



Milford City Hall Council Chambers 201 South Walnut Street Milford DE 19963

## CITY COUNCIL AGENDA June 24, 2024

*This meeting is also available for viewing by the public by accessing the following link:*

<https://zoom.us/j/94877121629>

*or*

<http://www.cityofmilford.com/553/Watch-Public-Meetings>

*Members of the public may also dial in by phone using the following number:*

*Call 301 715 8592 Webinar ID: 948 7712 1629*

**6:00 PM**

### **15-Minute Public Comment Period\***

All interested parties are invited to speak during the public comment portion of the Meeting. Discussion of those items appearing on the agenda as a public hearing is prohibited during the Public Comment Period, as an opportunity will be provided at the time it is being considered. Virtual attendees must register prior to start time of the meeting by calling 302-422-1111 Extension 1142 or 1303, or by sending an email to [cityclerk@milford-de.gov](mailto:cityclerk@milford-de.gov) and providing their name, address, phone number, and item name and/or description you wish to comment on. Persons in attendance wishing to speak must sign up prior to the start of the Meeting. Citizen comments are limited to three (3) minutes. Council and Committee Members are prohibited from responding or taking action since this is not an official session; however, items may be considered for placement on a future agenda.

## COUNCIL MEETING

Call to Order - Mayor F. Todd Culotta

Invocation

Pledge of Allegiance

Roll Call

Recognition

New City Employee Introduction

Communications & Correspondence

Monthly Finance Report

Unfinished Business

Council Committee Reappointments/Addition of Councilmember

Approval/City Clerk Job Description <sup>2</sup>

New Business

- City of Milford Board of Adjustment Appointees
- Authorization/MOU/Carlisle Fire Company
- Water Tower/KCI/Design Proposal
- Water Service Request/Nuevo Amanecer Spanish Church of God/Outside City Limits

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 (3)

Return to Open Session

- Review/Property/Building Offer
- Property Sale Status/Utility Issue
- Property Purchase/Consideration <sup>1</sup>

Adjournment

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

**ALL 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, DISTRIBUTED, OR PRESENTED AT MEETING ONCE PACKET HAS BEEN POSTED ON THE CITY OF MILFORD WEBSITE. ANY MATERIALS UTILIZED DURING THE MEETING SHALL BE FROM THE COUNCIL PACKET AND REFERENCED BY PRESENTER USING AUDIO AND VISUAL MEANS TO ENSURE VIRTUAL PARTICIPATION BY ALL IN ATTENDANCE.**

\*Time Limit is three minutes per speaker, not to exceed a total of fifteen minutes for all speakers prior to start of meeting/workshop.

Ⓢ Designated Items only; Three-minute limit per person will be accepted.

051524 061224

061724 Ordinance Action Item/Removed

<sup>1</sup> 061924 Late Addition by City Manager/062224 Moved to ES for Discussion & Public Vote

<sup>2</sup> 062224 Late Addition/HR Requires Authorization





Financial Reporting Package  
As of and For the Period Ended May 31, 2024

Net Cash and Funding Availability Summary (*in thousands*)

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  
 Net Cash and Funding Availability Summary (in thousands)<sup>1</sup>  
 For the Period Ended May 31, 2024

1 **Operating Cash Balances**

▼ Marks Ref Closing Bal<sup>3</sup>

Description	Opening Balance (Apr 30, 2024)	Closing Balance (May 31, 2024)	Projected Cashflows	Commitments & Restrictions	Minimum Cash Requirement/ERR	Uncommitted / Unrestricted
General Fund	\$ 1,919	↓ \$ 1,562	\$ 7	\$ (52)	\$ (1,509)	\$ 9
Electric Fund	4,119	→ 3,776	14	(1,008)	(1,652)	1,130
Water Fund	2,669	→ 2,579	10	(2,141)	(294)	154
Sewer Fund	2,083	→ 2,060	6	(1,539)	(205)	323
Solid Waste Fund	750	→ 697	1	(132)	(190)	377
<b>Operating Cash Totals<sup>3</sup></b>	<b>\$ 11,540</b>	<b>\$ 10,674</b>	<b>\$ 38</b>	<b>\$ (4,871)</b>	<b>\$ (3,849)</b>	<b>\$ 1,993</b>

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

Description	Opening Balance (Apr 30, 2024)	Closing Balance (May 31, 2024)	Projected Cashflows	Commitments & Restrictions	Minimum Cash Requirement/ERR	Uncommitted / Unrestricted
General Improvement	\$ 1,288	→ \$ 1,274	\$ -	\$ (1,274)	\$ -	\$ -
Municipal Street Aid (MSA)	893	→ 897	-	(897)	-	-
Realty Transfer Tax (RTT)	1,267	→ 1,361	5,000	(3,813)	(1,280)	1,268
Economic Development	515	→ 515	89	(419)	-	185
Lodging Tax Fund	702	→ 707	99	(806)	-	-
ARPA Grant Fund	606	→ 593	-	(593)	-	-
<b>Special Purpose Cash Totals<sup>3</sup></b>	<b>\$ 5,271</b>	<b>\$ 5,348</b>	<b>\$ 5,188</b>	<b>\$ (7,803)</b>	<b>\$ (1,280)</b>	<b>\$ 1,453</b>

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

Description	Opening Balance (Apr 30, 2024)	Closing Balance (May 31, 2024)	Projected Cashflows	Commitments & Restrictions	Minimum Cash Requirement/ERR	Uncommitted / Unrestricted
General Fund Capital Reserves	\$ 3,653	→ \$ 3,571	\$ 2,858	\$ (4,561)	\$ (249)	\$ 1,619
Water Fund Capital Reserves	4,032	→ 4,016	2,141	(1,276)	(2,758)	2,123
Sewer Fund Capital Reserves	4,586	→ 4,571	1,539	(1,743)	(3,887)	480
Solid Waste Fund Capital Reserves	132	↓ 115	133	(207)	(40)	2
Electric Fund Capital Reserves <sup>2</sup>	13,078	→ 13,052	3,508	(7,439)	(7,018)	2,102
<b>Operating Cash Totals<sup>3</sup></b>	<b>\$ 25,480</b>	<b>\$ 25,325</b>	<b>\$ 10,178</b>	<b>\$ (15,225)</b>	<b>\$ (13,952)</b>	<b>\$ 6,326</b>

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

Description	Opening Balance (Apr 30, 2024)	Closing Balance (May 31, 2024)	Projected Cashflows	Commitments & Restrictions	Minimum Cash Requirement/ERR	Uncommitted / Unrestricted
Police & General Gov't Facilities	\$ 548	→ \$ 571	\$ 24	\$ (594)	\$ -	\$ -
Carlisle Fire Co Permit Fund	272	→ 280	8	(288)	-	-
Parks & Recreation Facilities	160	→ 160	-	(160)	-	-
Water Impact Fee Reserves	6,085	→ 6,059	17	(6,076)	-	-
Sewer Impact Fee Reserves	3,452	→ 3,461	9	(3,470)	-	-
Electric Impact Fee Reserves	1,327	→ 1,330	3	(1,333)	-	-
<b>Impact Fees &amp; Police/GF Totals<sup>3</sup></b>	<b>\$ 11,844</b>	<b>\$ 11,861</b>	<b>\$ 61</b>	<b>\$ (11,922)</b>	<b>\$ -</b>	<b>\$ -</b>

<b>Grand Totals<sup>3</sup></b>	<b>\$ 54,135</b>	<b>\$ 53,208</b>	<b>\$ 15,465</b>	<b>\$ (39,821)</b>	<b>\$ (19,081)</b>	<b>\$ 9,772</b>
---------------------------------	------------------	------------------	------------------	--------------------	--------------------	-----------------

<sup>1</sup>New report merges Cash Roll (p.2) and Restricted Reserves (p.3) into one single reference for net funds available after commitments & restrictions.

<sup>2</sup>Realty Transfer Taxes (RTT) and Electric Fund Reserves totaling \$7.5 million are being temporarily consumed to offset interest costs associated with the PD Facility construction. The recovery of the funds through project financing is reflected in the Projected Cashflows columns for RTT and Electric (\$5 million and \$2.5 million, respectively).

<sup>3</sup>Closing Balance Indicator sets **Red**, **Yellow** and **Green** signify month-to-month cash variance as follows:



-10% ≤ Variance ≤ 10%



-5% ≤ Variance ≤ 5%



-2.5% ≤ Variance ≤ 2.5%

City of Milford, Delaware  
Cash and Investment Balance<sup>1</sup> Rollforward  
For the Period Ended May 31, 2024

▼ Marks Ref Closing Bal<sup>4</sup>

1 **Operating Cash Balances**

Description	Opening Balance (Apr 30, 2024)	Receipts	Interest Earned	Disbursements	Closing Balance (May 31, 2024)
General Fund	\$ 1,918,515	\$ 775,177	\$ 2,937	\$ (1,134,686) ↓	\$ 1,561,943
Electric Fund	4,118,988	3,179,152	6,192	(3,528,323) →	3,776,009
Water Fund	2,669,354	408,900	4,178	(503,494) →	2,578,938
Sewer Fund	2,083,223	674,974	3,130	(701,445) →	2,059,881
Solid Waste Fund	749,950	164,877	1,222	(218,566) →	697,483
<b>Operating Cash Totals<sup>4</sup></b>	<b>\$ 11,540,029</b>	<b>\$ 5,203,080</b>	<b>\$ 17,660</b>	<b>\$ (6,086,515) ●</b>	<b>\$ 10,674,254</b>

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

Description	Opening Balance (Apr 30, 2024)	Receipts	Interest Earned	Disbursements <sup>2</sup>	Closing Balance (May 31, 2024)
General Improvement	\$ 1,287,924	\$ -	\$ 6,409	\$ (20,374) →	\$ 1,273,959
Municipal Street Aid (MSA)	892,991	-	4,444	- →	897,434
Realty Transfer Tax (RTT)	1,266,525	105,180	6,302	(16,667) →	1,361,340
Economic Development	515,247	-	-	- →	515,247
Lodging Tax Fund	701,633	5,160	-	- →	706,793
ARPA Grant Fund	606,325	-	-	(13,010) →	593,315
<b>Special Purpose Cash Totals<sup>3,4</sup></b>	<b>\$ 5,270,645</b>	<b>\$ 110,340</b>	<b>\$ 17,155</b>	<b>\$ (50,051) ●</b>	<b>\$ 5,348,090</b>

18 **Reserve Fund Cash Balances**

Description	Opening Balance (Apr 30, 2024)	Receipts	Interest Earned	Disbursements <sup>2</sup>	Closing Balance (May 31, 2024)
General Fund Capital Reserves	\$ 3,652,524	\$ -	\$ 18,176	\$ (99,389) →	\$ 3,571,310
Water Fund Capital Reserves	4,031,784	-	20,063	(36,341) →	4,015,506
Sewer Fund Capital Reserves	4,586,409	-	22,823	(38,645) →	4,570,586
Solid Waste Fund Capital Reserves	131,795	-	656	(17,215) ↓	115,236
Electric Fund Capital Reserves	13,077,617	-	65,076	(90,233) →	13,052,461
<b>Reserve Fund Cash Totals<sup>3,4</sup></b>	<b>\$ 25,480,129</b>	<b>\$ -</b>	<b>\$ 126,793</b>	<b>\$ (281,823) ●</b>	<b>\$ 25,325,099</b>

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

Description	Opening Balance (Apr 30, 2024)	Receipts	Interest Earned	Disbursements <sup>2</sup>	Closing Balance (May 31, 2024)
Police & General Gov't Facilities	\$ 547,729	23,694	\$ -	\$ (658) →	\$ 570,766
Carlisle Fire Co Permit Fund	272,345	7,898	-	- →	280,243
Parks & Recreation Facilities	159,575	-	-	- →	159,575
Water Impact Fee Reserves	6,084,781	17,280	-	(43,456) →	6,058,605
Sewer Impact Fee Reserves	3,452,017	9,130	-	- →	3,461,147
Electric Impact Fee Reserves	1,327,290	3,000	-	- →	1,330,290
<b>Impact Fees &amp; Police/GF Totals<sup>3,4</sup></b>	<b>\$ 11,843,738</b>	<b>\$ 61,002</b>	<b>\$ -</b>	<b>\$ (44,114) ●</b>	<b>\$ 11,860,626</b>

<b>Grand Totals<sup>4</sup></b>	<b>\$ 54,134,540</b>	<b>\$ 5,374,423</b>	<b>\$ 161,608</b>	<b>\$ (6,462,502) ▲</b>	<b>\$ 53,208,069</b>
---------------------------------	----------------------	---------------------	-------------------	-------------------------	----------------------

<sup>1</sup>Balances are not indicative of funding availability; see enclosed Restricted Cash Reserves and Net Cash & Funding Availability Reports for detail.

<sup>2</sup>\$282k disbursed from reserves (lines 20-24) is attributable to the ERP project, ongoing parks & rec projects, street projects, including the Walnut St Bridge, and other budgeted CIP projects.

<sup>3</sup>Investments with PFM total \$38.8 million and consist of total reserves (line 25), impact fees (lines 31-33), special purpose funds (lines 14-15), and on a short-term basis, a portion of the operating cash (line 8).

<sup>4</sup>Closing Balance Indicator sets **Red**, **Yellow** and **Green** signify month-to-month cash variance as follows:



**-10% ≤ Variance ≤ 10%**



**-5% ≤ Variance ≤ 5%**



**-2.5% ≤ Variance ≤ 2.5%**

City of Milford, Delaware  
Restricted Cash Reserves Report  
As of May 31, 2024

General Fund Capital Reserves		Amount
Cash/Investment Balance (5/31/24)	\$	3,571,310
Expected Contributions & Interest		857,577
Restricted Funds:		
Vehicle & Equipment Replacement		(481,908)
Street Repair		(1,023,525)
Parking Enhancements		(320,000)
Parkland, Trails & Recreation		(778,429)
Other Proj, Incl MCC Design		(159,301)
OpEx Support (PD R/M)		(998,036)
Support Policy with RTT <sup>1</sup>		2,000,000
Reserve (MCR) Policy <sup>6,8</sup>		(800,000)
Equipment Replacement Reserve <sup>2</sup>		(248,870)
<b>Uncommitted Reserve Balance</b>	<b>\$</b>	<b>1,618,817</b>

Electric Fund Capital Reserves		Amount
Cash/Investment Balance (5/31/24)	\$	13,052,461
Expected Contributions & Interest		3,507,952
Restricted Funds:		
Electric Vehicles & Equipment		(359,306)
Lighting & System Improvements		(584,637)
Traffic Signal Upgrades		(289,464)
Citywide Projects		(2,146,052)
Investment Policy/Rate Stability <sup>7</sup>		(4,060,000)
Reserve (MCR) Policy <sup>3,6</sup>		(6,623,223)
Equipment Replacement Reserve <sup>3</sup>		(395,237)
<b>Uncommitted Reserve Balance</b>	<b>\$</b>	<b>2,102,495</b>

Water Fund Capital Reserves		Amount
Cash/Investment Balance (5/31/24)	\$	4,015,506
Expected Contributions & Interest		2,141,178
Restricted Funds:		
Vehicle & Equipment Replacement		(136,859)
Street-Utility Engineering/Infra		(606,000)
		-
Milford Business Campus		-
Reserve-Funded Projects		(532,730)
		-
Reserve (MCR) Policy <sup>3,6</sup>		(2,607,752)
Equipment Replacement Reserve <sup>3</sup>		(150,545)
<b>Uncommitted Reserve Balance</b>	<b>\$</b>	<b>2,122,797</b>

Solid Waste Reserves		Amount
Cash/Investment Balance (5/31/24)	\$	115,236
Expected Contributions & Interest		132,924
Restricted Funds:		
Solid Waste Vehicles & Equipment <sup>4</sup>		(150,760)
Solid Waste Alloc of PW Projects		(55,744)
		-
Reserve (MCR) Policy <sup>4</sup>		-
Equipment Replacement Reserve <sup>4</sup>		(39,582)
<b>Uncommitted Reserve Balance</b>	<b>\$</b>	<b>2,074</b>

Sewer Fund Capital Reserves		Amount
Cash/Investment Balance (5/31/24)	\$	4,570,586
Expected Contributions & Interest		1,538,539
Restricted Funds:		
Sewer Vehicles & Equipment		(40,117)
Citywide Projects & Engineering		(2,869)
Utility Engineering		-
		-
Reserve-Funded Projects		(1,699,514)
		-
Reserve (MCR) Policy <sup>3,6</sup>		(3,834,077)
Equipment Replacement Reserve <sup>3</sup>		(52,923)
<b>Uncommitted Reserve Balance</b>	<b>\$</b>	<b>479,625</b>

MSA & RTT Reserves		Amount
RTT Balance (5/31/24)		1,361,340
MSA Balance (5/31/24)		897,434
MSA & RTT Est Receipts thru FY24:		5,000,000
MSA: Street & Bridge Improvements		(1,190,958)
RTT: Transfer to Police Dept		(16,667)
RTT: Sidewalk Project Funding		(632,170)
MSA & RTT: 2020 Combined St-Util		(871,000)
		-
RTT: Support GF Policies <sup>1</sup>		(2,000,000)
RTT: Reserve Policy <sup>5</sup>		(1,280,031)
<b>Uncommitted Reserve Balance</b>	<b>\$</b>	<b>1,267,949</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. Funds accumulated through FY23 used for collection equipment; 100% being reserved in FY24+.

<sup>5</sup>Approved Reserve Policies recommend dynamic MCR based on average of trailing-three-year RTT receipts; FY24 increase related to strong FY23 vs FY20, which fell out of T3 Avg

<sup>6</sup>The Days Operating Expenditures (Days OpEx) piece of MCRs reclassified from Reserve balances here to Operating Cash; the Total MCR has not changed

<sup>7</sup>This funding has been deployed pursuant to the City's Investment Policy to achieve rate stability and structured returns. Interest rate increases and land investments prompted a revised strategy to benefit both the electric and sewer funds over a 13-year investment horizon.

