



## **CITY COUNCIL AGENDA**

### **Monday, October 11, 2021**

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

Per the Declaration of a Public Health Emergency issued by Governor Carney on July 13, 2021 and the virtual meeting provisions as provided in Senate Bill 94, Milford City Council and Committees will be held in a hybrid format, unless otherwise indicated on the agenda. Public Comments are encouraged on the items as noted on the agenda. Virtual attendees may alert the City Clerk that they wish to speak at the appropriate time by submitting their name, address, and agenda item on which they would like to comment via the Zoom Q&A function or by using the Raise Your Hand function during the meeting. All written public comments received prior to the meeting will be read into the record.

This meeting is also available for viewing by the public by accessing the following link:  
<https://zoom.us/j/99156131279>

Members of the public may also dial in by phone using the following number:  
Call 301 715 8592 Webinar ID: 991 5613 1279

**5:30 P.M.**

### **COUNCIL WORKSHOP**

FOIA Training/Elected Officials/Max Walton Esquire

**7:00 P.M.**

### **COUNCIL MEETING**

Call to Order - Mayor Archie Campbell

Invocation

Pledge of Allegiance

Approval of Previous Minutes

Recognition

New Employee Introductions

Planning/Building Code Official

Parks and Recreation/Recreation Coordinator

Chamber of Commerce/Riverfest/Thank You

HR Administrator/DFIT Award

Proclamation 2021-19/Breast Cancer Awareness Month

Monthly Staff Reports:

Police Department

City Manager Report:  
Public Works Department  
Planning & Zoning Department  
Parks & Recreation Department  
Human Resources  
Economic Development & Community Engagement  
IT Department  
Finance Department

Monthly Finance Report

Committee & Ward Reports

Communication & Correspondence

Unfinished Business

Funding Authorization/DMI Annual Allocation

New Business

Bid Award/2020 Streets & Utility Upgrade Project/Public Works  
Authorization to Request DELDOT/All Way Stop/Seabury Avenue  
Authorization to Request DELDOT/Speed Mats/Kings Highway  
Funding Authorization/Transfer from GF Reserves/Pay Study

Executive Session

Motion to Recess into Executive Session

Pursuant to 29 Del. C. §10004(b)(2) Preliminary discussions on site acquisitions for any publicly funded capital improvements, or sales or leases of real property;

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:*

Real Estate Matter  
Personnel Matter  
Teamsters Contract

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.**

© Public Comment, up to three minutes per person, will be accepted.

080521 081021 100421  
100821 Workshop Item Removed  
101121 1400; Item Removed (Administrative Matter)

# *Freedom of Information Act (FOIA) Training - City of Milford*

October 11, 2021

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# Summary

## FOIA has two basic components:

1. Open Meetings

2. Open Records

- **These two categories present a number of tricky questions.**
- **Many times the answers are not logical, practical or simple.**



# Public Policy of FOIA

**It is vital in a democratic society that public business be performed in an open and public manner so that our citizens shall have the opportunity to observe the performance of public officials and to monitor the decisions that are made by such officials in formulating and executing public policy; and further, it is vital that citizens have easy access to public records in order that the society remain free and democratic.**



# Public Bodies

- **While the Town Council is clearly a public body, the statute has a far broader reach.**
- **A public body includes any regulatory, administrative, advisory, executive, appointive, or legislative body of any political subdivision of the State.**
- **That means any board, bureau, commission, department, agency, committee, ad hoc committee, special committee, temporary committee, advisory board and committee, subcommittee, legislative committee, association, group, panel, council or any other entity or body is subject to FOIA.**



# Public Bodies, Cont'd.

- **19-IB-04 – Feb. 11, 2019 (Rehoboth)**
  - **Mayor established a working group to look at rate structures. The group included the City Manager, Finance Director, Public Works Director, and four members of the public.**
  - **Held – Working group is subject to FOIA.**



# Public Bodies, Cont'd.

- **No. 20-IB29 December 2, 2020 (Christiana School District)**
  - **Board President and Vice President set out to conduct negotiations with a superintendent candidate.**
  - **Alleged that two board members were not a committee.**
  - **Held – Board members must have been appointed to engage in negotiations impliedly if not directly and this violates FOIA.**



# Open Meetings

- **The general rule, subject to a few exceptions, is that every meeting of all “public bodies” shall be open to the public. Del. Code Ann. tit. 29 § 10004(a).**
- **So if there is doubt, the discussion and the meeting should be in the public and follow the statute.**
- **Meetings must be held within the jurisdiction of the public body.**



# **Del. Code Ann. tit. 29 § 10006(a)**

**c) A public body may hold a virtual meeting if all of the following occur:**

**(1) The meeting notice under § 10004 of this title includes information regarding how the public can monitor or participate in the meeting under paragraph (c)(6) of this section.**

**(2) The meeting has an anchor location.**

**(3) The identity of a member or witness is verified, and the actions of a member are authenticated, in a manner satisfactory to the presiding officer or chair.**



# **Del. Code Ann. tit. 29 § 10006(a), Cont'd.**

- (4) All participating members and witnesses can simultaneously do 1 of the following regarding each member or witness who is recognized by the presiding officer or chair:
  - a. Hear the comments of each member or witness.**
  - b. Hear the comments of and view each member or witness.****
- (5) A document used during the meeting by a member or witness, and that is accepted by the presiding officer or chair, is immediately provided to each member or witness participating in the meeting and made available to the public under § 10003 of this title.**



# **Del. Code Ann. tit. 29 § 10006(a), Cont'd.**

**(6) Except during an executive session under § 10004 of this title, the public is able to do all of the following through an electronic means of communication:**

**a. Monitor the meeting.**

**b. Provide public comment, if the public body is required to accept, or provides an opportunity for, public comment.**

**(7) Minutes of the virtual meeting are maintained under § 10004 of this title.**



# **Del. Code Ann. tit. 29 § 10006(a), Cont'd.**

- (d) (1) All actions taken during a virtual meeting conducted under this section have the same legal effect as if the members were physically present at the same location.**
- (2) For the purposes of determining quorum for a virtual meeting, a member participating in a virtual meeting is considered present as if the member were physically present at the meeting.**
- (3) For the purposes of voting during a virtual meeting, a member participating in a virtual meeting is able to vote as if the member were physically present at the meeting.**
- (4) A technological problem that prevents or limits public access otherwise required under this chapter does not invalidate a virtual meeting or an action taken at a virtual meeting.**



## **Del. Code Ann. tit. 29 § 10002(b),**

- **Anchor location means the physical location within the geographic jurisdiction of the public body that is open to the public and at which one or more members of the public body attend a virtual meeting.**



# Notice

- **All public bodies shall give public notice of their regular meetings and of their intent to hold an executive session closed to the public, at least 7 days in advance thereof. The notice shall include the agenda, if such has been determined at the time, and the dates, times and places of such meetings . . .**
- **“Regularly scheduled meeting” means any meeting of a public body held on a periodic basis.**



# **Notice. Cont'd.**

- **Public notice is a conspicuous posting of notice at the principal office of the public body holding the meeting, or if no such office exists, at the place where meetings of the public body are regularly held.**
- **If you plan to do virtual meetings, you must say so in the meeting notice and provide contact information.**



# Notice, Cont'd.

- **All public bodies shall give this same public notice of any special or rescheduled meeting as soon as reasonably possible, but in any event no later than 24 hours before such meeting.**
- **A special or rescheduled meeting is defined as one to be held less than 7 days after the scheduling decision is made.**



# Agenda

- **Agendas are required for all meetings.**
- **“Agenda” is defined as a general statement of the major issues expected to be discussed at a public meeting.**
- **The agenda may change.**



# Agenda, Cont'd.

- **The statute provides that “the agenda shall be subject to change to include additional items including executive sessions or the deletion of items including executive sessions which arise at the time of the public body’s meeting.”**



# Agenda, Cont'd.

- **When the agenda is not available as of the time of the initial posting of the public notice it must be added to the notice at least 6 hours in advance of said meeting, and the reasons for the delay in posting shall be briefly set forth on the agenda.**
- **So, there is flexibility in the agenda for matters that come up after the initial posting.**
- **Hypothetical – what happens if a council member requests that an ordinance be placed on the agenda with less than 7 days notice? What about a request for an executive session?**



# Minutes

- **Minutes are always required.**
- **Minutes, at minimum, must include a record of those members present and a record, by individual members, of each vote taken and action agreed upon.**
- **Minutes of executive sessions must be taken and the minutes are considered public records “so long as public disclosure would defeat the lawful purpose for the executive session, but no longer.”**



# Executive Sessions



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# Executive Sessions

- **Executive sessions, while necessary, are in contravention of the public policy of the open meeting laws.**
- **Thus, executive sessions are closely scrutinized to assure that they are proper.**



# Executive Sessions, Cont'd.

- **Executive sessions are permitted ONLY IF they fall under the categories listed in Del. Code Ann. tit. 29 § 10004(b).**
- **The big ones are:**



# **Executive Sessions, Cont'd.**

**1) Discussion of an individual citizen's qualifications to hold a job or pursue training unless the citizen requests that such a meeting be open.**

- **This provision does not apply to an individual citizen's qualifications to pursue any profession or occupation for which a license must be issued by the public body in accordance with Delaware law.**



# Executive Sessions, Cont'd.

- (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, but only when an open meeting would have an adverse effect on the bargaining or litigation position of the public body.**



# Potential Litigation Test

- **To invoke the potential litigation exception, litigation must be likely or reasonably foreseeable.**
- **When determining whether litigation is “likely or reasonably foreseeable,” the public body should look for objective signs that litigation is coming.**
- **A written demand letter in which a claim is asserted, or action is demanded, may give rise to a proper inference that litigation will soon follow.**



# Potential Litigation Test, Cont'd.

- **Other indicators of “potential litigation” might include “previous or preexisting litigation between the parties or proof of ongoing litigation concerning similar claims or [ ] proof that a party has both retained counsel with respect to the claim at issue and has expressed an intent to sue.”**
- **The public body must be able to point to a “realistic and tangible threat of litigation ... characterized with reference to objective factors” before it may avail itself of the “potential litigation” exception to FOIA.**



# **Executive Sessions, Cont'd.**

- (6) Discussion of the content of documents, excluded from the definition of “public record” where such discussion may disclose the contents of such documents.**
- (8) The hearing of employee disciplinary or dismissal cases unless the employee requests a public hearing.**
- (9) Personnel matter in which the names, competency and abilities of individual employees or students are discussed, unless the employee or student requests that such a meeting be open. (\*\*Must be only employees-not subcontractors).**



# Executive Session Rules

- **Minutes must be taken.**
- **Governing body must vote to hold an executive session.**
- **Executive session must be on the agenda.**
- **Agenda must be specific about the statutory exemption that applies.**



# **Executive Session Rules, Cont'd.**

- **No votes may be taken in executive session – votes must be in public.**
- **The executive session topics cannot stray from the issues on the agenda.**
- **Prohibited from having a straw poll.**



# Public Records



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# Public Records

- **Public records are defined by Del. Code Ann. tit. 29 § 10002(l) as:**
  - **“information of any kind, owned, made, used, retained, received, produced, composed, drafted or otherwise compiled or collected, by any public body, relating in any way to public business, or in any way of public interest, or in any way related to public purposes, regardless of the physical form or characteristic by which such information is stored, recorded or reproduced.”**



# Public Records, Cont'd.

- **The exemptions regarding what is a public record are very narrow and are generally narrowly construed.**
- **Thus, assume everything that is written will end up on the front page of the newspaper or on a troublesome website.**
- **You have a duty to preserve FOIA material.**
- **If it deals with public business, it is subject to FOIA regardless of the account used to create the document.**



# Non-Public Records

- **The following records shall not be deemed public:**
  - (1) Any personnel, medical or pupil file, the disclosure of which would constitute an invasion of personal privacy, under this legislation or under any State or federal law as it relates to personal privacy;**
  - (2) Trade secrets and commercial or financial information obtained from a person which is of a privileged or confidential nature;**



# **Non-Public Records, Cont'd.**

- (3) Investigatory files compiled for civil or criminal law-enforcement purposes including pending investigative files, pretrial and presentence investigations and child custody and adoption files where there is no criminal complaint at issue;**
- (4) Criminal files and criminal records, the disclosure of which would constitute an invasion of personal privacy.**
- (5) Intelligence files compiled for law-enforcement purposes, the disclosure of which could constitute an endangerment to the local, state or national welfare and security;**



# **Non-Public Records, Cont'd.**

- (6) Any records specifically exempted from public disclosure by statute or common law;**
- (7) Any records which disclose the identity of the contributor of a bona fide and lawful charitable contribution to the public body whenever public anonymity has been requested of the public body with respect to said contribution by the contributor;**
- (8) Any records involving labor negotiations or collective bargaining;**



# **Non-Public Records, Cont'd.**

**(9) Any records pertaining to pending or potential litigation which are not records of any court;**

➤ **New decisions regarding this exception allow withholding of the documents so long as they relate to the litigation.**

**(10) Subject to § 10004(f) of this title with respect to release of minutes of executive sessions, any record of discussions held in executive session pursuant to § 10004(b) and (c) of this title;**



# **Non-Public Records, Cont'd.**

- (11) Any records which disclose the identity or address of any person holding a permit to carry a concealed deadly weapon; provided, however, all records relating to such permits shall be available to all bona fide law-enforcement officers;**
- (12) Any records of a public library which contain the identity of a user and the books, documents, films, recordings or other property of the library which a patron has used;**



# **Non-Public Records, Cont'd.**

**(16) Emails received or sent by members of the Delaware General Assembly or their staff;**

**...**

**(19) Any communications between a member of the General Assembly and that General Assembly member's constituent, or communications by a member of the General Assembly on behalf of that General Assembly member's constituent, or communications between members of the General Assembly.**

**\*Example - Flowers v. Office of the Governor**



# **Non-Public Records, Cont'd.**

**(17)a. The following records, which, if copied or inspected, could jeopardize the security of any structure owned by the State or any of its political subdivisions, or could facilitate the planning of a terrorist attack, or could endanger the life or physical safety of an individual:**

- 1. Response procedures or plans prepared to prevent or respond to emergency situations, the disclosure of which would reveal vulnerability assessments, specific tactics, specific emergency procedures or specific security procedures.**



# Non-Public Records, Cont'd.

- 2. Building plans, blueprints, schematic drawings, diagrams, operational manuals or other records of mass transit facilities, bridges, tunnels, emergency response facilities or structures, buildings where hazardous materials are used or stored, arenas, stadiums, waste and water systems, electric transmission lines and substations, high-pressure natural gas pipelines and compressor stations, and telecommunications networks facilities and switching equipment, the disclosure of which would reveal the building's or structure's internal layout, specific location, life, safety and support systems, structural elements, surveillance techniques, alarm or security systems or technologies, operational and transportation plans or protocols, or personnel deployments.  
...**



# **Non-Public Records, Cont'd.**

- 3. Records of any building or structure operated by the State or any of its political subdivisions, the disclosure of which would reveal the building's or structure's life, safety and support systems, surveillance techniques, alarm or security systems or technologies, operational and evacuation plans or protocols, or personnel deployments.**
- 4. Records prepared to prevent or respond to emergency situations identifying or describing the name, location, pharmaceutical cache, contents, capacity, equipment, physical features or capabilities of individual medical facilities, storage facilities, or laboratories established, maintained or regulated by the State or any of its political subdivisions.**



# **Non-Public Records, Cont'd.**

**5. Those portions of records assembled, prepared or maintained to prevent, mitigate or respond to criminal acts, the public disclosure of which would have a substantial likelihood of threatening public safety. The only items that are protected from disclosure by this paragraph are:**

**A. Specific and unique vulnerability assessments or specific and unique response or deployment plans, including compiled underlying data collected in preparation of or essential to the assessments or to the response or deployment plans; and**



# **Non-Public Records, Cont'd.**

**B. Records not subject to public disclosure under federal law that are shared by federal or international agencies and information prepared from national security briefings provided to state or local government officials related to domestic preparedness for criminal acts against United States citizens or targets.**



# **Non-Public Records, Cont'd.**

**7. Information technology (IT) infrastructure details, source code, logical and physical design of IT systems and interfaces, detailed hardware and software inventories, network architecture and schematics, vulnerability reports, and any other information that, if disclosed, could jeopardize the security or integrity of an information and technology system owned, operated or maintained by the State or any public body subject to the requirements of this chapter.**



# **Non-Public Records, Cont'd.**

- (18)a. Any military service discharge document or documents, a discharge, separation notice, certificate of service, report of transfer or discharge, or any other notice or document which is evidence of severance or transfer from military service and which contains a service record from the armed forces of the United States, or any document that purports to represent a notice of separation from or service in any armed forces of the United States . . . .**
- There are a number of exceptions applicable to the veteran's exemption.**



# Production of Public Documents

- **Records should be open for inspection during normal business hours.**
- **FOIA requests should generally be made in writing.**
- **The requestor must be as specific as possible – and seeking clarification about what the requestor wants is acceptable.**
- **Even if not in physical possession of the documents sought, “the public body shall promptly request that the relevant custodian provide the noncustodial records to the public body.”**



# **Production of Public Documents, Cont'd.**

- **E-mails (if requested) must be produced.**
- **If they cannot be obtained with “reasonable effort,” “the public body shall promptly request that its information and technology personnel or custodians provide the e-mail records to the public body.”**
- **Additional costs should be paid by the persons requesting – and an itemized list of charges must be presented to the requestor in advance for this special service.**



# **Responses to Requests – Production of Public Documents**

- **Responses to FOIA requests must be made within 15 business days.**
- **If more time is needed, the reason for more time must be legitimate and must be explained.**
- **If the request is denied, the reason for denial must be explained.**
- **Documents may be reviewed prior to disclosure to assure that non-public records are excluded from the request.**



# FOIA QUIZ

- **If public comment is allowed, can public comment be limited?**
- **Does FOIA require public bodies to answer questions?**
- **Does a confidentiality clause in a settlement agreement exempt the settlement agreement from FOIA?**
- **Can a public body go into executive session to discuss interview questions?**



# FOIA QUIZ

- **Can you remove someone from a public meeting for saying, in public comment**
  - **“You treated him like a pubescent son found with a porn magazine?”**
- **Is it a violation of FOIA not to explain why additional time is needed to respond to a FOIA request?**
- **Are you required to post meeting minutes on a website?**
- **Can an emergency meeting be held without an agenda?**
- **Is the public body required to respond to FOIA requests from out of state requestors?**



# Enforcement

- **Attorney General's Office generally enforces FOIA and/or decides a FOIA complaint, although citizens may bring suit as well in certain circumstances.**
- **For public records denials, there is a 60 day SOL.**
- **For open meeting violations, the SOL is 6 months.**
- **The burden is on the custodian denying access to public records.**
- **Open question – how do you satisfy that burden?**



# **Enforcement, Cont'd.**

- **The Court may award attorneys' fees and costs for the failure to produce records in a FOIA suit.**
- **For open meeting violations, the offending parties may be required to forfeit compensation for participation.**
- **The Attorney General's Office may also hear an action for a prospective violation.**



# Appeals

- **A person denied records by a State agency is permitted to file an appeal to the Chief Deputy and thereafter to the Superior Court.**
- **Such appeal must be filed within 60 days of the Attorney General's decision.**
- **Thus far, these appeals have been very rare – but they are not unprecedented.**



# Recent Decisions

- **No. 21-IB17 – July 23, 2021 (Georgetown)**
  - **Phone calls and emails resulting in a decision violated FOIA.**
- **No. 21-IB14 – June 20, 2021 (Sussex County)**
  - **No requirement to post agenda on website for municipalities and counties.**
- **No. 21-IB03 – February 25, 2021 (Sussex Technical School District)**
  - **Board agenda not required to name the personnel to be discussed in executive sessions but “Personnel Action Items” insufficient to alert public of vote of superintendent.**



# Questions?



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The background of the image is a stylized American flag with a dark blue field containing white stars and alternating red and white horizontal stripes. The flag is slightly wavy, giving it a sense of movement. The text is overlaid on this background in a white, gothic-style font.

# The Pledge of Allegiance

I pledge allegiance to the flag  
of the United States of America,  
and to the republic for which it stands,  
one nation under God,  
indivisible, with liberty and justice for all.

CITY OF MILFORD FINANCE & PUBLIC WORKS COMMITTEE  
*MEETING MINUTES*  
May 10, 2021

The City of Milford Finance and Public Works Committee met by way of video conferencing on Monday, May 10, 2021.

PRESIDING: Chairman Jason James

IN ATTENDANCE: Mayor Arthur Campbell

Committee/Councilmembers Daniel Marabello, Brian Baer and Douglas Morrow

STAFF: City Manager Mark Whitfield

In an effort to adhere to social distancing protocols and best practices imposed by Governor John Carney's State of Emergency Declaration effective March 13, 2020, the City of Milford has canceled all public gatherings until further notice. See the May 10, 2021 Committee Meeting agenda and packet for additional information.

CALL TO ORDER

Chairman James called the Committee Meeting to order at 5:35 p.m.

Finance Director Lou Vitola, Public Works Director Mike Svaby and City Engineer James Puddicombe were in attendance.

*Capital Project Update*

City Manager Whitfield deferred to Public Works Director Svaby for a brief update on the capital projects that are currently underway or soon to be underway, who introduced City Engineer James Puddicombe.

The City Engineer reviewed several projects reporting that he has not yet heard back from the water tower altitude valve. They provided a quote that was agreed upon, though he is unable to get them to nail down a date. As a result, a different contractor may need to be used.

Southeast Second Street is completed at this point and includes all lead services, as well as some sewer repairs and the new sidewalk along Marvel Plaza. That should help the tie in with the bike plan, etc. The paving is out to bid through DelDOT and it is being monitored on our end in hopes it can be completed sometime later this summer or fall.

The drilling for the 10th Street Water Facility test well is complete. That information is being rolled into the Southeast Regional Study and is on hold for a couple of last-minute paperwork items from the State providing the official grant notification. That has been approved by Council already, as well as one other well, which was drilled initially though there were some issues and a second well drilling is being done at that property. That will tie into this project and will be the connecting point to get that water into the system.

The Front Street water lines project is under contract and ready to go. The pre-construction meeting was held and work is expected to start any time. They were ironing out material sourcing due to a problem getting the C900 pipe.

That was acquired for the Mispillion Group work which is now being stated and should be starting in the next day or two. However, the piping remains a concern on the Front Street waterline project.

The lead service lines and asbestos water mains are ongoing as part of the streets' project.

The replacement of Well 16 includes the grant funding and ties together with the test well drilling at 10th Street. Depending on how those things come together will determine whether additional well drilling is needed and whether treatment will be on site, or at the current southeast treatment facility.

That concludes the water infrastructure projects.

There are approximately 845 lead service lines that were submitted in a report to the State and will be forwarded to the EPA for funding consideration. That result is about 6% and should be removed in totality over the next four or so years.

When asked about the extension of the sidewalk on the Marvel Plaza side of Southeast 2<sup>nd</sup> Street, City Engineer Puddicombe explained there is \$100,000 set aside annually for sidewalk installation. That area is difficult because of the five-foot rise and the need to obtain sign-off from the homeowners in order to make the grading work. Because the majority of sidewalk connections exist on the north side of that street, it would make more sense for the connection to be installed there. That would provide connectivity to the Marshall Street intersection where zebra striping and ADA ramps will be installed by DelDOT. It will be kept as one of the long-term items in the sidewalk plan.

Addressing sewer projects, the inflow and infiltration (I&I) investigation and repairs continue. The Shawnee portion of the I&I project is closed out and work is moving toward the Truitt Avenue substation as was previously approved by Council. KCI will begin to look at the manholes and piping in the Truitt Avenue area and proposing some further investigation into the Washington Street area. That will be most likely broken into two different projects because it is such a large drainage basin.

There is another lining project that will begin in the near future that Council already approved under the new basketball courts along the river.

The asbestos concrete pipe replacement is ongoing and asbestos/capital improvement funds will be used as part of the street projects for the current and upcoming years.

The Mill Street sewer realignment is included as part of the 2020 Streets Utilities Project which is out to bid and should be coming before Council within the next month or so. A holdover from 2019, Fisher Avenue has also been lumped in for the purpose of repairing the stormwater and flooding issues that exist there. The Mill Street sewer realignment will be done at the same time.

When asked about reductions in I&I, Finance Director Vitola said we have not seen the numbers drop and instead, continue to grow. However, that does not mean it is because of larger problems and believes that is the result of a greater volume coming through the meters and being sent thru the Kent County sewer. He is unsure if the volume in gallons, as a function of total gallons has increased. The cost is going up and it is very important these fixes continue. Later information will be provided with regard to the magnitude of the problem over time.

Director Vitola added that the good news is that Public Works now has fifteen, and almost sixteen years of data that will help with the summary of data that can be provided.

City Engineer Puddicombe noted that the sewer line along Front Street is close to completion though there is a need to wait for the invoicing to know more exact amounts and allow for a better comparison statistically. He will try and keep those numbers together and bring them to a future meeting, once a little more work is completed.

He then discussed the street resurfacing and rehabilitation projects that are ongoing. These are predominantly street and sidewalk projects and the street resurfacing and rehabilitation, which was discussed earlier as part of the 2020 street project. The goal is to go out to bid in the next month or two. That will include ADA and other improvements that need to happen along the roadways.

The utility work has been done in advance and should begin this later this summer. The 2021 design process has begun with the intent to go to bid before winter in order to be prepared for the work to be done next spring.

KCI is working to finalize design plans on the Walnut Street pedestrian crossing. The general design is being spruced up into a presentable fashion for feedback purposes.

The sidewalk inventory is ongoing with wards 1, 2, and 4 having been fully inventoried; only ward 3 remains at this time though it should be completed by the end of this month. Once an evaluation of sidewalk gaps and existing damages is completed, a revised schedule will be created for the remaining work and letters mailed to property owners. Photos and maps will also be provided to the property owners for further clarification. A web view map will also be available that will provide a general idea of when their sidewalk work will be completed.

#### *Fund Balance Policy for Utilities and General Funds*

Director Vitola then talked about reserve funds and related feedback from the draft that was produced and distributed earlier this past winter. That matter was tabled because there was a lot of information to digest. However, some of council felt the policy did not really bridge the gap from the fundamental best practices in municipal financial management and internal control through policy administration, to the practice which is the actual real-life objectives that the policy is expected to achieve. That is the establishment of a realistic, operations-based equipment replacement schedule that provides a year over year cash needs. In this manner, all of the City's critical equipment can be cycled in the most efficient way possible, and with cash funding so it is no longer a struggle to balance the budget every year.

Director Vitola believes this version of the policy does a better of a job of bridging that gap. What is shown is the purpose of the policy that starts with Public Works and the development of a realistic vehicle and equipment replacement schedule. That schedule then serves as the basis for the development of a CIP.

That was done this year and that schedule used to inform the CIP document for FY22 and the out years FY23 to 26. In turn, that will provide what is needed in the operating budget. The vehicle and equipment replacement schedule will feed the CIP, which in turn informs the O&M budget year.

Using the cash-basis depreciation expense, as determined by the forward-looking replacement schedule, and working that number backwards to an annual contribution each year, makes that depreciation-based expense turn from a notional expense or a noncash expense into an actual cash expense. This will allow vehicle and equipment replacement reserves with enough money, thus preventing those tough decisions that are now being made about how to fund or defer the purchase.

Rather than put these capital items in the O&M budget, there are amounts that will move from operating surpluses into the reserves. Then, the reserve funding will be used to meet the vehicle and equipment replacements, and the traditional reserves, which will still exist, used to meet the traditional infrastructural capital, investments over and above vehicles and equipment, like the other categories in the CIP such as a building, infrastructure, parks and so forth.

The execution of the policy page and the policy objectives component, which outline the purpose of the policy and why it is written, is intended to bridge the gap from the theory. A part of the equation is to put it in practice and in motion and use the time between drafting and sharing it again, to ensure it would function properly, it is budget relevant and to work out any kinks. Based on the equipment replacement schedule, it would be decided what the thresholds, minimums and the maximums should be.

The policy settles on the minimum balance needed in the vehicle and equipment replacement fund, but sufficient to meet the following plan year's vehicle and equipment replacement expenses.

The most difficult part of the policy is put in practice, and the establishment of the general fund portion of the vehicle and equipment replacement funding. That is because the general fund encapsulates a large number of departments, with a lot of heavy equipment, and a lot of vehicles. Yet, the general fund is one of the one of the tightest and most difficult to fund.

What was brought up as early as the financial workshop in the fall is to carve out pieces of funds that are statutorily and legally available to fund the City's vehicle and equipment capital. The prime source of funding in that area with a strong balance is the reality transfer tax fund (RTT). The policy summary provides the fund types and the intended uses and formula which will drive the balance requirements. This is intended to tie into the cash reserves report but in the general fund, through the RTT support policy. There is a \$2 million segment of RTT that supports general fund reserve policies. That assists the general fund to get a head start in the ability to execute the vehicle and equipment replacements that need to happen in FY22. Then ongoing funding will be used to replenish those balances.

The general fund policies are driven by GFOA (Government Finance Officers Association) best practices, while the water, sewer and electric fund reserves are established by the professional independent cost of service studies.

There was no reinvention of the wheel, nothing was made up. Instead, best practices were used, along with guidance and professional studies to create the MCR (minimum cash reserve) policies. Then there is a carve-out for the equipment which is intended to match the following years plan replacements.

Director Vitola emphasized this not entirely new, but we are finally at the point where it can be put in motion and in practice, so it is a functioning reliable policy to be utilized every year.

Currently the depreciation of equipment is driven by the general ledger book depreciation expense. However, it is more accurate and realistic if the Public Works Departments' assessment of the actual fleet is used to determine true vehicle replacement needs. Our fixed assets schedule is based on sample data developed years ago and may have been basic accounting standards. Whereas, the needs of the fleet could vary from vehicle to vehicle and/or truck to truck. The fixed assets schedule says trucks depreciate over seven years, but the reality is some trucks need to be replaced every three and a half, four years and others can be used for twelve years. The same applies with trailers. If a trailer is depreciated over seven years, there is no real nexus to the actual utility of a trailer which can last sixteen or eighteen years. That is the purpose of the more depreciation basis.

This will then provide all five years of the CIP and the vehicles and equipment proposed, not only in FY22, but in FY 23 through 26. That schedule will show replacements based on the initial assessment in year one, all the way out to 2037 or longer. In that way, if replacing something in 2037 at a cost of \$150,000, there is a need to put away \$10,000 a year for fifteen years so it can be purchased without it being a stress on our capital or reserve funds.

The Director feels it is a great practice to simply capitalize a depreciation expense and turn the non-cash book expense into a cash expense and move forward. However, there was a question about whether it would over-funded or under-funded and the purpose for looking at it from a more realistic approach.

Over time, we want to ensure the actual depreciation practice in the GL conforms to what is actually being done in the field. That way, there will be a difference between the two in the future and for now, the more reliable and accurate of the two will be used.

The RTT transfer allocated to the general fund capital reserves is needed to get this up to speed, but is not a long-term solution. Instead, it will require revenue enhancements in the general fund to get to the point where the cash fund depreciation is sufficient enough to build up to the amount needed. In the short term, there is a need to be creative and it could take years to get to the point where the general fund vehicle and equipment replacement fund is self-sustaining.

When asked if the \$2 million transfer to the police department will be phased out going forward after FY21, Director Vitola said we are going to try. The FY21 budget had a \$500,000 transfer to the police department. There was talk about whittling it down to zero over the course of five or so years at the financial retreat in the fall and reducing it to \$375,000 in FY22. That is the purpose of the \$375,000 number in the first draft of the O&M budget.

As additional police officers are added, Director Vitola confirmed that number will be impacted though he was unaware of any plans to increase the number of officers. In the FY22 budget, Chief Brown provided a static number that doesn't represent any increase over 21.

The Director then noted that the funding for police officers out of the general fund reserves is a different number. Even if staffing is static in the police department from FY21-22, \$464,000 of funding is going to evaporate. If we are increasing officers over and above 37, then there is no other way to do but to increase property taxes or drain reserve accounts. At this point, he would expect a combination of both given the added property tax for the new police station.

Director Vitola confirmed that if the police department comes in at \$13 million or \$3 million less than anticipated, the \$3 million saved cannot be used to fund new police officers within the next five years. The purpose of the bonds approved through the referendum are intended to support a capital project. Even though there's some broad language in the resolution that permits a little flexibility, the use of 30 to 40-year bonds to pay operating expenses related to police personnel is inadvisable and would be a major red flag.

He recalled the shortfall expected in the upcoming budget last fall, is materializing right now. A shortfall of \$850,000 to \$1.2 million range was expected, but that number has increased with the first pass of the O&M budget. The utility accounts are balanced for the most part, but there is a big deficit in the general fund that needs to be discussed. Though there will be last-minute refinements, he does not anticipate a balanced budget except with a property tax increase.

A discussion followed regarding the reduction of the \$500,000 transfer from RTT and whether to leave it in place or continue to try and reduce it. The police budget last year came in at \$5.8 million alone and we only bring in \$4.2 million in real estate tax. There is not enough in real estate taxes to pay for the police department, not taking into consideration all the other things going on in the City. It was agreed that the continuation of using RTT funds as a balance mechanism is not a good financial decision or policy.

Three budget years ago when the five officers were approved, Council agreed to temporarily pay for the officers out of the RTT. Unfortunately, there has not been enough growth in the real estate taxes to pay for the five officers. At some point, there is a need to increase taxes and stop depending on unsustainable funding that could change any moment.

Council agreed this is a slippery slope and the Director pointed out that though things look very rosy right now in the real estate transfer tax account, there were big problems in 2011 and 2012 when this revenue source was down to almost zero. Using RTT to balance an operating budget for ongoing expenses and especially for new positions is dangerous when a non-stable source of income is used.

Councilman Marabello pointed out it was a mistake not increasing taxes incrementally on a very small scale over the past several years, which most people would be willing to accept. But now, all of a sudden, we need a big number to continue providing those same services and to pay our bills. He pointed out that while no one likes to pay taxes, the City is in need of more money to pay for additional police officers and can no longer kick the can down the road.

Councilmember James agreed and referred to the cost-of-service studies. A reduction in the electric rates was possible, but in the other funds, in order to be solvent, there was a need for an increase. He does not like taxes either, but at some point, there is a need to properly fund the services the City provides and long-term unsustainable funding does not work. That is the reason the City is facing these difficult decisions today and if this had been done through a penny a year in the past, Council would not be having this conversation. He does not believe that tax increases can be avoided any further.

For years, there have been transfers from the RTT and the electric reserves to pay for general fund services. Using enterprise funds to balance that budget has been done too long already and has placed the City in a bad position.

Finance Director Vitola believes those comments are true based on the work that was done in the fall to produce the recommendations related to the structural imbalance involving RTT and other unsustainable funding sources. Even by being creative and borrowing from other funds, the general fund still has to pay those funds back, with or without some notional inter fund interest. The only source of funding that could be used is a tax increase.

He said when we have growth in housing and the commercial sector, only a small slice of that growth, and maybe 10%, is related to general fund growth. That is part of the problem and it would be even more inappropriate to use other utilities generated from that growth to transfer into the general fund.

Mr. Vitola then mentioned that this policy, though it is eighteen pages long, and the rationale for being so obsessive was really to future proof the document and show that at the end of the day, though the City Charter rules the City's financial policies and procedures, it is going to be State and Federal laws that govern how much in grant funding the City is eligible for and what can be done with those funds. GFOA's best practices have been used, and yet the policy reflects Council's local control. Council can still make changes to this policy, over time, but he wants to articulate the reasons and the rationale for why this is being done and as importantly, allow future Councils to be properly informed.

He noted that a lot of what is in the document is being done now. The minimum cash reserve was already driven by the cost-of-service study and will be split into two parts--reserve and an equipment reserve. Otherwise, the intended uses are specified. In the general fund equipment replacement reserve, the intended use is for governmental vehicles and equipment only, but the reality is that pot of funding can be used for anything. While \$772,000 is the minimum, the number will be less from time to time.

A lot of this policy is common sense ways to think about how we fund vehicles and equipment and other assets, when we fund them and how much in reserves should be kept at a minimum.

In the end, the target services will be able to operate efficiently and effectively and survive into the future.

City Manager Whitfield asked Council to review the policy and to provide any comments or recommendations by the end of June. It will be added to the July agenda and then approved by Council no later than September.

ADJOURNMENT

There being no further business, the Council Meeting adjourned at 6:38 p.m.

Respectfully submitted,

Terri K. Hudson, MMC  
City Clerk/Recorder

CITY OF MILFORD ANNEXATION COMMITTEE  
*MEETING MINUTES*  
May 10, 2021

The City of Milford Annexation Committee met by way of video conferencing on Monday, May 10, 2021.

PRESIDING: Chairman Daniel Marabello

IN ATTENDANCE: Mayor Arthur Campbell

Committee/Councilmembers Brian Baer and Katrina Wilson

STAFF: City Manager Mark Whitfield

ABSENT: Planning Chair Marvin Sharp

In an effort to adhere to social distancing protocols and best practices imposed by Governor John Carney's State of Emergency Declaration effective March 13, 2020, the City of Milford has canceled all public gatherings until further notice. See May 10, 2021 Committee Meeting agenda and packet for additional information.

*Call to Order*

Chairman Marabello called the Committee Meeting to order at 6:41p.m. and read into record the purpose of the committee meeting. Planning Director Rob Pierce oversaw the meeting.

*Review & Recommendation:*

Annexation/Lands belonging to Walter G. & Sharon A. Feindt, Trustees East side of South Rehoboth Boulevard, approximately .4 mile south/southeast of Delaware Route 36 Milford, DE 19963 Sussex County Tax Map No(s): 330 -11.00-44.05, 330 -11.00-44.06 & 330 -11.00- 44.07 1.994 +/- Acres Current Zone: Agricultural Residential (AR-1) Proposed Zone: Community Neighborhood Commercial (C-1)

All that certain lot, pieces or parcels of land situate in Cedar Creek Hundred, Sussex County in the State of Delaware, in accordance with a recent survey prepared by Christopher D. Waters, Professional Land Surveyor, DE NO. S6-647, dated March 22, 2021

He then deferred to Planning Director Pierce who referenced the petition in the Committee's packet that was submitted by the applicants Walter and Sharon Feindt:

*Re: Petition for Annexation*

*Sussex County Tax Map No. 330 -11.00-44.05, 44.06 & 44.07*

*Property Address: East side of South Rehoboth Blvd, approximately 0.4 miles south/southeast of Route 36*

*Dear Mayor and City Council,*

*Please accept this letter as our formal request for annexation of the above referenced parcels into the City of Milford. The land is currently zoned as Agricultural Residential (AR-1) and the land is currently vacant. As per the City's 2018 Comprehensive Plan the parcel is classified as proposed Residential- Low Density. Based on this, we are requesting Community Neighborhood Commercial (C-1) zoning for all three parcels, which contain 1.994 +/- acres. The purpose of this request is to utilize all the services and resources that the City has to offer as well as provide support to the nearby hospital with medical offices.*

Director Pierce also noted that the land is under contract by the Developer of Windward on the River. The following report was then submitted for review and a recommendation by the Committee:

#### Annexation Committee Report

Property Owner: Walter G. & Sharon A. Feindt, Trustees  
Location: S. Rehoboth Boulevard      Size: 1.994 +/- acres  
Current Zoning: AR-1 – Agricultural Residential (Sussex County)  
Proposed Zoning: C-1 (Neighborhood Commercial)  
Map & Parcel No: 3-30-11.00-044.05, 044.06 & 044.07

#### APPLICANT

A petition by the property owners was submitted on March 31, 2021 to annex 1.994 +/- acres into the corporate limits of the City of Milford.

