

City of Milford



AGENDA

Monthly Council Meeting

May 13, 2013

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

6:00 P.M.

Site Visit-PNC Bank

119 South Walnut Street, Milford, DE

7:00 P.M.

COUNCIL MEETING

Call to Order - Mayor Joseph R. Rogers

Invocation

Pledge of Allegiance

Approval of Previous Minutes

Recognition

Monthly Police Report

City Manager Report

Committee & Ward Reports

Communications & Correspondence

Unfinished Business

Gateway Entrance Signs/Approval of Funding/Economic Development

New Business

Bid Award/Washington Street Water Treatment Facility/Demolition Project

FY 2012-2013 Budget Adjustment/Washington Street Rehabilitation Project Shortage/Public Works

Appointment of Replacement EDAP Members

Grant of Permanent Utility Easement/JSI Milford Realty Company*

Monthly Finance Report

Executive Session

*Land Acquisition-Pursuant to 29 Del. C. §10004(b)(2) Preliminary discussions on site acquisitions for any publicly funded capital improvements***

Adjourn

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

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

Milford Police Department



E. Keith Hudson
Chief of Police



400 N.E. Front Street
Milford, Delaware 19963

TO: Mayor and Members of City Council

FROM: E. Keith Hudson, Chief of Police

DATE: May 13, 2013

RE: Activity Report/April 2013

Monthly Stats:

A total of 508 arrests were made by the Milford Police Department during April 2013. Of these arrests, 94 were for criminal offenses and 414 for traffic violations. Criminal offenses consisted of 23 felonies and 71 misdemeanors. Traffic violations consisted of 141 Special Duty Radar, 2 Drunk-Driving charges, and 271 other.

Police officers investigated 42 accidents during the month (4 personal injury, and 38 property damage) and issued 122 written reprimands. In addition, they responded to 1091 various complaints including city requests and other agency assistance.

Monthly Activities:

The department is continuing to complete our spring firearm's re-certification. We just finished In-Service Training for the members of the department.

On April 20th, we conducted applicant testing for the position of police officer. Of the 52 applicants, 26 successfully passed both the written and physical agility portions of the process.

From April 1st thru April 5th, both Police K-9 Units attended mandatory annual re-certification in Wilmington. Both K-9's successfully obtained their national recertification through the National Police Canine Association as a dual purpose narcotics and patrol police K-9. In addition to the tracking certification, both K-9 units also obtained the new narcotics certification which now includes four narcotic scents (marijuana, cocaine, methamphetamine and heroin). Both K-9 Units also obtained the advanced "Patrol 2" status.

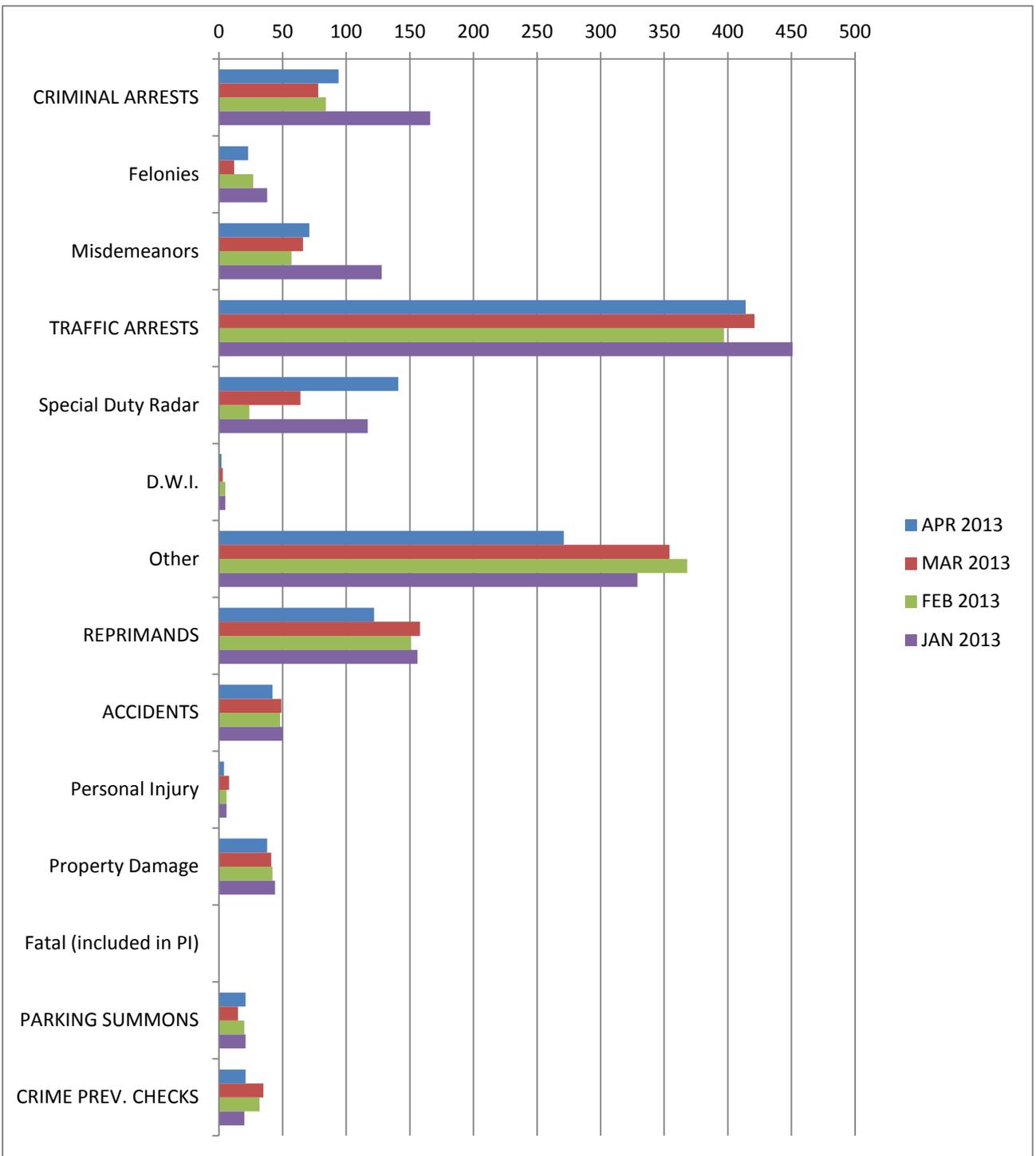
Our School Resource Officer conducted Active Shooter Survival Training for the Banneker School Staff. In addition, he assisted Harrington Police Department by assisting with Active Shooter Training at Lake Forest South Elementary.

The officer also attended a Press Conference at Polytech High School with Governor Markell where the Web-based School Safety Program was announced.