<sup>8</sup>A portion of the GF Reserve balance supports GF OCF requirement due to seasonal cash consumption & surplus cash deployment into the investment program

City of Milford, Delaware  
Enterprise Funds: Statement of Revenues & Expenditures  
For the YTD Period Ended May 31, 2024 vs Prior FYTD & Current Budget (in thousands)

Enterprise Funds Profit & Loss (P&L) Statement		Electric		Water		Sewer		Solid Waste		Total	FY24 Total (as % of Rev)	FY23 Total (as % of Rev)	
1	Operating Revenue	\$	29,965	\$	3,548	\$	5,463	\$	1,714	\$	40,691	100.0%	100.0%
2	Cost of Revenue <sup>1</sup>		(19,972)		(401)		(2,764)		(308)		(23,445)	-57.6%	-62.1%
3	Gross Margin		9,993		3,147		2,700		1,407		17,246	42.4%	37.9%
4	Operating Expenses												
5	Operations & Maintenance		(2,770)		(1,553)		(2,009)		(1,302)		(7,634)	-18.8%	-14.9%
6	Personnel		(1,491)		(345)		(338)		(386)		(2,561)	-6.3%	-6.7%
7	Total Operating Expenses		(4,261)		(1,898)		(2,347)		(1,688)		(10,195)	-25.1%	-21.7%
8	Operating Income	\$	5,732	\$	1,249	\$	352	\$	(282)	\$	7,051	17.3%	16.3%
9	Non-Operating Revenue (Expense)		-		-		-		-		-	0.0%	2.5%
10	Surplus (Deficit) for debt service & capital		5,732		1,249		352		(282)		7,051	17.3%	18.7%
11	Debt Service - Principal & Interest		(282)		(319)		(432)		-		(1,033)	-2.5%	-2.9%
12	Capital Spending / Contributions from (to) Reserves		(997)		(267)		(233)		-		(1,498)	-3.7%	-5.0%
13	Surplus (deficit) available for transfers		4,452		662		(312)		(282)		4,520	11.1%	10.8%
14	Transfers Out		(2,979)		(275)		(275)		-		(3,529)	-8.7%	-7.4%
15	<b>Net Surplus (Deficit) - FYTD through May 2024</b>	\$	1,473	\$	387	\$	(587)	\$	(282)	\$	991	2.4%	3.4%
16	<b>Net Surplus (Deficit) - FYTD through May 2023</b>	\$	318	\$	561	\$	435	\$	(135)	\$	1,179	3.4%	
17	<i>Current vs Prior - Favorable (Unfavorable)<sup>2</sup></i>		\$ 1,155		\$ (174)		\$ (1,022)		\$ (147)		\$ (188)		-0.9%
18	<b>Net Surplus (Deficit) - Current FYTD Budget</b>	\$	(540)	\$	(1,884)	\$	(1,582)	\$	125	\$	(3,881)	-10.8%	
19	<i>Current vs Budget - Favorable (Unfavorable)<sup>2</sup></i>		\$ 2,013		\$ 2,272		\$ 995		\$ (407)		\$ 4,872		13.2%

<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.

<sup>2</sup>Comparative Indicators **Green**, **Yellow** and **Red** signify favorable variance greater than 5%, marginal variance within ±5%, and unfavorable variance below -5%, respectively, for departmental comparisons. Total variance carries tighter bounds of >2.5%, ±2.5% and <2.5%, while the percentage variance uses >1.0%, ±1.0% and <1.0%, respectively.

City of Milford, Delaware  
 General Fund: Statement of Revenues & Expenditures<sup>1</sup>  
 For the YTD Period Ended May 31, 2024 vs Prior FYTD & Current Budget (in thousands)

General Fund Sources and Uses of Funding	Admin & Council	Public Safety	Parks & Rec	Planning & All Other	Total	FY24 Total <i>(as % of Rev)</i>	FY23 Total <sup>2</sup> <i>(as % of Rev)</i>
<b>Sources of Funding:</b>							
Real Estate (Property) Taxes	\$ 5,730	\$ -	\$ -	\$ -	\$ 5,730	43.2%	43.4%
Permits, Licensing & Franchise Fees	367	-	-	492	859	6.5%	8.4%
Fines, Fees & Misc Revenue	58	523	-	-	581	4.4%	4.4%
<b>General Revenue Subtotal</b>	<b>6,155</b>	<b>523</b>	<b>-</b>	<b>492</b>	<b>7,169</b>	<b>54.1%</b>	<b>56.1%</b>
Utility Transfers & Cost Allocation	4,787	-	-	-	4,787	36.1%	24.6%
Grant Revenue	-	-	-	-	-	0.0%	16.9%
Application of Reserve Balances	1,119	183	-	-	1,302	9.8%	2.4%
<b>General Fund Operating Support</b>	<b>5,905</b>	<b>183</b>	<b>-</b>	<b>-</b>	<b>6,089</b>	<b>45.9%</b>	<b>43.9%</b>
<b>Total Sources of Funding</b>	<b>\$ 12,060</b>	<b>\$ 706</b>	<b>\$ -</b>	<b>\$ 492</b>	<b>\$ 13,258</b>	<b>100.0%</b>	<b>100.0%</b>
<b>Uses of Funding:</b>							
Operations & Maintenance	757	1,259	554	836	3,405	25.7%	26.4%
Personnel	811	5,131	637	1,936	8,516	64.2%	66.4%
<b>Total Operating Expenses</b>	<b>1,568</b>	<b>6,390</b>	<b>1,191</b>	<b>2,772</b>	<b>11,921</b>	<b>89.9%</b>	<b>92.8%</b>
<b>Surplus (Deficit) for Debt Svc &amp; Capital</b>	<b>\$ 10,493</b>	<b>\$ (5,684)</b>	<b>\$ (1,191)</b>	<b>\$ (2,280)</b>	<b>\$ 1,337</b>	<b>10.1%</b>	<b>7.2%</b>
Debt Service - Principal & Interest	-	154	-	-	154	1.2%	0.0%
Capital Spending / Transfers from (to) Reserves	302	398	635	276	1,612	12.2%	18.8%
<b>Net Surplus (Deficit) - FYTD through May 2024</b>	<b>\$ 10,190</b>	<b>\$ (6,236)</b>	<b>\$ (1,826)</b>	<b>\$ (2,557)</b>	<b>\$ (429)</b>	<b>-3.2%</b>	<b>-11.7%</b>
<b>Net Surplus (Deficit) - FYTD through May 2023</b>	<b>\$ 6,980</b>	<b>\$ (4,985)</b>	<b>\$ (1,240)</b>	<b>\$ (2,105)</b>	<b>\$ (1,351)</b>	<b>-11.7%</b>	
<b>Current vs Prior - Favorable (Unfavorable)<sup>2</sup></b>	<b>↑ \$ 3,210</b>	<b>↓ \$ (1,251)</b>	<b>↓ \$ (586)</b>	<b>↓ \$ (451)</b>	<b>↑ \$ 922</b>	<b>↑ 8.4%</b>	
<b>Net Surplus (Deficit) - Current FYTD Budget</b>	<b>\$ 10,212</b>	<b>\$ (6,332)</b>	<b>\$ (1,424)</b>	<b>\$ (2,853)</b>	<b>\$ (397)</b>	<b>-3.0%</b>	
<b>Current vs Budget - Favorable (Unfavorable)<sup>3</sup></b>	<b>→ \$ (22)</b>	<b>→ \$ 96</b>	<b>↓ \$ (402)</b>	<b>↑ \$ 296</b>	<b>↓ \$ (32)</b>	<b>↓ -0.2%</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>This format presents 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)

<sup>3</sup>Comparative Indicators **Green**, **Yellow** and **Red** signify favorable variance greater than 5%, marginal variance within ±5%, and unfavorable variance below -5%, respectively, for departmental comparisons. Total variance carries tighter bounds of >2.5%, ±2.5% and <2.5%, while the percentage variance uses >1.0%, ±1.0% and <1.0%, respectively.

City of Milford, Delaware  
 Legacy Revenue Report: MTD and YTD Actual vs Annual Budget  
 For the YTD Period Ended May 31, 2024

*91.7% of Year Elapsed*

Account / Function	FY24 Budget, as Approved	MTD Actual	YTD Actual	YTD Actual as % of Annual Budget
<b>General Fund:</b>				
Economic Development Fund	\$ 105,860	\$ 8,822	\$ 97,038	91.7%
General Fund Reserves	1,114,525	92,877	1,021,648	91.7%
ARPA Funding - Operating Support	21,245	-	-	0.0%
Realty Transfer Tax - Police	200,000	16,667	183,333	91.7%
Real Estate Tax	5,732,358	1,396	5,729,603	100.0%
Business License	67,000	-	84,340	125.9%
Rental License	120,000	-	110,840	92.4%
Building Permits	250,000	955	197,603	79.0%
Planning & Zoning	65,000	-	80,548	123.9%
Leases and Franchise Fees	430,069	-	367,363	85.4%
Grasscutting Revenue	20,000	1,667	18,333	91.7%
Police Revenues	523,680	-	522,709	99.8%
Misc. Revenues	20,500	-	57,936	282.6%
Transfers In	5,221,976	435,165	4,786,811	91.7%
<b>Total General Fund Revenue</b>	<b>\$ 13,892,213</b>	<b>\$ 557,548</b>	<b>\$ 13,258,105</b>	<b>95.4%</b>
<b>Enterprise Funds:</b>				
Water Fund Revenues	3,601,227	327,646	3,547,890	98.5%
Sewer Fund Revenues	3,271,974	302,013	3,172,978	97.0%
Kent County Sewer	2,533,811	218,281	2,290,461	90.4%
Solid Waste Fund Revenues	1,710,494	142,501	1,714,376	100.2%
Electric Fund Revenues	28,893,293	2,406,536	29,965,206	103.7%
<b>Total Enterprise Fund Revenue</b>	<b>\$ 40,010,799</b>	<b>\$ 3,396,976</b>	<b>\$ 40,690,911</b>	<b>101.7%</b>
Other Enterprise Revenue	-	11,200	90,349	
Other Enterprise Expense	-	(5,155)	(46,836)	
<b>Total General &amp; Enterprise Fund Revenue</b>	<b>\$ 53,903,012</b>	<b>\$ 3,960,569</b>	<b>\$ 53,992,529</b>	<b>100.2%</b>

City of Milford, Delaware  
 Legacy Expenditure Report: MTD and YTD Actual vs Annual Budget  
 For the YTD Period Ended May 31, 2024

*91.7% of Year Elapsed*

Fund / Account / Divisional Groupings	FY24 Budget, as Approved	MTD Actual	YTD Actual	YTD Actual as % of Annual Budget	Unexpended Balance
<b>General Fund</b>					
<b>City Administration</b>					
Personnel	\$ 621,570	19,859	\$ 524,303	84.4%	\$ 97,267
Operation & Maintenance (O&M)	137,511	3,335	93,401	67.9%	44,110
Capital	-	-	-		-
<b>Subtotal: City Administration</b>	<b>759,081</b>	<b>23,194</b>	<b>617,704</b>	<b>81.4%</b>	<b>141,376</b>
<b>City Clerks</b>					
Personnel	337,869	12,659	249,509	73.8%	\$ 88,360
Operation & Maintenance (O&M)	81,851	2,530	39,461	48.2%	42,389
Capital	-	-	-		-
<b>Subtotal: City Clerks</b>	<b>419,720</b>	<b>15,188</b>	<b>288,970</b>	<b>68.8%</b>	<b>130,749</b>
<b>Planning &amp; Zoning</b>					
Personnel	\$ 676,580	27,091	589,481	87.1%	87,099
O&M	154,432	31,245	119,359	77.3%	35,073
Capital	70,000	-	47,314	67.6%	22,686
<b>Subtotal: Planning &amp; Zoning</b>	<b>901,012</b>	<b>58,336</b>	<b>756,154</b>	<b>83.9%</b>	<b>144,858</b>
<b>Council</b>					
Personnel	54,990	258	36,849	67.0%	18,141
Legal	30,150	75	41,152	136.5%	(11,002)
City Hall Building Expense	38,961	1,388	50,469	129.5%	(11,508)
Insurance	17,650	-	8,537	48.4%	9,113
Council Expense	40,000	3,146	38,128	95.3%	1,872
Codification	18,000	-	10,595	58.9%	7,405
Carlisle Fire Company	205,000	-	205,000	100.0%	-
Museum	40,000	-	40,000	100.0%	-
Downtown Milford, Inc.	50,000	-	50,000	100.0%	-
Milford Public Library	28,000	-	28,000	100.0%	-
Armory Expenses	25,000	-	9,253	37.0%	15,748
Community Festivals	70,000	-	40,000	57.1%	30,000
Election Expense	13,500	2,231	15,796	117.0%	(2,296)
Other O&M	79,890	-	79,890	100.0%	-
Emergency Operations	50,000	-	7,500	15.0%	42,500
<b>Subtotal: Council</b>	<b>761,141</b>	<b>7,098</b>	<b>661,167</b>	<b>86.9%</b>	<b>99,974</b>

City of Milford, Delaware  
 Legacy Expenditure Report: MTD and YTD Actual vs Annual Budget  
 For the YTD Period Ended May 31, 2024

		<i>91.7% of Year Elapsed</i>				
Fund / Account / Divisional Groupings	FY24 Budget, as Approved	MTD Actual	YTD Actual	YTD Actual as % of Annual Budget	Unexpended Balance	
29	<b>Finance</b>					
30	Personnel	643,770	25,754	\$ 572,537	88.9%	71,233
31	O&M	35,080	1,929	35,050	99.9%	30
32	Capital	-	-	-		-
33	<b>Subtotal: Finance</b>	<b>678,850</b>	<b>27,683</b>	<b>607,587</b>	<b>89.5%</b>	<b>71,263</b>
34	<b>Information Technology</b>					
35	Personnel	482,545	22,976	431,958	89.5%	50,587
36	O&M	524,445	39,979	416,240	79.4%	108,205
37	Capital	973,743	6,640	294,844	30.3%	678,898
38	<b>Subtotal: Information Technology</b>	<b>1,980,733</b>	<b>69,595</b>	<b>1,143,043</b>	<b>57.7%</b>	<b>837,690</b>
39	<b>Police Department</b>					
40	Personnel	5,530,716	209,112	5,131,283	92.8%	399,433
41	O&M	1,388,456	53,938	1,258,507	90.6%	129,949
42	Capital	441,442	39,293	397,807	90.1%	43,635
43	<b>Subtotal: Police Department</b>	<b>7,360,614</b>	<b>302,342</b>	<b>6,787,597</b>	<b>92.2%</b>	<b>573,017</b>
44	<b>Streets &amp; Grounds Division</b>					
45	Personnel	425,400	15,179	342,198	80.4%	83,202
46	O&M	565,968	19,953	265,208	46.9%	300,760
47	Capital	182,330	27,206	229,130	125.7%	(46,800)
48	<b>Subtotal: Streets &amp; Grounds Division</b>	<b>1,173,699</b>	<b>62,338</b>	<b>836,536</b>	<b>71.3%</b>	<b>337,162</b>
49	<b>Parks &amp; Recreation</b>					
50	Personnel	790,970	28,278	637,462	80.6%	153,508
51	O&M	701,910	51,355	553,954	78.9%	147,956
52	Capital	1,034,676	20,374	635,237	61.4%	399,440
53	<b>Subtotal: Parks &amp; Recreation</b>	<b>2,527,556</b>	<b>100,007</b>	<b>1,826,653</b>	<b>72.3%</b>	<b>700,903</b>
54	<b>Total General Fund Expenditures</b>	<b>\$ 16,142,684</b>	<b>\$ 665,783</b>	<b>\$ 13,525,411</b>	<b>83.8%</b>	<b>\$ 2,617,273</b>

City of Milford, Delaware  
 Legacy Expenditure Report: MTD and YTD Actual vs Annual Budget  
 For the YTD Period Ended May 31, 2024

*91.7% of Year Elapsed*

Fund / Account / Divisional Groupings	FY24 Budget, as Approved	MTD Actual	YTD Actual	YTD Actual as % of Annual Budget	Unexpended Balance
<b>Enterprise Funds:</b>					
<b>Water Division</b>					
Personnel	\$ 412,740	\$ 14,199	\$ 345,021	83.6%	\$ 67,718
O&M	1,787,676	34,835	1,552,906	86.9%	234,771
Transfer to General Fund	300,000	25,000	275,000	91.7%	25,000
Capital	735,536	1,646	267,457	36.4%	468,078
Debt Service	365,275	-	136,137	37.3%	229,138
<b>Subtotal: Water Division</b>	<b>3,601,227</b>	<b>75,680</b>	<b>2,576,521</b>	<b>71.5%</b>	<b>1,024,706</b>
<b>Sewer Division</b>					
Personnel	\$ 402,430	13,926	338,138	84.0%	64,292
O&M	1,928,765	155,711	2,009,044	104.2%	(80,279)
Transfer to General Fund	300,000	25,000	275,000	91.7%	25,000
Capital	231,927	3,950	232,958	100.4%	(1,031)
Debt Service	408,853	-	331,159	81.0%	77,694
<b>Subtotal: Sewer Division (excl. Kent County)</b>	<b>3,271,974</b>	<b>198,586</b>	<b>3,186,299</b>	<b>97.4%</b>	<b>85,675</b>
Kent County Sewer	2,533,811	184,776	2,384,354	94.1%	149,457
<b>Subtotal: Sewer Division (Comprehensive)</b>	<b>5,805,785</b>	<b>383,362</b>	<b>5,570,653</b>	<b>96.0%</b>	<b>235,132</b>
<b>Solid Waste Division</b>					
Personnel	403,570	17,582	386,363	95.7%	17,207
O&M	1,306,924	58,725	1,302,090	99.6%	4,834
Capital	-	-	-	-	-
<b>Subtotal: Solid Waste Division</b>	<b>1,710,494</b>	<b>76,307</b>	<b>1,688,452</b>	<b>98.7%</b>	<b>22,042</b>
<b>Subtotal: Water, Sewer &amp; Solid Waste</b>	<b>11,117,506</b>	<b>535,350</b>	<b>9,835,627</b>	<b>88.5%</b>	<b>1,281,879</b>
<b>Electric Division</b>					
Personnel	\$ 1,803,070	69,297	1,491,176	82.7%	311,894
O&M	3,018,229	94,982	2,769,931	91.8%	248,299
Transfer to General Fund	3,250,000	270,833	2,979,167	91.7%	270,833
Capital	993,014	36,495	997,379	100.4%	(4,364)
Debt Service	322,590	-	282,308	87.5%	40,283
<b>Subtotal: Electric Division (excl. Power)</b>	<b>9,386,904</b>	<b>471,608</b>	<b>8,519,959</b>	<b>90.8%</b>	<b>866,944</b>
Power Purchased	20,492,823	1,826,882	19,972,242	97.5%	520,581
<b>Subtotal: Electric Division (Comprehensive)</b>	<b>29,879,727</b>	<b>2,298,490</b>	<b>28,492,201</b>	<b>95.4%</b>	<b>1,387,525</b>
<b>Total Enterprise Fund Expenditures</b>	<b>\$ 40,997,232</b>	<b>\$ 2,833,840</b>	<b>\$ 38,327,828</b>	<b>93.5%</b>	<b>\$ 2,669,404</b>
<b>Grand Total Operating Budget</b>	<b>\$ 57,139,917</b>	<b>\$ 3,499,622</b>	<b>\$ 51,853,239</b>	<b>90.7%</b>	<b>\$ 5,286,678</b>