#### LOCATION

The properties are identified as Sussex County tax parcel(s) 3-30-11.00-044.05, 044.06 & 044.07 and are located along the east side of S. Rehoboth Boulevard, just south of the proposed entrance to Windward Boulevard and approximately 1,150 feet south of the SE Second Street intersection.

#### STREETS

The properties are currently vacant and do not contain an entrance onto S. Rehoboth Boulevard. S. Rehoboth Boulevard is a State Maintained roadway and any entrances would require DelDOT approval. Additionally, the developer for Windward on the River – Residential and Deep Branch Plaza granted a cross-access easement to these parcels onto Windward Boulevard, which would be the preferred access point for these properties, if developed. It is anticipated that any internal streets to the proposed commercial development will be privately owned and maintained.

#### DRAINAGE

The properties are currently undeveloped and any future development of the properties would be subject to DNREC storm-water regulations and the owner would be required to obtain any and all permits from the Sussex Conservation District and State of Delaware.

#### ZONING

The area proposed to be annexed is currently zoned AR-1 (Agricultural Residential) in Sussex County under the Sussex County zoning ordinance. The applicant requests the properties be zoned C-1 (Neighborhood Commercial District) under the City of Milford zoning ordinance.

#### SEWER

The properties would be served by the newly constructed Windward on the River regional pump station. The developer would be responsible for any required upgrades and utility extensions to serve the proposed development on the site. All costs associated with the design and construction of the sewer extension would be borne by the applicant. Any construction improvements would need to be reviewed and approved by the City Engineer.

#### WATER

The properties would be served by the existing 10" water main that is located along Windward Boulevard. The developer would be responsible for any required upgrades and utility extension to serve the proposed development of

the site. All costs associated with the design and construction of the water main extension would be borne by the applicant. Any construction improvements would need to be reviewed and approved by the City Engineer.

#### ELECTRIC

The properties would be served by City of Milford electric utility. All costs associated with the design and construction of electric improvements would be borne by the applicant. Any construction improvements would need to be reviewed and approved by the City Engineer and the City Electric Division.

#### TRAFFIC

The properties are located along S. Rehoboth Boulevard and would gain access with an entrance along this roadway or via Windward Boulevard directly to the north. South Rehoboth Boulevard is a State Maintained roadway and any entrances would require approval from DelDOT.

#### ENVIRONMENTAL ISSUES

The U.S. Army Corp of Engineers will control provisions under Section 404 of wetlands on the parcel. According to the DNREC Navigator website, the properties may contain wetlands at the far eastern limits of parcel 044.05. Additionally, the same portion of the site is impacted by the 100-year floodplain with a base flood elevation of 9 feet above sea level according to the most recent FEMA Flood Insurance Rate Maps (FIRMs). The properties do not contain areas of excellent groundwater recharge according to DNREC Navigator website.

#### AREA LAND USES

The properties to the south and west are primarily single-family detached dwellings on larger lots developed in Sussex County's AR-1 zoning district. The property to the north is the site of the proposed Deep Branch Plaza commercial center and is zoned C-1. The property to the northeast is the site of the Windward on the River- Residential project containing 264 residential apartment units and is zoned R-3. The property to the east is a 30 +/- acre parcel containing a single dwelling unit in Sussex County and is zoned AR-1.

#### FIRE AND POLICE

The subject parcel is located within the Carlisle Fire Company district area according to Sussex County's online mapping application. Carlisle Fire Dept. already provides fire and EMS coverage to this area. EMS is also currently provided by Kent County Levy Court. Milford Police Department will provide police service.

#### COMPREHENSIVE LAND USE PLAN

The annexation request is consistent with the 2018 Comprehensive Plan Future Land Use Plan and is designated as Proposed Low Density Residential. C-1 is an allowable zone in the comprehensive plan's future land use and zoning link table.

#### PROPERTY TAXES AND OTHER ECONOMIC CONSIDERATIONS

The proposed annexation would generate new property tax revenue and potentially allow the expansion of neighborhood commercial services to the eastern and southeastern portions of Milford. Development of the properties would provide additional revenue within the electric, water and sewer systems.

#### ADVANTAGES TO THE CITY

1. The properties are within the planning area of the City of Milford.
2. The City would receive revenues (property tax, building permits, etc.) associated with activity on these parcels.
3. Potential for additional water, sewer and electric users.
4. Identified within the Urban Growth Boundary of the 2018 Comprehensive Plan.
5. The proposed zoning is consistent with the 2018 Comprehensive Plan Future Land Use exhibits.

+

## DISADVANTAGES TO THE CITY

1. None.

## RECOMMENDATION

Based on the issues and comments discussed in this report, the Annexation Committee of the City of Milford recommends approval of the application, following a unanimous vote, with the following comments:

1. Annexation is consistent with the “Comprehensive Land Use Plan.”
2. Properties are contiguous to existing City Limits.
3. Any changes to the properties are subject to review by the City of Milford Planning Commission and/or City Council.
4. Properties will be served by City water, sewer and electric.
5. An executed Annexation Agreement is required prior to final City Council approval.
6. Upon approval of the annexation committee report, a Municipal Annexation Plan of Services will be submitted to the Office of State Planning for their approval.

Director Pierce explained the property is under contract by the Windward on the River developers. A site map was displayed showing the location just south of the proposed entrance to the Windward on the River commercial project called Deep Branch Plaza. Purchasing this property would provide additional land to widen the right-of-way for the entrance into the Plaza and would be incorporated into that overall plan, based on the concept drawing created for the site.

The properties should be annexed with the following zoning classification: C-1 (Neighborhood Commercial)

Director Pierce then explained the annexation process. If the committee is in agreement, the committee report will accompany the application throughout the process, though the final decision rests with City Council. It would be sent to the Delaware Office of State Planning, along with the plan of services for acknowledgement of the annexation request.

He noted that adding the two-acres provides a use that is consistent with the C1 zoning category but will be limited to 15,000 square feet. The Deep Branch Plaza was already approved with commercial uses just north of this. Commercial development of one or two buildings could be placed on these two acres though the exact use is unknown at this time.

Director Pierce referenced a map showing the three parcels to be annexed and the properties to the north zoned C1 and C3 where the plaza will be constructed that include restaurants and retail. In addition, a 4,000 square professional office building will be constructed.

In 2019, the entire frontage was changed to commercial in the comp plan; these three pieces are contiguous to the designated future commercial land use along South Rehoboth Boulevard just south of the property. Though the zoning of each parcel does not yet match the zoning categories, Director Pierce hopes to have that addressed early this summer.

He explained that this area is designated for low density residential—and allows for R1, R2, C1 and OB1 districts. The request is consistent with the comprehensive plan.

Chairman Marabello noted that most of the properties surrounding this property are single family residential and asked the advantages/disadvantages to the commercial zone that is being proposed and asked for comments from the committee members.

Councilwoman Wilson questioned limiting the zoning to residential, and does not want to stop a prosperous business or restaurant from going there. She believes this side of town needs more retail to grow with the houses being built in this area and hears constantly that is what the residents need.

Chairman Marabello noted that the commercial is only on the north side, but not on the south or west side and the reason for reviewing this from both a residential and commercial perspective.

Committee Member Baer confirmed this development would become part of the Ward 3. Director Pierce then provided the list of allowable uses in a C1 and C3 districts.

Chairman Marabello recommends the petition proceed, but only with the R1 zoning mainly because most of this property is surrounded by single family residence to its west and south. Council will have the right to change it at before its final approval.

Councilman Baer moved to proceed with the annexation process with a recommendation of the R1 zoning, instead of C1 that is being proposed. Chairman Marabello seconded the motion.

Councilwoman Wilson prefers it stay C1 but is willing to vote in favor the recommendation as long as it can be changed at a later date.

When polled, Councilman Baer and Chairman Marabello voted yes in favor of the R1 zoning with Councilwoman Wilson voting no for the R1 zoning for a 2-1 vote.

#### Adjournment

There being no further business, the Annexation Meeting was adjourned by Chairman Marabello at 6:59 pm.

Respectfully submitted,

Terri K. Hudson, MMC  
City Clerk/Recorder

City of Milford  
*COUNCIL WORKSHOP MINUTES*  
May 10, 2021

The City Council of the City of Milford convened in a Workshop Session by way of video conferencing on Monday, May 10, 2021 at 7:08 p.m.

PRESIDING: Mayor Archie Campbell

IN ATTENDANCE: Councilpersons Daniel Marabello, Mike Boyle, Andrew Fulton, Todd Culotta, Brian Baer, Douglas Morrow, Jason James Sr. and Katrina Wilson

STAFF: City Manager Mark Whitfield and Police Chief Kenneth Brown

COUNSEL: Solicitor David Rutt, Esquire

In an effort to adhere to social distancing protocols and best practices imposed by Governor John Carney's State of Emergency Declaration effective March 13, 2020, the City of Milford has canceled all public gatherings until further notice. See May 10, 2021 Council Workshop agenda and packet for additional information.

*DEMEC Rate Stability Measures/Chief Operating Officer Kimberly Schlichting*

City Manager Whitfield said he has been asked some questions about DEMEC and the most recent was what measures we have in place as a municipality, to prevent a situation like occurred in Texas this past February when millions lost power and more than one hundred people died after a winter storm.

DEMEC just put together a presentation that was shared with all the members of DEMEC that highlights a lot of what is in place to prevent such a similar situation from occurring in Milford.

He then deferred to Ms. Schlichting for the presentation.

Ms. Schlichting thanked Mayor and Council for inviting her to talk about what is being done and preventing what went wrong in Texas and ways to protect DEMEC and the ratepayers. She then provided the following report:

A host of things went wrong and it ended up being the perfect storm for them, and they were greatly impacted by this unexpected storm that hit them. Texas was hit with extremely cold temperatures and it was referred to as a historic and generational storm. It was not really one generator type that we can point a finger at, though a lot of people wanted to say it was renewables. They also had natural gas fire generation that was having problems and the freezing of equipment.

Texas as a southern state, was not prepared for the type of cold temperatures they experienced over the extended period of time that they did see them down there. The weatherization and insulation requirements are just not the same for Delaware and northern states.

A storm occurred back in Texas back in 2011 and Electric Reliability Council of Texas (ERCOT) was directed at that time to make those type of weatherization improvements. Unfortunately, they did not heed the direction given to them and did not make those improvements. Leadership knew this was bound to happen again and sure enough it did.

In the electric utility, there is never 100% of reliability even though the leadership of NERC and PJM agreed they had to get close.

The other thing that went wrong is gray skies. Cloud coverage impacts solar output and it will not perform as much and instead result in a degradation in the output of solar. They tried to de-ice the wind power and related equipment that was freezing up.

Natural gas was a big player and many of their utilities were frustrated because they had power plants with natural gas generators that were ready to run and supply electricity. Unfortunately, that did not happen because of the problem

getting the gas to those generators, as well as timing of the gas, and the high price fluctuations due to the extreme demand that was occurring.

As a result, discussions have been made a priority to direct how we could maybe prioritize natural gas to go to those power plants first in the time of need. All generation was suffering and not just one type of generation.

She also does not believe the media was helpful and instead were a little bit biased and there was a lot of finger-pointing which did not help the message of what was going on and what needed to be done to improve things going forward.

ERCOT is an island grid, meaning they are not interconnected with other states such as PJM. DEMEC in Delaware is part of the PJM regional transmission owner who coordinates the generation and where it should be in time of need. PJM is interconnected to 13 states and the District of Columbia. Because of that, DEMEC is not a lone island and instead has other resources that we can connect into in other states.

That provides greater access to a greater number of generators for added reliability and stability.

If we are hit by a catastrophic tour, DEMEC, as an active participant in making sure the reliability of our electric is always there.

The DEMEC board, which consists of a representative and alternate for each member, got together and laid out the path forward by approving the strategic plan going forward. During the discussion, one item was how to our member fixed electric rates. They wanted to make sure there are no variable rates for wholesale to our member. That means is that we can provide members with stable fixed electric rates that do not fluctuate on a monthly basis. The annual calendar year is taken to level out the expected rates for the twelve-month period equally over that year.

They also maintain a rate stabilization reserve fund that members have been funding to cover those rainy-day events that could happen and that might cost a little bit more money. In return, this allows the municipals to provide fixed electric rates to Milford's retail customers.

The other is there are no third-party electric suppliers in DEMEC's municipal service territories. They come in and offer an attract rate by saving a penny. But in the real crux of time, they don't have the financial backing or the stability to be able to back up those promises of long term reliable electric rates to their customers. This has happened over time and occurred in DP&L at one time.

This is really what occurred with customers in Texas when they talk about \$1,800 electric rate. They actually had those third-party suppliers calling them and begging them to find another electric supplier to service them because they knew they were going to go bankrupt once the prices started going sky high. They did not have the financial backing to pay the contracts they entered into with the customers.

DEMEC maintains a strong balance sheet and prudent financial policies. In 2020 alone, they have been able to give \$7.5 million back to our members and that included the board recommended and approved quarter million dollars in Covid-relief assistance for electric utility customers. Milford was able to get some money back to help its customers.

DEMEC has been able to lower the wholesale electric rate to members by 26% over the past ten years. They were able to fund that rate stabilization reserve policy to those rainy-day situations. That has been done because the board has, over the years, stated they do not want negative surprises to their communities and their rate payers. As a result, they focused to make sure that we're looking ahead far enough to make sure that we're providing rate stability with no surprises.

DEMEC has a diverse generation and power supply. It consists of natural gas, solar wind, fuel cells and energy efficiency. This is done because the diversity limits the risk from any single asset non-performance.

With the generation owned, DEMEC is fully weatherize to prevent those freeze outs that Texas experienced. The Beasley power station located in Smyrna, leading up to winter, has cold weather operation procedures and includes making sure and testing that the space heaters are functional and are put in place. All DEMEC-owned generation assets are fully winterized to prevent freeze-outs. Heaters are placed in the fuel oil heaters to make sure that fuel oil is warm and can flow and doesn't get cold and sludgy and hamper operations.

Ownership of power generation assets provides certainty and control and covers about 50% of DEMEC's generation. The other 50% is through market supply purchases, which are hedging the rest of the load. It is split amongst multiple suppliers at contracted for and known costs. That prevents any exposure to the market of higher prices as occurred in Texas.

Competitive markets necessitate prudent fuel and power hedging practices. That ensures overseeing and controlling any type of price volatility that could be experienced in gas, fuel, transmission, and supply.

DEMEC is Milford is works for its members to ensure those it remains successful as a utility. The City of Milford plays an active role by ensuring its rates are stable and that the electric is stable for its customers.

Milford has responsibilities as well. Prudent tree trimming to minimizes downed power lines due to tree damage from a storm. Regular inspections of the grid and related equipment helps identify potential issues before they cause an outage. Timely and scheduled maintenance and infrastructure upgrades to replace equipment before it fails. Testing of systems and substations ensures substations operate as expected.

When Milford approves capital improvements for its utilities, all plays into how well your infrastructure is going to handle things. Keeping it up to date and current helps in time of need or when a customer needs it. Another issue is how fast Milford can get their electric back on if there is an outage. Being part of a joint action agency like DMAC provides collaboration with like-minded utilities in Delaware for access to economies of scale, not only for power purchases, but for other services and programs.

Training is provided on best practices and innovative technologies. DMEC represents the communities on the legislative arena for the State and Federal level to protect that your pricing is in place and not seeing prices increase arbitrarily. DEMEC handles financing and development of projects to ensure that infrastructure is current if a member is unable to fund it themselves.

DEMEC information shares and there is technical development and program evaluations can help. DEMEC and its members all play a role to make sure that electric is reliable and cost effective. It is partnership of all members and now just Milford and its City Council.

Like mentioned earlier, nothing is 100% reliable. Things can happen and Mother Nature has a mind of her own. Milford is on the east coast and has been very fortunate by dodging from some pretty big hurricanes. It is not if it happens, but when it will happen and there is a need to be prepared beyond that. When Mother Nature cannot be controlled, Ms. Schlichting has been working with mutual aid through DEMEC since she started in 2003. In 2005, DEMC entered into the FEMA mutual aid agreement. Those agreements are very important, because when Milford sends a crew to help others in a mutual aid response, it shows that if declared a natural disaster or emergency area eligible for FEMA funding, this agreement being executed shows that you have not only sent your crews out on a philanthropic good nature endeavor, but you hope to be paid back and reimbursed for the cost that the City is incurring to send that mutual aid help out.

Though originally signed in 2005, they have been updated through the years to show FEMA that we have that long standing commitment to help, but the expectation to be reimbursed for those costs.

On the State level, all DEMEC members have long standing commitments to support and help each other and time of need. This really became evident during Sandy in 2012 the City of Lewes and asked if its members would be available to assist, they quickly realized they did not have to depend on each other, but look outside of the State and consider more the regional and national level to bring in resources to assist.

DEMEC is a member of the APPA (American Public Power Association), which is the national association for public power and Ms. Schlichting sits on their board of directors and also as the network coordinator for mutual aid for the State of Delaware. She has actually worked with them when Milford had responded to the call for help to send crews down to New Smyrna Beach in Florida in 2019. DEMEC coordinated recruits from out of State to help the City of Dover when hit this past summer with a tornado that was a result of a hurricane that came through here.

DEMEC remains very active in making sure that we participate in national and regional exercises, to ensure that we can not only help shuffle members within Delaware, but to bring resources in from out of State to help if needed.

She concluded by thanking Council for providing crews over the years to help other communities who are need and are really grateful and appreciative when they see those trucks entering their towns.

The Council Workshop concluded at 7:29 p.m.

Respectfully submitted,

Terri K. Hudson, MMC  
City Clerk/Recorder

Milford City Council  
*MEETING MINUTES*  
May 10, 2021

The City Council of the City of Milford convened their regular meeting by way of video conferencing on Monday, May 10, 2021. The meeting was available for public view and participation as permitted.

PRESIDING: Mayor Archie Campbell

IN ATTENDANCE: Councilmembers Daniel Marabello, Mike Boyle, Andrew Fulton, Todd Culotta, Brian Baer, Douglas Morrow, Jason James Sr. and Katrina Wilson

ALSO: City Manager Mark Whitfield and Police Chief Kenneth Brown

COUNSEL: Solicitor David Rutt, Esquire

In an effort to adhere to social distancing protocols and best practices imposed by Governor John Carney's State of Emergency Declaration effective March 13, 2020, the City of Milford has canceled all public gatherings until further notice. See May 10, 2021 Council Meeting agenda and packet for additional information.

#### CALL TO ORDER

Mayor Campbell called the meeting to order at 7:31 p.m.

#### INVOCATION AND PLEDGE

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

#### APPROVAL OF PREVIOUS MINUTES

Included in the packet were minutes from the January 8, 2021 and January 22, 2021 Council Workshops and Meetings. Motion made to approve by Councilmember Boyle, seconded by Councilmember Fulton. Motion carried.

#### RECOGNITION

##### *City Employee Introduction*

City Manager Whitfield introduced Sara Pletcher who was hired as the City's Economic and Community Engagement Administrator. She has an extensive marketing background and he is happy to have her on board.

She started her second week and during her first week spent a great deal of time working and consolidating several social media sites and cleaning up a number of website issues.

Ms. Pletcher then thanked Mayor and Council for their foresight in funding the position and she sees a great deal of potential this position can bring the city and the community at large.

##### *Proclamation 2021-05/National Public Works Week/May 17-21, 2021*

Public Works Director Mike Svaby presented the proclamation and acknowledged High School Co-Op Student Jose Perez who took great effort over the over the past few weeks putting together a video to recognize the terms of

service of all Public Works employees. Included were captions about their time and what their particular contribution is to the overall department and this city government.

#### National Public Works Week

WHEREAS, Public Works projects, facilities, and infrastructure are vital to the City of Milford's continued growth and economic success, supporting job creation across the City and promoting development in transportation, education, public safety and other sectors that are essential to building livable neighborhoods and communities; and

WHEREAS, the City of Milford's dedicated Public Works professionals are responsible for planning, designing, building, and operating Public Works facilities and services including water treatment and supply, solid waste collection and disposal, electricity distribution, drivable and safe road conditions and other essential Public Works activities that are critical to residents and visitors of this City; and

WHEREAS, the history of the City of Milford has been shaped in profound ways by Public Works projects in its infrastructure; and

WHEREAS, this year marks the 61st annual commemoration of National Public Works Week sponsored by the American Public Works Association, which continues to promote an understanding of and appreciation for the role Public Works projects play in sustaining economic growth and vitality; and

WHEREAS, the Mayor and City Council of the City of Milford Delaware recognize the contributions of Public Works professionals in the City and extends sincere appreciation for their commitment to excellence in their efforts to improve and enhance the health, safety, welfare, and prosperity of the City's residents.

NOW, THEREFORE, I, Arthur J. Campbell, Mayor of the City of Milford, Delaware, do hereby proclaim the week of May 16-23, 2021, to be

#### NATIONAL PUBLIC WORKS WEEK

in the City of Milford, Delaware and urge all citizens to pay tribute to our public works professionals, engineers, managers and employees by recognizing the substantial contributions they make to protecting our national health, safety, and quality of life.

He hopes it will be posted on the City website tomorrow for everyone to check out.

#### *Proclamation 2021-07/National Kids to Parks Day/May 15, 2021*

City Manager Whitfield presented the following proclamation after which P&R Director Brad Dennehy commented it is great to see kids back in the parks, particularly with the spring programs that have been a tremendous success this year. He looks forward to more events as the year progresses.

#### National Kids to Parks Day

WHEREAS, May 15, 2021, is the eleventh Kids to Parks Day organized and launched by the National Park Trust held annually on the third Saturday of May; and

WHEREAS, Kids to Parks Day empowers kids and encourages families to get outdoors and visit local parks, public lands, and waters; and

WHEREAS, we should encourage children to lead a more active lifestyle to combat issues of childhood obesity, diabetes, hypertension, and hypercholesterolemia; and

WHEREAS, Kids to Parks Day will broaden children's appreciation for nature and outdoors; and

WHEREAS, Kids to Parks Day will recognize the importance of recreating responsibly while enjoying the benefits of the outdoors; and

NOW, THEREFORE, I, Arthur J. Campbell, Mayor of the City of Milford, Delaware, do hereby proclaim May 15, 2021 to be

#### KIDS TO PARKS DAY

in the City of Milford, Delaware and encourage all citizens to acknowledge and celebrate the valuable contributions local parks make to our quality of life.

#### *Proclamation 2021-09/Economic Development Week/May 9-14, 2021*

City Manager again acknowledged the new Economic Development Coordinator adding he is very excited to see the results of her employment over the next few months. He then presented the related proclamation:

#### Economic Development Week

WHEREAS, economic developers promote economic well-being and quality of life for their communities by creating, retaining, and expanding jobs that facilitate growth, enhance wealth, and provide a stable tax base; and

WHEREAS, economic developers stimulate and incubate entrepreneurship in order to help establish the next generation of new businesses, which is the hallmark of the American economy; and

WHEREAS, economic developers are engaged in a wide variety of settings including rural and urban, local, state, provincial, and federal governments, public-private partnerships, chambers of commerce, universities, and a variety of other institutions; and

WHEREAS, economic developers attract and retain high-quality jobs, develop vibrant communities, and improve the quality of life in their regions; and

WHEREAS, economic developers work with passion and dedication here in the City of Milford, Delaware; and

NOW, THEREFORE, I, Arthur J. Campbell, Mayor of the City of Milford, Delaware, do hereby proclaim May 9 to 15, 2021 as "National Economic Development Week" and recognize the contributions of our community economic development staff and partners, including Downtown Milford, Inc. and the Chamber of Commerce for Greater Milford, and remind community members and business persons of the importance of this community celebration that supports expanding career opportunities and improving quality of life.

#### STAFF REPORTS

##### *Monthly Police Chief Report*

On behalf of Chief Brown, Police Chair Boyle read the report into the record. Report was included in the packet.

##### *Monthly City Manager Report*

City Manager Whitfield referenced his monthly reporting and spoke on a couple of items:

- Lou and I have been working with DEMEC on the refinancing of DEMEC bonds. The City owns 17% of DEMEC, and is one of the top 3 electric consumers.
- Staff submitted budget requests for the 2022 Operating Budget. I continue to work with Lou and Sandra in finalizing the budget for Council's review.
- Rob, David Rutt and I have been dealing with a landlocked piece of property off of Masten Circle that is up for monitions sale. The owners have agreed to deed the property over to the City as long as it does not cost anything

to them. The City paid the delinquent County Real Estate Taxes to avoid the monitions sale. The property is adjacent to a storm water pond we maintain, and is also adjacent to the solar farm property.

- We expect to receive information on spending criteria for the City's allocation of the American Rescue Plan by May 10. We are projected to receive about \$5.98 million.
- Another electric lineman resigned this month, bringing the total loss to 4 linemen over the past 7 months as well as our electric superintendent. Obviously, we are concerned about staffing moving forward. Mike Svaby has contacted private electric distribution companies to assist us if necessary. All new infrastructure work within new developments has been contracted out.
- Dale Matthews began this month as the City's IT Director.
- Rob, David Rutt and I met with Sussex County Conservation District and the developers of West Shores to devise a plan for storm water pond remediation as well as provide a means for the building to close on homes.
- We met with the Little League to provide additional lighting at the Little League field.
- Jamesha, Lou and I did extensive research and cost analysis of take-home police vehicles.
- The Chief, Jamesha and I continue to negotiate with the Police union for a new contract.
- Mike Svaby and I met with DBF on various communication issues.
- We interviewed 2 candidates for the ICMA Fellowship Program. We will partner with Lewes for the program.
- Rob and I met with the Milford Museum Board regarding a few needs they have moving forward.

### *Public Works Department*

Director Public Works Svaby reviewed highlights of his monthly report:

#### Director's Office

- Worked with Human Resources to interview an Electric Superintendent candidate
- Closed RFP for Construction Management/Agency Advisor Services on the PD Building Project
- Closed all ADA survey activity toward beginning of a draft Transition Plan.
- Represented the City of Milford at Kent County Sewer Advisory Committee meeting.
- Began work on Key Accounts management survey to be used as talking points when visits to key account holders begin later this month
- Worked with HR to conduct research on staffing and compensation levels of our DEMEC peers for Electric Section.

#### Electrical/Technical Services Division

- Successfully installed 4-inch mag-meter in the Windward on the River Development
- Built and installed new SCADA RTU for the Windward on the River pump station
- Installed 4-inch meter with 4-20 mA output on Well 4 to show flow on SCADA
- Replaced voltage regulator on 150 circuit C phase and programmed regulator controller
- Installed instrument rated metering at new United Church.

#### Public Services Division

##### Streets/Utilities Section

- Completed Ward 4 - line flushing;
- Policed, and swept parking lots at Park Place, Arenas, Bicentennial, Peninsula, Franklin, City Hall, and Goat Island Dog Park;
- Parallel parking painted on N. Walnut and North side of NE Front;
- Repaired separate water leaks at 707 N. Washington and 703 N. Washington;
- Replace and rebuild fire hydrant on rt 14 that was hit by vehicle on 4/14/21;
- Replace and rebuild fire hydrant at Mispillion Apartments;
- Cleaned trees and vines away from 6 manholes in Brookstone Trace to Old Shawnee Rd

##### Water/Sewer Section

- Pulled and cleared AmericInn pump on Monday, 4/19, clogged with rags.
- Replaced the Tenth Street Pump Station flow valve.
- Treated all Water Treatment and Sanitary Pump Stations with seasonal herbicide.
- Replaced Chlorine pump at Kenton's Treatment plant – (Wells 4 & 5)

#### Facilities and Solid Waste Section

- Yard Waste tonnage has begun increasing up over the last few weeks, from 5 tons in February to 35 tons in March.
- The section conducted a field audit of containers for replacements and new RFID tags.
- Waterproofing Project for Customer Service is completed.
- City Hall Basement Fit-out Phase 2 bid has been awarded to several different trade contractors through EdiS.
- LED project for interior buildings almost complete with the exception of a final installations.

#### Engineering Division

- Completed preconstruction requirements and received first two-week construction schedule for Mispillion Group
- Put out the boys and Girls Club Parking Lot seal coating to bid and held the pre-bid meeting
- Put out the 2020 Streets Utilities for construction bid.
- Reviewed as-builts and field conditions for Windward on the River Pump Station and cleared the first CO for issuance
- Completed first draft revisions to the general section of the Standard Construction Specifications

#### Operations Division

- Updated vehicle replacement schedule to include details from Parks and Rec.
- Set up installs for addition GIS terminal stations at PW
- Posted numerous captions on the City website regarding procurement solicitations, project updates and hearing notices and removed them down in a timely manner.
- Began exploration of next generation GIS vehicle tracking software that will integrate with the City's fuel system.

#### *Planning Department*

Director Pierce drew attention to a couple items that have occurred through the first four months of 2021:

- Through the first quarter of the 2021 calendar year, the City issued 72 new residential construction permits. The total construction investment in Milford from January through the end of April based on issued building permits was \$16,397,201.
- The City of Milford has seen 83 projects with a committed investment of over \$22.8 million within the Downtown Development District (DDD) area since September 2016 (based on permit valuations from submitted applications). The State of Delaware has committed or awarded over \$2.67 million in grant funds for both large and small commercial and residential projects in Milford. The City has waived over \$370,000 in permit fees and taxes associated with these projects in accordance with Chapter 19 Economic Development and Redevelopment and DDD program guidelines.
- The Planning Commission and City Council will review three land use applications, one final site plan extension request and a zoning code amendment during the month of May. The land use applications include a change of zone for K&G Associates along Polk Avenue, a conditional use application for Avery Properties, LLC at the corner of SE Front Street and S. Walnut Street and a conditional use preliminary site plan for the Food Bank within the Independence Commons Business Park.
- The Planning Commission has begun reviewing Chapter 230 Zoning and Chapter 200 Subdivision of Land in an effort to address the goals and recommendations from the 2018 Comprehensive Plan, reduce the number of potential Board of Adjustment applications, provide clarity on ambiguous language and modernize portions of the ordinances. The Planning Commission began reviewing the uses of each zoning district at the March meeting and will continue to review the Use and Area Regulations and Open Space requirements at the May meeting. Additional workshops will be needed in the upcoming months to review definitions and Chapter 200 Subdivision of Land general design requirements. The workshops will be held prior to each Planning Commission regular meeting over the next few months with the intent of having final edits for consideration by the end of the Summer.
- The Board of Adjustment will review five variance applications. These include an oversized commercial accessory building on Route 14, an oversized residential accessory building on S. Walnut Street, a density variance associated with the conditional use application for Avery Properties, LLC at the corner of SE Front

Street and S. Walnut Street, a side yard setback variance for a residential dwelling and a lot width variance for a residential minor subdivision on Lakeview Avenue.

- During the month of April, the City completed the preliminary site plan review for the Food Bank, preliminary major subdivision review for revised plans for Wickersham, final major subdivision review for Knight Crossing – Phase I, final major subdivision review for Knight Crossing – Phase 2A, a Utility Feasibility Study for Hall Distributors, LLC on Route 14, and final site plan review for Mispillion Landing.
- Century Engineering, DeIDOT and Planning Staff continue to work on updating the Bicycle Master Plan. A list of projects has been developed by the team and DeIDOT has completed the project prioritization using State bicycle plan criteria. A third public workshop will be held on May 11th from 6:30 pm to 8:00 pm to review the project prioritization process with the public.
- Staff attended the Downtown Milford, Inc. Economic Vitality committee meeting, Dover/Kent MPO TAC Committee meeting, and DPP Economic Development Partnership meeting.
- Met with representatives from DeIDOT, University of Delaware and Century Engineering regarding a proposed bike pop-up project that would temporarily install bi-directional bike lanes along Marshall Street this summer. The team is still working out the details but this would provide a temporary alignment for the public to utilize for a few weeks and provide feedback to the City and State. Marshall Street was identified as a preferred bicycle route in the City's Bicycle Master Plan update.
- Met with the Museum board to discuss the historic landmarks commission and historic preservation initiatives.
- Staff continues to work towards implementing the goals and objects of the 2018 Comprehensive Plan, SE Master Plan, Downtown Development District (DDD) application, Rivertown Rebirth Master Plan and Strategic Plan.

#### *Parks & Recreation Department*

P&R Director Brad Dennehy provided a brief synopsis of his monthly report:

- All City owned flower beds were mulched for the season.
- Tree limbs and brush were removed out of the Farmers market area. New natural mulch was installed at the Farmers market and Library locations. A plaque was installed for a longtime supporter of the Farmers market (Walter Hepford) on a park bench.
- Meeting was held with an irrigation contractor and a local plumbing firm to discuss replacing a large field hydrant at the TSM memorial park, and adding an additional section of irrigation at the Dog Park.
- A new tandem axle trailer was purchased for the Park maintenance crews, replacing a worn out larger 3 axle trailer.
- April 7th park crews began mowing grass for the season at City owned property.
- Sports fields at TSM Park were prepared for the season, including the cutting of grass, lining of field and placement of goals.
- The bathrooms at TSM were prepared and opened up for the season.
- A new small Kubota tractor was purchased which includes a rotary cutting deck and hydraulic bucket. This was to replace a very old Ford Tractor and will be used for cutting large areas of grass and moving mulch, soil, etc.
- A number of tree limbs were removed from the little league fields. All fields were prepped and cut for the opening day of Little League.
- A number of tree limbs and debris was removed from the area located beside Banneker Elementary school.
- Staff planned for the Milford Community Clean-up day, which included creating "zones", maps, meeting with elected officials, coordinating with other departments, agencies and other organizations. 130 people volunteered and 2,280 pounds of trash was collected on a Saturday morning.
- Park Superintendent attended the DFIT monthly safety meeting with other municipalities within the State.
- We have been running a very busy spring season with Outdoor Soccer, Field Hockey and Tennis each week.
- There is over 100 soccer players in our Saturday league, and 26 under 6 players who are in are Wednesday instructional clinic.
- We have a record high 26 field hockey players ages 7-14 every Sunday.
- For the first time in years- we are holding a 5-week tennis clinic that far surpasses our goal, with 16 players ranging from 7-14 and also 2 adults.
- Our head coaches, Ed Evans for Soccer, Heather Desiderio for Field Hockey, and Marty Godwin for Tennis are doing an excellent job of instructing. Various volunteers are also assisting, many are high school players who are giving back to the community as well as learning valuable lessons in leadership and coaching.

- We have finally obtained permits and permissions to hold our Summer Fun Club and are actively interviewing our summer staff. We are scheduling our camp and planning activities and trips. Summer fun club will be held June 28-July 30th for 5 successive weeks.
- Director and Park Superintendent attended two Chamber of Commerce meetings for the annual spring clean-up.
- Director worked with Rhiannon at Public works to update the vehicle and equipment list for Parks and Rec. in order to be in align with vehicle and equipment replacement needs.
- Director met with the Local Government Management fellowship candidate and participated in the wrap-up discussion.
- Director attended a weekly WIIN meeting, and a monthly WIIN meeting.
- Director met with more representatives of the Milford Rotary on sight at Marshall Pond and their monthly meeting was held at the pond. A brief update was given and a tour of the pond and surrounding area was conducted.

### *Human Resources Office*

HR Administrator Jamesha Eaddy presented her monthly review:

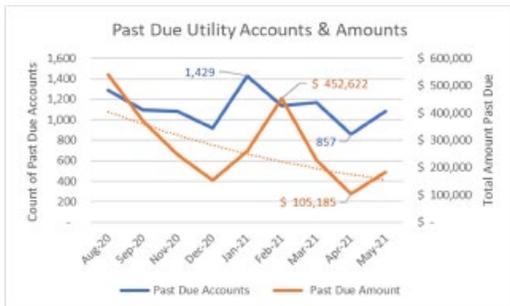
- Interviews were conducted for the positions of Engineering Intern, Milford School Based Learning (high school student), Electric Superintendent, Network Technician and ICMA Local Government Management Fellow.
- Phone screens were conducted for the position of Technical Support Specialist.
- Job offers were extended for the positions of Engineering Intern (2) and ICMA Local Government Management Fellow.
- Onboarded new hires for the position of Information Technology Director and Public Works Equipment Operator.
- Kick off began with Evergreen Solutions for the 2021 Job and Classification and Compensation Study.
- COVID-19: As of April 30, 2021, the City has 1 positive employee case.
- National Public Works Week: May 16-22, 2021. The City will celebrate National Public Works Week with Vanderwende's Ice Cream Truck on Friday, May 21, 2021 outside the Public Works Facility.
- Employee Recognition:
  1. Joan Swain, Customer Service Clerk: received the Rooster for her hard work and positive attitude in the workplace.
  2. Howard Willis, Code Enforcement Official II: Winner of the Where Am I Challenge.
  3. Katrina White, Deputy City Clerk: Received her Certified Municipal Clerks (CMC) Certification.
  4. Ralph Skinner, Parks Superintendent, Brad Dennehy, Parks and Recreation Director and Doreen Wrightsman, Administrative Assistant: Worked hard to ensure the 2021 Annual Community Cleanup event was a success. 2,880 pounds of trash was collected.
  5. Timothy Lord, Sergeant-Officer of the Quarter.

### *Finance Department*

Finance Director Lou Vitola provided the following staff report:

- Monthly Financial Reporting
  - The March 2021 Month-to-Date (MTD) and Fiscal Year-to-Date (YTD) Financial Reporting Package was distributed to Council with a narrative addressing financial results.
  - One significant change made in February (p. 3: P&L-style statement of revenue and expense) is highlighted again this month.
  - One change was made to the Restricted Cash Reserves Report (p. 2) in March: the enterprise fund Minimum Cash Reserve (MCR) and Equipment Replacement Reserve (ERR) target balances, while remaining the same in total, were reallocated to reflect the anticipated needs in the City's FY22-26 draft CIP plan. The ERR requirement was reduced, and the MCR requirement was increased by the offsetting amount. The change in proposed methodology is reflected in the revised draft of the Cash Reserve Policy, which is scheduled for review by the Finance and Public Works Committee on Monday, May 10.
- Capital Improvement Planning
  - The Fiscal Year 2022-2026 Capital Improvement Plan (CIP) development process concluded with Council workshops on April 12 and April 26, 2021, followed by a period of Council input through May 3, 2021.

- The input from Council was highly valued by staff in terms of our ability to finalize the CIP with confidence in its scope and project prioritization. The final draft of the document, which features a new ‘Part III’ section to capture City Council’s questions with staff comment, is published in the City Council Packet for the May 10, 2021 meeting.
- Operating Budget
  - The Fiscal Year 2022 Operating Budget process kicked off on Monday, March 1 with the distribution of spreadsheet templates, internal projections and guidance to department heads; we will work according to the following schedule, as modified:
    - □ March 24, 2021 – All worksheets and supporting documentation due to Sandra Peck
    - □ April – Review and update spreadsheets (Sandra/Lou/Mark)
    - □ April 12-16, 2021 – Supervisor meetings/questions (Mark/Lou/Sandra)
    - □ April 19 – May 10, 2021 – Finalize and prepare budget for presentation (Sandra/Lou/Mark)
    - □ May 11, 2021 – Draft FY22 Operating Budget to Clerk for distribution to City Council
    - □ May 17-20, 2021 – Evening budget workshops with City Council (two evenings)
    - □ June 7, 2021 – Final FY22 Budget distributed to City Council
    - □ June 14, 2021 – FY22 Budget adoption by City Council
    - Enterprise Resource Planning (ERP) Selection Process
      - The ERP Team and staff participated in software demonstrations in late February / early March
      - The project team compiled staff evaluations and incorporated reviews into the scoring model
      - The project team conducted five reference calls at the end of March and the first week of April
      - The evaluations and reference calls were reviewed in April; discussions related to the selection were expanded due to mixed / split scoring A final meeting was held the first week of May to generate a final schedule of questions and clarifications with each of the final two vendors to assist in the development of a software platform recommendation, though a clear selection has yet to emerge
- Billing & Customer Service Department
  - After suspending utility service interruptions from December 10, 2020 through January 28, 2021 due to reduced staffing levels and weather conditions, past due volumes approached levels consistent with the spike observed last spring resulting from statewide restrictions on utility disconnections. Staffing and conditions returned to normal in February and remained consistent through March, though staff was reduced by two full-time employees due to a lateral transition and a resignation. The graph at left exhibits past due accounts and balances since August 2020. We continue to monitor past due accounts carefully, offering extended payment plans, COVID-19 relief funds, and referrals to charitable resources



The 2020 tax levy was due September 30, 2020. The table below highlights past due property tax data since then. The formal monitions process kicked off in February and continued through April with assistance from Solicitor Rutt. Several properties against which the monitions proceedings began have paid in full, while several have initiated payment arrangements and at least one other sold at Kent County sheriff sale. We will continue to review the Department’s collection processes to encourage payment, improve the property tax collection rate and signal a standardized set of regular tax collection procedures. Note interim tax bills totaling \$34,189 generated in March are excluded from the table (see packet) to show balances and collections on a comparable basis.