Milford High School Students were also provided an Alcohol Awareness Presentation where the students utilized drunk goggles and a tricycle prior to this year's prom.

APRIL 2013 ACTIVITY REPORT

	APR 2013	TOTAL 2013	APR 2012	TOTAL 2012
COMPLAINTS	1091	4233	1236	4673
CRIMINAL ARRESTS	94	422	220	777
Felonies	23	100	70	207
Misdemeanors	71	322	150	570
TRAFFIC ARRESTS	414	1683	541	1751
Special Duty Radar	141	346	243	668
D.W.I.	2	15	5	24
Other	271	1322	293	1059
REPRIMANDS	122	587	149	529
ACCIDENTS	42	189	39	155
Personal Injury	4	24	5	15
Property Damage	38	165	34	140
Fatal (included in PI)	0	0	0	0
PARKING SUMMONS	21	77	26	47
CRIME PREV. CHECKS	21	108	37	154
FINES RECEIVED	\$ 10,880.11	\$ 43,738.36	\$ 10,856.26	\$ 43,297.76





OFFICE OF THE CITY MANAGER
RICHARD D. CARMEAN
TELEPHONE 302-424-3712

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

CITY MANAGER REPORT

ADMINISTRATION

The Finance Director and I have been meeting with department heads regarding their budgets for fiscal year 2013-2014. We are determined to present mayor and council with a balanced budget that requires no tax increase. Certain requests will most likely have to be denied, or prioritized over another budget item in order to avoid any increase.

I have been asked by Delaware Municipal Electric Corporation to attend the America Public Power Association National Convention. DEMEC will be paying my expenses for the registration costs and other travel related items. There are several lectures and seminars that could be very informational and helpful in the operation of our electric business. I would be out of the office June 17-21.

WATER AND SEWER

The archaeological study for the continuing extension of the S.E. Water Main Extension Phase 2 has been completed. There were no findings that would hinder our construction plans on extending the water main to the location of the proposed water tower. This report was put with the environmental analysis and sent to USDA for approval.

The construction on the S. Washington Street Sewer Pump Station will start in the near future. We had the bypass pump delivered recently. All we need to begin is a component for the vault so that we can begin.

STREETS AND SOLID WASTE

The Spring Clean-Up went well, and I would think many of our customers received an increased service that did not cost them additional money. It also improved the appearance of numerous yards and properties, thus giving our community a little more pleasant look. Our crews have had a little more time to get into the yard debris pick-up rhythm. As important is the fact that our customers are learning how to deal with our new rules on yard debris. I also want to thank State Representative Harvey Kenton for giving the city a \$1,000.00 grant that could be used for tipping fees.

We now have the final engineering on S.E. Front Street. This includes pavement overlay, curb replacement, infrastructure improvement and handicap assessable ramps. We will be installing new sidewalk in areas where we caused damage while doing the curb work.



DELAWARE SOLID WASTE AUTHORITY

Pasquale S. Canzano, P.E., BCEE
Chief Executive Officer

Richard P. Watson, P.E., BCEE
Chief Operating Officer

Board of Directors
Richard V. Pryor
Chairman
Ronald G. McCabe
Vice Chairman
Theodore W. Ryan
Timothy P. Sheldon
Tonda L. Parks
Gerard L. Esposito
Gregory V. Moore, P.E.

April 11, 2013

Richard Carmean
City of Milford
P.O. Box 159
Milford, DE 19963

Dear Richard:

Enclosed please find the City of Milford's numbers for the month of March 2013.

**March 2013
Weight in Pounds**

MARSHALL STREET

SINGLE-STREAM TOTAL	OIL GALLONS
20,209	450

MILFORD MIDDLE SCHOOL

5,247	
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MILFORD COMMONS

13,991	
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Sincerely,

Rich Von Stetten
Sr. Manager of Statewide Recycling

C:\RVSRD correspondence\cityofmilford.doc
Christie Murphy
Attachments: City of Milford Curbside Totals

1128 S. Bradford Street, P.O. Box 455, Dover, Delaware 19903-0455
Phone: (302) 739-5361 Fax: (302) 739-4287

CITIZENS' RESPONSE LINE: 1-800-404-7080 www.dswa.com

**CITY OF MILFORD CURBSIDE RECYCLING
MARCH 2013**

4/11/2013

Date Out	Trans Num	MT Label	DT Label	Bill Acct Name	Net TN
3/1/2013	725906	7100-RC Single Strea	7000-Recommunity	City of Milford	2.98
3/1/2013	725907	7100-RC Single Strea	7000-Recommunity	City of Milford	3.22
3/7/2013	726505	7100-RC Single Strea	7000-Recommunity	City of Milford	3.93
3/8/2013	726549	7100-RC Single Strea	7000-Recommunity	City of Milford	2.21
3/14/2013	727193	7100-RC Single Strea	7000-Recommunity	City of Milford	4.94
3/15/2013	727226	7100-RC Single Strea	7000-Recommunity	City of Milford	6.63
3/15/2013	727227	7100-RC Single Strea	7000-Recommunity	City of Milford	2.75
3/15/2013	727262	7100-RC Single Strea	7000-Recommunity	City of Milford	5.78
3/22/2013	727918	7100-RC Single Strea	7000-Recommunity	City of Milford	1.83
3/22/2013	727920	7100-RC Single Strea	7000-Recommunity	City of Milford	5.69
3/28/2013	728497	7100-RC Single Strea	7000-Recommunity	City of Milford	4.87
3/28/2013	728505	7100-RC Single Strea	7000-Recommunity	City of Milford	4.65
3/29/2013	728545	7100-RC Single Strea	7000-Recommunity	City of Milford	2.48
				TOTAL	51.96

**DELAWARE LEAGUE OF LOCAL GOVERNMENTS
MONTHLY DINNER MEETING
MAY 16TH, 2013
SHERATON DOVER HOTEL
1570 NORTH DUPONT HIGHWAY
DOVER, DELAWARE**

SOCIAL HOUR: 6:00 P.M. - 6:45 P.M.
OPENING: 6:45 P.M. - 7:00P.M.
DINNER: 7:00 P.M. - 7:20 P.M.
PROGRAM: 7:20 P.M. - 8:00 P.M.

PROGRAM

The federal government (HUD) has recently published proposed new rules for determining when a housing practice has a discriminatory effect under the Fair Housing Act. We often know when a statement by a home salesperson or landlord is discriminatory, but determining when a land use decision made by an elected Town Council might be a violation under the Fair Housing Act can be more subtle. Stephanie Hansen, Counsel with Young Conway Stargatt & Taylor, LLP, will go over a number of recent cases and examples that illustrate the types of land use decisions made by local governments that may cross the line and subject the government to being in violation of the Fair Housing Act.