City of Milford, Delaware  
 Legacy Interservice Department Expenditures: MTD and YTD Actual vs Annual Budget  
 For the YTD Period Ended May 31, 2024

*91.7% of Year Elapsed*

Account / Divisional Groupings	FY24 Budget, as Approved	MTD Actual	YTD Actual	YTD Actual as % of Annual Budget	Unexpended Balance
<b>Interservice Departments</b>					
<b>Garage</b>					
Personnel	\$ 178,430	\$ 14,218	\$ 164,715	92.3%	\$ 13,715
Operation & Maintenance (O&M)	134,410	11,064	109,574	81.5%	24,836
Capital	-	-	-		-
<b>Subtotal: Garage</b>	<b>312,840</b>	<b>25,282</b>	<b>274,289</b>	<b>87.7%</b>	<b>38,551</b>
<b>Public Works</b>					
Personnel	921,530	54,617	747,751	81.1%	173,779
O&M	265,540	24,581	233,290	87.9%	32,250
Capital	-	-	-		-
<b>Subtotal: Public Works</b>	<b>1,187,070</b>	<b>79,198</b>	<b>981,041</b>	<b>82.6%</b>	<b>206,029</b>
<b>Tech Services</b>					
Personnel	304,930	25,090	282,251	92.6%	22,679
O&M	509,816	32,733	353,117	69.3%	156,699
Capital	-	-	-		-
<b>Subtotal: Tech Services</b>	<b>814,746</b>	<b>57,824</b>	<b>635,368</b>	<b>78.0%</b>	<b>179,378</b>
<b>Billing &amp; Collections</b>					
Personnel	800,480	33,710	724,221	90.5%	76,259
O&M	451,020	33,213	390,571	86.6%	60,449
Capital	-	-	-		-
<b>Subtotal: Billing &amp; Collections</b>	<b>1,251,500</b>	<b>66,923</b>	<b>1,114,792</b>	<b>89.1%</b>	<b>136,708</b>
<b>City Hall Cost Allocation</b>					
O&M	83,600	3,267	76,644	91.7%	6,956
Capital	-	-	-		-
<b>Subtotal: City Hall Cost Allocation</b>	<b>83,600</b>	<b>3,267</b>	<b>76,644</b>	<b>91.7%</b>	<b>6,956</b>
<b>Interdepartmental Cost Allocation</b>	<b>\$ (3,649,757)</b>	<b>\$ (232,493)</b>	<b>\$ (3,082,135)</b>	<b>84.4%</b>	<b>\$ (567,622)</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.

City of Milford  
 Council Committee Assignments  
 June 24, 2024

Economic Development & Code Enforcement	
<b><i>Meets as Needed</i></b>	
Chair	Madula Kalesis
Member	Lori Connor
Member	Michael Stewart
Member	Katrina Wilson
Staff Liaison	Planning Director

Public Safety	
<b><i>Meets Quarterly</i></b>	
Chair	Katrina Wilson
Member	Lori Connor
Member	Michael Stewart
Member	Jason James Sr.
Staff Liaison	Police Chief, City Manager

Finance & Audit	
<b><i>Meets Quarterly</i></b>	
Chair	Jason James Sr.
Member	Dan Marabello
Member	Lori Connor
Member	Nirmala Samaroo
Staff Liaison	Finance Director

Public Works & Utilities	
<b><i>Meets Quarterly</i></b>	
Chair	Madula Kalesis
Member	Lori Connor
Member	Michael Stewart
Member	Katrina Wilson
Staff Liaison	Electric Director, Public Works Director, City Engineer

Annexation	
<b><i>Meets as Needed</i></b>	
Chair	Katrina Wilson
Member	<b>Nadia Zychal</b>
Member	Madula Kalesis
Member	Michael Stewart
Staff Liaison	Planning Director

Charter Review Subcommittee	
<b><i>Meets Monthly</i></b>	
Chair	Jason James Sr.
Member	Dan Marabello
Member	<b>Nadia Zychal</b>
Member	Katrina Wilson
Staff Liaison	City Clerk, City Manager

Community Cemetery Committee	
<b><i>Meets Quarterly</i></b>	
Member	Mayor Culotta
Member	City Manager
Member	Parks & Recreation Director
Member/Liaison	Katrina Wilson



City of Milford  
City Clerk  
Pay Grade: 109

---

**Employment Status:** Full-Time

**FLSA Status:** Exempt

**Experience Required:** At least 5 (five) years of progressive and increasingly responsible experience in municipal government or business, or an equivalent combination of experience and training that provides an equivalent level of qualification. State of Delaware Notary Public license is required. NIMS (National Incident Management System) ICS-100 and FEMA IS-700 training. Possession and retention of a valid motor vehicle operator's license issued by the State of Delaware is required. Must pass pre-employment testing for substance abuse, criminal background, motor vehicle driver's license history, and a pre-employment physical. Subject to random drug and alcohol testing in accordance with City policy.

**Minimum Education Requirements:** Bachelor's degree in business, public administration, or related field or within one year of receiving Master Municipal Clerk designation by the International Institute of Municipal Clerks (IIMC), supplemented by college level courses, including ongoing supplemental courses in law related skills, records management, computer, intergovernmental relations and human relations. IIMC Certified Municipal Clerk (CMC) designation is required.

**Direct Supervisor:** Mayor & City Council

**Supervisory Responsibility:** Small group

**Primary Work Location:** Office setting

---

**Job Summary:** The key functions of the City Clerk are defined by the City Charter, and in addition, oversees legislative matters, maintains custody of the Seal of the City, attests to all laws enacted by the City Council, and is responsible for the appropriate notice, conduct and recordation of all meetings of the Council and other public bodies of the City in compliance with both the City Municipal Code and the State of Delaware Freedom of Information Act. The City Clerk has frequent contact with the Mayor, City Council, City Manager, City Solicitor, and other department directors, city staff, and the public. The City Clerk mentors others by advising and guiding them regarding problems that may be resolved by legal, clinical, or professional principles. The City Clerk works with a wide a wide-ranging assortment of individuals on a daily basis and is called upon to use the utmost intact and discretion as they respond to the needs of those who solicit their advice.

The City Clerk shall be committed to the mission, vision and values of the City and demonstrate such ethical conduct, community stewardship, individual initiative, and responsive service. The City Clerk shall demonstrate leadership, management and technical skills through effective communication and collaboration, proper use of municipal resources, progressive decision-making, personal accountability, and responsibility.

---

**Supervision Received:** Work is performed under the general supervision of the Mayor & City Council.

**Essential Job Functions:**

An employee in this position may be called upon to do any or all of the following essential duties:

- A. Serves as Clerk to City to Council, ensuring that notice of Council meetings is given to its members and the public; that minutes are kept and promulgated; and that all of its proceedings are appropriately published, indexed, filed, and stored.
- B. Performs high level administrative tasks such as conducting research, referrals, tracking of records, provides Mayor and Council with firsthand knowledge of Charter/Code and maintains schedules for Mayor and Council.
- C. Serves as custodian of the Seal of the City, maintaining it securely and attesting the same as required by law.



City of Milford  
City Clerk  
Pay Grade: 109

- 
- D. Serves as staff liaison for Council with City staff, other governmental agencies, or third-party organizations.
  - E. Serves as point of contact for constituents and other agencies, assisting them in presenting their concerns to staff and Council and providing advice on municipal matters.
  - F. Serves as Public Information Officer on Council-related matters for staff, media, citizens, and other agencies; serves as liaison between Mayor/Council and citizens during Delaware emergency operations.
  - G. Oversees the daily operations of the Office of the City Clerk, including implementing policies and procedures, managing projects, and supervising office staff.
  - H. Recommends goals and objectives for the department to the City Manager and manages the annual budget for the department.
  - I. Attends all City Council meetings and provides Council knowledge regarding parliamentary procedures, follows through on all Council actions, follows up with staff on direction of Council.
  - J. Research and reports on legislative policy and legal matters for the Mayor, Council, and the City. Further, acts as historian of City information for the City Manager, department directors, and other City staff.
  - K. Drafts ordinances, resolutions, proclamations, contracts, agreements, and other legal documents in consultation with the City Solicitor.
  - L. Designated by the Mayor and City Council to manage confidential personnel matters that fall under their powers as described in the City Charter including the recruitment and appointment of a City Manager and Police Chief.
  - M. Attests to leases and deeds of the City property, grants, agreements, bonds, tax notes, and other forms of obligations of the City and laws enacted by the City Council.
  - N. Works with Municode/Civic Plus Code Publishing Company to ensure Milford City Code is current.
  - O. Assigns staff support for City Boards, Committees and Commissions. The position assures notice is given for meetings and minutes are kept.
  - P. Manages and oversees all City elections, including all aspects of City voter registration, publication requirements, polling place assignments, communication with candidates, and coordination with the Sussex County Department of Elections, State Election Commissioner, and the City of Milford Election Board. Position also facilitates training and payment of poll workers, publicizing voter information, and absentee balloting. Coordinates candidate filings and certification of matters related to both general and special municipal elections.
  - Q. Serves as the Freedom of Information Act Coordinator for the City of Milford, working with departments and the public to facilitate access to the records of the City in compliance with FOIA.
  - R. Performs other duties as prescribed by the City Charter, City Ordinance, or legally directed by City Council.

**Essential Functions, Qualifications, & Knowledge, Skills, and Abilities (KSA) for Employment:**

An employee in this class must have the following knowledge, skills, and abilities upon application:

**Knowledge**

- Detailed knowledge regarding the City's Municipal Code, parliamentary procedures, election procedures, records retention, database management, technology related to recording software and variety of computer programs, implementation of the Freedom of Information Act, and municipal procedures for actions related to land applications, annexations, referendums, and adoption of charter, code amendments and city ordinances.



City of Milford  
City Clerk  
Pay Grade: 109

---

**Skills**

- The Clerk's Office is responsible for maintaining the City's history and making it available to the Mayor, Council, and committee members, which is vital to members as they address longstanding issues that come before them for consideration. The City Clerk research current issues and provides historical context to members as they address concerns related to policy and procedure. In addition to conducting research and accumulating information, the City Clerk must synthesize this data to develop solutions for problems presented by the public, staff, Mayor, and Council. This often requires a high degree of innovation to find creative strategies for achieving goals.
- The City Clerk serves as the City's archivist, with responsibility for implementing and monitoring procedures for safekeeping of all City records and are handled in conformance with State procedures that dictate records retention. Serve as consultants to all departments and provide guidance on information storage, disposition, and retention to ensure that the City's constituency has access to public records.
- The City Clerk ensures that data stored in Laserfiche is indexed in such a way to provide Mayor, Council, staff members, and the public with timely access to reliable information.
- The City Clerk plays a key role in protecting the City's financial assets from legal liability. They provide guidance to staff, Mayor and Council on interpretation and conformity with the City's Municipal Code. The City Clerk ensures that matters considered by Council are addressed in the proper sequence and according to correct parliamentary procedure, so that the actions taken by Council are legally binding.
- The Clerk's Office serves as a liaison between the City and candidates for election. The City Clerk provides education and advice to candidates regarding election procedures and ensures that candidates are kept informed on City matters.
- The City Clerk interfaces with State legislators as they assist the Council to seek endorsement of legislation related to City policy, such as amendments to the City's Charter.
- The Clerk's Office oversees various "routine" matters (which are rarely routine due to the large number of special circumstances and the complexity of the issues considered), involving public notice of land application, alley abandonments, annexations, adoption of ordinances, recording of legal documents such as easements, deeds, agreements, etc. Each of these matters involves a lengthy, detailed, step-by-step process. Failure to develop, implement, and abide by these procedures can leave the City vulnerable to lawsuits and significant monetary losses.

**Abilities**

- Demonstrated ability to communicate effectively, both verbally and in writing.
- Responsible for information, knowledge and conceptions obtained by observation, investigation, interpretation, visualization, and mental creation. Information to include numbers, words, symbols, ideas, concepts, and oral verbalizations.
- The ability to plan, assign, coordinate, monitor, and evaluate the workload of an office with multiple subordinate staff.
- The ability to establish and maintain effective working relationships with employees, elected officials, appointed volunteers, and the general public.
- Sound judgment, integrity, discretion, tact, and dependability.
- Responsible for receiving a voluminous amount of information which is directed to Mayor and Council through the Clerk's Office. They sift through data, analyze the implications of the material, and make sure that the Mayor and Council are kept informed of all significant issues. The City Clerk must ensure that the Mayor and Council receive prompt and



City of Milford  
City Clerk  
Pay Grade: 109

---

accurate information, as lapses in this area can have serious public relations and legal implications.

- The City Clerk works with an assortment of individuals regularly. They are called upon to use the utmost tact and discretion as they respond to the needs of those who solicit their advice.
- The City Clerk reports directly to the Mayor and eight (8) members of the City Council who are elected for staggered terms of office, but the Clerk's Office remains constant in its support role. The City Clerk establishes and maintains procedures that provide continuity for Mayor/Council members and city staff. Because newly elected members are often unfamiliar with city policy and parliamentary procedure, the Clerk's Office provides orientation, education, and guidance to new members as they become familiar with city procedures.
- Council members do not maintain offices at City Hall; therefore, the City Clerk acts as the "face" of Council by serving as Council's point of contact between fellow Council members, committee members, City staff, and the public. They provide advice to all parties on how best to accomplish their goals, within the framework of the requirements set forth in the City's Municipal Code.
- The Clerk's Office serves as one of the City's primary points of contact with the public. The City Clerk is called upon to respond to constituents and interest groups from a variety of backgrounds (who may often be passionate about their concerns), by providing information, solutions to problems, education on City policy, or direction to the appropriate City department. In addition, they have frequent contact with the press and must respond with a high degree of accuracy and diplomacy.
- Must be able to interpret and explain complex information related to State and Municipal Code, contracts, and policy. Prepares a variety of documents including minutes, reports, correspondence, and policy statements. Requires strong writing skills and a thorough command of the English language, including grammar, spelling, and punctuation. Public speaking may be required.
- Decision making is a significant part of a job, affecting a large segment of the organization and the public; works in a dynamic environment, responsible to assist in developing policy and practices.
- Must often exercise sound judgment in educating staff and Council members on proper procedure or the most favorable approach to accomplishing goals. They must be willing to accept controversy, determine the proper course of action, and advocate strongly for the approach that is the most advantageous for all involved. This requires the utmost in good judgment and diplomacy.
- The Clerk's Office is an extremely fast paced environment and networks with several State jurisdictions and agencies on a regular basis (e.g., various municipalities throughout the State, State and Federal Offices, Delaware Public Archives, the Department of Elections) and must maintain good rapport with these organizations.



City of Milford  
City Clerk  
Pay Grade: 109

- 
- I have read the job description for my position. I understand and accept the requirements as stated.
  - I have read the job description for my position. I would like to have a second review of the job description with the Mayor, City Council, and human resources.

Mayor:

---

Employee:

---

Human Resources Director:

---

## ***ARTICLE VII Board of Adjustment***

### **§ 230-27. Powers and duties.**

The Board of Adjustment shall have the following powers:

- A. Appeal of administrative order, requirement, decision, or determination. The Board of Adjustment shall hear and decide appeals where it is alleged that there is error in any order, requirement, decision or determination made in the administration of the zoning ordinance.
- B. Variance. The Board of Adjustment shall authorize, upon appeal in specific cases, such variances from the terms of this chapter as will not be contrary to the public interest where, due to special conditions, a literal enforcement of the provisions of the chapter will result in unnecessary hardship or exceptional practical difficulties and so that the spirit of the chapter shall be observed and substantial justice done.
  - (1) Area variance. A variance shall be considered an area variance if it relates to bulk standards, signage regulations, and other provisions of the zoning ordinance that address lot layout, buffers, and dimensions, In considering a request for an area variance, the board shall evaluate the following criteria and document them in their findings of fact:
    - (a) The nature of the zone in which the property lies;
    - (b) The character of the immediate vicinity and the contained uses therein;
    - (c) Whether, if the restriction upon the applicant's property were removed, such removal would seriously affect such neighboring properties and uses; and
    - (d) Whether, if the restriction is not removed, the restriction would create unnecessary hardship or exceptional practical difficulty for the owner in relation to his efforts to make normal improvements in the character of that use of the property which is a permitted use under the provisions of the zoning ordinance.
  - (2) Use Variance. A variance shall be considered a use variance if it would permit a use of the subject property that would otherwise not be permitted on the subject property. In considering a request for a use variance, the board shall determine that the following criteria exist and document them in their findings of fact:
    - (a) The property cannot yield a reasonable return when used only for the permitted use;
    - (b) The need for the variance is due to unique circumstances and not general conditions in the neighborhood;
    - (c) The use sought will not alter the essential character of the locality; and
    - (d) All uses permitted on the land under the existing zoning are economically unfeasible.
- C. The Board of Adjustment shall have the responsibility for the interpretation of this chapter.

