matriculation, activity fees, and lab/shop fees.

Expenses not covered include, but are not limited to:

- Deferment fees or installment plan charges
- Late fees
- Transcript fees
- Entrance exams
- Test preparation fees or courses
- Graduation or diploma fees
- Parking
- Athletic fees
- Health fees

The employee must submit an unofficial transcript showing successful completion of each course. A successful completion is earning a C/equivalent or better in a course. The employee must also submit an itemized invoice of tuition and fees, and proof of payment. At the completion of the degree program, an official transcript must be submitted.

The annual reimbursement limit for tuition is \$5,250 per employee and may be subject to change based on IRS regulations. Taxation of employer provided tuition assistance is governed by the IRS tax code, Section 127. Reimbursements will be counted towards the annual limit based on the year in which the reimbursement is paid. Funds for tuition reimbursement do not carry over from year to year.

The employee must remain employed with the City for one year following the completion of the degree program.

The employee will be required to reimburse the City if they elect to voluntarily terminate their employment before the one-year anniversary of the completion of the degree program. The City may retain all unpaid earnings, accrued vacation, sick, and holiday time, or any other pay towards the satisfaction of the repayment obligation.

A temporary, flexible work schedule may be approved for an employee to attend courses. The flexible work schedule, whether only for a particular day or week, must be arranged in advance and the employee and supervisor must mutually agree upon the schedule and then obtain the written approval of the Department Director. At all times, normal business hours as well as the operational needs of the department must be maintained.

Section 2. Dates.

City Council Introduction: March 9, 2020

City Council Public Hearing: March 23, 2020

Effective: April 2, 2020

Advertised: Beacon, 03/04/20

City of Milford

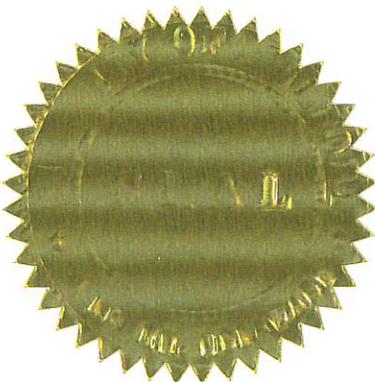


PROCLAMATION 2020-06

51st ANNUAL PROFESSIONAL MUNICIPAL CLERKS WEEK May 3 - May 9, 2020

- Whereas**, The Office of the Professional Municipal Clerk, a time honored and vital part of local government exists throughout the world; and
- Whereas**, The Office of the Professional Municipal Clerk is the oldest among public servants; and
- Whereas**, The Office of the Professional Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels; and
- Whereas**, Professional Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and
- Whereas**, The Professional Municipal Clerk serves as the information center on functions of local government and community; and
- Whereas**, Professional Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Professional Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, provincial, county and international professional organizations; and
- Whereas**, It is most appropriate that we recognize the accomplishments of the Office of the Professional Municipal Clerk.
- Now, Therefore**, I, Arthur J. Campbell, Mayor of The City of Milford, do recognize the week of May 3 through May 9, 2020, as Professional Municipal Clerks Week, and further extend appreciation to our Municipal Clerk, Teresa K. Hudson and Deputy Municipal Clerk Christine Crouch and to all Professional Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

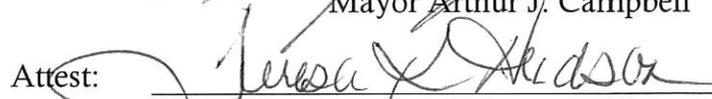
IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City to be affixed hereto this 27th day of April 2020.





Mayor Arthur J. Campbell

Attest:



City Clerk Teresa K. Hudson

May 2020

April '20							June '20						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
			1	2	3	4		1	2	3	4	5	6
5	6	7	8	9	10	11	7	8	9	10	11	12	13
12	13	14	15	16	17	18	14	15	16	17	18	19	20
19	20	21	22	23	24	25	21	22	23	24	25	26	27
26	27	28	29	30			28	29	30				

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
26	27	28	29	30	1	2
3	4	5	6	7	8	9
10	11 5:30 Community/Econ Develop Committee 7:00 Council Meeting	12	13	14	15	16
17	18	19	20	21	22	23
24	25 Holiday	26 7:00 Council Meeting	27	28 5:30 DLLG Meeting	29	30
31	1	Notes 				

June 2020

May '20							July '20						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
					1	2				1	2	3	4
3	4	5	6	7	8	9	5	6	7	8	9	10	11
10	11	12	13	14	15	16	12	13	14	15	16	17	18
17	18	19	20	21	22	23	19	20	21	22	23	24	25
24	25	26	27	28	29	30	26	27	28	29	30	31	
31													

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
31	1 5:00 Budget Hearings	2 5:00 Budget Hearings	3 6:00 SCAT Meeting	4	5	6
7	8 5:30 Finance/Public Works Committee 7:00 Council Meeting	9	10	11	12	13
14	15	16	17	18	19	20
21	22 5:30 Police Committee 6:30 Council Workshop- Updates-DMI, CFD, Museum 7:00 Council Meeting	23	24	25 5:30 DLLG Meeting	26	27
28	29	30	1	2	3	4

5	6	<p>Notes</p> <p>PENDING: Election, Council Photos, Swearing In, and Organizational Meeting</p>	 <p>THE CITY of <i>Milford</i> DELAWARE</p>	<p>Calendar Templates by Vertex42 https://www.vertex42.com/calendars/</p>
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July 2020

June '20							August '20						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
	1	2	3	4	5	6							1
7	8	9	10	11	12	13	2	3	4	5	6	7	8
14	15	16	17	18	19	20	9	10	11	12	13	14	15
21	22	23	24	25	26	27	16	17	18	19	20	21	22
28	29	30					23	24	25	26	27	28	29
							30	31					

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
28	29	30	1	2	3 Holiday	4
5	6	7	8	9	10	11
12	13 5:30 Community/Econ Develop Committee 7:00 Council Meeting	14	15	16	17	18
19	20	21	22	23	24	25
26	27 7:00 Council Meeting	28	29	30	31	1
2	3	Notes 				

August 2020

July '20							September '20						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
			1	2	3	4			1	2	3	4	5
5	6	7	8	9	10	11	6	7	8	9	10	11	12
12	13	14	15	16	17	18	13	14	15	16	17	18	19
19	20	21	22	23	24	25	20	21	22	23	24	25	26
26	27	28	29	30	31		27	28	29	30			

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
26	27	28	29	30	31	1
2	3	4	5	6	7	8
9	10 5:30 Finance/Public Works Committee 7:00 Council Meeting	11	12	13	14	15
16	17	18	19	20	21	22
23	24 5:30 Police Committee 7:00 Council Meeting	25	26	27	28	29
30	31	Notes 				

September 2020

August '20							October '20							
S	M	T	W	T	F	S	S	M	T	W	T	F	S	
						1						1	2	3
2	3	4	5	6	7	8	4	5	6	7	8	9	10	
9	10	11	12	13	14	15	11	12	13	14	15	16	17	
16	17	18	19	20	21	22	18	19	20	21	22	23	24	
23	24	25	26	27	28	29	25	26	27	28	29	30	31	
30	31													

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
30	31	1	2 <i>6:00 SCAT Meeting</i>	3	4	5
6	7 Holiday	8	9	10	11	12
13	14 <i>5:30 Community/Econ Develop Committee 7:00 Council Meeting</i>	15	16	17	18	19
20	21	22	23	24 <i>5:30 DLLG Meeting</i>	25	26
27	28 <i>6:30 Council Workshop- Updates-DMI, CFD, Museum 7:00 Council Meeting</i>	29	30	1	2	3
4	5	Notes 				

October 2020

September '20							November '20						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
		1	2	3	4	5	1	2	3	4	5	6	7
6	7	8	9	10	11	12	8	9	10	11	12	13	14
13	14	15	16	17	18	19	15	16	17	18	19	20	21
20	21	22	23	24	25	26	22	23	24	25	26	27	28
27	28	29	30				29	30					

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	
27	28	29	30	1	2	3	
4	5	6	7 <i>6:00 SCAT Meeting</i>	8	9	10	
11	12 <i>5:30 Finance/Public Works Committee 7:00 Council Meeting</i>	13	14	15	16	17	
18	19	20	21	22 <i>5:30 DLLG Meeting</i>	23	24	
25	26 <i>5:30 Police Committee 7:00 Council Meeting</i>	27	28	29	30	31	
1	2	Notes 					

November 2020

October '20							December '20						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
				1	2	3			1	2	3	4	5
4	5	6	7	8	9	10	6	7	8	9	10	11	12
11	12	13	14	15	16	17	13	14	15	16	17	18	19
18	19	20	21	22	23	24	20	21	22	23	24	25	26
25	26	27	28	29	30	31	27	28	29	30	31		

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3 Holiday	4 6:00 SCAT Meeting	5 Holiday	6	7
8	9 5:30 Community/Econ Develop Committee 7:00 Council Meeting	10	11 Holiday	12	13	14
15	16	17	18	19	20	21
22	23 7:00 Council Meeting	24	25	26 Holiday	27 Holiday	28
29	30	1	2	3	4	5

6	7	<p>Notes</p> 				
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Calendar Templates by Vertex42
<https://www.vertex42.com/calendars/>

December 2020

November '20							January '21						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
1	2	3	4	5	6	7						1	2
8	9	10	11	12	13	14	3	4	5	6	7	8	9
15	16	17	18	19	20	21	10	11	12	13	14	15	16
22	23	24	25	26	27	28	17	18	19	20	21	22	23
29	30						24	25	26	27	28	29	30
							31						

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
29	30	1	2 <i>6:00 SCAT Meeting</i>	3	4	5
6	7	8	9	10	11	12
13	14 <i>5:30 Finance/Public Works Committee 7:00 Council Meeting</i>	15	16	17	18	19
20	21	22	23	24 <i>Holiday</i>	25 <i>Holiday</i>	26
27	28	29	30	31	1	2

3	4	<p>Notes</p>  <p style="text-align: right;">Calendar Templates by Vertex42 https://www.vertex42.com/calendars/</p>				
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January 2021

December '20							February '21						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
		1	2	3	4	5		1	2	3	4	5	6
6	7	8	9	10	11	12	7	8	9	10	11	12	13
13	14	15	16	17	18	19	14	15	16	17	18	19	20
20	21	22	23	24	25	26	21	22	23	24	25	26	27
27	28	29	30	31			28						

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
27	28	29	30	31	1	2
3	4	5	6 <i>6:00 SCAT Meeting</i>	7	8 Holiday	9
10	11 <i>5:30 Community/Econ Develop Committee 7:00 Council Meeting</i>	12	13	14	15	16
17	18 Holiday	19	20	21	22 <i>8:00 AM Community Cemetery Board</i>	23
24	25 <i>6:30 Council Workshop- Updates-DMI, CFD, Museum 7:00 Council Meeting</i>	26	27	28 <i>5:30 DLLG Meeting</i>	29	30
31	1	Notes 				

February 2021

January '21							March '21						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
					1	2		1	2	3	4	5	6
3	4	5	6	7	8	9	7	8	9	10	11	12	13
10	11	12	13	14	15	16	14	15	16	17	18	19	20
17	18	19	20	21	22	23	21	22	23	24	25	26	27
24	25	26	27	28	29	30	28	29	30	31			
31													

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
31	1	2	3 <i>6:00 SCAT Meeting</i>	4	5	6
7	8 <i>5:30 Finance/Public Works Committee</i> <i>7:00 Council Meeting</i>	9	10	11	12	13
14	15 Holiday	16	17	18	19	20
21	22 <i>5:30 Police Committee</i> <i>7:00 Council Meeting</i>	23	24	25 <i>5:30 DLLG Meeting</i>	26	27
28	1	2	3	4	5	6
7	8	Notes 				

March 2021

February '21							April '21							
S	M	T	W	T	F	S	S	M	T	W	T	F	S	
	1	2	3	4	5	6						1	2	3
7	8	9	10	11	12	13	4	5	6	7	8	9	10	
14	15	16	17	18	19	20	11	12	13	14	15	16	17	
21	22	23	24	25	26	27	18	19	20	21	22	23	24	
28							25	26	27	28	29	30		

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
28	1	2	3 <i>6:00 SCAT Meeting</i>	4	5	6
7	8	9	10	11	12	13
14	15 <i>5:30 Community/Econ Develop Committee 7:00 Council Meeting</i>	16	17	18	19	20
21	22	23	24	25 <i>5:30 DLLG Meeting</i>	26	27
28	29 <i>6:30 Council Workshop- Updates-DMI, CFD, Museum 7:00 Council Meeting</i>	30	31	1	2	3
4	5	Notes 				

April 2021

March '21							May '21						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
	1	2	3	4	5	6							1
7	8	9	10	11	12	13	2	3	4	5	6	7	8
14	15	16	17	18	19	20	9	10	11	12	13	14	15
21	22	23	24	25	26	27	16	17	18	19	20	21	22
28	29	30	31				23	24	25	26	27	28	29
							30	31					

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
28	29	30	31	1	2 Holiday	3
4	5	6	7 6:00 SCAT Meeting	8	9	10
11	12 5:30 Finance/Public Works Committee 7:00 Council Meeting	13	14	15	16	17
18	19	20	21	22 5:30 DLLG Meeting	23 8:00 AM Community Cemetery Board	24 10 AM-6 PM Annual Election
25	26 5:30 Police Committee 7:00 Council Meeting	27	28	29	30	1
2	3	Notes				

CITY OF MILFORD
PUBLIC NOTICE

The following ordinance is currently under review by Milford City Council. Public comments will be accepted at the May 11, 2020 Council Meeting that begins at 7:00 p.m.

ORDINANCE 2020-13
CODE OF THE CITY OF MILFORD
PART II-GENERAL LEGISLATION
APPENDIX B ELECTRIC RULES AND REGULATIONS

WHEREAS, the purpose of Appendix B of the Code of the City of Milford is to establish Rules and Regulations for the distribution and delivery of electric service to the City of Milford's electric system; and

WHEREAS, Appendix B, accompanied by the Tariff, provides the charges and rates for electric services; and

WHEREAS, the City's Electric Division has completed an electric rate and cost of service study through the consulting firm of Utility Financial Solutions, LLC, who is recommending electric rate adjustments for City Council's consideration; and

WHEREAS, the last comprehensive electric rate adjustments, taking into account cost of service and cost of power, were adopted by City Council on May 8, 2017 and became effective June 1, 2017; and

WHEREAS, City Council has studied the consultant's proposed adjustments and amendments, and considered the City's electric funds and public comments, and thereby desires to amend the monthly facility charge, adopt reduced electric rates, remove any variations created by seasonal provisions and identify the billing periods and applicable rates during the multiple-year time frame.

Now, Therefore, Be It Resolved by the City of Milford that:

Section 1. APPENDIX B-ELECTRIC RULES AND REGULATIONS of the City of Milford Code is amended as follows:

Section 2.

Section 2 - DEFINITIONS is hereby amended by adding subsections 2.31, 2.32 and 2.33 by inserting the text shown as bold and underlined as set forth below:

2.31 YEAR ONE
June 1, 2020-June 30, 2021

2.32 YEAR TWO
July 1, 2021 to June 30, 2022

2.33 YEAR THREE
July 1, 2022 to June 30, 2023

Section 3.

Section 24 – FEES, CLASSIFICATIONS AND SCHEDULES is hereby amended by adjusting electric rates as indicated by inserting language shown as bold and underlined and removing language indicated by strikethrough as set forth below:

24-2. RES—RESIDENTIAL SERVICE SCHEDULE

3. MONTHLY RATES

RATES	Year 1	Year 2	Year 3
Monthly Facilities Charge:			
All Customers	\$ 8.00 <u>\$19.00</u>	\$ 12.00 <u>\$20.00</u>	\$ 16.00 <u>\$21.00</u>
Energy Charge:			
Winter*			
Winter Block 1 (0 – 5 kWh)	\$ 0.12251	\$ 0.11825	\$ 0.11587
Winter Block 2 (6 – 2,500 kWh)	\$ 0.12251	\$ 0.11825	\$ 0.11587
Winter Block 3 (Excess)	\$ 0.13451	\$ 0.13025	\$ 0.12787
Summer**			
Summer Block 1 (0 – 5 kWh)	\$ 0.13251	\$ 0.12825	\$ 0.12587
Summer Block 2 (6 – 2,500 kWh)	\$ 0.13251	\$ 0.12825	\$ 0.12587
Summer Block 3 (Excess)	\$ 0.14451	\$ 0.14025	\$ 0.13787
<u>Block 1 (0 - 2,500 kWh)</u>	<u>\$0.10560</u>	<u>\$0.10456</u>	<u>\$0.10353</u>
<u>Block 2 (Excess)</u>	<u>\$0.11760</u>	<u>\$0.11656</u>	<u>\$0.11553</u>

*October through May

**June through September

24-3. SGS—SMALL GENERAL SERVICE SCHEDULE

3. MONTHLY RATES

RATES	Year 1	Year 2	Year 3
Monthly Facilities Charge:			
All Customers	\$ 11.50 <u>\$25.00</u>	\$ 18.00 <u>\$27.00</u>	\$ 23.00 <u>\$29.00</u>
Energy Charge:			
Winter*	\$ 0.13297	\$ 0.12601	\$ 0.12264
Summer**	\$ 0.14297	\$ 0.13601	\$ 0.13264

<u>All Energy</u>	<u>\$ 0.11258</u>	<u>\$ 0.11039</u>	<u>\$ 0.10821</u>
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*October through May

**June through September

24-4. MGS—MEDIUM GENERAL SERVICE SCHEDULE

3. MONTHLY RATES

RATES	Year 1	Year 2	Year 3
Monthly Facilities Charge:			
All Customers	\$ 20.00 <u>\$82.50</u>	\$ 40.00 <u>\$90.00</u>	\$ 75.00 <u>\$97.50</u>
Energy Charge:			
Winter*	\$ 0.0698	\$ 0.0660	\$ 0.0627
Summer**	\$ 0.0798	\$ 0.0760	\$ 0.0727
<u>All Energy</u>	<u>\$0.05246</u>	<u>\$0.05008</u>	<u>\$0.04770</u>
Demand Charge:			
Winter*	\$ 11.25	\$ 12.25	\$ 13.25
Summer**	\$ 14.80	\$ 14.80	\$ 14.80
<u>All Demand</u>	<u>\$14.80</u>	<u>\$15.30</u>	<u>\$15.80</u>

*October through May

**June through September

24-5. LGS—LARGE GENERAL SERVICE SCHEDULE

3. MONTHLY RATES

RATES	Year 1	Year 2	Year 3
Monthly Facilities Charge:			
All Customers	\$ 50.00 <u>\$165.00</u>	\$ 100.00 <u>\$180.00</u>	\$ 150.00 <u>\$195.00</u>
Energy Charge:			
On Peak	\$ 0.0794 <u>\$0.06185</u>	\$ 0.0764 <u>\$0.06045</u>	\$ 0.0748 <u>\$0.05906</u>
Off Peak	\$ 0.0694 <u>\$0.05185</u>	\$ 0.0664 <u>\$0.05045</u>	\$ 0.0648 <u>\$0.04906</u>
Demand Charge:			
Winter*	\$ 10.75	\$ 11.75	\$ 12.75
Summer**	\$ 13.25	\$ 14.25	\$ 15.25
<u>All Demand</u>	<u>\$15.25</u>	<u>\$15.75</u>	<u>\$16.25</u>

*October through May

**June through September

24-6. GSP—GENERAL SERVICE-PRIMARY VOLTAGE SCHEDULE

3. MONTHLY RATES

RATES	Year 1	Year 2	Year 3
Monthly Facilities Charge:			
All Customers	\$ 225.00 <u>\$330.00</u>	\$ 250.00 <u>\$370.00</u>	\$ 290.00 <u>\$410.00</u>
Energy Charge:			
On Peak	\$ 0.0794 <u>\$0.06290</u>	\$ 0.0764 <u>\$0.06143</u>	\$ 0.0748 <u>\$0.05997</u>

Off Peak	\$ 0.0694- \$0.05290	\$ 0.0664- \$0.05143	\$ 0.0648- \$0.04997
Demand Charge:			
Winter*	\$ 10.55	\$ 11.62	\$ 12.62
Summer**	\$ 12.00	\$ 13.12	\$ 14.29
<u>All Demand</u>	<u>\$14.29</u>	<u>\$14.79</u>	<u>\$15.29</u>

*October through May

**June through September

24-7. SCS—SPECIAL CONTRACT SERVICE PRIMARY VOLTAGE SCHEDULE
3. MONTHLY RATES

RATES	Year 1	Year 2	Year 3
Monthly Facilities Charge:			
All Customers	\$ 385.00- \$395.00	\$ 385.00- \$405.00	\$ 385.00- \$415.00
Energy Charge:			
On Peak	\$ 0.0794- \$0.06595	\$ 0.0767- \$0.06382	\$ 0.0756- \$0.06170
Off Peak	\$ 0.0694- \$0.05595	\$ 0.0667- \$0.05382	\$ 0.0656- \$0.05170
Demand Charge:			
Winter*	\$ 9.00	\$ 10.50	\$ 12.00
Summer**	\$ 10.17	\$ 11.46	\$ 12.68
<u>All Demand</u>	<u>\$12.68</u>	<u>\$13.68</u>	<u>\$14.68</u>

*October through May

**June through September

24-8. PL—PRIVATE AREA LIGHTING SCHEDULE
7. Rate Schedules by equipment installation

RATES Current	Year 1	Year 2	Year 3
Monthly Facilities Charge:			
LED (100W)	\$ 7.87- \$7.89	\$ 7.85- \$7.89	\$ 7.89- \$7.89
LED (400W)	\$ 10.82- \$10.85	\$ 10.80- \$10.85	\$ 10.85- \$10.85
HPS (9500 Lumens)	\$ 7.87- \$7.89	\$ 7.85- \$7.89	\$ 7.89- \$7.89
HPS (16000 Lumens)	\$ 10.82- \$10.85	\$ 10.80- \$10.85	\$ 10.85- \$10.85
Mercury (22500 Lumens)	\$ 22.61- \$22.69	\$ 22.57- \$22.69	\$ 22.69- \$22.69
HPS (50000 Lumens)	\$ 24.19- \$24.27	\$ 24.14- \$24.27	\$ 24.27- \$24.27
Mercury (8600 Lumens)	\$ 11.31- \$11.34	\$ 11.29- \$11.34	\$ 11.34- \$11.34
250 Watt	\$ 12.32- \$12.36	\$ 12.30- \$12.36	\$ 12.36- \$12.36
MH (110000 Lumens)	\$ 53.09- \$53.27	\$ 53.00- \$53.27	\$ 53.27- \$53.27
MH (40000 Lumens)	\$ 24.19- \$24.27	\$ 24.14- \$24.27	\$ 24.27- \$24.27

Section 4.