NEXT MEETING: SUNDAY SEPTEMBER 22ND, 2013

Special diets can be accommodated with 24 hours notice

WE MUST HAVE YOUR RESERVATIONS NO LATER THAN May 9th, 2013

Mail To: Delaware League of Local Governments
P.O. Box 484
Dover, Delaware 19903

Telephone: 302-678-0991 Fax: 302-678-4777 Email: gwright@udel.edu

_____ will have _____ attendees
(Municipality/County/Agency)

PLEASE LIST THE NAMES OF THOSE ATTENDING

<u>Name</u>		<u>Title</u>
_____	&	_____
_____	&	_____
_____	&	_____
_____	&	_____
_____	&	_____
_____	&	_____

****Please note the increase in amount****

- () Check enclosed for () dinners @ **\$25.00** each
- () Please direct bill the Municipality/County/Agency
- () Payment will be made at the door
- () Enclosed for () dinners @ **\$25.00** each

2012

Members of the City Council and Mayor Rogers,

Tonight I respectfully will submit information gathered in support of replacing and/or adding signage on Rt. 1 and at several key gateway entrances to the City. Through training provided by the National Trust courtesy of DEDO we have identified an important area in the continuing revitalization of downtown. To enhance interest in the unique assets of the downtown area we would like to request new signage to promote the City's recently adopted branding. Additionally, we have communicated to the state an interest in obtaining a number of the blue "Attractions" signs found on major roadways to alert travelers of destinations such as Museums, Art Leagues, Music Schools, Libraries etc. Strategically placing the state signs and city signs will be an important step in promoting the downtown and Riverwalk area. The area below the overpass at the North side of town is one such area we are sighting and have an artist rendering of how that may look. Other locations would include Rt. 1 south of Milford, Rt.14 west of Milford and both sides of Rt. 36. On behalf of DMI I have begun exploring design and costs for consideration. That information will be forth coming, tonight we are looking for support for the initiative. Thank you.

Sincerely,

W. Scott Angelucci
Board Member, DMI



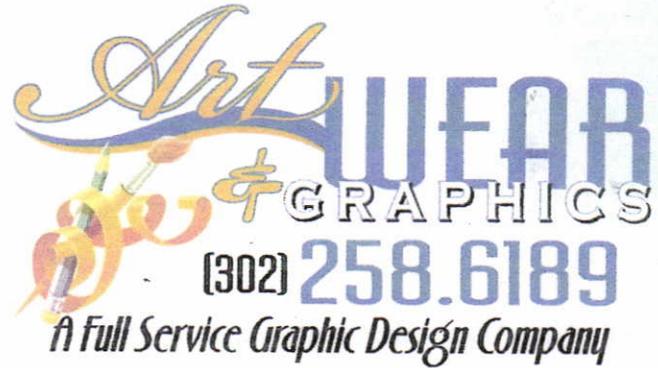
Milford

River Town.
Art Town.
Home Town.

Estimate

Name / Address
City of Milford Scott Angelucci Milford, DE 19963

Date	Estimate #
6/22/2012	0009



205 Montgomery Street Milford, DE 19963

Description	Qty	Rate	Total
Custom Formed Plastic Letters Flat-Face 10' M Total Size - 415 inches - 34.58 Feet PMS Color Match		13,440.00	13,440.00
Custom Formed Plastic Letters Prismatic-Face 10' M Total Size - 415 inches - 34.58 Feet PMS Color Match		13,650.00	13,650.00
		Total	\$27,090.00

Thank You

William Steele Welding & Fabrication L.L.C.

Estimate

200 Mullet Run St.
Milford, DE 19963

Date	Estimate #
6/25/2012	287

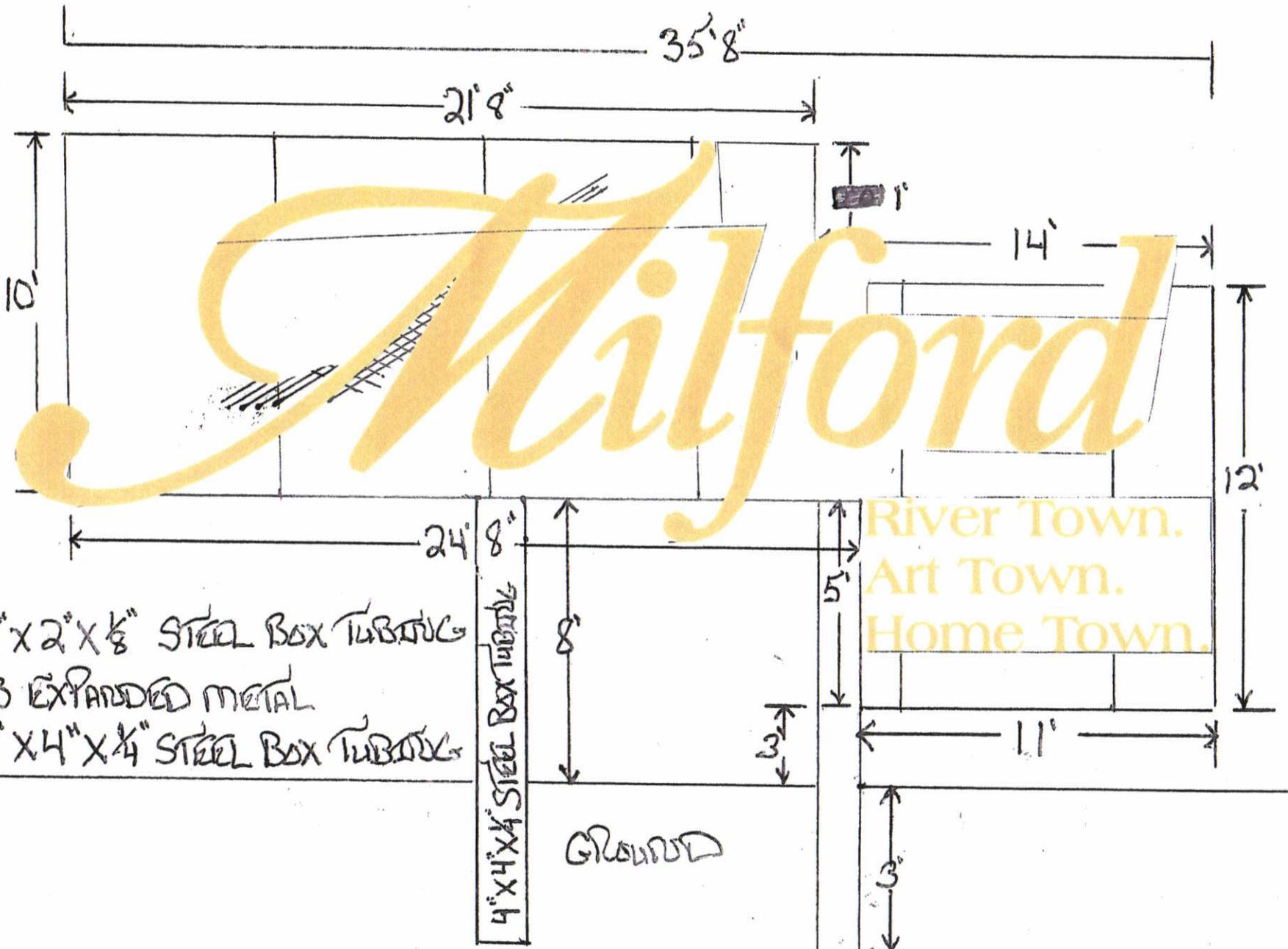
Name / Address
CITY OF MILFORD P.O. BOX 159 MILFORD, DE 19963