[Ord. No. 2022-06, 1-24-2022]

---

### **§ 230-28. Authority.**

In exercising its powers the Board may, in conformity with this chapter, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and make such order, requirement, decision or determination as ought to be made in the administration and enforcement of this chapter. Any order, requirement, decision or determination of the Board which requires or permits a specific act to be undertaken shall, as a condition, prescribe a reasonable time limit within which such act shall be completed, if applicable.

[Ord. No. 2022-06, 1-24-2022]

### **§ 230-29. Administrative Appeals.**

- A. Appeals to the Board may be taken by any person aggrieved or by any other officer, department, board or commission of the City of Milford affected by a decision of the Planning of the City of Milford in the administration of this chapter. Such appeal shall be taken within 60 days of the aggrieved decision by filing with the Planning Director a letter of appeal specifying the reason for appeal.
- B. An appeal shall stay all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies, after the notice of appeal is filed with him, that, by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property. In such cases, proceedings shall not be stayed other than by a restraining order, which may be granted by the Board or by a court of record on application on notice to the Planning Director for due cause shown.
- C. The Board of Adjustment shall fix a reasonable time for the hearing of the appeal, give public notice as well as due notice to the parties of interest and notify by mail the registered owners of all property within 200 feet of the property upon which the appeal centers. The appeal shall be decided within a reasonable time not to exceed 60 days from the date of the filing of such appeal. Failure of the Board to decide within 60 days shall constitute denial. Upon the hearing, any party may appear in person, by agent or by attorney, provided that said agent or attorney produces authorization from his principal for acting in such a capacity.
- D. A filing fee shall accompany each appeal to help offset the cost of the hearing. Said filing fee is set forth in § 230-57. 6 []

[Ord. No. 2022-06, 1-24-2022]

### **§ 230-30. Use and Area Variances.**

- A. Variance applications may be submitted to the Planning Department for review by the Board.
- B. Notice of matters to be heard by the Board shall be published in a newspaper of general circulation for the City of Milford at least 15 days before the date of the hearing and shall specify the date, place and times at which the application may be examined. The notice shall set forth the date, time and place of the public hearing and shall describe in a general way the nature of the application.
- C. The Planning Department shall provide a copy of the public notice by mail to the registered owners of all property within 200 feet of the property upon which the variance application is being sought.
- D. The Planning Department will also post a notice at least 10 days before the hearing outlining the date, time, place and nature of the hearing in a conspicuous location on the property. The published and posted notices shall contain reference to the time and place within the City where text, maps, and plans for the proposal may be examined.

- 
- E. A filing fee shall accompany each appeal to help offset the cost of the hearing. Said filing fee is set forth in Section 230-57.
  - F. Variance approvals associated with site plans shall expire with the expiration of the site plan approval. Variances associated with subdivisions shall expire with the expiration of the subdivision approval. All other variances shall become null and void unless work is commenced and diligently prosecuted within one year of the date of the granting of a variance by the Board.
  - G. Whenever the Board of Adjustment denies an application for variance, such application for variance, or an application on the same property which is substantially similar, shall not be accepted for reconsideration by the Board of Adjustment sooner than one year from the date of denial.

[Ord. No. 2022-06, 1-24-2022; Ord. No. 2023-28, § 4, 8-14-2023]

### **§ 230-31. Administrative Appeal and Variance Decisions. Petition to court.**

Any person or persons jointly or severally aggrieved by any decision of the Board or any taxpayer or any officer, department, board or commission of the City of Milford may present to a court of record a petition duly verified setting forth that such decision is illegal, in whole or in part, and specifying the grounds for the illegality. Such petition shall be presented to the court within 30 days after the filing of the decision. The court may allow a writ of certiorari directed to the Board to review such decision of the Board and shall prescribe the time within which a return must be made and served upon the petitioner attorney, which shall not be less than 10 days and may be extended by the court. The allowance of the writ shall not stay proceedings upon the decision appealed from, but the court may, upon application or notice to the Board and on due cause shown, grant a restraining order.

[Ord. No. 2022-06, 1-24-2022]

### **§ 230-32. Composition and terms of office.**

The Board of Adjustment shall be established as provided in 22 Del. C. § 322(d).

[Ord. No. 2022-06, 1-24-2022]

### **§ 230-33. Making and adopting rules.**

The Board of Adjustment shall make and adopt rules in accordance with the provisions of this chapter.

[Ord. No. 2022-06, 1-24-2022]

### **§ 230-34. Referrals to Planning Commission.**

The Board may refer to the Planning Commission any applications or appeals for the Planning Commission's review and recommendation.

[Ord. No. 2022-06, 1-24-2022]

### **§ 230-35. Salaries and compensation.**

Each member of the Board of Adjustment shall be paid \$75.00 per regular or special meeting she/he attends and may be reimbursed for actual expenses incurred in connection with their official duties.

[Ord. No. 2021-27, 2-28-2022; Ord. No. 2022-06, 1-24-2022]



## Title 22 Municipalities

### Subchapter II Boards of Adjustment

#### § 322 Composition; terms of office.

(d)(1) Anything heretofore in this section to the contrary notwithstanding, any city or town, by its legislative body, may establish a board of adjustment consisting of not less than 3 nor more than 5 members who shall be residents of the city or town and who shall have knowledge of the problems of urban or suburban or rural development and who, at the time of appointment and throughout the term of office, shall not be candidates nor members of the legislative body nor employees of the city or town. The mayor or chief executive officer of such city or town shall appoint such members of the board of adjustment, and all such appointments shall be confirmed by a majority vote of the elected members of the legislative body.

(2) All appointments shall be for a period of 3 years, provided that the terms of the original members shall be established in such a manner that the term of at least 1 member shall expire each year and the successor shall be appointed for a term of 3 years. The board of adjustment so selected shall elect from among their own number a chairperson and a secretary.

(3) Any member of the board of adjustment may be removed from office by the legislative body for cause after a hearing by a majority vote of all the elected members of the legislative body of such city or town. A vacancy occurring otherwise than by the expiration of term shall be filled for the remainder of the unexpired term in the same manner as an original appointment.

# Application for Boards and Commissions

*Applications for Boards and Commissions are always accepted. Should a vacancy occur, the City will review all applications on file.*

---

## Available Boards & Commissions

*Learn more by clicking on each link*

- [Board of Adjustment](#)
- [Board of Appeals](#)
- [Parks & Recreation Advisory Board](#)
- [Planning Commission](#)
- [Tree Preservation & Advisory Council](#)

---

Which Board or Commission are you applying for?	Board of Adjustment
---	---------------------

---

Applicant Name:	Ronald L. Mescola
-----------------	-------------------

---

Street Address:	709 N.Shore Drive
-----------------	-------------------

---

City, State, Zip:	Milford, DE 19963
-------------------	-------------------

---

Home Phone Number:	302-503-7889
--------------------	--------------

---

Personal Phone Number:	
------------------------	--

---

Email Address:	
----------------	--

---

How long have you been a resident of Milford?	2 years 10 months
---	-------------------

---

Occupation and Employer:	Retired 25 years UPS
--------------------------	----------------------

---

Describe any special knowledge, education, experience, qualities or talents you have that	No Special Knowledge, but willing to learn. Worked for UPS as FEEDER and Package Supervisor. Have excellent Organizational skills
---	---

---

are relevant to the Board or Commission on which you are interested in serving:

---

Community and/or civic groups of which you are a member:      None at the Moment

---

Please describe why you wish to serve on this Board or Commission:      To be a part of Milford's growth and prosperity.

---

Do you, your spouse or any immediate family members have any potential conflicts of interest (personal or financial) that could require you to recuse yourself from votes of the board/commission for which you are applying?      No

---

If yes, please describe:      *Field not completed.*

---

Thank you for your willingness to serve the City of Milford! Please be aware of the time commitment for the Board or Commission you are interested in serving on by reviewing the below information.

---

By submitting this form, you certify the information contained is true and correct.

---

# Application for Boards and Commissions

*Applications for Boards and Commissions are always accepted. Should a vacancy occur, the City will review all applications on file.*

---

## Available Boards & Commissions

*Learn more by clicking on each link*

- [Board of Adjustment](#)
  - [Board of Appeals](#)
  - [Parks & Recreation Advisory Board](#)
  - [Planning Commission](#)
  - [Tree Preservation & Advisory Council](#)
- 

Which Board or Commission are you applying for? Board of Adjustment

---

Applicant Name: Joe

---

Street Address: Wiley

---

City, State, Zip:  
Milford, DE 19963

---

Home Phone Number: 302-422-4941

---

Personal Phone Number: 302-249-4540

---

Email Address: [REDACTED]

---

How long have you been a resident of Milford? 57 years

---

Occupation and Employer: Retired from Delmarva Power Operations after 31 years, Current Business owner Milford Mini-Storage Inc./ JRW Rentals

---

Describe any special knowledge, education, experience, qualities or Served on Milford Planning and Zoning 1990, Current President Maryland Gardens HOA, Rehoboth, Current Board Member and Fire Wise Coordinator Skyland Land Lakes HOA,

---

talents you have that are relevant to the Board or Commission on which you are interested in serving: Stanley, Va. I am a investor/Builder and have managed the construction of Milford Mini-Storage, and New homes in Milford. I have an Associates in Electrical/Electronics from DT&CC. 1997. I have subdivided and developed property in Milford

---

Community and/or civic groups of which you are a member: Current President Maryland Gardens HOA, Rehoboth, Current Board Member and Fire Wise Coordinator Skyland Land Lakes HOA, Stanley, Va. Member Milford Elks

---

Please describe why you wish to serve on this Board or Commission: I would like to give back to my community.

---

Do you, your spouse or any immediate family members have any potential conflicts of interest (personal or financial) that could require you to recuse yourself from votes of the board/commission for which you are applying? Yes

---

If yes, please describe: If there were a future application for a project that I was involved in, where a variance was needed, I would recuse myself.

---

Thank you for your willingness to serve the City of Milford! Please be aware of the time commitment for the Board or Commission you are interested in serving on by reviewing the below information.

---

By submitting this form, you certify the information contained is true and correct.

---

## Application for Boards and Commissions

*Applications for Boards and Commissions are always accepted. Should a vacancy occur, the City will review all applications on file.*

---

### Available Boards & Commissions

*Learn more by clicking on each link*

- [Board of Adjustment](#)
  - [Board of Appeals](#)
  - [Parks & Recreation Advisory Board](#)
  - [Planning Commission](#)
  - [Tree Preservation & Advisory Council](#)
- 

Which Board or Commission are you applying for? Board of Adjustment

---

Applicant Name: Andria G White

---

Street Address: 7453, Pinwheel Drive

---

City, State, Zip:  
Milford, DE 19963

---

Home Phone Number: 9173370478

---

Personal Phone Number: 9173370478

---

Email Address: [REDACTED]

---

How long have you been a resident of Milford? 6 years

---

Occupation and Employer: None

---

Describe any special knowledge, education, experience, qualities or talents you have that I have 16 years as a facilities maintenance building management manager. Associates degree in Business mgmt.

---

are relevant to the Board or Commission on which you are interested in serving:

---

Community and/or civic groups of which you are a member:

I was president of community board as well as President of my block association for over 25 years.

---

Please describe why you wish to serve on this Board or Commission:

I always done public service and volunteering in the NYC area where I lived, and would like to continue here in my new state of DE where I reside now.

---

Do you, your spouse or any immediate family members have any potential conflicts of interest (personal or financial) that could require you to recuse yourself from votes of the board/commission for which you are applying?

No

---

If yes, please describe: *Field not completed.*

---

Thank you for your willingness to serve the City of Milford! Please be aware of the time commitment for the Board or Commission you are interested in serving on by reviewing the below information.

---

By submitting this form, you certify the information contained is true and correct.

---

**MEMORANDUM OF UNDERSTANDING  
THE CITY OF MILFORD  
AND  
CARLISLE FIRE COMPANY**

This Memorandum of Understanding (“MOU”), made and entered into this 12 day of June, 2024, is by and between Carlisle Fire Company, a Delaware not for profit corporation (“Carlisle”), and the City of Milford, Delaware, a Delaware municipal corporation (“City”).

**WITNESSETH:**

WHEREAS, pursuant to Section 3.01(i) of the Milford City Charter, the City through its City Council is authorized to provide for the organization of a fire department and may in their discretion, contribute, donate or give such amounts of money as they may deem appropriate unto any Volunteer Fire Company subject to such conditions and stipulations as to the use thereof as the City Council shall deem advisable, and

WHEREAS, pursuant to 77 Delaware Laws Chapter 405, the “City” is vested with the authority, the power and the function to protect and preserve property, public and private, and the safety of the citizens, and

WHEREAS, Carlisle is the only responsible volunteer fire company able to perform the services of rendering fire protection and emergency medical services for the public buildings of the City and for the property and possessions of the residents, businesses and visitors within the City of Milford, and

WHEREAS, the City has determined that protection of lives and property within the limits of the City of Milford against fire and related hazards is vital to the safety and general welfare of the people within the City of Milford,

NOW, THEREFORE, in consideration of mutual undertakings and mutual benefits the City and Carlisle agree this to be the understanding between them:

**I. PURPOSE**

Carlisle agrees among its purposes is to furnish all personnel and equipment at its own risk and expense at all times of the day and night to attend fires and related emergency occurrences, including emergency medical services, within the established Carlisle fire district.

**II. FUNDING REQUESTS**

**A. Annual Request for Funding.**

By April 1 each year, Carlisle shall make an annual funding request to the City Manager as part of the City’s budget process.

**B. Items to be Included in Budget Request.**

In its submission to the City for a funding grant, Carlisle shall include as a minimum the following information:

1. How funds granted by the City to Carlisle for the prior fiscal year were used.
2. How Carlisle intends to use funds requested from the City for the upcoming fiscal year.
3. The best estimated total projected annual budget for Carlisle for the ensuing fiscal year at the time of submission.
4. What other funding sources by categories including but not limited to private grants, public grants, gifts, solicitations, government grants, and solicitations Carlisle has received for the upcoming year, and what government or public grants were denied.

C. Review

The Request shall be reviewed by the City Finance Department and the entire City Council as part of the City's budgeting process. The City Council shall have the discretion to budget an amount to be granted to Carlisle taking into consideration other budget requirements of the City and other funding sources available to Carlisle. The City through its City Manager, or his or her designee, shall advise Carlisle in writing of any issues arising from the City Council annual review process and shall inform Carlisle of the projected budget grant for the next fiscal year by June 1, and the final adopted amount by July 1.

**III. METHOD OF PAYMENT**

If the City Council awards a grant to Carlisle, it shall pay the grant in full on or before the 15th day of January, following the passage of the City budget. Carlisle shall use the funds granted as it deems reasonable and necessary, in accordance with Section B.2 above.

**IV. REPRESENTATIONS**

A. City in addition to the discretionary grant of funds in the budgeting process will also:

1. Assist Carlisle in preparing grant requests at no cost to Carlisle should Carlisle request such assistance and such City resources are available.
2. The City if made aware of alternate funding sources available to volunteer fire companies or emergency medical services will notify Carlisle of such resources.

B. Carlisle agrees to assist the City with planning and preparing for, and responding to, major emergency events, including participating in updating the Emergency Response Plan and participating in planning meetings and exercises.

**V. CARLISLE REPORTING**

To maintain communications between Carlisle and the City so the City is aware of how its funds are being utilized by Carlisle and to be better informed of Carlisle's needs, Carlisle agrees to submit a report each quarter of the fiscal year to the City outlining how it has used the funds granted, what community outreach or fire prevention activities are scheduled and what issues or concerns, if any, it has with the working relationship with the City. If requested by the City, a representative of Carlisle will attend a meeting of the City Council, or one of its committees, to address the matters stated in the report.

Carlisle shall endeavor to notify the City of any community outreach, fire prevention or public relations activities it will be conducting. City agrees to include such information in its City Council correspondence and to provide a link on the City website to the Carlisle website.

**VI. FIRE COMPANY ENHANCEMENT FUND**

Chapter 26 of the Milford Code authorizes the City to make discretionary grants to Carlisle from the Volunteer Fire Company Enhancement Fund. The parties to this Memorandum of Understanding agree to follow the Code requirements for the award of funds under this program. Upon the introduction of any amendments to Chapter 26 of the Code to City Council, Carlisle Fire Company shall be notified.

**VII. NON-DISCRIMINATION PROVISIONS**

Carlisle will not discriminate against any person or entity because of race, creed, color, religion, citizenship status, gender, age, national origin, ancestry, disability, sexual orientation, gender identity or expression, marital status, pregnancy, military veteran status, political beliefs or affiliation, genetic history, or other characteristic protected by law in any program or activity for which it uses funds granted to it through the City budgeting process or through the Volunteer Fire Company Enhancement Fund.

**VIII. CONFLICT OF INTEREST/POLITICAL ACTIVITY**

Elected officials, public officials, and employees and agents of the City shall comply with all applicable laws and regulations relating to conflicts of interest with regard to the work and compensation covered by this Memorandum of Understanding.