The 2020 tax levy was due September 30, 2020. The table below highlights past due property tax data since then. The formal monitions process kicked off in February and continued through April with assistance from Solicitor Rutt. Several properties against which the monitions proceedings began have paid in full, while several have initiated payment arrangements and at least one other sold at Kent County sheriff sale. We will continue to review the Department’s collection processes to encourage payment, improve the property tax collection rate and signal a standardized set of regular tax collection procedures. Note interim tax bills totaling \$34,189 generated in March are excluded from the table (see packet) to show balances and collections on a comparable basis.

MONTHLY FINANCE REPORT

Finance Director Vitola continues with his financial summary through March 2021:

The March 2021 Month-to-Date and Fiscal Year-to-Date (YTD) Financial Reporting Package is enclosed for your review. The following executive summary highlights this month’s notable developments. One significant change was made to the report layout last month: a new page (p. 3) was inserted between pages 2 and 3 in the legacy report to summarize the YTD performance of the four enterprise funds in a “profit and loss” (P&L) or traditional income statement format.

- Pages 1-2: Cash and Reserve Balances
  - Cash and investment balances (page 1) remain strong through the first three quarters of the year, but the standard caution is that reserve requirements and funding commitments (page 2) encumber a significant portion of the balance in each fund, most notably the general fund, sewer fund, the Municipal Street Aid (MSA) fund and Realty Transfer Tax (RTT) fund.
  - The entirety of the disbursements made from the four major reserve accounts (page 2, lines 18-21) during March constitute investment management fees, though project activity picked up in March resulting in net operating cash outflows. The March and April project expenditures were reimbursed from reserve funds in April and will be reflected in the next Financial Report.
  - Impact fee collections and permit charges were strong for the second month in a row, representing a continuation of the above-average activity in residential and commercial construction. RTT receipts were higher than expected in March based on the levelized annual budget, though not as strong as February.
  - The draft Equipment Replacement Reserve (ERR) targets in the enterprise funds (p. 2, rows 14 & 26) were adjusted downward to reflect only the vehicle and equipment components of the draft FY22 CIP plan as opposed to the entire CIP. The difference in the ERR was shifted back to the draft Minimum Cash Requirement (MCR) targets in the enterprise funds (p. 2, rows 13 & 25) such that the sum of the MCR and ERR continue to match the total minimum cash requirement as established in the most recent Cost of Service (COS) studies. The adjustments made this month are encapsulated in the revised draft of the Cash Reserve Policies, which will be presented to the Finance and Public Works Committee on Monday, May 10.
  - New Page 3: Enterprise Funds – Statement of Revenue & Expenditures (P&L Style Statement)
  - The new presentation features a consolidated view of the YTD performance of the City’s four major enterprise funds using a “P&L” or income statement format readers may recognize more readily than the detailed revenue (p. 4) and expenditure (p. 5-9) reports that follow.
  - The statement was modeled after the presentation of the Proprietary Funds Statement of Revenues, Expenses and Changes in Net Position found in the City’s annual audited financial statements, though this monthly version excludes the internal service fund, certain non-operating revenue (such as impact fees and grants) and expense (such as depreciation expense), and consolidates operating expenses into two categories.
  - The presentation will be modified as needed based on feedback and the Finance Department’s plans to incorporate comparative data and non-financial operating data into the monthly report.
  - The City’s enterprise fund gross and operating margins through the first three quarters are slightly ahead of the YTD February margins, though net margin dipped by about -0.9% reflecting the progress made on the Front Street Sewer Line project.
- Page 4-9: Revenue & Expenditures
  - YTD general fund revenue as a percentage of the annual budget is more than 85%, but as always, the figure is skewed by the annual tax billing and the monthly recognition of reserves and transfers to match the budget. Adjusted for property tax billing, incoming transfers and reserve-funded initiatives, YTD general fund revenue is still a healthy 75.8% of the annual budget, while expenditures are being monitored closely.
  - Enterprise fund revenues likewise remain strong through March. After December’s light results, revenue rebounded in the third quarter to exceed the budget in all funds, pushing the YTD revenue variance ahead of the levelized revenue budget by 4.3%.
  - Total enterprise fund expenses were lower in March than February due almost entirely to lower wholesale power costs, which were partially offset by minor increases in sewer and electric fund O&M and capital expenditures. On a YTD basis, enterprise fund expenditures continue to track below the levelized budget.
  - The narrative through fiscal year 2021 continues to hold through the third quarter; the City’s controllable operating expenses and capital spending funded by current operations have been held deliberately low as long as possible. Necessary operating and capital expenditures deferred to the seasonal, project-friendly weather of the fourth quarter of the fiscal year have the potential to contribute to a reversal of the positive budget variance experienced throughout the first three quarters. n measuring under the levelized budgeted expenditures through the end of fiscal quarter three.

## COMMITTEE & WARD REPORTS

### *Annexation Committee*

Annexation/Lands belonging to Walter G. & Sharon A. Feindt, Trustees East side of South Rehoboth Boulevard, approximately .4 mile south/southeast of Delaware Route 36 Milford, DE 19963 Sussex County Tax Map 330 -

11.00-44.05, 330 -11.00-44.06 & 330 -11.00- 44.07 1.994 +/- Acres Current Zone: Agricultural Residential (AR-1)  
Proposed Zone: Community Neighborhood Commercial (C-1)

Chairman Marabello provided a brief synopsis of the request from Mr. and Mrs. Feindt for annexation of their property into the City. The committee, by a vote of 2-1, agreed that the annexation petition should proceed with the R-1 (low density residential) zoning instead of the C-1 (community neighborhood commercial) originally proposed.

Councilman Culotta expressed concerns about the removal of the commercial zoning, though Solicitor Rutt explained the final zoning category for the property will be determined by City Council following a public hearing at which time comment will be taken.

#### COMMUNICATIONS & CORRESPONDENCE

Mayor Campbell recognized HR Administrator Jamesha Eaddy for her participation at Milford High School's recent job fair.

#### UNFINISHED BUSINESS

##### *CIP Discussion/Adoption*

City Manager Whitfield reported that a number of changes were incorporated into the CIP based on recent comments from City Council. He reiterated this is only a planning document and not a budget item though it will be used to apply for grants and other funding through the State and Federal governments, and to formulate the City's operating budget. Though there is a large list of projects, not all will necessarily happen and changes will be made as projects are completed and/or removed.

Finance Director Vitola referenced part three of the CIP document which includes all of Councils' questions and answers, for additional clarification.

Councilman Fulton moved to adopt the Capital Improvement Plan as submitted, seconded by Councilman James. Motion carried with no one opposed.

#### NEW BUSINESS

Mayor Campbell introduced the following ordinances, followed by a generic summary of each by Director Pierce:

##### *Ordinance 2021-05*

Chapter 230/Zoning Code/District OC-1/Prohibitions Removed

##### *Ordinance 2021-06*

K&G Associates LLC for a Change of Zone from OB-1 (Office Building) to R-1 (Single Family Residential) on .29 +/- acres of land addressed as 302 Polk Avenue and located between Sussex Avenue and Kings Highway; the Owner/Applicant proposes to convert the former medical office into a single-family detached dwelling. Tax Map & Parcel 1-30-3.08-067.00

##### *Ordinance 2021-07*

Owners/Applicant Avery Properties, LLC submitted a Conditional Use petition to convert an existing commercial two-story structure at 27 South Walnut Street into four commercial tenant spaces and three residential apartments in a C-2 District (Central Business Zoning). Tax Parcel: 3-30-6.20-002.00

##### *Ordinance 2021-08*

Property Owner City of Milford on behalf of Applicant/Equitable Owner Food Bank of Delaware for a Conditional Use petition to allow non-profit operations that include a new 60,000 square-foot facility, educational outdoor garden space, and 3,000 square foot resource center on an 11.5 +/- acre site on Lot 4 in Independence Commons. Address: 102 Delaware Veterans Boulevard; Kent County Tax Parcel: MD-16-173.00-01-02.08-000

EXECUTIVE SESSION

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

*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*

Motion carried.

Mayor Campbell recessed the Council Meeting at 8:09 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 8:48 p.m.

*Police Personnel Matter*

*Legal Matter*

Councilmember Fulton moved to allow the City Manager to take action as was discussed in the Executive Session. Councilman James seconded motion that carried with no one opposed.

ADJOURNMENT

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

The Council Meeting adjourned at 8:51 p.m.

Respectfully submitted,

Terri K. Hudson, MMC  
City Clerk/Transcriptionist

Chamber of Commerce Riverfest Presentation

**Risk Management Leadership Award for Individuals  
For  
Jamesha Eaddy (City of Milford)**

Recognizing Jamesha Eaddy for her commitment to excellence in safety and risk management for the City of Milford, and for supporting the DeLea Founders Insurance Trust's (DFIT) goals and objectives.

Jamesha's performance includes:

- Actively participating in monthly DFIT Safety Committee meetings (demonstrating leadership to other members). Maintained 80% or better compliance for the past 3 years;
- Organizing and chairing the City of Milford's safety committee;
- Implementing safety incentive programs in the City and the use of safety suggestion boxes;
- Volunteering employees to present a 5-minute toolbox talk at the DFIT Safety Committee meetings;
- Hosting several Regional Seminars at Milford facilities for DFIT members to attend and requiring Milford employees to attend (i.e. Front Desk Safety & Security, ATSSA Certified Flagger, Opioid Exposure-Protecting Yourself from Drug Abusers, etc.);
- Creating a new Safety Manual for the City;
- Coordinating grant submissions for safety equipment and improvements such as AED kits and CPR barrier masks, etc.;
- Utilizing all of DFIT's computer based Risk Management resources (PMA Webservice, OSI Events, OnQ Safety, Zywave, Safety National SERVE and STS Programs);
- Initiating a City-wide computer based workstation Ergonomic Evaluation Assessment in 2016 (43 workstations) and 2019 (26 workstations);
- Inspiring other City employees to achieve safety success including RJ Skinner, Lendon "CC" Dennis, Billy Foxwell, Shawn O'Neil, etc.;
- Coordinating employee certifications in OSHA 10-hour, Pesticide Applicator, ATSSA Flagger, etc.;
- Volunteering at the Snow Plow Roadeo 3 years in a row (also practicing small equipment use so she can compete);
- Recognizing the City of Milford winners of the DFIT Snow Plow Roadeo; and
- Job shadowing employees during their day to familiarize herself with common issues and concerns they may encounter.

On the Claims side, she is described as "in constant communication with the injured workers and an asset as a contact always dependable and aware of any issues that arise. She is a pleasure to work with and definitely an asset on our end with claims!"

Jamesha is the "model" representative for DFIT. Terri and I wish there was a "Jamesha" in each municipality.



Risk Management Leadership Award

Presented to

**Jamesha Eaddy**

for her commitment to excellence  
in safety and risk management  
for the City of Milford,  
her coworkers, and for supporting the  
DeLea Founders Insurance Trust's (DFIT)  
goals and objectives.

2021

# City of Milford



## PROCLAMATION 2021-19 BREAST CANCER AWARENESS MONTH

WHEREAS, Breast Cancer is one of the most commonly diagnosed cancers among women and Breast Cancer Awareness Month began in 1985 as a partnership between the American Cancer Society and Imperial Chemical Industries Pharmaceuticals; and

WHEREAS, many organizations, including the American Cancer Society and Susan G. Komen for a Cure, hold community events promoting awareness and make contributions to raise funds for research providing progress in how breast cancer is diagnosed and treated; and

WHEREAS, in 2021, more than 281,550 new cases of breast cancer are expected to be diagnosed; and

WHEREAS, nearly 42,000 women die from breast cancer each year in the United States; and

WHEREAS, increased breast cancer screening increases early detection, reduces death, increases life expectancy, decreases late-stage cancer diagnoses, and increases five-year survival rates; and

WHEREAS, the Mayor of the City of Milford is committed to encouraging education and screening opportunities the residents in our community; and

WHEREAS, this is an opportunity for resident and employees in the City of Milford to Go Pink in October to raise awareness, promote early screening and honor those affected by breast cancer;

NOW THEREFORE, I, Arthur J. Campbell, Mayor of the City of Milford do hereby proclaim October 2021 as Breast Cancer Awareness Month in the City of Milford.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Milford to be affixed this 11<sup>th</sup> day of October in the Year of Our Lord, Two Thousand Twenty-One.

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Mayor Arthur J. Campbell

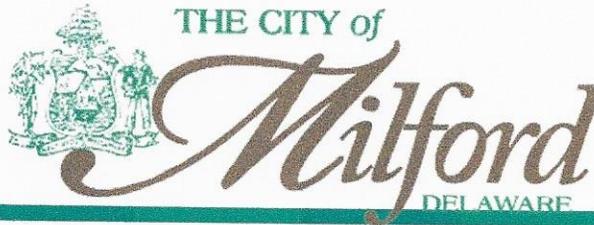
Attest:

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City Clerk Teresa K. Hudson



OFFICE OF THE CHIEF OF POLICE  
KENNETH L. BROWN  
kenneth.brown@cj.state.de.us



400 NE Front Street  
Milford Delaware 19963  
302.422.8081 Fax 302.424.2330

TO: Mayor and Members of City Council  
FROM: Kenneth L. Brown, Chief of Police   
DATE: October 7, 2021  
RE: Activity Report/September 2021

### **Monthly Stats:**

A total of 429 arrests were made by the Milford Police Department during September 2021. Of these arrests, 95 were for criminal offenses and 334 for traffic violations. Criminal offenses consisted of 28 felony and 67 misdemeanors. Traffic violations consisted of 59 Special Duty Radar, 5 Drunk-Driving charges, 277 others.

Police officers investigated 45 accidents during the month and issued 117 written reprimands. In addition, they responded to 1274 various complaints including city requests and other agency assistance.

### **Monthly Activities:**

Throughout the month of September, participated in numerous conference calls and virtual meetings including the monthly State, Kent and Sussex Chiefs meetings, DPCC Meeting, City Council and Workshop meetings, and the bi-weekly City Manager's Meeting with Department Heads.

Attended monthly Rural Subcommittee Diversion/Co-Responder Workgroup held via Zoom on September 2, 2021.

Met with Eric Buckson, Kent County Levy Court Commissioner, who presented the City of Milford Police Department with check for Kent County Levy Court Grant funds on September 3, 2021.

Attended Funds to Combat Violent Crimes (FCVC) Meeting held via Zoom on September 7, 2021.

Held Retirement Luncheon for Det/Sgt. Lord at Benvenuto Restaurant on September 9, 2021.

Worked Delaware Police Chief's Annual Golf Classic held at Maple Dale Country Club on September 10, 2021.

ThinkTech Intro meeting held via Zoom on September 13, 2021.

ThinkTec Demo held via Zoom on September 14, 2021.

Met with Mayor and City Manager in reference to Police Recruitment and Retention held via Zoom on September 15, 2021.

Contract Negotiations held via Zoom on September 16, 2021.

Attended SALLE/EIDE Amendment meeting held via Zoom on September 16, 2021.

Attended mandatory Sexual Harassment Training via Zoom on September 17, 2021.

Attended SLEAF meeting held at Dover PD on September 21, 2021.

Attended Brandywine Counseling & Community Services Board Meeting held via Zoom on September 21, 2021

Attended Delaware Police Accreditation Commission meeting via WebEx on September 21, 2021.

Met with Becker Morgan Group in reference to SD Estimate Review for new police facility held at the department on September 22, 2021.

Attended the Behavioral Health Crisis Care Task Force Committee Meeting held at Buena Vista in New Castle on September 23, 2021.

Met with Champions for Children's Mental Health Organization at the department on September 28, 2021. This is a non-profit organization dedicated to supporting parents and caregivers of children with mental and behavioral health challenges.

Met with Mayor and City Manager for an estimate review for the new police facility at City Hall on September 29, 2021.

Homeless Encampment Walk-thru on September 29, 2021.

### **Training** –

All employees have or are scheduled to complete In-Service training for “Sexual Harassment” via webinar. This mandatory training was scheduled by the COM Human Resource Office.

Two officers attended Street Cops Survival Training held in Rehoboth Beach on September 10, 2021.

### **SRO** –

Sgt. Masten, Sr./Cpl. Bloodsworth, and Jenna Haines attended the Riverwalk Freedom Festival along with members of our Volunteer Patrol. They set up a booth with a variety of giveaways and had a lot of great conversations with members of the community.

Sgt. Masten, Sr/Cpl. Bloodsworth, and Jenna Haines met with Dr. Brittany Hazzard who is the Supervisor of Equity and Support Services with the Milford School District. The group spoke about how we can collaborate with supporting families in need in our area.

Sgt. Masten assisted Milford Senior High School staff with an intruder drill. Under the Delaware Omnibus School Safety Act each Delaware school must perform two intruder drills each school year.

Sgt. Masten assisted with the completion of the required safety plans for each school in the City (with the exception of Benjamin Banneker Elementary which was completed by their school constable) and submitted them to the Delaware Emergency Management Comprehensive School Safety Program and is waiting for approval.

Sr./Cpl. Bloodsworth sang the National Anthem at Delaware Technical and Community College in Georgetown for the Red, White, and Blue 5K. This event raised funds to support scholarships for first responders.

Sgt. Masten assisted the Milford Central Academy with an evacuation drill they conducted.

### **K9 Unit –**

For the month of September 2021, the Milford Police Department K9 Unit had the following stats:

#### **K9-1 (Mason)**

- Building Search 2
- Drug/Money Sniff 7
- No Bite Apprehensions 1

<b><u>Seized Items</u></b>	<b><u>Amount</u></b>
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K9-2 (Audie) - Worked a limited work schedule due to promotion and canine being retired.

- Building Search 2
- Demo's 1

SEPTEMBER 2021 ACTIVITY REPORT

	SEP 2021	TOTAL 2021	SEP 2020	TOTAL 2020
COMPLAINTS	1274	10186	1392	8114
CRIMINAL ARRESTS	95	890	157	837
Felonies	28	153	21	135
Misdemeanors	67	737	136	666
TRAFFIC ARRESTS	334	2830	495	2008
Special Duty Radar	52	581	87	328
D.W.I.	5	67	9	44
Other	277	2182	399	1636
REPRIMANDS	117	833	175	653
ACCIDENTS	45	440	43	248
Fatal	0	1	0	1
PARKING SUMMONS	4	24	5	40
CRIME PREV. CHECKS	7	100	4	75
FINES RECEIVED	\$12,473.09	\$ 41,443.74	\$4,721.23	\$53,888.80





MARK A. WHITFIELD, CITY MANAGER  
201 South Walnut Street  
Milford, DE 19963

PHONE 302.422.1111  
FAX 302.424.3553  
www.cityofmilford.com

To: City Council and Mayor  
From: Mark A. Whitfield, City Manager  
Subject: September Monthly Report  
Date: October 7, 2021

- We had no issues with the remnants of Hurricane Ida. No calls for public works and electric.
- We received the preliminary data on the pay study. Jamesha and I are going over the recommendations this week.
- Sara and Melody have implemented the Community Grant Page for applications for ARPA money through the City.
- The City Hall basement project is wrapping up. All the flooring is in, cabinets are in, plumbing is connected. There are just a few loose ends to finish up before Jamesha, Melody and Sara move into their new offices.
- Mayor Campbell, Councilpersons James and Marabello, and I attended the DEMEC 27<sup>th</sup> Annual Gathering at the DEMEC facility in Smyrna. Additionally, I attended the Annual Meeting of the Board of Directors Reorganization Meeting.
- The KENT COUNTY = SUSSEX COUNTY plaques were ordered. The plaques will be installed on the planter box in front of the Santa House, designating the County Line.
- I have been in contact with Mark Chura from the Sussex County Land Trust regarding funding assistance for the purchase of open space/park lands.
- DELDOT has begun work on SE 2<sup>nd</sup> Street, starting with the installation of handicapped ramps. Paving is to be done by late fall.
- We received numerous complaints on the dimness of the ornamental street lights on Walnut Street downtown. After doing some investigating, it appears the lights must have taken a lightning strike at some point, and blew out several rows of the LED head in most of the fixtures. The lead time for replacements is 4 – 6 weeks.
- Melody, Sara, and I held a kick-off meeting with Polco, the company that will be doing the National Citizen Survey for Milford..
- Jamesha, Mayor, Chief Brown and I met to discuss police recruitment and retention strategies.
- Chief Brown, Jamesha and I participated in the police union negotiation session.
- Brad, Mike, Jamesha, Melody, Vince and I met to discuss the proposed Arborist position and recruitment.
- Our mechanic, Vince Waydelis was able to find a part to replace on our refuse truck, that we were told would be out of service for 2 months. Vince will make the repair himself and we expect to have the truck back on the road within a week.
- Traffic accidents played havoc with our electrical system on Wednesday evening, September 22. Around 5:15pm, an impaired driver hit and snapped the pole at Walnut and Jefferson (yes, it is the pole that set in the middle of the intersection), knocking out the power for most of downtown. Crews no sooner made a repair and restored power,

then a pole was hit along Milford-Harrington Highway and knocked out power again. Kudos for the crews for a quick resolution on both poles.

- The Mayor, Councilpersons James and Marabello (and wives) and I attended the Delaware League of Local Governments Banquet in Dover on September 23.
- The Mayor, Brad and I attended the monthly WIIN project meeting (with Slaughter Beach).
- We have finalized the Agreements of Sale for the Sharp property and Fry property.
- I met with a developer interested in the southeast portion of the city.
- Rob and I met with a landscape architect to complete design sketches of a possible greenway along Deep Branch.
- Mike, Lou, Chief Brown and I met with the Police Station architect and construction manager for an update on the design.
- I had a meeting with DEMA for a final review of the Emergency Operations Plan grant.
- Rob and I met with DELDOT and DBF engineers to discuss truck turning restriction in the downtown.
- Our phone system went down on September 28 in the afternoon. Thanks to Dale and Dehham, they worked through the evening Tuesday to get everything back up by Wednesday morning. We were unable to receive or make calls for most of Tuesday afternoon.
- We had two more resignations from the Electric Division. Presently we have 4 vacancies, with 5 employees remaining in Electric – 3 linemen and 2 ground techs.
- Rob, Sara, Melody and I visited the Pencader Industrial Park in Newark. It was truly a first class facility on 353 acres that is totally built out. Build out took about 15 years total. We were very impressed with the mixture of facilities, the attractiveness of the park, and the management of the buildings and park.
- We held a preliminary meeting with the school district to discuss a potential school facility impact fee.
- Sara and I met with Chamber of Commerce on Ecotourism in Milford.
- The Mayor, Chief Brown and I met to discuss take-home vehicles and the police station cost estimates.
- The Mayor, Chief Brown, Councilperson James, Mike Svaby, Lou Vitola and I met with RY Johnson and Becker Morgan to discuss cost estimates of the police station that now include more defined site plans (now that the site plan has been approved by Planning).
- New signs were placed at the entrance to the business park off of Airport Road.
- Covid still is playing havoc with our employees. We had 7 different employees out this month due to Covid issues.

TO: Mayor and City Council

THRU: Mark Whitfield, City Manager

FROM: Michael Svaby, Director, Public Works

DATE: October 7, 2021

RE: September 2021 - Public Works Department Staff Report

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The following input represents a high-level list of activities and accomplishments for the month of September, 2021.

### **Director's Office**

- Worked with ICMA Fellow Melody Barger to update Strategic Plan input;
- Joined Sara Pletcher and Lou Vitola in zoom meeting with US Cold Storage on key account review;
- Coordinated Annual APWA meeting in December for speaker guests;
- Attended DelDOT study meeting of East/West Truck Study.

### **Engineering Division**

- Prepped Construction bid for continued operations in annual Streets Project;
- Continued oversight of inspection at Milford Ponds for infrastructure.

### **Public Services Division**

#### **Solid Waste/Facilities Management Section**

- Had side loader arm mechanism replaced on one Solid Waste Truck, had turbo module replaced in 2<sup>nd</sup> Solid Waste Truck;
- Finalized City Hall basement fit out and coordinated carpet and paint choices for Public Water Building.

#### **Streets/ Utilities Section**

- Removed millings from McColley, Marshall and Mispillion Streets for Street project;
- Erected new signage for finished streets in Streets project;

- Supported Freedom Festival for Joseph for trash and recycle. Placed and returned all barricades, barrels, cones, and MOT signs to/from the PW yard.

### **Electric/Tech Services Division**

- Converted 670 N Dupont from Radio Read to AMI metering;
- Installed instrument-rated metering at Winward Clubhouse;
- Replaced potential transformer for solar farm metering at Del2 Substation;
- Installed 25 electric meter in at Winward Building G;
- Made primary line repairs at Jefferson/Walnut intersection and related outage;
- Made line repairs due to auto accident on Route 14 and related outages.

# BACKGROUND CHECK INFORMATION

## for City Council Candidates

Delaware State Police  
State Bureau of Identification  
Blue Hen Corporate Center  
600 Bay Road, Suite  
Dover, DE 19901

*Location is across the highway from the former Blue Hen Mall and Corporate Center. Turn onto Transportation Boulevard, proceed to*

### **Hours of operation are:**

- Monday through Friday/8:30 a.m. to 3:00 p.m.
- Closed daily from 11:30 a.m. to 12:30 p.m.
- Call (302) 739-5871 for more information

You must provide photo Identification, such as a valid driver's license or State ID. You do not need a social security card or a birth certificate.

A Criminal History Background Check is obtained through fingerprints. You will be fingerprinted on two different cards (state and federal).

***At this location, you will be required to pay the fee for:***

### **State and Federal Criminal Background Check: \$65.00**

*(Payment options are cash, credit or debit cards, certified checks, money orders, or company checks made out to Delaware State Police. They do not accept American Express or personal checks. NO PERSONAL CHECKS.)*

**You will be provided a federal fingerprint card which you must return to the City Clerk's Office along with your \$18.00 payment (see below).**

The City Clerk's Office will compile your packet, consisting of the Federal Fingerprint Card, your \$18.00 Payment and/or Credit Card Payment form (if applicable) and Applicant Information form. Both forms must be completed and signed by candidate.

We will then mail the completed packet on your behalf.

### **FBI Background Check      \$18.00**

*An \$18.00 fee must be mailed with the FBI fingerprint card. Payment options include money order, cashier check or credit card. If paying with a credit card, the credit card payment form must be completed and signed. If sending a cashier check or money order, it must be made payable to: Treasury of the United States*

An Applicant Information Form must also be completed and signed. This form allows the FBI to provide the City of Milford with your background results. The results will be sent directly to the City Clerk's Office, City of Milford, 201 South Walnut Street, Milford, DE 19963.

Please call 302-739-5871 (State Bureau of Identification) for additional information.

TO: Mayor and City Council

FROM: Rob Pierce, AICP - Planning Director

DATE: October 4, 2021

RE: September 2021 – Planning Department Staff Report

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- Through the first nine months of the 2021 calendar year, the City has issued 101 new residential construction permits and five permits for 120 apartment units. The total construction investment in Milford from January through the end of September based on issued building permits was \$34,212,597.
- The City of Milford has seen 107 projects with a committed investment of over \$24.1 million within the Downtown Development District (DDD) area since September 2016 (based on permit valuations from submitted applications). The State of Delaware has committed or awarded over \$2.61 million in grant funds for both large and small commercial and residential projects in Milford. The City has waived over \$478,000 in permit fees and taxes associated with these projects in accordance with Chapter 19 Economic Development and Redevelopment and DDD program guidelines.
- The Planning Commission will review draft language for a Wireless Facilities Ordinance at the October Planning Commission meeting.
- The Planning Commission has completed their review of Chapter 230 Zoning and Chapter 200 Subdivision of Land and their recommendations will be presented to City Council on October 25, 2021 in a workshop session. A summary of revisions along with the full draft will be provided to Councilmembers prior to the workshop.
- The Board of Adjustment will review three applications in October. One application involves the minor subdivision of a large residential lot on the 200 block of Truitt Avenue. The second and third applications involve the consolidation and minor subdivision of older industrial land located along both sides of McColley Street near McCoy Street.
- Century Engineering, DeIDOT and City planning staff will present the final draft bicycle master plan update to the Bicycle Advisory Committee on October 5<sup>th</sup> and will present the final draft to City Council on November 22<sup>nd</sup> in a workshop session. Staff anticipates having the updated plan approved by City Council before the end of the calendar year.
- The City provided review comments for the Westwood preliminary major subdivision application to the applicant and is awaiting response.
- The City provided review comments for the Cypress Hall final major subdivision application to the applicant and is awaiting response.
- The City received a preliminary site plan application for a fast food restaurant located at the site of the former Wendy's on N. Dupont Boulevard.
- Staff has begun research into updating the City's building code from the 2012 International Residential Code and 2012 International Building Code to the 2018 version. Staff anticipates having a proposed

update for City Council to review before the end of the year with the intent of starting January 1<sup>st</sup> with the updated code.

- Staff has been working to simplify the building permit application forms and developing supplemental information for residents and contractors performing work within City limits. Staff would like to switch to the new forms beginning January 1<sup>st</sup>.
- Staff attended the Chamber Economic Development Task Force meeting, Home Builder Association Nuts and Bolts Meeting, Lot 8 Independence Commons preconstruction meeting, Simpsons Crossing Phase 1B preconstruction meeting, and the Kent County East-West Truck Study public workshop.
- Staff continues to work towards implementing the goals and objects of the 2018 Comprehensive Plan, SE Master Plan, Downtown Development District (DDD) application, Rivertown Rebirth Master Plan and Strategic Plan (see below links).
  - [2018 Comprehensive Plan & SE Master Plan \(Click Here to View\)](#)
  - [Downtown Development District Plan \(Click Here to View\)](#)
  - [Rivertown Rebirth Master Plan \(Click Here to View\)](#)
  - [Strategic Plan – Press Play: Vision 2023 \(Click Here to View\)](#)

Case Activity:

	Total
New Cases	27
Closed Cases	26
Open Cases at Start of Period	326
Open Cases at End of Period	322

\*181 open cases are related to annual grass violations.

Violation Activity:

New Violations Cited	Total
Abandoned Vehicle	0
Dangerous Tree	4
Furniture Violation	2
Generic Violation	6
Property Maintenance Violation	4
Rubbish & Garbage	5
Weeds & Grass	5
Zoning Use Violation	1
<b>Total</b>	<b>27</b>

Rental Licenses Issued: 24

Vendor Licenses Issued: 0

Contractors Licenses Issued: 10

Business Licenses Issued: 1

Building Permits Issued:

Permits Issued by Type	Count
Commercial Demolition	1
Commercial Foundation	0
Commercial Building Permit	10
Construction Trailer	0
Residential Demolition	1
Residential Building New Construction	7
Residential Renovation/Accessory	8
Roof/Siding Permit	5
Sign Permit	2
Solar Panel Permit	1
Utility Permit	3
<b>Total</b>	<b>38</b>

Inspections Performed:

Inspections Performed by Type	Count
Footer	15
Foundation	4
Framing	22
Insulation	10
Final	173
Residential Rental	0
<b>Total</b>	<b>224</b>

PARKS & RECREATION DEPARTMENT  
207 Franklin Street  
Milford, DE 19963



PHONE 302.422.1104  
FAX 302.422.0409  
[www.cityofmilford.com](http://www.cityofmilford.com)

TO: Mayor and City Council

FROM: Brad Dennehy-Parks and Recreation Director

DATE: October 6th, 2021

RE: September – Parks and Recreation Staff Report

---

- September was a challenging month with staffing due to personnel either testing positive for Covid-19 or being exposed to the virus. This effected the department both in Park operations and Recreation.
- A number of volunteers from United Church worked on Goat Island for several hours on September 11<sup>th</sup>, cleaning and scrubbing the aluminum handrails and guardrails.
- An extensive cleanup of Bicentennial Park, Memorial Park and the river banks of the Mispillion occurred prior to the Freedom Festival.
- Preparations for the Freedom festival included park staff helping to construct stages, prepare the paddle boats, deliver tables and chairs, help install temporary fences, coordinate delivery of port-a-johns.
- Day of the Freedom festival park staff assisted the festival with setting up and taking down of barricades, placing additional trash cans throughout the festival and handling trash removal day of the event, helping to block streets for the fireworks and help trouble shoot any other issues that arose. Overall it was a successful event and good to see people back at an outdoor event in Milford.
- Recreation staff were busy in September prepping and maintaining sports fields, vetting, hiring and supervising coaches. In addition all participants had to be registered, tryouts were held for soccer and youth were fitted for uniforms.
- All sports started after Labor Day with Fall Soccer, Field Hockey and Flag football. There is a full schedule each week and weekend. There is a 6 and under developmental soccer program each Wednesday night learning the basics of soccer. For league play we have almost 80 players in ages eight and under, ten and under and thirteen and under. Practices are Wednesdays and Thursdays with games Saturday mornings.
- Flag football is at full capacity with boys and girls playing which is run at Marvel square fields by the Parks and Rec. office on Wednesday nights.
- Our Developmental field hockey program is broken down into beginner and intermediates and his held at the Milford High School on Sunday afternoons.
- A Parks and Recreation Advisory board meeting was held in person in September, which was attended by both the City Manager and the Parks and Rec. Director.

- A meeting was held with the City Manager, Public works Director, HR administrator, Electric Superintendent and the P&R Director to discuss the creation of a new arborist position.
- Director submitted an update to the ICMA fellow for the strategic plan update.
- Director submitted an additional ORPT grant to the DNREC to seek grant funding for memorial park improvements for recreation.
- Director continued weekly meetings with the WIIN coalition group, and a monthly meeting.
- Director met with residents at Fork Landing farm to discuss potential debris removal from the tributary which backs up to their development, and some other open space questions.
- Director met with members of DMI, the Economic Development and Community Engagement Administrator, and the ICMA fellow to discuss updating and standardizing the banners which get installed at various times of the year in the downtown.











HUMAN RESOURCES  
10 SE Second Street  
Milford, DE 19963

PHONE 302.424.5142  
FAX 302.424.5932  
www.cityofmilford.com

TO: Mayor and City Council  
FROM: Jamesha C. Williams, MBA, MSL- Human Resources Administrator  
DATE: October 6, 2021  
RE: September 2021 –Human Resources Department Staff Report

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- Interviews were conducted for the positions of Solid Waste Operator/Collector, Electric Line Technician and Audio-visual/Telecommunications Specialist.
- Onboarded new hires for the positions of Building Code Official (1) and Police Officer (5)
- Scheduled Adult and Pediatric First Aid/CPR/AED Training for City employees.
- Scheduled a Security Vulnerability Assessment with PMA Risk Control Services for November for Public Works, Customer Service, Finance, City Hall, Parks and Recreation, and Armory.
- 2021 Service Awards Event scheduled for October 8, 2021 at Public Works.
- Met with the Reward & Recognition Committee to finalize the plans for the 2021 Holiday Party.

- Employee Recognition:

1 Year:

Aline Check-Guzman-Police, Freddy Ellerbusch-Public Works, Mike Svaby-Public Works, Darryl Tilghman-Public Works, Lou Vitola-Finance

5 Years:

Kenneth Perry-Police, Jonathan Ricketts-Police, Dan Washinski-Police, Mark Whitfield-City Manager

10 Years:

Shawn Brittingham-Police

15 Years:

Shawn O'Neil-Public Works

20 Years:

Faith Argo-Finance, Ruth Barkley-Police

25 Years:

Victoria Sessoms-Police

1. Rooster: Lisa Levis, Permit Technician. Recognized for her great attitude and positive energy in the workplace.
2. Where Am I Challenge Winner: Mike Svaby, Public Works Director
3. Retirement effective January 1, 2022 for Gary Bailey with 32 years of service-Police

To: City Council and Mayor  
From: Sara Pletcher, Economic Development & Community Engagement Administrator  
Subject: September Monthly Report  
Date: Oct. 6, 2021

#### Economic Development

- Irish Rose is expanding into the storefront to their immediate left
- NextLevel Nutrition cut their ribbon in the Milford Airpark Plaza
- Henlopen Sea Salt visited two potential expansion locations in the Milford Business Park, including the two remaining vacant lots
- Attended the virtual Central Delaware Economic Summit featuring My Sister's Fault owners
- Attended quarterly CCGM Joint Economic Task Force meeting
- Attended Greater Milford Area Eco-tourism Meeting with special guest Danielle Swallow from WIIN; discussed ideas to bring tourism to the Mispillion River
- Toured NCC industrial park to generate ideas for the Fry Farm
- Working with Public Works to determine if our utilities could provide for a potential industrial park tenant
- Kay's Kitchen n Krafts – new business looking for space in Downtown Milford
- Submitted the Food Bank building for a KEP lead: Project Engine

#### Community Engagement

- Presented to DMI Board of Directors – how this role and DMI can collaborate
- Attended DMI Program Manager Search Committee meeting to interview round 2 applicants
- Attended National Citizen Survey (NCS) onboarding meeting
- Met with Public Works and ICMA Fellow to prep for Riverwalk Freedom Festival giveaways
- Met with Mispillion Art League representatives regarding a new mural for the side of their building
- Coordinated Milford employees to be represented in DEMEC's Public Power Week video
- Created formalized banner program in partnership with DMI
- Due to a delay in the City's third party bill printer, the Sept. utility bills and newsletter were not mailed to customers. The included Oct. newsletter is a revamp of the Sept. newsletter and included the Parade insert again.