Project

Description	Qty	Cost	Total
2" X 2" X 1/8" STEEL BOX TUBING X 20'	10	52.25	522.50
3/4" X #9 EXPANDED METAL 60" X 120"	6	93.76	562.56
4" X 4" X 1/4" STEEL BOX TUBING X 20'	1	207.93	207.93
2 YARDS OF CONCRETE	1	300.00	300.00
CRANE RENTAL \$100.00 PER HOUR 4 HOUR MINUIM	4	100.00	400.00
ON SITE WORK, DIGGING OF FOOTER, PREPARE FOR CONCRETE AND SIGN POST	4	85.00	340.00
WELDING & FABRICATION OF MAKING A SIGN FRAME, SEE DRAWINGS, IN SHOP WORK, 1 WELDER	16	75.00	1,200.00
1 WELDERS HELPER FOR ABOVE JOB	16	35.00	560.00
ON SITE WELDING AND SETTING OF SIGN FRAME 1 WELDER	6	85.00	510.00
1 WELDERS HELPER	6	35.00	210.00
2ND WELDERS HELPER	6	35.00	210.00
IF YOU WANT US TO PAINT SAME	4	35.00	140.00
2ND PAINTER	4	35.00	140.00
1 GAL OF SHERWIN WILLIAMS PAINT, WITH PRIMER IN SAME.	1	80.00	80.00
THANK YOU AND MAY GOD BLESS YOU		Total	\$5,382.99

DO NOT SCALE

WILLIAM STEEL WORK
200 MULLEN PARK ST.
MILFORD DE 19963
PH# 302-422-7444
FAX# 302-422-5520



- 1. 2" X 2" X 1/8" STEEL BOX TUBING
- 2. #3 EXPANDED METAL
- 3. 4" X 4" X 1/4" STEEL BOX TUBING

4" X 4" X 1/4" STEEL BOX TUBING

GROUND

River Town.
Art Town.
Home Town.

414.91 in

252.89 in

Milford

47.73 in

76.8 in

171.25 in

River Town.

Art Town.

Home Town.

54.32 in

121.81 in



April 29, 2013

Mr. Erik Retzlaff
Davis, Bowen & Friedel, Inc.
PO Box 809
Milford, DE 19963

Re: Washington Street Water Treatment
Facility Replacement, Contract A
Demolition, Project #052A154-A

Dear Mr. Retzlaff:

As the apparent low bidder on the referenced project we are submitting our DBE solicitation documentation as required. Attached are the DeIDOT DBE vendor search results along with the email invite to bids.

Astec Inc is the asbestos abatement subcontractor we listed. As you can see they are not listed on the asbestos abatement or NAICS code search, therefore were submitted as not being a DBE. We have since learned that they are a DBE (certification attached) and would like to have the Subcontractor/Supplier List (bid form page 00300-4) changed to reflect this.

Please feel free to call Darryl Mease with any questions (609-839-0032).

Sincerely,


Penny M Stubbs
Contract Coordinator



Richard E. Pierson
Construction Co., Inc.
(856) 769-8244
Fax Numbers

General: (856) 769-5629 • Estimating: (856) 769-5630

Shop: (856) 769-5632

www.repierson.com

- An Equal Opportunity Employer -

Mailing Address
P.O. Box 430
Woodstown, NJ 08098

Physical Address
426 Swedesboro Road
Pilesgrove, NJ 08098

Your Search...



Phone Numbers Mobile Size Email



DBE Vendor Search

[Back to DBE Home](#)

Search Criteria

Enter one or more of the following to narrow search results

Firm Name:

Work Description:

NAICS Code: [Lookup NAICS Codes](#)

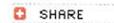
Actions

Cert#	Firm Name	NAICS Codes	Work Description	Details
No vendors were found matching the search criteria.				
Total Vendors: 0 (25 per page)				

Your Search...



Phone Numbers Mobile Size Email



DBE Vendor Search

[Back to DBE Home](#)

Search Criteria

Enter one or more of the following to narrow search results

Firm Name:

Work Description:

NAICS Code: [Lookup NAICS Codes](#)

Actions

Cert#	Firm Name	NAICS Codes	Work Description	Details
180	BATTA ENVIRONMENTAL ASSOCIATES, INC. MR. NARESH C. BATTA NEWARK, DE 302-737-3376 NCBATTA@BATTANV.COM www.battaenv.com	541620 541330 541350 562112 562910	ENVIRONMENTAL CONSULTING, TESTING, ENGINEERING, PROJECT MGMT; ASBESTOS, LEAD, INDOOR AIR QUALITY MGMT; ENVIRONMENTAL SITE ASSESSMENTS; REMEDIAL INVESTIGATIONS; FEASIBILITY STUDIES; BROWNFIELDS SITE DEVELOPMENT; UNDERGROUND STORAGE TANK INSPECTIONS	
752	BRIGHTFIELDS, INC. MS. CHERYL M. TITCHER WILMINGTON, DE 302-656-9600 MYOUNG@BRIGHTFIELDSINC.COM www.brightfieldsinc.com	541620 541330 562910 541370	ENVIRONMENTAL INVESTIGATION, SITE ASSESSMENTS, ASBESTOS & LEAD SURVEYS, INDOOR AIR QUALITY; ENVIRONMENTAL & GEOLOGICAL ENGINEERING; ENERGY AUDITS FOR STRUCTURES; SITE REMEDIATION; GIS BASE & TOPOGRAPHIC MAPPING SERVICES, WETLAND & STREAMBANK REMEDIATION	
771	ENVIRONMENTAL MGMT. & DESIGN SERVICES, INC. MS. ZENAIDA ESTEVES Morristown, NJ 973-292-0300 zesteves@emdsinc.com www.emdsinc.com	541620 541330 561210 541690 562910	ENVIRONMENTAL CONSULTING & ENGINEERING; REMEDIATION SERVICES SUCH AS SITE INVESTIGATORY SERVICES (GROUNDWATER SAMPLING, SURFACE & SUBSURFACE INVESTIGATIONS, ETC); FACILITIES SUPPORT SERVICES (LEAD, ASBESTOS & OTHER HAZARDOUS MATERIALS INVESTIGATION)	
898	H & S ENVIRONMENTAL, INC. MS. DEBRA HEIMS WESTBOROUGH, MA 508-366-7442 DHEIMS@HSENV.COM www.hsenv.com	562910	ENVIRONMENTAL REMEDIATION SERVICES: ASBESTOS REMOVAL SURVEYS, DELEADING, HAZARDOUS WASTE SITE PROFESSIONALS, LEAD PAINT INSPECTION, TOXIC USE REDUCTION PLANNING, UNDERGROUND STORAGE TANKS, WASTEWATER TREATMENT	
708	SCHNEIDER LABORATORIES, INC. MS. NAJWA ABOUZAKI RICHMOND, VA 804-353-6778 NABOUZAKI@SLABINC.COM www.slabin.com	541380	FULL SERVICE ANALYTICAL, ENVIRONMENTAL, ASBESTOS, LEAD AND INDUSTRIAL HYGIENE LABORATORY	
Total Vendors: 5 (25 per page)				