City funds granted to Carlisle shall not be used to make direct monetary contributions for political activities or legislative activities. For purpose of this Memorandum of Understanding, the terms "political activities" and "legislative activities" shall have the meaning ascribed to them by the Internal Revenue Service. This shall not, however, prohibit Carlisle from hosting or permitting scheduled events in their facilities by elected officials, candidates or politically affiliated organizations.

## **IX. IDEMNIFICATION**

In the event any notice, action, suit or claim made or filed against Carlisle alleges an injury arose from the actions or negligence of Carlisle wherein it is claimed Carlisle acted as an agent or department of the City then and in such event, Carlisle shall indemnify, defend, and hold harmless the City, its officers, agents, employees, elected officials, and attorneys, from damages, losses, expenses, including reasonable attorneys' fees, and other defense costs or liabilities, arising out of or in any way connected with the subject matter of the harm alleged in such suit or action if Carlisle is found to be liable.

In the event any notice, action, suit or claim made or filed against the City of Milford alleges an injury arose from the actions or negligence of the City of Milford wherein it is claimed the City acted as the employer, contractor, affiliate or department of Carlisle then and in such event, the City of Milford shall indemnify, defend, and hold harmless Carlisle, its officers, agents, employees, and attorneys, from damages, losses, expenses, including reasonable attorneys' fees, and other defense costs or liabilities, arising out of or in any way connected with the subject matter of the harm alleged in such suit or action if the City is found to be liable.

## **X. RESIDENCY INCENTIVE**

The City will provide active volunteer firefighters who own and occupy a legal residence within the City, a City property tax refund of up to \$1,000. To receive the refund, the volunteer firefighter must:

- 1) Provide certification from the Fire Company Chief that the firefighter responded to 30% of total fire calls for a 12-month consecutive period.
- 2) Provide proof of residence (Delaware-issued Driver's License or ID, Passport).
- 3) Own and occupy the residence for 12 full months prior to the end of the past fiscal year (June 30).
- 4) Provide a receipt of the paid City of Milford Property Tax bill prior to June 30.
- 5) The City retains the right to determine final eligibility for the residency incentive and may refuse the incentive to applicants unable to demonstrate ownership and/or occupancy.

## **XI. AMENDMENTS**

In order to provide necessary flexibility for the most effective execution of this Memorandum of Understanding, whenever both the City and Carlisle mutually agree, changes to this Memorandum of Understanding may be affected by placing them in written form and incorporating them into this Memorandum of Understanding as an amendment.

## **XII. NOTICE**

Any notice required by this Memorandum of Understanding is deemed to be given if it is mailed by United States certified mail, postage prepaid, and addressed as hereinafter specified.

Notice to the City shall be addressed to:

City Manager  
City of Milford, Delaware  
201 South Walnut Street  
Milford, Delaware 19963

Notice to CARLISLE shall be addressed to:

Board President  
Carlisle Fire Company  
PO Box 292  
Milford, Delaware 19963

**XIII. TERMS AND CONDITIONS**

The term of this Memorandum of Understanding is for one (1) year, commencing on July 1, 2024, and shall renew automatically each year thereafter for an additional year, unless either party notifies the other in writing prior to June 1 each year.

Both parties hereby agree that this Memorandum of Understanding shall not be assigned, transferred, conveyed or otherwise disposed of without the prior consent of both parties.

If any provision of this Memorandum of Understanding is determined by a court of law to be unconstitutional, illegal, or unenforceable, it is the intention of the parties that all the other provisions of this Memorandum of Understanding shall remain in full force and effect.

**XIV. ENTIRE AGREEMENT**

This Memorandum of Understanding constitutes the entire agreement between the parties with respect to its subject matter and any prior agreements, understandings, or other matters, whether oral or written, are hereby merged into and made a part hereof, and are of no further force or effect.

IN WITNESS WHEREOF, the parties hereto have executed this Memorandum of Understanding as of the date and year first above written.

CITY OF MILFORD

CARLISLE FIRE COMPANY

\_\_\_\_\_  
F. Todd Culotta, Mayor



\_\_\_\_\_  
Lewis Sacks, President

Witness:  
  
\_\_\_\_\_

Witness:  
  
\_\_\_\_\_



PUBLIC WORKS FACILITY  
180 Vickers Drive  
Milford, DE 19963  
www.cityofmilford.com

PLANNING DEPARTMENT  
Planning, Economic Development,  
Enforcement, and Inspections Office  
O 302.424.8396 | F 302.424.3559

TO: City Council and Mayor  
FROM: Willis Shafer, Public Works Director  
CC: Mark Whitfield, City Manager  
Lou Vitola, Finance Director  
DATE: June 18, 2024  
RE: Milford Corporate Center – Water Tower Design Proposal  
KCI Technologies, Inc. (KCI)

**Engineering Services Contract – KCI Technologies, Inc. – 300,000-gallon water tower design**

KCI has provided the enclosed proposal for the design and construction specifications/documents to install a new 300,000-gallon spheroid type elevated water storage tank located at the Milford Corporate Center site. The scope of design work includes the following:

- Geotechnical investigation: site permitting, soil boring, subsurface exploration, groundwater monitoring, sealing / backfill of test borings, lab testing, geotechnical evaluation and final report.
- Tank design: coordination with tank manufacturer, construction document preparation, and required permitting<sup>1</sup>.

These services would be billed to the City based on time and materials utilized to complete the tasks. The total fee for these services is not to exceed the proposal of \$60,000, plus \$10,000 (16.7%) estimated for fees/permits, reimbursable expenses and contingencies. Funding is available in the FY24 capital budget.

The water tower project requires approximately two years to complete. Design work is estimated at six months. Fabrication, assembly and painting require another 12 to 18 months following the design process.

The total cost to construct the entirety of the northeast area water infrastructure, including the proposed tower, treatment plant and well field is approximately \$7 million. The size of the project in terms of both the large investment and its long useful life all but require the use of debt financing. The likely availability of advantageous intergovernmental loan funding for this type of project will further influence what we believe will be a recommendation to finance all or a majority of the project with loan funding. Given the expected financing term in excess of five years, the loan package would require a citywide referendum subject to voter approval, similar to the southeast water tower and related infrastructure, the 2014 sewer infrastructure improvements, and other utility projects financed through DNREC / USDA.

**Staff recommend City Council authorize the Mayor to execute the proposal from KCI Technologies, Inc. not to exceed \$70,000 for design and construction specifications/documents for a new 300,000-gallon spheroid type elevated water storage tank at the Milford Corporate Center site utilizing existing funding through water impact fees as approved in the FY24<sup>2</sup> and FY25 capital budgets.**

<sup>1</sup> As with all projects, the City is responsible for all application and permitting fees, third-party regulatory fees, etc; KCI will execute submittals on behalf of Milford

<sup>2</sup> Staff Note: Req/Blanket PO Against 32207078-577044-3WA08

**KCI TECHNOLOGIES, INC.**  
**TASK ORDER AUTHORIZATION**  
**MCC Water Tower**  
**May 10, 2024**  
**KCI Project No. 131803632**

The purpose of this form is to obtain your authorization for the work verbally requested and to confirm the terms under which these services will be provided. KCI Technologies, Inc. is pleased to provide the services described below as an amendment to the contract previously executed, dated May 24, 2018 for the Project called City of Milford On Call Services located in Milford, Delaware.

**Invoices to:** City of Milford  
Attention: Mr. James Puddicomb  
180 Vickers Drive  
Milford, DE 19963

**SCOPE OF SERVICES:**

KCI will perform the professional services for the proposed water tower project located at the proposed Corporate Center property. The City has requested a proposal for the design of a new 300,000-gallon spheroid type elevated water storage tank at this site. The tower is part of the overall master development plan for the site and infrastructure improvements/expansion in the area. The goal of this project is to solicit proposals from qualified water tower suppliers in conjunction with the other site improvements. The design and construction scope will be limited exclusively to the tower. Site improvements will be incorporated into the overall site development construction scope under a separate contract. The tower manufacturer shall provide all internal equipment, instrumentation, lighting and wiring. However, power distribution, heating, ventilation, and communications will be excluded from the scope and incorporated into the anticipated water treatment facility design which will be under a separate contract.

KCI will perform the services described below:

***Task #1: Geotechnical Investigation***

KCI will lead a geotechnical field investigation to evaluate the subsurface conditions at the proposed water tank site. The results of this investigation will serve as the basis for the tank structural foundation design (provided by the tank supplier). Scope of work to include the following:

- Borings Stakeout, Survey and Utility Clearance. KCI-Survey will stake all boring locations in the field. Prior to drilling the test borings, Miss Utility will be contacted to mark public utilities.
- Permitting. Boring permit will be obtained prior to drilling.
- Subsurface Explorations. KCI's drilling subcontractor will drill supplement three to four (3-4) test borings as indicated in the table below or to auger refusal, whichever occurs first. We will obtain soil samples using the Standard Penetration Test (SPT) method (ASTM D1586) continuously within the top 10 feet (i.e., 0'-2'; 2'-4'; 4'-6'; 6'-8'; and 8'-10'), and 5-foot intervals thereafter to the boring termination depths. We will collect bulk samples from selected borings, and if soft clay is encountered, we will collect undisturbed Shelby Tube samples for laboratory testing. While we do not anticipate shallow rock, if encountered, we will perform a minimum of 10-foot rock coring.

KCI will notify the client if conditions warrant that borings be extended or added. KCI will provide a full-time Field Engineer to supervise and direct the drilling and soil sampling operations.

PROPOSED SCHEDULE OF TEST BORINGS *		
Proposed Location	No. of Borings	Boring Depths (ft)
Center of Water Tank	B-1	100
Foundation Perimeter (equally spaced)	B-2	100
	B-3	50
	B-4	50
<b>TOTAL</b>		<b>300</b>
* Alternately we can perform Three borings to 100 feet each depending on site conditions		

- ***Groundwater Levels:*** We will monitor short-term water levels (<24-hr) with a water-level meter during drilling and after completion of drilling.
- ***Sealing and Backfilling of Test Borings.*** Backfill the test borings with auger cuttings prior to leaving the site. Remaining auger cuttings and soil spoils will be spread in appropriate green areas of the site.
- ***Laboratory Testing.*** Transport the soil samples to our geotechnical laboratory for detailed visual examination, classification, and testing. Perform routine physical property tests (particle size analysis, Atterberg limits, USCS classification, standard proctor, and natural moisture content) on selected representative soil samples to aid in classification and determination of stratigraphic continuity, and to serve as indices to soil behavior. We will also perform a Consolidation test on Undisturbed Shelby Tube Sample (if soft clay is encountered) for use in settlement analysis.
- ***Geotechnical Evaluations & Report:*** KCI will evaluate the results of the subsurface exploration, in-situ and laboratory testing, and prepare a geotechnical engineering report in accordance with generally accepted standards. The report will contain the following:
  - A review and description of the area and site geologic conditions;
  - A review and description of the field and laboratory test procedures conducted and their results;
  - Review and description of subsurface conditions encountered including soil types and physical properties, boring logs, subsurface profiles, and depth to groundwater (if encountered);
  - Identify and discuss major geotechnical issues that will impact design and construction of the Water Tank;
  - Seismic site classification, design coefficients and recommendations;
  - Foundation recommendations for the Water Tank including:
    - Coordinate with tank manufacturer
    - Foundation type (shallow vs. deep), ground improvement (if required), bearing capacity and estimated settlements (total and differential).
    - For deep foundations, will provide type of piles; axial compression/tension and lateral capacities.
  - General construction recommendations including re-use of on-site soils, subgrade preparation, potential excavation difficulties, and temporary groundwater control.

**Estimated Fee for Task #1 is: \$15,000.00**

**Task #2: Elevated Water Tank**

This task includes working with the tank manufacturer on tank design, construction document preparation, and permitting for the project. KCI will provide engineering services for preparation of contract drawings, specifications, and contract documents for the proposed storage tank. The detailed tank design will be delegated to the tank supplier. The tank design will meet AWWA criteria and include a NSF approved painting system.

The following permits/approvals by agencies are included under this task:

- Federal Aviation Administration (FAA) permit for water tower.
- Construction permit from Delaware Health and Social Services (DHSS).
- Delaware Fire Marshal Approval.

Assumptions:

- All application fees will be paid by the Town and are excluded from this proposal.

**Estimated Fee for Task #2 is: \$45,000.00**

**FEES AND PAYMENTS**

The following fees are for the performance of the Work listed in the Scope of Services above, at the location described above. The fees listed in this Fees and Payments section do not cover any Additional Work (defined herein), or any other services that are not specifically described as part of the Work listed in the Scope of Services above. Payment of any invoice shall be taken to mean that the Client is satisfied with the services and is not aware of any deficiencies in those areas.

KCI's estimated fee for the Work listed in the Scope of Services above will be **\$60,000**, which will be invoiced monthly on a time and material basis using the previously approved 2024 rates (enclosed).

**ASSUMPTIONS/EXCLUSIONS**

- The scope assumes that the overall site development including grading, stormwater, E&S, pavement, etc. is provided through the overall site development project. The scope of this project is exclusively to procure and construct an elevated water storage tank.
- Fieldwork can be performed within normal working hours between 9am — 5pm, Monday through Friday.

**ADDITIONAL WORK**

Experience indicates that certain additional items of work may be required or necessary that KCI cannot presently determine or estimate. For this reason, the fee for these items is not included in the provisions listed above in "Fees and Payments" for the performance of the Work. Further, the performance of these items is not included in the Work unless the item is expressly described as the Work in the preceding Scope of Services section. These additional items of work ("Additional Work") are caused by many factors, usually at the discretion of the Client and/or construction contractors. They may also be caused by reviewing agency or Client variance/deviation from present policies and standards of reviewing governmental agencies. "Additional Work" may sometimes be referred to as extras, change orders, or additions, but for purposes of this Proposal, all such descriptions are intended to be encompassed within the term Additional Work.

- Extra work required by the City or other governmental agency that is not expressly included in the above Scope of services.

- Work revisions on any Scope of Services items that are required as a result of a change requested by the Client after previous approval by it or any approving agencies.
- Checking of work performed by others with the exception of those items specifically listed in the scope of services above.
- Certifications not specifically called for in the Scope of Services.
- Re-work or revisions of work due to changes in policies or regulations during the progress of the work.
- Traffic impact studies.
- Development of easement exhibits or access agreements.
- The recording of plats and documents and fees for same.
- Permitting work not identified above.
- Expert witness testimony.
- Any off-site work not in scope.
- Regulatory filing and review fees.
- Environmental studies, studies for limited or special uses, forest density studies.
- Flood plain studies.
- Phase I Environmental Site Assessment.
- Environmental Wetland delineation and/or jurisdictional determination.
- Maintenance of traffic design or traffic management plan (TMP).
- Bid and construction phase services.
- Inspection services, including site visits and inspection reports not included in the above Scope of Services.
- Public outreach efforts.

Note

In the event that an extra work authorization is required for an additional project task KCI will not commence the execution of the described work until receiving a signed copy of the extra work authorization.

**FEES AND PAYMENTS FOR ADDITIONAL WORK:**

Fees and payments for Additional Work shall be in addition to any fees and payments for the Work described in the Scope of Services above. Fees and Payments for Additional Work will be billed in accordance with the above Fees and Payments section.

**SCHEDULE:**

We estimate that the above scope of work can be completed and submitted to the City within eight (8) weeks of Notice to Proceed.

**Task Order Authorization (TOA):**

If this TOA is satisfactory, acceptable and fully sets forth the terms of our understanding, please sign the Acceptance and return a copy to KCI's office. This TOA shall be deemed an ADDENDUM to the Contract previously executed between the parties hereto dated March 24, 2018, and all the terms and conditions set forth in the originating contract aforesaid are hereby by reference thereto. The 2023 rate schedule is attached to this TOA.

KCI welcomes the opportunity to serve the City and looks forward to working with you on this project. The Project Manager to be assigned to the Work is Daniel R. String, P.E. and his telephone number is (302) 448-9905.

**Prepared by:**   
*Daniel R. String, PE*  
*Practice Leader / Sr. Project Manager*

**Work Authorized by:**

\_\_\_\_\_  
City of Milford

\_\_\_\_\_  
Mark A. Whitfield

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
(Signature)

# 2024 Hourly Rate Schedule

## City of Milford



Job Description	Hourly Rate	
Sr. Project Manager	\$ 180.00	
Project Manager	\$ 171.00	
Sr. Project Engineer	\$ 157.00	
Project Engineer	\$ 148.00	
Design Supervisor	\$ 131.00	
Sr. Project Designer	\$ 117.00	
Project Designer	\$ 103.00	
Jr. Project Designer	\$ 89.00	
Sr. CADD Technician	\$ 117.00	
Survey Crew (2 person)	\$ 157.00	
Survey Crew (1 person w/robotic station)	\$ 137.00	
Professional Land Surveyor	\$ 165.00	
Survey Technician	\$ 103.00	
Jr. Survey Technician	\$ 90.00	
CADD Technician	\$ 89.00	
Technical Writer/Project Assistant	\$ 76.00	
Administrative Assistant	\$ 55.00	
Construction Services Manager	\$ 157.00	
Construction Inspector Supervisor	\$ 118.00	
Senior Construction Inspector (Day)	\$ 96.00	<b>REIMBURSABLES</b>
Senior Construction Inspector (Night/Weekend)	\$ 109.00	Mileage (\$/mile) @ IRS Rate
Construction Inspector (Day)	\$ 82.00	Mailings @ cost
Construction Inspector (Night)	\$ 93.00	
Junior Construction Inspector (Day)	\$ 68.00	<b>LARGE FORMAT REPRODUCTIONS</b>
Junior Construction Inspector (Night)	\$ 76.00	Prints B&W (\$/sf) \$ 0.51
Sr. Environmental Engineer	\$ 171.00	Prints Color (\$/sf) \$ 0.85
Environmental Engineer/Scientist	\$ 157.00	Mylar B&W (\$/sf) \$ 1.12
Environmental Technician	\$ 103.00	Mylar Color (\$/sf) \$ 1.57
Senior Project Scientist	\$ 135.00	
Project Scientist	\$ 112.00	<b>PRINT/COPY SERVICES</b>
Scientist	\$ 89.00	8 1/2 x 1 B&W \$ 0.10
Scientist-in-Training	\$ 77.00	8 1/2 x 11 Color \$ 0.39
GIS/AM Manager	\$ 177.00	11 x 17 B&W \$ 0.14
Senior Business Analyst	\$ 159.00	11 x 17 Color \$ 0.79
Business Analyst	\$ 148.00	
GIS Solutions Architect	\$ 129.00	*Night work and weekend work may result
GIS Analyst	\$ 99.00	in higher rates
Planner II	\$ 107.00	*Billing Rates are subject to increase annually
Senior Planner	\$ 145.00	on January 1st
Planning Manager	\$ 170.00	*Specialty classifications may be added for
		specific tasks.