Section 24 – FEES, CLASSIFICATIONS AND SCHEDULES is hereby amended by inserting a new rate classification as indicated by inserting language shown as bold and underlined and the

remaining Sections 24-9 EDR—ECONOMIC DEVELOPMENT RATE SCHEDULE to 24-12 NET METERING SERVICE renumbered accordingly, including any references thereto, as follows:

24-9. AGR—AGRICULTURAL SERVICE SCHEDULE

1. AVAILABILITY

This rate applies throughout the territory served by the City of Milford. Electric service will be rendered through a single metering installation for the general lighting and/or power requirements of active farms where the primary purpose of energy delivered is for the preparation of livestock.

This rate is available to any Customer having a maximum measured demand of less than 300 kW or a minimum of 3500 kWh and desiring service at the available secondary voltage as defined in Section 12.8. Any Customer taking service under this service classification whose measured demand in any four consecutive months is equal to or exceeds 300 kW shall be automatically transferred to Service Classification LGS, effective with the next succeeding billing month. Any Customer so transferred will remain on LGS, for at least 12 billing months, even though the Customer's maximum measured demand in succeeding months may be less than 300 kW.

After 12 billing months, at the Customer's request or when the City observes, upon a periodic review of the Customer's records, that the Customer has not exceeded 300 kW, the Customer will be transferred back to this service classification (AGR) provided that the Customer's monthly demand measurement has not exceeded 300 kW during any month within the most recent 12 months.

2. TERM OF SERVICE

Subject to conditions specified, Service is offered on a month-to-month basis until terminated unless a special contract is required as discussed in Section 3.

<u>RATES</u>	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
<u>Monthly Facilities Charge:</u>			
<u>All Customers</u>	<u>\$82.50</u>	<u>\$90.00</u>	<u>\$97.50</u>
<u>Energy Charge:</u>			
<u>All Energy</u>	<u>\$0.05141</u>	<u>\$0.04847</u>	<u>\$0.04577</u>
<u>Demand Charge:</u>			
<u>All Demand</u>	<u>\$ 14.80</u>	<u>\$ 15.30</u>	<u>\$ 15.80</u>

4. BILLING PERIOD

Rates are stated on a monthly basis and bills are rendered monthly following the supply of service based on the rate stated herein.

5. PURCHASED POWER COST ADJUSTMENT (PPCA) CHARGE

All kilowatt-hours billed under this service classification may be subject to Purchased Power Cost Adjustment charges. (Reference: Section 19)

6. GENERAL COST ADJUSTMENT

The monthly charges under this service classification may be subject to General Cost Adjustment Charges (Reference: Section 20)

7. GREEN/RENEWABLE ENERGY FUND RATE

All kilowatt-hours billed under this Service Classification will be subject to Green/Renewable Energy Fund Rate. (Reference: Section 22)

8. MONTHLY FACILITIES CHARGE

A monthly charge to cover the fixed cost of supplying power to a Customer.

9. MINIMUM CHARGE

The minimum charge shall be the MONTHLY FACILITIES CHARGE. Minimum charge shall not be prorated.

10. MEASURED DEMAND

The measured demand shall be the greatest demand established by the Customer during any fifteen (15) minute demand interval of the month as measured by demand meter, taken to the nearest whole kilowatt.

11. BILLING DEMAND

The billing demand for each billing month shall be the maximum measured demand as created during each month.

12. LOAD MANAGEMENT

The City encourages its Customers to implement renewable energy and load management resources.

13. PUBLIC UTILITIES TAX

In addition to the charges stated in this service classification, including power cost adjustment charges, the current Delaware Public Utilities Tax will be applied to the total bill for all non-residential services, unless the Customer is exempt from such tax. Manufacturing facilities may be eligible for a reduced rate. (Reference: Section 21).

14. RULES AND REGULATIONS

The City's Rules and Regulations shall govern the supply of Service under this Service Classification.

24-9 **10.** EDR—ECONOMIC DEVELOPMENT RATE SCHEDULE

24-10 **11.** EXTRA FACILITIES SCHEDULE

24-11 **12.** VGRE—VOLUNTARY GREEN/ RENEWABLE ENERGY SCHEDULE

Section 5.

Section 24 – FEES, CLASSIFICATIONS AND SCHEDULES is hereby amended by inserting language shown as bold and underlined and removing text shown in strikethrough, as follows:

24-12 **13.** NET METERING SERVICE

6. RATE

A. The monthly billing shall be as stated in the Rate Schedule applicable to the Customer.
Under the NMS Rider, only the per kWh charge component billed for electricity

delivered by the Customer is affected. The Customer will pay for all kWh delivered by the City to the Customer. If the Customer has delivered electricity to the City system, the City will provide for Customers to be credited in kilowatt hours valued at an amount per kilowatt hour equal to the sum of Delivery Service charges and Supply Service charges for Residential Customers, and the sum of the volumetric energy (kWh) components of the Delivery Service charges and Supply Service charges for non-Residential Customers for any excess energy production of their generating facility that exceeds the Customer's on-site consumption of kWh in a billing period. Excess kWh credits shall be credited to subsequent billing periods to offset a Customer's consumption in those billing periods. At the end of the calendar year, a Customer may request a payment from the City for any excess kWh credit. The payment will be calculated by multiplying the excess kWh credits by the Supply Service rate applicable to the Customer. The Customer-generator retains ownership of Renewable Energy Credits (REC) associated with electric energy produced and consumed by the Customer-generator.

- B. Supply Service Charge and Supply Service Rate - This charge shall be used at the end of an annualized billing period in a calculation to pay Net Energy Metering ("NEM") customers who request payment for any regulatory defined and eligible excess kWh credits. ~~The payment for residential customer accounts shall be calculated by multiplying the excess kWh credits by the Customer's Supply Service Charges based on a weighted average of the first block of the summer (June through September) and winter Supply Service Charges (October through May) in effect at the end of the Customer's Annualized Billing Period and the preceding 11 billing periods, excluding non-volumetric charges, such as the transmission capacity charge and/or demand charges.~~ **The payment for residential customer accounts shall be calculated by multiplying the excess kWh credits by the Customer's Supply Service Charges from the first block of Supply Service Charges that would otherwise be applicable at the end of the Customer's Annualized Billing Period, excluding non-volumetric charges, such as the transmission capacity charge and/or demand charges.** The payment for nonresidential customer accounts shall be calculated by multiplying the excess kWh credits by the Customer's Supply Service Charges that would otherwise be applicable at the end of the Customer's Annualized Billing Period. A Customer's Supply Service Charge or Supply Service rate shall be calculated using the utility's wholesale rate minus non-volumetric charges.

Section 6.

Dates.

City Council Introduction: April 27, 2020

City Council Public Hearing: May 11, 2020

Effective: June 1, 2020

For additional information, please contact Will Gallagher in the Electric Division either by e-mail at WGallagher@milford-de.gov or by calling 302.422.1093.

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the following Ordinance is currently under review by Milford City Council, with action scheduled to occur on the date(s) so indicated:

ORDINANCE NO. 2020-14
AN ORDINANCE AMENDING
THE CODIFIED ORDINANCES OF THE
CITY OF MILFORD, PART I ADMINISTRATIVE LEGISLATION
CHAPTER 26 – ENHANCEMENT FEES

WHEREAS, in 2004, the City of Milford (“City”) adopted an ordinance as a means of collecting alternative funds for the Carlisle Fire Company;

WHEREAS, City Council authorized surcharges, to be paid and collected by the City on all building permit fees for new construction projects, expansion projects or other building projects that increase building size;

WHEREAS *on May 28, 2019, the Code of the City of Milford was amended by adding a new Chapter 26, entitled Enhancement Funds; and*

WHEREAS, it is appropriate that from time to time an update is required to ensure that efficient procedures are being used and followed which will be in the best interest of the Carlisle Fire Company and the City.

NOW, THEREFORE, the City of Milford hereby Resolves, the following procedures be established for the award and payment of the Carlisle Fire Company Enhancement Fee:

Section 1.

§26-2 Rates, Paragraph A(1), is hereby amended by adding new subparagraphs to be referenced as §26-2(A)(1)(a), §26-2(A)(1)(b) and §26-2(A)(1)(c).

Section 2.

§26-2 is hereby amended by adding language shown in bold and underlined.

§ 26-2. - Rates.

A. Carlisle Fire Company Equipment and Facilities:

(1) City Council may award to the Carlisle Volunteer Fire Company grants for equipment purchases and facility improvements, which shall be in addition to any other payments provided by the City.

- (a) Carlisle Fire Company shall identify the amount and need for the grant by written request to the City Manager.**
- (b) In accordance with Delaware’s Freedom of Information Act, the request will be placed on the next permitted City Council agenda.**
- (c) Upon a favorable determination by City Council, the funds will be dispersed within sixty days of the date of approval.**

Section 3.

Dates:

City Council Introduction: 04/27/2020

Scheduled Adoption: 05/11/2020

Section 4.

Ordinance 2020-14 becomes effective on the tenth day following its adoption.

A complete copy of Chapter 26 of the Code of the City of Milford is available by email request to the City Clerk at thudson@milford-de.gov or by accessing the city website at www.cityofmilford.com.

Date: April 20, 2020
To: Mayor and City Council
Through: Mark A. Whitfield, Interim City Manager/Public Works Director
From: James Puddicombe, City Engineer
Re: Tenth Street Well Project/Drilling of Two Test Wells

As we discussed with Council during the Capital Improvement Plan presentation, staff is recommending the abandonment of two wells in the City used for water production - Well #1 (on Washington Street across from the library) and Well #16 (at the Southeast Tower site).

Well #1 is the oldest well in the City (1930's vintage) and has had problems with sand and grit being pulled into the system due to the deterioration of screens at the bottom. Well #16 is a very low production well with high iron and manganese.

To replace these wells, staff is recommending a new well be drilled at the Tenth Street facility (east of Route 1), and a second well to serve the southeast part of the City, at a site yet to be determined.

We have received a quote from A.C. Schultes of Delaware Inc. for the drilling and testing of a 4" test well to a depth of 450'. The following is a breakdown of expected costs for the drilling of two test wells.

- 1) Secure permit, drill, and test two new wells at a cost of \$28,000 each for a total of \$56,000.
- 2) Clear or otherwise improve site locations to allow for well drilling at a cost of \$2,500 each for a total of \$5,000
- 3) Additional engineering monitoring or assistance for the test wells at \$5,000 per well for a total of \$10,000.
- 4) A contingency in the amount of \$9,000 to cover any field changes needed.

Recommendation: Staff recommends City Council authorize the allocation of \$80,000 from Water Reserves for the drilling of test wells at the Tenth Street facility and at a location to be determined.

Date: April 20, 2020
To: Mayor and City Council
Through: Mark A. Whitfield, Interim City Manager/Public Works Director
From: James Puddicombe, City Engineer
Re: Additional Funding for the 2019 Road Rehabilitation Project A (Contract #2020-ST-002)

During construction of the above project which included Roosa Road, Masten Circle, and SE Fifth Street significant roadway base and subbase issues were found that resulted in a need for field changes to the construction process. The following issues were found:

- 1) Two areas on SE Fifth Street where base was not present. These areas measured 300' x 10' and 30' x 3'.
- 2) The area on Masten Circle in front of the Verizon truck access had significant degradation to the base resulting from heavy truck traffic in the area coming off of Route 14.
- 3) Roosa Road had dirt showing through in some areas where subbase should have been present.

In order to ensure that the new roads maintained a useful life that would make the project viable, we performed repairs in these areas as follows:

- 1) On SE Fifth Street the 300' x 10' section had a wedge of asphalt placed to repair the subbase and base portions. The area of 30' x 3' had an increased top coat placed to reduce concerns with longevity. The 30' x 3' area was found to have been properly compacted and was not moving under load, further examination of this area showed it had been compacted with an adequate fill material. For this reason, we were able to increase the top coat to 2.5" instead of 2" and resolve the problem.
- 2) On Masten Circle the heavy truck traffic had worn down the base and subbase to a point that the area needed to be replaced with 6" patching.
- 3) On Roosa Road the asphalt top was increased to 2.5" as the areas showing through showed no movement under load and long-term impacts should be minimal.

Contract amounts were exceeded for 6" Hot Mix Patching at 388.6% of budget, Type C at 106.11% of budget, and Stop Bars at 150% of budget. These increased amounts were offset through using none of the 12" Hot Mix Patch and none of the Undercut. In addition, we reduced the amount of external engineering support which was budgeted under separate contract for \$10,000 to around \$2,500.

Council approved \$206,643 for the project however the contracted amount was for \$221,643, which included a contingency of \$15,000 for roadway base repairs. Not including the contingency funds, we are overbudget by \$29,970.43 having spent \$236,613. In order to limit overages in the future we will be performing core samples prior to performing road repairs which should give us a good indication of base and subbase conditions.

Recommendation: Staff recommends City Council authorize the additional \$29,970.43, changing the total for contract 2020-ST-002 to \$236,613.43, to be taken from Municipal Street Aid until exhausted then from Real Estate Transfer Tax.

SECTION 00530

AGREEMENT

THIS AGREEMENT, made this 29th day of October, 2019, by and between the City of Milford, hereinafter called "OWNER", and David A. Bramble, Inc., doing business as David A. Bramble, Inc., hereinafter called "CONTRACTOR".

WITNESSETH; that for and in consideration of the payments and agreements herein after mentioned:

- A. The CONTRACTOR will commence and complete the **2019 ROAD REHABILITATION - A. CONTRACT NO. 2020-ST-002.**
- B. The CONTRACTOR will furnish all the materials, supplies, tools, equipment, labor and any other services necessary for the construction and completion of the PROJECT described herein.
- C. The CONTRACTOR will commence the WORK required by the CONTRACT DOCUMENTS within 10 calendar days after the date of the NOTICE TO PROCEED and will complete all work within 45 consecutive calendar days thereafter.
- D. The CONTRACTOR agrees to perform all the WORK described in the CONTRACT DOCUMENTS and comply with the terms therein for the sum of \$221,642.00, as shown in the BID schedule.
- E. The term " CONTRACT DOCUMENTS " means and includes the following:
 - 1. INVITATION TO BIDDERS
 - 2. INFORMATION FOR BIDDERS
 - 3. BID FORM
 - 4. BID BOND
 - 5. AGREEMENT
 - 6. NOTICE OF AWARD
 - 7. NOTICE TO PROCEED
 - 8. PAYMENT BOND
 - 9. PERFORMANCE BOND
 - 10. GENERAL CONDITIONS
 - 11. CHANGE ORDER
 - 12. INSURANCE CERTIFICATES
 - 13. DRAWINGS PREPARED BY THE CITY OF MILFORD
 - 14. SPECIFICATIONS PREPARED OR ISSUED BY THE CITY OF MILFORD
 - 15. APPENDICES
 - 16. ADDENDA
- F. The OWNER will pay to the CONTRACTOR in the manner and at such times as set forth in the General Conditions such amounts as required by the CONTRACT DOCUMENTS.
- G. This Agreement shall be bonding upon all parties hereto and their respective heirs, executors, administrators, successors, and assigns.

IN WITNESS WHEREOF, the parties hereto have executed or caused to be executed by their duly authorized official, this Agreement in three (3) copies, each of which shall be deemed an original on the date first above written.

OWNER:

City of Milford

BY: _____

NAME: Arthur J. Campbell

(Please Type)

TITLE: Mayor

(SEAL)

ATTEST: _____

NAME: TERESA K. MUDSON

(Please Type)

TITLE: City Clerk

CONTRACTOR:

David A. Bramble, Inc.

BY: _____

NAME: David C. Bramble

(Please Type)

TITLE: President

(SEAL)

ADDRESS: 705 Morgnec Road

Chestertown, MD 21620

EMPLOYER IDENTIFICATION NUMBER: 52-0810125

ATTEST: _____

NAME: Millie C. Clough

(Please Type)

TITLE: Assistant Secretary

END OF SECTION

SECTION 00531

NOTICE OF AWARD

To: **David A. Bramble, Inc.**
705 Morgnec Road
Chestertown, MD 21620

PROJECT: **2019 ROAD REHABILITATION - A, CONTRACT No. 2020-ST-002**

The OWNER has considered the BID submitted by you for the above described WORK in response to its INVITATION TO BIDDERS advertised 09/26/19 through 09/29/19, 2019 in the Delaware State News and Newszap, and the INFORMATION FOR BIDDERS.

You are hereby notified that your BID has been accepted for items in the amount of **\$221,642.00**. This Bid Quantity includes Unit Quantities and Contingent Items which may not be required based on field conditions. Actual payment shall be based on unit values as measured in the field for actual work performed.

You are required by the INFORMATION FOR BIDDERS to execute the AGREEMENT and furnish the required CONTRACTOR'S PERFORMANCE BOND, PAYMENT BOND and Certificates of Insurance within twenty (20) calendar days from the date of this NOTICE to you.

If you fail to execute said AGREEMENT and to furnish said BONDS and Certificates of Insurance within twenty (20) calendar days from the date of this NOTICE, said OWNER will be entitled to consider all your rights arising out of the OWNER's acceptance of your BID as abandoned and as a forfeiture of your BID BOND. The OWNER will be entitled to such other rights as may be granted by law.

You are required to return an acknowledged copy of this NOTICE OF AWARD to the ENGINEER. The ENGINEER will forward an executed copy to the OWNER.

Dated this 20th day of November, 2019.

OWNER: CITY OF MILFORD
BY: Eric Norenberg
TITLE: City Manager

ACCEPTANCE OF NOTICE

Receipt of the above NOTICE OF AWARD is hereby acknowledged by:

(SIGN): David C Bramble

this, the 22nd day of November, 2019.

Name (PRINT): David C. Bramble Title: President

SECTION 00300

BID FORM

Proposal of _____ David A. Bramble, Inc. _____ (hereafter called "BIDDER"), organized and existing under the laws of the State of _____ Maryland _____ doing business as _____ a corporation _____ (*Insert "a corporation", "a partnership", or "an individual" as applicable*) to the City of Milford (hereinafter called "OWNER").

In compliance with the INVITATION TO BIDDERS, BIDDER hereby proposes to perform all WORK for **2019 ROAD REHABILITATION - A, CONTRACT No. 2020-ST-002.**, in strict accordance with the CONTRACT DOCUMENTS, within the time set forth herein, and at the prices stated below.

By submission of this BID, each BIDDER certifies that this BID has been arrived at independently, without consultation, communication, or agreement as to any matter relating to this BID with any other BIDDER or with any competitor.

BIDDER hereby agrees to commence WORK under this CONTRACT on or before a date to be specified in the NOTICE TO PROCEED and to fully complete the PROJECT within **45 CONSECUTIVE CALENDAR DAYS** thereafter. BIDDER further agrees to pay, as liquidated damages, an amount of **\$500.00 PER CALENDAR DAY** as defined in the GENERAL CONDITIONS.

BIDDER acknowledges receipt of the following ADDENDA:

- _____ Addendum 1 dated 10/11/19 _____
- _____
- _____

BIDDER'S ACKNOWLEDGEMENT OF CITY'S ABILITY TO ADJUST QUANTITIES	INITIAL BELOW
BIDDER acknowledges the estimated quantities listed below may be increased or decreased at the sole discretion of the City.	DCB

This BID includes sales tax and all other applicable taxes and fees. BIDDER agrees to perform all the WORK described in the CONTRACT DOCUMENTS for the following unit prices or lump sum:

ITEM NO. & DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT PRICE	TOTAL PRICE
1. Mobilization/Demobilization (Max 3% of Total Bid)	LS	1	\$3,000.00	\$3,000.00
2. Pavement Milling Operations	SY	14,600	\$2.50	\$36,500.00
3. Furnish and Install Hot Mix Asphalt Paving, Type "C"	Ton	1,660	\$86.70	\$143,922.00
4. Traffic Control (MOT)	LS	1	\$22,250.00	\$22,250.00
5. 5" wide Permanent Striping	LF	1,300	\$.40	\$520.00
6. Stop Bar	EA	2	\$225.00	\$450.00

Total Base Bid (Bid items 1-6) \$ 206,642.00

CONTINGENT ITEMS (TO BE COMPLETED AT DIRECTION OF ENGINEER)					
ITEM NO. & DESCRIPTION		UNIT	ESTIMATED QUANTITY	UNIT PRICE	TOTAL PRICE
7.	Hot Mix Patching - 6" Patch	SY	40	\$140.00	\$5,600.00
8.	Hot Mix Patching- 12" Patch	SY	40	\$190.00	\$7,600.00
9.	Undercut	CY	30	\$ 60.00	\$1,800.00

Total Contingent Bid Items (bid items 7-9) \$ \$15,000.00

Total Bid (Base Bid and Contingent Items) \$ \$221,642.00

SUBCONTRACTOR and SUPPLIER LIST

In accordance with Title 29, Chapter 69, §6962 (d) (10) b. of the Delaware Code, the following SUBCONTRACTOR and SUPPLIER listing must accompany the BID submittal. The name and address (City and State only) of all major material SUPPLIERS and SUBCONTRACTORS must be listed for each category where the BIDDER intends to use a SUPPLIER or SUBCONTRACTOR to perform that category of WORK. In order to provide full disclosure and acceptance of the BID by the OWNER, it is required that BIDDERS list themselves as being the SUBCONTRACTOR or SUPPLIER for all categories where he/she is qualified and intends to perform such WORK.