#### Meetings/Trainings

- Joined Finance Director and Public Works Director for initial Key Account Program meeting with US Cold Storage
- Met with KEP partners and Planning Director to discuss universally needed code changes
- Attended monthly Public Utility Education Working Group meetings; topic: electric
- Setup and attended four SeeClickFix demonstrations/meetings with Customer Service Dept. and Public Works representatives. SeeClickFix is offered through CivicPlus and would allow citizens to report concerns through the website, social media and an app.
- Met with Troy Mix from UD's Institute of Public Administration regarding the City's ARPA funding plans

- Met with Finance Director and Public Works Director to review our Key Account Program progress to date
- Met with City Manager for monthly Manager Update
- Attended monthly SEDAC meeting; featured speaker: DeIDOT secretary
- Attended Hurricane Ida Recovery Briefing: Northeast/Mid-Atlantic
- Met with Slaughter Beach Town Manager
- Completed Adult and Pediatric First Aid/CPR/AED Training
- Watched Kent County East-West Truck Study Public Workshop Webinar

#### Social Media/Website

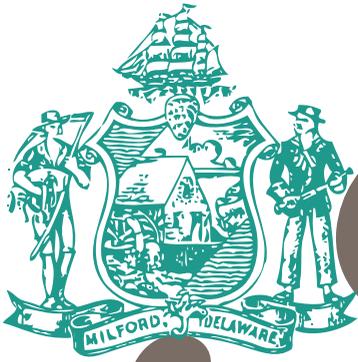
- September 2021 Insights:
  - City of Milford Facebook: 52 new likes (total: 2,263); 6,884 reached; 2,089 post engagement
  - Parks & Rec Facebook: 13 new likes (total: 2,466); 1,943 reached; 415 post engagement
  - Instagram: 69 new likes (total: 717); 743 accounts reached; 227 content interactions
  - Twitter: 4 tweets, 1,429 impressions, 795 profile visits, 3 mentions, 1,326 followers
  - Website: 17,540 visits (19,345 last month); 30,670 pageviews (45,063 last month)

#### Email Campaigns

- Sept. utility newsletter to customers who receive e-bills (3,452): 34.5% open
- Sept. business newsletter (audience: business license holders, 648): 62.8% open

#### Press Releases & Coverage

- City of Milford Announces Community Grant Program (Sept. 3)
  - DE State News: Milford announces Community Grant Program (Sept. 3)
  - Milford Live: City of Milford Announces Community Grant Program (Sept. 7)
  - DE Public Radio: City of Milford accepting applications for its Community Grant Program (Sept. 15)
- City of Milford hires Adell as new Electric Superintendent (Sept. 10)
  - Milford Live: City of Milford hires Adell as new Electric Superintendent (Sept. 13)
- American Police Hall of Fame and Museum honors MPD Sr. Corporal Timothy Webb (Sept. 23)
  - Milford Live: American Police Hall of Fame and Museum honors MPD Sr. Corporal Timothy Webb (Sept. 25)
  - 47ABC: Cpl. Webb honored with law enforcement purple heart award (Sept. 27)
  - WRDE: Master Corporal TJ Webb Receives Law Enforcement Purple Heart From American Police Hall Of Fame (Sept. 27)



# Milford

River Town • Art Town • Home Town

DELAWARE

## Pardon Our Delay

We apologize this bill and newsletter are arriving late and in black and white. Our bill printer is currently experiencing significant delays due to staffing shortages, so we've moved all bill printing in-house and we're waiving all late fees through the end of October. This will most likely be our solution for the next round of billing, so to alleviate our Customer Service staff, we'd appreciate your help - sign-up for e-payment notifications. You'll also be auto-enrolled to receive this newsletter on the first of each month directly to your inbox. Sign up here: <https://bit.ly/COMebills>

We've also taken this opportunity to give you October's information. If you wish to view the September newsletter, visit our website and you'll find it under Latest News.

## Oct. Community Happenings

- Every Saturday, 9am-1pm: Riverwalk Farmers Market
- Friday, Oct. 1, 10am: Get Free Art Kits! @ Riverwalk Farmers Market
- Sunday, Oct. 3, 12pm: Mispillion River Watershed Paddling Series
- Monday, Oct. 4, 5:30pm: MSD Referendum Community Meeting @ MMS Outdoor Track (see more dates on our website)
- Tuesday, Oct. 5, 3pm: Bicycle Advisory Committee Workshop
- Thursday, Oct. 7, 4:30pm: Mispillion River Watershed Paddling Series
- Saturday, Oct. 9, 12pm: Mispillion River Watershed Paddling Series
- Monday, Oct. 11, 7pm: City Council Meeting
- Wednesday, Oct. 20, 6:30pm: Community Parade
- Friday, Oct. 22, 5-8pm: Downtown Milford Trick-or-Treat
- Monday, Oct. 25, 7pm: City Council Meeting
- Saturday, Oct. 30, 9am: Under the Sea Costume Parade @ Bicentennial Park
- Sunday, Oct. 31, 5pm: City of Milford Trick-or-Treat

## Is Your Contact Info Current?

Make sure your contact information is current with our Customer Service Dept. We often find missing or inactive phone numbers and email addresses on our accounts. Keep in mind certain changes may require legal documentation. Changes must be in writing to [customerservice@milford-de.gov](mailto:customerservice@milford-de.gov).

## Is your right-of-way clear?

Property owners are responsible for the vegetation overhanging and/or within public rights-of-way adjacent to your property. Any vegetation hitting vehicles, pedestrians, etc. needs to be trimmed. Also, due to safety concerns, City ordinances prohibit playing of games such as street hockey, basketball, etc. upon public streets. Basketball hoops, hockey nets, etc. are not to be placed within the right-of-way, and should only be placed in private driveways at least 10' back.

## Trash Delays Expected

Due to significant staffing shortages, we're aware customers are experiencing delays in their trash service. When calling to report a delayed or missed collection, speaking with a customer service representative will not accelerate the pickup of your container. If your container has not been picked up by the end of the following business day, please report online at <https://www.cityofmilford.com/87/Solid-Waste>. We greatly appreciate your patience and understanding during these unprecedented times. The City of Milford is hiring! <http://cityofmilford.com/247/Job-Openings>



## Contact Us

302.422.6616  
[customerservice@milford-de.gov](mailto:customerservice@milford-de.gov)  
[www.cityofmilford.com](http://www.cityofmilford.com)



## Support the 2021 Milford Community Parade! "It's A Retro Halloween"

Milford's longest running family tradition marches on Walnut Street!

Keep the tradition alive. Your sponsorship of \$20, \$40, \$50 or more will help defray the cost associated with the Milford Community Parade. And now you can include your sponsorship in a **separate check** when you mail in your electric bill. We are honored to include all of our 2019 sponsors in our 2021 Sponsor family as well. If you missed out last year, this can be your year to be included. Help us add a Philadelphia String Band for 2021.

Here's how you can help us reach our goal of \$10,000 in sponsorships: Just write a check in the amount of your sponsorship to Milford Community Parades, Inc. and include the check in your electric bill with the bottom portion of this flyer. The City of Milford will forward your contribution to the Milford Parade Committee. Then join us on Walnut Street, Wednesday, October 20, 2021 at 6:30pm for "It's A Retro Halloween". We are on Facebook at Milford Parade for fun facts and updates. Download an entry form at [www.milfordparade.com](http://www.milfordparade.com). Thank you for your continued support.

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YES! Keep the tradition alive---

Please accept my  \$20  \$40  \$50  \$100 Campaign\*\*

**\*\*RECEIVE A YARD SIGN FOR YOUR YARD OR WINDOW!**

Sponsorship on behalf of

---

individual name / family name / company name

---

street address

---

city/state/zip

---

check #



Please return this bottom portion and separate check with your electric bill.



Date: October 1, 2021  
To: Mayor and City Council  
From: Dale Matthews, IT Director  
Re: September 2021 Information Technology Department Staff Report

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We hired Garrett Anderson for the Audio-visual Telecommunications Specialist position.

Below are updates for IT open projects:

- Security:
  - Cybersecurity training for all staff is underway. Once employees have completed the training, we can implement the remainder of our plan (test campaigns, additional awareness training, etc.)
  - We are talking to vendors about additional security testing with their applications.
  - We will be implementing improved authentication and access control practices and policies by the end of December. This will coincide with the completion of IT policies and procedures.
- M365 and Cloud:
  - All email accounts have been migrated to the cloud. We are moving to the next phase which includes moving all shared files to the cloud.
  - We are setting up a training portal for staff to get the latest training on the new Office 365 applications and tools.
  - We have begun the preliminary work required to consolidate the remaining physical servers into a hyperconverged infrastructure. As mentioned in the previous report, this project will be completed over the next 6 months.
- Council Chambers Upgrade:
  - We expect to start this project by early November and complete it by November 30.
- Policies and Procedures:
  - No changes: we are still on track for December 2021 completion.

To: Mayor and City Council  
From: Louis C. Vitola, Finance Director  
Date: October 10, 2021  
Re: September 2021 Finance Department Staff Report

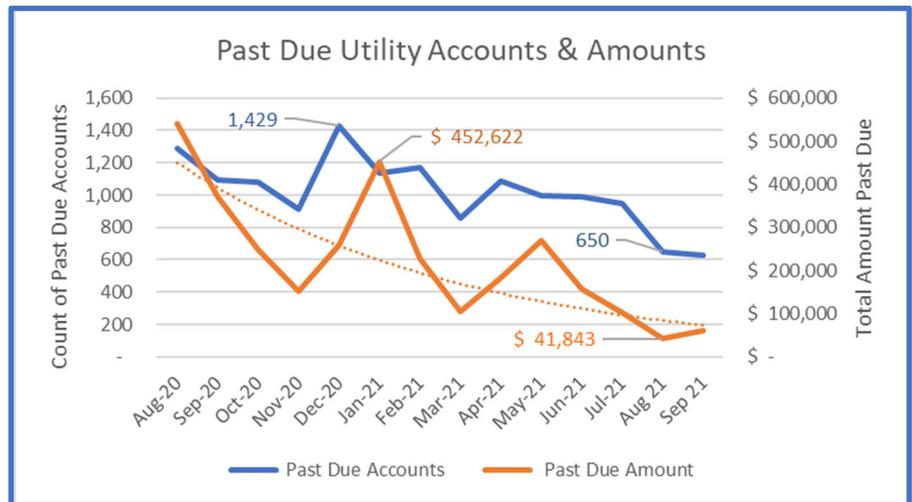
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- Monthly Financial Reporting
  - The second Financial Reporting Package of FY22 covering the first two months of FY21 was distributed to Council with a brief narrative addressing financial results.
  - Several changes were implemented in the report to kick off the fiscal year, most of which are consistent with feedback received at meetings of the Finance Committee and Council throughout FY21. The new content remains a “pilot” for review and can be improved with the continued and welcomed feedback loop.
- Training and other Improvement Efforts
  - The GFOA Investment Management Best Practices training was concluded in September prior to the timely review and revisions to the City’s Investment Management Policy
  - I continued to participate in the ongoing DEMEC line-worker steering committee and electric vehicle stakeholder group meetings during September.
  - I participated in two demonstrations of “SeeClickFix” software, which would allow residents to interface with City staff in a more efficient way to influence the resolution of inquiries and issues.
  - The Key Accounts program continued to gain momentum with another customer call, this time with US Cold Storage.
- Staffing
  - The City’s open payroll accountant position was recently advertised following an unsuccessful attempt to recruit a third-party contractor
  - As many as seven viable candidates will be interviewed from among 14 applicants
  - In the meantime, Sandra Peck continues to execute payroll processes, but the prolonged recruitment has significantly impacted the FY21 audit progress
  - One open position remains in the Customer Service division; the recruitment was initiated in June and remains in process; we may need to re-advertise for the position.
- Enterprise Resource Planning (ERP) Selection Process and Project Kickoff
  - The Tyler Technologies contract and statement of work are being circulated for signatures now following several weeks of review and negotiation
  - The Project Management consultant has been selected, paving the way for project kickoff in November. Staff will be informed about the project and what to expect in advance of the initial project meetings.
- Police Facility Project – Planning and Design
  - I met with representatives of PNC Bank in September to discuss the City’s interim financing needs. The Bank’s Counsel are drafting a Bond Anticipation Note (BAN), while the City’s Bond Counsel have drafted a resolution to authorize the issuance of the BAN. The documents should be ready for review and potential approval at the October 25, 2021 meeting of Council.
  - I participated in several meetings with the City’s design architects and construction management firm to gain an understanding of the first update to the project cost estimate in about a year; City

staff and consultants have a plan to develop a more confident estimate in parallel with the progression through the design process.

- **FY21 Audit Process**
  - Sandra Peck and I met again with the new audit team to discuss timing, deliverables and schedules.
  - Unfortunately, given the challenges in the Finance Department resulting from the loss of just one staff member (25% of 4 full-time team), we have fallen behind on the audit process and expect to present the City’s financials at the end of December this year.
- **Billing & Customer Service Department**
  - National Customer Service Week concluded on October 8, 2021; our customer service professionals were recognized and rewarded with a team lunch and other expressions of gratitude for all their hard work all year.
  - However, I do not believe the team was able to relish the celebration to any great extent:
    - The City’s uCentra (customer-facing) portal has been suffering outages almost daily for weeks; Dale and his team have been instrumental in troubleshooting and restoring service
    - The Customer Service phone system has likewise been out several times in the past month
    - The staffing levels are persistently impacted not only by the vacancies, but by daily staff shortfalls for a variety of reasons
    - The City’s print and mail vendor merged with a larger parent company, which is in the process of consolidating print centers, requiring the City’s mail operations to move to Atlanta, GA, where major staffing and inventory issues of their own has resulted in the firm’s inability to serve us, advise when our on-site bills will be folded, stuffed, printed and mailed, etc.
      - Customer outreach has been undertaken multiple times to advise residents of the status of their bills (which are now being manually printed, folded, stuffed and mailed locally).
      - Customers will not be charged late fees until the automatic billing process resumes.

○ The graph at right exhibits past due accounts and balances over the past year. I would like to thank the Customer Service team once again for their continued efforts in this difficult area, which is poised to rebound to higher figures thanks to the chaos created by the aforementioned print and mail disruption, which forces us to extend penalty-free grace periods. But until then, the figures remain strong through September.



To: Mayor and City Council  
Cc: Mark Whitfield, City Manager; Finance Department  
From: Louis C. Vitola, Finance Director  
Date: October 10, 2021  
Re: August 2021 Financial Reporting Package

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The second Financial Reporting Package of fiscal year 2022 (FY22) is enclosed for your review. The following executive summary highlights this month's notable developments and recaps last month's changes to the report:

- Page 1 – Line 22 features the establishment of the Solid Waste Fund Capital Reserve Account, made possible by Council's approval of the FY22 budget, which paved the way for seed funding in the account through forgiveness of the interfund loan extended by the Water Fund Capital Reserves
- Page 2 – Several changes and updates were made to the Restricted Cash Reserves Report
  - The MSA and RTT reserves were combined into one shared summary to make room for solid waste
  - Lines 3 and 17 were added to present the expected contributions and interest earnings in the (now five) capital reserve accounts
    - While less conservative, the addition provides a more realistic view of future funding availability
    - The addition puts the five reserve accounts at parity with the RTT and MSA presentation
  - Lines 12, 13, 24 and 25 feature updated MCR and ERR calculations for the new fiscal year pursuant to the recently-approved cash reserve policy
- Page 3 – The Enterprise Funds "P&L Style" Report features a new comparative column and four new rows
  - The rightmost column allows for a comparison of the current and prior FYTD periods by revenue and expense lines and subtotals
  - Rows 16 and 17 allow for a comparison of the current and prior FYTD periods net surplus by fund
  - Rows 18 and 19 allow for a comparison of the actual surplus and seasonalized budget surplus for the current FYTD period
- Page 4 – The General Fund "P&L Style" Report was created last month to complement the existing Enterprise Funds Revenue & Expenditure Report
  - The new statement presents the same general fund financial performance available in the legacy Revenue and Expenditure Reports in a one-page consolidated executive summary
  - The scaled, common-size columns at right match the prior year comparability goals featured in the Enterprise Fund version of the report, while also putting general fund revenues and expenses in context for the first time in the monthly financial reporting package
  - Rows 19 and 20 allow for a comparison of the current and prior year FYTD periods by major function
  - Rows 21 and 22 allow for a comparison of the actual surplus and seasonalized budget surplus for the current FYTD period
- Pages 5-8 – The Revenue Report (p. 5) and the Expenditure Report (p. 6-8) will continue to be produced indefinitely and will be referred to as the "legacy" revenue and expenditure reports

The August YTD results are more revealing than the July results alone, which weren't sufficient to draw meaningful insight to the year ahead. Property taxes were billed in August, accounting for 97.5% of the revenue budget, though the bulk of the cash receipts will be posted in September. Cash balances early in the year are stable, and capital spending remains light across most funds, especially for FY22 project approvals. With that said, sewer fund operating cash was consumed on higher-than-expected Kent County Sewer charges, the ongoing Front St sewer line replacement project and early debt service obligations. Operating expenditures remain below even the seasonalized budget across funds, which is not surprising given our well-documented and indiscriminating staffing challenges, whose only silver lining is manifested in the reported savings versus the budget. As expected, the timing-driven distribution losses pushing the electric fund into a rare deficit last month was almost completely reversed in August, restoring the fund to a positive margin. In fact, all four enterprise funds are stronger in terms of net surplus than both the FY22 YTD budget and the prior FYTD through August, with the exception of the electric fund vs the two months ended last August, when revenues were higher due to volume delivered and costs were lower due to standard distribution line losses.



Financial Reporting Package  
As of and For the Period Ended August 31, 2021

Cash & Investment Balance Rollforward  
Restricted Cash Reserves Report  
Enterprise Funds YTD Revenue & Expenditure Report  
General Fund YTD Revenue & Expenditure Report  
*Legacy* Revenue Report with MTD & YTD vs Annual Budget  
*Legacy* Expenditure Report with MTD & YTD vs Annual Budget  
*Legacy* Interservice Department Cost Allocation

City of Milford, Delaware  
Cash and Investment Balance<sup>1</sup> Rollforward  
For the Period Ended August 31, 2021

1 **Operating Cash Balances**

2	Description	Opening Balance (Jul 31, 2021)	Receipts	Interest Earned	Disbursements	Closing Balance (Aug 31, 2021)
3	General Fund	\$ 2,621,488	\$ 1,494,300	\$ 540	\$ (1,512,102)	\$ 2,604,226
4	Electric Fund	3,835,159	2,388,170	2,092	(2,380,525)	3,844,895
5	Water Fund	1,651,636	261,812	1,120	(234,882)	1,679,685
6	Sewer Fund	869,119	387,582	443	(771,775)	485,369
7	Solid Waste Fund	524,828	121,766	83	(100,279)	546,398
8	<b>Operating Cash Totals</b>	<b>\$ 9,502,230</b>	<b>\$ 4,653,630</b>	<b>\$ 4,277</b>	<b>\$ (4,999,564)</b>	<b>\$ 9,160,573</b>

9 **Federal, State and Other Special Purpose Cash Balances**

10	Description	Opening Balance (Jul 31, 2021)	Receipts <sup>5</sup>	Interest Earned	Disbursements <sup>2</sup>	Closing Balance (Aug 31, 2021)
11	General Improvement	\$ 292,757	\$ -	\$ 41	\$ (24,700)	\$ 268,098
12	Municipal Street Aid (MSA)	566,102	67,885	95	(9,390)	624,692
13	Realty Transfer Tax (RTT)	3,826,027	128,839	592	(33,333)	3,922,125
14	Economic Development	587,714	94,000	-	-	681,714
15	ARPA Grant Fund	3,166,946	-	-	(220,500)	2,946,446
16	<b>Special Purpose Cash Totals</b>	<b>\$ 8,439,547</b>	<b>\$ 290,724</b>	<b>\$ 728</b>	<b>\$ (287,923)</b>	<b>\$ 8,443,076</b>

17 **Reserve Fund Cash Balances<sup>1</sup>**

18	Description	Opening Balance (Jul 31, 2021)	Receipts <sup>5</sup>	Interest Earned	Disbursements <sup>3</sup>	Closing Balance (Aug 31, 2021)
19	General Fund Capital Reserves	\$ 1,784,947	\$ -	\$ 11	\$ -	\$ 1,784,957
20	Water Fund Capital Reserves	9,238,625	175,456	58	(188,803)	9,225,335
21	Sewer Fund Capital Reserves	3,906,104	11,342	26	(44,516)	3,872,955
22	Solid Waste Fund Capital Reserves	71,431	-	1	-	71,433
23	Electric Fund Capital Reserves	14,145,448	-	72	(77,694)	14,067,825
24	<b>Reserve Fund Cash Totals</b>	<b>\$ 29,146,554</b>	<b>\$ 186,798</b>	<b>\$ 167</b>	<b>\$ (311,013)</b>	<b>\$ 29,022,505</b>

25 **Impact Fees and Police/General Facilities Cash Balances**

26	Description	Opening Balance (Jul 31, 2021)	Receipts	Interest Earned	Disbursements <sup>4</sup>	Closing Balance (Aug 31, 2021)
27	Police & General Gov't Facilities	\$ 543,326	\$ 7,538	\$ -	\$ (40,707)	\$ 510,157
28	Carlisle Fire Co Permit Fund	507,821	2,513	-	(100,000)	410,334
29	Water Impact Fee Reserves	4,577,574	20,129	-	-	4,597,703
30	Sewer Impact Fee Reserves	2,630,019	10,634	-	-	2,640,654
31	Electric Impact Fee Reserves	1,047,790	7,800	-	-	1,055,590
32	<b>Impact Fees &amp; Police/GF Totals</b>	<b>\$ 9,306,531</b>	<b>\$ 48,614</b>	<b>\$ -</b>	<b>\$ (140,707)</b>	<b>\$ 9,214,437</b>

33	<b>Grand Totals</b>	<b>\$ 56,394,861</b>	<b>\$ 5,179,766</b>	<b>\$ 5,172</b>	<b>\$ (5,739,208)</b>	<b>\$ 55,840,591</b>
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34 <sup>1</sup>Balances are not indicative of funding availability; see enclosed Restricted Cash Reserves Report for reserve funding commitments

35 <sup>2</sup>Gen Improvement funding (line 11) applied to Boys & Girls Club Lot Paving (CTF grant reimbursable); RTT (line 13) used as budgeted for Police OpEx; ARPA funding (line 15) primarily supported the Mispillion St Group Utility Upgrade

36 <sup>3</sup>Disbursements from Water and Sewer Reserves (lines 20-21) include Front St Water & Sewer Line Projects; Disbursements from Electric Reserves (line 23) supported the ongoing Data Security project

37 <sup>4</sup>Disbursements from the Police/Gen and Carlisle Fire Co Reserves (lines 27-28) include the design contract for the new PD Facility and the Carlisle requested/Council-approved building upgrades, respectively

38 <sup>5</sup>Receipts include the DE MSA deposit (line 12), RTT receipts (line 13), proceeds from property sale (line 14), and ARPA project transfers (lines 20-21)

City of Milford, Delaware  
 Restricted Cash Reserves Report  
 As of August 31, 2021

General Fund Capital Reserves		Amount
Cash/Investment Balance (8/31/21)	\$	1,784,957
Expected Contributions & Interest		658,845
Restricted Funds:		
Vehicle & Equipment Replacement		(324,100)
Building Upgrades		(286,076)
Parking Enhancements		(200,000)
Parkland, Trails & Recreation		(681,595)
2020 Combined Utilities <sup>6</sup>		(22,396)
OpEx Support (Tax R/A & PD R/M)		(497,000)
Support Policy with RTT <sup>1</sup>		2,000,000
Draft Reserve (MCR) Policy <sup>2</sup>		(1,236,356)
Equipment Replacement Reserve <sup>2</sup>		(764,100)
<b>Uncommitted Reserve Balance</b>	<b>\$</b>	<b>432,180</b>

Electric Fund Capital Reserves		Amount
Cash/Investment Balance (8/31/21)	\$	13,970,825
Expected Contributions & Interest		2,000,169
Restricted Funds:		
Electric Vehicles & Equipment		(96,026)
Lighting & System Improvements		(593,628)
Traffic Signal Upgrades		(350,000)
Citywide Projects		(1,070,689)
Early Redemption of Bond (1/1/22)		(4,060,000)
Draft Reserve (MCR) Policy <sup>3</sup>		(6,345,238)
Equipment Replacement Reserve <sup>3</sup>		(85,400)
<b>Uncommitted Reserve Balance</b>	<b>\$</b>	<b>3,370,013</b>

Water Fund Capital Reserves		Amount
Cash/Investment Balance (8/31/21)	\$	9,225,335
Expected Contributions & Interest		608,357
Restricted Funds:		
Vehicle & Equipment Replacement		(201,953)
Streets 2020 Utility Engineering (Move		(122,765)
SE Second Street - Lead Gooseneck		(2,554)
Milford Business Campus		(6,500,000)
Draft Reserve (MCR) Policy <sup>3</sup>		(2,695,121)
Equipment Replacement Reserve <sup>3</sup>		(201,953)
<b>Uncommitted Reserve Balance</b>	<b>\$</b>	<b>109,346</b>

Solid Waste Reserves		Amount
Cash/Investment Balance (8/31/21)	\$	71,433
Expected Contributions & Interest		218,787
Restricted Funds:		
Draft Reserve (MCR) Policy <sup>4</sup>		(290,220)
Equipment Replacement Reserve <sup>4</sup>		(290,220)
<b>Uncommitted Reserve Balance</b>	<b>\$</b>	<b>-</b>

Sewer Fund Capital Reserves		Amount
Cash/Investment Balance (8/31/21)	\$	3,872,955
Expected Contributions & Interest		78,357
Restricted Funds:		
Sewer Vehicles & Equipment		(169,503)
Citywide Projects & Engineering		(29,256)
Utility Engineering		(231)
Draft Reserve (MCR) Policy <sup>3</sup>		(3,327,000)
Equipment Replacement Reserve <sup>3</sup>		(235,000)
<b>Uncommitted Reserve Balance</b>	<b>\$</b>	<b>190,322</b>

MSA & RTT Reserves		Amount
RTT Balance (8/31/21)		3,922,125
MSA Balance (8/31/21)		624,692
MSA & RTT Est Receipts thru FY22:		864,987
MSA: Street & Bridge Improvements		(415,958)
RTT: Transfer to Police Dept		(333,333)
RTT: Sidewalk Project Funding		(140,000)
MSA & RTT: Mispillion Street Group		(490,440)
MSA & RTT: 2020 Combined Utilities <sup>6</sup>		(407,566)
RTT: Support GF Policies <sup>1</sup>		(2,000,000)
RTT: Draft Reserve Policy <sup>5</sup>		(1,041,454)
<b>Uncommitted Reserve Balance</b>	<b>\$</b>	<b>583,052</b>

<sup>1</sup>Approved GF Reserve Policies permit support from an eligible funding source; portion of RTT balance pledged to support GF Reserves for foreseeable future  
<sup>2</sup>Approved GF Reserve Policies recommend MCR of 45 days OpEx & Equip Repl Res minimum of 110% of upcoming CIP budget  
<sup>3</sup>Approved Reserve Policies split Minimum Cash Req'd from COS study into new MCR & Equip Repl Reserve (20% of CIP)  
<sup>4</sup>Solid Waste Reserves initiated in FY22 with seed funding from interfund loan forgiveness. Through at least FY23, 100% of balance will be reserved for purchase of new vehicle per FY22-26 approved CIP  
<sup>5</sup>Approved Reserve Policies recommend dynamic MCR based on average of trailing-three-year RTT receipts  
<sup>6</sup>Pending Council Approval; based on staff review and recommendation following receipt of bid for 2020 Consolidated Utility and Street Upgrades

City of Milford, Delaware  
 Enterprise Funds: Statement of Revenues & Expenditures  
 For the YTD Period Ended August 31, 2021 vs Prior FYTD & Current Budget (in thousands)

Enterprise Funds Profit & Loss (P&L) Statement	Electric	Water	Sewer	Solid Waste	Total	FY22 Total <i>(as % of Rev)</i>	FY21 Total <i>(as % of Rev)</i>
1 Operating Revenue	\$ 4,571	\$ 531	\$ 833	\$ 241	\$ 6,177	100.0%	100.0%
2 Cost of Revenue <sup>1</sup>	(3,452)	(57)	(457)	(52)	(4,018)	-65.0%	-64.0%
3 <b>Gross Margin</b>	<b>1,119</b>	<b>475</b>	<b>376</b>	<b>189</b>	<b>2,159</b>	<b>35.0%</b>	<b>36.0%</b>
4 <b>Operating Expenses</b>							
5 Operations & Maintenance	(398)	(168)	(139)	(98)	(804)	-13.0%	-13.5%
6 Personnel	(125)	(45)	(44)	(31)	(246)	-4.0%	-3.4%
7 <b>Total Operating Expenses</b>	<b>(524)</b>	<b>(213)</b>	<b>(183)</b>	<b>(129)</b>	<b>(1,049)</b>	<b>-17.0%</b>	<b>-16.9%</b>
8 <b>Operating Income</b>	<b>\$ 596</b>	<b>\$ 261</b>	<b>\$ 193</b>	<b>\$ 60</b>	<b>\$ 1,110</b>	<b>18.0%</b>	<b>19.0%</b>
9 Non-Operating Revenue (Expense)	5	2	1	0	8	0.1%	0.1%
10 <b>Surplus (Deficit) for debt service &amp; capital</b>	<b>601</b>	<b>264</b>	<b>194</b>	<b>60</b>	<b>1,118</b>	<b>18.1%</b>	<b>19.1%</b>
11 Debt Service - Principal & Interest	-	(90)	(32)	-	(122)	-2.0%	-0.6%
12 Capital Spending / Contributions from (to) Reserves	(4)	-	(57)	-	(61)	-1.0%	-1.1%
13 <b>Surplus (deficit) available for transfers</b>	<b>596</b>	<b>174</b>	<b>104</b>	<b>60</b>	<b>935</b>	<b>15.1%</b>	<b>17.4%</b>
14 Transfers Out	(417)	(50)	-	-	(467)	-7.6%	-6.5%
15 <b>Net Surplus (Deficit) - FYTD through Aug 2021</b>	<b>\$ 180</b>	<b>\$ 124</b>	<b>\$ 104</b>	<b>\$ 60</b>	<b>\$ 468</b>	<b>7.6%</b>	<b>10.9%</b>
16 <b>Net Surplus (Deficit) - FYTD through Aug 2020</b>	<b>\$ 472</b>	<b>\$ 74</b>	<b>\$ 38</b>	<b>\$ (9)</b>	<b>\$ 575</b>	<b>10.9%</b>	
17 <b>Current vs Prior - Favorable (Unfavorable)</b>	<b>\$ (292)</b>	<b>\$ 50</b>	<b>\$ 66</b>	<b>\$ 69</b>	<b>\$ (107)</b>	<b>-3.3%</b>	
18 <b>Net Surplus (Deficit) - Current FYTD Budget</b>	<b>\$ 93</b>	<b>\$ 79</b>	<b>\$ 5</b>	<b>\$ 14</b>	<b>\$ 191</b>	<b>3.1%</b>	
19 <b>Current vs Budget - Favorable (Unfavorable)</b>	<b>\$ 87</b>	<b>\$ 45</b>	<b>\$ 99</b>	<b>\$ 46</b>	<b>\$ 277</b>	<b>4.5%</b>	

<sup>1</sup>Cost of Revenue reported in the electric fund reflects wholesale cost of power and serves as an ideal revenue offset to arrive at gross margin. Cost of revenue in the water, sewer and solid waste funds are estimated based on a limited set of known, direct inputs to the cost of providing the utility services billed. Aside from Kent County sewer treatment charges, costs of revenue in the water, sewer and solid waste funds are likely understated.

City of Milford, Delaware

General Fund: Statement of Revenues & Expenditures<sup>1</sup>

For the YTD Period Ended August 31, 2021 vs Prior FYTD & Current Budget (in thousands)

General Fund Sources and Uses of Funding	Admin & Council	Public Safety	Parks & Rec	Planning & All Other	Total	FY22 Total (as % of Rev)	FY21 Total <sup>3</sup> (as % of Rev)
<b>Sources of Funding:</b>							
Real Estate (Property) Taxes	\$ 4,660	\$ -	\$ -	\$ -	\$ 4,660	85.9%	77.6%
Permits, Licensing & Franchise Fees	31	-	-	40	71	1.3%	2.2%
Fines, Fees & Misc Revenue	4	15	-	-	19	0.4%	3.4%
<b>General Revenue Subtotal</b>	<b>4,695</b>	<b>15</b>	<b>0</b>	<b>40</b>	<b>4,750</b>	<b>87.6%</b>	<b>83.1%</b>
Utility Transfers & Cost Allocation	606	-	-	-	606	11.2%	10.7%
Grant Revenue	-	-	-	-	-	0.0%	1.5%
Application of Reserve Balances	-	67	-	-	67	1.2%	4.7%
<b>General Fund Operating Support</b>	<b>606</b>	<b>67</b>	<b>0</b>	<b>0</b>	<b>673</b>	<b>12.4%</b>	<b>16.9%</b>
<b>Total Sources of Funding</b>	<b>\$ 5,301</b>	<b>\$ 82</b>	<b>\$ -</b>	<b>\$ 40</b>	<b>\$ 5,423</b>	<b>100.0%</b>	<b>100.0%</b>
<b>Uses of Funding:</b>							
Operations & Maintenance	190	157	109	78	533	9.8%	20.2%
Personnel	170	608	61	88	928	17.1%	28.5%
<b>Total Operating Expenses<sup>2</sup></b>	<b>360</b>	<b>765</b>	<b>170</b>	<b>166</b>	<b>1,461</b>	<b>26.9%</b>	<b>48.8%</b>
<b>Surplus (Deficit) for Debt Svc &amp; Capital</b>	<b>\$ 4,941</b>	<b>\$ (683)</b>	<b>\$ (170)</b>	<b>\$ (126)</b>	<b>\$ 3,962</b>	<b>73.1%</b>	<b>51.2%</b>
Debt Service - Principal & Interest	-	-	-	-	-	0.0%	0.0%
Capital Spending / Transfers from (to) Reserves	-	-	-	-	-	0.0%	4.0%
<b>Net Surplus (Deficit) - FYTD through Aug 2021</b>	<b>\$ 4,941</b>	<b>\$ (683)</b>	<b>\$ (170)</b>	<b>\$ (126)</b>	<b>\$ 3,962</b>	<b>73.1%</b>	<b>47.2%</b>
<b>Net Surplus (Deficit) - FYTD through Aug 2020<sup>3</sup></b>	<b>\$ 3,559</b>	<b>\$ (505)</b>	<b>\$ (101)</b>	<b>\$ (378)</b>	<b>\$ 2,575</b>	<b>47.2%</b>	
<b>Current vs Prior - Favorable (Unfavorable)</b>	<b>\$ 1,383</b>	<b>\$ (178)</b>	<b>\$ (70)</b>	<b>\$ 252</b>	<b>\$ 1,387</b>	<b>25.8%</b>	
<b>Net Surplus (Deficit) - Current FYTD Budget<sup>4</sup></b>	<b>\$ 5,047</b>	<b>\$ (889)</b>	<b>\$ (163)</b>	<b>\$ (156)</b>	<b>\$ 3,839</b>	<b>71.0%</b>	
<b>Current vs Budget - Favorable (Unfavorable)</b>	<b>\$ (106)</b>	<b>\$ 205</b>	<b>\$ (7)</b>	<b>\$ 30</b>	<b>\$ 122</b>	<b>2.1%</b>	

<sup>1</sup>This Statement presents the same general fund financial performance available in the legacy Revenue and Expenditure Reports in a one-page consolidated executive summary. The common size reporting (two rightmost columns) benefits readers in two ways; first, each line is scaled with total revenue to add context, and second, the common size format is comparable across fiscal years and budgets. This report should be considered a working draft that will be improved over time to improve its usefulness to readers.

<sup>2</sup>The General Fund Operating Expenses totaling \$672 thousand reported in row 14 ties to the legacy expenditure report in row 58.