Your Search...



Phone Numbers Mobile Size Email



DBE Vendor Search

[Back to DBE Home](#)

Search Criteria	Actions
<p>Enter one or more of the following to narrow search results</p> <p>Firm Name: <input type="text"/></p> <p>Work Description: <input type="text"/></p> <p>NAICS Code: 562910 Lookup NAICS Codes</p>	<p>Search</p> <p>Reset</p> <p>Print PDF</p> <p>Print Excel</p>

Cert#	Firm Name	NAICS Codes	Work Description	Details
180	BATTA ENVIRONMENTAL ASSOCIATES, INC. MR. NARESH C. BATTA NEWARK, DE 302-737-3376 NCBATTA@BATTAENV.COM www.battaenv.com	541620 541330 541350 562112 562910	ENVIRONMENTAL CONSULTING, TESTING, ENGINEERING, PROJECT MGMT; ASBESTOS, LEAD, INDOOR AIR QUALITY MGMT; ENVIRONMENTAL SITE ASSESSMENTS; REMEDIAL INVESTIGATIONS; FEASIBILITY STUDIES; BROWNFIELDS SITE DEVELOPMENT; UNDERGROUND STORAGE TANK INSPECTIONS	
752	BRIGHTFIELDS, INC. MS. CHERYL M. TITCHER WILMINGTON, DE 302-656-9600 MYOUNG@BRIGHTFIELDSINC.COM www.brightfieldsinc.com	541620 541330 562910 541370	ENVIRONMENTAL INVESTIGATION, SITE ASSESSMENTS, ASBESTOS & LEAD SURVEYS, INDOOR AIR QUALITY; ENVIRONMENTAL & GEOLOGICAL ENGINEERING; ENERGY AUDITS FOR STRUCTURES; SITE REMEDIATION; GIS BASE & TOPOGRAPHIC MAPPING SERVICES, WETLAND & STREAMBANK REMEDIATION	
896	CHESAPEAKE ENVIRONMENTAL MANAGEMENT, INC. MS. STEPHANIE NOVAK HAU BELAIR, MD 410-893-9016 DDIETRICH@CEMSCIENCE.COM www.cemscience.com	541620 221310 541370 561210 562910 541690 541618 541320	ENVIRONMENTAL CONSULTING & COMPLIANCE SERVICES	
981	CV, INC. MS. CHINMAY VYAS GERMANTOWN, MD 240-252-5696 CV@C-V-INC.COM www.c-v-inc.com	237110 237990 541320 541330 541340 541360 541370 541620 562910	CONSTRUCT MGMT; LANDSCAPE DESIGN SERV; CIVIL ENGINEERING; DRAFTING; GEOPHYSICAL SURVEY; AERIAL/LAND SURVEY; ENVIRONMENTAL CONSULTING; SITE REMEDIATION CONSULTING, LEED CERT, CERT FLOODPLAIN MGR; ENVIRONMENTAL REMEDIATION	
761	E2CR, INC. MR. SIVA BALU BALTIMORE, MD 410-737-9100 EMAIL@E2CR.COM www.e2cr.com	562910 236210 238910 541330 237310 237990 541380	CIVIL ENGINEERING, CONSTRUCTION ENGINEERING, CONSULTING & REMEDIATION, ABOVE GROUND STORAGE TANKS & UNDERGROUND STORAGE TANKS	
923	ECOSERVICES, LLC MS. LINDA DENENNO EXTON, PA 484-872-8884 LDENENNO@ECOSERVICESCONTRACTING.COM www.ecoservicescontracting.com	562910 541620	ENVIRONMENTAL REMEDIATION & CONSULTING SERVICES	
771	ENVIRONMENTAL MGMT. & DESIGN SERVICES, INC. MS. ZENAIDA ESTEVES Morristown, NJ 973-292-0300 zesteves@emdsinc.com www.emdsinc.com	541620 541330 561210 541690 562910	ENVIRONMENTAL CONSULTING & ENGINEERING; REMEDIATION SERVICES SUCH AS SITE INVESTIGATORY SERVICES (GROUNDWATER SAMPLING, SURFACE & SUBSURFACE INVESTIGATIONS, ETC); FACILITIES SUPPORT SERVICES (LEAD, ASBESTOS & OTHER HAZARDOUS MATERIALS INVESTIGATION)	
898	H & S ENVIRONMENTAL, INC. MS. DEBRA HEIMS	562910	ENVIRONMENTAL REMEDIATION SERVICES: ASBESTOS REMOVAL SURVEYS, DELEADING, HAZARDOUS WASTE SITE PROFESSIONALS,	