SUBCONTRACTORS			
	CATEGORY	COMPANY NAME	ADDRESS (CITY, STATE)
1.	Line Striping	Wilkison's Marking Service, Inc.	22 Stevens Street, Dover, DE

2.			
3.			
4.			
5.			

SUPPLIERS			
	CATEGORY	COMPANY NAME	ADDRESS (CITY, STATE)
1.	Supply Material (HMA)	Tri-County Materials, LLC	3701 bay Road, Dover, DE
2.			
3.			
4.			
5.			

BIDDER Please Note:

The OWNER reserves the right to accept or reject any or all BIDS. The OWNER may elect to delete some or all portions of any BID item, shown above and described in the CONTRACT DOCUMENTS, or accept any or all alternate BID items, in any order, such that the best interests of the OWNER are served.

By submission of this BID, BIDDER certifies that: (1) he is licensed, or has initiated the license application, as required by Title 30, Chapter 25, §2502 of the Delaware Code; (2) he has not, either directly or indirectly, entered into any agreement, participated in any collusion or otherwise taken any action in restraint of free competitive bidding in connection with this submitted proposal; and (3) he comprehends the bidding requirements set forth in the CONTRACT DOCUMENTS and herein and is thoroughly familiar with the provisions of the CONTRACT DOCUMENTS.

Upon receipt of written notice of the acceptance of this BID, BIDDER will execute the formal CONTRACT, attached to said notice, within twenty (20) days and deliver a Surety BOND or BONDS as required by the INFORMATION FOR BIDDER.

The BID security attached in the sum of \$ 10% of Total Bid, representing ten percent (10%) of the total Project BID, is to become the property of the OWNER in the event the CONTRACT and BONDS are not executed within the time above set forth, as liquidated damages for the delay and additional time expense to the OWNER caused thereby.

Respectfully submitted:

David C Bramble
Signature David C. Bramble

10/16/19
Date

President
Title

P.O. Box 419
Address

DE License No. 1992837508
License Number (If applicable)

Chestertown, MD 21620
Address (cont'd)

Seal - (if bid is by a corporation)

END OF SECTION

SECTION 00370

BID BOND

KNOW ALL MEN BY THESE PRESENTS, that we, the Undersigned,
 David A. Bramble, Inc. _____, as PRINCIPAL, and
 Liberty Mutual Insurance Company _____, as SURETY, are hereby
 held and firmly bound unto the City of Milford, as OWNER, the penal sum of
 Ten Percent (10%) of the total amount of the Bid _____, (\$ 10%) for the
 payment of which, well and truly to be made, we hereby jointly and severally bind ourselves,
 successors and assigns.

Signed, this 16th day of October, 2019.

The condition of the above obligation is such that whereas the PRINCIPAL has submitted to the City of Milford a certain BID, attached hereto and hereby made a part hereof to enter into a CONTRACT in writing, for the **2019 ROAD REHABILITATION - A, CONTRACT NO. 2020-ST-002.**

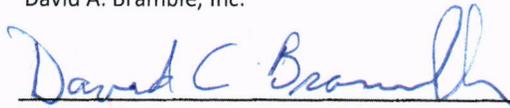
NOW, THEREFORE,

- A. If said BID shall be rejected, or
- B. If said BID shall be accepted and the PRINCIPAL shall execute and deliver a CONTRACT in the form of CONTRACT attachment hereto (properly completed in accordance with said BID) and shall furnish a BOND for faithful performance of said CONTRACT, and for the payment of all persons performing labor and furnishing materials in connection therewith, and shall in all other respects perform the agreement created by the acceptance of said BID, then this obligation shall be void, otherwise the same shall remain in force and effect; it being expressly understood and agreed that the liability of the SURETY for any and all claims hereunder shall, in no event, exceed the penal amount of this obligation as herein stated.

The SURETY, for value received, hereby stipulates and agrees that the obligations of said SURETY and its BOND shall be in no way impaired or affected by any extension of the time within which the OWNER may accept such BID; and said SURETY does hereby waive notice of any extension.

In WITNESS WHEREOF, the PRINCIPAL and the SURETY have hereunto set their hands and seals, and such of them as are corporations have caused their corporate seals to be hereto affixed and these presents to be signed by their proper officers, the day and year first set forth above. SURETY executing BONDS shall be a licensed agent in the State of Delaware.

David A. Bramble, Inc.

 (L.S.)
Principal David C. Bramble, President

Liberty Mutual Insurance Company

Surety

By: 
Linda Dozier, Attorney-in-Fact

IMPORTANT - SURETY companies executing BONDS must appear on the Treasury Department's most current list (Circular 570 as amended) and be authorized to transact business in the state where the project is located.

END OF SECTION



This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

Certificate No: 8201167-019014

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Kevin P. Adams; Patrick Bucalo; Kevin Connelly; Linda Dozier; Michael J. Mitchell; Martin J. Purcell

all of the city of Philadelphia state of PA each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 30th day of April, 2019.



Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

By: David M. Carey, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, currency rate, interest rate or residual value guarantees.

State of PENNSYLVANIA
County of MONTGOMERY ss

On this 30th day of April, 2019 before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at King of Prussia, Pennsylvania, on the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Teresa Pastella, Notary Public
Upper Merion Twp., Montgomery County
My Commission Expires March 28, 2021
Member, Pennsylvania Association of Notaries

By: Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV - OFFICERS: Section 12. Power of Attorney.

Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation - The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization - By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Renee C. Llewellyn, the undersigned, Assistant Secretary, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 16 day of October 2019



By: Renee C. Llewellyn, Assistant Secretary

To confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.



LIBERTY MUTUAL INSURANCE COMPANY
FINANCIAL STATEMENT — DECEMBER 31, 2018

Assets	Liabilities
Cash and Bank Deposits..... \$464,341,712	Unearned Premiums..... \$7,851,429,449
*Bonds — U.S Government..... 2,259,714,810	Reserve for Claims and Claims Expense..... 20,165,209,300
*Other Bonds..... 11,864,776,740	Funds Held Under Reinsurance Treaties..... 384,795,327
*Stocks..... 16,527,715,226	Reserve for Dividends to Policyholders..... 1,111,529
Real Estate..... 255,809,551	Additional Statutory Reserve..... 62,866,000
Agents' Balances or Uncollected Premiums..... 5,817,927,234	Reserve for Commissions, Taxes and
Accrued Interest and Rents..... 108,139,840	Other Liabilities..... 3,999,822,802
Other Admitted Assets..... 11,532,139,744	Total..... \$32,465,234,407
Total Admitted Assets..... <u>\$48,830,564,857</u>	Special Surplus Funds..... \$43,108,583
	Capital Stock..... 10,000,000
	Paid in Surplus..... 10,044,912,727
	Unassigned Surplus..... 6,267,309,139
	Surplus to Policyholders..... 16,365,330,449
	Total Liabilities and Surplus..... <u>\$48,830,564,856</u>



* Bonds are stated at amortized or investment value; Stocks at Association Market Values.
 The foregoing financial information is taken from Liberty Mutual Insurance Company's financial statement filed with the state of Massachusetts Department of Insurance.

I, TIM MIKOLAJEWSKI, Assistant Secretary of Liberty Mutual Insurance Company, do hereby certify that the foregoing is a true, and correct statement of the Assets and Liabilities of said Corporation, as of December 31, 2018, to the best of my knowledge and belief.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Corporation at Seattle, Washington, this 22nd day of March, 2019.

T. Mikolajewski

 Assistant Secretary

Bond #019069401

SECTION 00610

PERFORMANCE BOND

KNOWN ALL PERSONS BY THESE PRESENTS, that

David A. Bramble, Inc.

(NAME OF CONTRACTOR)

P.O. Box 419, Chestertown, MD 21620

(ADDRESS OF CONTRACTOR)

a Corporation _____, hereinafter called PRINCIPAL, and
(CORPORATION, PARTNERSHIP OR INDIVIDUAL)

Liberty Mutual Insurance Company

(NAME OF SURETY)

1001 4th Avenue, Suite 1700, Seattle, WA 98154

(ADDRESS OF SURETY)

hereinafter called SURETY, are held and firmly bound unto the CITY OF MILFORD, 201 SOUTH WALNUT STREET, MILFORD, DELAWARE 19963, hereinafter called OWNER, in the total aggregate penal sum of

Two Hundred Twenty One Thousand Six Hundred Forty Two and 00/100 _____ DOLLARS,

(\$ 221,642.00), in lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION is such that whereas, the PRINCIPAL entered into a certain CONTRACT with the OWNER, dated the 20th day of November, 2019, a copy of which is hereto attached and made a part hereof for the construction of:

CONTRACT No. 2020-ST-002, 2019 ROAD REHABILITATION - A, AND OTHER APPURTENANT WORK, WHICH CONTRACT AND THE WORK TO BE DONE THEREUNDER AND THE SPECIFICATIONS ACCOMPANYING SAME SHALL BE DEEMED A PART THEREOF TO THE SAME EXTENT AS IF FULLY SET OUT HEREIN.

NOW, THEREFORE, if the PRINCIPAL shall well, truly and faithfully perform its duties, all the undertakings, covenants, terms, conditions and AGREEMENTS of said CONTRACT during the original term thereof, and any extensions thereof which may be granted by the OWNER, with or without notice to the SURETY and during the one year guaranty period and if the PRINCIPAL shall satisfy all claims and demands incurred under such CONTRACT, and shall fully indemnify and save harmless the OWNER from all costs and damages which it may suffer by reason of failure to do so, and shall reimburse and repay the OWNER all outlay and expense which the OWNER may incur in making good any default, then this obligation shall be void, otherwise to remain in full force and effect.

PROVIDED, FURTHER, that the said SURETY, for value received hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the CONTRACT or to the WORK to be performed thereunder, or the SPECIFICATIONS accompanying the same shall in any way affect its obligation on this BOND, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the CONTRACT or to the WORK or to the SPECIFICATIONS.

PROVIDED, FURTHER, that it is expressly agreed that the BOND shall be deemed amended automatically and immediately, without formal and separate amendments hereto, upon amendment to the CONTRACT not increasing the CONTRACT price more than 20 percent, so as to bind the PRINCIPAL and SURETY to the full and faithful performance of the CONTRACT as so amended. The term "Amendment", wherever used in this BOND, and whether referring to this BOND, the CONTRACT or the Loan Documents shall include any alteration, addition, extension, or modification of any character whatsoever.

PROVIDED, FURTHER, that no final settlement between the OWNER and the PRINCIPAL shall abridge the right of the other beneficiary hereunder, whose claim may be unsatisfied. The OWNER is the only beneficiaries hereunder.

In WITNESS WHEREOF, this instrument is executed in three (3) counterparts, each of which shall be deemed an original, this 21st day of November, 2019.

ATTEST:

David A. Bramble, Inc.

(PRINCIPAL)

Melissa C. Clay
(PRINCIPAL) Secretary (Assist.)

BY: David C. Bramble
David C. Bramble.

(SEAL)

ADDRESS: P.O. Box 419, Chestertown, MD 21620

Melissa C. Clay
(Witness as to PRINCIPAL)

ADDRESS: P.O. Box 419
Chestertown, MD 21620

ATTEST:

Liberty Mutual Insurance Company
(SURETY)

Bridget A. Magee
Bridget A. Magee **(Witness as to SURETY)**

BY: Linda Dozier
Linda Dozier **(Attorney-in-Fact)**

ADDRESS: One Penn Square West
Philadelphia, PA 19102

ADDRESS: 1001 4th Avenue, Suite 1700
Seattle, WA 98154

NOTE - Date of BOND must not be prior to date of CONTRACT.

If CONTRACTOR is partnership, all partners should execute the BOND.

IMPORTANT - SURETY companies executing BONDS must appear on the Treasury Department's most current list (Circular 570 as amended) and be authorized to transact business in the state where the PROJECT is located.

END OF SECTION

Bond #019069401

SECTION 00620

PAYMENT BOND

KNOWN ALL PERSONS BY THESE PRESENTS, that

David A. Bramble, Inc.

(NAME OF CONTRACTOR)

P.O. Box 419, Chestertown, MD 21620

(ADDRESS OF CONTRACTOR)

a Corporation _____, hereinafter called PRINCIPAL, and
(CORPORATION, PARTNERSHIP OR INDIVIDUAL)

Liberty Mutual Insurance Company

(NAME OF SURETY)

1001 4th Avenue, Suite 1700, Seattle, WA 98154

(ADDRESS OF SURETY)

hereinafter called SURETY, are held and firmly bound unto the CITY OF MILFORD, 201 SOUTH WALNUT STREET, MILFORD, DELAWARE 19963, hereinafter called OWNER, and unto all persons, firms and corporations who or which may furnish labor, or who furnish materials to perform, as described under the CONTRACT and to their successors and assigns in the total aggregate penal sum of

Two Hundred Twenty One Thousand Six Hundred Forty Two and 00/100 _____ DOLLARS,

(\$ 221,642.00), in lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION is such that whereas, the PRINCIPAL entered into a certain CONTRACT with the OWNER, dated the 20th day of November, 2019, a copy of which is hereto attached and made a part hereof for the construction of:

Contract No. 2020-ST-002, 2019 ROAD REHABILITATION - A, and other appurtenant work, which CONTRACT and the WORK to be done thereunder and the SPECIFICATIONS accompanying same shall be deemed a part thereof to the same extent as if fully set out herein.

NOW THEREFORE, if the PRINCIPAL shall promptly make payment to all persons, firms and corporations furnishing materials for or performing labor in the prosecution of the WORK provided for in such CONTRACT, and any authorized extensions or modifications thereof, including all amounts due for materials, lubricants, oil, gasoline, coal and coke, repairs on machinery, equipment and tools, consumed or used in connection with the construction of such WORK, and for all labor cost incurred in such WORK including that by a SUBCONTRACTOR, and to any mechanic or materialman lienholder whether it acquires its lien by operation of State or Federal law; then this obligation shall be void, otherwise to remain in full force and effect.

PROVIDED, that beneficiaries or claimants hereunder shall be limited to SUBCONTRACTORS and persons, firms and corporations having a direct CONTRACT with the PRINCIPAL or its SUBCONTRACTORS.

PROVIDED, FURTHER, that the said SURETY, for value received hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the CONTRACT or to the WORK to be performed thereunder or the SPECIFICATIONS accompanying the same shall in any way affect its obligation on this BOND, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the CONTRACT or to the WORK or to the SPECIFICATIONS.

PROVIDED, FURTHER, that no suit or action shall be commenced hereunder by any claimant:

(a) Unless claimant, other than one having a direct CONTRACT with the PRINCIPAL, shall have given written notice to any two of the following: The PRINCIPAL, the OWNER, or the SURETY above named within ninety (90) days after such claimant did or performed the last of the WORK or labor, or furnished the last of the materials for which said claim is made, stating with substantial accuracy the amount claimed and the name of the party to whom the materials were furnished, or for whom the WORK or labor was done or performed. Such notice shall be served by mailing the same by registered mail or certified mail, postage prepaid, in an envelope addressed to the PRINCIPAL, OWNER, or SURETY, at any place where an office is regularly maintained for the transaction of business, or served in any manner in which legal process may be served in the state in which the aforesaid project is located, save that such service need not be made by a public officer.

(b) After the expiration of one (1) year following the date of which PRINCIPAL ceased WORK on said CONTRACT, is being understood, however, that if any limitation embodied in the BOND is prohibited by any law controlling the construction hereof, such limitation shall be deemed to be amended so as to be equal to the minimum period of limitation permitted by such law.

PROVIDED, FURTHER, that it is expressly agreed that the BOND shall be deemed amended automatically and immediately, without formal and separate amendments hereto, upon amendment to the CONTRACT not increasing the CONTRACT price more than 20 percent, so as to bind the PRINCIPAL and SURETY to the full and faithful performance of the CONTRACT as so amended. The term "Amendment", wherever used in this BOND, and whether referring to this BOND, the CONTRACT or the Loan Documents shall include any alteration, addition, extension, or modification of any character whatsoever.

PROVIDED, FURTHER, that no final settlement between the OWNER and the PRINCIPAL shall abridge the right of the other beneficiary hereunder, whose claim may be unsatisfied. The OWNER is the only beneficiaries hereunder.

In WITNESS WHEREOF, this instrument is executed in three (3) counterparts, each of which shall be deemed an original, this 21st day of November, 2019.

ATTEST:

David A. Bramble, Inc.

(PRINCIPAL)

Mette C. Clow
(PRINCIPAL) Secretary (Assist)

BY: David C Bramble
David C. Bramble, President

(SEAL)

ADDRESS: P.O. Box 419
Chestertown, MD 21620

Melissa L. Bar
(Witness as to PRINCIPAL)

ADDRESS: P.O. Box 419
Chestertown, MD 21620

ATTEST:

Liberty Mutual Insurance Company

(SURETY)

Bridget A. Magee
Bridget A. Magee (Witness as to SURETY)

BY: Linda Dozier
Linda Dozier (Attorney-in-Fact)

ADDRESS: One Penn Square West
Philadelphia, PA 19102

ADDRESS: 1001 4th Avenue, Suite 1700
Seattle, WA 98154

NOTE - Date of BOND must not be prior to date of CONTRACT.

If CONTRACTOR is partnership, all partners should execute the BOND.

IMPORTANT - SURETY companies executing BONDS must appear on the Treasury Department's most current list (Circular 570 as amended) and be authorized to transact business in the state where the PROJECT is located.

END OF SECTION



This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

Certificate No: 8201167-019014

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Kevin P. Adams; Patrick Bucalo; Kevin Connelly; Linda Dozier; Michael J. Mitchell; Martin J. Purcell

all of the city of Philadelphia state of PA each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 30th day of April, 2019.



Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

By: David M. Carey

David M. Carey, Assistant Secretary

State of PENNSYLVANIA
County of MONTGOMERY ss

On this 30th day of April, 2019 before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at King of Prussia, Pennsylvania, on the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Teresa Pastella, Notary Public
Upper Merion Twp., Montgomery County
My Commission Expires March 28, 2021
Member, Pennsylvania Association of Notaries

By: Teresa Pastella
Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV - OFFICERS: Section 12. Power of Attorney.

Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation - The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization - By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Renee C. Llewellyn, the undersigned, Assistant Secretary, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 21 day of November 2019



By: Renee C. Llewellyn

Renee C. Llewellyn, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, currency rate, interest rate or residual value guarantees.

To confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.



LIBERTY MUTUAL INSURANCE COMPANY
FINANCIAL STATEMENT — DECEMBER 31, 2018

Assets	Liabilities
Cash and Bank Deposits..... \$464,341,712	Unearned Premiums..... \$7,851,429,449
*Bonds — U.S Government..... 2,259,714,810	Reserve for Claims and Claims Expense..... 20,165,209,300
*Other Bonds..... 11,864,776,740	Funds Held Under Reinsurance Treaties..... 384,795,327
*Stocks..... 16,527,715,226	Reserve for Dividends to Policyholders..... 1,111,529
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Agents' Balances or Uncollected Premiums..... 5,817,927,234	Reserve for Commissions, Taxes and
Accrued Interest and Rents..... 108,139,840	Other Liabilities..... 3,999,822,802
Other Admitted Assets..... 11,532,139,744	Total..... \$32,465,234,407
Total Admitted Assets..... <u>\$48,830,564,857</u>	Special Surplus Funds..... \$43,108,583
	Capital Stock..... 10,000,000
	Paid in Surplus..... 10,044,912,727
	Unassigned Surplus..... 6,267,309,139
	Surplus to Policyholders..... 16,365,330,449
	Total Liabilities and Surplus..... <u>\$48,830,564,856</u>



* Bonds are stated at amortized or investment value; Stocks at Association Market Values.
 The foregoing financial information is taken from Liberty Mutual Insurance Company's financial statement filed with the state of Massachusetts Department of Insurance.

I, TIM MIKOLAJEWSKI, Assistant Secretary of Liberty Mutual Insurance Company, do hereby certify that the foregoing is a true, and correct statement of the Assets and Liabilities of said Corporation, as of December 31, 2018, to the best of my knowledge and belief.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Corporation at Seattle, Washington, this 22nd day of March, 2019.