TO: Mayor and City Council

FROM: Rob Pierce, AICP - Director

CC: Mark Whitfield, City Manager

DATE: May 13, 2024

RE: Nuevo Amanecer Spanish Church of God Prophecy, Inc.  
Water Utility Agreement – Outside City Limits  
Sussex County Tax Parcels 3-30-11.00-044.02 & 044.04

---

The City received a request from Pennoni Associates, Inc. on behalf of Nuevo Amanecer Spanish Church of God Prophecy, Inc. to allow connection to the City's water system for a proposed church located on a property outside City limits. The request includes two parcels located in Sussex County along the east side of S. Rehoboth Boulevard south of the Marshals Pond identified as parcel numbers 3-30-11.00-044.02 & 044.04 (see enclosed exhibit). The properties are not contiguous to City limits but only have two parcels between the current municipal boundary and subject parcels.

The City owns and operates a 10" water main along the west side of S. Rehoboth Boulevard from the Southern Delaware Golf Course to the entrance of Windward on the River. The church is requesting access to the City's water utility for fire suppression and drinking water.

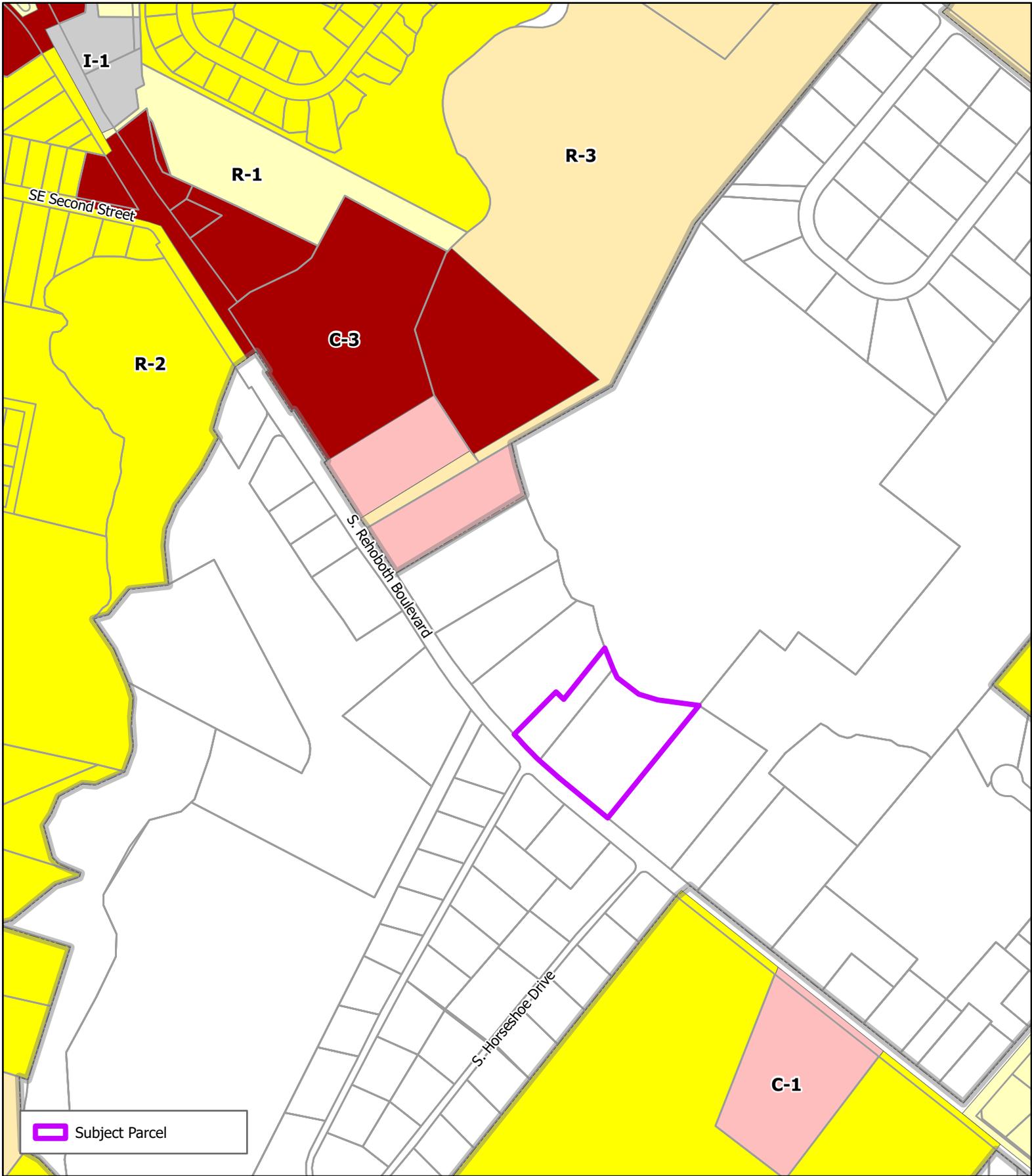
Sewer is not currently available in the general area and the owner would need to install an onsite septic system to serve the project.

The subject parcels are considered Low Density Residential in the City's 2018 Comprehensive Plan Future Land Use map, which would permit annexation of the property as an R-1, R-2, OB-1 or C-1 zoned property. The proposed use is a conditional use within the R-1 and R-2 zoning districts; therefore, consistent with the City's future land use plan for the area.

Staff is seeking guidance from City Council on whether to allow this property to connect to the City's water utility. If permitted, the City would require the property owner to sign a utility agreement which would require the properties to annex into the City of Milford if and when the properties become contiguous to City limits. Staff would also recommend adding language to any agreement that the use of the property has to be consistent with the City's Comprehensive Plan and any change of use would need to be approved by the City.

Enclosed is a draft agreement for review.

**If City Council so desires, the motion would be to authorize the Mayor to sign the Water Agreement with Nuevo Amanecer to provide water utility service to the property located outside City limits, with the condition that if and when the properties become contiguous to the City boundary, the owner would be required to annex.**



 Subject Parcel



Scale:  Feet  
0 200 400

Drawn by: WRP      Date: 04/26/24

Title:  
**Water Service Agreement**  
**Nuevo Amanecer Spanish**  
**Church of God Prophecy, Inc.**  
Location & Zoning Map

Filepath: UtilityAgreement\_NuevoAmanecer.aprx

**SITE DATA:**

- TAX MAP NUMBER: 330-11.00-44.02 DEED BOOK 4799, PG 194  
330-11.00-44.04 DEED BOOK 4799, PG 194
- OWNER NAME: NUEVO AMANECER SPANISH CHURCH OF GOD PROPHECY INC 20333 CUBBAGE POND RD LINCOLN, DE 19960
- SITE ADDRESS: SOUTH REHOBOTH BLVD MILFORD, DE 19963
- HUNDRED: CEDAR CREEK
- CURRENT ZONING: AR-1
- PRESENT USE: VACANT LOTS
- PROPOSED USE: CHURCH (S-23-33) PHASE 1 = 7,539 S.F. PHASE 2 = 5,200 S.F. TOTAL = 12,739 S.F.
- LOT BREAKDOWN: EXISTING LOTS: 2 LOTS PROPOSED LOTS: 1 LOT
- BUILDING HEIGHT: 42 FEET ALLOWED MAX
- SETBACKS: FRONT: 40 FEET SIDE: MIN. 15 FEET REAR: 20 FEET
- REQUIRED LOT AREAS (115-62) MINIMUM LOT WIDTH: 100 FEET MINIMUM LOT DEPTH: 100 FEET MINIMUM AREA: 32,670 S.F.
- REQUIRED PARKING: 1 SPACE PER 4 SEATS X 324 SEATS = 81 SPACES PROPOSED ADA SPACES: 4 SPACES PARKING PROVIDED: 87 SPACES
- SPACES REQUIRED: 1 LOADING SPACE THE OPERATIONAL USE OF A CHURCH DOES NOT REQUIRE A LOADING SPACE. THE FACILITY IS IN USE ON SUNDAY ALONG WITH VARYING TIMEFRAMES THROUGH THE WEEK. THE PARKING LOT WILL BE EMPTY AND CAN BE USED IF DELIVERIES HAPPEN. WE DO NOT RECOMMEND A DESIGNATED LOADING SPACE FOR THIS USE. [WHERE IN THE JUDGEMENT OF THE PLANNING AND ZONING COMMISSION, THE LOADING SPACE REQUIREMENTS (AS THEY APPEAR IN THE BELOW MENTIONED SECTION OF THE CODE) ARE CLEARLY EXCESSIVE AND UNREASONABLE, THE COMMISSION MAY MODIFY THESE REQUIREMENTS.]
- PROVIDED:
- POSTED SPEED LIMIT SOUTH REHOBETH BLVD 40 MPH
- WATER SUPPLY: PUBLIC - CITY OF MILFORD
- SECTION 89 - SOURCE WATER PROTECTION: A. SUBJECT PROPERTY IS WITHIN AN AREA OF "FAIR" GROUNDWATER RECHARGE B. SUBJECT PROPERTY IS NOT LOCATED IN WELLHEAD PROTECTION AREA
- SEWER SUPPLY: PRIVATE ON-SITE SEPTIC
- LATITUDE AND LONGITUDE (PROPOSED ENTRANCE) STATE PLAN COORDINATES: LATITUDE: N 38°54'15" LONGITUDE: W 75° 24' 30"
- NET DEVELOPMENT AREA: 2.42 ± AC.
- FEDERALLY REGULATED NON-TIDAL WETLAND AREA: 0.41 ± AC. IMPACTED WETLAND AREA = 0.00AC
- WATERSHED: MIDDLE MSPILLION RIVER
- PROPOSED DISCHARGE LOCATION: DEEP BRANCH
- PROPOSED TOTAL LIMIT OF DISTURBANCE PER DISCHARGE LOCATION: 1.90 ± AC.
- 2019 FUTURE LAND USE MAP: TOWN CENTER
- FIRE DISTRICT: 42- CARLSLE
- 2020 STATE STRATEGIES & INVESTMENT LEVELS: LEVEL 1 & 2
- SITE CALCULATIONS: BUILDING AREA: EX. = 0.00 ± AC. (0.00 %) PR. = 0.29 ± AC. (8.9 %) IMPERVIOUS AREA: EX. = 0.00 ± AC. (0.00 %) PR. = 0.95 ± AC. (29.4 %) GRASS AREA: EX. = 1.71 ± AC. (52.78 %) PR. = 1.18 ± AC. (36.4 %) WOODS AREA: EX. = 1.53 ± AC. (47.22 %) PR. = 0.82 ± AC. (25.3%) TOTAL: EX. = 3.24 ± AC. PR. = 3.24 ± AC.
- FORESTED AREA: EXISTING FORESTED AREA: 1.53 ± AC. EXISTING FORESTED AREA TO BE REMOVED: 0.71 ± AC. EXISTING FORESTED AREA TO REMAIN: 0.82 ± AC.
- LOCAL GOVERNMENT RESPONSIBLE FOR LAND USE APPROVAL: SUSSEX COUNTY
- DATUM: HORIZONTAL = NAD83 VERTICAL = NAD88
- FLOOD MAP: BASED UPON THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) NUMBER 10005C0043K EFFECTIVE DATE MARCH 16, 2015, THE PROPERTY IS LOCATED IN AN AREA DESIGNATED AS FLOOD ZONE "X" (UNSHADED) AND FLOOD ZONE "AE" -EL. 9 (SHADED BLUE).
- SOUTH MILFORD TID PARTICIPATION NOT REQUIRED
- STATE TAX DITCH AREAS AND RIGHT OF WAY LIMITS: NOT INCLUDED

# CHURCH OF GOD PROPHECY

## (S-23-33)

# RECORD PLAN

**TAX MAP: 330-11.00-44.02 & 44.04**  
**CEDAR CREEK HUNDRED, SUSSEX COUNTY, DE**  
 PREPARED FOR:  
**OWNER/DEVELOPER**  
**NUEVO AMANECER SPANISH CHURCH OF GOD PROPHECY INC.**  
 20333 CUBBAGE POND ROAD  
 LINCOLN, DE 19960

**LEGEND**

EXISTING	PROPOSED	DESCRIPTION
		BUILDING
		FULL DEPTH PAVEMENT
		CURB
		EDGE OF PAVEMENT
		EDGE OF GRAVEL
		EASEMENT
		FENCE
		POWER, UTILITY POLE
		PROPERTY, LINE
		LEGAL RIGHT-OF-WAY
		PROPERTY, CORNER FOUND
		PROPERTY, ADJOINING LINED
		SITE, MAIL BOX
		SITE, TRAFFIC SIGN
		SOIL BOUNDARY
		SOIL LABEL
		STORM SEWER, INLET
		STORM SEWER, HEADWALL
		STORM SEWER, MANHOLE
		STORM SEWER, UNDERGROUND
		MINOR CONTOUR
		MAJOR CONTOUR
		SPOT ELEVATION
		BUILDING RESTRICTION LINE
		SWALE/DITCH
		TREE LINE
		VEGETATION BRUSH LINE
		FENCE
		CONCRETE SIDEWALK
		WETLAND AREA
		WETLAND BUFFER AREA
		WETLAND BUFFER AVERAGING

**SHEET INDEX**

SHEET #	DRAWING #	SHEET TITLE
1	RP0001	COVER SHEET
2	RP1001	RECORD PLAN

**SOILS**

TYPE	DESCRIPTION	HYDROLOGIC SOIL
DnA	DOWNER LOAMY SAND, 0 TO 2 PERCENT SLOPES	A
FmB	FORT MOTT LOAMY SAND, 2 TO 5 PERCENT SLOPES	A
Za	ZEKIAH SANDY LOAM, FREQUENTLY FLOODED	B/D

LIMIT OF DISTURBANCE: 2.67± ACRES

**WETLANDS CERTIFICATION:**  
 I, MICHAEL A. MARRA, PWS, DO HEREBY STATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF THAT THE INFORMATION CONTAINED IN THE PLANS, SPECIFICATIONS AND REPORTS HAVE BEEN PREPARED IN ACCORDANCE WITH ACCEPTED ENVIRONMENTAL PRACTICES, IS TRUE AND CORRECT, AND IS IN CONFORMANCE WITH THE BOUNDARIES OF WATERS OF THE UNITED STATES INCLUDING WETLANDS SUBJECT TO THE CORPUS OF ENGINEERS REGULATORY PROGRAM.