	WESTBOROUGH, MA 508-366-7442 DHEIMS@HSENV.COM www.hsenv.com					LEAD PAINT INSPECTION, TOXIC USE REDUCTION PLANNING, UNDERGROUND STORAGE TANKS, WASTEWATER TREATMENT		
730	MATRIX NEW WORLD ENGINEERING, INC. MS. JAYNE WARNE East Hanover, NJ 973-240-1800 jwarne@matrixnewworld.com www.matrixnewworld.com	541330	237990	562910	541618	541620	ENVIRONMENTAL & GEO-TECHNICAL SERVICES; ENGINEERING; REMEDIATION SERVICES; OTHER MGMT CONSULTING SERVICES; OTHER HEAVY AND CIVIL ENGINEERING CONSTRUCTION	
1036	ROCK SOLID CONTRACTING & DEVELOPMENT MR. NORMAN OLIVER WILMINGTON, DE 302-655-8250 STORMINS@AOL.COM www.rocksolidworks.net	238310	238320	562910	561790		GENERAL CONTRACTOR; FACILITY MANAGEMENT; DEVELOPER, CLEANING BUILDING EXTERIORS, PRESSURE WASHING, DRYWALL, PAINTING, WALL COVERING OR REMOVAL	
779	UNITED ENERGY SYSTEMS, INC. MS. SUSAN KOPERCSAK OCEAN TOWNSHIP, NJ 973-214-2100 UNITEDENERGYINC@AOL.COM www.unitedenergysystems.com	541620	541690	562910			ENVIRONMENTAL PERMITTING, LICENSING, COMPLIANCE; PROGRAM/PROJECT COMPLIANCE; ENVIRONMENTAL & OSHA SAMPLING; MONITORING & TESTING; OSHA COMPLIANCE FOR CONSTRUCTION; DAILY CONSTRUCTION SITE SAFETY REPRESENTATION; ENVIRONMENTAL & OSHA TRAINING; WASTE MGMT	
Total Vendors: 11 (25 per page)								

Your Search...



Phone Numbers Mobile Size Email



DBE Vendor Search

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Firm Name:

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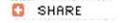
Actions

Cert#	Firm Name	NAICS Codes	Work Description	Details
823	COURT ONE CORPORATION DBA OMEGA FENCE MS. STACEY COMARTOS NORFOLK, VA 757-466-0123 INFO@COURTONECORP.COM www.courtonecorp.com	238990	FENCING, GENERAL CONSTRUCTION	
582	DESILVIO & COMPANY, INC. MS. PATRICIA DESILVIO CEDAR BROOK, NJ 609-567-9200 PAT@DESILVIOANDCO.COM	238120 237310	REBAR, FENCING, & GUARDRAIL	
863	NANTICOKE FENCE, LLC MS. THRESA ALLEN SEAFORD, DE 302-628-7808 NANTICOKEFENCE@COMCAST.NET www.nanticokefence.com	444190 238990	REGULAR DEALER/INSTALLATION OF COMMERCIAL & RESIDENTIAL FENCE	
589	RAM-T CORPORATION MS. DEBORAH L. TURNER WEST CHESTER, PA 610-269-4495 www.ramtcorporation.com	238990 238910 561730 444220	SEDIMENT CONTROL, BRICK PAVER, CHAIN LINK FENCE, RETAINING WALL; LAND CLEARING & GRADING; HYDROSEEDING, DRY SEEDING, LANDSCAPE SUPPLY & INSTALLATION; REGULAR DEALER OF SILT FENCE, SEED, MATTING, PLANTS, MULCH & TOPSOIL	
943	SEAGULL FENCE & CONCRETE, LLC MR. JOSE VILLEDA BRIDGEVILLE, DE 302-241-9187 SEAGULLFENCE@LIVE.COM	238990 444190	FENCING CONTRACTOR. REGULAR DEALER & INSTALLATION OF COMMERCIAL & RESIDENTIAL FENCE, ALL TYPES	
960	VALLEY GREEN LANDSCAPING, INC. MR. DAVID SHEPPARD ALEXANDRIA, VA 703-906-1878 CLSHEPPARD@VGL-INC.COM	561730	HYDROSEEDING, EROSION CONTROL, SILT FENCING; ROADSIDE DEVELOPMENT, SEED/SOD & SNOWPLOWING SERVICES (I.E. SEASONAL PROPERTY MAINTENANCE SERVICES)	
952	WILTON CORPORATION MS. CAROLE PUE FINKSBURG, MD 410-833-8500 TCALL@WILTONFAB.COM www.wiltonfab.com	332312 332313 332323 332999 423510 423610 423710 423720	MANUFACTURER OF BRIDGE SECTIONS, EXPANSION JOINTS, STRUCTURAL STEEL, STEEL JOISTS, METAL PLATE, TRASH RACKS, TROUGHS, CURTAIN WALLS, METAL RAILINGS, FENCES, GATES & LADDERS; DEALER OF METALS, CONDUIT, FASTNERS, NUTS, ANCHOR BOLTS, PVC PIPE & FITTINGS	
Total Vendors: 7 (25 per page)				

Your Search...



Phone Numbers Mobile Size Email



DBE Vendor Search

[Back to DBE Home](#)

Search Criteria

Enter one or more of the following to narrow search results

Firm Name: _____

Work Description: **FENCE**

NAICS Code: All [Lookup NAICS Codes](#)

Actions

Cert#	Firm Name	NAICS Codes	Work Description	Details
863	NANTICOKE FENCE, LLC MS. THRESA ALLEN SEAFORD, DE 302-628-7808 NANTICOKEFENCE@COMCAST.NET www.nanticokefence.com	444190 238990	REGULAR DEALER/INSTALLATION OF COMMERCIAL & RESIDENTIAL FENCE	
589	RAM-T CORPORATION MS. DEBORAH L. TURNER WEST CHESTER, PA 610-269-4495 www.ramtcorporation.com	238990 238910 561730 444220	SEDIMENT CONTROL, BRICK PAVER, CHAIN LINK FENCE, RETAINING WALL; LAND CLEARING & GRADING; HYDROSEEDING, DRY SEEDING, LANDSCAPE SUPPLY & INSTALLATION; REGULAR DEALER OF SILT FENCE, SEED, MATTING, PLANTS, MULCH & TOPSOIL	
943	SEAGULL FENCE & CONCRETE, LLC MR. JOSE VILLEDA BRIDGEVILLE, DE 302-241-9187 SEAGULLFENCE@LIVE.COM	238990 444190	FENCING CONTRACTOR. REGULAR DEALER & INSTALLATION OF COMMERCIAL & RESIDENTIAL FENCE, ALL TYPES	
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Total Vendors: 4 (25 per page)				

Your Search...