T. Mikolajewski

 Assistant Secretary



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

11/22/2019

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 have ADDITIONAL INSURED provisions or 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 The Graham Company The Graham Building 1 Penn Square West Philadelphia PA 19102	CONTACT NAME: Kevin Connelly PHONE (A/C, No, Ext): 215-567-6300 E-MAIL ADDRESS: CONNELLY_UNIT@grahamco.com	FAX (A/C, No): 215-525-0235
	INSURER(S) AFFORDING COVERAGE	
INSURED David A. Bramble, Inc. 705 Morgneq Road Chestertown, MD 21620	INSURER A : Zurich-American Insurance Company	
	INSURER B : Travelers Property Casualty Insurance Company	
	INSURER C : American Guarantee & Liability Ins. Co.	
	INSURER D : Executive Risk Indemnity Company	
	INSURER E :	
	INSURER F :	

COVERAGES

CERTIFICATE NUMBER: 284688512

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	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input checked="" type="checkbox"/> LOC OTHER:		GLO 9657757-02	5/1/2019	5/1/2020	EACH OCCURRENCE	\$ 1,000,000
						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 300,000
						MED EXP (Any one person)	\$ 5,000
						PERSONAL & ADV INJURY	\$ 1,000,000
						GENERAL AGGREGATE	\$ 2,000,000
						PRODUCTS - COMP/OP AGG	\$ 2,000,000
							\$
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY		BAP 9657758-02	5/1/2019	5/1/2020	COMBINED SINGLE LIMIT (Ea accident)	\$ 1,000,000
						BODILY INJURY (Per person)	\$
						BODILY INJURY (Per accident)	\$
						PROPERTY DAMAGE (Per accident)	\$
							\$
B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 10,000		ZUP-61N1243A-19-NF	5/1/2019	5/1/2020	EACH OCCURRENCE	\$ 5,000,000
						AGGREGATE	\$ 5,000,000
							\$
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 <input type="checkbox"/> N <input type="checkbox"/> A	WC 9657756-02	5/1/2019	5/1/2020	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER	
						E.L. EACH ACCIDENT	\$ 1,000,000
						E.L. DISEASE - EA EMPLOYEE	\$ 1,000,000
						E.L. DISEASE - POLICY LIMIT	\$ 1,000,000
C	Excess Liability (10Mx5M)		AEC 9375145-16	5/1/2019	5/1/2020	Limit:	\$5,000,000
D	Pollution / Professional Liability		8222-8580	5/1/2019	5/1/2020	Each Occurrence:	\$2,000,000
						Aggregate:	\$4,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Automobile Deductibles:
 \$250 PPV Comprehensive & Collision
 \$500 Commercial Comprehensive & Collision

Re: 2019 Road Rehabilitation-A Contract No. 2020-ST-002

City of Milford is additional insured on the above General Liability policy if required by written contract.

CERTIFICATE HOLDER**CANCELLATION**

The City of Milford, Delaware
 180 Vickers Drive
 Milford DE 19963-

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

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City of Milford
 Capital Improvement Plan FY21-25
 04/23/20

Department	Project	Dept Priority	Potential Funding Source	FY19-20 Approved	2021	2022	2023	2024	2025
ENTERPRISE FUNDS									
Electric	Equipment								
Electric	SCADA/Smart Metering Wall Monitor	Essential	Electric Reserve	\$ 100,000					
Electric	Replace 2006 Vermeer Chipper (S-038)	Essential	Electric Reserve	\$ 60,000					
Electric	Add Fault Locator	Deferrable	Enterprise Fund		\$ 20,000				
			Total Equipment	\$ 160,000	\$ 20,000	\$ -	\$ -	\$ -	\$ -
Electric	Vehicles								
Electric	Replace 2000 International Line Truck (E-110)	Essential	Enterprise Fund	\$ 275,000					
Electric	Replace 2005 Ford F-250 Pickup (E-115)	Essential	Enterprise Fund	\$ 60,000					
Electric	Replace 2003 International Material Handler (E-103)	Essential	Enterprise Fund	\$ 275,000					
Electric	Replace 2001 Vermeer Trencher/Plow (E-128)	Essential	Enterprise Fund		\$ 95,000				
Electric	Replace 1996 Butler Trencher Trailer (E-123)	Deferrable	Enterprise Fund		\$ 9,000				
Electric	Replace 2005 Ford F350 Dump Truck (E-108)	Deferrable	Enterprise Fund		\$ 100,000				
Electric	Replace 1982 Hudson Wire Trailer (E-114)	Deferrable	Enterprise Fund		\$ 85,000				
Electric	Replace 2012 International Bucket Truck (E-111)	Deferrable	Enterprise Fund			\$ 225,000			
Electric	Replace 2015 International Digger Derrick Truck (E-107)	Essential	Enterprise Fund						\$ 260,000
			Total Vehicles	\$ 610,000	\$ 289,000	\$ 225,000	\$ -	\$ -	\$ 260,000
Electric	Infrastructure								
Electric	Traffic Signal Head Refurbish: Church/Walnut/Washington	Essential	Electric Reserve	\$ 150,000					
Electric	Line Reconductor - Wilbur Street	Essential	Electric Reserve	\$ 40,000					
Electric	GIS/Mapping - Smart Metering	Essential	Enterprise Fund	\$ 40,000	\$ 150,000				
Electric	Fiber Optic Backup to Public Works Facility	Essential	Enterprise Fund		\$ 20,000				
Electric	LED Streetlight Replacement	Essential	Enterprise Fund		\$ 120,000	\$ 30,000			
Electric	Shawnee Acres Primary Replacement	Deferrable	Enterprise Fund		\$ 80,000				
Electric	GIS/Mapping/Smart Metering	Deferrable	Enterprise Fund			\$ 150,000			
Electric	Delivery No. 1 Circuit Addition (Circuit 130)	Deferrable	Enterprise Fund				\$ 990,000		
Electric	Delivery No. 2 Circuit Additional #1	Deferrable	Enterprise Fund					\$ 960,000	
Electric	Delivery No. 2 Circuit Additional #2	Deferrable	Enterprise Fund						\$ 1,000,000
			Total Infrastructure	\$ 230,000	\$ 370,000	\$ 180,000	\$ 990,000	\$ 960,000	\$ 1,000,000
			TOTAL ELECTRIC	\$ 1,000,000	\$ 679,000	\$ 405,000	\$ 990,000	\$ 960,000	\$ 1,260,000

City of Milford
Capital Improvement Plan FY21-25
04/23/20

Department	Project	Dept Priority	Potential Funding Source	FY19-20 Approved	2021	2022	2023	2024	2025
Water	Vehicles								
Water	Replace 1997 GMC Dump Truck (S-009) with Hook Truck	Essential	Enterprise Fund	\$ 176,000					
Water	Replace 2006 Ford F350 Pickup (W-015)	Deferrable	Enterprise Fund		\$ 45,000				
Water	Replace 2011 Ford F450 Dump Truck (W-008)	Essential	Enterprise Fund			\$ 52,000			
Water	Replace 2006 Dodge Cargo Van (W-029)	Deferrable	Enterprise Fund						\$ 60,000
			Total Vehicles	\$ 176,000	\$ 45,000	\$ 52,000	\$ -	\$ -	\$ 60,000
Water	Infrastructure								
Water	Automated Blow-Off Valves Installed	Deferrable	Enterprise Fund	\$ 100,000	\$ 50,000	\$ 50,000	\$ 50,000		
Water	Water Tower Protection Upgrades: Caulk Avenue & NE Tenth Street	Essential	Water Reserves	\$ 30,000					
Water	Water Tower Altitude Valve: Caulk Avenue	Essential	Water Reserves	\$ 75,000					
Water	Lead Service Line Replacement: SE Second Street	Essential	150k GF Res; 814k WR; 150k SewRes	\$ 1,114,400					
			Total Infrastructure	\$ 1,319,400	\$ 50,000	\$ 50,000	\$ 50,000	\$ -	\$ -
			TOTAL WATER	\$ 1,495,400	\$ 95,000	\$ 102,000	\$ 50,000	\$ -	\$ 60,000
Water	PROJECTS/INFORMATIONAL								
Water	Water Facility Test Well (New Well to Replace Well #1): NE Tenth Street	Essential	Water Reserves		\$ 625,000				
Water	Water Treatment Facility Monitoring & Process Control Upgrades (4&5)	Essential	Water Reserves		\$ 250,000				
Water	City-Wide Valve & Hydrant Replacement/Improvements	Essential	Water Reserves	\$ 250,000	\$ 250,000	\$ 250,000	\$ 250,000	\$ 250,000	\$ 250,000
Water	Water Treatment Facility Controls Standardization	Essential	Water Reserves	\$ 50,000	\$ 50,000				
Water	Water Lines: NE/NW Front Streets	Essential	Water Reserves		\$ 1,500,000				
Water	Lead Water Line Replacement	Essential	Water Reserves	\$ 250,000	\$ 250,000	\$ 250,000	\$ 250,000	\$ 250,000	\$ 250,000
Water	Concrete Asbestos Water Main Replacement	Essential	Water Reserves	\$ 115,500	\$ 115,500	\$ 115,500	\$ 115,500	\$ 115,500	\$ 115,500
Water	Water Treatment Facility Replacement (Well #16): SE Facility	Essential	Water Reserves	\$ 625,000					
Water	Water Treatment Facility Upgrades: Seabury	Essential	Water Reserves				\$ 2,000,000		
Water	Water Tower/Wells/Treatment Facility: (New) NW Area	Essential	Water Reserves						\$ 5,000,000
Water	SE Regional Water Infrastructure - East of Route 1	Deferrable	Water Reserves					\$ 800,000	
Water	SE Regional Water Infrastructure - South of Johnson Road	Deferrable	Water Reserves					\$ 1,000,000	
			WATER INFORMATIONAL	\$ -	\$ 3,665,500	\$ 665,500	\$ 2,615,500	\$ 2,415,500	\$ 5,615,500

City of Milford
Capital Improvement Plan FY21-25
04/23/20

Department	Project	Dept Priority	Potential Funding Source	FY19-20 Approved	2021	2022	2023	2024	2025
Sewer	Equipment								
Sewer	Replace 2006 Ingersoll Rand Compressor (SE-016)	Essential	Enterprise Fund			\$ 25,000			
Sewer	Replace 2015 Kubota Excavator (SE-026)	Deferrable	Enterprise Fund				\$ 75,000		
Sewer	Replace 2013 MSG Trailer (SE-027)	Essential	Enterprise Fund					\$ 45,000	
			Total Equipment	\$ -	\$ -	\$ 25,000	\$ 75,000	\$ 45,000	\$ -
Sewer	Vehicles								
Sewer	Replace 2008 Ford F250 Pickup (SE-002)	Essential	Enterprise Fund	\$ 65,000					
Sewer	Replace 1987 Chev Dump Truck (S-004) with Hook Truck with Dump/Flatbed & Plow	Essential	Enterprise Fund	\$ 220,000					
			Total Vehicles	\$ 285,000	\$ -	\$ -	\$ -	\$ -	\$ -
			TOTAL SEWER	\$ 285,000	\$ -	\$ 25,000	\$ 75,000	\$ 45,000	\$ -
Sewer	PROJECTS/INFORMATIONAL								
Sewer	Sewer Pump Station Controls Standardization	Essential	Sewer Reserves		\$ 50,000				
Sewer	Pump Station Groundwater Investigation & Repair: Tuitt Avenue	Essential	Sewer Reserves		\$ 250,000				
Sewer	SCADA Instrumentation Upgrades & Integration	Essential	Sewer Reserves		\$ 50,000				
Sewer	Inflow and Infiltration Investigation & Repair	Essential	Sewer Reserves		\$ 250,000	\$ 250,000	\$ 250,000	\$ 250,000	\$ 250,000
Sewer	Sewer Line Replacement: SE Second Street	Essential	Sewer Reserves		\$ 175,000				
Sewer	Pump Station Replacement: SE Second Street	Deferrable	Sewer Reserves				\$ 1,000,000		
Sewer	Concrete Asbestos Sewer Line Replacement	Essential	Sewer Reserves		\$ 100,000	\$ 50,000			
Sewer	SE Regional Pump Station and Force Main - East of Route 1	Deferrable	Sewer Reserves					\$ 1,500,000	
Sewer	SE Regional Pump Station and Force Main: South of Johnson Road/FM - NE Front St	Deferrable	Sewer Reserves					\$ 2,000,000	
Sewer	Sewer Realignment: Mill Street	Essential	Sewer Reserves		\$ 50,000				
			SEWER INFORMATIONAL	\$ -	\$ 925,000	\$ 300,000	\$ 1,250,000	\$ 3,750,000	\$ 250,000
Solid Waste	Vehicles								
Solid Waste	Replace 2011 International Trash Truck (SW-012) with Multi Collection Truck	Essential	7 yr Loan from Water Reserves	\$ 366,200					
Solid Waste	Replace 2004 OLDB Leaf Vacuum (S-033) with Auto Leaf Box w/ Hook Truck (vehicle attachment)	Essential	Solid Waste Fund		\$ 90,000				
Solid Waste	Replace 2015 Westernstar Trash Truck (SW-014) with Multi Collection Truck	Essential	Solid Waste Fund				\$ 360,000		
Solid Waste	Replace 2017 Frieghtliner Trash Truck (SW-011)	Essential	Solid Waste Fund						\$ 295,000
			Total Vehicles	\$ 366,200	\$ 90,000	\$ -	\$ 360,000	\$ -	\$ 295,000
			TOTAL SOLID WASTE	\$ 366,200	\$ 90,000	\$ -	\$ 360,000	\$ -	\$ 295,000

City of Milford
Capital Improvement Plan FY21-25
04/23/20

Department	Project	Dept Priority	Potential Funding Source	FY19-20 Approved	2021	2022	2023	2024	2025
INTERSERVICE FUNDS									
Customer Service	Equipment								
Facilities	Customer Service Building Digital Audio/Video System Replacement	Desirable	Interservice distributed among funds		\$ 18,000				
			Total Equipment	\$ -	\$ 18,000	\$ -	\$ -	\$ -	\$ -
Customer Service	Building								
Facilities	Customer Service Building Drive Thru Curb Installation	Desirable	Interservice/distributed		\$ 5,000				
Facilities	Customer Service Building Basement Waterproofing	Desirable	Interservice/distributed		\$ 26,500				
			Total Building	\$ -	\$ 31,500	\$ -	\$ -	\$ -	\$ -
			TOTAL CUSTOMER SERVICE	\$ -	\$ 49,500	\$ -	\$ -	\$ -	\$ -
Fleet Service (Garage)	No Requests								
Tech Service	No Requests								
Public Works	Vehicles								
Public Works	Replace 2006 Dodge Stratus (B-001)	Essential	Interservice/distributed		\$ 35,000				
			Total Vehicles	\$ -	\$ 35,000	\$ -	\$ -	\$ -	\$ -
Public Works	Building								
Facilities	City-Wide LED Lighting Upgrade & Replacement (all facilities)	Deferrable	Green Energy/DNREC Grant	\$ 58,395					
Facilities	Public Works Facility Carpet Replacement and Install VCT	Essential	Interservice/distributed		\$ 10,000				
Facilities	Public Works Facility Key Card Access at Facility/Gates	Essential	Interservice/distributed		\$ 70,000				
Facilities	Public Works Facility Landscaping	Essential	Interservice/distributed		\$ 12,055				
Facilities	Public Works Facility Brick Wall Repair	Desirable	Interservice/distributed		\$ 75,000				
Facilities	Public Works Facility HVAC Control Automation System: Building 200 & 300	Essential	Interservice/distributed		\$ 55,000				
Facilities	Public Works Facility New Wall for Ice Maker in Former Kitchen	Essential	Interservice/distributed		\$ 5,718				
Facilities	Public Works Facility New Interior IP Cameras Installation: Warehouse	Essential	Enterprise		\$ 18,000				
Facilities	Public Works Facility HVAC Upgrade & Repair	Essential	Interservice/distributed		\$ 11,000	\$ 13,000			
Facilities	Public Works Facility Rack/Reel Pole Building (Electric Division)	Deferrable	Enterprise			\$ 475,000			
Facilities	Public Works Facility Stormwater Pond Installation	Deferrable	Enterprise				\$ 200,000		
Facilities	Public Works Facility Parking Lot Paving	Deferrable	Enterprise				\$ 650,000		
Facilities	Public Works Facility Expansion Project	Deferrable	Enterprise					\$ 1,302,200	
			Total Building	\$ 58,395	\$ 256,773	\$ 488,000	\$ 850,000	\$ 1,302,200	\$ -
			TOTAL PUBLIC WORKS	\$ 58,395	\$ 291,773	\$ 488,000	\$ 850,000	\$ 1,302,200	\$ -

City of Milford
Capital Improvement Plan FY21-25
04/23/20

Department	Project	Dept Priority	Potential Funding Source	FY19-20 Approved	2021	2022	2023	2024	2025
GENERAL FUND									
Streets	Equipment								
Streets	Replace 2004 Highland Salt Spreader (S-049)	Essential	General Fund				\$ 12,000		
Streets	Replace 2012 Highland Salt Spreader (S-050)	Essential	General Fund				\$ 12,000		
Streets	Replace 2011 John Deere Backhoe (S-006)	Essential	General Fund					\$ 105,000	
			Total Equipment	\$ -	\$ -	\$ -	\$ 24,000	\$ 105,000	\$ -
Streets	Infrastructure								
Streets	Private Sidewalk Improvements Financing	Essential	General Fund Reserves	\$ 140,000	\$ 140,000	\$ 140,000	\$ 140,000		
			Total Infrastructure	\$ 140,000	\$ 140,000	\$ 140,000	\$ 140,000	\$ -	\$ -
			TOTAL STREETS	\$ 140,000	\$ 140,000	\$ 140,000	\$ 164,000	\$ 105,000	\$ -
Streets	PROJECTS/INFORMATIONAL								
Portion approved move above	Street Resurfacing and Rehabilitation, ADA Ramps	Essential	RTT & MSA	\$ 1,597,000	\$ 840,000	\$ 840,000	\$ 840,000		
Streets	ADA Compliant Ramps Installation	Essential	Muni Street Aid	\$ 283,000	\$ 100,000	\$ 100,000	\$ 100,000		
Streets	Landscape Pedestrian Crossing: N/S Walnut Streets	Desirable	General Fund/Grant AARP (30K-35K)	\$ 10,000	\$ 250,000				
Streets	Flooding Infrastructure Repairs: NE Fourth Street	Deferrable	General Fund			\$ 500,000			
Streets	Streetscape (TAP Project): NE Front Street	Essential	Economic Development Fund		\$ 350,000			\$ 300,000	
Streets	Streetscape (TAP Project): NW Front Steet	Desirable	Economic Development Fund					\$ 50,000	\$ 300,000
Streets	Streetscape: N Washington Street	Desirable	General Fund				\$ 200,000		
Streets	Bridge Replacement: SW Front Street	Essential	General Fund/CTF/Federal Bridge Grant				\$ 1,500,000		
Streets	Streetscape: Park Avenue/Denny Row	Desirable	General Fund					\$ 300,000	
Streets	Streetscape: SW Front Street	Desirable	General Fund					\$ 300,000	
Streets	Streetscape: Franklin Street	Desirable	General Fund					\$ 100,000	
Streets	Bridge Replacement: Maple Avenue	Essential	General Fund/Fed Bridge Program						\$ 3,000,000
			STREETS INFORMATIONAL	\$ 1,890,000	\$ 1,540,000	\$ 1,440,000	\$ 2,640,000	\$ 1,050,000	\$ 3,300,000
Parking	PROJECTS/INFORMATIONAL								
Parking	Parking Lot Enhancements: N Walnut Street/NE Front Street	Desirable	Economic Development		\$ 140,000				
Parking	Parking Lot Enhancements: Park Avenue	Desirable	Economic Development				\$ 60,000		
Parking	Parking Lot Enhancements: SW Front Street	Desirable	Economic Development					\$ 115,000	
			PARKING INFORMATIONAL	\$ -	\$ 140,000	\$ -	\$ 60,000	\$ 115,000	\$ -

City of Milford
 Capital Improvement Plan FY21-25
 04/23/20

Department	Project	Dept Priority	Potential Funding Source	FY19-20 Approved	2021	2022	2023	2024	2025
City Hall	Building								
Parking	Parking Lot Enhancements: S Washington Street (City Hall)	Desirable	General Fund		\$ 30,000				
Facilities	City Hall Council Chambers Recording System Upgrade	Essential	General Fund Reserves	\$ 8,975					
Facilities	City Hall Monitors in Council Chambers	Desirable	General Fund Reserves	\$ 25,000					
Facilities	City Hall Video Monitoring System Replacement	Essential	General Fund Reserves	\$ 25,000					
Facilities	City Hall Basement Fit Out	Essential	General Fund Reserves	\$ 75,800	\$ 218,295				
			Total Building	\$ 134,775	\$ 248,295	\$ -	\$ -	\$ -	\$ -
			TOTAL CITY HALL	\$ 134,775	\$ 248,295	\$ -	\$ -	\$ -	\$ -
Information Technology	Equipment								
Information Technology	Agenda Packet Viewing Software	Desirable	General Fund Reserves	\$ 5,000					
Information Technology	ERP Study; Replace Naviline Software System	Essential	General Fund		\$ 75,000	\$ 500,000			
Information Technology	Server Refresh (3 @ 9,000) & Cisco Backbone Spare (3,000)	Essential	General Fund		\$ 30,000		\$ 30,000		
Information Technology	Server Refresh (3 @ 9,000) & Cisco Backbone Spare (3,000)	Essential	General Fund			\$ 30,000			
Information Technology	Server Refresh (3 @ 9,000) & Firewall Boxes (4 @ 5,500)	Essential	General Fund	\$ -				\$ 49,000	\$ 49,000
			Total Equipment	\$ 5,000	\$ 105,000	\$ 530,000	\$ 30,000	\$ 49,000	\$ 49,000
Information Technology	Vehicles								
Information Technology	Replace 2006 Dodge Stratus (IT-001)	Essential	General Fund		\$ 32,000				
			Total Vehicles	\$ -	\$ 32,000	\$ -	\$ -	\$ -	\$ -
			TOTAL INFORMATION TECHNOLOGY	\$ 5,000	\$ 137,000	\$ 530,000	\$ 30,000	\$ 49,000	\$ 49,000