<sup>3</sup>This format enables readers to view the expenditures in the context of funding sources while comparing subtotals (rightmost column) and the net surplus (deficit) to the prior YTD period (rows 19 & 20)

City of Milford, Delaware  
 Revenue Report: MTD and YTD Actual vs Annual Budget  
 For the YTD Period Ended August 31, 2021

*16.7% of Year Elapsed*

Account / Function	FY'22 Budget, as Approved	MTD Actual	YTD Actual	YTD Actual as % of Annual Budget
<b>General Fund:</b>				
Economic Development Fund	\$ 105,860	\$ -	\$ -	0.0%
General Fund Reserves	1,967,500	-	-	0.0%
ARPA Funding - Operating Support	568,233	-	-	0.0%
Realty Transfer Tax - Police	400,000	33,334	66,667	16.7%
Real Estate Tax	4,770,043	4,615,045	4,659,843	97.7%
Business License	72,000	1,635	3,495	4.9%
Rental License	103,000	425	1,875	1.8%
Building Permits	316,300	12,107	15,047	4.8%
Planning & Zoning	52,200	16,200	17,100	32.8%
Grasscutting Revenue	16,000	1,333	2,667	16.7%
Police Revenues	431,500	7,806	14,911	3.5%
Misc. Revenues	418,111	14,909	34,200	8.2%
Transfers In	3,835,178	278,014	606,027	15.8%
<b>Total General Fund Revenue</b>	<b>\$ 13,055,925</b>	<b>\$ 4,980,808</b>	<b>\$ 5,421,832</b>	<b>41.5%</b>
<b>Enterprise Funds:</b>				
Water Fund Revenues	\$ 2,824,888	\$ 284,341	\$ 536,966	19.0%
Sewer Fund Revenues	2,893,047	251,352	469,689	16.2%
Kent County Sewer	1,974,629	197,155	363,823	18.4%
Solid Waste Fund Revenues	1,479,370	120,961	241,308	16.3%
Electric Fund Revenues	25,250,410	2,409,928	4,572,762	18.1%
<b>Total Enterprise Fund Revenue</b>	<b>\$ 34,422,344</b>	<b>\$ 3,263,737</b>	<b>\$ 6,184,548</b>	<b>18.0%</b>
Other Enterprise Expense	-	(9,971)	(20,682)	
Other Enterprise Revenue	-	5,450	9,355	
<b>Total General &amp; Enterprise Fund Revenue</b>	<b>\$ 47,478,269</b>	<b>\$ 8,240,024</b>	<b>\$ 11,595,053</b>	<b>24.4%</b>

City of Milford, Delaware  
Expenditure Report: MTD and YTD Actual vs Annual Budget  
For the YTD Period Ended August 31, 2021

*16.7% of Year Elapsed*

Fund / Account / Divisional Groupings	FY'22 Budget, as Approved	MTD Actual	YTD Actual	YTD Actual as % of Annual Budget	Unexpended Balance
<b>General Fund</b>					
<b>City Administration</b>					
Personnel	\$ 715,791	\$ 51,747	\$ 84,794	11.8%	\$ 630,997
Operation & Maintenance (O&M)	492,929	10,964	19,951	4.0%	472,978
Capital	230,000	-	-	0.0%	230,000
<b>Subtotal: City Administration</b>	<b>1,438,720</b>	<b>62,711</b>	<b>104,745</b>	<b>7.3%</b>	<b>1,333,975</b>
<b>Planning &amp; Zoning; Code</b>					
Personnel	493,285	29,744	49,192	10.0%	444,093
O&M	138,135	18,548	32,174	23.3%	105,961
Capital	-	-	-	-	-
<b>Subtotal: Planning &amp; Zoning; Code</b>	<b>631,420</b>	<b>48,292</b>	<b>81,366</b>	<b>12.9%</b>	<b>550,054</b>
<b>Council</b>					
Personnel	35,934	1,873	4,769	13.3%	31,165
Legal	35,000	-	-	0.0%	35,000
City Hall Building Expense	17,424	1,452	2,904	16.7%	14,520
Insurance	25,745	39	5,129	19.9%	20,616
Christmas Decorations	5,000	-	-	0.0%	5,000
Council Expense	35,000	960	9,601	27.4%	25,399
Employee Recognition	28,000	-	10	0.0%	27,990
Codification	15,000	-	3,397	22.6%	11,603
Carlisle Fire Company	140,000	-	-	0.0%	140,000
Museum	30,000	-	-	0.0%	30,000
Downtown Milford, Inc.	45,860	-	-	0.0%	45,860
Milford Public Library	25,000	-	-	0.0%	25,000
Transcription Service	15,000	-	-	0.0%	15,000
Armory Expenses	23,600	230	3,831	16.2%	19,769
Vehicle & Equipment Repl	6,500	-	-	0.0%	6,500
Resident Survey	18,500	-	17,300	93.5%	1,200
Election - Wages	6,000	-	-	0.0%	6,000
Election - Supplies	2,800	-	-	0.0%	2,800
Community Festivals	60,000	-	-	0.0%	60,000
<b>Subtotal: Council</b>	<b>570,363</b>	<b>4,554</b>	<b>46,941</b>	<b>8.2%</b>	<b>523,422</b>

City of Milford, Delaware  
Expenditure Report: MTD and YTD Actual vs Annual Budget  
For the YTD Period Ended August 31, 2021

*16.7% of Year Elapsed*

Fund / Account / Divisional Groupings	FY'22 Budget, as Approved	MTD Actual	YTD Actual	YTD Actual as % of Annual Budget	Unexpended Balance
<b>Finance</b>					
Personnel	456,230	28,167	45,705	10.0%	410,525
O&M	49,970	2,792	8,500	17.0%	41,470
Capital	-	-	-		-
<b>Subtotal: Finance</b>	<b>506,200</b>	<b>30,959</b>	<b>54,205</b>	<b>10.7%</b>	<b>451,995</b>
<b>Information Technology</b>					
Personnel	382,258	19,989	34,854	9.1%	347,404
O&M	228,241	26,556	118,924	52.1%	109,317
Capital	96,400	-	-	0.0%	96,400
<b>Subtotal: Information Technology</b>	<b>706,899</b>	<b>46,545</b>	<b>153,778</b>	<b>21.8%</b>	<b>553,121</b>
<b>Police Department</b>					
Personnel	5,129,212	339,891	608,187	11.9%	4,521,025
O&M	974,498	84,929	156,761	16.1%	817,737
Capital	108,100	-	-	0.0%	108,100
<b>Subtotal: Police Department</b>	<b>6,211,810</b>	<b>424,820</b>	<b>764,948</b>	<b>12.3%</b>	<b>5,446,862</b>
<b>Streets &amp; Grounds Division</b>					
Personnel	382,587	23,523	38,832	10.1%	343,755
O&M	508,931	18,978	45,703	9.0%	463,228
Capital	73,000	-	-	0.0%	73,000
<b>Subtotal: Streets &amp; Grounds Division</b>	<b>964,518</b>	<b>42,501</b>	<b>84,535</b>	<b>8.8%</b>	<b>879,983</b>
<b>Parks &amp; Recreation</b>					
Personnel	589,633	38,762	61,251	10.4%	528,382
O&M	473,362	35,555	109,196	23.1%	364,166
Capital	963,000	-	-	0.0%	963,000
<b>Subtotal: Parks &amp; Recreation</b>	<b>2,025,995</b>	<b>74,317</b>	<b>170,447</b>	<b>8.4%</b>	<b>1,855,548</b>
<b>Total General Fund Expenditures</b>	<b>\$ 13,055,925</b>	<b>\$ 734,699</b>	<b>\$ 1,460,965</b>	<b>11.2%</b>	<b>\$ 11,594,960</b>

City of Milford, Delaware  
Expenditure Report: MTD and YTD Actual vs Annual Budget  
For the YTD Period Ended August 31, 2021

*16.7% of Year Elapsed*

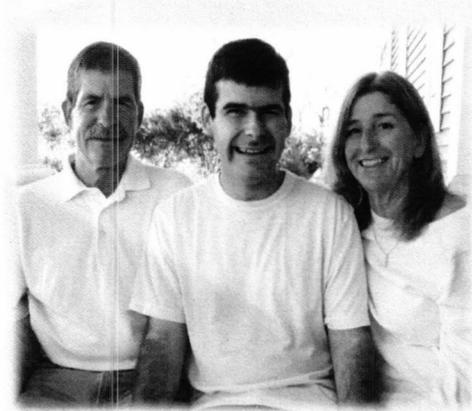
Fund / Account / Divisional Groupings	FY'22 Budget, as Approved	MTD Actual	YTD Actual	YTD Actual as % of Annual Budget	Unexpended Balance
<b>Enterprise Funds:</b>					
<b>Water Division</b>					
Personnel	\$ 328,260	\$ 27,473	\$ 44,995	13.7%	\$ 283,265
O&M	1,644,327	103,928	225,096	13.7%	1,419,231
Transfer to General Fund	300,000	25,000	50,000	16.7%	250,000
Capital	187,028	290	290	0.2%	186,738
Debt Service	365,273	89,637	89,637	24.5%	275,636
<b>Subtotal: Water Division</b>	<b>2,824,888</b>	<b>246,328</b>	<b>410,018</b>	<b>14.5%</b>	<b>2,414,870</b>
<b>Sewer Division</b>					
Personnel	\$ 319,977	26,826	43,838	13.7%	276,139
O&M	1,993,116	124,265	232,324	11.7%	1,760,792
Capital	168,528	290	440	0.3%	168,088
Debt Service	411,426	-	32,418	7.9%	379,008
<b>Subtotal: Sewer Division (excl. Kent County)</b>	<b>2,893,047</b>	<b>151,381</b>	<b>309,020</b>	<b>10.7%</b>	<b>2,584,027</b>
Kent County Sewer	1,974,629	197,045	363,664	18.4%	1,610,965
<b>Subtotal: Sewer Division (Comprehensive)</b>	<b>4,867,676</b>	<b>348,426</b>	<b>672,684</b>	<b>13.8%</b>	<b>4,194,992</b>
<b>Solid Waste Division</b>					
Personnel	334,276	18,452	31,490	9.4%	302,786
O&M	1,086,019	74,937	149,851	13.8%	936,168
Capital	59,075	-	-	0.0%	59,075
<b>Subtotal: Solid Waste Division</b>	<b>1,479,370</b>	<b>93,389</b>	<b>181,341</b>	<b>12.3%</b>	<b>1,298,029</b>
<b>Subtotal: Water, Sewer &amp; Solid Waste</b>	<b>9,171,934</b>	<b>688,143</b>	<b>1,264,043</b>	<b>13.8%</b>	<b>7,907,891</b>
<b>Electric Division</b>					
Personnel	1,275,540	86,141	125,276	9.8%	1,150,264
O&M	2,759,848	180,813	398,248	14.4%	2,361,600
Transfer to General Fund	2,500,000	208,334	416,667	16.7%	2,083,333
Capital	1,549,021	-	4,189	0.3%	1,544,832
Debt Service	321,615	-	-	0.0%	321,615
<b>Subtotal: Electric Division (excl. Power)</b>	<b>8,406,024</b>	<b>475,288</b>	<b>944,380</b>	<b>11.2%</b>	<b>7,461,644</b>
Power Purchased	16,844,386	1,709,219	3,452,009	20.5%	13,392,377
<b>Subtotal: Electric Division (Comprehensive)</b>	<b>25,250,410</b>	<b>2,184,507</b>	<b>4,396,389</b>	<b>17.4%</b>	<b>20,854,021</b>
<b>Total Enterprise Fund Expenditures</b>	<b>\$ 34,422,344</b>	<b>\$ 2,872,650</b>	<b>\$ 5,660,432</b>	<b>16.4%</b>	<b>\$ 28,761,912</b>
<b>Grand Total Operating Budget</b>	<b>\$ 47,478,269</b>	<b>\$ 3,607,349</b>	<b>\$ 7,121,397</b>	<b>15.0%</b>	<b>\$ 40,356,872</b>

City of Milford, Delaware  
 Interservice Department Expenditures: MTD and YTD Actual vs Annual Budget  
 For the YTD Period Ended August 31, 2021

*16.7% of Year Elapsed*

Account / Divisional Groupings	FY'22 Budget, as Approved	MTD Actual	YTD Actual	YTD Actual as % of Annual Budget	Unexpended Balance
<b>Interservice Departments</b>					
<b>Garage</b>					
Personnel	\$ 123,933	\$ 6,741	\$ 11,216	9.1%	\$ 112,717
Operation & Maintenance (O&M)	120,813	5,540	12,800	10.6%	108,013
Capital	-	-	-		-
<b>Subtotal: Garage</b>	<b>244,746</b>	<b>12,281</b>	<b>24,016</b>	<b>9.8%</b>	<b>220,730</b>
<b>Public Works</b>					
Personnel	750,563	58,362	96,693	12.9%	653,870
O&M	293,510	14,679	32,862	11.2%	260,648
Capital	-	-	-		-
<b>Subtotal: Public Works</b>	<b>1,044,073</b>	<b>73,041</b>	<b>129,555</b>	<b>12.4%</b>	<b>914,518</b>
<b>Tech Services</b>					
Personnel	271,033	23,131	36,589	13.5%	234,444
O&M	472,729	38,080	61,559	13.0%	411,170
Capital	-	-	-		-
<b>Subtotal: Tech Services</b>	<b>743,762</b>	<b>61,211</b>	<b>98,148</b>	<b>13.2%</b>	<b>645,614</b>
<b>Billing &amp; Collections</b>					
Personnel	632,304	46,085	77,999	12.3%	554,305
O&M	644,405	15,203	40,864	6.3%	603,541
Capital	-	-	-		-
<b>Subtotal: Billing &amp; Collections</b>	<b>1,276,709</b>	<b>61,288</b>	<b>118,863</b>	<b>9.3%</b>	<b>1,157,846</b>
<b>City Hall Cost Allocation</b>					
O&M	45,000	2,027	7,757	17.2%	37,243
Capital	-	-	-		-
<b>Subtotal: City Hall Cost Allocation</b>	<b>45,000</b>	<b>2,027</b>	<b>7,757</b>	<b>17.2%</b>	<b>37,243</b>
<b>Interdepartmental Cost Allocation</b>	<b>\$ (3,354,290)</b>	<b>\$ (209,848)</b>	<b>\$ (378,339)</b>	<b>11.3%</b>	<b>\$ (2,975,951)</b>
<b>Net Interdepartmental Costs<sup>1</sup></b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>		<b>\$ -</b>

<sup>1</sup>All costs reported here are allocated to and entirely funded by the various departments that use the services provided internally by these shared departments.



Kent-Sussex Industries, Inc.  
301 N Rehoboth Blvd  
Milford, DE 19963

September 21, 2021

Mr. Mark Whitfield  
City Of Milford  
201 S Walnut St  
Milford, DE 19963-1957

Dear Mr. Whitfield,

Mark Kelly had a lot of working experience throughout his school years with the Sussex Consortium Program. When he graduated, Mark's parents Thomas and Susan Kelly advocated for Mark to get a job at 1776 Steakhouse in Rehoboth Beach, where he started washing dishes three years ago. He's created meaningful relationships with his coworkers.

"They love him. They love his personality and his sense of humor," Mrs. Kelly shared. "They treat their employees like family and they have a very stable staff." Mark gets support on that job through another provider, and he receives tremendous support from the staff at 1776.

As good as his job environment is, it was still beneficial for Mark to have additional guided experiences when he wasn't working. That's why his parents got him started in KSI's Life Enrichment program in 2016. Being at KSI added a certain element that his work experience didn't.

"The peer part of it is the most important thing," related Mrs. Kelly. She sees where Mark gets more adventurous being exposed to different experiences at KSI. He likes trying new foods in the cafeteria. He has exposure to different places and people as he participates in activities like volunteering at the Delaware Veterans Home or attending the annual KSI Christmas Party.

When funding shortfalls starting becoming a major issue for disability providers a few years ago, KSI and Ability Network of Delaware held meetings to mobilize families to get involved. The A-Team Delaware formed to provide grassroots advocacy for disability issues, and the Kelly family added their support. They found the help they needed to effectively represent their son's interest to legislators deciding provider funding.

I would like to **Thank You** for your generous donation in memory of Clifford T. Crouch. Your commitment to KSI and the people that we serve is so important to our organization. When you support KSI, you are part of something really special: helping people with disABILITIES gain employment and life skills in order to actively participate in their communities.

Your belief in KSI as a valuable community asset, helped us do some great work this past fiscal year. Your donation will allow the nearly 300 individuals we serve annually to work toward a brighter future.

Thank you again for your generosity. For more information on how your gift helps make a difference in the lives of so many, make sure to visit us on Facebook at Facebook.com/KSIWorks. You can also learn more about upcoming events, and keep up to date on the impact we make in our community.

It is my honor to have you as part of the KSI family. If you ever have questions about the programs you make possible, I invite you to contact Alicia Hollis, Director of Community Relations, at 302-422-4014 x 3015 or [hollisa@ksiinc.org](mailto:hollisa@ksiinc.org)

Sincerely,

Ann Haggerty  
Vice President of Mission Advancement

\*\*\*\*\*  
Here is a summary of your gift made on 9/21/2021. A portion, or all, of your gift may be tax deductible. Contact your financial advisor for assistance.

Donation Amount: **\$100**  
Calendar Year Donations: **\$100**  
Payment Method: **Check**  
Payment Description: **82854**  
Campaign: **General Development**





# DEMEC

## Delaware Municipal Electric Corporation

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

October 1, 2021

EMAIL DELIVERED

City of Milford Council  
Attn: Mark Whitfield, City Manager  
201 S. Walnut St.  
Milford, DE 19963

RE: Submittal of the Municipal Electric Utilities Renewable Portfolio Standard Compliance Report for the 2020-2021 program year

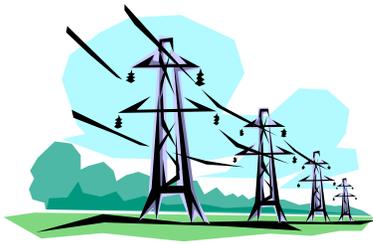
Dear Councilmembers,

The Delaware Municipal Electric Corporation has completed the administration of the Municipal Electric Utilities Renewable Portfolio Standard for the 2020-2021 program year on behalf of all eight of our Municipal Electric Utilities. As per state statute, we submit to your local regulatory body a copy of the Municipal Electric Utilities Renewable Portfolio Compliance Report for your records.

If you have any questions or would like to discuss the plan in further detail, please feel free to contact me.

Patrick E. McCullar  
President & CEO

cc: Delaware General Assembly  
Dayna Cobb, Department of Natural Resources and Environmental Control



# DEMEC

## Delaware Municipal Electric Corporation

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

October 1, 2021

TO: Local Regulatory Authorities:

- City of Newark City Council
- City of Milford City Council
- Town of Middletown Town Council
- City of Seaford City Council
- City of Lewes Board of Public Works
- Town of Smyrna Town Council
- City of New Castle Municipal Services Commission
- Town of Clayton Town Council

Delaware General Assembly  
Department of Natural Resources and Environmental Control

FROM: Patrick E. McCullar, President & CEO, DEMEC

SUBJ: Municipal Electric Utilities Renewable Portfolio Standard (“MRPS”) 2020/2021  
Compliance Year Report

In accordance with 26 Del. C. § 363(b), the Delaware Municipal Electric Corporation, acting on behalf of its member communities, submits the following MRPS Annual Report.

### **DEMEC Background**

The Delaware Municipal Electric Corporation (“DEMEC”) is a Public Power utility incorporated as a not-for-profit Delaware corporation in 1979; the members of DEMEC are eight of the municipal electric distribution utilities in Delaware. DEMEC provides joint services to the members.

- DEMEC generates electricity from its portfolio of owned generation assets and purchases electricity from other generators through staggered short, medium, and long-term power contracts to meet the requirements of its member municipal utilities.
- All eight of the member municipal utilities receive 100% of their requirements from DEMEC through long-term take-or-pay contracts.
- DEMEC has been authorized by its member utilities to manage the compliance obligation created by the Municipal Electric Utilities Renewable Portfolio Standard Plan.

## **Delaware Renewable Portfolio Standard Background**

The Renewable Portfolio Standard (“RPS”) is a State-mandated policy that obligates each retail seller of electricity to include in its resource portfolio annually increasing amounts of electricity from Qualifying Renewable Energy Resources through 2025 and beyond. The municipal electric utilities were exempted from the RPS requirements prior to 2010.

In 2010 DEMEC and its members responded to a request from Delaware Governor Jack Markell by voluntarily joining the Delaware RPS under S.S. 1 for S.B. 119. The bill provided, among other things:

- Increasing the RPS target to 25% by 2025 with at least 3.5% from solar sources.
- Allowed municipal electric companies to develop and implement a comparable program to the State Renewable Energy Portfolio Standard for its ratepayers beginning in the 2013 Compliance Year (6/1/2013-5/31/2014).
- Provided a method to freeze the RPS compliance obligations for utilities if costs exceed “circuit breakers” of 3% of the total cost of purchased power for Renewable Energy Credits (RECs) and 1% for Solar Renewable Energy Credits (SRECs) in any calendar year. Though this state code provision was removed in February 2021, it is still applied for this report as the freeze was a planned and available option at the beginning of the compliance year.

## **DEMEC Renewable Energy Commitments**

In developing a comparable plan, DEMEC evaluated its accomplishments and commitments regarding investments in renewable energy. As part of DEMEC’s core values, investments have been made in the development of a portfolio of qualifying renewable energy resources to achieve the lowest possible compliance cost to protect its ratepayers from unreasonable and burdensome impacts on their cost of electricity. DEMEC’s goal is to comply with the spirit of the Delaware RPS without creating a negative impact on the community ratepayers or the Delaware economy.

### **Non-Solar:**

- DEMEC has committed to purchase all the renewable electricity and associated RECs from a wind farm (Laurel Hill) in north-central Pennsylvania under a 25-year agreement. Laurel Hill is a 69-megawatt (69-MW) wind generation facility consisting of 30 Siemens wind turbines, each capable of generating 2.3 MW. Laurel Hill can generate enough electricity to power more than 20,000 homes.
- DEMEC’s service territory is home to the only significant wind generation system installed in the State of Delaware; the utility-scale 2-megawatt (2-MW) wind turbine located at the University of Delaware’s (“UD”) Hugh R. Sharp Campus in Lewes. RECs generated by the University of Delaware’s wind turbine are purchased by DEMEC through an agreement. The proceeds support wind and intermittent renewable energy graduate student research fellowship(s) in the University’s College of Earth, Ocean, and Environment (CEOE).

## Solar:

DEMEC is the leader in deployment of Solar Renewable Energy Resources in Delaware and has done so through a variety of pathways to support all DEMEC member individual and customer interests. Detailed below, in RPS Taskforce defined Tier sizes, is a description of DEMEC’s solar development areas.

Solar Renewable Energy Tier Groups (RPS Taskforce definition by size):

- Tier 1 = 0 to 50 kW – Typical Residential Rooftop
- Tier 2 = 50 to 500 kW – Typical Small Commercial
- Tier 3 = 500 kW to 2 MW – Typical Large Commercial and Industrial
- Tier 4 = 2MW and Up – Typical Utility Scale

### **Tiers 1, 2, & Green Energy Grants**

- DEMEC has encouraged and supported residential and commercial renewable energy systems since June 1, 2006, through the Municipal Green Energy Grants Program.
- DEMEC has leveraged over **\$7.8** Million dollars of overall investment in renewable energy with over **\$2.5** Million dollars of grants.
- The table below details the number of residential and commercial systems and capacity installed in DEMEC member communities.

**Table 1: DEMEC Member Residential and Commercial PV Installations**

<b>Community</b>	<b>Number of Installations</b>	<b>PV Capacity (kW)</b>
<b>New Castle</b>	11	291
<b>Newark</b>	158	2,905
<b>Middletown</b>	234	4,025
<b>Smyrna</b>	110	1,098
<b>Clayton</b>	44	470
<b>Milford</b>	178	2,095
<b>Seaford</b>	29	1,242
<b>Lewes</b>	113	1,128
<b>Total</b>	877	13,254

Not all installations above have received Municipal Green Energy Funds

### **Tier 3 – Community Scale**

DEMEC continues its long-standing support and funding of community solar sited within each of our member’s service territories for the benefit of the entire community. Municipal sited and owned, behind-the-meter solar systems result in optimal cost savings to the entire community due to reduced capacity, transmission, and ancillary costs. Additionally, the benefits of municipal installed and owned solar systems readily allows participation by low-income customers, customers with properties not conducive to solar installations, and those who otherwise could not afford participation.

Each municipal’s community project was designed and implemented to meet the specific needs, benefits, interests, and zoning of each community. DEMEC recognizes that there is no “one size

fits all” approach; therefore, DEMEC assists with development with specific attention to meeting the unique interests of each of its members.

1. **Newark – 230kW project** – went commercial 4Q/2014. DEMEC, on behalf of the City of Newark, developed McKees Run Community Solar Facility, a 230-kilowatt community solar farm. The project revitalized a 3.91-acre brownfield site off East Cleveland Avenue. The Solar Park provides Newark with a behind-the-meter renewable power source to serve all residents of the community by reducing the City’s peak power demand, lowering the wholesale cost of power, generating solar renewable energy credits, bringing locally produced green energy to the City’s electric users, and reducing the City’s carbon footprint. The 900-panel array produces enough electricity to power approximately 26 to 36 homes, depending on the season.
2. **Newark – opt-in program** - DEMEC also conceived and proposed to the City of Newark the State of Delaware’s first opt-in community solar program. This program was approved by Newark City Council on June 23, 2014, to launch programs to promote community involvement in the solar park. There are several program participant options such as: "Sun Ray" in which subscribers have the opportunity to make a one-time investment of \$50 in return for a monthly rebate of \$1.00 and the opportunity to purchase one (1), 100 kilowatt-hour block of power generated from McKees Solar Park each month for ten years. Participants can also select from a variety of a tax-deductible donation options to support the solar park and be recognized on the City's website. DEMEC’s Community Solar Model for the City of Newark has been recognized **twice** by the national solar industry trade group, now the Smart Electric Power Alliance (SEPA), as a leading program design for increasing access to solar energy to the public. DEMEC intends to help its members replicate this unique model.
3. **Newark – ~1,300 kW project** – under construction 2021. Several locations in the City of Newark will be utilized for this project: City Hall, Field Operations Complex, Newark, Reservoir, McKees Run Community Solar Facility. The SRECs generated by the project will be used to fulfill some of the need to source RECs for Newark’s 100% Renewable Option once these projects are fully completed. Newark created a new 100% renewable energy fee for all electric customer classifications. The new rate will automatically apply to all new electric accounts created after May 26, 2021, and existing electric customers can opt into this program if they so choose. The fee is set on a charge per kilowatt-hour (kWh), and the revenue derived from this fee is used to purchase renewable energy credits (RECs) of sufficient quantity to cover all usage from accounts that have opted to participate in the program. The RECs will then be retired on behalf of those customers.
4. **Clayton - 4.0 kW project** – went commercial 2Q/2015. This project is installed on the local Clayton firehouse to not only green the new building, but it also serves to reduce community taxes that pay for this critical infrastructure. The system generates electricity equivalent to saving 9 barrels of oil annually.
5. **Clayton – 6.0 kW project** – Under construction 2021. This project is installed on the new Clayton Public Works building. Like the Clayton Firehouse project, the kilowatt-hours produced not only green the new building, but it also serves to reduce community taxes that pay for city facilities. The system generates electricity equivalent to charging 724,000 smart phones.
6. **New Castle - 29.0 kW project** – went commercial 3Q/2016. This project was designed to fit in within a unique municipality. The historical nature of the community limits placement so the facility was located near the local water treatment facility near the Penn Farm. It represents the successful combination of the historic feel with new technology. The system generates electricity equivalent to saving 2,000 gallons of gasoline annually.

7. **Seaford – ~690 kW project** – went commercial 1Q/2017. This project provides power to the local water treatment plant and benefits the community by reducing municipal expenses. The system generates electricity equivalent to 60 homes annual electric use.
8. **Smyrna - ~1.5 MW project** – went commercial 3Q/2018. This project meshes efficiency with renewables. Space in municipalities is at a premium so making smart choices is important. This project utilizes land surrounding a retention pond which has little otherwise use. By efficient land use, Smyrna is adding more solar to the community while also preserving open lands for economic development. The system generates electricity equivalent to removing 239 passenger cars from road.

Several other DEMEC communities are working toward installing their own community solar projects in various tiers:

- Middletown and Lewes are considering initial concept designs for their own community solar projects

DEMEC will continue to concurrently support community interest, low-income participation, and meet its RPS obligation by investing in member community solar projects.

#### **Tier 4 – Utility Scale**

DEMEC recognized early on that the legislative circuit breakers for photovoltaics would be hit and freeze the solar portion of the municipal RPS plan within a few years if the compliance costs were not carefully managed. In order to avoid hitting the legislative circuit breakers prematurely and to assure that we did not unreasonably increase the cost of electric service to our municipal ratepayers, DEMEC chose to invest a significant portion of its RPS-dedicated funds in large-scale solar facilities. To prevent a negative impact on the Delaware economy from the cost of RPS compliance, DEMEC committed capital to develop utility scale solar systems that create jobs and economic development for the State. The current DEMEC portfolio of Tier 4 Utility Scale Systems is:

1. Dover Sun Park – 10 MW – (DEMEC purchases 15 % of all SRECs) went commercial 2Q/2010 and produces enough to power over 1,100 Delaware homes.
2. Milford Solar Farm – 15 MW – (DEMEC purchases a majority of SRECs and all energy) went commercial 4Q/2012 and produces enough to power more than 1,300 homes.

#### **Beyond Tiers – Meeting Individual Corporate Sustainability Goals/Targets**

DEMEC Corporate Renewable Energy Block Program – DEMEC launched this program in response to corporate interest in more renewable energy. It is designed to offer commercial/industrial customers the opportunity to select renewable energy options that meet their corporate sustainability goals/targets based upon their organization’s typical and projected energy consumption. DEMEC works with the corporate management teams to determine what products fit their individual needs. This is not a “one size fits all” program but rather a unique option afforded to corporate customers to purchase a customized portfolio of products through market purchases of select Renewable Energy Credits (RECs) or Solar Renewable Energy Credits (SRECs) from a variety of generation technologies (wind, solar, hydro, etc.)

## DEMEC Comparable Plan Objectives

DEMEC has set the following objectives as goals for its Municipal RPS Plan.

- Develop and implement a compliance plan that is comparable to the State-mandated plan for Delmarva Power and that encourages development of qualifying renewable energy resources in the State of Delaware in all State-defined tiers.
- Plan in 5-year increments. The parameters of the 5-year planning cycle will have the goals of achieving a comparable plan that: 1) Achieves the lowest cost compliance solutions to mitigate high renewable energy cost impacts for our community ratepayers and the State economy, 2) Encourages the development of renewable resources in our member communities 3) Maintains the high reliability of electric service in our community systems.
- DEMEC will review and rebalance its compliance schedule annually to assure cost impacts to our community ratepayers are reasonable and accurately match qualifying retail electricity sales with renewable energy resource procurement.

## MRPS Schedule

<b>Municipal Renewable Energy 5-Year Schedule</b>			
<b>Compliance Year - (beginning June 1<sup>st</sup>)</b>	<b>Non-Solar Percentage (State Schedule)</b>	<b>Solar Percentage (Cost Capped)</b>	<b>Total * Cumulative Percentage</b>
2018	15.75%	0.90%	16.65%
2019	17.00%	0.98%	17.98%
<b>2020</b>	<b>17.75%</b>	<b>1.12%</b>	<b>18.87%</b>
2021- Forward	To be determined based on legislative changes from February 2021 and the directives of each DEMEC member.		
<i>* Total Cumulative Percentage Includes the Non-Solar and Solar Percentages except in future years when the 1% Cost Cap needs to be calculated.</i>			

## MRPS 2020/2021 Compliance Goal

For compliance year 2020/2021, DEMEC set and achieved a **18.87%** compliance goal. DEMEC's **18.87%** compliance goal matches the state's schedule for 2020/2021 (Delmarva Power & Light's compliance target) while utilizing solar cost cap protections as a planned and available option at the beginning of the compliance year.

- The renewable energy sources used for REC compliance are the 69 MW Laurel Hill Wind Farm in Lycoming, Pennsylvania and 2.0 MW UD Wind Turbine in Lewes, Delaware.
- The solar renewable energy sources used for SREC compliance are:
  - the Dover Sun Park
  - the Milford Solar Facility
  - the Seaford Solar Project
  - the Newark McKees Run Community Solar Facility

<b>Municipal Renewable Energy 2020/2021 Compliance Year REC and SREC Retirements</b>		
<b>Municipality</b>	<b>Total Solar SRECs Retired (Cost Capped Percentage <b>1.12%*</b>)</b>	<b>Total RECs + SRECs Retired (Cumulative Percentage <b>18.87%**</b>)</b>
New Castle	537	10,177
Newark	2,504	35,397
Middletown	1,827	23,236
Smyrna	763	13,429
Clayton	206	3,374
Milford	1,180	22,507
Seaford	797	13,834
Lewes	503	10,985
<b>Total</b>	<b>8,317</b>	<b>132,939</b>
<p><i>*DEMEC members reached the solar 1% compliance cost limit also known as the "circuit breaker" and elected to stop increasing their solar portfolio percentage per 26 Del. C. § 363(g).</i></p> <p><i>** Cumulative Percentage Includes the RECs from Eligible Energy Resources and Includes the Cost Capped SRECs from Solar Photovoltaics</i></p>		

The following sections of 26 Del. C. § 363(e) through (i) were the circuit breaker provisions:

- (e) The total cost of compliance with this section shall include the costs associated with any ratepayer funded renewable energy rebate programs, REC and SREC purchases, or other costs incurred in meeting renewable energy programs.
- (f) The total cost of complying with eligible energy resources shall not exceed 3% of the total cost of the purchased power of the utility for any calendar year.
- (g) The total cost of complying with the solar photovoltaic program shall not exceed 1% of the total cost of the purchased power of the affected utility for any calendar year.
- (h) At no time during any calendar year shall the total cost of compliance with this section result in an increase of an average consumer's monthly bill in excess of 4%.
- (i) The Board of Directors of a rural electric cooperative and the local regulatory authority of a municipal electric company may approve an increase in the limit on the cost of compliance, as specified in subsections (f) and (g) of this section above.

### **Proposed 2021/2022 MRPS Plan**

Per 26 Del. C. § 363(c), DEMEC member community local regulatory authorities shall continue to base renewable energy portfolio standard decisions on the need, value and feasibility of the renewable energy resources pertaining to the economic and environmental wellbeing of its members.

DEMEC continually evaluates the impact of the MRPS costs on its communities. Specifically, DEMEC reviews the impact on rates and REC and SREC inventory as the municipalities proceed forward in the spirit of the RPS legislation.

CITY HALL  
201 South Walnut Street  
Milford, DE 19963  
www.cityofmilford.com



COMMUNITY ENGAGEMENT DEPARTMENT  
Economic Development, Public Information,  
and Community Engagement Office  
O: 302-725-2068

To: City Council and Mayor  
From: Sara Pletcher, Economic Development & Community Engagement Administrator  
Subject: Downtown Milford, Inc. Fund Distribution  
Date: Oct. 7, 2021

Per the Downtown Milford, Inc. (DMI)/City Agreement dated June 25, 2018 (terms July 1, 2018 to June 30, 2019 with automatic renewal annually for up to five years), DMI's performance is to be reviewed every Spring with results sent back to DMI by April 30 and funds distributed by Oct. 1.

At the March 8, 2021 City Council meeting, DMI Executive Director Cat Perfetti and DMI President Peggy Riley presented DMI's annual review to City Council. City Council authorized \$45,860 of the FY22 City Budget to DMI; however, a vote to distribute the funds was never made. The DMI distribution does qualify for ARPA funding.

DMI's most recent Balance Sheet and P&L statement is included with this report and DMI representatives will be present at the Oct. 11 Council meeting to answer any questions.

Staff recommends Council approve disbursement of \$45,860 to fulfill the City's contractual obligation to DMI.

2:48 PM

10/04/21

Cash Basis

**Downtown Milford Inc**  
**Balance Sheet Prev Period Comparison**  
**As of September 30, 2021**

	Sep 30, 21	Aug 31, 21	\$ Change
<b>ASSETS</b>			
<b>Current Assets</b>			
<b>Checking/Savings</b>			
1010 · Petty Cash	100.12	100.12	0.00
1020 · M&T Checking 3009-7084	14,271.95	16,581.40	-2,309.45
1030 · M&T Checking 9878494609	4,934.79	4,936.79	-2.00
1100 · M&T Money Market 15004228118673	40,087.91	40,087.58	0.33
1110 · WSFS M/M Restricted x5460			
1112 · WSFS M/M Loan Fund	11,240.66	11,110.66	130.00
1114 · WSFS Facade Fund	468.66	468.66	0.00
<b>Total 1110 · WSFS M/M Restricted x5460</b>	<b>11,709.32</b>	<b>11,579.32</b>	<b>130.00</b>
<b>Total Checking/Savings</b>	<b>71,104.09</b>	<b>73,285.21</b>	<b>-2,181.12</b>
<b>Other Current Assets</b>			
1220 · Security Deposit	880.00	880.00	0.00
<b>Total Other Current Assets</b>	<b>880.00</b>	<b>880.00</b>	<b>0.00</b>
<b>Total Current Assets</b>	<b>71,984.09</b>	<b>74,165.21</b>	<b>-2,181.12</b>
<b>Fixed Assets</b>			
1500 · Branding Street Banners	18,660.00	18,660.00	0.00
<b>1510 · Farmer's Market</b>			
1511 · Market Canopies	4,604.90	4,604.90	0.00
1512 · Market Tables	1,871.64	1,871.64	0.00
1513 · Market Tents	4,963.53	4,963.53	0.00
1514 · Popcorn Equipment	497.57	497.57	0.00
1515 · Entertainment Equipment	2,000.00	2,000.00	0.00
1516 · Market Equipment	300.00	300.00	0.00
<b>Total 1510 · Farmer's Market</b>	<b>14,237.64</b>	<b>14,237.64</b>	<b>0.00</b>
1630 · Kiosk	18,181.00	18,181.00	0.00
1650 · Buildings-Santa House	11,511.34	11,511.34	0.00
1660 · Art Display Boats	32,342.47	32,342.47	0.00
<b>1700 · General Office</b>			
1704 · Office Equipment	7,860.19	7,860.19	0.00
1706 · Display Sign	726.00	726.00	0.00
1708 · House Equipment	1,332.98	1,332.98	0.00
1710 · L/H Improvements	5,386.10	5,386.10	0.00
<b>Total 1700 · General Office</b>	<b>15,305.27</b>	<b>15,305.27</b>	<b>0.00</b>
1790 · Accumulated Depreciation	-96,600.20	-96,600.20	0.00
<b>Total Fixed Assets</b>	<b>13,637.52</b>	<b>13,637.52</b>	<b>0.00</b>
<b>Other Assets</b>			
1820 · L/R PSShoppe LLC (Petite Sweet)	4,122.87	4,122.87	0.00
1850 · L/R Cookies Paper Petals, LLC	4,173.74	4,293.01	-119.27
<b>1900 · Major Project Investments</b>			
1905 · PNC Bank CD @.002% due 03/20/20	5,090.85	5,090.85	0.00
1910 · M&T CD 3556468 @.03% - 07/15/22	20,830.17	20,830.17	0.00
1915 · M&T CD 3556476 @.03% due 1/7/22	21,048.70	21,048.70	0.00
1920 · Artisans Bank - CD	10,499.22	10,499.22	0.00
<b>Total 1900 · Major Project Investments</b>	<b>57,468.94</b>	<b>57,468.94</b>	<b>0.00</b>
<b>Total Other Assets</b>	<b>65,765.55</b>	<b>65,884.82</b>	<b>-119.27</b>
<b>TOTAL ASSETS</b>	<b>151,387.16</b>	<b>153,687.55</b>	<b>-2,300.39</b>

2:48 PM

10/04/21

Cash Basis

**Downtown Milford Inc**  
**Balance Sheet Prev Period Comparison**  
**As of September 30, 2021**

	Sep 30, 21	Aug 31, 21	\$ Change
<b>LIABILITIES &amp; EQUITY</b>			
<b>Liabilities</b>			
<b>Current Liabilities</b>			
<b>Other Current Liabilities</b>			
2110 · 941 Tax Liability	247.81	253.83	-6.02
2111 · Direct Deposit Liabilities <i>PAY CHECK 101.</i>	-432.62	0.00	-432.62
2120 · DWT Tax Liability	72.53	47.08	25.45
2400 · Ice Cream Security Deposit	400.00	400.00	0.00
<b>Total Other Current Liabilities</b>	<b>287.72</b>	<b>700.91</b>	<b>-413.19</b>
<b>Total Current Liabilities</b>	<b>287.72</b>	<b>700.91</b>	<b>-413.19</b>
<b>Long Term Liabilities</b>			
2600 · N/P SBA PPP Loan	9,200.00	9,200.00	0.00
<b>Total Long Term Liabilities</b>	<b>9,200.00</b>	<b>9,200.00</b>	<b>0.00</b>
<b>Total Liabilities</b>	<b>9,487.72</b>	<b>9,900.91</b>	<b>-413.19</b>
<b>Equity</b>			
<b>3600 · Restrictive Funds</b>			
3610 · Low Interest Loan Fund Balance	11,240.66	11,304.33	-63.67
3630 · WSFS Facade Grant	468.66	468.66	0.00
3640 · Bike Rack Matching Grant	4,335.75	4,335.75	0.00
3660 · Vineyard Project	-4,122.18	-4,122.18	0.00
<b>Total 3600 · Restrictive Funds</b>	<b>11,922.89</b>	<b>11,986.56</b>	<b>-63.67</b>
3900 · Retained Earnings	137,637.96	137,574.29	63.67
Net Income	-7,661.41	-5,774.21	-1,887.20
<b>Total Equity</b>	<b>141,899.44</b>	<b>143,786.64</b>	<b>-1,887.20</b>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>151,387.16</b>	<b>153,687.55</b>	<b>-2,300.39</b>

**Downtown Milford Inc**  
**P&L Budget vs. Actual**  
**July through September 2021**

	Jul - Sep 21	Budget	\$ Over Budget	% of Budget
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
4000 · Operations Income				
4060 · Ice Cream Rental	1,200.00	0.00	1,200.00	100.0%
4190 · Interest Income - Bank Interest	1.01	0.00	1.01	100.0%
4195 · Interest Income-Low USDA Intere	32.89	0.00	32.89	100.0%
<b>Total 4000 · Operations Income</b>	<b>1,233.90</b>	<b>0.00</b>	<b>1,233.90</b>	<b>100.0%</b>
4200 · Organization Committee Inc				
4220 · Big Ask - Not Designated	100.00	0.00	100.00	100.0%
4230 · Online/Amazon Smile/United Way	22.32	0.00	22.32	100.0%
<b>Total 4200 · Organization Committee Inc</b>	<b>122.32</b>	<b>0.00</b>	<b>122.32</b>	<b>100.0%</b>
4400 · Promotion Committee Inc				
4401 Terri Lynn Fundraiser	215.93	0.00	215.93	100.0%
4410 · Bug and Bud Festival				
4416 · Vendors	105.00	0.00	105.00	100.0%
<b>Total 4410 · Bug and Bud Festival</b>	<b>105.00</b>	<b>0.00</b>	<b>105.00</b>	<b>100.0%</b>
4440 · Santa House				
4442 · Donations	53.00	0.00	53.00	100.0%
<b>Total 4440 · Santa House</b>	<b>53.00</b>	<b>0.00</b>	<b>53.00</b>	<b>100.0%</b>
<b>Total 4400 · Promotion Committee Inc</b>	<b>373.93</b>	<b>0.00</b>	<b>373.93</b>	<b>100.0%</b>
4800 · EV Committee Inc				
4810 · Farmers Market				
4812 · Vendors	2,189.17	0.00	2,189.17	100.0%
4814 · Shopping Bags	10.00	0.00	10.00	100.0%
4816 · Miscellaneous Income	221.00	0.00	221.00	100.0%
<b>Total 4810 · Farmers Market</b>	<b>2,420.17</b>	<b>0.00</b>	<b>2,420.17</b>	<b>100.0%</b>
<b>Total 4800 · EV Committee Inc</b>	<b>2,420.17</b>	<b>0.00</b>	<b>2,420.17</b>	<b>100.0%</b>
<b>Total Income</b>	<b>4,150.32</b>	<b>0.00</b>	<b>4,150.32</b>	<b>100.0%</b>
<b>Expense</b>				
5000 · Operations Exp				
5015 · Administrative Assistant	2,703.75	0.00	2,703.75	100.0%
5020 · Bank Charges	25.01	0.00	25.01	100.0%
5030 · Computer & Software	29.98	0.00	29.98	100.0%
5100 · Insurance	860.00	0.00	860.00	100.0%
5120 · Internet and Domain Name	421.22	0.00	421.22	100.0%
5200 · General Administrative Exp	66.00	0.00	66.00	100.0%
5250 · Postage and Delivery	146.00	0.00	146.00	100.0%
5260 · Rent Expense	2,640.00	0.00	2,640.00	100.0%
5390 · Telephone	540.25	0.00	540.25	100.0%
5800 · Executive Director Exp				
5810 · Salary	829.50	0.00	829.50	100.0%
5820 · Payroll Taxes	285.02	0.00	285.02	100.0%
5830 · Health Insurance	192.50	0.00	192.50	100.0%
<b>Total 5800 · Executive Director Exp</b>	<b>1,307.02</b>	<b>0.00</b>	<b>1,307.02</b>	<b>100.0%</b>
<b>Total 5000 · Operations Exp</b>	<b>8,739.23</b>	<b>0.00</b>	<b>8,739.23</b>	<b>100.0%</b>
6400 · Promotion Committee Exp				
6570 · Advertising/Promotional				
6572 · General Advertising	125.00	0.00	125.00	100.0%
<b>Total 6570 · Advertising/Promotional</b>	<b>125.00</b>	<b>0.00</b>	<b>125.00</b>	<b>100.0%</b>
<b>Total 6400 · Promotion Committee Exp</b>	<b>125.00</b>	<b>0.00</b>	<b>125.00</b>	<b>100.0%</b>