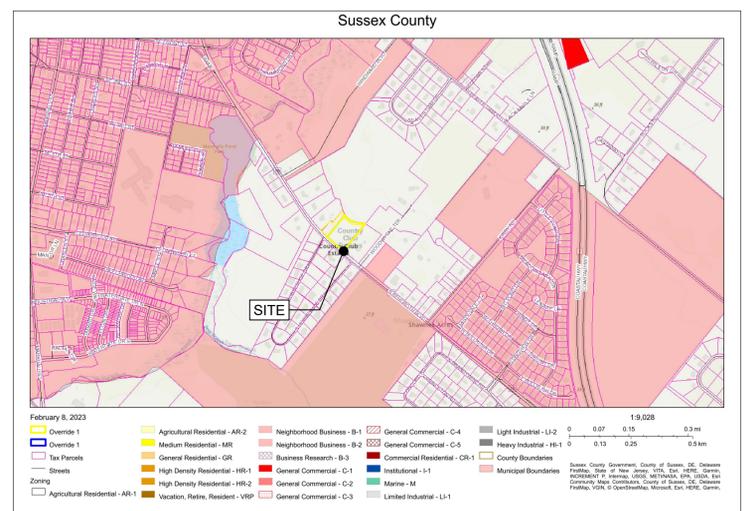
SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_  
 MICHAEL A. MARRA, PWS NO. 3557  
 PENNONI ASSOCIATES, INC.  
 18072 DAVIDSON DRIVE  
 MILTON, DE 19968  
 OFFICE (302) 684-8030 - FAX (302) 684-8054  
 (717) 620-5991 / EMAIL: MMARRA@PENNONI.COM

**ENGINEER CERTIFICATION:**  
 IT IS HEREBY CERTIFIED THAT I AM A REGISTERED ENGINEER IN THE STATE OF DELAWARE, THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION, AND TO MY BEST KNOWLEDGE COMPLIES WITH APPLICABLE STATE AND LOCAL REGULATIONS AND ORDINANCES. THE DESIGN REPRESENTS GOOD ENGINEERING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_  
 ALAN DEKTOER, PE (DE PE#17771)  
 PENNONI ASSOCIATES, INC.  
 18072 DAVIDSON DRIVE  
 MILTON, DE 19968  
 OFFICE (302) 684-8030 - FAX (302) 684-8054  
 ADEKTOER@PENNONI.COM

**OWNER'S CERTIFICATION:**  
 IT IS HEREBY CERTIFIED THAT I AM THE OWNER/DEVELOPER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN. THE PLAN WAS MADE AT MY DIRECTION, THAT I ACKNOWLEDGE THE SAME TO BE MY ACT. IT IS MY DESIRE TO HAVE THE PLAN RECORDED AS SHOWN AND IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_  
 NUEVO AMANECER SPANISH CHURCH OF GOD PROPHECY  
 20333 CUBBAGE POND ROAD  
 LINCOLN, DE 19960  
 302-265-8077  
 MENDOZACRISTOBAL403@GMAIL.COM



**OWNER:**  
 NUEVO AMANECER SPANISH CHURCH OF GOD PROPHECY INC  
 20333 CUBBAGE POND RD  
 LINCOLN, DE 19960

**ENGINEER/PLANNER:**  
 PENNONI ASSOCIATES INC.  
 18072 DAVIDSON DRIVE  
 MILTON, DE 19968  
 (302) 684-8030

**SURVEYOR:**  
 PENNONI ASSOCIATES, INC.

**ENVIRONMENTAL CONSULTANT:**  
 PENNONI ASSOCIATES INC.  
 18072 DAVIDSON DRIVE  
 MILTON, DE 19968  
 (302) 684-8030

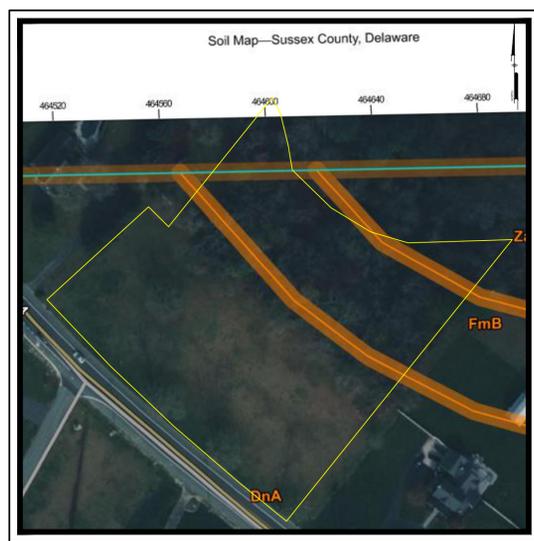
**SCHOOL DISTRICT:**  
 MILFORD

**FIRE DISTRICT:**  
 CARLSLE

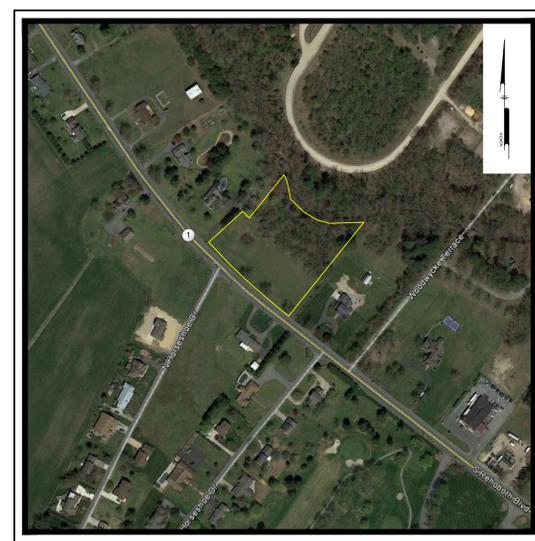
**POSTAL DISTRICT:**  
 MILFORD

**WATER UTILITY:**  
 CITY OF MILFORD

**SEWER UTILITY:**  
 ON-SITE (FUTURE CITY OF MILFORD)



**SOILS MAP**  
 Scale: 1" = 100'



**LOCATION MAP**  
 Scale: 1" = 300'

**CALL BEFORE YOU DIG**  
 Call Miss Utility of Delmarva  
**800-282-8555**  
 Ticket Number(s): #

**TRAFFIC GENERATION - S. REHOBOTH BLVD (SCR014)**  
 (FULL MOVEMENT)

**ROAD TRAFFIC DATA:**  
 FUNCTIONAL CLASSIFICATION - (SCR 014 - S. REHOBOTH BLVD) - MINOR ARTERIAL  
 POSTED SPEED LIMIT - 40 MPH  
 ADT = 10,595 TRIPS (FROM 2021 DELDOT TRAFFIC SUMMARY)  
 10 YEAR PROJECTED ADT = 11,16 x 10,595 = 12,290 TRIPS  
 TRAFFIC PATTERN GROUP = 8 (FROM 2021 DELDOT TRAFFIC SUMMARY)  
 PEAK HOUR - 12:40P  
 TRUCK VOLUME = 1.30%  
 DISTRIBUTION % (98.50 / 14.50)

**SITE TRAFFIC DATA:**  
 SOURCE: SITE TRAFFIC COUNTS  
 EXISTING LAND USE - VACANT

**PROPOSED LAND USE:**  
 12,739 SF - CHURCH (ITE 560)  
 EXISTING TRAFFIC BASED ON COUNTS AT THEIR CURRENT LOCATION  
 2441 TRIPS (97% IN / 3% OUT)

**PEAK HOUR OF ADJACENT STREET TRAFFIC:**  
 SUN PEAK: 3041 TRIPS (SUNDAY) PER TRAFFIC COUNT DATA

**DIRECTIONAL DISTRIBUTION PROVIDED BY DELDOT**  
 DIRECTIONAL DISTRIBUTION PROVIDED BY THE MANUAL  
 DESIGN VEHICLE - BU-40

**S. REHOBOTH BLVD. - SCR 014**  
**TRAFFIC GENERATION DIAGRAM**  
 (ADT PEAK HOUR (SUN AM))  
 1 DIRECTIONAL DISTRIBUTION PROVIDED BY DELDOT  
 2 DIRECTIONAL DISTRIBUTION PROVIDED BY THE MANUAL  
 DESIGN VEHICLE - BU-40

**Pennonni**  
 PENNONI ASSOCIATES INC.  
 18072 Davidson Drive  
 Milton, DE 19968  
 T 302.684.8030 F 302.684.8054

**CHURCH OF GOD PROPHECY**  
 TAX MAP: 330-11.00-44.02 & 44.04  
 SOUTH REHOBOTH BLVD  
 MILFORD, DE 19963

**COVER SHEET**  
 NUEVO AMANECER SPANISH CHURCH OF GOD PROPHECY INC.  
 20333 CUBBAGE POND ROAD  
 LINCOLN, DE 19960

NO.	DATE	REVISIONS	BY

ALL DOCUMENTS PREPARED BY PENNONI ASSOCIATES ARE INSTRUMENTS OF SERVICE IN RESPECT OF THE PROJECT. THEY ARE NOT INTENDED OR REPRESENTED TO BE SUITABLE FOR REUSE BY OWNER OR OTHERS ON THE EXTENSIONS OF THE PROJECT OR ON ANY OTHER PROJECT. ANY REUSE WITHOUT WRITTEN VERIFICATION OR ADAPTATION BY PENNONI ASSOCIATES FOR THE SPECIFIC PURPOSE INTENDED WILL BE AT OWNERS SOLE RISK AND WITHOUT LIABILITY OR LEGAL EXPOSURE TO PENNONI ASSOCIATES. OWNER SHALL PROMPTLY AND HOLD HARMLESS PENNONI ASSOCIATES FROM ALL CLAIMS, DAMAGES, LOSSES AND EXPENSES ARISING OUT OF OR RESULTING THEREFROM.

PROJECT: SCGP22001  
 DATE: 2023-06-22  
 DRAWING SCALE: AS SHOWN  
 DRAWN BY: LET  
 APPROVED BY: AMD

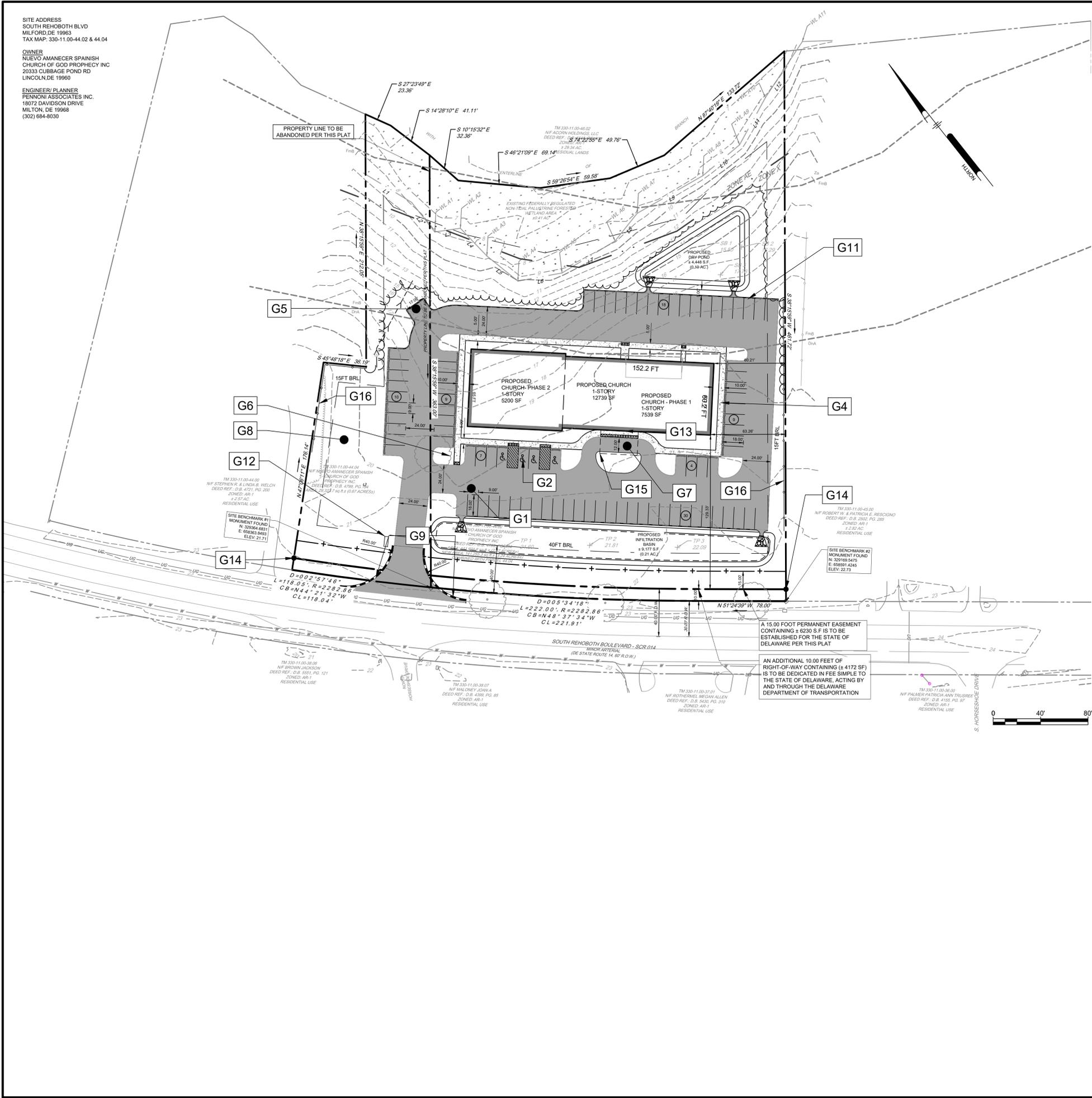
**RP0001**  
 SHEET 1 OF 2

P:\022524\022524.dwg, R:\Ryan.Ramal - PLOTTING\Pennoni\SCGP22001.dwg  
 P:\022524\022524.dwg, R:\Ryan.Ramal - PLOTTING\Pennoni\SCGP22001.dwg

SITE ADDRESS  
SOUTH REHOBOTH BLVD  
MILFORD, DE 19963  
TAX MAP: 330-11-00-44.02 & 44.04

OWNER  
NUEVO AMANECER SPANISH  
CHURCH OF GOD PROPHECY INC  
20333 CUBBAGE POND RD  
LINCOLN, DE 19960

ENGINEER/PLANNER  
PENNONI ASSOCIATES INC.  
18072 DAVIDSON DRIVE  
MILFORD, DE 19963  
(302) 684-8030



**KEYED NOTES**

- G1 PROPOSED LIGHT DUTY PAVEMENT (TYP.), SEE DETAIL
- G2 PROPOSED ADA ACCESSIBLE SPACE WITH SIGN MOUNTED ON POST (TYP. OF 4)
- G3 PROPOSED BUFFER AVERAGING
- G4 PROPOSED 5' WIDE CONCRETE SIDEWALK (TYP.), SEE DETAIL
- G5 PROPOSED CONCRETE DUMPSTER PAD TO BE ENCLOSED W/ 6' HIGH SCREENING, COLOR AND STYLE TO BE DETERMINED
- G6 TREE TO BE REMOVED
- G7 PROPOSED MAIN ENTRANCE DROP OFF AREA
- G8 PROPOSED ONSITE SEPTIC AREA
- G9 PROPOSED DELDOT PCC TYPE 2
- G10 NOT USED
- G11 PARKING BUMPER (TYP. OF 87) SEE DETAIL
- G12 PROPOSED DOUBLE SIDED BUSINESS SIGN
- G13 PROPOSED BUILDING MAIN ENTRANCE
- G14 PROPOSED DELDOT MONUMENTATION MARKER
- G15 PROPOSED BUILDING OVERHANG
- G16 PROPOSED 6' HIGH PRIVACY FENCE