City of Milford
Capital Improvement Plan FY21-25
04/23/20

Department	Project	Dept Priority	Potential Funding Source	FY19-20 Approved	2021	2022	2023	2024	2025
Parks & Recreation	Equipment								
Parks & Recreation	Add Ventrac Tractor Attachments (V-Blade, Broom)	Desirable	General Fund Reserves	\$ 15,000					
Parks & Recreation	Add Kubota B series Tractor	Desirable	General Fund Reserves	\$ 25,000					
Parks & Recreation	Portable Lighting (3): Soccer fields	Essential	General Fund Reserves	\$ 24,200					
Parks & Recreation	Replace Kruger Trailer (PR-021)	Essential	General Fund		\$ 6,000				
Parks & Recreation	Replace 2011 Kubota Mower (PR-036)	Essential	General Fund		\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000
Parks & Recreation	Add Ventrac Tractor with Mulching Mower	Desirable	General Fund			\$ 30,000			
Parks & Recreation	Replace 2004 John Deere Gator (PR-013)	Desirable	General Fund			\$ 15,000	\$ 15,000		
			Total Equipment	\$ 64,200	\$ 21,000	\$ 60,000	\$ 30,000	\$ 15,000	\$ 15,000
Parks & Recreation	Vehicles								
Parks & Recreation	Replace 2006 Chev Colorado Pickup (PR-001)	Essential	General Fund		\$ 30,000				
Parks & Recreation	Replace 2003 Ford F350 Pickup (PR-003)	Essential	General Fund		\$ 50,000	\$ 50,000			
Parks & Recreation	Add Pickup	Desirable	General Fund			\$ 30,000			
			Total Vehicles	\$ -	\$ 80,000	\$ 80,000	\$ -	\$ -	\$ -
Parks & Recreation	Building								
Parks & Recreation	Armory Workshop Renovations	Essential	General Fund Reserves	\$ 25,000					
Parks & Recreation	Armory Fiber Optic Switches	Desirable	General Fund		\$ 16,000				
Parks & Recreation	HVAC Replacement	Desirable	General Fund		\$ 10,000	\$ 20,000			
Parks & Recreation	Fiber Optic Switch Replacement	Essential	General Fund		\$ 6,000	\$ 6,000	\$ 6,000		
Parks & Recreation	Armory Automatic Gates/Security Cameras Installation	Desirable	General Fund			\$ 20,000			
Parks & Recreation	Armory Storage Pole Barn	Desirable	General Fund			\$ 50,000			
			Total Building	\$ 25,000	\$ 32,000	\$ 96,000	\$ 6,000	\$ -	\$ -
Parks & Recreation	Parks								
Parks & Recreation	Riverwalk and Pedestrian Bridge Decking Painting	Essential	General Fund Reserves	\$ 15,000					
Parks & Recreation	Parking Lot Enhancements: N Walnut Street (Amory)	Essential	General Fund Reserves	\$ 10,000					
Parks & Recreation	Basketball Court Repairs: S Washington Street & SE Front Street	Desirable	General Fund/General Fund Reserves	\$ 75,000	\$ 30,000				
Parks & Recreation	Parking Lot Enhancements: Franklin Street (P&R)	Deferrable	General Fund/General Fund Reserves	\$ 45,000	\$ 15,000				
Parks & Recreation	Goat Island Pedestrian Bridge Board Replacement	Desirable	General Fund		\$ 36,000				
Parks & Recreation	Riverwalk Handrail Painting	Essential	General Fund		\$ 25,000				
Parks & Recreation	Riverwalk Railing System/Lighting Replacement	Essential	General Fund		\$ 100,000				
Parks & Recreation	Marvel Square Sign Replacment	Desirable	General Fund		\$ 6,500				
Parks & Recreation	Riverwalk Exposed Concrete Replacement	Essential	General Fund		\$ 20,000	\$ 20,000	\$ 20,000		
			Total Parks	\$ 145,000	\$ 232,500	\$ 20,000	\$ 20,000	\$ -	\$ -
			TOTAL PARKS & RECREATION	\$ 234,200	\$ 365,500	\$ 256,000	\$ 56,000	\$ 15,000	\$ 15,000
Parks & Recreation	PROJECTS/INFORMATIONAL								
Parks & Recreation	Playground: Downtown	Desirable	State Grants/Private Donations		\$ 150,000				
Parks & Recreation	Riverwalk Extension	Deferrable	State Grants/Private Donations		\$ 474,000				
Parks & Recreation	Bicentennial Park Redevelopment	Deferrable	General Fund			\$ 100,000			
Parks & Recreation	Farmers Market Area Redevelopment	Desirable	General Fund			\$ 100,000			
Parks & Recreation	Splash Pad	Desirable	State Grants/Private Donations			\$ 150,000			
Parks & Recreation	Mispillion River Living Shoreline	Desirable	DNREC Water Quality Grant			\$ 80,000			
Parks & Recreation	Marvel Square Redevelopment/Outdoor Skating Track	Desirable	General Fund			\$ 100,000			
Parks & Recreation	Pickleball Courts	Desirable	General Fund			\$ 150,000			
Parks & Recreation	Public Restrooms	Desirable	General Fund				\$ 100,000		
Parks & Recreation	Recreation/Community Center @ Marvel Square Construction	Desirable	General Fund				\$ 2,000,000		
Parks & Recreation	Recreational Court Additions	Desirable	General Fund/Private Donations					\$ 75,000	
			PARKS & REC INFORMATIONAL	\$ -	\$ 624,000	\$ 680,000	\$ 2,100,000	\$ 75,000	\$ -

City of Milford
 Capital Improvement Plan FY21-25
 04/23/20

Department	Project	Dept Priority	Potential Funding Source	FY19-20 Approved	2021	2022	2023	2024	2025
Planning	Equipment								
Various	GIS Server Replacement (2 @ \$25,000)	Essential	General/Electric/Water/Sewer				\$ 50,000		
			Total Equipment	\$ -	\$ -	\$ -	\$ 50,000	\$ -	\$ -
			TOTAL PLANNING	\$ -	\$ -	\$ -	\$ 50,000	\$ -	\$ -
Planning	PROJECTS/INFORMATIONAL								
Planning	Open Space Acquisition	Desirable	TBD		\$ 200,000	\$ 200,000	\$ 200,000		
			PLANNING INFORMATIONAL	\$ -	\$ 200,000	\$ 200,000	\$ 200,000	\$ -	\$ -
Code Enforcement	Vehicles								
Code Enforcement	Replace 2008 Dodge Durango (PZ-002)	Essential	General Fund		\$ 32,000				
			Total Vehicles	\$ -	\$ 32,000	\$ -	\$ -	\$ -	\$ -
			TOTAL CODE ENFORCEMENT	\$ -	\$ 32,000	\$ -	\$ -	\$ -	\$ -
Police	Vehicles								
Police	Replace Vehicles (2 per year)	Essential	General Fund/General Fund Reserves	\$ -	\$ 105,700	\$ 108,400	\$ 111,100	\$ 113,800	\$ 116,500
			Total Vehicles	\$ -	\$ 105,700	\$ 108,400	\$ 111,100	\$ 113,800	\$ 116,500
			TOTAL POLICE	\$ -	\$ 105,700	\$ 108,400	\$ 111,100	\$ 113,800	\$ 116,500
Police	PROJECTS/INFORMATIONAL								
Police	Police Station Design/Engineering/Geotech	Essential	TBD		TBD				

City of Milford
Capital Improvement Plan FY21-25
04/23/20

Department	Project	Dept Priority	Potential Funding Source	FY19-20 Approved	2021	2022	2023	2024	2025
	TOTALS (excluding informational items listed above)			FY19-20 Approved	2021	2022	2023	2024	2025
	Electric			\$ 1,000,000	\$ 679,000	\$ 405,000	\$ 990,000	\$ 960,000	\$ 1,260,000
	Water			\$ 1,495,400	\$ 95,000	\$ 102,000	\$ 50,000	\$ -	\$ 60,000
	Sewer			\$ 285,000	\$ -	\$ 25,000	\$ 75,000	\$ 45,000	\$ -
	Solid Waste			\$ 366,200	\$ 90,000	\$ -	\$ 360,000	\$ -	\$ 295,000
	TOTAL ENTERPRISE FUNDS			\$ 3,146,600	\$ 864,000	\$ 532,000	\$ 1,475,000	\$ 1,005,000	\$ 1,615,000
	Customer Service			\$ -	\$ 49,500	\$ -	\$ -	\$ -	\$ -
	Fleet Service (Garage)			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	Tech Service			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	Public Works			\$ 58,395	\$ 291,773	\$ 488,000	\$ 850,000	\$ 1,302,200	\$ -
	TOTAL INTERSERVICE FUNDS			\$ 58,395	\$ 341,273	\$ 488,000	\$ 850,000	\$ 1,302,200	\$ -
	Streets			\$ 140,000	\$ 140,000	\$ 140,000	\$ 164,000	\$ 105,000	\$ -
	City Hall			\$ 134,775	\$ 248,295	\$ -	\$ -	\$ -	\$ -
	Information Technology			\$ 5,000	\$ 137,000	\$ 530,000	\$ 30,000	\$ 49,000	\$ 49,000
	Parks & Recreation			\$ 234,200	\$ 365,500	\$ 256,000	\$ 56,000	\$ 15,000	\$ 15,000
	Planning			\$ -	\$ -	\$ -	\$ 50,000	\$ -	\$ -
	Code Enforcement			\$ -	\$ 32,000	\$ -	\$ -	\$ -	\$ -
	Police			\$ -	\$ 105,700	\$ 108,400	\$ 111,100	\$ 113,800	\$ 116,500
	TOTAL GENERAL FUND			\$ 513,975	\$ 1,028,495	\$ 1,034,400	\$ 411,100	\$ 282,800	\$ 180,500
	TOTAL ALL FUNDS - Funding Source TBD			\$ 3,718,970	\$ 2,233,768	\$ 2,054,400	\$ 2,736,100	\$ 2,590,000	\$ 1,795,500

MILFORD CITY COUNCIL
MINUTES OF MEETING
June 10, 2019

A Meeting of Milford City Council was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall on Monday, June 10, 2019.

PRESIDING: Mayor Archie Campbell

IN ATTENDANCE: Councilpersons Daniel Marabello, Mike Boyle, Lisa Ingram Peel, Todd Culotta, Owen Brooks Jr., Douglas Morrow, Jason James Sr. and Katrina Wilson

STAFF: City Manager Eric Norenberg, Police Chief Kenneth Brown and City Clerk Terri Hudson

COUNSEL: Solicitor David Rutt, Esquire

City Accountant Suzannah Frederick and Planning Director Rob Pierce were also present.

CALL TO ORDER

Mayor Campbell called the Council Meeting to order at 7:00 p.m.

INVOCATION AND PLEDGE

The Pledge of Allegiance, followed the invocation was given by Councilmember Wilson.

APPROVAL OF PREVIOUS MINUTES

Included in the packet were minutes from the March 25, 2019 and April 8, 2019 Council Meetings, April 22, May 6 and May 13, 2019 Committee and Council Meetings. Two typos were noted and Committee Assignments read by Mayor Campbell at the Reorganization Meeting on May 6th were questioned. The City Clerk will follow up with Mayor Campbell.

Motion made by Councilmember Wilson to approve the minutes, with the two typos corrected, seconded by Councilmember Morrow. Motion carried.

RECOGNITION

Bug and Bud Festival Children's Art Contest Winners.

Chair Nina Pletcher thanked Mayor and Council for allowing them to recognize the Art Contest Winners. She explained that DMI collaborated with Milford School District and thirty-five entries were submitted by students. The winner's works were on display in the Council Chambers.

With the help of Milford Art League, they chose four categories and the top three entries in each of three art mediums—crayon/pencil/markers, 3D and paint.

In attendance, the following students were recognized for their achievements:

Best in Show—Onel Jean Baptiste 11th grade-MHS

Crayon/Pencil/Marker medium

1st place—Lea Heesh 4th grade Banneker

2nd place—Payton Lane 3rd grade Banneker

3rd place—Keegan Dennehy 4th grade Mispillion

3D medium

1st place—Emmaline Green 1st grade--Banneker

2nd place—Chloe Lebo 2nd grade—Mispillion

3rd place—Samuel Chavez Corzo Kindergarten—Morris Early Childhood

Paint medium

1st place—Isabella Valentine 3rd grade--Banneker

2nd place—Kate Wilson 1st grade—Mispillion

3rd place—Lilly Enck Kindergarten—Morris Early Childhood

MONTHLY POLICE REPORT

Police Committee Chairperson Wilson presented the monthly Police Report on behalf of Chief Brown noting that our Police Chief remains very busy. Chief Brown had nothing to add to the report.

Chairwoman Wilson moved to accept the monthly police report, seconded by Councilmember James. Motion carried.

MONTHLY CITY MANAGER REPORT

City Manager Norenberg referenced his monthly report. The finance information will be added later this week following the completion of the budget process.

Mr. Norenberg noted that renovation work continues at the Milford Armory with some temporary spaces being set for DCRAC to meet with clients while the offices are being worked on.

He reported that he has executed the University of Delaware IPA proposal for a City Council retreat later this summer. He will follow up with City Council to schedule a partial Saturday later this summer, and to discuss the format, which includes pre-retreat interviews with Council.

Councilmember Boyle moved to accept the monthly City Manager report, seconded by Councilmember Culotta. Motion carried.

MONTHLY FINANCE REPORT

Finance Committee Chairman James reported that with the end of the fiscal year, revenue is tracking above budget and expenses are below budget as reflected in the projections for FY19-20 budget.

Chairman James moved to accept the April 2019 Finance Report, seconded by Councilmember Wilson. Motion carried.

COMMITTEE & WARD REPORTS

Ward 1-Hearthstone Manor

Councilman Boyle reported that he continues to receive phone calls from residents regarding some construction-related items, and associated increases of HOA fees. Though he understands it is not under the City's purview, he asked that it be on record that we continue to assist look for answers and solutions.

It was noted that because 75% of the total properties have not been sold, the HOA remains under the Fannin's jurisdiction.

Mayor Campbell noted that there have been continuing issues at Meadows at Shawnee and City Staff continues to work with them, in addition to the Public Works Director, City Manager and Water/Wastewater Manager who will be attending the upcoming HOA Association meeting at the Rookery North.

Ward 2-Brown Water

Councilman Culotta has received complaints from Ward 2 residents about dirty water; Mr. Norenberg confirmed he is referring to New Street and reported that our Wastewater Manager has met with that resident and for some reason, it is isolated to their property. Other neighbors in the area were not having problems. The City will continue to work with that resident to resolve the issue.

Ward 3-Silicato Parkway Open

Councilman Morrow said he is glad Silicato Parkway opened again for easier access to those businesses from his ward.

Ward 4-Sidewalk Project

Councilman James advised that many residents are asking the status of the City sidewalk project and his response is that it continues to be discussed though he did not share the information that was talked about until there is a final resolution in place.

City Manager Norenberg reported that it will be discussed again at the next meeting.

COMMUNICATION & CORRESPONDENCE

Included in packet.

UNFINISHED BUSINESS

None to discuss.

NEW BUSINESS

Adoption Resolution 2019-06/Scheduling Board of Revision and Appeal for said General Assessment

After the process was explained, Councilmembers were assured that any information related to specific property appeals would be provided to them as soon as the City Assessor gathered the comps and documents related to specific appeals following the July 12, 2019 filing deadline.

City Accountant Frederick also agreed to provide the number of property owners who appeal.

Mayor Campbell then asked if anyone from the public wished to speak on the resolution. No one responded and the floor was closed.

Councilmember Wilson moved to adopt the following resolution, seconded by Councilmember Peel:

RESOLUTION 2019-06

WHEREAS, the provisions of Article VII, Section 7.05 of the Charter of the City of Milford state that Council shall cause a copy of the General Assessment, as adjusted, to be posted in two public places in the City of Milford and there to remain for the space of ten days for public information; and

WHEREAS, attached to said copies shall be notice of the day, hour and place that Council will sit as a Board of Revision and Appeal for said General Assessment.

NOW, THEREFORE, BE IT RESOLVED, that on Monday, July 22, 2019 at 6:30 p.m., the City Council of the City of Milford will sit as a Board of Revision and Appeal for the 2019-2020 General Assessment.

Motion carried.

Adoption/Resolution 2019-07/Approval of 2019-2020 Fiscal Year Budget & Capital Plan

City Manager Norenberg remarked on the documents included in the packet related to the budget and reviewed the following memo and subsequent changes to the new budget:

Overview

The Fiscal Year 2019-20 budget was prepared in conjunction with department heads and superintendents from all departments and with special thanks to the hard work of Accountant Suzannah Frederick. We are pleased to present you with this recommended Budget for the City of Milford that covers the General Fund and the various Enterprise Funds for the time period of July 1, 2019 through June 30, 2020 totaling \$45,233,237.

The annual budget document serves a number of purposes for the City. First, the budget provides the citizens of Milford with information regarding the operations of the City government and details on how public funds will be utilized throughout the community. Next, the budget serves as a roadmap for the City Council and City Manager to achieve the City's priorities, not just in this fiscal year, but in the future. As staff prepared this year's budget, priorities and requests were expected to align with the Strategic Plan that was adopted in 2018.

Finally, the annual budget is used as a managerial tool by the City Manager, Police Chief and the City's department heads. This annual spending plan not only serves as a monitoring tool of revenues and expenses for the various departments, but also as a means of evaluation to ensure public resources are used in the most effective and efficient manner.

Background and Summary

As we prepare to the start the new fiscal year, changes are in large part driven by requirements of the organization related to growth and associated demands on staff and operations. For example, the majority of growth (53%) in the General Fund is due to the addition of five police officers, a dispatcher and the new Teamster contract for the Police Department. Other departments have requests for additional staffing to support quality, efficient operations that will support a growing community. These include, additions of staff in the Customer Service Office, the Finance Department, the City Clerk's Office and in Park Maintenance.

Laying the groundwork for these plans have been moves to achieve greater efficiency with existing resources and facilities in recent years and careful stewardship of our resources in a number of areas of our municipal operation (examples: greater use of purchasing cooperatives, energy efficiency measures, replacement of the outdated systems and equipment, and selected use of contracted services).

Revenue Overview

The FY 2019-20 budget constitutes an increase of \$1,999,647 or 4.6 percent over the prior fiscal year. At this time, the property tax rate remains unchanged at \$0.46 per \$100.00 of assessed value.

Electric, Water and Wastewater enterprise revenues continue to be stable. The Kent County Wastewater treatment charge is increasing effective July 1. However, the customer portion of this treatment charge is a pass through and no change to the City rate is proposed. In addition, the negative electric power cost adjustment (PCA) is recommended to continue until the end of December and no change is recommended for the water rates. In order to balance the Solid Waste enterprise, a \$1.00 increase is recommended.

Budget Overview / Highlights

The individual fund changes are as follows:

	FY2019-20 Budget	Change from FY2018-19	Percent Change
General Fund	\$10,728,735	\$1,094,388	11.41%
Water Fund	\$2,859,500	\$11,000	0.39%
Sewer Fund	\$4,645,000	\$188,500	4.23%
Solid Waste Fund	\$1,182,003	\$6,760	0.57%

Electric Fund	\$25,815,000	\$690,000	2.75%
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This year's General Fund budget continues to utilize a transfer from Realty Transfer Tax Fund for public safety staffing (\$723,000). In addition, the appropriation for Downtown Milford, Inc. and the financial support for the Kent Economic Partnership continues from the Economic Development Fund, but now draws on that fund for the support for the Milford Museum, the Milford Public Library and to pay for new and replacement parking directional signs for downtown (\$166,360). The General Fund capital reserves will support general fund capital equipment or projects totaling \$623,775.

The recommended FY 2019-20 budget includes:

- An overall 2.0% pay increase in base pay for non-union employees and additional funds to begin the merit pay program discussed with City Council earlier this year (non-union employees with Meets Expectation or Exceeds Expectations on their annual performance evaluation may receive a 1.5% step increase).
- Continuing to expand employee recognition initiatives, including the Safety Incentive program, and beginning to recognize Special Performance of individuals or teams.
- Continuing the halftime Local Government Management Fellow shared with Lewes.

We continue to monitor healthcare costs. As we try to anticipate and mitigate the impact of possible increased healthcare costs, we negotiated a move to increase the employee share of premiums in next year (July 1, 2020) and plan to explore alternatives to the State benefits program in the next year.

Following is a partial list of capital equipment and projects. (The full list is in the budget materials, see Attachment A.)

Capital Equipment

- Replacement trucks, chipper and material handler - Electric
- Replace Dump Truck with Hook-lift Truck – Water
- Portable Soccer Field Lighting - Parks and Recreation
- New Zoom camera – Sewer

Capital Improvements / Repairs

- Water valve and hydrant replacements / improvements - Water
- Match for the NE Front Street Transportation Alternative Program improvements - Streets
- Replacement of lead water services - Water
- Automated blow off / flushing valves – Water
- Targeted Inflow and Infiltration investigation and repair – Sewer
- Final phase of Riverwalk Lighting Powder coat and Retrofit
- Continued downtown parking lot improvements and directional signage
- Continued resurfacing and repair – Streets
- City share for sidewalk improvements
- Basketball Court repair – Parks and Recreation

Planned Major Capital Projects

- Replacement of a section of sewer line and lead water service lines, and deteriorated curb on Southeast Second Street ahead of DelDOT repaving
- Shawnee Acres pump station upgrade
- Replacement of Northeast/Northwest Front Street sewer line and water line ahead of DelDOT repaving

In addition, the following additional staff are included in the proposed recommended budget:

- Customer Service Clerks (two)
- Police Dispatcher

- Accountant
- Administrative Assistant for City Administration / City Clerk’s Office
- Administrative Assistant for Public Works
- Parks Maintenance Coordinator

Conclusion

The current fiscal condition of the City is stable. In particular, the water and electric reserve funds are healthy and building permit revenues are growing. However, funding decisions to improve the City’s general fund capital reserve (typically used for capital equipment, vehicles, building repairs and street improvements) is needed in order to have a stable fund for future street maintenance, equipment replacement and facility maintenance and repairs. State Community Transportation Funds and Municipal Street Aid cannot be counted on to make up the difference. In the coming year, it will be extremely important for the City implement sound financial policies and practices, while looking to build financial stability for the future.