Phone Numbers Mobile Size Email



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[Back to DBE Home](#)

Search Criteria	Actions
<p>Enter one or more of the following to narrow search results</p> <p>Firm Name: _____</p> <p>Work Description: FENCING</p> <p>NAICS Code: <input type="text" value="All"/> Lookup NAICS Codes</p>	<p>Search</p> <p>Reset</p> <p>Print PDF</p> <p>Print Excel</p>

Cert#	Firm Name	NAICS Codes	Work Description	Details
823	COURT ONE CORPORATION DBA OMEGA FENCE MS. STACEY COMARTOS NORFOLK, VA 757-466-0123 INFO@COURTONECORP.COM www.courtonecorp.com	238990	FENCING, GENERAL CONSTRUCTION	
582	DESILVIO & COMPANY, INC. MS. PATRICIA DESILVIO CEDAR BROOK, NJ 609-567-9200 PAT@DESILVIOANDCO.COM	238120 237310	REBAR, FENCING, & GUARDRAIL	
943	SEAGULL FENCE & CONCRETE, LLC MR. JOSE VILLEDA BRIDGEVILLE, DE 302-241-9187 SEAGULLFENCE@LIVE.COM	238990 444190	FENCING CONTRACTOR. REGULAR DEALER & INSTALLATION OF COMMERCIAL & RESIDENTIAL FENCE, ALL TYPES	
960	VALLEY GREEN LANDSCAPING, INC. MR. DAVID SHEPPARD ALEXANDRIA, VA 703-906-1878 CLSHEPPARD@VGL-INC.COM	561730	HYDROSEEDING, EROSION CONTROL, SILT FENCING; ROADSIDE DEVELOPMENT, SEED/SOD & SNOWPLOWING SERVICES (I.E. SEASONAL PROPERTY MAINTENANCE SERVICES)	
Total Vendors: 4 (25 per page)				

Darryl Mease

From: Darryl Mease [dmease@repdemo.com]
Sent: Wednesday, April 17, 2013 4:39 PM
To: 'astecsam@mac.com'; 'Samuel E. Betley'
Subject: Washington St. WWTP Demo & Abatement
Attachments: Hazmat Location Plans.pdf; Hazmat Survey.pdf; Wage Rates.pdf

Guys,

Can you price this abatement for me in Milford, DE?

If successful, I would like to use you guys for this one. It bids 4/24/13 @ 2pm for me, so I would need #'s by 4/23/13 COB.

Thank you.

Darryl Mease
Demolition Estimator

R.E. Pierson Construction Co., Inc.
426 Swedesboro Rd.
Pilesgrove, NJ 08098
(609)-839-0032 mobile
(856)-769-5630 fax
✉: dmease@repdemo.com
www.repierson.com

Darryl Mease

From: astecsam@mac.com
Sent: Friday, April 26, 2013 4:52 PM
To: Darryl Mease
Subject: Re: Deldot DBE
Attachments: DELDOT DBE 2013.pdf

[see attached file: DELDOT DBE 2013.pdf]

Here you go sir -

Thanks,
Sam Betley

Project Manager
Astec, Inc.
MBE DelDOT
DBE Wilmington, DE

302-593-8123 CELL
302-378-2717 OFFICE
302-376-3999 FAX



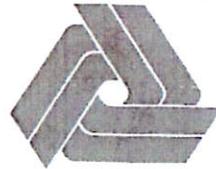
On Apr 26, 2013, at 4:39 PM, Darryl Mease <dmease@repdemo.com> wrote:

Are you guys a certified DELDOT DBE? If so, please send over a copy of your documentation.

Thank you.

Darryl Mease
Demolition Estimator

R.E. Pierson Construction Co., Inc.
426 Swedesboro Rd.
Pilesgrove, NJ 08098
(609)-839-0032 mobile
(856)-769-5630 fax
✉: dmease@repdemo.com
www.repierson.com



**UNIFIED DISADVANTAGED
BUSINESS ENTERPRISE PROGRAM**

DELAWARE DEPARTMENT OF TRANSPORTATION;
THE DELAWARE TRANSIT CORPORATION;
THE DELAWARE RIVER & BAY AUTHORITY; AND
THE SUSSEX COUNTY DEPARTMENT OF ENGINEERING

DELAWARE DEPARTMENT OF TRANSPORTATION
P.O. BOX 778
DOVER, DELAWARE 19903
PHONE: (302) 760-2035

ASTECC, INC.
1554 Lorewood Grove Rd.
Middletown, DE 19709

Certification Number: 901

49 C.F.R. PART 26

Shailen Bhatt
DBE Program Manager

1/18/2013
Date

Shailen Bhatt
Secretary, Delaware Department of Transportation



STATE OF DELAWARE
DEPARTMENT OF TRANSPORTATION
 800 BAY ROAD
 P.O. BOX 778
 DOVER, DELAWARE 19903

SHAILEN P. BHATT
 SECRETARY

January 18, 2013

Ms. Io Betley
 Astec, Inc.
 1554 Lorewood Grove Rd.
 Middletown, DE 19709

RE: CERTIFICATION NO. 901

Dear Ms. Betley:

I am pleased to inform you that your firm remains eligible to participate in the Delaware Department of Transportation's Disadvantaged Business Enterprise Program.

Your firm is currently certified to provide services under the following North American Industrial Classification System (NAICS) codes:

NAICS Code	NAICS Title	Specific Work items firm is certified to perform
562910	Remediation Services	Asbestos Abatement Services Asbestos Removal Contractor

Please notify the DBE program in writing if this is incorrect.

Thank you for your continued cooperation with this process. Please contact me at (302) 760-2035 if you have any questions or concerns.

Sincerely,

Ramon O. Ceballos, Jr.
 DBE Program Manager

RC/tjb



**Certified Directory**

[How do I find the appropriate NAICS Code?](#)

Search Criteria:
Job Description Keywords = astec

[Search Again]

Astec, Inc.

astec@mac.c

astecenviro.c

Delaware Certification Number: DE03090363
ATTN: Io J. Betley
1554 Lorewood Grove Road
Middletown, DE 19709
302-378-2717 Telephone
302-376-3999 Fax

Business Description

Astec is an environmental remediation and reconstruction firm, providing asbestos abatement, mold and lead remediation. We install HVAC insulation and provide post remediation remodeling. DelDOT DBE certified

NAICS Description(s)

NAICS Code: [236118 -- Residential Remodelers](#)
NAICS Code: [238290 -- Other Building Equipment Contractors](#)
NAICS Code: [238310 -- Drywall and Insulation Contractors](#)
NAICS Code: [562910 -- Remediation Services](#)

[Search Again]

Darryl Mease

From: Cathy DiLuigi [CDiLuigi@ramtcorporation.com]
Sent: Thursday, April 18, 2013 7:57 AM
To: Darryl Mease
Subject: RE: Washington St. WWTP Demo Milford, DE
Attachments: certification status letter 2.4.11.pdf

Hi Daryl,

We will get you pricing & we are still DelDot approved. Our DBE Cert # C-589

Thank you,
Cathy DiLuigi
RAM-T Corporation
610-269-4495 (office)
610-269-3607 (fax)
cdiluigi@ramtcorporation.com

From: Darryl Mease [<mailto:dmease@repdemo.com>]
Sent: Wednesday, April 17, 2013 5:39 PM
To: Cathy DiLuigi
Subject: Washington St. WWTP Demo Milford, DE

Cathy,

Can you please price the soil erosion as per attached plans & specs? Prevailing wage rates.

It bids 4/24/13 @ 2pm for me, so I would need #'s by 4/23/13 COB.