**GENERAL NOTES:**

1. ALL WORK SHALL COMPLY WITH ALL APPLICABLE STATE, FEDERAL AND LOCAL CODES. ALL NECESSARY LICENSES AND PERMITS SHALL BE OBTAINED BY THE CONTRACTOR AT HIS EXPENSE UNLESS PREVIOUSLY OBTAINED BY OWNER. THE CONTRACTOR SHALL ERRECT AND MAINTAIN, AS REQUIRED BY THE CONDITIONS AND PROGRESS OF THE WORK, ALL NECESSARY SAFEGUARDS FOR SAFETY AND PROTECTION.
2. THIS PLAN DOES NOT VERIFY THE EXISTENCE, OR NONEXISTENCE, OF EASEMENT OR RIGHT OF WAYS CROSSING THE SUBJECT PROPERTY.
3. THE CONTRACTOR SHALL IMMEDIATELY INFORM THE ENGINEER OF ANY DISCREPANCIES OR ERRORS THEY DISCOVER IN THE PLAN.
4. FINAL SET OF APPROVED CONSTRUCTION PLANS AND SPECIFICATIONS SHALL BE MAINTAINED ON THE JOB SITE AT ALL TIMES. FAILURE TO COMPLY WITH THIS PROVISION SHALL BE CONSIDERED CAUSE TO STOP THE WORK.
5. DEVIATION FROM THESE PLANS AND NOTES WITHOUT THE PRIOR CONSENT OF THE OWNER OR HIS REPRESENTATIVE OR THE ENGINEER MAY BE CAUSE FOR THE WORK TO BE REJECTED.
6. ALL MATERIALS SHALL BE NEW AND SHALL BE ASBESTOS AND VERMICULITE FREE. ALL MATERIALS SHALL BE STORED SO AS TO ASSURE THE PRESERVATION OF THEIR QUALITY AND FITNESS FOR THE INTENDED WORK.
7. DRAWINGS DO NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL WORK TO BE PERFORMED. IT MUST BE IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970, AS AMENDED AND ALL RULES AND REGULATIONS THERE TO APPURTENANT.
8. PRIOR TO CONSTRUCTION, CONTRACTOR TO FIELD LOCATE AND RECORD ANY DAMAGE TO EXISTING PAVING, SIDEWALK, CURB OR STRUCTURES NOT TO BE REMOVED OR REPLACED, ENGINEER TO VERIFY LOCATION AND EXTENT OF DAMAGE.
9. THE CONTRACTOR SHALL MAINTAIN A COMPLETE SET OF CONTRACT DRAWINGS ON WHICH HE SHALL NOTE, IN RED, THE ALIGNMENTS AND INVERTS OF ALL UNDERGROUND UTILITIES INSTALLED OR ENCOUNTERED DURING THE PROSECUTION OF THE WORK. ALL DISCREPANCIES BETWEEN THE PLAN LOCATIONS AND ELEVATIONS OF BOTH THE EXISTING AND PROPOSED UTILITIES SHALL BE SHOWN ON THE AS-BUILT DRAWINGS TO BE MAINTAINED BY THE CONTRACTOR IN THE FIELD.
10. THE CONTRACTOR SHALL OPEN ONLY THAT SECTION OF TRENCH OR ACCESS PITS WHICH CAN BE BACKFILLED AND STABILIZED AT THE END OF EACH WORKING DAY. STEEL PLATES SHALL BE USED ON ANY TRENCH OR ACCESS PITS WHICH MUST REMAIN OPEN OVERNIGHT. THIS REQUIREMENT DOES NOT APPLY TO AREAS COMPLETELY CLOSED AND SECURE FROM VEHICULAR OR PEDESTRIAN TRAFFIC.
11. DAMAGE TO EXISTING PAVING, SIDEWALK, CURB OR STRUCTURES NOT TO BE REPLACED OR REMOVED DURING CONSTRUCTION SHALL BE IMMEDIATELY REPORTED TO ENGINEER. CONTRACTOR SHALL REPAIR OR REPLACE ALL DAMAGED WORK WITHOUT CHARGE TO THE OWNER.
12. BASED UPON THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) NUMBER 100050043K EFFECTIVE DATE MARCH 16, 2015, THE PROPERTY IS LOCATED IN AN AREA DESIGNATED AS FLOOD ZONE "X" (UNSHADED) AND FLOOD ZONE "AE" EL. 9 (SHADED BLUE).
13. SUBJECT PROPERTY IS CURRENTLY "AR-1" (AGRICULTURAL RESIDENTIAL).
14. THE SUBJECT SITE WILL BE CONSTRUCTED IN TWO PHASES.
15. TOTAL AREA FOR SUBJECT SITE IS 3.24 ACRES.
16. THE BOUNDARY INFORMATION & TOPOGRAPHY SHOWN ON THIS PLAN WAS TAKEN FROM DOCUMENTS OF PUBLIC RECORD AND IS ALSO THE RESULT OF AN ACTUAL FIELD SURVEY BY PENNONI ASSOCIATES, INC. DATED FEBRUARY 2022.
17. ALL PROPOSED LIGHTING WILL BE SUPPLIED BY BUILDING WALL PACKS AND PARKING LOT LIGHTS.
18. ALL SECURITY LIGHTING (IF NECESSARY) SHALL BE DOWNWARD SCREENED SO THAT IT DOES NOT SHINE ON NEIGHBORING PROPERTIES OR ROADWAYS.
19. THE SITE DOES INCLUDE APPROX 0.41± ACRES OF FEDERALLY REGULATED NON TIDAL PALAUSTRINE FORESTED WETLANDS PER DELINEATION BY PENNONI ASSOCIATES, INC. IN JUNE 2023
20. STORMWATER IS CONVEYED THROUGH PIPE SYSTEM TO PROPOSED DRY DETENTION BASIN.
21. ALL FIRE LANES, FIRE HYDRANTS, EXITS, STANDPIPE, FIRE DEPARTMENT CONNECTIONS AND SPRINKLER CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH STATE FIRE PREVENTION REGULATIONS. BUILDING CONSTRUCTION TO BE WOOD, STEEL, AND CONCRETE, AND WILL HAVE SPRINKLERS.
22. FIRE ALARM REQUIRED - THE FIRE ALARM SIGNALING SYSTEM SHALL BE AUTOMATIC, SUPERVISED OFF-SITE, AND SHALL CONSIST OF FULL COVERAGE BY SMOKE DETECTION AND ALARM NOTIFICATION, WHERE SMOKE DETECTION DEVICES WILL NOT FUNCTION BY REASON OF DEVICE LIMITATION. HEAT DETECTION SHALL BE PROVIDED IN THOSE SPECIFIC LOCATIONS FIRE ALARM SIGNALING SYSTEM PLANS AND SPECIFICATIONS SHALL BE SUBMITTED FOR REVIEW.
23. LOCK BOX REQUIRED - CONTACT LOCAL FIRE CHIEF FOR ORDERING INFORMATION AND LOCATION OF BOX ON THE BUILDING.
24. MISS UTILITY SHALL BE NOTIFIED THREE (3) DAYS PRIOR TO EXCAVATION.
25. ALL DISTURBED AREAS WITHIN THE LIMIT OF DISTURBANCE, BUT NOT IN PAVEMENT, SHALL BE TOP-SOILED (6" MINIMUM), SEEDED AND MULCHED. IF THE ENGINEER DETERMINES THAT A SATISFACTORY STAND OF GRASS DOES NOT EXIST AT THE TIME OF FINAL INSPECTION, ALL COSTS ASSOCIATED WITH RE-ESTABLISHING A SATISFACTORY STAND OF GRASS SHALL BE AT THE CONTRACTOR'S EXPENSE.
26. A 72 HOUR (MINIMUM) NOTICE SHALL BE GIVEN TO THE DISTRICT PERMIT SUPERVISOR PRIOR TO STARTING ROADWAY CONSTRUCTION.
27. THE SUSSEX CONSERVATION DISTRICT RESERVES THE RIGHT TO ADD, DELETE OR MODIFY ANY EROSION AND SEDIMENT CONTROL MEASURES AS THEY DEEM NECESSARY.
28. THE ENTRANCES / EXITS ARE PROPOSED ONLY, AND ARE SUBJECT TO REVIEW AND APPROVAL BY THE DELAWARE DEPARTMENT OF TRANSPORTATION BEFORE A CONSTRUCTION PERMIT IS ISSUED.
29. THE CONTRACTOR SHALL NOTIFY THE FOLLOWING TWO (2) WEEKS PRIOR TO THE START OF CONSTRUCTION:  
THE OWNER, SUSSEX CONSERVATION DISTRICT, & DELDOT
30. THE CONTRACTOR SHALL MAINTAIN PUBLIC ROADS AND STREETS IN A BROOM SWEEP CONDITION AT ALL TIMES.
31. ROUTINE PERIODIC INSPECTIONS DURING CONSTRUCTION WILL BE PROVIDED BY THE OWNER. THESE INSPECTIONS DO NOT RELIEVE THE CONTRACTOR FROM HIS OBLIGATION AND RESPONSIBILITY FOR CONSTRUCTING ALL WORK IN STRICT ACCORDANCE WITH ALL STANDARDS AND SPECIFICATIONS AND CONSTRUCTION DOCUMENTS.
32. THE CONTRACTOR SHALL PROVIDE SEDIMENT CONTROL MEASURES TO PROTECT STOCKPILE AREAS AND STORAGE AREAS. ALL AREAS USED BY THE CONTRACTOR FOR STAGING OPERATIONS SHALL BE FULLY RESTORED BY THE CONTRACTOR FOR STAGING OPERATIONS SHALL BE FULLY RESTORED BY THE CONTRACTOR UPON COMPLETION OF THE PROJECT. IF THE STAGING AREA IS PAVED, IT SHALL BE RESTORED TO ITS ORIGINALS. IF THE STAGING AREA IS UNPAVED, IT SHALL BE RE-GRADED, TOP-SOILED, SEEDED AND MULCHED TO THE SATISFACTION OF THE ENGINEER. ALL COSTS ASSOCIATED WITH RESTORATION OF THE STAGING AREA SHALL BE AT THE CONTRACTOR'S EXPENSE. IF THE ENGINEER DETERMINES THAT A SATISFACTORY STAND OF GRASS DOES NOT EXIST AT THE TIME OF FINAL INSPECTION, ALL COSTS ASSOCIATED WITH RE-ESTABLISHING A SATISFACTORY STAND OF GRASS SHALL BE AT THE CONTRACTOR'S EXPENSE.
33. DELAWARE REGULATIONS PROHIBIT THE BURIAL OF CONSTRUCTION DEMOLITION DEBRIS, INCLUDING TREES AND STUMPS ON CONSTRUCTION SITES. ANY SOLID WASTE FOUND DURING THE EXCAVATION FOR STRUCTURES AND UTILITY LINES ON AND OFF SITE MUST BE REMOVED AND PROPERLY DISCARDED. ANY REMEDIAL ACTION REQUIRED IS THE RESPONSIBILITY OF THE CONTRACTOR.
34. THE CONTRACTOR SHALL TAKE PRECAUTIONS TO LOCATE PROPERTY LINES AND RIGHT OF WAY LINES PRIOR TO CONSTRUCTION AND AVOID CONSTRUCTION ACTIVITIES ON PRIVATE PROPERTY AND/ OR RIGHTS OF WAYS WHERE SAID CONSTRUCTION IS PROHIBITED. THE CONTRACTOR MAY CONDUCT CONSTRUCTION ACTIVITIES ON PRIVATE PROPERTY PROVIDED IF HE HAS OBTAINED PRIOR WRITTEN PERMISSION FROM THE PROPERTY OWNER AND HAS SUBMITTED A COPY OF SAID WRITTEN PERMISSION TO THE OWNER.
35. THE CONTRACTOR SHALL REMOVE AND IMMEDIATELY REPLACE, RELOCATE, RESET OR RECONSTRUCT ALL OBSTRUCTIONS IN THE WORK AREA, INCLUDING, BUT NOT LIMITED TO, MAILBOXES, SIGNS, LANDSCAPING, LIGHTING, PLANTERS, CULVERTS, DRIVEWAYS, PARKING AREAS, CURBS, GUTTERS, FENCES, OR OTHER NATURAL OR MAN-MADE OBSTRUCTIONS. TRAFFIC CONTROL, REGULATORY, WARNING AND INFORMATION SIGNS SHALL REMAIN FUNCTIONAL AND VISIBLE TO THE APPROPRIATE LANES OF TRAFFIC AT ALL TIMES, WITH THEIR RELOCATION KEPT TO A MINIMUM DISTANCE.
36. ALL PROPOSED SIGNAGE AND STRUCTURES (INCLUDING WALL, FENCES, ACCESSORY STRUCTURES, ECT.) ARE NOT APPROVED AS PART OF THIS SITE PLAN. SEPARATE SUSSEX COUNTY PERMIT IS REQUIRED.

**DELDOT RECORD PLAN NOTES (REVISED 3/21/2019):**

1. ALL ENTRANCES SHALL CONFORM TO THE DELAWARE DEPARTMENT OF TRANSPORTATIONS (DELDOT'S) CURRENT DEVELOPMENT COORDINATION MANUAL AND SHALL BE SUBJECT TO ITS APPROVAL.
2. NO LANDSCAPING SHALL BE ALLOWED WITHIN THE RIGHT-OF-WAY UNLESS THE PLANS ARE COMPLIANT WITH SECTION 3.7 OF THE DEVELOPMENT COORDINATION MANUAL.
3. SHRUBBERY, PLANTINGS, SIGNS AND/OR OTHER VISUAL BARRIERS THAT COULD OBSTRUCT THE SIGHT DISTANCE OF A DRIVER PREPARING TO ENTER THE ROADWAY ARE PROHIBITED WITHIN THE DEFINED DEPARTURE SIGHT TRIANGLE AREA ESTABLISHED ON THIS PLAN. IF THE ESTABLISHED DEPARTURE SIGHT TRIANGLE AREA IS OUTSIDE THE RIGHT-OF-WAY OR PROJECTS ONTO AN ADJACENT PROPERTY OWNERS LAND, A SIGHT EASEMENT SHOULD BE ESTABLISHED AND RECORDED WITH ALL AFFECTED PROPERTY OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.
4. DRIVEWAYS WILL NOT BE PERMITTED TO BE PLACED AT CATCH BASIN LOCATIONS.
5. THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MONUMENTS IN ACCORDANCE WITH DELDOT'S DEVELOPMENT COORDINATION MANUAL.
6. THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MARKERS TO PROVIDE A PERMANENT REFERENCE FOR RE-ESTABLISHING THE RIGHT-OF-WAY AND PROPERTY CORNERS ON LOCAL AND HIGHER ORDER FRONTAGE ROADS. RIGHT-OF-WAY MARKERS SHALL BE SET AND/OR PLACED ALONG THE FRONTAGE ROAD RIGHT-OF-WAY AT PROPERTY CORNERS AND AT EACH CHANGE IN RIGHT-OF-WAY ALIGNMENT IN ACCORDANCE WITH SECTION 3.2.4.2 OF THE DEVELOPMENT COORDINATION MANUAL.

**FIRE MARSHAL NOTES:**

1. ALL FIRE LANES, FIRE HYDRANTS, AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE STATE FIRE PREVENTION REGULATIONS.

**PENNONI ASSOCIATES INC.**  
18072 Davidson Drive  
Milton, DE 19968  
T 302.684.8030 F 302.684.8054

ALL DIMENSIONS MUST BE VERIFIED BY CONTRACTOR AND OWNER MUST BE NOTIFIED OF ANY DISCREPANCIES BEFORE PROCEEDING WITH WORK

**CHURCH OF GOD PROPHECY**  
TAX MAP: 330-11-00-44.02 & 44.04  
SOUTH REHOBOTH BLVD  
MILFORD, DE 19963

**RECORD PLAN**  
NUEVO AMANECER SPANISH  
CHURCH OF GOD PROPHECY INC.  
20333 CUBBAGE POND  
LINCOLN, DE 19960

NO.	DATE	REVISIONS	BY

ALL DOCUMENTS PREPARED BY PENNONI ASSOCIATES ARE INSTRUMENTS OF SERVICE IN RESPECT OF THE PROJECT. THEY ARE NOT INTENDED OR REPRESENTED TO BE SUITABLE FOR REUSE BY OWNER OR OTHERS ON THE EXTENSIONS OF THE PROJECT OR ON ANY OTHER PROJECT. ANY REUSE WITHOUT WRITTEN VERIFICATION OR ADAPTATION BY PENNONI ASSOCIATES FOR THE SPECIFIC PURPOSE INTENDED WILL BE AT OWNERS SOLE RISK AND WITHOUT LIABILITY OR LEGAL EXPOSURE TO PENNONI ASSOCIATES AND OWNER SHALL INDEMNIFY AND HOLD HARMLESS PENNONI ASSOCIATES FROM ALL CLAIMS, DAMAGES, LOSSES AND EXPENSES ARISING OUT OF OR RESULTING THEREFROM.

PROJECT: **SCGOP22001**  
DATE: 2023-06-22  
DRAWING SCALE: 1" = 40'  
DRAWN BY: LET  
APPROVED BY: AMD

**RP1001**  
SHEET 2 OF 2

PROJECT: SCGOP22001 - Proposed Spanish Church - DESDON\_SHEET1801001.dwg  
PLOTTER: 30x40in P&A, A1, R, Ryan Small, PLOTTING: Pennoni\CSL  
FILE: C:\Users\Ryan\OneDrive\Documents\Projects\SCGOP22001\SCGOP22001.dwg

Tax Parcel No. 3-30-11.00-044.02  
3-30-11.00-044.04

Prepared by: City of Milford  
201 S. Walnut St.  
Milford, DE 19963

Return to: City Clerk  
City of Milford, 201 S. Walnut St.  
Milford, DE 19963

### WATER SERVICE AGREEMENT

THIS AGREEMENT is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2024, by and between NUEVO AMANECER SPANISH CHURCH OF GOD PROPHECY, INC. (hereinafter “OWNER”) whose principal location is located at 20333 CUBBAGE POND ROAD, LINCOLN, DE 19960, and the City of Milford, a municipal corporation of the State of Delaware, with its principal offices located at 201 South Walnut Street, Milford Delaware, 19963 (hereinafter “CITY”).

### RECITALS

WHEREAS, the OWNER is the record title owner of a parcel of land consisting of 3.24 acres, more or less, lying near but not contiguous to the City of Milford, said tracts identified on the Sussex County, Delaware tax maps as Tax Parcel No(s). 3-30-11.00-044.02 and 3-30-11.00-044.04, said tracts hereinafter referred to as the “PROPERTY”; and

WHEREAS the OWNER desires to have the City exercise exclusive authority to provide water service for all buildings located on the PROPERTY pursuant to the rules, regulations and rates established from time to time by the CITY and the State of Delaware.

NOW THEREFORE, in consideration of the OWNER’S request to receive CITY water service and in consideration of charges to be paid by the OWNER through the City’s Utility Permit application, the parties hereto, intending to be legally bound, hereby covenant and agree as follows:

1. Permits. The OWNER shall be responsible for obtaining a Utility Permit from the City of Milford and pay all applicable impact fees and inspection fees as required by the City Code and adopted fee schedule.
2. Costs. The OWNER shall be responsible for all costs associated with connecting to the water system.

3. Annexation. The OWNER acknowledges, if and when the PROPERTY becomes contiguous with the CITY municipal boundary, the OWNER shall annex the entire PROPERTY into the City limits. The OWNER must file a petition to annex with the City Planning Department within 90 days of when the property becomes contiguous with the City.
4. Sewer Utility. The OWNER acknowledges, if and when sewer becomes technically available to the PROPERTY, the OWNER shall abandon the onsite septic system and make connection to the City sewer system within 90 days of written notice by the CITY. Technically available is defined as the sewer utility being directly adjacent to the PROPERTY. The OWNER shall be responsible for all costs associated with connecting to the CITY sewer system and abandonment of the onsite septic system.
5. Future Land Use. The proposed future use of the property is a church, which is consistent with the City's 2018 Comprehensive Future Land Use plan, as amended, which identifies the properties as Low Density Residential. The OWNER acknowledges that the proposed future use of the property shall be a church and any change in use of the property shall be approved by the CITY in writing.
6. Governing Law. This Agreement shall be governed by the laws of the State of Delaware (notwithstanding the fact that one or more parties may now or later become a resident of another state) and the parties hereto agree that the courts of the State of Delaware shall have jurisdiction over any case or controversy and hereby consent to such jurisdiction.
7. Separability. If any section, paragraph, sentence or clause of this Agreement is determined or declared to be invalid or unenforceable by any court of competent jurisdiction, the remainder hereof shall remain in full force and effect.
8. Entire Agreement. This Agreement constitutes the entire understanding of the parties. It supersedes any and all prior agreements between them. There are no representations or warranties other than those herein contained.
9. Amendments. This Agreement shall not be amended except in writing executed by all parties hereto.
10. Binding Effect. This Agreement shall be binding upon the parties hereto, their administrators, successors, successors in interest and assigns.
11. Contra Proferentum. The fact that one party has drafted this Agreement shall in no way be used against that party in construing the terms, condition, and obligations hereunder.
12. Headings. Headings and captions used herein are solely for the convenience of the parties and shall have no legal significance in construing the terms of this Agreement.

- 13. Non-Waiver. The failure of either party to exercise any of its rights under this Agreement for a breach thereof shall not be deemed to be a waiver of such rights or a waiver of any subsequent breach.
- 14. Enforcement. In the event of a breach, this Agreement shall be enforced through a decree of specific performance, the parties agreeing that monetary damages would not provide an adequate remedy.
- 15. Recording. This agreement, duly executed by the City and OWNER, shall be recorded in the office of the Recorder of Deeds, in and for Sussex County, Delaware. The cost of recording shall be paid by OWNER. The utility permit will be withheld until this agreement is recorded.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

NUEVO AMANECER SPANISH CHURCH OF  
GOD PROPHECY, INC.

Attest: \_\_\_\_\_

By: \_\_\_\_\_  
, President

CITY OF MILFORD

Attest: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_ (Seal)  
F. Todd Culotta, Mayor

STATE OF DELAWARE :

COUNTY OF :

Signed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2024, by **XX**.

\_\_\_\_\_  
Signature of Notary Public

STATE OF DELAWARE :

COUNTY OF SUSSEX :

Signed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2024, by F. Todd Culotta, Mayor of the City of Milford.

---

Signature of Notary Public

DRAFT



The governing body has recessed to Executive Session. The regular meeting will resume shortly.