New or Increased for FY2020

Exhibit A

General Fund		Budgeted Amount	Funding Source
City Administration			
	Part time intern	\$ 8,724	Operating Budget
	Administrative Assistant	\$ 74,450	Operating Budget
Council/City Hall			
	Computer upgrade	\$ 7,400	Operating Budget
	ADA Transition Plan	\$ 50,000	Operating Budget
Council Request			
	Staffing Study	\$ 20,000	Operating Budget
	Legal Review of Code	\$ 25,000	Operating Budget
City Council Community Support			
	Carlisle Fire	\$ 140,000	Operating Budget
	Library Funding	\$ 25,000	Economic Development
Planning			
	Legal Review of Code	\$ 25,000	Operating Budget
Police			
	K-9 Unit	\$ 12,800	Operating Budget
	Dispatcher	\$ 62,786	RTT (\$63,000)
	FY 20 of Teamster Contract	\$ 160,222	RTT (\$160,000)
Parks and Recreation			
	Parks Coordinator	\$ 63,375	Operating Budget
Streets			
	Parking Directional Signs	\$ 25,000	Economic Development

Mayor Campbell referenced the 3% overall pay increase for non-union employees. Councilman Morrow asked if that includes COLA; Mr. Norenberg said the COLA has been confused and in lieu of that term, that is the base pay increase that all non-union employees will receive. On top of that, any employee that meets or exceeds on their evaluations, will receive a 1.5% increase.

It was again discussed that unions received 4% and any non-union employees receiving ½% less could create later issues and even consider unionizing.

Councilman Morrow recalled that when Milford Police unionized, Council agreed at that point to always keep the pay increases the same for non-union employees. Mayor Campbell agreed stating that has to happen, otherwise we are opening the door for other employees to unionize.

Councilman Morrow noted that during the last study, there were a number of upper management employees who received large increases and in consideration, he asked that the Finance Department to consider another ½% in an attempt to somewhat mimic the increase the union officers already received at the police department.

Councilman Morrow commended Mr. Norenberg's efforts to stay within budget, adding that he understands he is trying to work with the funding that's available.

When asked if everyone receives the additional 1.5% increase, Councilmember Peel said only those employees that meet or exceed expectations on their evaluations.

Mayor Campbell stressed that not providing the same increase to non-union employees is a risk. The City Manager pointed out the IBEW is still at 1.5% step increases. The Teamsters were benchmarking other police unions who were providing larger adjustments based on changes in benefit and compensation structures. The City agreed with the 4% in an attempt to keep our police officers competitive with other police agencies particularly at the entry level and higher ranks. Each time there is a vacancy, our HR Manager will look at the market place and compare that salary with respect to the position. In this strong economy, they have found some positions have moved up faster and some skill sets will change more rapidly. He anticipates a similar situation when the IBEW contract is negotiated next year.

Mayor Campbell reiterated that if this is not done, the City will never catch up. He recommends 2 and 2% versus 1.5 and 2%. Councilmember Peel cautioned letting one union inflate other salaries which sets a precedence.

Councilman Morrow agrees but pointed out that should have been controlled during the negotiations.

Mayor Campbell also pointed out that the Captain and the Lieutenants do not fall under the union and they are concerned with receiving smaller increases which will impact their salaries over time. They feel that when their salaries are compared to those positions in other area police departments, their salaries will end up being lower.

Councilman Morrow said he does not need any numbers, but is only asking that Finance Chairman James and Ms. Frederick provide a total if that percentage was increased.

Councilman James said if it is the philosophy of the City to keep the non-union employees in step with the unions, that is one case. However, he also feels we should listen to Councilmember Peel's statement because as she stated, the union is always setting the pay for the entire population which is not ideal. The non-union pay should be based on market study/market pay. The union is negotiated and it is dangerous to make them the same.

Mr. Norenberg said they also try to keep the various benefits and there was a request from the union the year prior to him being hired to add vision coverage. The City agreed it made sense for all employees and it was added for no cost to the employees and an option for dependents. As a result, the City tries to keep pace and serve all needs as best as they can. However, the different trades, workforces and professions have different market conditions which is the reason they hired PayPoint HR to complete a pay study. Once that was completed, everyone was brought up to market rate.

Ms. Frederick then reported that to fund another ½% would be \$21,000 across the board for non-union employees. Mr. Norenberg explained that would increase the base pay adjustment to 2½% to be allocated out of the general fund, in addition to the various enterprise accounts.

It was confirmed that the Teamsters at the Police Department agreed to an increase of healthcare premium/employee pay from 90/10 to 85/15 beginning July 2020, based on all employees receiving the same increase. Councilman Morrow pointed out that is more of a reason to provide the other ½% to all non-union employees noting that everyone else only received 1½% compared to the Teamsters 4%.

Solicitor Rutt noted that Council has the right to recommend tweaks to the budget though he does not think the ½% needs to be voted on tonight.

Mr. Norenberg was then directed to have the additional ½% added to the FY2019-2020 budget and to present the revised budget at the June 24, 2019 fiscal year budget.

Council then discussed Council Salary, as stated in the Ordinance, which reads as follows:

For the purpose of this chapter, the following terms, phrases, words and their derivations shall have the meanings given herein:

COUNCIL MEETING — The monthly Council meeting, workshop meetings and all other executive meetings called to order by the City Manager or Mayor.

Each City Council member shall receive a salary of \$50 per meeting.
The Mayor shall receive a salary of \$400 per month.

Mr. Rutt stated that he is reading this for the first time, but Council must follow what the ordinance states. If there is a special meeting, that is considered a council meeting in which councilmembers would be paid. In relation to public hearings, they are separate and distinct from the council meeting, but are still a full meeting of the council.

Mr. Norenberg reported that he and Ms. Hudson have additional background information that will need to be provided to the City Solicitor.

He tried to calculate the additional costs of workshops, board and commission members and made a projection based on the number of meetings. Council can also discuss an appropriate rate should that be adopted.

It was noted that any increase in pay, would not be effective until after the next election. However, based on the current language, Mr. Rutt feels this is the correction of a past interpretation which can be implemented immediately. He will provide a full update to Council at the June 24, 2019 meeting.

Councilman James pointed out that \$50 is not going to change anyone lives, but when an ordinance contains ambiguous language, it needs to be addressed for clear interpretation and execution.

Councilmember Peel agreed stating a lot of that language can be interpreted in a different manner. Many of the older codes have been addressed by the Planning Director though many are outside his purview. Mr. Norenberg stated that is the reason Ms. Hudson has proposed funding for a legal review of the code again this year.

Councilmember Boyle recalled the code allows for four councilmembers to call a meeting and noted that working committees presently have four members. Mr. Rutt clarified that it states that special meetings can be called by the mayor or by four councilmembers.

Councilmember Boyle said his purpose on council is to serve the public and questioned any additional pay. It was agreed the code reads ‘per meeting called to order by the mayor’ and includes the definition.

It was again agreed that Mr. Rutt should further review the ordinance after which, Council will determine whether a change of language is needed to the ordinance or he can determine the practice needs to be changed based on his interpretation of the current language.

The process for charter amendments was then explained. Solicitor Rutt explained that a review of each article was done by the City Manager, City Clerk and himself. In the end, the revisions were incorporated, which were approved by City Council and then forwarded to the General Assembly.

Mr. Rutt said he would like to review various areas in the charter and compare for conflicting language.

When asked for other comments, Councilman James stated that though we briefly reviewed the budget during the hearings, he has not had a chance to thoroughly review the capital improvement plan.

Councilmember Peel commended the Public Works Director for going back and providing additional information on the enterprise funds, which is handled a little differently, though the hope is to keep the accounts on par. She has also learned that there are emergencies that are unknowns that need to be considered in every budget.

Councilmember James explained that he found some of the FY 2019 amounts were exact duplicates of the FY 2018-19 amounts and not average of the previous years presented and instead carryovers.

There being no further comments, Mayor Campbell opened the floor for public comments on Resolution 2019-07.

Nina Pletcher of 428 South Walnut Street asked about Council being reimbursed for their services and though she feels it is well deserved, she asked if Councilmembers were paid only when they attended meetings.

It was noted that the code states each councilmember receives \$50 per meeting. They have been discussing what is considered a meeting based on that language. It was confirmed that Council is paid \$50 per month, and any additional meetings is \$50.

Ms. Pletcher doesn't understand why a councilperson would be paid for something they didn't do. If not in attendance, she is amazed they would be reimbursed.

Ms. Hudson clarified that the previous ordinance, prior to the amended ordinance twenty years ago, allowed councilmembers to be paid \$50 per month, regardless of attendance or the number of meetings.

No other persons wished to speak and the floor was closed.

Councilmember Wilson moved to postpone Resolution 2019-07 adopting the FY 19-20 Budget and Capital Program, seconded by Councilmember James. Motion carried.

Introduction/Ordinance 2019-21/Authorization/Chesapeake Utilities Franchise

As a result of its nearing expiration, City Manager Norenberg introduced the following ordinance renewing the Chesapeake Utilities Corporation:

*CITY OF MILFORD
ORDINANCE 2019-21*

*AN ORDINANCE OF THE CITY OF MILFORD, DELAWARE GRANTING TO
CHESAPEAKE UTILITIES CORPORATION, ITS SUCCESSORS AND ASSIGNS, A NONEXCLUSIVE
GAS SUPPLY AND DISTRIBUTION SERVICES FRANCHISE AGREEMENT
WITH THE CITY OF MILFORD; PRESCRIBING THE TERMS AND CONDITIONS UNDER
WHICH SAID FRANCHISE MAY BE EXERCISED; PROVIDING AN EFFECTIVE DATE;
AND REPEALING AND REPLACING THE PRIOR ORDINANCE AND FRANCHISE AGREEMENT.*

WHEREAS, Chesapeake Utilities Corporation and the City of Milford desire to enter into a franchise agreement for a period of twenty (20) years commencing from the date provided herein; and

WHEREAS, Ordinance 2019-21 repeals and replaces Ordinance 2-1999 adopted by City Council on June 28, 1999; and

WHEREAS, the Council of the City of Milford finds that it is in the public interest of its citizens to enter into an updated franchise agreement with Chesapeake Utilities Corporation.

NOW, THEREFORE, the City of Milford hereby ordains as follows:

*AGREEMENT BETWEEN
THE CITY OF MILFORD AND
CHESAPEAKE UTILITIES CORPORATION*

(Complete ordinance included in corresponding Council Packet)

The Ordinance is scheduled for adoption at the June 24, 2019 Council Meeting.

Authorization/I&I Supplemental Funding

City Manager Norenberg referred the memo, submitted by Public Works Director Mark Whitfield stating that due to the abnormally wet weather for the past ten months, the inflow and infiltration of storm and ground water into the sanitary sewer system has created a deficit in the Inflow and Infiltration Treatment line item in the Wastewater Budget (203-3030-432-40-20). To balance the deficit, \$250,000 need to be transferred from Wastewater Reserves to the Inflow and Infiltration Treatment line item.

Mr. Norenberg recalled the two projects discussed by Mr. Whitfield during the budget hearings regarding two pump stations that will help reduce this number.

Councilmember Peel moved to authorize the transfer of \$250,000 from Wastewater Reserves to Account 203-3030-432-40-20 to cover the treatment of Inflow and Infiltration Wastewater, seconded by Councilmember James. Motion carried.

Board of Adjustment/Vacancy

Planning Director Pierce reported that Board of Adjustment Member Chad Carter has submitted his resignation to be effective on Thursday, June 13th. As a result, there is a need to find a replacement for the third member and he asked City Council to encourage qualified residents to apply.

It was noted the BOA meets monthly on the second Thursday of the month. Those interested persons can submit their application via the City of Milford website.

EXECUTIVE SESSION

Councilmember Boyle moved to go into Executive Session reference the below statutes, seconded by Councilmember Brooks:

Pursuant to 29 Del. C. §10004(b)(4) Strategy Sessions

Pursuant to 29 Del. C. §10004(b)(9) Personnel Matters

Motion carried.

Mayor Campbell recessed the Council Meeting at 8:19 p.m. for the purpose as is permitted by the Delaware Freedom of Information Act.

Return to Open Session

Council returned to Open Session at 9:26 p.m.

*Police Chief Goals
City Manager Goals*

No action needed; informational only.

ADJOURNMENT

There being no further business, Councilmember Wilson moved to adjourn, seconded by Councilmember James. Motion carried.

The Council meeting was adjourned at 9:28 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

MILFORD CITY COUNCIL
MINUTES OF MEETING
June 24, 2019

A Meeting of Milford City Council was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall on Monday, June 24, 2019.

PRESIDING: Mayor Archie Campbell

IN ATTENDANCE: Councilmembers Daniel Marabello, Mike Boyle, Todd Culotta, Owen Brooks Jr., Douglas Morrow, Jason James Sr. and Katrina Wilson

STAFF: City Manager Eric Norenberg, Police Chief Kenneth Brown and City Clerk Terri Hudson

COUNSEL: Solicitor David Rutt, Esquire

ABSENT: Councilmember Lisa Peel

CALL TO ORDER

Mayor Campbell called the Council Meeting to order at 7:00 p.m.

INVOCATION AND PLEDGE

The Pledge of Allegiance followed the invocation was given by Councilmember Wilson.

RECOGNITION

Light Up Navajo/Electric Crew

Retired State Senator Gary Simpson and IBEW Local 126 Business Representative Rick Fridell were in attendance.

City Manager Norenberg shared a report given at DEMEC's Annual Dinner last fall, on Navajo Nation, the largest Native American territory in this country located in northern Arizona and parts of Utah and New Mexico. Among the 55,000 homes located on the 27,000 square mile reservation, approximately half do not have electricity. At that meeting several officials, including Retired State Senator Gary Simpson and Mayor Campbell, rallied to provide assistance to that public power entity from across the country.

Two of Milford's electric employees and two from the Town of Smyrna, joined community-owned utilities from Illinois, Ohio, Arizona, Oklahoma, New Mexico, California, Texas, Arkansas, Massachusetts and Utah this past April to power homes that have never had electricity. More than 100 volunteers from 24 utilities in 12 states took part in the American Public Power Association initiative, in support of the Navajo Tribal Utility Authority.

Public Works Director Mark Whitfield then provided a video related to the project.

He commented that Senator Simpson, the IBEW (International Brotherhood of Electrical Workers) and DEMEC generously donated toward the endeavor, lessening the financial burden on the local municipalities.

He then introduced City of Milford's representatives, Linemen Gary Johnston and Rob Palladino who provided details and pictures of the week-long project. They talked about the horrid living conditions at the reservation, as well as the precision work that was done under the direction of the Navajo Tribal Utility Authority. They also described the vast desert-type areas that had to be traveled between where power existed and where it was needed.

Mr. Whitfield reported that collectively, over the six-week period, crews provided power to 232 homes of the 15,000 homes without it.

The Public Works Director then read a plaque which was presented to each of the power companies that participated from the Navajo Nation for the support of the 2019 Light Up Navajo Pilot Project that helped connect 232 families to the grid for the very first time.

The linemen then thanked the City for giving them the opportunity to participate in this rewarding project.

When asked if the City will participate again next year, Mr. Whitfield explained our linemen were not able to take a City truck due to the conditions in the area. Because of the equipment and material issue, there is a limitation on how many homes can be connected at one time. However, he feels that APPA and the City are both committed to continuing this work and that we can again participate by providing future assistance.

Mr. Norenberg added that in addition to Mr. Paladino and Johnston, there were two other electric department employees that have volunteered to go.

He also thanked Senator Simpson and Mr. Fridell for their generous donations. Retired Senator Simpson also thanked the City for participating stating he is extremely grateful he attended the DEMEC meeting where a representative of the Navajo Nation Electrical Authority provided such a moving presentation. He believes it is particularly special that the City reached beyond Milford to do something so valuable to those that are less fortunate.

Electric Superintendent Will Gallagher

Mr. Whitfield then introduced Mr. Gallagher as the new Electric Superintendent as of May 20, 2019. Mr. Gallagher is from Long Island, New York and is planning to purchase a home here and bring his wife and young son to join the community.

Mr. Gallagher then spoke briefly, stating that this presentation and the efforts of these two linemen confirmed his belief that he made the right choice to move here. He looks forward to meeting everyone and working for the City.

COMMUNICATIONS & CORRESPONDENCE

Councilman Boyle reported that a recent Homeowners Association was held for the Meadows at Shawnee residents. Both Mr. Whitfield and Water and Wastewater Operations Supervisor Steve Ellingsworth attended. He stated that both spoke for about ten to fifteen minutes, followed by a question and answer session, until everyone in attendance was satisfied.

He commended Mr. Whitfield, who had been away for training, landed in Philadelphia at 4:30 pm, and arrived by 7:00 pm to make the meeting.

UNFINISHED BUSINESS

Adoption/Ordinance 2019-21/Authorization/Chesapeake Utilities Franchise

Mr. Norenberg recalled the introduction of this ordinance at the June 10th meeting. The memo outlines the relative sections of the charter related to franchises. Within the past month, the previous franchise agreement was reviewed with amendments presented to Chesapeake Utilities.

Information from other communities was also sought. Franchises from Middletown, Seaford and Georgetown were received though it was determined several other communities were also in the process of negotiating renewals.

Several key issues were identified during the review:

- Exclusive vs. Non-Exclusive: Our current franchise is exclusive however, Seaford, Middletown and Georgetown are non-exclusive. Because of the areas of Milford that are still unserved by natural gas in spite of many requests, staff felt that a non-exclusive agreement (or one with a first-right-of-refusal clause) would enable alternative providers to enter those markets.

- Revenue: The City currently receives “a volumetric franchise fee in the amount of \$0.010 per 100 cubic feet of gas delivered to customers through the Company's distribution system within the limits of the City of Milford.” This is projected to provide the City with about \$43,000 in revenue for FY19-20. Georgetown charges the same rate. It is proposed that the fee remain the same.
- Extensions: The rules governing extensions of the distribution system in Milford are subject to the jurisdiction of the Public Services Commission. The City and Chesapeake Utilities partnered last year to secure a grant to offset some of the cost to extend gas service along Northwest and Northeast Front Streets. Otherwise, we could not require the franchise extension into areas that did not meet the financial requirements set out by the State.
- Buyout: The agreement that is about to expire, provided for the unilateral right to purchase the system five years into the term at 225 percent of net book value. Chesapeake Utilities proposed that the City would have to pay 500 percent of the net book value to buyout the distribution system under certain circumstances in the new agreement. This amount has been negotiated down to 300 percent.
- Indemnification: The Middletown agreement had a more current and complete indemnification section that was substituted for the 20-year old version.
- Non-Discrimination: A new, non-discrimination section was added.
- Term: The last franchise was 20 years while others in the State are 15 to 25 years. Extending for another 20 years will hopefully provide a window of opportunity to justify expansion into unserved areas.

In attendance were Chesapeake Utility Representatives Dean Holden and John Martin.

Mr. Holden stated they are pleased with the expansion over the last twenty years and understands the related challenges. Unlike other towns with a gas and light utility that have gas mains installed through the old portions of downtown, Milford does not have that. That is the reason most infrastructure is around the peripheral that follows new construction more frequently than not, though they have been able to extend the gas mains into pre-existing developments.

They are excited to move forward with the gas main extension across North Front Streets with the assistance of State grant monies.

When considering a natural gas extension, the PSC requires an economic model of those customers who are willing to pay for the infrastructure. As a result, they are prohibited from using monies from customers' existing rates to pay for expansion. When serving a new development, an agreement stating that a specific number of homes will be serviced must be in place. When looking across Northeast Front Street, they are trying to gain applications from a sufficient number of potential customers to ensure it will be a prudent, economic model.

In addition, Mr. Holden said they also obtain historical customer data that has been added after a gas main is installed within a footprint over a ten-year period. If that conversation percentage can be proven, it can be utilized.

That ties into the exclusivity term or non-exclusive term of the franchise. The PSC places a greater hurdle on a non-exclusive franchise to prove the future potential customers will become Chesapeake's customers, making it a little more difficult to show. That is why an exclusive franchise gives the ability to prudently claim the expectations of future customers.

It was also noted that unlike Verizon or Comcast, there is no other competing natural gas utility below the C&D Canal.

They agree with the other terms in the current draft being presented to City Council and are excited to continue working with the City of Milford.

When asked about feedback from potential customers in Milford, Mr. Holden explained that municipalities vary as far as residents who are interested in natural gas; he finds Milford to be about average.

He explained from a customer who is interested in natural gas, may find the expansion rate to be frustrating. They often grow very slow because they need enough customers to commit in certain areas.

When asked how many residents in Lakelawn Estates would be needed to commit to becoming natural gas customers, Mr. Holden said each project is different. Lakelawn would be considered a conversion community and prefer a 60%

response rate in a survey. Once that is acquired, a final-for construction design is then priced by a contractor. That sets a target number of applications needed to make it an economic project, or the additional future load that is to be expected. For some developments, that number is 110% of the homes though other times it can be 60% of the existing residences willing to commit and work with municipalities and private developers to get this accomplished in many cases.

Mr. Holden offered to leave his business cards though a sales rep oversees this process.

Mayor Campbell then opened the floor to public comment.

Stephanie McDonough of Lakelawn Estates said she has been talking to Chesapeake since 2013 trying to get gas extended to their development. She stated the development is bordered by Lakeview Avenue, Kings Highway and are in close proximity to Route 113 northbound. Chesapeake has lines on Seabury, School Place, Lakeview Avenue, West Clarke Avenue and Williams Street.

She has worked with a previous customer representative and the first thing they did was door hangers though they received very little interest. At one time, they were hoping to bring Milford Manor on board though that did not happen.