2:49 PM  
10/04/21  
Cash Basis

**Downtown Milford Inc**  
**P&L Budget vs. Actual**  
**July through September 2021**

	<u>Jul - Sep 21</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
6600 · Design Committee Exp				
6640 · Facade Grants WSFS	2,625.00	0.00	2,625.00	100.0%
<b>Total 6600 · Design Committee Exp</b>	<b>2,625.00</b>	<b>0.00</b>	<b>2,625.00</b>	<b>100.0%</b>
6800 · EV Committee Exp				
6810 · Farmer's Market Exp				
6812 · Entertainment	300.00	0.00	300.00	100.0%
6816 · Misc Expenses	22.50	0.00	22.50	100.0%
<b>Total 6810 · Farmer's Market Exp</b>	<b>322.50</b>	<b>0.00</b>	<b>322.50</b>	<b>100.0%</b>
<b>Total 6800 · EV Committee Exp</b>	<b>322.50</b>	<b>0.00</b>	<b>322.50</b>	<b>100.0%</b>
<b>Total Expense</b>	<b>11,811.73</b>	<b>0.00</b>	<b>11,811.73</b>	<b>100.0%</b>
<b>Net Ordinary Income</b>	<b>-7,661.41</b>	<b>0.00</b>	<b>-7,661.41</b>	<b>100.0%</b>
<b>Net Income</b>	<b>-7,661.41</b>	<b>0.00</b>	<b>-7,661.41</b>	<b>100.0%</b>

2:49 PM

10/04/21

Cash Basis

**Downtown Milford Inc**  
**P&L Budget vs. Actual Collapsed**  
**July through September 2021**

	Jul - Sep 21	Budget	\$ Over Budget	% of Budget
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
4000 · Operations Income	1,233.90	0.00	1,233.90	100.0%
4200 · Organization Committee Inc	122.32	0.00	122.32	100.0%
4400 · Promotion Committee Inc	373.93	0.00	373.93	100.0%
4800 · EV Committee Inc	2,420.17	0.00	2,420.17	100.0%
<b>Total Income</b>	4,150.32	0.00	4,150.32	100.0%
<b>Expense</b>				
5000 · Operations Exp	8,739.23	0.00	8,739.23	100.0%
6400 · Promotion Committee Exp	125.00	0.00	125.00	100.0%
6600 · Design Committee Exp	2,625.00	0.00	2,625.00	100.0%
6800 · EV Committee Exp	322.50	0.00	322.50	100.0%
<b>Total Expense</b>	11,811.73	0.00	11,811.73	100.0%
<b>Net Ordinary Income</b>	-7,661.41	0.00	-7,661.41	100.0%
<b>Net Income</b>	<b>-7,661.41</b>	<b>0.00</b>	<b>-7,661.41</b>	<b>100.0%</b>

**Downtown Milford Inc**  
**Profit & Loss**  
 September 2021

	Sep 21
<b>Ordinary Income/Expense</b>	
<b>Income</b>	
4000 · Operations Income	
4060 · Ice Cream Rental	400.00
4190 · Interest Income - Bank Interest	0.33
4195 · Interest Income-Low USDA Intere	10.73
	411.06
4400 · Promotion Committee Inc	
4401 Terri Lynn Fundraiser	19.95
4440 · Santa House	
4442 · Donations	53.00
	53.00
Total 4400 · Santa House	53.00
Total 4400 · Promotion Committee Inc	72.95
4800 · EV Committee Inc	
4810 · Farmers Market	
4812 · Vendors	550.00
4814 · Shopping Bags	10.00
4816 · Miscellaneous Income	117.00
4818 · WIC and SNAP	0.00
	677.00
Total 4810 · Farmers Market	677.00
Total 4800 · EV Committee Inc	677.00
<b>Total Income</b>	<b>1,161.01</b>
<b>Expense</b>	
5000 · Operations Exp	
5015 · Administrative Assistant	1,338.75
5020 · Bank Charges	7.25
5120 · Internet and Domain Name	139.88
5260 · Rent Expense	880.00
5390 · Telephone	297.42
5800 · Executive Director Exp	
5820 · Payroll Taxes	102.41
	102.41
Total 5800 · Executive Director Exp	102.41
Total 5000 · Operations Exp	2,765.71
6400 · Promotion Committee Exp	
6570 · Advertising/Promotional	
6572 · General Advertising	125.00
	125.00
Total 6570 · Advertising/Promotional	125.00
Total 6400 · Promotion Committee Exp	125.00
6800 · EV Committee Exp	
6810 · Farmer's Market Exp	
6812 · Entertainment	150.00
6816 · Misc Expenses	7.50
	157.50
Total 6810 · Farmer's Market Exp	157.50
Total 6800 · EV Committee Exp	157.50
<b>Total Expense</b>	<b>3,048.21</b>
<b>Net Ordinary Income</b>	<b>-1,887.20</b>
<b>Net Income</b>	<b>-1,887.20</b>

MILFORD CITY COUNCIL  
Minutes of Meeting  
March 8, 2021

The City Council of the City of Milford convened their regular meeting by way of video conferencing on Monday, March 8, 2021. The meeting was available for public view and participation as permitted.

PRESIDING: Mayor Archie Campbell

IN ATTENDANCE: Councilpersons Daniel Marabello, Mike Boyle, Andrew Fulton, Todd Culotta, Brian Baer, Douglas Morrow, Jason James Sr. and Katrina Wilson

STAFF: City Manager Mark Whitfield, City Clerk Terri Hudson and Police Chief Kenneth Brown

COUNSEL: City Solicitor David Rutt, Esquire

In an effort to adhere to social distancing protocols and best practices imposed by Governor John Carney's State of Emergency Declaration effective March 13, 2020, the City of Milford has canceled all public gatherings until further notice. See March 8, 2021 Council Meeting agenda for additional information.

#### CALL TO ORDER

Mayor Campbell called the meeting to order at 7:03 p.m.

#### INVOCATION & PLEDGE OF ALLEGIANCE

The invocation was provided by Councilwoman Wilson and the Pledge of Allegiance followed.

Councilman Boyle made a motion to approve the previous minutes included in the packet. Councilman Fulton seconded the motion; the motion so passed with all ayes.

#### APPROVAL OF PREVIOUS MINUTES

Councilman Boyle made a motion to approve the meeting minutes from January 11, 2021 Finance & Public Works Committee Meeting and the January 11, 2021 City Council Meeting. Councilman James seconded the motion. Motion passed with all ayes.

#### RECOGNITION

##### *Introduction/Milford Police Contracted Staff*

Chief Brown introduced Amy Kevis, the Executive Director of Partners in Public Safety Solutions, Inc. who is overseeing Milford Police Department's new mental health program. Ms. Kevis is a veteran of the New Castle County Police Department, retiring in 2012 after 20 years of police service. Upon her retirement, she was hired as the Director of Emergency Services for the Department of Health and Social Services, Division of Substance Abuse and Mental Health and managed Mobile Crisis Intervention Services for the State of Delaware.

Also introduced was Jenna Haines, a licensed Master's Degree social worker, who will be assigned to work with the department. She is a licensed Master Social Worker in Maryland and Delaware whose focus is forensic mental health and psychiatric services.

##### *Introduction/Milford Police Officer*

Chief Brown then introduced Officer Aline Check-Guzman who recently graduated from the Dover Municipal Police Academy.

*DMI Presentation & Budget Request*

Executive director Cat Perfetti and DMI President Peggy Riley were present. Ms. Perfetti submitted financials and a video prior to the meeting for Council review.

Councilman Marabello then asked about the status of Petite Sweet. Ms. Perfetti replied there are some pending issues that need to be addressed though they are no longer located at the address that was on file.

Councilman Culotta asked for clarification of what that the legal issue was; Ms. Perfetti replied that it involved a small business loan grant in the amount of \$5,000 which was in default.

In relation to their budget, Ms. Perfetti noted their normal funding request is for \$45,000. However, the office space at 207 S Walnut Street also acted as an additional funding source or savings because they were not charged any rent. As a nonprofit based organization, they were not eligible for any of the pandemic grants other than the paycheck protection program. They were hoping for the extra support from the City for a year to adjust to paying the office rent since basically they have been unable to hold any events or fundraising which is typically used offset their budget.

They are planning a scavenger hunt with the library and starting a new art coalition. Their plans are to expand the art in Milford as well.

She added that all they have been able to do through the pandemic is support their small businesses, due to the shift of their focus because of Covid.

Councilman James asked if any funding was anticipated from the paycheck protection or any other opportunities in the future. Ms. Perfetti replied that they just applied for the second round and it is her understanding they have been approved though nothing has come through yet. While \$9,000 was received the first round, they are unsure of the amount that may be received this time.

If approved for any other funding, the Executive Director will let City Council know.

Their video will be sent out via email by the City Clerk to all Councilmembers.

**STAFF REPORTS***Monthly Police Chief Report*

Councilman Boyle read the monthly Police report into the record for Chief Brown.

*Monthly City Manager Report*

City Manager Whitfield provided highlights from his monthly report included in the packet:

- Our employee Covid numbers continue to decrease. Of the 23 people infected, all employees have recovered and are back to work.
- We held interviews for the Economic Development/Community Engagement Administrator and IT Director this past month. We will hold in person interviews in March.
- Rob and I met with the State Planning Office on development in the Southeast part of the City.
- The Mayor, Councilperson Culotta, and I attended the first meeting of the Water Infrastructure and Investment Network along with members from Slaughter Beach.
- Sussex County town managers met to discuss Sussex County building permit system that duplicates most City/Town systems.
- Jamesha, Chief Brown and I attended several meetings with the Teamsters Union regarding the contract for the dispatchers.
- The Chief, Mayor, Public Works Director and I met with the Police Station architect to discuss several items.
- We met with EDiS regarding the basement fit out project.

3:15 PM

02/02/21

Cash Basis

**Downtown Milford Inc**  
**Balance Sheet Prev Period Comparison**  
**As of January 31, 2021**

	Jan 31, 21	Dec 31, 20	\$ Change
<b>ASSETS</b>			
<b>Current Assets</b>			
<b>Checking/Savings</b>			
1010 · Petty Cash	100.12	100.12	0.00
1015 · Eventbrite	12.68	12.68	0.00
1020 · M&T Checking 3009-7084	29,091.12	31,328.38	-2,237.26
1030 · M&T Checking 9878494609	4,948.79	4,948.79	0.00
1100 · M&T Money Market 15004228118673	40,081.63	40,080.04	1.59
1110 · WSFS M/M Restricted x5460			
1112 · WSFS M/M Loan Fund	8,020.78	13,020.78	-5,000.00
1114 · WSFS Facade Fund	3,093.66	3,093.66	0.00
<b>Total 1110 · WSFS M/M Restricted x5460</b>	<b>11,114.44</b>	<b>16,114.44</b>	<b>-5,000.00</b>
<b>Total Checking/Savings</b>	<b>85,348.78</b>	<b>92,584.45</b>	<b>-7,235.67</b>
<b>Other Current Assets</b>			
1220 · Security Deposit	880.00	880.00	0.00
<b>Total Other Current Assets</b>	<b>880.00</b>	<b>880.00</b>	<b>0.00</b>
<b>Total Current Assets</b>	<b>86,228.78</b>	<b>93,464.45</b>	<b>-7,235.67</b>
<b>Fixed Assets</b>			
1500 · Branding Street Banners	18,660.00	18,660.00	0.00
<b>1510 · Farmer's Market</b>			
1511 · Market Canopies	4,604.90	4,604.90	0.00
1512 · Market Tables	1,871.64	1,871.64	0.00
1513 · Market Tents	4,963.53	4,963.53	0.00
1514 · Popcorn Equipment	497.57	497.57	0.00
1515 · Entertainment Equipment	1,700.00	1,700.00	0.00
<b>Total 1510 · Farmer's Market</b>	<b>13,637.64</b>	<b>13,637.64</b>	<b>0.00</b>
1630 · Kiosk	18,181.00	18,181.00	0.00
1650 · Buildings-Santa House	11,511.34	11,511.34	0.00
1660 · Art Display Boats	32,342.47	32,342.47	0.00
<b>1700 · General Office</b>			
1704 · Office Equipment	6,311.19	6,311.19	0.00
1706 · Display Sign	726.00	726.00	0.00
1708 · House Equipment	1,332.98	1,332.98	0.00
1710 · L/H Improvements	5,386.10	5,386.10	0.00
<b>Total 1700 · General Office</b>	<b>13,756.27</b>	<b>13,756.27</b>	<b>0.00</b>
1790 · Accumulated Depreciation	-90,145.51	-90,145.51	0.00
<b>Total Fixed Assets</b>	<b>17,943.21</b>	<b>17,943.21</b>	<b>0.00</b>
<b>Other Assets</b>			
1800 · L/R Nancy Chirdon Forster <i>NOPYMT</i>	2,300.88	2,300.88	0.00
1820 · L/R PSShoppe LLC (Petite Sweet)	4,122.87	4,122.87	0.00
1850 · L/R Cookies Paper Petals, LLC <i>START PYMT 2/1</i>	5,000.00	0.00	5,000.00
<b>1900 · Major Project Investments</b>			
1905 · PNC Bank CD @.002% due 03/20/20	5,060.37	5,060.37	0.00
1910 · M&T CD 3556468 @.10% - 06/15/21	20,807.58	20,807.58	0.00
1915 · M&T CD 3556476 @.15% due 01/07/	21,048.70	21,038.15	10.55
1920 · Artisans Bank - CD	10,499.22	10,499.22	0.00
<b>Total 1900 · Major Project Investments</b>	<b>57,415.87</b>	<b>57,405.32</b>	<b>10.55</b>
<b>Total Other Assets</b>	<b>68,839.62</b>	<b>63,829.07</b>	<b>5,010.55</b>
<b>TOTAL ASSETS</b>	<b>173,011.61</b>	<b>175,236.73</b>	<b>-2,225.12</b>

3:15 PM

02/02/21

Cash Basis

**Downtown Milford Inc**  
**Balance Sheet Prev Period Comparison**  
As of January 31, 2021

	Jan 31, 21	Dec 31, 20	\$ Change
<b>LIABILITIES &amp; EQUITY</b>			
<b>Liabilities</b>			
<b>Current Liabilities</b>			
<b>Other Current Liabilities</b>			
2110 · 941 Tax Liability	693.07	750.61	-57.54
2120 · DWT Tax Liability	124.01	294.04	-170.03
2400 · Ice Cream Security Deposit	400.00	400.00	0.00
<b>Total Other Current Liabilities</b>	1,217.08	1,444.65	-227.57
<b>Total Current Liabilities</b>	1,217.08	1,444.65	-227.57
<b>Total Liabilities</b>	1,217.08	1,444.65	-227.57
<b>Equity</b>			
<b>3600 · Restrictive Funds</b>			
3610 · Low Interest Loan Fund Balance	8,020.78	13,020.65	-4,999.87
3630 · WSFS Facade Grant	3,093.66	3,093.66	0.00
3640 · Bike Rack Matching Grant	4,335.75	4,335.75	0.00
3660 · Vineyard Project	-4,122.18	-4,122.18	0.00
<b>Total 3600 · Restrictive Funds</b>	11,328.01	16,327.88	-4,999.87
<b>3900 · Retained Earnings</b>	137,244.23	132,244.36	4,999.87
<b>Net Income</b>	23,222.29	25,219.84	-1,997.55
<b>Total Equity</b>	171,794.53	173,792.08	-1,997.55
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>173,011.61</b>	<b>175,236.73</b>	<b>-2,225.12</b>

**Downtown Milford Inc**  
**P&L Budget vs. Actual**  
July 2020 through January 2021

	<u>Jul '20 - Jan 21</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
Ordinary Income/Expense				
Income				
4000 · Operations Income				
4010 · Grant Income				
4020 · City of Milford				
4022 · Annual Operations Grant	45,860.00	45,860.00	0.00	100.0%
Total 4020 · City of Milford	45,860.00	45,860.00	0.00	100.0%
Total 4010 · Grant Income	45,860.00	45,860.00	0.00	100.0%
4060 · Ice Cream Rental	800.00	1,600.00	-800.00	50.0%
4185 · Miscellaneous Income	1,370.08	0.00	1,370.08	100.0%
4190 · Interest Income - Bank Interest	172.38	145.83	26.55	118.2%
4195 · Interest Income-Low USDA Intere	60.56	116.67	-56.11	51.9%
Total 4000 · Operations Income	48,263.02	47,722.50	540.52	101.1%
4200 · Organization Committee Inc				
Music Bond Bill Reimbursement	10,000.00	0.00	10,000.00	100.0%
4210 · Corporate Sponsors	0.00	2,916.67	-2,916.67	0.0%
4300 · General Sponsors	0.00	291.67	-291.67	0.0%
4340 · Board support	100.00	408.33	-308.33	24.5%
4200 · Organization Committee Inc - Other	0.00	875.00	-875.00	0.0%
Total 4200 · Organization Committee Inc	10,100.00	4,491.67	5,608.33	224.9%
4400 · Promotion Committee Inc				
4440 · Santa House				
4442 · Donations	1,370.00	0.00	1,370.00	100.0%
4440 · Santa House - Other	408.00	2,500.00	-2,092.00	16.3%
Total 4440 · Santa House	1,778.00	2,500.00	-722.00	71.1%
4450 · Holiday Stroll	595.00	500.00	95.00	119.0%
4460 · St. Patrick's Pub Crawl				
4462 · Bib Sales	1,530.00	0.00	1,530.00	100.0%
4460 · St. Patrick's Pub Crawl - Other	400.00	0.00	400.00	100.0%
Total 4460 · St. Patrick's Pub Crawl	1,930.00	0.00	1,930.00	100.0%
4551 · We Are Milford Signs	241.49	0.00	241.49	100.0%
Total 4400 · Promotion Committee Inc	4,544.49	3,000.00	1,544.49	151.5%
4600 · Design Committee Inc				
4605 · Tree & Grate Sponsorship	0.00	291.67	-291.67	0.0%
4610 · Milford In Bloom				
4611 · MIB Flower/Wreath Sales	0.00	1,500.00	-1,500.00	0.0%
4612 · MIB Sponsors	1,000.00	0.00	1,000.00	100.0%
4613 · Wreath Sales	2,530.00	2,000.00	530.00	126.5%
4610 · Milford In Bloom - Other	1,524.40	0.00	1,524.40	100.0%
Total 4610 · Milford In Bloom	5,054.40	3,500.00	1,554.40	144.4%
Total 4600 · Design Committee Inc	5,054.40	3,791.67	1,262.73	133.3%
4800 · EV Committee Inc				
4810 · Farmers Market				
4811 · Sponsorships	0.00	1,142.86	-1,142.86	0.0%
4812 · Vendors	626.00	4,285.72	-3,659.72	14.6%
4814 · Shopping Bags	10.00	57.14	-47.14	17.5%
4816 · Miscellaneous Income	0.00	285.72	-285.72	0.0%
Total 4810 · Farmers Market	636.00	5,771.44	-5,135.44	11.0%
Total 4800 · EV Committee Inc	636.00	5,771.44	-5,135.44	11.0%
Total Income	68,597.91	64,777.28	3,820.63	105.9%

4:36 PM  
02/02/21  
Cash Basis

**Downtown Milford Inc**  
**P&L Budget vs. Actual**  
July 2020 through January 2021

Expense	Jul '20 - Jan 21	Budget	\$ Over Budget	% of Budget
<b>5000 · Operations Exp</b>				
5010 · Accounting Fees - Tax	750.00	408.33	341.67	183.7%
5015 · Administrative Assistant				
5016 · Administrative PR Taxes	0.00	192.50	-192.50	0.0%
5015 · Administrative Assistant - Other	3,667.50	1,458.33	2,209.17	251.5%
<b>Total 5015 · Administrative Assistant</b>	<b>3,667.50</b>	<b>1,650.83</b>	<b>2,016.67</b>	<b>222.2%</b>
5020 · Bank Charges	287.72	29.17	258.55	986.4%
5030 · Computer & Software	104.93	145.83	-40.90	72.0%
5060 · Donations				
5064 · Milford Parade	0.00	29.17	-29.17	0.0%
<b>Total 5060 · Donations</b>	<b>0.00</b>	<b>29.17</b>	<b>-29.17</b>	<b>0.0%</b>
5080 · Dues & Subscriptions	89.97	58.33	31.64	154.2%
5100 · Insurance	1,634.00	1,458.33	175.67	112.0%
5120 · Internet and Domain Name	787.52	583.33	204.19	135.0%
5130 · Website Enhancements	0.00	233.33	-233.33	0.0%
5200 · General Administrative Exp	0.00	1,166.67	-1,166.67	0.0%
5250 · Postage and Delivery	236.55	291.67	-55.12	81.1%
5260 · Rent Expense	2,640.00	0.00	2,640.00	100.0%
5300 · Repairs & Maintenance Eqpmt	0.00	291.67	-291.67	0.0%
5350 · Stationary & Printing	113.48	466.67	-353.19	24.3%
5360 · Supplies	243.31	583.33	-340.02	41.7%
5380 · Taxes & Licenses	0.00	29.17	-29.17	0.0%
5390 · Telephone	1,198.80	1,166.67	32.13	102.8%
5400 · Travel, & Training				
5404 · Local Tadd Meetings	41.17	233.33	-192.16	17.6%
<b>Total 5400 · Travel, &amp; Training</b>	<b>41.17</b>	<b>233.33</b>	<b>-192.16</b>	<b>17.6%</b>
5800 · Executive Director Exp				
5810 · Salary	15,813.92	26,250.00	-10,436.08	60.2%
5820 · Payroll Taxes	1,563.89	2,625.00	-1,061.11	59.6%
5830 · Health Insurance	961.50	0.00	961.50	100.0%
<b>Total 5800 · Executive Director Exp</b>	<b>18,339.31</b>	<b>28,875.00</b>	<b>-10,535.69</b>	<b>63.5%</b>
5900 · New Office/House Exp				
5920 · Repairs & Maintenance	300.00	525.00	-225.00	57.1%
5930 · Utilities				
5932 · Electric	562.21	1,283.33	-721.12	43.8%
5934 · Fuel Oil	591.78	1,750.00	-1,158.22	33.8%
5940 · Refuse	0.00	175.00	-175.00	0.0%
5950 · Water/Sewer	94.79	233.33	-138.54	40.6%
<b>Total 5930 · Utilities</b>	<b>1,248.78</b>	<b>3,441.66</b>	<b>-2,192.88</b>	<b>36.3%</b>
5900 · New Office/House Exp - Other	576.55	0.00	576.55	100.0%
<b>Total 5900 · New Office/House Exp</b>	<b>2,125.33</b>	<b>3,966.66</b>	<b>-1,841.33</b>	<b>53.6%</b>
6110 · Board Training	0.00	145.83	-145.83	0.0%
6180 · DMI Fixed Asset Purchase	0.00	291.67	-291.67	0.0%
<b>Total 5000 · Operations Exp</b>	<b>32,259.59</b>	<b>42,104.99</b>	<b>-9,845.40</b>	<b>76.6%</b>
<b>6200 · Organization Committee Exp</b>				
6210 · Annual Volunteer Appreciation	0.00	291.67	-291.67	0.0%
6270 · Ice Cream	325.00	0.00	325.00	100.0%
6290 · Printing & Mailing	0.00	466.67	-466.67	0.0%
6200 · Organization Committee Exp - Other	0.00	583.33	-583.33	0.0%
<b>Total 6200 · Organization Committee Exp</b>	<b>325.00</b>	<b>1,341.67</b>	<b>-1,016.67</b>	<b>24.2%</b>

**Downtown Milford Inc**  
**P&L Budget vs. Actual**  
**July 2020 through January 2021**

	<u>Jul '20 - Jan 21</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
<b>6400 · Promotion Committee Exp</b>				
<b>6440 · Santa House Exp</b>				
6442 · Candy	335.80	500.00	-164.20	67.2%
6443 · Casual Labor	0.00	350.00	-350.00	0.0%
6447 · Instant Photos	0.00	500.00	-500.00	0.0%
6448 · Utilities	134.14	125.00	9.14	107.3%
6449 · Supplies & Materials	236.23	500.00	-263.77	47.2%
<b>Total 6440 · Santa House Exp</b>	<u>706.17</u>	<u>1,975.00</u>	<u>-1,268.83</u>	<u>35.8%</u>
<b>6450 · Holiday Stroll</b>	296.25	1,000.00	-703.75	29.6%
<b>6452 · DE Turf</b>				
6454 · Buttons DE Turf/Printing	0.00	291.67	-291.67	0.0%
6456 · Bags	0.00	875.00	-875.00	0.0%
<b>Total 6452 · DE Turf</b>	<u>0.00</u>	<u>1,166.67</u>	<u>-1,166.67</u>	<u>0.0%</u>
<b>6460 · St. Patrick's Pub Crawl</b>				
6462 · Advertising/Promotional	203.31	0.00	203.31	100.0%
<b>Total 6460 · St. Patrick's Pub Crawl</b>	<u>203.31</u>	<u>0.00</u>	<u>203.31</u>	<u>100.0%</u>
<b>6510 · 3rd Thursday Events</b>				
6519 · Buttons	0.00	300.00	-300.00	0.0%
<b>Total 6510 · 3rd Thursday Events</b>	<u>0.00</u>	<u>300.00</u>	<u>-300.00</u>	<u>0.0%</u>
<b>6530 · Gift Certificate Expenses</b>	0.00	233.33	-233.33	0.0%
<b>6570 · Advertising/Promotional</b>				
6571 · TV Advertising	0.00	1,166.67	-1,166.67	0.0%
6572 · General Advertising	150.00	408.33	-258.33	36.7%
6573 · Internet Advertising	0.00	3,150.00	-3,150.00	0.0%
6574 · Print Advertising	0.00	2,333.33	-2,333.33	0.0%
6575 · Radio Advertising	0.00	145.83	-145.83	0.0%
6576 · Activity Advertising	0.00	583.33	-583.33	0.0%
<b>Total 6570 · Advertising/Promotional</b>	<u>150.00</u>	<u>7,787.49</u>	<u>-7,637.49</u>	<u>1.9%</u>
<b>Total 6400 · Promotion Committee Exp</b>	<u>1,355.73</u>	<u>12,462.49</u>	<u>-11,106.76</u>	<u>10.9%</u>
<b>6600 · Design Committee Exp</b>				
<b>Rotary Tree Expense</b>	2,031.39	0.00	2,031.39	100.0%
<b>6610 · Milford in Bloom</b>				
6616 · Plants/Wreaths Purchased	1,792.15	0.00	1,792.15	100.0%
6617 · Miscellaneous G&A	124.00	0.00	124.00	100.0%
<b>Total 6610 · Milford in Bloom</b>	<u>1,916.15</u>	<u>0.00</u>	<u>1,916.15</u>	<u>100.0%</u>
<b>6630 · Signage - Directional</b>	155.30	0.00	155.30	100.0%
<b>6640 · Facade Grants WSFS</b>	0.00	583.33	-583.33	0.0%
<b>6645 · Five For Free Paint</b>	109.90	145.83	-35.93	75.4%
<b>Total 6600 · Design Committee Exp</b>	<u>4,212.74</u>	<u>729.16</u>	<u>3,483.58</u>	<u>577.8%</u>
<b>6800 · EV Committee Exp</b>				
<b>6810 · Farmer's Market Exp</b>				
6812 · Entertainment	0.00	685.71	-685.71	0.0%
6816 · Misc Expenses	571.50	1,328.57	-757.07	43.0%
<b>Total 6810 · Farmer's Market Exp</b>	<u>571.50</u>	<u>2,014.28</u>	<u>-1,442.78</u>	<u>28.4%</u>
<b>6890 · Recruiting Pamphlets</b>	0.00	466.67	-466.67	0.0%
<b>Total 6800 · EV Committee Exp</b>	<u>571.50</u>	<u>2,480.95</u>	<u>-1,909.45</u>	<u>23.0%</u>

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Cash Basis

**Downtown Milford Inc**  
**P&L Budget vs. Actual**  
July 2020 through January 2021

	<u>Jul '20 - Jan 21</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
6830 · Big Ask Expense	123.28	0.00	123.28	100.0%
6880 · Vineyard Shipyard - Feasibility	6,527.78	0.00	6,527.78	100.0%
<b>Total Expense</b>	<b>45,375.62</b>	<b>59,119.26</b>	<b>-13,743.64</b>	<b>76.8%</b>
<b>Net Ordinary Income</b>	<b>23,222.29</b>	<b>5,658.02</b>	<b>17,564.27</b>	<b>410.4%</b>
<b>Net Income</b>	<b>23,222.29</b>	<b>5,658.02</b>	<b>17,564.27</b>	<b>410.4%</b>

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 Cash Basis

**Downtown Milford Inc**  
**P&L Budget vs. Actual Collapsed**  
 July 2020 through January 2021

	Jul '20 - Jan 21	Budget	\$ Over Budget	% of Budget
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
4000 · Operations Income	48,263.02	47,722.50	540.52	101.1%
4200 · Organization Committee Inc	10,100.00	4,491.67	5,608.33	224.9%
4400 · Promotion Committee Inc	4,544.49	3,000.00	1,544.49	151.5%
4600 · Design Committee Inc	5,054.40	3,791.67	1,262.73	133.3%
4800 · EV Committee Inc	636.00	5,771.44	-5,135.44	11.0%
<b>Total Income</b>	<b>68,597.91</b>	<b>64,777.28</b>	<b>3,820.63</b>	<b>105.9%</b>
<b>Expense</b>				
5000 · Operations Exp	32,259.59	42,104.99	-9,845.40	76.6%
6200 · Organization Committee Exp	325.00	1,341.67	-1,016.67	24.2%
6400 · Promotion Committee Exp	1,355.73	12,462.49	-11,106.76	10.9%
6600 · Design Committee Exp	4,212.74	729.16	3,483.58	577.8%
6800 · EV Committee Exp	571.50	2,480.95	-1,909.45	23.0%
6830 · Big Ask Expense	123.28	0.00	123.28	100.0%
6880 · Vineyard Shipyard - Feasibility	6,527.78	0.00	6,527.78	100.0%
<b>Total Expense</b>	<b>45,375.62</b>	<b>59,119.26</b>	<b>-13,743.64</b>	<b>76.8%</b>
<b>Net Ordinary Income</b>	<b>23,222.29</b>	<b>5,658.02</b>	<b>17,564.27</b>	<b>410.4%</b>
<b>Net Income</b>	<b>23,222.29</b>	<b>5,658.02</b>	<b>17,564.27</b>	<b>410.4%</b>

**Downtown Milford Inc**  
**Profit & Loss**  
 January 2021

	Jan 21
<b>Ordinary Income/Expense</b>	
<b>Income</b>	
4000 · Operations Income	
4185 · Miscellaneous Income	1,050.00
4190 · Interest Income - Bank Interest	12.14
<b>Total 4000 · Operations Income</b>	<b>1,062.14</b>
4200 · Organization Committee Inc	
4340 · Board support	100.00
<b>Total 4200 · Organization Committee Inc</b>	<b>100.00</b>
4400 · Promotion Committee Inc	
4440 · Santa House	
4442 · Donations	500.00
<b>Total 4440 · Santa House</b>	<b>500.00</b>
<b>Total 4400 · Promotion Committee Inc</b>	<b>500.00</b>
4600 · Design Committee Inc	
4610 · Milford in Bloom	
4612 · MIB Sponsors	500.00
4610 · Milford in Bloom - Other	1,524.40
<b>Total 4610 · Milford in Bloom</b>	<b>2,024.40</b>
<b>Total 4600 · Design Committee Inc</b>	<b>2,024.40</b>
<b>Total Income</b>	<b>3,686.54</b>
<b>Expense</b>	
5000 · Operations Exp	
5015 · Administrative Assistant	1,963.50
5020 · Bank Charges	1.75
5030 · Computer & Software	14.99
5120 · Internet and Domain Name	39.90
5250 · Postage and Delivery	1.05
5260 · Rent Expense	1,760.00
5390 · Telephone	13.30
5800 · Executive Director Exp	
5810 · Salary	672.00
5820 · Payroll Taxes	231.04
5830 · Health Insurance	384.60
<b>Total 5800 · Executive Director Exp</b>	<b>1,287.64</b>
5900 · New Office/House Exp	
5930 · Utilities	
5932 · Electric	133.84
5950 · Water/Sewer	27.25
<b>Total 5930 · Utilities</b>	<b>161.09</b>
<b>Total 5900 · New Office/House Exp</b>	<b>161.09</b>
<b>Total 5000 · Operations Exp</b>	<b>5,243.22</b>
6200 · Organization Committee Exp	
6270 · Ice Cream	0.00
<b>Total 6200 · Organization Committee Exp</b>	<b>0.00</b>
6400 · Promotion Committee Exp	
6440 · Santa House Exp	
6448 · Utilities	60.97
6449 · Supplies & Materials	81.25
<b>Total 6440 · Santa House Exp</b>	<b>142.22</b>

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Cash Basis

Downtown Milford Inc  
**Profit & Loss**  
January 2021

	Jan 21
6450 · Holiday Stroll	181.25
Total 6400 · Promotion Committee Exp	323.47
6600 · Design Committee Exp	
6645 · Five For Free Paint	109.90
Total 6600 · Design Committee Exp	109.90
6800 · EV Committee Exp	
6810 · Farmer's Market Exp	
6816 · Misc Expenses	7.50
Total 6810 · Farmer's Market Exp	7.50
Total 6800 · EV Committee Exp	7.50
Total Expense	5,684.09
Net Ordinary Income	-1,997.55
Net Income	-1,997.55

**Downtown Milford Inc**

Spending of City Funds

7/1/20 to 6/30/21

City of Milford

Funds Received 45,860.00

Allocation of Funds Spent/Projected	Salary Director	Payroll Taxes	Rent	Health Insurance Costs	Insurance	Phone/ Internet	Utilities	Total Non Event Spending
Jul-20	3,461.54	264.81			836.00	190.81	-	4,753.16
Aug-20	3,461.54	264.80			798.00	-	90.96	4,615.30
Sep-20	2,458.84	188.11			-	188.93	124.91	2,960.79
Oct-20	2,317.50	177.29			-	597.63	600.93	3,693.35
Nov-20	2,259.00	187.53		192.30	-	-	-	2,638.83
Dec-20	2,887.50	250.31		384.60	-	955.75	270.89	4,749.05
Jan-21	2,635.50	231.04		384.60	-	53.20	161.09	3,465.43
Feb-21 *		174.00	880.00	384.60	-	245.29	250.00	1,933.89
Mar-21 *		240.00	880.00	384.60	-	250.00	250.00	2,004.60
Apr-21	1,250.00	240.00	880.00	576.90	-	250.00	250.00	3,446.90
May-21	2,500.00	240.00	880.00	384.60	-	250.00	250.00	4,504.60
Jun-21	2,500.00	240.00	880.00	384.60	-	250.00	250.00	4,504.60
	<u>25,731.42</u>	<u>2,697.89</u>	<u>4,400.00</u>	<u>3,076.80</u>	<u>1,634.00</u>	<u>3,231.61</u>	<u>2,498.78</u>	<u>43,270.50</u>

\* Federal Paycheck Protection Funds Used for Salary

**Downtown Milford Inc**

Request for Funding

7/1/21 to 6/30/22

City of Milford

Funds Requested

Allocation of Funds Requested	Salary Director	Payroll Taxes	Rent	Health Insurance Costs	Insurance	Phone/Internet	Utilities	Total Non Event Spending
Jul-21	2,500.00	240.00	880.00	384.60	1,650.00	200.00	150.00	6,004.60
Aug-21	2,500.00	240.00	880.00	384.60	-	200.00	150.00	4,354.60
Sep-21	2,500.00	240.00	880.00	384.60	-	200.00	150.00	4,354.60
Oct-21	2,500.00	240.00	880.00	576.90	-	200.00	150.00	4,546.90
Nov-21	2,500.00	240.00	880.00	384.60	-	200.00	150.00	4,354.60
Dec-21	2,500.00	240.00	880.00	384.60	-	200.00	150.00	4,354.60
Jan-22	2,500.00	240.00	880.00	384.60	-	200.00	150.00	4,354.60
Feb-22	2,500.00	240.00	880.00	384.60	-	200.00	150.00	4,354.60
Mar-22	2,500.00	240.00	880.00	384.60	-	200.00	150.00	4,354.60
Apr-22	2,500.00	240.00	880.00	576.90	-	200.00	150.00	4,546.90
May-22	2,500.00	240.00	880.00	384.60	-	200.00	150.00	4,354.60
Jun-22	2,500.00	240.00	880.00	384.60	-	200.00	150.00	4,354.60
	<u>30,000.00</u>	<u>2,880.00</u>	<u>10,560.00</u>	<u>4,999.80</u>	<u>1,650.00</u>	<u>2,400.00</u>	<u>1,800.00</u>	<u>54,289.80</u>

Date: Monday, October 11, 2021

To: Mayor and City Council

Through: Mark A. Whitfield, City Manager  
Mike Svaby, Public Works Director

From: James Puddicombe, City Engineer

Subject: Bid Award for 2020 Streets and Utilities (2020-ST-002)

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The 2020 Streets and Utilities Project Consists of the following City improvements:

- Investigation and replacement of 72 potential lead services consisting of just under half a mile of service line,
- Repaving of 1.9 miles (233,775 square feet) of city streets, including N. Church St., North St., NW 5<sup>th</sup> St., NE 2<sup>nd</sup> St., Mill St., Kings Highway, Barker St. and Fisher Ave.
- Replacement or repositioning of four fire hydrants.
- Replacement of 5,420 square feet of sidewalk and 76 currently non-compliant ADA ramps.
- Abandonment of 3,846 linear feet of old water main including the transfer of any service to the newer main.

In order to improve efficiency and reduce costs, lines 37, 44, 45, 76, 129, 131, 132 and 136 from the Capital Improvement Plan (CIP) all have items addressed within this project.

The City put the project out to bid in the Delaware State News on September 10 and 12, 2021. A mandatory prebid conference was held on September 15, 2021 with five contractors in attendance. Of those contractors only one provided a bid prior to the bid opening on October 6, 2021 at 2:00 PM.

The City Engineer reviewed the bid received by Diamond Materials LLC in the amount of \$2,589,742.00 and finds it to be complete, accurate and within the range expected when compared to previous City projects. We recommend awarding the contract to Diamond Materials LLC in the amount of \$2,589,742.00 as the firm is the apparent low bidder and has earned a strong reputation for local work similar to this project.

Funds are proposed to be taken from existing CIP items via a consolidation of the line items listed in the attached spreadsheet. The consolidation of these CIP projects leaves \$200,000 in additional CIP funding requested as part of this project.