A year later, Ms. McDonough distributed a letter for a neighborhood meeting. Several interested residents attended though nothing happened afterward. She was told that if construction began on the new homes on Route 113 south next to Milford Place, Chesapeake would come through Lakelawn.

In 2015, another survey was sent though the responses were still low compared to the number needed. Later that year, the Chesapeake rep sent a letter stating he was working with Brookstone Trace's developer about the potential use of gas and would follow up. Because the Lakelawn development was built beginning in the last 1950's, early 1960's, most of the homes are older. In the meantime, a lot of the homeowners are no longer interested because their systems needed to be replaced.

Ms. McDonough purchased her home in 1973 and she is at the point where she needs to replace her system as well.

When she called Chesapeake, the rep informed her they decided to go in a different direction to get to Brookstone Trace which eliminated the need to come through Lakelawn. She now understands that Chesapeake gas is being extended into downtown Milford by way of North Front Street and a section of Walnut Street.

She asked if there is ever going to be a possibility of Chesapeake extending lines into Lakelawn Estates.

It was noted that neither representative in attendance were involved in the past efforts though Mr. Holden will circle back to both representatives that have been involved. The challenges are very common and unfortunately, they have heard the same concerns expressed in other areas, including the changing of residents who may be interested and newer ones that have other interests. However, 90% of their customers are residential and expanding into communities like Lakelawn Estates is very important. He said the closer they get and the more infrastructure around the neighborhood will make it possible.

Roy Smith, also of Lakelawn Estates, said he echoes what Ms. McDonough's stated. He, too, is in the same situation and will need to make a decision on replacing his furnace in his home, which is also failing. However, he had hoped to do that with natural gas though nothing has occurred over the past five years and they will be making a decision in the very near future. He is not hearing what he wants to hear tonight, but understands it is a challenging business decision.

It was also noted that when a home is going thru HVAC upgrades regardless of the type of system, and is in a community that natural gas will eventually be extended, the homeowner can work with the contractor to identify equipment that can fit the homeowners' needs and structure the system so it can later be converted to natural gas.

No other persons wished to comment and the floor was closed by Mayor Campbell.

Councilman Boyle moved to adopt Ordinance 2019-21 approved the Chesapeake Franchise as submitted, seconded by Councilman Culotta:

CITY OF MILFORD
ORDINANCE 2019-21

AN ORDINANCE OF THE CITY OF MILFORD, DELAWARE GRANTING TO CHESAPEAKE UTILITIES CORPORATION, ITS SUCCESSORS AND ASSIGNS, A NON-EXCLUSIVE GAS SUPPLY AND DISTRIBUTION SERVICES FRANCHISE AGREEMENT WITH THE CITY OF MILFORD; PRESCRIBING THE TERMS AND CONDITIONS UNDER WHICH SAID FRANCHISE MAY BE EXERCISED; PROVIDING AN EFFECTIVE DATE; AND REPEALING AND REPLACING THE PRIOR ORDINANCE AND FRANCHISE AGREEMENT.

WHEREAS, Chesapeake Utilities Corporation and the City of Milford desire to enter into a franchise agreement for a period of twenty (20) years commencing from the date provided herein; and

WHEREAS, Ordinance 2019-21 repeals and replaces Ordinance 2-1999 adopted by City Council on June 28, 1999; and

WHEREAS, the Council of the City of Milford finds that it is in the public interest of its citizens to enter into an updated franchise agreement with Chesapeake Utilities Corporation.

Section 1.

NOW, THEREFORE, the City of Milford hereby ordains as follows:

AGREEMENT BETWEEN
THE CITY OF MILFORD AND CHESAPEAKE UTILITIES CORPORATION

THIS AGREEMENT ("Agreement") is entered into as of July 4, 2019 between the City of Milford ("City of Milford"), an incorporated municipality located in the State of Delaware and Chesapeake Utilities Corporation ("Company"), a corporation organized under the laws of the State of Delaware.

Section 2.

Upon the effective date, and subject to the terms and conditions set forth herein, the City of Milford hereby grants to Chesapeake Utilities Corporation a non-exclusive franchise agreement within the City of Milford.

Section 3. Dates.

City Council Introduction: June 10, 2019

City Council Adoption: June 24, 2019

Section 4. Effective Date.

This Ordinance shall be effective July 4, 2019.

See packet or City website for complete ordinance/agreement.

Motion carried.

Adoption/Resolution 2019-07/Approval of 2019-2020 Fiscal Year Budget & Capital Plan

The City Manager recalled that at the last meeting, City Council agreed to increase the employee base pay from 2.0 percent to 2.5 percent, effective July 1st. That was based on the increased received by members of the Milford Police Union.

He reported that the additional half percent increase for non-union employees' base pay totals \$27,313; of that, \$15,566 is in the General Fund and the remainder in the various enterprise funds, as follows:

Water - \$1,895
Sewer - \$1,895
Electric - \$5,995
Solid Waste - \$1,962

Mr. Norenberg also spoke on behalf of Chief Brown, stating that the Chief applied for and received a grant to partially cover the cost of the new K-9 dog and related equipment. As a result, that item has been reduced in the general fund by \$10,800, which will partially offset the costs of the wage adjustment in the upcoming year.

To accommodate the impact of the additional base pay increase and in order to keep the Solid Waste increase to \$1.00, additional cuts were made in the advertising and printing line item.

Councilman Marabello noted that in the past, there has been a transfer from the Realty Transfer Tax fund of \$500,000 and asked if increasing that transfer, as is being done this year, will become the norm. Mr. Norenberg explained that in order to maintain a balanced budget and prevent a property tax increase, some additional money had to be pulled from the transfer tax fund for the Police Department's use. There is also a slight increase from the Economic Development Fund, which now includes the lodging tax revenue, to help cover the additional support for outside organizations and purchases related to attracting and serving visitors.

The City Manager confirmed there is no intent to continue that trend on a long-term basis, but it helps with the forthcoming budget as we prepare to build the new police department and remain conservative on tax increases at this point in time.

It was confirmed that City Council also approved a police enhancement fund fee that will be included in the monthly finance report within the next couple months.

Finance Committee Chairman James was thanked for his thorough examination of the budget. Councilman James then thanked Council stating he feels we had a healthy process and believes all of Councils' questions were answered. He has a better understanding of the input and makeup of the budget at this point and also thanked City Accountant Suzannah Frederick who has been very responsive to the many questions presented her.

Mayor Campbell opened the floor for public comment. No one responded and the floor was closed.

He said he has reviewed the annual and capital budget in good detail. With no further questions, Councilman James moved to adopt Resolution 2019-07 adopting the annual budget for fiscal year 2019-2020 as presented, including the \$1 per month increase for solid waste services, seconded by Councilman Boyle:

RESOLUTION 2019-07
ADOPTING THE CITY OF MILFORD
FISCAL YEAR 2019-2020 BUDGET & CAPITAL PROGRAM

WHEREAS, the operating and capital budgets of the City of Milford for the Fiscal Year 2019-2020 were prepared and submitted to the City Council by the City Manager in accordance with Article VI 'Financial Procedures' of the City Charter; and

WHEREAS, the City Council was presented with the proposed budget following a comprehensive study and review while meeting in public sessions on June 3, 2019 and June 4, 2019; and

WHEREAS, in the opinion of the City Council, the budget accurately, as possible, reflects the city's anticipated revenues and expenditures for the fiscal year beginning July 1, 2019 and ending June 30, 2020.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MILFORD, that the City of Milford's Operating Budget for Departments shown under General Fund as Administration, Planning and Zoning, Code Enforcement and Inspections, Finance, Information Technology, Police, Streets Division, Parks and Recreation and Council; and the Water, Sewer, Sanitation and Electric Divisions was adopted and approved as the budget of the City of Milford for Fiscal Year 2019-2020 in the following amounts:

Operations and Maintenance - \$41,544,072
Debt Service - \$1,109,160
Capital Program - \$2,621,744

Total Expenditures - \$45,274,976

Motion carried with no one opposed.

Board of Adjustment Vacancy

Mr. Norenberg referenced the recent resignation of BOA Member Chad Carter, in addition to information from the City Zoning Code and Delaware Code, regarding qualifications of board members.

He noted that State law stated that members shall be residents of the city or incorporated town and who shall have knowledge of and experience in the problems of urban or suburban or rural development.

NEW BUSINESS

Update/City Hall Basement

Public Works Director Whitfield provided background details regarding the history of the water issues in the lower level of City Hall, which became a much more urgent matter last September during a heavy rainfall. That flooding resulted in the relocation of the Planning and Code/Inspections Departments to the Public Works Facility. EDIS was eventually hired to investigate the water infiltration matter in an attempt to provide a recommendation for the remediation of the water infiltration.

Project Manager Leon Thompson Jr. provided the following information:

Last November, a meeting was held to get an understanding of the issue and the frequency of the water infiltration into the City Hall basement. A few heavy rain events had caused significant water damage to the Lower Level area. One event was contributed to water infiltration through one of the existing masonry chimneys. (This water infiltration issue is not a part of this investigation). A video of the existing underground storm water management piping along with an associated sketch format as-builts was also performed.

The findings from the video taken of the existing rain water conductor drain piping and the existing perimeter foundation drain piping were intact and performing without any obstructions. The video taken to and from the existing catch basins confirmed showed no obstructions from the existing parking lot area to the existing storm sewer piping at South Washington Street.

It was also determined the existing infrastructure below the parking lot and the sizing of the existing piping is adequate to handle the storm water capacity. A factor that could be contributing to this issue is the discharge of the stormwater into the Mispillion River. The discharge can become restricted during extreme high tide situations, which in turn, could cause a back-up into the existing storm water piping preventing the proper discharge from the City Hall property.

It is a challenge without being able to replicate the situation, though they have been here during several heavy rain events and were never able to observe that amount of water collecting on the property in any location.

Jim Di Guglielmo of EDis added the following:

It was noted the relation of the bottom of the catch basin is too low to drain off the bottom of the stairwells and the foundation drain. The September event occurred during an extreme high tide. All stormwater management, downspouts and foundation drains go into the City system down into the Mispillion River. During the high tide, an extremely rain event made all the water from surrounding streets dump into the same system. With six inches above, catch basin #1 confirms that all the water to that level also came back to this building and was percolating up through the downspouts. A foundation drain had been installed at an incorrect level and was actually designed two feet higher than it should be. As a result, it will not take any water away. It was installed at that height because that is the lowest it could be placed and still get positive drainage to catch basin #1 at the bottom of the steps.

The most cost-effective solution is to abandon all the piping from the building to the stormwater system, dump the downspouts and slash them out onto grade and install a new foundation system.

EDiS was asked to break the project into two; exterior and interior. A new foundation drainage system would have its own pumping system to pump water out to the front of the building to grade. This would delete any return from the stormwater system.

If the three-foot catch basin had six inches of water, all pipes that were supposed to be discharging into the catch basin were already full and coming back to the building which may have been the reason for that occurrence.

In addition, there may also be a problem with the chimney which is a separate matter and could be the reason for the smaller water infiltration. It is unfortunate they could not witness a big water event though they can see on paper what occurred.

With City Hall's stormwater is discharged into the river, they have not been able to gain access. When the pipe going into the river is blocked, it starts to come back once the water exceeds its own level. That is the result of the street water and City Hall's water going into the river.

He noted that one street does not have a catch basin and instead flows down the street.

Mr. Di Guglielmo also noted there is very little green areas and the water coming back to City Hall as a result of what they feel is a perfect storm scenario that occurred with high tides and torrential downpours.

A proper designed drain is needed at the top of the footing. In that manner, when water comes in, it is trapped, and goes into the path of least resistance, into the drain and then travels out.

He further explained that the perimeter drain that was installed seven or eight years ago, is two to three feet higher than it should be. That was done because that elevation was needed to get positive gravity flow to the catch basin though it was not deep enough. The only water it picks up is what happens to fall into it because it is not being trapped by the footing. The wall section should have a large base of stone with a pipe and any water would go to the path of least resistance, go in and travel out. If not falling dead center of the top of the circle, the water is going around the pipe.

Though it was thought that the various water infiltration issues are related, he feels there has also been a problem with the two chimneys which could be part of the smaller water problems.

Recommended Action

1. Isolate the rain water conductor piping discharge and the perimeter drain discharge to catch basin #1. This will be accomplished by having the existing rain water conductors discharge to grade and ensure proper drainage away from the building. The existing inlets to catch basin #1 for both the existing rain water conductors and the existing perimeter drain will be infilled at the catch basin #1. The existing perimeter drain system is not effective due to the location of the perimeter drain piping. Due to the existing elevations of the inlets into catch basin #1, the perimeter drain piping had to be installed at an elevation higher than the existing footing elevation. This decreases the effectiveness of the perimeter drain performing to the greatest extent. The method of controlling the water in the stairwell landings will be as follows. A catch basin will be installed at each stairwell landing area outside the existing doors. This catch basin will be piped to the interior of the building into a sump pit. This pit will have a sump pump which will pump the water out above the ceiling to the existing exterior grade. The budget estimate cost for this scope of work is \$51,850.00.
2. Fit-Out Lower Level: Complete fit out to restore the lower level back to original condition along with a new perimeter drain system at the existing exterior walls, as well as, a trench drain (tied into the perimeter drain system), at each existing exterior door. The building material for the partitions, from existing floor level to 3' -0" above the finish floor, will be materials that are resistant to water absorption. Above the 3'-0" mark to the ceiling line will be conventional building materials. Existing finishes will be restored to include acoustical ceiling system,

paint, casework and a water-resistant carpet. The existing lights and HVAC grilles and diffusers will be re-installed to their original locations. The budget estimate cost for this scope of work is \$263,595.00.

To date, EDiS is approximately has spent \$15,000.00 of the \$29,000.00 budgeted fee for the evaluation.

It was confirmed there would be a lesser chance of flooding with solution #1 in the same situation. Mr. Di Guglielmo stated that if they disconnect the piping and isolate it, it cannot flow back. However, anything six inches or above will still come up in the parking lot.

He also noted that related common mistakes include landscaping with mulch beds a foot higher than they should be.

Mr. Di Guglielmo also talked about the second option which includes replacing the current building materials with inorganic wall materials from three feet down to the floor.

To summarize, they have provided two options. The exterior is one project which will keep the water away from the building. The secondary system could then be installed inside the foundation drain and include a separate pumping system for the stairwells because they are even lower and need to be pumped.

Mr. Di Guglielmo said the first recommended action would be to separate catch basin #1 from the rain water conductors and City Hall's foundation drain to completely isolate that path backwards. The other challenge is the handicapped ramp and anything below grade has to be removed. However, that is not cost effective when considering the costs of reinstalling it and the amount of concrete involved.

An in-depth discussion of the work followed and estimates were reviewed.

In regard to the projected numbers, Mr. Di Guglielmo stated they have proposals and believes they can tighten the budgeted numbers up. He also explained it was priced from a general contractor's standpoint, but currently they are retained by the City as consultants and reiterated that only half of the approximate \$29,000 has been used. He feels the City would save money hiring EDiS as a construction manager versus a general contractor.

Councilman Culotta stated that option 1 repairs the exterior before anything is considered inside. He understands the basement needs to be repairable though he is unsure if it should be office space or some other use. He suggests tabling that at this point, and in conjunction with the new police facility, consider a potential City office complex. He does not believe it makes sense to add another \$264,000 back into a building this old with many unknowns.

Councilman Morrow agreed adding all options need to be weighed including moving these offices to a new facility.

Councilman Culotta also recommends option 2 be further discussed at the committee level and a determination made of whether to spend additional monies on City Hall.

When asked if the downspouts are in the correct position, Mr. Di Guglielmo said he brought a consultant in. With this being an older building, there is an internal drainage system, so the gutters are not on the exterior. To make modifications will be very costly.

He said that currently, there is one downspout that goes down the stairwell that will need to be diverted. They found signs of efflorescence and it appears there was an attempt to remedy it using a dry Lok paint, but that has bubbled. Regardless, the drains need attention.

It was confirmed that the repair of the unknown chimney issues was not included in the estimate.

Mr. Di Guglielmo did share that the proposals are based on multiple prices by outsider contractors' scopes of the work.

Councilman Culotta recommends putting the unspent \$14,000 toward the \$51,850.00 estimated cost of option 1. Councilman James prefers adding the chimneys to the scope of work.

It was suggested to start with option 1, and add an option 3 for the chimneys.

Public Works Director Whitfield said the intent was to give the report, but not take any action at this point. He agrees the project should be added to the next Public Works Committee agenda so it can be determined how to move forward.

Councilman James asked that the chimney work be investigated and an estimate provided. However, if this work needs to be done, before it is determined how this building will be used in the future, he does not believe any further discussion is needed and wants to proceed with option 1.

Councilman Culotta said he also recommends adding a \$5,000 to \$10,000 contingency for cost overrun. Councilman James pointed out that once they conclude with their examination of the chimneys, the \$14,000 will be reduced. But he feels we can pull funds to cover the contingency.

Mr. Norenberg believes that if Council wants to move forward with option 1, it will need to be bid because it is over the threshold and a funding source determined.

Mayor agrees with Mr. Whitfield that the matter should be brought to the Public Works Committee. Councilman Boyle feels the chimneys cannot be overlooked because that is water is still migrating into the building. Until that is fixed, we will continue to have water problems.

Several options were then discussed, though the general consensus of Council was to have the chimneys repaired.

Councilman Culotta does not feel the Public Works Committee needs to discuss option 1. Mayor Campbell disagreed.

Councilwoman Wilson feels we are moving too far ahead. She prefers getting the total number and present the entire scope, including the chimneys, so Council knows exactly what is being voted on, though the number will change with the additional work.

Councilman Boyle pointed out the chimney work could be a separate contract.

It was agreed to wait for the final numbers before bringing it back to City Council. Councilman Culotta agreed to wait but does not favor sending it the Finance and Public Works Committee.

When asked for some direction, Mr. Norenberg said Council wants to obtain the best price possible to move forward with option 1, bring that back with a recommendation on funding, get a quote from EDiS for examining the chimney situation and obtain a solution as another option. More time can then be spent on option 2 at the committee level, as was discussed tonight.

Council concurred.

Mr. Whitfield publicly thanked EDiS stating it is also rewarding to find a contractor that truly helps with what can be a very serious situation, in addition to coming in at half the price originally quoted.

*Approval/Kent County Levy Court/Sewage Disposal District 1/Revised Contract User Agreement
Connection to Harrington Force Main and Service & Treatment for Northwest Milford*

Mr. Whitfield reported that about a month ago, the City received a request from the developer of the Hickory Glen Subdivision to tap onto the Harrington force main for sewer service rather than the existing City gravity lines along Route 14 and the US Cold Storage pump station.

Both the City and Kent County evaluated the request and deemed to be in the City's best interest of the City to connect to the Harrington force main. That will also preserve capacity within the City's existing infrastructure along Route 14 and the Truitt Avenue Pump Station.

The connection at the Harrington force main will require an additional metering point that will need to be maintained. However, that far outweighs any other potential issues.

It was confirmed there is no cost to the City other than the maintenance and calibration of the meter. The developer will install the infrastructure.

Councilmember James moved to approve the Kent County Levy Court/Sewage Disposal District 1/Revised Contract User Agreement, seconded by Councilmember Wilson. Motion carried.

Approval/First State Inspection Agency, Incorporated/Plan Review & Inspections Agreement

Planning Director Pierce recalled that a line item was included in the recently adopted budget, to allow assistance from First State Inspection Agency, should the City continue seeing an increase in permits issued over the next fiscal year. They would be on retainer should their services be needed for building permit planned reviews and inspections.

This will be an extension of the same contract from the same two and a half years, at the same rates.

It was confirmed we have a full-time inspector in house and they will only be called when necessary.

Councilmember Boyle moved to approve the First State Inspection Agency, Incorporated agreement for one year, seconded by Councilmember Morrow. Motion carried.

Approval & Appropriations/Street Improvements/Design Services

Approval & Appropriations/Water Lead Service Line Replacement/Design Services

Mr. Whitfield shared that as part of the Capital Improvement Plan requests submitted by the Department, several streets are slated for improvements for 2019 and 2020.

In 2017, the Department utilized engineering interns to complete a street Pavement Condition Report, which identified all streets. In the 2018-2022 Capital Improvement Plan, all streets rated poor, very poor or serious condition were slated for improvements over the duration of the plan, with approximately \$825,000 required each year.

He recommends the program be funded through a combination of general fund reserves, municipal street aid and real estate transfer tax.

Presently, Merestone Consultants is under contract for the reconstruction of Mispillion Street between Columbia Avenue and Fisher Avenue, Marshall Street, between Southeast Front Street and the Milford Dog Park and McColley Street between Southeast Front Street and Mispillion Street.

This project is scheduled for construction in the fall 2019.

Additionally, the design work for improvements that need to take place on Southeast Second Street before DelDOT repaves, is under contract with KCI Technologies. Improvements include curbing, sidewalks and water and sewer utility work. The work is scheduled for construction in fall of 2019.

Funding authorization is requested for the contracting of professional services and the remainder of streets listed for 2019 which includes Fisher Avenue, Roosa Road, Plum Street, Masten Circle and Southeast Fifth Street. The anticipated cost for engineering design services for these streets is expected to be \$60,000.

Additionally, streets slated for 2020 will be completed in conjunction with the Lead Service Line Replacement project. Funding for that project is through the Delaware Drinking Water State Revolving Fund and Department of Health and Social Services. The street rehabilitation work will be funded through Municipal Street Aid and Real Estate Transfer Tax.

It is recommended that both projects be completed by the same design professional. One of the issues with the Lead Service Line Replacement project is the quicker it is done, the quicker the loan becomes a grant, with the City only paying the interest.

Councilmember Wilson moved to authorize funding from Municipal Street Aid for design services for the following street improvement projects, seconded by Councilman James:

*\$60,000 for Fisher Avenue, Roosa Road, Masten Circle, Plum Street and Southeast Fifth Street

*\$72,000 for Northwest Third Street, Northeast Fourth Street, Northwest Fifth Street, North Street, Northeast Second Street, Mill Street, Kings Highway, Barker Street and Church Street.

Motion carried.

Councilmember Wilson moved to authorize \$75,000 funding from Water Reserves for design services for the Lead Service Line Replacement project, funds to be transferred from the loan to pay back Water Reserves, seconded by Councilmember James. Motion carried.

Councilmember Wilson moved to authorize the contracts to KCI Technologies for engineering service, to be paid from Municipal Street Aid, for:

*\$14,500 for the paving of Roosa Road, Masten Circle and Southeast Fifth Street;

*\$19,000 for the design and paving of Plum Street

*\$11,635 for the survey and concept plan for Fisher Avenue

Motion seconded by Councilman James and carried.

Approval/FY18-19 Budget Adjustment/Administration Salaries

Mr. Norenberg reported that at the end of the fiscal year, we are experiencing some shortages in a few line items.

As a result of the change in handling compensation related to meeting transcriptions, funding needs to be moved from the City Council budget to Administration. To cover approved increases and an under budget in the payroll line, a supplemental appropriation is required.

Councilmember Boyle moved to authorize transferring \$7,000 from the City Council payroll to the administration payroll line item, seconded by Councilmember Wilson. Motion carried.

Councilmember Boyle moved to appropriate \$17,256 from the general fund reserves into the administration payroll line item, seconded by Councilmember Wilson. Motion carried.

City Solicitor/Council Salary Interpretation

Solicitor Rutt recalled being requested to render an opinion on what compensation a Milford City Councilmember is paid based on the current code. Currently Councilmembers receive a salary of \$50 per meeting and the question is what constitutes a meeting.

Reviewed were sections of the Milford City Charter, as well as the Milford City Code. Additionally, sections of the State of Delaware Code, Delaware Case Law and the Rules of Procedure for Kent and Sussex Counties were also considered.

Following are portions of a memo submitted by Solicitor Rutt in response:

Charter Section 4.03 - Compensation and Expenses: The City Council may determine the annual salary of Councilmembers and the Mayor by ordinance, but no ordinance increasing such salary shall become effective until the date of commencement of the terms of Councilmembers elected at the next regular election, provided that such election follows the adoption of such ordinance by at least six (6) months. Councilmembers and the Mayor shall receive their

actual and necessary expenses incurred in the performance of their duties of office, in accordance with a policy established by City Council by Resolution.

Charter Section 4.08 – Meetings: (a) Meetings. The City Council shall meet regularly at least once in every month at such times and places as the City Council may prescribe by Rule. Special meetings may be held in compliance with State Law and may be on the call of the Mayor or of four (4) or more members. All meetings shall be public; however, the City Council may recess for the purposes of discussing in a closed or executive session as permitted by State Law.

Code Section 41-1 – Regular and Special Meetings: The regular meetings of the Milford City Council shall be held on the second Monday in each month at 7:30 p.m. in the Council Chambers. Special meetings may be called by the Mayor or by four (4) or more members and, whenever practicable, upon no less than 12 hours' notice. All meetings, regular and special, shall be open to the public.

Code Section 63-1 – Definition and Word Usage:

Council Meeting – The monthly Council meeting, workshop meetings and all other executive meetings called to order by the City Manager or Mayor.

Code Section 63-2 – Salaries Established:

2A. Each City Councilmember shall receive a salary of \$50.00 per meeting.

B. The Mayor shall receive a salary of \$400.00 per month.

Code Section 230-58 – Procedure:

D. No proposed amendment, change, modification or repeal of any zoning regulation, restriction or boundary shall become effective until after a public hearing shall have been held by the City Council at which parties in interest and citizens shall have an opportunity to be heard.

The Delaware State Code does not directly address compensation for municipalities. It does give a definition in Title 29, Section 10002(g) of a Meeting as following: "Meeting means the formal or informal gathering of a quorum of the members of any public body for the purpose of discussing or taking action on public business either in person or by videoconferencing." Additionally, under Title 9 regarding counties, the State Code addresses change of zone procedures. The State Code requires that any change of zone application that comes before the County Council or Levy Court must be the subject of a public hearing. The public hearing requirement is similar to what is stated above for the City of Milford. That is, there must be an opportunity for the applicant and the public to be heard on the application. It does not indicate whether the public hearing must be part of the regular agenda of the public body or that they be held in a separately called meeting.

Case law was also reviewed.

Kent County and Sussex County have both adopted procedural policies. The procedural policy for Sussex County is quite clear in how public hearings are stated as an agenda item. Sussex County adopted rules of procedure on January 8, 2019 and under Rule 1 Order of Business, public hearings are a specific agenda item at the Sussex County regular meetings. The policy for Kent County is not as clear. However, in reviewing various agendas Kent County Levy Court also puts public hearings as an agenda item on their normal agenda. For both counties, the Rule of Order is as follows: Call to Order, Invocation, Pledge of Allegiance, Adoption of the Agenda, Approval of Prior Minutes, Public Hearings. The public hearings appear on the agendas before old and new business and before other things such as committee reports. Public hearings are specific agenda items for the normal meetings of both county governmental bodies.

The compensation to which Councilmembers and the Mayor are entitled is established by ordinance. Code Section 63-2 states that the Councilmembers will be entitled to \$50.00 per meeting and the Mayor is entitled to \$400.00 per month. The distinction was specifically made for payment to Councilmembers on a meeting by meeting basis. The Milford Code Section 63-13 clearly distinguishes council meetings both regular and special, from workshops. It does not distinguish public hearings or committee meetings as a separate meeting. 29 Del C. §10002(g) in its definition of meeting clarifies that to be compensated for a meeting a council person must be in attendance either in person or by videoconferencing.

Since Milford does not have the videoconference option, to be paid the \$50.00 for a meeting, the Councilmember must be present. The Milford Code also does not provide for a payment of \$50.00 per month for services as a councilmember.

Payment is solely based on attendance at a meeting.

The question arose regarding payment for the public hearings. In my opinion, the public hearing is not a separate meeting for which a Councilmember can be compensated. Milford is unusual in that it separates the public hearings from the normal Council agenda. This is different than the agendas as noted for both Kent and Sussex Counties as well as agendas for other municipalities that I am aware of. The typical procedure is to have the public hearing as an agenda item after the Call to Order, Invocation, Pledge of Allegiance, and so forth.

I am not certain how the procedure has evolved to have the public hearings called to order, conducted and then the meeting called to order. I would suggest that the City Council review its procedure and adopt a process where the meetings are officially called to order and then the public hearings are part of the agenda.

On February 12, 2018, Council adopted Rules of Procedure that specifically sets forth the ordering of the agenda. It basically follows the order set out above for Kent and Sussex counties and places public hearings after approval of the minutes and before other Council business. The fact that public hearings should be part of the normal agenda and not a separate item is bolstered by Delaware case law. Public hearings are typically heard on matters requiring adoption of a new ordinance or an amendment of an existing ordinance. In all cases involving ordinances, the ordinance to be adopted or amended must be introduced at a regular Council meeting and it is then scheduled for public hearings. The public hearing on the proposed ordinance is then to be part of Council action at a scheduled meeting. Since the public hearings are all conducted as part and parcel of the required monthly meetings, there should be no distinction between the public hearings and the regular Council agenda and meeting. See *O'Neill v. Town of Middletown*, 2006 WL 205071 (DE Chancery, January 18, 2006).

Since zoning matters are legislative functions, Council is obligated to conduct a public hearing to hear from the interested parties without adversarial proceedings after which council must weigh the evidence, pass or deny the ordinance seeking the zoning change and must state the reasons for the vote. *Conner v. Shelburne, Inc.*, 281 A.2d, 608 (DE, 1971). *Tate v. Miles*, 503 A.2d, 187 (DE, 1986). Both of those cases also note that the Council has the right not to immediately vote on an application but to defer the vote. In that case, as is the common practice for Milford City Council, any deferred application comes back to be placed on a future agenda under old business. Therefore, it is unquestioned that public hearings are not separate compensated matters but are part of the normal meeting agenda and any compensation would be paid for as a regular meeting under the Milford Code.

If City Council wishes to amend the compensation to which it is entitled, it must be done by ordinance. Charter Section 4.03. That would require in itself that the ordinance amendment 4 be introduced and that a public hearing be held. It would be an amendment to Code Section 63-2. No amendment would be effective until after the next Council election provided that the ordinance was adopted within six (6) months of the next election. Currently, the Milford City Code provides that the Councilmembers are paid \$50.00 per meeting. The meeting definition includes regular or special meetings of Council and workshops. Thus, there is a distinction between a workshop which is held prior to a Council meeting and the Council meeting itself. Both would be compensable at the rate of \$50.00 per meeting. It is also clear under State Law that to be compensated there must be actual attendance at the meeting by the Councilmember for the member to be compensated.

There is also no provision for compensation for committee meetings. The Milford Code is clear that a compensable meeting is one called to order by the City Manager or the Mayor. See Code Section 63-1. It does not include committee meetings which are called to order by a Councilmember Committee Chair. Committee meetings are not separately distinguished and would be viewed as part of the Council persons obligations as an elected representative. Efforts should be made to have the committee meetings coincide with the regular meetings of the City Council.

It is also my understanding the Councilmembers have been routinely paid \$50.00 for a first meeting each month whether they have attended or not, and an additional \$50.00 if they attend a second regular meeting. The first payment is contrary to the Code and State Law.

Payment should only be paid for meeting actually attended.

Lastly, Councilmembers and the Mayor are entitled to reimbursement for actual and necessary expenses incurred in the performance of their duties. See Charter Section 4.03. Any expense incurred should be fully documented in accordance with the policy which has been adopted. If there are questions on the reimbursement, that should be reviewed with the Finance Department.

Solicitor Rutt stated that his recommendation is for public hearings to be added to the Council Meeting agenda. In addition, the Mayor continues to receive \$400 a month as a salary. City Council receives \$50 per meeting which includes 'called to order' meetings and workshops. However, Council also has the right to amend the code though it would not become effective until after the next election provided that change was done six months prior to the election.

Councilman James suggests the City execute the code as currently written with Council meetings, workshop and all other executive meetings called to order by the Mayor. If the meeting procedure is followed as was previously voted on, the public hearings would be part of the meeting.

Solicitor Rutt pointed out that ordinance reads that Council holds meetings on the second Monday at 7:30 p.m. The City Clerk pointed out that is one of a number of ordinances that needs to be removed and/or updated.

Councilman Boyle asked if these ordinances can be cleaned up in house; Solicitor Rutt stated yes.

When asked if a vote is necessary, Councilman Culotta stated that there is no need for a vote because the language is already there and there is a need to adhere to it.

Solicitor Rutt agreed adding that the clarification has been made and Council would be paid as Code states.

Update/Sidewalk Project

The Public Works Director asked for clarification in regard to the City paying a portion of the project. He asked if the plan is to provide funding to all property owners, or accommodate those people who choose to have the City oversee the work and are willing to pay for it within the thirty days of invoice.

His reasoning is based on the fact that if no interest is charged for anyone paying for the work over a period, he does not anticipate anyone paying for the work upfront. However, that is a decision of City Council.

Councilman Culotta recalled that on September 10, 2018, Councilmember Peel moved to return the sidewalk repair project to the Public Works and Finance Committee for additional review. He asked if that ever happened and felt that would be an appropriate review. He does not want it being pushed forward by City management and allow for questions to be emailed or discussed in that manner.

He emphasized the need to discuss and debate Council items in a public forum.

Council questioned the number of times the matter has been discussed. Councilmember Wilson believes that Council has discussed it at least three to four times.

There were several dates presented and Solicitor Rutt finally determined it was discussed at the committee level on October 8, 2018.

Councilman Culotta said he appreciates the beautification efforts of City management and City Council, but he does not agree with the manner this is being handled.

The sidewalk process and meeting discussions were then discussed at length.

It was noted that the next Finance and Public Works Committee meeting is in August. If it were postponed until that time, the project could not be completed again this year.

The Public Works Director commented that the bidding takes at least a month.

Councilman Culotta confirmed that contractors are required to provide a bid bond; he added that has to be purchased through their insurance companies and he has been told by the contractors that is one of the reasons the City only had one bid.

Mr. Whitfield explained that is the reason the lowest bid was rejected.

Councilman Culotta said it makes sense to him that any company bidding on the project that provides the bond fee can demonstrate what that fee was. If Council decides not to move forward, then the City needs to credit the contractor that fee for at least making the effort.

Solicitor Rutt remarked that is a general stipulation of a contract. However, they could post a cash bond and assuming they perform without any issues, it is then returned to them. He explained they do not post a bond unless they win the bid. A letter of credit would be required as part of the bid package that would state they will post the cash bond if successful.

The Public Works Director recalled that in the last Council packet when this was discussed, the minutes of the October 8, 2018 were included. The last paragraph states "City Manager Norenberg confirmed there were no additional concerns. He stated that he will proceed with the changes in the letter, research low income program criteria and review the 10% fee and its cost in relation to one or more blocks of repairs. Chairman Morrow agreed and thanked the City Manager and Public Works Director for the work that has been put into this".

Councilman Boyle referenced the prepared letter to residents, stating that this is at least the third proposal, following separate discussions by City Council. To him, it makes sense. He read it to several residents who were excited and felt that 15% was a great deal. They had no problem and felt the 60-month repayment was very generous and benefited homeowners. The only question was if the lien may impact their credit rating, even though it was agreed to.

Council then referenced the notice:

SIDEWALK NOTICE

The City of Milford strives to be a safe, walkable community. To this effect, the City has launched a Sidewalk Repair Program. The Public Works Department has developed a schedule to inspect sidewalks in the City over a 4-year cycle, with different areas being inspected each year. For the first year of the program, sidewalk inspections were completed along collector streets and streets serving public schools.

During a recent inspection of your sidewalk deficiencies were found. City Ordinance Chapter 197 requires property owners to keep public sidewalks along City streets abutting their property in good repair. A satellite photo of your sidewalk is included with this letter depicting the location of the deficient blocks.

Property owners have until October 31, 2019 complete the repairs of their sidewalks. If you choose to complete the repairs, please call the City Engineer's office at 302-422-1110 or email sidewalks@milford-de.gov to schedule a reinspection of the sidewalk once the work is complete. A pamphlet is enclosed with information on how to complete the sidewalk repairs. Sidewalks not completed by the property owner by October 31, 2019 will be completed by the City's contractor and will be billed as noted below.

Please note that the City will repair any sidewalk blocks found to be deficient that contain a water meter box, sewer manhole/clean-out, street sign, fire hydrant, or utility pole at no cost to the property owner. Property owners do not need to complete the repair of those blocks.

Property owners can opt to have the City complete the repairs and be billed for the repair cost. Property owners will have 30 days to make payment for the repairs.

4" thick \$ _____ per square foot, or approximately \$ _____ per 5' x 5' block
6" thick \$ _____ per square foot, or approximately \$ _____ per 5' x 5' block (driveways)

Property owners who want the City to repair the sidewalk must contact the City Engineer's office at your earliest convenience at sidewalks@milford-de.gov or 302-422-1110. Property owners electing to have the City repair the sidewalk, and make payment within 30 days of invoice, will receive a 15% discount. Property owners may finance the sidewalk repair costs completed by the City over a 60-month period at no interest. You will receive a coupon payment booklet to use to make your monthly payments.

Property owners who are financially unable to pay for the repair costs may opt for the City to complete the repair and have a lien filed against the property that will be satisfied at the time the property is sold.

It is important that City of Milford be a safe, walkable community, and we appreciate your effort in being part of that initiative.

Councilman Culotta said we only had one bidder which is a problem. Councilman Boyle said the objection of the bidder was they were unaware of the scope of the bid. However, until the project is bid, no one knows until it is advertised. At this point, we at least we know what the City needs to take care of.

Councilman James confirmed that the City is still paying a portion of the owner's cost; Mr. Whitfield said his recommendation is to provide that discount to those property owners who agree to have the City handle the work and pay it within the thirty days of invoice. If they choose to use the 60-month payment plan, they would pay 100%.

Councilman Culotta asked if there is a threshold for the financing because he feels that this will be a stress to anyone's finances regardless of what their income is.

Mr. Whitfield said the option is to allow a lien to be placed on the property and satisfied at the time of the sale of the property.

Mr. Norenberg then explained the process adding that if Council decides to move forward, the project can be completed this year. The more people who choose to finance, is more money the City has to pay upfront. In addition, it is costing our staff more time to handle the financial documents and collect payments. Customer Service staff will have to track and follow up on every homeowner to ensure they are paying on time which will become someone's job on a regular basis. There is no way to automate it within our current system but may be able to do something with the upgraded software system in the next year or so.

The consensus of Council was the letter to the residents seemed appropriate. Councilman James added that Mr. Whitfield did was Council asked him to do.

Solicitor Rutt then reiterated that if a homeowner cannot repay the loan, a lien would be added to the property. For someone who wants to do a 60-month payment plan, a note can be prepared with a Confession of Judgment. That says as long as the person is paying, the note will not be reduced to judgment. However, if you miss two or so payments, the City has the right to automatically place the lien. That provides the incentive to make those payments without the lien, though the lien will attach if payments are missed.

Councilman Culotta asked what a property owners' recourse is to disagreeing with the City that sidewalk repairs are needed.

Mr. Whitfield explained that anyone can appeal the decision through the staff level. The ordinance is very clear with regard to what is a safety hazard and the criteria for safe sidewalks. For example, if there is a 1.5-inch difference they are arguing and the ordinance states a specific number, that number is the evidence. The main thing they are looking for is safety in the sidewalk.

Councilman Culotta asked what happens if they grind their sidewalk down. Mr. Whitfield feels if the homeowner is able to meet the criteria, by all means they can do that. Again, it is all about having a safe City.

Solicitor Rutt added there is another process through the Board of Appeals which falls under the construction code.

Councilman Morrow feels everyone needs to know there is an appeal and recommends adding that to the letter. Council agreed.

Councilmember Boyle moved to accept the draft proposal of the letter to the Property Owner regarding the Sidewalk Repair Program and incorporate a paragraph explaining an appeal process for anyone that feels the judgment of the Public Works Department is incorrect, to move forward with soliciting the bid and to mail the letters as quickly as possible, and to complete the project this year, seconded by Councilmember Wilson.

Councilmember Marabello confirmed that the City will complete any City sidewalk repairs first; Public Works Director stated that is correct and the work is underway.

Public Works Whitfield also clarified that Council asked that City sidewalks be repaired first. This does not include repairs caused by water, sewer meters, poles, etc. City-owned property has been inspected and the contractor is moving forward. There may be 20-25 blocks that will be repaired in relation to damages as a result of City-equipment.

Councilmember Brooks stated that he has 120 feet one way and 120 feet the other way. All his neighbors have grass. People step off the sidewalk in the grass and asked how that is safer than his sidewalk with a little crack. He asked if everyone is being treated equal considering he has 120 feet and 120 feet and his neighbors have nothing.

Councilmember Wilson recalled the reason the ordinance was created was to require all properties to have sidewalks.

Councilmember Morrow explained that Councilman Brooks is asking if the other residents with no sidewalks should they be required to add sidewalks. Mayor and Councilmembers all responded by stating no.

Councilmember Culotta asked what would happen if someone wanted to take their sidewalks out. Councilman Brooks said it is cheaper to have grass and not sidewalks like his neighbors. He said the code does not say that someone cannot break their sidewalk up.

Mr. Norenberg read the sidewalk code which states:

...property owners shall be responsible for maintaining, repairing, or replacing sidewalks and for keeping sidewalks in good repair, in safe condition.

Councilman Culotta said this is a problem but mandating everyone to do this is going to open a can of worms. A conversation followed relative to City ordinances, property maintenance, right of ways and affordability.

It was agreed that Council should be familiar with the process and legal aspects if they are questioned. Councilman Brooks said no one knows what to say because Council will not make a final decision.

Motion carried by following 6-1 vote:

Yes-Marabello, Boyle, Brooks, Morrow, James, Wilson

No-Culotta

Councilman Boyle asked to make a statement. There is an ordinance that requires property owners to install a sidewalk. Since he has been on the Planning Commission, there have been a number of developments who have had sidewalks waived. Most of the developments in his ward have no sidewalks, many of which were approved before he moved here.

Councilmember Wilson agrees adding she has fought that for many years.

Councilman Boyle recommends Council reject any further requests for the waiver of sidewalks and adhere to what we want this town to look like in addition to the safety factors.

EXECUTIVE SESSION

Councilmember Marabello moved to go into Executive Session reference the below statute, seconded by Councilmember Boyle:

Pursuant to 29 Del. C. §10004(b)(9) Personnel Matter

Motion carried.

Mayor Campbell recessed the Council Meeting at 9:30 p.m. for the purpose as is permitted by the Delaware Freedom of Information Act.

Return to Open Session

Council returned to Open Session at 9:54 p.m.

Council Appointee Goals

Mayor Campbell announced that no action was needed as a result of the Executive Session discussion.

ADJOURNMENT

There being no further business, Councilmember Morrow moved to adjourn the Council Meeting, seconded by Councilmember Brooks. Motion carried.

The Council Meeting adjourned at 9:55 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

City of Milford



04-20-2020

Notice is hereby given the following residents have been appointed as members of the Rescheduled City of Milford Election Board for the 2020 City of Milford Annual Election:

City of Milford Election Board:

Boone, Karen	303 Parson Thorne Apartments
Katrina White	122 S.E. Second Street
Joanne Leuthauser	506 Ashley Way

For additional information, please contact the City Clerk's Office at 302-422-1111 Ext 1300 or 1303.

04/20/20