The funds to be used would be furnished according to the following amounts and accounts as listed below:

General Fund: \$22,396

MSA: \$107,925  
RTT: \$299,641  
ARPA: \$2,159,780

**Recommendation:**

**We recommend the City Council award the bid to Diamond Materials LLC in the amount of \$2,589,742.00 with funding from the following accounts:**

**General Fund: \$22,396**

**MSA: \$107,925**

**RTT: \$299,641**

**ARPA: \$2,159,780**

**The funding of this project is a consolidation of Capital Improvement Plan Projects from Lines 37, 44, 45, 76, 129, 131, 132 and 136. With lines 45 and 136 having \$150,000 and \$50,000 remaining for future projects.**

**MILFORD 2020 UTILITIES AND STREETS REHAB PROJECT**

CITY OF MILFORD  
KENT & SUSSEX COUNTIES, DELAWARE  
CONTRACT No. 2020-EN/ST-002  
AUGUST 2021

PREPARED BY:



KCI TECHNOLOGIES, INC.  
614 N Dupont Hwy, Dover, DELAWARE 19901

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- 00530 .....Agreement
- 00531.....Notice of Award
- 00532.....Notice to Proceed
- 00610.....Performance Bond
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DIVISION 1

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SECTION

- 01001.....General Conditions
- 01002.....Special Conditions
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DIVISION 2

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NOT USED

DIVISION 3

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NOT USED

APPENDICES

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- Appendix 1.....City of Milford Code of Ordinances, Chapter 197–Streets and Sidewalks
- Appendix 2.....City of Milford’s Standard Specifications for Installation of Utility Construction Projects and Subdivision Pavement Design

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**SECTION 00020**

**INVITATION TO BIDDERS**

The City of Milford is seeking responsible contracting/rehabilitation firms for the completion of construction improvements as part of their **MILFORD 2020 UTILITIES AND STREET REHAB, CONTRACT NO. 2020-EN/ST-002**. The scope of work on the proposed project includes test pitting for the removal of lead water services, replacement of the water service connection line, water line realignment and abandonment, new water services, minor sewer repairs, ADA ramps, curbs, sidewalks, paving, and associated work.

Sealed BIDS, in duplication, for the general construction of the **MILFORD 2020 UTILITIES AND STREETS REHAB, CONTRACT NO. 2020-EN/ST-002**, will be received by the City of Milford at Milford City Hall, 201 S. Walnut Street, Milford, Delaware 19963, until **2:00 P.M. LOCAL TIME ON OCTOBER 6, 2021**.

BIDS will be opened publicly and read aloud in the Council Chambers at Milford City Hall at the time designated in this notice. The main purpose of the BID opening is to reveal the name(s) of the BIDDER(S), and not to serve as a forum for determining the low BIDDER(S). Any BIDS not in the possession of the City of Milford after that time will be returned unopened. It is the responsibility of the BIDDER to ensure their BID is received prior to the closing date and time.

**ENVELOPES MUST BE CLEARLY MARKED "MILFORD 2020 UTILITIES AND STREETS REHAB, CONTRACT NO. 2020-EN/ST-002, BID OPENING OCTOBER 6, 2021, 2:00 P.M." AND SENT TO THE "ATTENTION OF THE CITY CLERK'S OFFICE"**. No faxed or electronic BIDS will be accepted.

The CONTRACT DOCUMENTS may be obtained digitally, free of charge, for both the plans and specifications. Please email [Christine.Hinton@kci.com](mailto:Christine.Hinton@kci.com) for obtaining the bidding documents.

Responsible BIDDERS will be required to provide BID SECURITY in the amount of 10% of the bid sum. The successful bidder must post PERFORMANCE and PAYMENT BONDS equal to 100% of the contract price upon execution of the CONTRACT.

A MANDATORY Pre-BID Meeting will be held at **9:30 AM, SEPTEMBER 15, 2021**, at the City of Milford Public Works Facility, 180 Vickers Drive, Milford, Delaware 19963.

The City reserves the right, as the interest of the City of Milford may appear, to reject any and all BIDS, to waive any informality or irregularity in the BIDS received, to accept or reject any items of any BID, and to adjust the estimated quantities listed at their sole discretion.

**CITY OF MILFORD**  
James Puddicombe  
City Engineer

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## SECTION 00120

### INFORMATION FOR BIDDERS

BIDS will be received by the City of Milford (herein called the "OWNER"), at **City Hall, 201 South Walnut Street, Milford, Delaware 19963, at 2:00 P.M., September 22, 2021.**

Each BID must be submitted in a sealed envelope, addressed to the City of Milford, 201 South Walnut Street, Milford, Delaware 19963. Each sealed envelope containing a BID must be plainly marked on the outside as **MILFORD 2020 UTILITIES AND STREETS REHAB, CONTRACT No. 2020-EN/ST-002** and the envelope should bear on the outside the BIDDER'S name, address, license number, if applicable, and the name of the PROJECT for which the BID is submitted. If forwarded by mail, the sealed envelope containing the BID must be enclosed in another envelope addressed to the City of Milford, 201 South Walnut Street, Milford, Delaware 19963.

All BIDS must be made on the required BID FORM. All blank spaces for BID prices must be filled in, in ink or typewritten, and the BID FORM must be fully completed and executed when submitted. Two (2) copies of the BID FORM and related documents are required.

All BIDDERS shall supply the names and addresses of major material SUPPLIERS and SUBCONTRACTORS with their respective BIDS.

The OWNER may waive any informalities or minor defects or reject any and all BIDS. Any BID may be withdrawn prior to the above scheduled time for the opening of BIDS or authorized postponement thereof. Any BID received after the time and date specified shall not be considered. No BIDDER may withdraw a BID within **one hundred twenty (120)** days after the actual date of the opening thereof. Should there be reason why the CONTRACT cannot be awarded within the specified period, the time may be extended by mutual agreement between the OWNER and the BIDDERS.

If two (2) or more BIDDERS submit BIDS of an equal amount and such amount is the lowest BID, the OWNER may award the CONTRACT to any one of the BIDDERS with equal low BID; or, all BIDS may be rejected.

BIDDERS must satisfy themselves as to the accuracy of the estimated quantities in the BID Schedule by examination of the site and review of the drawings and specifications including ADDENDA. After BIDS have been submitted, the BIDDERS shall not assert that there was a misunderstanding concerning the quantities of WORK or of the nature of the WORK to be done.

The OWNER shall provide to BIDDERS prior to BIDDING, all information which is pertinent to, and delineates and describes, the land owned and rights-of-way acquired or to be acquired.

The CONTRACT DOCUMENTS contain the provisions required for the construction of the PROJECT. Information obtained from an officer, agent, or employee of the OWNER or any other person shall not affect the risks or obligations assumed by the CONTRACTOR or relieve him from fulfilling any of the conditions of the CONTRACT.

Each BID must be accompanied by a BID BOND payable to the OWNER in the amount of ten percent (10%) of the total amount of the BID. When the AGREEMENT is executed, the BID BONDS of the unsuccessful BIDDERS will be returned. The BID BOND of the successful BIDDER will be retained until the PAYMENT BOND and PERFORMANCE BOND have been executed and approved, after which it will be returned. A certified check may be used in lieu of a BID BOND.

A PERFORMANCE BOND and a PAYMENT BOND, each in the amount of one hundred percent (100%) of the CONTRACT PRICE, with a corporate surety approved by the OWNER, in addition to a CERTIFICATE OF INSURANCE, will be required for the faithful performance of the CONTRACT.

Attorneys-in-fact who sign BID BOND or PAYMENT BONDS and PERFORMANCE BONDS must file with each BOND a certified and effective dated copy of their power of attorney.

The party to whom the CONTRACT is awarded will be required to execute the AGREEMENT and obtain the PERFORMANCE BOND, PAYMENT BOND, and CERTIFICATE OF INSURANCE within twenty (20) calendar days from the date when the NOTICE OF AWARD is delivered to the BIDDER. The NOTICE OF AWARD shall be accompanied by the necessary AGREEMENT and BOND forms. In case of failure of the BIDDER to execute the AGREEMENT, the OWNER may, at his option, consider the BIDDER in default, in which case the BID BOND accompanying the proposal shall become the property of the OWNER.

The OWNER, within ten (10) days of receipt of acceptable PERFORMANCE BOND, PAYMENT BOND, CERTIFICATE OF INSURANCE, and AGREEMENT signed by the party to whom the AGREEMENT was awarded, shall sign the AGREEMENT and return to such party an executed duplicate of the AGREEMENT. Should the OWNER not execute the AGREEMENT within such period, the BIDDER may, by WRITTEN NOTICE, withdraw his signed AGREEMENT. Such notice of withdrawal shall be effective upon receipt of the notice by the OWNER.

The NOTICE TO PROCEED shall be issued within ten (10) days of the execution of the AGREEMENT by the OWNER. Should there be reasons why the NOTICE TO PROCEED cannot be issued within such period, the time may be extended by mutual agreement between the OWNER and the CONTRACTOR.

The OWNER may make such investigations as he deems necessary to determine the ability of the BIDDER to perform the WORK, and the BIDDER shall furnish to the OWNER all such information and data for this purpose as the OWNER may request. The OWNER reserves the right to reject any BID if the evidence submitted by, or investigation of, such BIDDER fails to satisfy the OWNER that such BIDDER is properly qualified to carry out the obligations of the AGREEMENT and to complete the WORK contemplated therein.

Following review of all BIDS and any other pertinent material, the OWNER will award the CONTRACT to the lowest, responsible and responsive BIDDER as appears in the best interests of the OWNER.

A conditional or qualified BID will not be accepted.

All applicable laws, ordinances, and the rules and regulations of all authorities having jurisdiction over construction of the PROJECT shall apply to the CONTRACT throughout.

**SECTION 00300**

**BID FORM**

Proposal of Diamond Materials, LLC (hereafter called "BIDDER"), organized and existing under the laws of the State of Delaware doing business as LLC (*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 **MILFORD 2020 UTILITIES AND STREETS REHAB, CONTRACT NO. 2020-EN/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 in accordance with a mutually agreed upon schedule and no later than May 27, 2022. 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 No: 1 9/24/2021  
\_\_\_\_\_  
\_\_\_\_\_

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

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:

**Milford 2020 Utility Rehab Project**  
**Bid Form:**

Item No. & Description	Unit	Quantity	Unit Price	Total Price
1 Mobilization/Demobilization (Max 3% of Total Bid)	LS	1	\$77,690.25	\$77,690.25
2 Maintenance of Traffic	LS	1	\$300,000.00	\$300,000.00
3 Excavate Existing Water Service Connection at Main	EA	72	\$2,000.00	\$144,000.00
4 Re-use Existing Corp. Stop, Furnish & Install New Water Service via Bore Method, including Backfill and Compact	LF	1510	\$55.00	\$83,050.00
5 Furnish and Install New Service Tap, Including Tapping Saddle & Corp. Stop	EA	37	\$1,000.00	\$37,000.00
6 Connect to New Corp. Stop, Furnish & Install New Water Service via Bore Method, including Backfill and Compact	LF	815	\$55.00	\$44,825.00
7 Sewer Point Repair	LF	36	\$250.00	\$9,000.00
8 Replace Manhole Frame and Cover	EA	1	\$1,800.00	\$1,800.00
9 Cut and Cap Existing Water Main (Abandon Line)	EA	11	\$3,200.00	\$35,200.00
10 Connect Existing Hydrant to Existing Main (DIP)	LF	40	\$460.00	\$18,400.00
11 Remove Existing 8" Gravity Sewer	LF	85	\$45.00	\$3,825.00
12 Furnish and Install New 8" Gravity Sewer	LF	250	\$65.00	\$16,250.00
13 Furnish and Install 4" Water Main	LF	200	\$100.00	\$20,000.00
14 Furnish and Install 10" Water Main	LF	20	\$470.00	\$9,400.00
15 Remove Asbestos Pipe and Replace with 6" PVC	LF	280	\$85.00	\$23,800.00

Item No. & Description	Unit	Quantity	Unit Price	Total Price
16 Relocate Existing Fire Hydrant	EA	2	\$5,000.00	\$10,000.00
17 Connect New Fire Hydrant to Existing Water Main	EA	2	\$10,000.00	\$20,000.00
18 Replace Existing Valve	EA	5	\$2,900.00	\$14,500.00
19 Remove Valve Box	EA	4	\$850.00	\$3,400.00
20 Remove Valve	EA	3	\$335.00	\$1,005.00
21 Furnish, install & Compact Permanent and Temporary GABC, including Maintenance and Removal of Temporary GABC Prior to Asphalt Paving	CY	315	\$175.00	\$55,125.00
22 Pavement Milling Operations	SY	25,975	\$4.25	\$110,393.75
23 Furnish & Install Hot Mix Asphalt Paving, Type "B"	Ton	434	\$152.00	\$65,968.00
24 Furnish and Install Hot Mix Asphalt Paving, Type "C"	Ton	3816	\$120.00	\$457,920.00
25 Remove & Replace Existing Concrete Curb	LF	850	\$40.00	\$34,000.00
26 Remove & Replace Existing Concrete Sidewalk, Including Select Base	SF	5420	\$10.00	\$54,200.00
27 5" Wide Permanent Roadway Striping	LF	7600	\$0.60	\$4,560.00
28 Stop Bar	EA	22	\$175.00	\$3,850.00
29 Remove and Replace ADA Ramps to be Compliant	EA	76	\$4,000.00	\$304,000.00
30 Furnish and Install Storm Drain Inlet	EA	3	\$3,300.00	\$9,900.00
31 Furnish and Install Storm Drain Manhole	EA	1	\$5,200.00	\$5,200.00
32 Furnish and Install Strom Drain Piping	LF	90	\$85.00	\$7,650.00
<b>TOTAL BASE BID:</b>				<b>\$1,985,912.00</b>

<b>CONTINGENT ITEMS (TO BE COMPLETED AT DIRECTION OF ENGINEER)</b>					
<b>Item No. &amp; Description</b>		<b>Unit</b>	<b>Quantity</b>	<b>Unit Price</b>	<b>Total Price</b>
33	Re-Use Existing Corp. Stop, Furnish & Install New Water service via Open Cut Method, including Backfill and Compact	LF	1510	\$15.00	\$22,650.00
34	Remove Existing Corp. Stop and Tapping Saddle, Re-Use Existing Tap and Furnish & Install New Tapping Saddle & Corp Stop	EA	72	\$1,100.00	\$79,200.00
35	Connect to New Corp. Stop, Furnish & Install New Water service via Open Cut Method, including Backfill and Compact	LF	815	\$15.00	\$12,225.00
36	Remove Existing Corp. Stop and Tapping Saddle, and Furnish & Install Full Circle Repair Clamp	EA	72	\$785.00	\$56,520.00
37	Furnish and Install New Service Tap, Including Tapping Saddle & Corp. Stop	EA	72	\$1,100.00	\$79,200.00
38	Remove Existing Meter Pit Assembly	EA	108	\$600.00	\$64,800.00
39	Furnish & Install New Meter Pit Assembly	EA	108	\$1,100.00	\$118,800.00
40	Furnish & Install Blank in Existing Meter Pit	EA	108	\$135.00	\$14,580.00
41	Remove & Replace Existing Curb Box and Curb stop	EA	108	\$810.00	\$87,480.00
42	Undercut, Furnish, Install & Compact GABC (#57 Stone)	CY	50	\$200.00	\$10,000.00
43	Undercut, Furnish, install & Compact Select Fill	CY	50	\$230.00	\$11,500.00
44	Hot Mix Patching (6" Depth)	SY	100	\$40.00	\$4,000.00
45	Hot Mix Patching (12" Depth)	SY	100	\$85.00	\$8,500.00

Item No.	Description	Unit	Quantity	Unit Price	Total Price
46	Furnish & Install "Cold Patch" Temporary Pavement, including Maintenance and Removal of "Cold Patch" Prior to Permanent Asphalt Paving	SF	200	\$12.00	\$2,400.00
47	Furnish & Install C-900, DR 18, PVC Water Main	LF	150	\$100.00	\$15,000.00
48	Test Pitting, Including Temporary Restoration	CY	10	\$270.00	\$2,700.00
49	Secure Modified Proctor Tests	EA	10	\$175.00	\$1,750.00
50	Secure Field Density Tests	EA	10	\$410.00	\$4,100.00
51	Furnish and Install New Curb	LF	85	\$55.00	\$4,675.00
52	Furnish and Install New Sidewalk	SF	375	\$10.00	\$3,750.00
<b>TOTAL CONTINGENT BID:</b>					<b>\$603,830.00</b>
<b>TOTAL BID:</b>					<b>\$2,589,742.00</b>

**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)	DBE (Y/N)
1.	Directional Drilling	Tri-State Underground Inc.	4369 DuPont Parkway Townsend, DE 19734	N
2.				
3.				
4.				
5.				

SUPPLIERS				
	CATEGORY	COMPANY NAME	ADDRESS (CITY, STATE)	DBE (Y/N)
1.	Pipe Supply	Core & Main	25414 Prime Hook Rd Milton, DE 19968	N
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.

BIDDER agrees that this BID shall be good and may not be withdrawn for a period of **one-hundred twenty (120) days** after the scheduled closing time for receiving BIDS. 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 \$ \_\_\_\_\_, 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:



Signature

Vice President Project Management

Title

21-00003511

License Number (If applicable)

10/1/2021

Date

242 N. James Street, STE 102

Address

Newport, DE 19804

Address (cont'd)

Seal - (if bid is by a corporation)

END OF SECTION

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**SECTION 00370**

**BID BOND**

KNOW ALL MEN BY THESE PRESENTS, that we, the Undersigned,  
Diamond Materials, LLC, 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 6th day of October, 2021.

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 **MILFORD 2020 UTILITIES AND STREETS REHAB, CONTRACT No. 2020-EN/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.

Diamond Materials, LLC

(L.S.)  
Principal

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 ss
County of MONTGOMERY

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:

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.

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 6th day of October, 2021.



By: Renee C. Llewellyn, Assistant Secretary



LIBERTY MUTUAL INSURANCE COMPANY  
FINANCIAL STATEMENT — DECEMBER 31, 2020

<b>Assets</b>		<b>Liabilities</b>	
Cash and Bank Deposits.....	\$2,058,007,542	Unearned Premiums.....	\$8,448,706,991
*Bonds — U.S Government.....	2,209,760,437	Reserve for Claims and Claims Expense .....	23,879,216,613
*Other Bonds.....	15,902,755,586	Funds Held Under Reinsurance Treaties.....	343,068,613
*Stocks .....	18,517,107,230	Reserve for Dividends to Policyholders.....	1,192,716
Real Estate .....	193,169,809	Additional Statutory Reserve .....	77,397,000
Agents' Balances or Uncollected Premiums.....	6,970,170,469	Reserve for Commissions, Taxes and	
Accrued Interest and Rents.....	118,399,147	Other Liabilities .....	6,279,510,804
Other Admitted Assets.....	12,079,597,645	<b>Total .....</b>	<b>\$39,029,092,737</b>
<b>Total Admitted Assets .....</b>	<b><u>\$58,048,967,865</u></b>	Special Surplus Funds.....	\$178,155,102
		Capital Stock.....	10,000,075
		Paid in Surplus .....	10,945,045,214
		Unassigned Surplus.....	7,886,674,737
		<b>Surplus to Policyholders.....</b>	<b>19,019,875,128</b>
		<b>Total Liabilities and Surplus.....</b>	<b><u>\$58,048,967,865</u></b>



\* 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, 2020, 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 25<sup>th</sup> day of March, 2021.

*TAMIKOLAJEWSKI*

\_\_\_\_\_  
Assistant Secretary

City of Milford, Delaware

Capital Improvement Plan (CIP): Selected Proj Approvals through FY22 & Recommended Budget Consolidation for 2020 Utility Project

	A	B	C	D	E	F	G	H	I
Fund/ Dept	Project	Funding Source	FY20 (Approved)	FY21 (Approved)	FY22 (Approved)	Budg Transfers	FY20-FY22 (Approved)	LTD Spent Thru 8/31/21	Balance Remaining
<b>ENTERPRISE FUNDS</b>									
	<b>INFRASTRUCTURE</b>								
37*	WATER	Mispillion St. Group Lead Water Service Line	ARPA	213,500		(38,044)	175,456	(175,456)	-
44		Lovers Lane Mains & Service Lines	ARPA	44,950		(11,622)	33,328	(33,328)	-
45		Street Rehab	ARPA		405,000	(405,000)	-	-	-
		City-wide Valve & Hydrant Replacement/Improvements	ARPA		250,000	(100,000)	150,000	-	150,000
		<b>Total Water Infrastructure</b>		<b>\$ 258,450</b>	<b>\$ 655,000</b>	<b>\$ (554,666)</b>	<b>\$ 358,784</b>	<b>\$ (208,784)</b>	<b>\$ 150,000</b>
	<b>SEWER</b>	<b>INFRASTRUCTURE</b>							
71		I&I Engineering Study	ARPA	15,101	141,634	(85,435)	71,300	(71,300)	-
76.5		Street Rehab	ARPA			(100,000)	-	-	-
		<b>Total Sewer Infrastructure</b>	<b>\$ 15,101</b>	<b>\$ 141,634</b>	<b>\$ 100,000</b>	<b>\$ (185,435)</b>	<b>\$ 71,300</b>	<b>\$ (71,300)</b>	<b>\$ -</b>
<b>GENERAL FUND</b>									
	<b>STREETS</b>	<b>INFRASTRUCTURE</b>							
129		Engineering: Various Streets (2019)	MSA	72,000		(69,381)	2,619	(2,619)	-
131		Street Rehab	GF Reserves		200,000	(200,000)	-	-	-
	RTT			380,000	(380,000)	-	-	-	
	MSA			320,000	(320,000)	-	-	-	
132		ADA Transition Plan	Grant Funds		150,000	(130,260)	19,740	-	19,740
136		Sidewalk Connectivity Initiative	Grant Funds		100,000	(50,000)	50,000	-	50,000
		<b>Total Streets Infrastructure</b>	<b>\$ 72,000</b>	<b>\$ -</b>	<b>\$ 1,650,000</b>	<b>\$ (1,649,641)</b>	<b>\$ 72,359</b>	<b>\$ (2,619)</b>	<b>\$ 69,740</b>
<b>Grand Total Transfers Available for Consolidated Project</b>						<b>\$ 2,389,742</b>			
	<b>2020UT</b>	<b>CONSOLIDATED INFRASTRUCTURE</b>							
		Water Components	ARPA			2,095,271	2,095,271	-	2,095,271
		Sewer Components	ARPA			37,484	37,484	-	37,484
		Stormwater Components	ARPA			27,025	27,025	-	27,025
		Street, Sidewalk & Curb Components	MSA			107,925	107,925	-	107,925
			RTT			249,641	249,641	-	249,641
			GF Reserves		-	72,396	72,396	-	72,396
		<b>TOTAL CONSOLIDATED INFRASTRUCTURE PROJECT</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 2,589,742</b>	<b>\$ 2,589,742</b>	<b>\$ -</b>	<b>\$ 2,589,742</b>

City of Milford, Delaware

Capital Improvement Plan (CIP): Selected Proj Approvals through FY22 & Recommended Budget Consolidation for 2020 Utility Project

	A	B	C	D	E	F	G	H	I	
Fund/ Dept	Project	Funding Source	FY20 (Approved)	FY21 (Approved)	FY22 (Approved)	Budg Transfers	FY20-FY22 (Approved)	LTD Spent Thru 8/31/21	Balance Remaining	
<b>ENTERPRISE FUNDS</b>										
	<b>INFRASTRUCTURE</b>									
37*	WATER	Misphillion St. Group Lead Water Service Line	ARPA	213,500		(38,044)	175,456	(175,456)	-	
44		Lovers Lane Mains & Service Lines	ARPA	44,950		(11,622)	33,328	(33,328)	-	
45		Street Rehab	ARPA		405,000	(405,000)	-	-	-	
		City-wide Valve & Hydrant Replacement/Improvements	ARPA		250,000	(100,000)	150,000	-	150,000	
		<b>Total Water Infrastructure</b>		<b>\$ 258,450</b>	<b>\$ 655,000</b>	<b>\$ (554,666)</b>	<b>\$ 358,784</b>	<b>\$ (208,784)</b>	<b>\$ 150,000</b>	
	<b>INFRASTRUCTURE</b>									
71	SEWER	I&I Engineering Study	ARPA	15,101	141,634	(85,435)	71,300	(71,300)	-	
76.5		Street Rehab	ARPA			(100,000)	-	-	-	
		<b>Total Sewer Infrastructure</b>	<b>\$ 15,101</b>	<b>\$ 141,634</b>	<b>\$ 100,000</b>	<b>\$ (185,435)</b>	<b>\$ 71,300</b>	<b>\$ (71,300)</b>	<b>\$ -</b>	
<b>GENERAL FUND</b>										
	<b>INFRASTRUCTURE</b>									
129	STREETS	Engineering: Various Streets (2019)	MSA	72,000		(69,381)	2,619	(2,619)	-	
		Street Rehab	GF Reserves		200,000	(200,000)	-	-	-	
131			RTT		380,000	(380,000)	-	-	-	
			MSA			320,000	(320,000)	-	-	
			ARPA			500,000	(500,000)	-	-	
132		ADA Transition Plan	Grant Funds		150,000	(130,260)	19,740	-	19,740	
136		Sidewalk Connectivity Initiative	Grant Funds		100,000	(50,000)	50,000	-	50,000	
		<b>Total Streets Infrastructure</b>	<b>\$ 72,000</b>	<b>\$ -</b>	<b>\$ 1,650,000</b>	<b>\$ (1,649,641)</b>	<b>\$ 72,359</b>	<b>\$ (2,619)</b>	<b>\$ 69,740</b>	
<b>Grand Total Transfers Available for Consolidated Project</b>						<b>\$ 2,389,742</b>				
	<b>CONSOLIDATED INFRASTRUCTURE</b>									
	2020UT	Water Components	ARPA			2,095,271	2,095,271	-	2,095,271	
		Sewer Components	ARPA			37,484	37,484	-	37,484	
		Stormwater Components	ARPA			27,025	27,025	-	27,025	
		Street, Sidewalk & Curb Components	MSA			107,925	107,925	-	107,925	
			RTT			249,641	249,641	-	249,641	
			GF Reserves			-	72,396	72,396	-	72,396
		<b>TOTAL CONSOLIDATED INFRASTRUCTURE PROJECT</b>		<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 2,589,742</b>	<b>\$ 2,589,742</b>	<b>\$ -</b>	<b>\$ 2,589,742</b>



## All-Way Stop Control (AWSC) Nomination Form Instructions

Updated December 2020

### What is this form?

This form is the Nomination Agreement Form for requests for All-Way Stop Control (AWSC) according to the DeIDOT *AWSC Guidelines for Residential Streets*.

### Who can submit a request using this form?

The DeIDOT *AWSC Guidelines for Residential Streets* describes three (3) paths for submittal of AWSC requests that vary based on sponsoring group, support from an established HOA or Civic/Community Association, etc:

- Path 1: Locations Sponsored by an Area Legislator with Support from an HOA or Civic/Community Association
- Path 2: Locations Sponsored by an HOA or Civic/Community Association
- Path 3: Locations Sponsored by an Area Legislator with Support from a Working Group (in Areas without an established HOA or Civic/Community Association)
- All three paths may also utilize an optional Community Ballot

### Which locations are eligible to submit a request?

Prior to using this form, please ensure that ALL of the following minimum criteria are satisfied.

<b>Are the requested intersection(s) located:</b>	<b>Yes</b>	<b>No</b>
At junction of existing subdivision streets, with at least one of the approaches being state maintained?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Along streets with speed limits of 25 mph or less?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
At least 600 feet from an existing signalized intersection?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Along roadways that provide access to either residential properties or schools?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
At the junction of subdivision or residential streets for which all legs of the intersection provide direct access to residential properties or schools?	<input checked="" type="checkbox"/>	<input type="checkbox"/>



## All-Way Stop Control (AWSC) Nomination Form

### Section A: General Information

Date: 10/11/2021 County: Sussex

Development (Community): City of Milford

The following intersections meet the requirements provided in the DelDOT *All-Way Stop Control (AWSC) Guidelines for Residential Streets* (Requested Locations):

Seabury Avenue and Elm Street

Seabury Avenue and Pine Street

### Section B: Legislator(s) Information

*(If you are not a legislator, skip to next section)*

Senator

Representative

Name and Title:

District #:

Contact Info:

Email Address:

Phone Number:

Mailing Address:

Signature:

**Section C: HOA/Civic Association or Working Group Information**

Type of Group (circle one): HOA/Civic Association Working Group

Name(s) of Primary Representative(s)/ Community Contact(s) James Puddicombe, City Engineer

Contact Information: Email Address (Preferred) jpuddicombe@milford-de.gov

Phone Number 302-395-5395

Mailing Address 180 Vickers Drive  
Milford, DE 19963

**Section D: Certification of Community Support**

*(If using Community Ballot, skip to next section)*

I certify that the communities Homeowner's Association (HOA)/Civic Association Board/Working Group voted in support of All-Way Stop Control at the aforementioned intersection(s).

Representative Name(s)	Signature(s)	Date(s)
Archie Campbell, Mayor		10/11/2021

~~**Section E: Community Ballot Request (Optional)**~~

~~*(Leave blank if not applicable)*~~

~~Is a Ballot being requested to seek support from Community? (Yes/No): \_\_\_\_\_~~

~~Number of Residences in Community to be included in Ballot: \_\_\_\_\_~~

~~Please attach and submit the following information with this form:~~

- ~~• Map of community boundaries~~
- ~~• List of street names within the community~~
- ~~• List of names and addresses of residents~~

*Note: Information from this form may be used by DeIDOT to contact the applicants regarding any future questions or concerns*



● - Proposed Three Way Stops

Route 113

Cherry Street

Seabury Avenue

Ein Street

New Street

Pine Street

Wilbur Street

South Walnut Street

0 125 250 500 Feet

# DeIDOT All-Way Stop Control (AWSC) Guidelines for Residential Streets

## Executive Summary

DeIDOT's Traffic Section frequently receives requests to install all-way stop control measures in residential communities, as a means to reduce cut-through traffic, improve safety within residential areas, and slow traffic. However, the existing traffic volumes and crash history in residential communities rarely meet the warrants provided in the Delaware Manual on Uniform Traffic Control Devices (DE MUTCD) for installation of STOP signs. Section 2B.07 of the DE MUTCD notes that all-way stop control may be considered at the intersection of two residential neighborhood collector (through) streets of similar design and operating characteristics where multi-way stop control would improve traffic operational characteristics of the intersection. However, the DE MUTCD (Sections 2B.04 and 2B.07) also states that stop signs should not be used for speed control. Based on these considerations, the intent of these guidelines is to provide a well-defined process for reviewing requests for stop signs along subdivision or local residential streets that are intended for managing traffic circulation within a community. DeIDOT's All-Way Stop Control (AWSC) Guidelines for Residential Streets provides a list of criteria that potential AWSC locations should meet in order to be applicable for this process. The guidelines also outline the process for approving AWSC locations within these areas.

The current guidelines were developed in the Spring of 2016 when DeIDOT initiated an effort to develop All-Way Stop Control (AWSC) Guidelines for Residential Streets as a means to expedite the review and study process for requests pertaining to intersections located along low-speed, residential streets, typically located within subdivisions, that meet a variety of minimum design and operational requirements. During the development of DeIDOT's AWSC Guidelines, a research initiative was undertaken to see if/how other states or local governments have addressed similar requests for AWSC on local roads. The literature review revealed that several states have adopted procedures for installing AWSC to supplement the MUTCD's AWSC policy.

Based on the aforementioned literature review and the findings of VDOT and FHWA's research into the safety, speed and traffic diversion impacts of AWSC signs in residential communities, DeIDOT decided it would be appropriate to establish the All-Way Stop Control (AWSC) Guidelines for Residential Streets. The guiding principle of DeIDOT's guidelines is that they should be a systematic approach to evaluating intersections for potential conversion to AWSC in residential communities along low speed roads. The guidelines and minimum criteria were developed based largely on the review and consideration of similar, existing policies around the country, but was tailored based on experience in Delaware from prior AWSC installations.

A Pilot Study implementing AWSC at intersections began in 2018. Eight (8) intersections across different parts of the State were analyzed both before and after the implementation of AWSC. While there were no discernable crash patterns for the three years prior to implementation, no additional crashes occurred within the six months after implementation. Nearly all intersections saw a reduction in 50th percentile and 85th percentile speeds at the intersection. DeIDOT also implemented AWSC at a few intersections that didn't meet all of the minimum criteria to determine if the minimum criteria could be modified. Based on the results from these locations, DeIDOT modified the minimum criteria in the AWSC Guidelines for Residential Streets to broaden the scope of implementing AWSC.

Based on the pilot program, the cost for installing two (2) new stop signs through this process was originally \$400 to \$500 to convert a 4-leg intersection to AWSC through coordination with Community Transportation Funds (CTF). In consideration of DeIDOT's administrative cost and time to coordinate with the local legislator, which exceeded the installation cost, the funding requirement has been removed from this program.

## Introduction

In Delaware, the Delaware Department of Transportation (DeIDOT) owns and maintains 87% of the roads in the state, including the vast majority of subdivision streets. The national average is only 20% because in most states the local roads are the responsibility of county or municipal governments. As the agency responsible for thousands of miles of local roads in Delaware, DeIDOT frequently receives requests to install stop signs within subdivisions, usually as a means to either slow traffic, reduce cut-through traffic, and/or improve safety within a neighborhood. Therefore, DeIDOT has developed these All-Way Stop Control (AWSC) Guidelines for Residential Streets as a means to expedite the review and study process for requests pertaining to intersections located along low-speed residential streets, typically located within subdivisions, provided they meet a variety of minimum design and operational requirements.

The *Delaware Manual of Uniform Traffic Control Devices* (DE MUTCD) provides guidance for the applicability of multi-way stop control, also known as all-way stop control (AWSC). Section 2B.07 of the DE MUTCD notes that all-way stop control may be considered at the intersection of two (2) residential neighborhood collector (through) streets of similar design and operating characteristics where multi-way stop control would improve traffic operational characteristics of the intersection. However, the DE MUTCD (Sections 2B.04 and 2B.07) also states that stop signs should not be used for speed control. The intent of these guidelines is to provide a process for reviewing requests for stop signs along residential streets that are intended for managing traffic circulation within a community, not for reducing speeds.

The application and review process for the AWSC Guidelines for Residential Streets mirrors the process and procedures outlined in the *Delaware Traffic Calming Design Manual*. In fact, the AWSC process will be administered through the Department's Traffic Calming Program, but for the reasons noted previously, AWSC measures should not be considered as a traffic calming device.

Finally, DeIDOT reserves the right to refuse to install any stop signs if they are anticipated to create operational or safety issues, particularly along adjacent roadways with a higher classification.

## Identification of Potential AWSC Intersections

### Minimum Criteria

The following minimum criteria should be satisfied for stop signs to be installed using the AWSC Guidelines for Residential Streets:

<b><i>Types of Streets</i></b>	The residential AWSC guidelines are only applicable at the junction of existing subdivision streets with at least one of the approaches being state maintained. Intersections that include state-maintained subdivision roads or local roads with three (3) digit maintenance numbers that traverse a subdivision shall be evaluated and approved by DeIDOT to be eligible for this process.
<b><i>Speed Limits</i></b>	The residential AWSC guidelines are only applicable for the intersection of streets with speed limits of 25 MPH or less.
<b><i>Spacing from existing traffic control devices</i></b>	Stop signs that are proposed using the residential AWSC guidelines should be placed at least 600 feet from an existing signalized intersection.
<b><i>Surrounding Land Use</i></b>	The residential AWSC guidelines are only applicable for roadways that provide access to either residential properties or schools.
<b><i>Access Points</i></b>	The residential AWSC guidelines are only applicable at the junction of subdivision or local roads for which all legs of the intersection provide direct access to residential properties or schools.

For locations that do not meet these minimum criteria, a request may still be made to DeIDOT to determine if modifications may be appropriate. These modifications may include changes in traffic control or the consideration of traffic calming features. However, these efforts would be performed independently from the All-Way Stop Control Guidelines for Residential Streets.

The project development guidance in this manual does not apply to streets under municipal control or private streets under the control of neighborhood associations. However, the guidance included in the manual may be adopted by any local governing authority.

### Anticipated Impacts

***Speed:*** While AWSC should not be used for speed control, the installation of a stop sign may reduce speeds at the location of the sign. However, it may also *increase* vehicle speeds between stop signs as motorists attempt to make up for lost time.

***Traffic Diversion:*** Stop signs can contribute to the diversion of traffic from a street. The amount of traffic diversion will depend on the increased travel time for non-local traffic and the availability of alternate route(s).

### Potential Advantages

- Possible reduction in non-local traffic
- Relatively low implementation cost
- Provides a method for managing the circulation of traffic within a community

### Potential Disadvantages

- Emergency response times may increase
- Potential for noise levels to increase due to vehicles braking and accelerating, as well as the vibration of loose items in truck beds or trailers
- May result in increased pollution from vehicle exhaust

- Potential for loss of on-street parking at/near the intersection
- May divert traffic to other streets
- May result in some motorists speeding up between stop signs
- Requires additional traffic control devices
- Additional burden on local law enforcement

### Three Paths for Submittal and Evaluation of AWSC Requests

After identifying potential intersections for AWSC, the next step is to determine who would sponsor the request to DeIDOT. There are several factors to consider when determining the sponsor, but the main factor is if the requested locations are within an area governed by an established HOA or Civic/Community Association. After that is determined, there are three (3) possible scenarios, or paths, depending on the sponsoring group.

Path 1: Locations Sponsored by an Area Legislator with Support from an HOA or Civic/Community Association

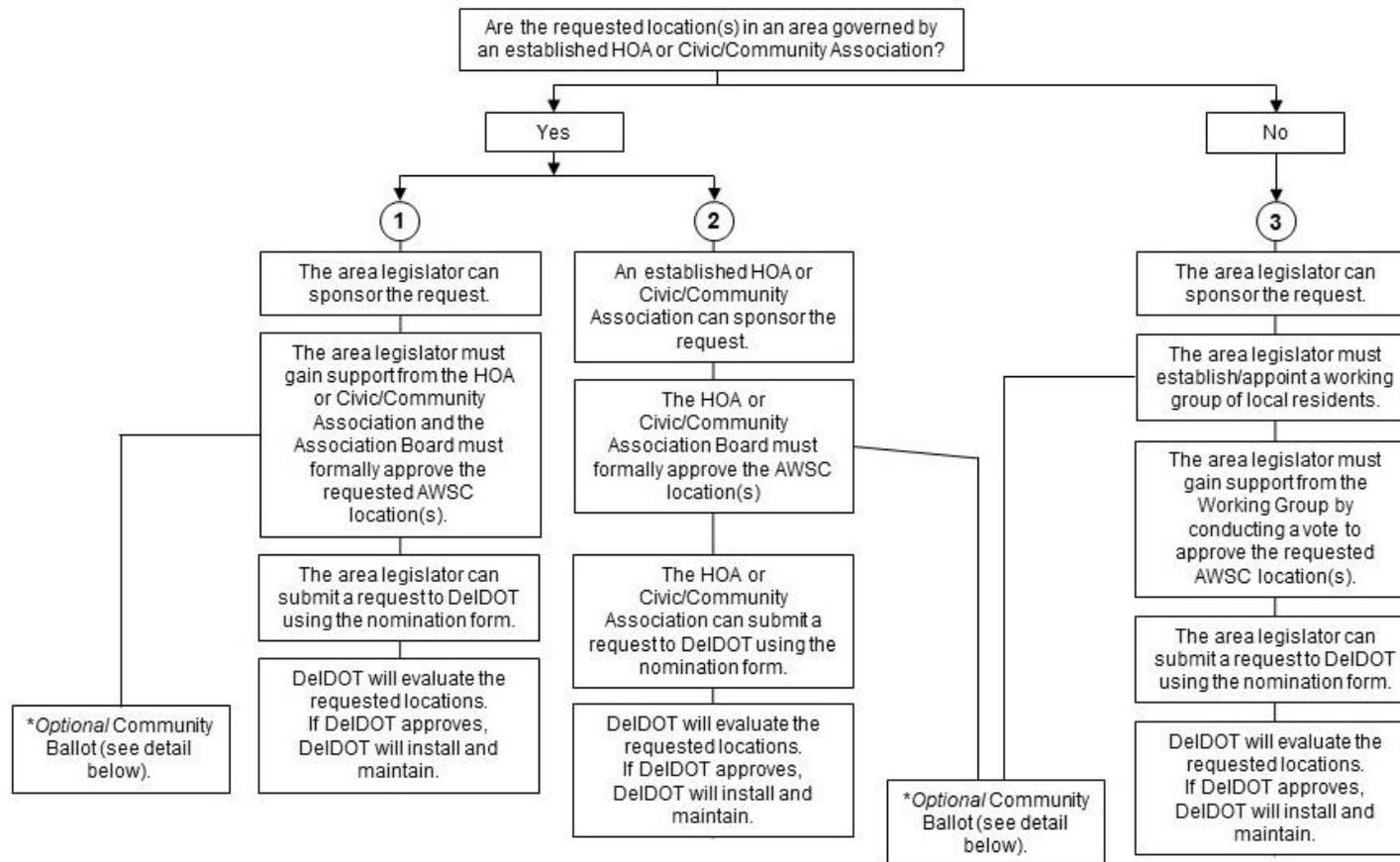
Path 2: Locations Sponsored by an HOA or Civic/Community Association

Path 3: Locations Sponsored by an Area Legislator with Support from a Working Group (in Areas without an established HOA or Civic/Community Association)

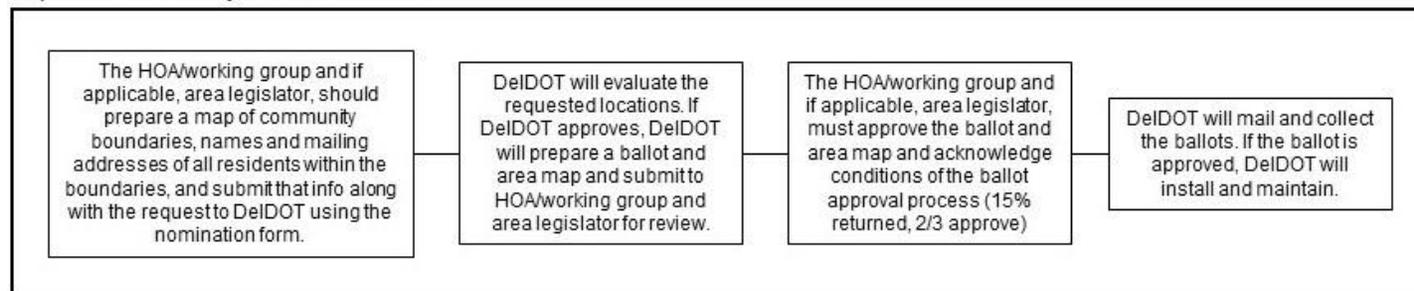
Optional Community Ballot: For all three paths, an optional community ballot can be utilized to gauge support from the community.

The flowchart on the following page describes an overview of the steps after identification of potential AWSC intersections and the three paths based on sponsorship, as well as the potential option of a community ballot.

**Three Paths for Submittal and Evaluation of AWSC Requests (After Identifying Locations)**



**\*Optional Community Ballot Procedure**



## **Path 1: Locations Sponsored by an Area Legislator with Support from an HOA or Civic/Community Association**

After identifying locations that meet all of the minimum criteria, area legislator(s) may sponsor the request to DeIDOT. The following steps describe the process for an area legislator sponsoring a request for locations that are in an area governed by an established Homeowners Association (HOA) or Civic/Community Association.

### **Gain Support of HOA or Civic/Community Association**

Area legislators will need to gain the support and approval of the HOA or Civic/Community Association. The requested locations for ASWC must be formally approved by the HOA or Civic/Community Association Board, such as a vote during a regular meeting of the Board. This is also confirmed by signing the Nomination Form provided in **Appendix A**, which indicates that the request has the support of the community.

### **Optional Community Ballot**

If determined by the area legislator with support of the HOA or Civic/Community Association, an optional ballot can be utilized to gauge support from the community. Proceed to “Optional Community Ballot Procedure”. If a ballot will not be utilized, proceed to “Submit Request using Nomination Form”.

### **Submit Request using Nomination Form**

Once support is finalized, the area legislator(s) may submit their request for AWSC nominations directly to DeIDOT using the Nomination Form located in **Appendix A**.

### **DeIDOT Evaluation**

DeIDOT will review the Nomination Form, ensure that the requested locations are eligible for AWSC, ensure that the HOA or Civic/Community Association Board has formally approved the requested locations, and evaluate the locations to determine if AWSC is appropriate.

### **DeIDOT Approval, Installation, and Maintenance**

If DeIDOT approves, DeIDOT will install and maintain AWSC at the approved locations. The sponsoring legislator is responsible for public advocacy and outreach, not DeIDOT.

## **Path 2: Locations Sponsored by an HOA or Civic/Community Association**

After identifying locations that meet all of the minimum criteria, a community with an established Homeowners Association (HOA) or Civic/Community Association may sponsor the request to DeIDOT. The following steps describe the process for the HOA or Civic/Community Association sponsoring a request for locations that are within their boundaries.

### **Approve Locations by Formal Board Action**

The requested locations for ASWC must be formally approved by the HOA or Civic/Community Association Board, such as a vote during a regular meeting of the Board. This is also confirmed by signing the Nomination Form provided in **Appendix A**, which indicates that the request has the support of the community.

### **Optional Community Ballot**

If determined by the HOA or Civic/Community Association, an optional ballot can be utilized to gauge support from the community. Proceed to “Optional Community Ballot Procedure”. If a ballot will not be utilized, proceed to “Submit Request using Nomination Form”.

### **Submit Request using Nomination Form**

Once support is finalized, the HOA or Civic/Community Association may submit their request for AWSC nominations directly to DeIDOT using the Nomination Form located in **Appendix A**. Representatives from the Board of the HOA or Civic/Community Association must also sign the Form to certify that the Board approved the requested AWSC locations.

**DeIDOT Evaluation**

DeIDOT will review the Nomination Form, ensure that the requested locations are eligible for AWSC, ensure that the HOA or Civic/Community Association Board has formally approved the requested locations, and evaluate the locations to determine if AWSC is appropriate.

**DeIDOT Approval, Installation, and Maintenance**

If DeIDOT approves, DeIDOT will install and maintain AWSC at the approved locations. Public outreach is the responsibility of the HOA or Civic/Community Association, not DeIDOT.

**Path 3: Locations Sponsored by an Area Legislator with Support from a Working Group (in Areas without an established HOA or Civic/Community Association)**

After identifying locations that meet all of the minimum criteria, area legislator(s) may sponsor the request to DeIDOT. The following steps describe the process for an area legislator sponsoring a request for locations that are not within the boundaries of an established HOA or Civic/Community Association.

**Appoint Working Group of Local Residents**

The sponsoring area legislator should establish or appoint a working group of local residents that will represent the communities near the proposed AWSC locations. The working group shall be an odd number of residents, consisting of no less than three and no more than five residents.

**Optional Community Ballot**

If determined by the area legislator with support of the community working group, an optional ballot can be utilized to gauge support from the community. Proceed to “Optional Community Ballot Procedure”. If a ballot will not be utilized, proceed to “Gain Support of Working Group”.

**Gain Support of Working Group**

Area legislators will need to gain the support and approval of the working group. The requested locations for AWSC must be formally approved by the working group, such as a vote. This is also confirmed by signing the Nomination Form provided in **Appendix A**, which indicates that the request has the support of the community.

**Submit Request using Nomination Form**

Once support is finalized, the area legislator may submit their request for AWSC nominations directly to DeIDOT using the Nomination Form located in **Appendix A**. Representatives from the working group must also sign the Form to certify that the Working Group approved the requested AWSC locations.

**DeIDOT Evaluation and Approval**

DeIDOT will review the Nomination Form, ensure that the requested locations are eligible for AWSC, ensure that the information provided by the working group is complete, and evaluate the locations to determine if AWSC is appropriate.

**DeIDOT Installation, and Maintenance**

If DeIDOT approves, DeIDOT will install and maintain AWSC at the approved locations. Public outreach is the responsibility of the working group, not DeIDOT.

## **Optional Community Ballot Procedure**

All paths described previously can choose to conduct a community ballot. However, this needs to be decided prior to the submittal of the Nomination Form to DeIDOT.

### **Prepare Map of Boundaries and List of Names and Addresses of Residents within Boundaries**

The HOA board, Civic/Community Association Board or working group representatives are required to provide their area legislator and DeIDOT with the boundaries of their community (a map and/or written description of the boundaries), names of residents and mailing addresses within the community, a list of all streets within the community, and a comprehensive list of intersections that they would like considered for AWSC.

### **Submit Request using Nomination Form**

Once support is finalized, the area legislator, HOA board, or Civil/Community Association board may submit their request for AWSC directly to DeIDOT using the Nomination Form located in **Appendix A**.

### **DeIDOT Evaluation and Approval**

DeIDOT will review the Nomination Form, ensure that the requested locations are eligible for AWSC, ensure that the information provided is complete, and evaluate the locations to determine if AWSC is appropriate.

### **DeIDOT Preparation of Draft Ballot and Area Map**

If DeIDOT approves the AWSC locations, DeIDOT will create a ballot and area map for the community. The map will show the limits of the community as well as each of the intersections being considered for installation of AWSC.

### **Approve Draft Ballot and Area Map and Acknowledge Ballot Procedures**

The area legislator and the HOA/working group will need to approve both the ballot and study area as provided by DeIDOT and acknowledge the ballot procedures before the ballot is mailed to the community. To demonstrate support for the proposed AWSC locations, 15% of the ballots must be returned and two-thirds (2/3) must approve the AWSC locations for the implementation process to proceed.

### **DeIDOT Distribution, Collection, and Processing of Ballot**

After the draft ballot is approved, DeIDOT will mail the ballot (see example in **Appendix C**) to all residences within the study area of the project. Ballots returned by the pre-determined deadline will be counted and an approval percentage will be determined. An example study package that is legislatively sponsored is provided in **Appendix D**.

### **DeIDOT Installation, and Maintenance**

If the ballot is approved, DeIDOT will install and maintain the signs.

## **Modification/Removal of Stop Control**

If DeIDOT determines there is a problem with any stop sign(s), including an increase in crashes following the installation of the stop sign(s), DeIDOT may modify or remove the stop sign(s) on its own initiative. The original requestor will be contacted by DeIDOT to discuss possible modification or removal of stop signs. Area Legislators, HOA/civic associations, and working groups may also petition DeIDOT for modification or removal of a stop sign. Except for very unusual conditions, DeIDOT will consider such petitions for removal only after a full year of experience with all-way stop control.

The same procedural requirements that apply to initial installation will also apply to modification or removal of AWSC.

DeIDOT also reserves the right to refuse to remove any stop signs if it is anticipated that removal would create operational or safety issues for adjacent roadways with a higher classification.

The community may also wish to replace stop signs with some type of physical traffic calming device, including realigned intersections or roundabouts. These types of modifications will be considered by DeIDOT following the procedures in DeIDOT's Traffic Calming Manual.

### Background and Guidelines Justification

In Delaware, the Delaware Department of Transportation (DeIDOT) owns and maintains 87% of the roads in the state, including the vast majority of subdivision streets. The national average is only 20% because in most states the local roads are the responsibility of county or municipal governments. As the agency responsible for thousands of miles of local roads, DeIDOT frequently receives requests to install stop signs within subdivisions, usually as a means to either slow traffic, reduce cut-through traffic, and/or improve safety within a neighborhood. Therefore, in the Spring of 2016, DeIDOT initiated an effort to develop All-Way Stop Control (AWSC) Guidelines for Residential Streets as a means to expedite the review and study process for requests pertaining to intersections located along low-speed, residential streets, typically located within subdivisions, that meet a variety of minimum design and operational requirements.

During the development of DeIDOT's AWSC Guidelines, a research initiative was undertaken to see if/how other states or local governments have addressed similar requests for AWSC on local roads. The literature review revealed that several states have adopted procedures for installing AWSC to supplement the MUTCD's AWSC policy. They included:

- Tempe Arizona
- San Mateo, California
- Brookhaven, Georgia
- Cherokee, Georgia
- Naperville, Illinois
- Frederick County, Maryland
- Shakopee, Minnesota
- Fridley, Minnesota
- Northfield, Minnesota
- Greensboro, North Carolina
- Delaware, Ohio
- Virginia DOT
- Arlington County, Virginia
- Leesburg, Virginia
- Prince William County, Virginia
- South Carolina DOT
- Mount Pleasant, South Carolina
- Dallas, Texas
- Park City, Utah
- Washington, DC

Each of these jurisdictions have developed their procedures for evaluating and approving AWSC based on a range of factors including:

- Consideration of the guidance in the MUTCD;
- Rating systems where points are awarded based on traffic volumes, crash history, 85<sup>th</sup> percentile speed, and adjacent land use;
- Requirements for the functional classification and geometric features of the roads;
- Requirements for minimum spacing to adjacent intersections; and
- Requirements for minimum levels of community support.

Most of the AWSC policies that were reviewed were developed specifically to help engineers make decisions regarding the selection of AWSC for subdivision streets and local roads in residential areas.

One such well-documented policy is the Virginia Department of Transportation's (VDOT) "Policy and Procedures for Control of Residential Cut-Through Traffic", adopted in 1989, which established the procedures for using AWSC as one of the tools for reducing cut-through traffic in communities that sit between higher classification roadways. Once a neighborhood association obtains signatures from at least 75 percent of the impacted residences, VDOT looks at the feasibility of using a combination of AWSC, other traffic calming devices, and improvements to the adjacent higher classification roadways to decrease the attractiveness of using local residential streets as a shortcut.

In 1996, Virginia Transportation Research Council (VTRC), with support from the Federal Highway Administration (FHWA), released a report which documented the effect that AWSC had on vehicle speeds, safety, and cut-through traffic at three (3) residential communities in Virginia. Before and after data for traffic volumes, crash frequency, and vehicle speeds were all reviewed as a part of this report. The results showed no noticeable increase or decrease in vehicle speeds or crash frequency after AWSC was installed. However, the results showed a significant decrease in cut-through traffic during the peak periods (33-67%) and two (2) of the locations showed a reduction in the daily cut-through volume by up to 31%.

Based on the aforementioned literature review and the findings of VDOT and FHWA's research into the safety, speed and traffic diversion impacts of AWSC signs in residential communities, DeIDOT decided it would be appropriate to establish the All-Way Stop Control (AWSC) Guidelines for Residential Streets. The guiding principle of DeIDOT's guidelines is that they should be a systematic approach to evaluating intersections for potential conversion to AWSC in residential communities along low speed roads. The guidelines and minimum criteria were developed based largely on the review and consideration of similar, existing policies around the country, but was tailored based on experience in Delaware from prior AWSC installations. Specifically, DeIDOT reviewed 18 locations where AWSC had been installed based on a full traffic engineering study and compared the geometric and operational characteristics of each site to a variety of potential minimum criteria for inclusion in the proposed AWSC Guidelines for Residential Streets.

While the AWSC Guidelines for Residential Streets was developed to expedite the review process of requests for stop signs under certain conditions, it is important to note that significant care was taken to ensure that the guidelines would not allow the proliferation of stop signs at inappropriate locations. Because stop signs are a regulatory condition and an inconvenience to through traffic, they should only be used where needed. Studies have shown that if stop signs are overused, or located where they don't seem necessary, some drivers become careless about stopping at them or may drive faster between stop signs to make up for "lost" time while stopped. Studies have also shown that poor motorist compliance may result in a decrease in safety for pedestrians, because pedestrians may expect motorists to come to a complete stop. Stop signs may result in increased noise levels and air pollution near the intersection, due to vehicles accelerating and decelerating.

Because the guidelines are intended solely for subdivision and local residential streets, the department felt strongly that one of the criteria for approval of stop signs under these guidelines is a minimum level of community support. Therefore, the guidelines require that legislators and community members play an active role in identifying intersections that may be considered for AWSC. Also, the guidelines require that when candidate intersections have been identified, community support for AWSC must be established through an existing HOA/civic association board, a community working group, or a ballot process.

It should be noted that in Delaware, whether requested through this process or by other means, AWSC will not be used for the sole purpose of reducing vehicles speeds. The DE MUTCD states that AWSC should not be used for speed control. Multiple studies have shown that AWSC has little effect on speeding and may actually increase speeds between intersections.

A Pilot Study implementing AWSC at intersections began in 2018. Eight (8) intersections across different parts of the State were analyzed both before and after the implementation of AWSC. While there were no discernable crash patterns for the three years prior to implementation, no additional crashes occurred within the six months after implementation. Nearly all intersections saw a reduction in 50<sup>th</sup> percentile and 85<sup>th</sup> percentile speeds at the intersection. DeIDOT implemented AWSC at a few intersections that didn't meet all of the minimum criteria to determine if the minimum criteria could be modified. Based on the results from these locations, DeIDOT modified the minimum criteria in the AWSC Guidelines for Residential Streets.

The cost for installing two (2) new stop signs through this process was originally \$400 to \$500 to convert a 4-leg intersection to AWSC through coordination with Community Transportation Funds (CTF). In consideration of DeIDOT's administrative cost and time to coordinate with the local legislator, which exceeded the installation cost, the funding requirement has been removed from this program.

## Appendices

Appendix A – Nomination Form

Appendix B – Example Study Package (Path 1: Location Sponsored by an Area Legislator with Support from HOA or Civic/Community Association)

Appendix C – All-Way Stop Control Community Ballot Sample

Appendix D – Example Study Package (Path 3: Location Sponsored by an Area Legislator with Working Group and Community Ballot)

**Appendix A  
Nomination Form**



**All-Way Stop Control (AWSC)  
Nomination Form Instructions**  
*Updated December 2020*

**What is this form?**

This form is the Nomination Agreement Form for requests for All-Way Stop Control (AWSC) according to the DeIDOT *AWSC Guidelines for Residential Streets*.

**Who can submit a request using this form?**

The DeIDOT *AWSC Guidelines for Residential Streets* describes three (3) paths for submittal of AWSC requests that vary based on sponsoring group, support from an established HOA or Civic/Community Association, etc:

- Path 1: Locations Sponsored by an Area Legislator with Support from an HOA or Civic/Community Association
- Path 2: Locations Sponsored by an HOA or Civic/Community Association
- Path 3: Locations Sponsored by an Area Legislator with Support from a Working Group (in Areas without an established HOA or Civic/Community Association)
- All three paths may also utilize an optional Community Ballot

**Which locations are eligible to submit a request?**

Prior to using this form, please ensure that ALL of the following minimum criteria are satisfied.

<b>Are the requested intersection(s) located:</b>	<b>Yes</b>	<b>No</b>
At junction of existing subdivision streets, with at least one of the approaches being state maintained?	<input type="checkbox"/>	<input type="checkbox"/>
Along streets with speed limits of 25 mph or less?	<input type="checkbox"/>	<input type="checkbox"/>
At least 600 feet from an existing signalized intersection?	<input type="checkbox"/>	<input type="checkbox"/>
Along roadways that provide access to either residential properties or schools?	<input type="checkbox"/>	<input type="checkbox"/>
At the junction of subdivision or residential streets for which all legs of the intersection provide direct access to residential properties or schools?	<input type="checkbox"/>	<input type="checkbox"/>



## All-Way Stop Control (AWSC) Nomination Form

### Section A: General Information

Date: \_\_\_\_\_ County: \_\_\_\_\_

Development (Community): \_\_\_\_\_

The following intersections meet the requirements provided in the DelDOT *All-Way Stop Control (AWSC) Guidelines for Residential Streets* (Requested Locations):

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### Section B: Legislator(s) Information

*(If you are not a legislator, skip to next section)*

**Senator**

**Representative**

**Name and Title:** \_\_\_\_\_

District #: \_\_\_\_\_

**Contact Info:**

Email Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Section C: HOA/Civic Association or Working Group Information**

Type of Group (circle one): HOA/Civic Association Working Group

Name(s) of Primary Representative(s)/ Community Contact(s) \_\_\_\_\_  
\_\_\_\_\_

Email Address (Preferred) \_\_\_\_\_

Phone Number \_\_\_\_\_

Mailing Address \_\_\_\_\_  
\_\_\_\_\_

**Section D: Certification of Community Support**

*(If using Community Ballot, skip to next section)*

I certify that the communities Homeowner's Association (HOA)/Civic Association Board/Working Group voted in support of All-Way Stop Control at the aforementioned intersection(s).

Representative Name(s)	Signature(s)	Date(s)
------------------------	--------------	---------

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

**Section E: Community Ballot Request (Optional)**

*(Leave blank if not applicable)*

Is a Ballot being requested to seek support from Community? (Yes/No): \_\_\_\_\_

Number of Residences in Community to be included in Ballot: \_\_\_\_\_

Please attach and submit the following information with this form:

- Map of community boundaries
- List of street names within the community
- List of names and addresses of residents

*Note: Information from this form may be used by DeIDOT to contact the applicants regarding any future questions or concerns*

**Appendix B**  
**Example Study Package for Path 1**

Location Sponsored by an Area Legislator with Support from HOA or Civic/Community Association



**All-Way Stop Control (AWSC)  
Nomination Form Instructions**  
*Updated December 2020*

**What is this form?**

This form is the Nomination Agreement Form for requests for All-Way Stop Control (AWSC) according to the DeIDOT *AWSC Guidelines for Residential Streets*.

**Who can submit a request using this form?**

The DeIDOT *AWSC Guidelines for Residential Streets* describes three (3) paths for submittal of AWSC requests that vary based on sponsoring group, support from an established HOA or Civic/Community Association, etc:

- Path 1: Locations Sponsored by an Area Legislator with Support from an HOA or Civic/Community Association
- Path 2: Locations Sponsored by an HOA or Civic/Community Association
- Path 3: Locations Sponsored by an Area Legislator with Support from a Working Group (in Areas without an established HOA or Civic/Community Association)
- All three paths may also utilize an optional Community Ballot

**Which locations are eligible to submit a request?**

Prior to using this form, please ensure that ALL of the following minimum criteria are satisfied.

<b>Are the requested intersection(s) located:</b>	<b>Yes</b>	<b>No</b>
At junction of existing subdivision streets, with at least one of the approaches being state maintained?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Along streets with speed limits of 25 mph or less?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
At least 600 feet from an existing signalized intersection?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Along roadways that provide access to either residential properties or schools?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
At the junction of subdivision or residential streets for which all legs of the intersection provide direct access to residential properties or schools?	<input checked="" type="checkbox"/>	<input type="checkbox"/>



# All-Way Stop Control (AWSC) Nomination Form

## Section A: General Information

Date: March 20, 2020 County: New Castle

Development (Community): Community of Silver Creek

The following intersections meet the requirements provided in the DelDOT *All-Way Stop Control (AWSC) Guidelines for Residential Streets* (Requested Locations):

Adams Street at Boston Avenue

Boston Avenue at Chicago Lane

Chicago Lane at Denver Way

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## Section B: Legislator(s) Information

*(If you are not a legislator, skip to next section)*

**Senator**

**Representative**

**Name and Title:** Senator (Name)

Representative (Name)

District #: District xx

House District XX

**Contact Info:**

Email Address: ExampleEmail@gmail.com

ExampleEmail@gmail.com

Phone Number: 302-XXX-XXXX

302-XXX-XXXX

Mailing Address: 123 Main Street

456 Main Street

Example, DE XXXXX

Example, DE XXXXX

**Signature:** FirstName LastName

FirstName LastName

**Section C: HOA/Civic Association or Working Group Information**

Type of Group (circle one): HOA/Civic Association Working Group

Name(s) of Primary Representative(s)/ Community Contact(s)	Name 1	Name 4
	Name 2	Name 5
	Name 3	
Contact Information:	Email Address (Preferred)	<u>ExampleEmail@gmail.com</u>
	Phone Number	<u>302-XXX-XXXX</u>
	Mailing Address	<u>789 Main Street</u>
		<u>Example, DE XXXXX</u>

**Section D: Certification of Community Support**

(If using Community Ballot, skip to next section)

I certify that the communities Homeowner's Association (HOA)/Civic Association Board/Working Group voted in support of All-Way Stop Control at the aforementioned intersection(s).

Representative Name(s)	Signature(s)	Date(s)
Name 1	<i>FirstName LastName</i>	3/XX/2020
Name 2	<i>FirstName LastName</i>	3/XX/2020
Name 3	<i>FirstName LastName</i>	3/XX/2020
Name 4	<i>FirstName LastName</i>	3/XX/2020
Name 5	<i>FirstName LastName</i>	3/XX/2020

**Section E: Community Ballot Request (Optional)**

(Leave blank if not applicable)

Is a Ballot being requested to seek support from Community? (Yes/No): \_\_\_\_\_

Number of Residences in Community to be included in Ballot: \_\_\_\_\_

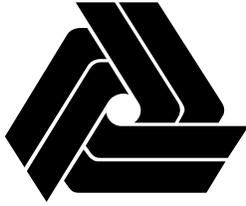
Please attach and submit the following information with this form:

- Map of community boundaries
- List of street names within the community
- List of names and addresses of residents

Note: Information from this form may be used by DeIDOT to contact the applicants regarding any future questions or concerns

**Appendix C**  
**All-Way Stop Control Community Ballot Sample**  
Optional for all Paths

# PUBLIC NOTICE



## Delaware Department of Transportation All-Way Stop Control (AWSC) Ballot (Community Name)

Representatives from your community have requested that (number of locations) intersections in (Community Name) be converted to All-Way Stop Control. DelDOT is seeking your input on this potential change. This ballot is being distributed to the residents most likely to be affected by this potential change in traffic control. At least 15% of the distributed ballots must be returned in order for All-Way Stop Control to be considered. Of those returned, at least two-thirds (2/3) must be in support of the proposed changes before the request can be approved. If the request is approved, DelDOT will proceed with installation of the community supported AWSC.

Please consider the installation of All-Way Stop Control at each of the intersections listed below. Please indicate your support or opposition to by circling "Support AWSC" or "Oppose AWSC" for each of the locations listed. After making your choices, please mail your completed ballot to:

Attn. Traffic Calming Program  
Delaware Department of Transportation  
Address Line 1  
Address Line 2

(Name) may also be reached for questions or comments at (xxx) xxx-xxxx, or at (email address).

BALLOTS MUST BE MAILED BY (DATE). BALLOTS RECEIVED AFTER (DATE) WILL NOT BE CONSIDERED IN THE FINAL TABULATION. Please note that ballots must be returned individually. Ballots mailed in bulk will not be accepted.

-----  
**(Community Name) All-Way Stop Control Ballot**

As a resident of the (Community Name), I support or oppose (please circle for each location) All-Way Stop Control at the following location(s).

\_\_\_\_\_ Support AWSC      Oppose AWSC  
(Enter intersecting street names for proposed location 1)

\_\_\_\_\_ Support AWSC      Oppose AWSC  
(Enter intersecting street names for proposed location 2)

\_\_\_\_\_ Support AWSC      Oppose AWSC  
(Enter intersecting street names for proposed location 3)

I recognize that only one vote per household will be included in the tabulation of the votes.

My address is as follows (required): \_\_\_\_\_

**Appendix D**  
**Example Study Package for Path 3**

Location Sponsored by an Area Legislator with Working Group and Community Ballot



**All-Way Stop Control (AWSC)  
Nomination Form Instructions**  
*Updated December 2020*

**What is this form?**

This form is the Nomination Agreement Form for requests for All-Way Stop Control (AWSC) according to the DeIDOT *AWSC Guidelines for Residential Streets*.

**Who can submit a request using this form?**

The DeIDOT *AWSC Guidelines for Residential Streets* describes three (3) paths for submittal of AWSC requests that vary based on sponsoring group, support from an established HOA or Civic/Community Association, etc:

- Path 1: Locations Sponsored by an Area Legislator with Support from an HOA or Civic/Community Association
- Path 2: Locations Sponsored by an HOA or Civic/Community Association
- Path 3: Locations Sponsored by an Area Legislator with Support from a Working Group (in Areas without an established HOA or Civic/Community Association)
- All three paths may also utilize an optional Community Ballot

**Which locations are eligible to submit a request?**

Prior to using this form, please ensure that ALL of the following minimum criteria are satisfied.

<b>Are the requested intersection(s) located:</b>	<b>Yes</b>	<b>No</b>
At junction of existing subdivision streets, with at least one of the approaches being state maintained?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Along streets with speed limits of 25 mph or less?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
At least 600 feet from an existing signalized intersection?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Along roadways that provide access to either residential properties or schools?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
At the junction of subdivision or residential streets for which all legs of the intersection provide direct access to residential properties or schools?	<input checked="" type="checkbox"/>	<input type="checkbox"/>



# All-Way Stop Control (AWSC) Nomination Form

## Section A: General Information

Date: March 20, 2020 County: New Castle

Development (Community): Community of Silver Creek

The following intersections meet the requirements provided in the DelDOT *All-Way Stop Control (AWSC) Guidelines for Residential Streets* (Requested Locations):

Adams Street at Boston Avenue

Boston Avenue at Chicago Lane

Chicago Lane at Denver Way

## Section B: Legislator(s) Information

*(If you are not a legislator, skip to next section)*

	Senator	Representative
<b>Name and Title:</b>	<u>Senator (Name)</u>	<u>Representative (Name)</u>
District #:	<u>District XX</u>	<u>House District XX</u>
<b>Contact Info:</b>		
Email Address:	<u>ExampleEmail@gmail.com</u>	<u>ExampleEmail@gmail.com</u>
Phone Number:	<u>302-XXX-XXXX</u>	<u>302-XXX-XXXX</u>
Mailing Address:	<u>123 Main Street</u>	<u>456 Main Street</u>
	<u>Example, DE XXXXX</u>	<u>Example, DE XXXXX</u>
<b>Signature:</b>	<u>FirstName LastName</u>	<u>FirstName LastName</u>

**Section C: HOA/Civic Association or Working Group Information**

Type of Group (circle one): HOA/Civic Association

Working Group

<b>Name(s) of Primary Representative(s)/ Community Contact(s)</b>	<u>Name 1</u>	<u>Name 4</u>
	<u>Name 2</u>	<u>Name 5</u>
	<u>Name 3</u>	
<b>Contact Information:</b>	Email Address (Preferred)	<u>ExampleEmail@gmail.com</u>
	Phone Number	<u>302-XXX-XXXX</u>
	Mailing Address	<u>789 Main Street</u>
		<u>Example, DE XXXXX</u>

**Section D: Certification of Community Support**

*(If using Community Ballot, skip to next section)*

I certify that the communities Homeowner's Association (HOA)/Civic Association Board/Working Group voted in support of All-Way Stop Control at the aforementioned intersection(s).

<b>Representative Name(s)</b>	<b>Signature(s)</b>	<b>Date(s)</b>
<hr/>		

**Section E: Community Ballot Request (Optional)**

*(Leave blank if not applicable)*

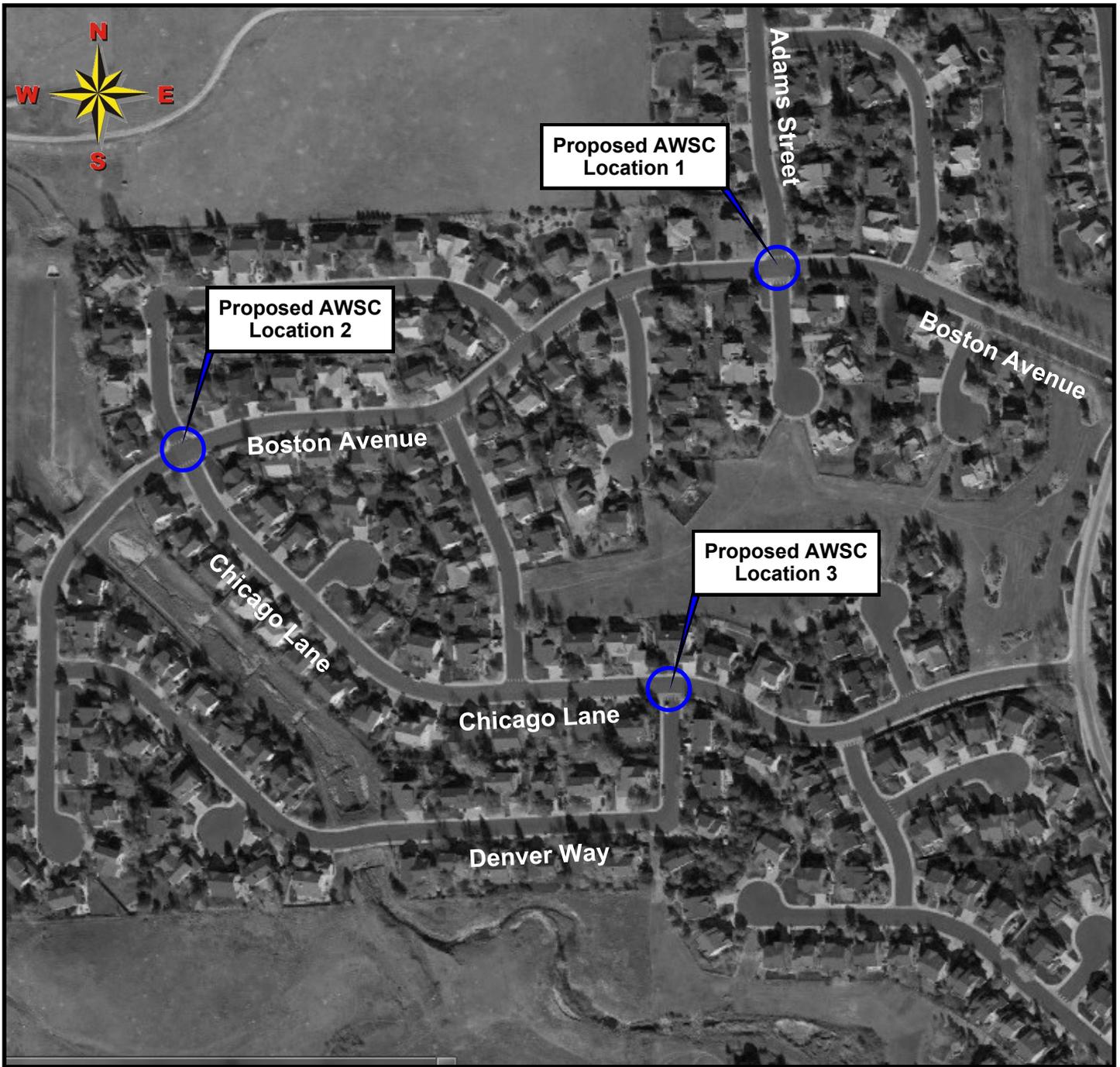
**Is a Ballot being requested to seek support from Community? (Yes/No):** Yes

**Number of Residences in Community to be included in Ballot:** 10

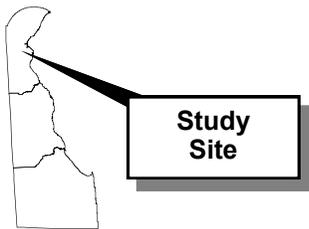
Please attach and submit the following information with this form:

- Map of community boundaries
- List of street names within the community
- List of names and addresses of residents

*Note: Information from this form may be used by DeIDOT to contact the applicants regarding any future questions or concerns*



*Key Map of Delaware*



**Ballot Map**

**Community of Silver Creek  
New Castle County, Delaware**

**DeIDOT Traffic**

**March 20, 2020**

**Figure 1**





# PUBLIC NOTICE



## Delaware Department of Transportation All-Way Stop Control (AWSC) Ballot Community of Silver Creek

Representatives from your community have requested that **three (3)** intersections in **the Community of Silver Creek** be converted to All-Way Stop Control. DelDOT is seeking your input on this potential change. This ballot is being distributed to the residents most likely to be affected by this potential change in traffic control. At least 15% of the distributed ballots must be returned in order for All-Way Stop Control to be considered. Of those returned, at least two-thirds (2/3) must be in support of the proposed changes before the request can be approved. If the request is approved, DelDOT will proceed with installation of the community supported AWSC.

Please consider the installation of All-Way Stop Control at each of the intersections listed below. Please indicate your support or opposition to by circling "Support AWSC" or "Oppose AWSC" for each of the locations listed. After making your choices, please mail your completed ballot to:

Attn. Traffic Calming Program  
Delaware Department of Transportation  
Address Line 1  
Address Line 2

(Name) may also be reached for questions or comments at (xxx) xxx-xxxx, or at [\(email address\)](#).

BALLOTS MUST BE MAILED BY 5/1/20. BALLOTS RECEIVED AFTER 5/1/20 WILL NOT BE CONSIDERED IN THE FINAL TABULATION. Please note that ballots must be returned individually. Ballots mailed in bulk will not be accepted.

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### Silver Creek All-Way Stop Control Ballot

As a resident of the **Community of Silver Creek**, I support or oppose (please circle for each location) All-Way Stop Control at the following location(s).

Adams Street at Boston Avenue  
(Enter intersecting street names for proposed location 1)

Support AWSC

Oppose AWSC

Boston Avenue at Chicago Lane  
(Enter intersecting street names for proposed location 2)

Support AWSC

Oppose AWSC

Chicago Lane at Denver Way  
(Enter intersecting street names for proposed location 3)

Support AWSC

Oppose AWSC

I recognize that only one vote per household will be included in the tabulation of the votes.

My address is as follows (required): 123 Main St. Example, DE XXXXX



Date: Thursday, October 7, 2021

To: Mayor and City Council

Through: Mark A. Whitfield, City Manager  
Mike Svaby, Public Works Director

Subject: Kings Highway Traffic Calming

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The Public Works Department has received complaints of speeding on Kings Highway and has consulted with DelDOT regarding potential solutions. DelDOT has proposed investigation of the issue with the potential to emplace speed reduction devices along the roadway. In order to expedite the process and to have DelDOT initiate the investigation we recommend a formal request be made through action by City Council.

**Recommendation:**

**We recommend the City Council approve the City Engineer to make a formal request to DelDOT on their behalf for investigation of the speeding issue through the Traffic Calming Project Request form provided by DelDOT and indicate their support for traffic calming measures along Kings Highway.**



To: Mayor and City Council

MARK A. WHITFIELD, CITY MANAGER

201 South Walnut Street

Milford, DE 19963

PHONE 302.422.1111

FAX 302.424.3553

[www.cityofmilford.com](http://www.cityofmilford.com)

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From: Mark Whitfield, City Manager

Subject: Fund Transfer Authorization

Date: October 6, 2021

In the FY2021 City Budget, \$35,000 was authorized for a Compensation Study. A contract for the study was awarded to Evergreen Solutions, LLC in the amount of \$ 22,500, and the study was expected to be completed by July 2021. As of the end of FY2021, \$11,250 of the contract has been spent, and additional work was needed to complete the study. As standard practice, any unspent money in budgets at the end of the fiscal year are rolled into General Fund Reserves. No money was budgeted for the completion of the study in the FY2022 City Budget. For this reason, staff recommends transferring \$11,250 from General Fund Reserves to Account #101-1010-413-30-12 to cover the outstanding obligations for the completion of the Compensation Study.

Recommendation: Authorize a transfer of \$11,250 from General Fund Reserves to Account #101-1010-413-30-12 to cover the outstanding obligations for the completion of the Compensation Study