Are you guys still DELDOT DBE certified? If so, please provide that paperwork with your pricing?

Thank you.

Darryl Mease
Demolition Estimator

R.E. Pierson Construction Co., Inc.
426 Swedesboro Rd.
Pilesgrove, NJ 08098
(609)-839-0032 mobile
(856)-769-5630 fax
✉: dmease@repdemo.com
www.repierson.com



STATE OF DELAWARE
DEPARTMENT OF TRANSPORTATION
800 BAY ROAD
P.O. BOX 778
DOVER, DELAWARE 19903

CAROLANN WICKS, P.E.
SECRETARY

February 4, 2011

Ms. Cathy DiLuigi
Ram-T Corporation
1121 Downington Pike
West Chester, PA 19380

Dear Ms. DiLuigi:

Thank you for inquiring about your DBE certification status. At this time, all reviews for certification renewal have been put on hold. However, all DBE's, unless notified otherwise, remain eligible to participate in the DBE Program even if past their expiration date.

This letter confirms that Ram-T Corporation is still certified and in good standing with the DelDOT DBE Program. If you have any questions or concerns, please contact the DBE Program Office at (302) 760-2035.

Sincerely,

A handwritten signature in blue ink that reads "Travis L. Crawford".

Travis L. Crawford
DBE Program Manager

TC:amm
file

Darryl Mease

From: Darryl Mease [dmease@repdemo.com]
Sent: Wednesday, April 17, 2013 5:56 PM
To: 'nanticokefence@comcast.net'
Subject: Washington St. WWTP Demo Milford, DE
Attachments: Wage Rates.pdf; BLDG Demo Plan.PDF; Specs.pdf

Tracking:	Recipient	Read
	'nanticokefence@comcast.net'	Read: 4/17/2013 7:57 PM

Thresa,

I see you are a certified DELDOT DBE. If interested, please provide pricing for the 6' high temporary chain link fence with gates as per attached plans & specs and prevailing wage rates.

It bids 4/24/13 @ 2pm for me, so I would need #'s by 4/23/13 COB.

Please provide your DBE paperwork with your pricing.

Thank you.

Darryl Mease
Demolition Estimator

R.E. Pierson Construction Co., Inc.
426 Swedesboro Rd.
Pilesgrove, NJ 08098
(609)-839-0032 mobile
(856)-769-5630 fax
✉: dmease@repdemo.com
www.repierson.com

Darryl Mease

From: Darryl Mease [dmease@repdemo.com]
Sent: Wednesday, April 17, 2013 5:52 PM
To: 'seagullfence@live.com'
Subject: Washington St. WWTP Demo Milford, DE
Attachments: Erosion Control Details.PDF; Erosion Control.PDF; Wage Rates.pdf; BLDG Demo Plan.PDF; Specs.pdf

Jose,

I see you are a certified DELDOT DBE. If interested, please provide pricing for the 6' high temporary chain link fence with gates. Also, I see your installation of silt fence on your website, so feel free to price that too. As per attached plans & specs and prevailing wage rates.

It bids 4/24/13 @ 2pm for me, so I would need #'s by 4/23/13 COB.

Please provide your DBE paperwork with your pricing.

Thank you.

Darryl Mease
Demolition Estimator

R.E. Pierson Construction Co., Inc.
426 Swedesboro Rd.
Pilesgrove, NJ 08098
(609)-839-0032 mobile
(856)-769-5630 fax
✉: dmease@repdemo.com
www.repierson.com

SECTION 00300

BID FORM

Proposal of CLARK'S GENERAL CONT (hereafter called "BIDDER"), organized and existing under the laws of the State of DELAWARE doing business as A, CORP. (Insert "a corporation", "a partnership", or "an individual" as applicable) to the City of Milford (hereinafter called "OWNER").

In compliance with the INVITATION TO BIDDERS, BIDDER hereby proposes to perform all WORK for the Washington Street Water Treatment Facility Replacement, Contract A – Demolition, in strict accordance with the CONTRACT DOCUMENTS, within the time set forth herein, and at the prices stated below.

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

BIDDER hereby agrees to commence WORK under this CONTRACT on or before a date to be specified in the NOTICE TO PROCEED and to fully complete the PROJECT within 90 consecutive calendar days thereafter. BIDDER further agrees to pay, as liquidated damages, an amount of \$1,500.00 per calendar day as defined in the GENERAL CONDITIONS.

BIDDER acknowledges receipt of the following ADDENDA:

ADDENDA #1

ADDENDA #2

RFI Response NO. 1

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

ITEM NO. & DESCRIPTION OF WORK	UNIT	SIZE OR DEPTH	EST QTY	UNIT PRICE	TOTAL PRICE
1. Mobilization/Demobilization (Max. 3% of Total Bid)	LS	--	--	--	\$ 3,500. ⁰⁰
2. Remove and properly dispose of hazardous materials as outlined in Appendix 6.	LS	--	--	--	\$ 16,400. ⁰⁰
3. Demolish, remove and properly dispose of off-site: storage building complete, including loading dock, floor slab and foundations.	LS	--	--	--	\$ 30,000. ⁰⁰
4. Demolish, remove and properly dispose of off-site: office and treatment plant buildings complete, including floor slabs and foundations.	LS	--	--	--	\$ 38,000. ⁰⁰
5. Demolish, remove and properly dispose of off-site: wet well and aeration tower complete, including bottom slab and foundations.	LS	--	--	--	\$ 49,500. ⁰⁰
6. Demolish, remove and properly dispose of off-site: site features and concrete slabs.	LS	--	--	--	\$ 19,000. ⁰⁰
7. Disconnect, demolish, remove and properly dispose of off-site: site utilities.	LS	--	--	--	\$ 20,000. ⁰⁰

CONTINGENT ITEMS (ONLY TO BE USED AT THE DIRECTION OF ENGINEER)					
ITEM NO. & DESCRIPTION OF WORK	UNIT	SIZE OR DEPTH	EST QTY	UNIT PRICE	TOTAL PRICE
8. Undercut, Furnish, Install, and Compact GABC (#57 Stone)	CY	--	100	\$ 44.50 ⁰⁰	\$ 4,450. ⁰⁰
9. Undercut, Furnish, Install, and Compact Select Fill	CY	--	500	\$ 19.00	\$ 9,500. ⁰⁰
10. Test Pitting, Including Temporary Restoration	CY	--	100	\$ 32.00	\$ 3,200. ⁰⁰
11. Secure Modified Proctor Tests	EA	--	5	\$ 100. ⁰⁰	\$ 500. ⁰⁰
12. Secure Field Density Tests	EA	--	50	\$ 50. ⁰⁰	\$ 2,500. ⁰⁰

TOTAL BASE BID AMOUNT (ITEMS 1-12): \$ 196,550.⁰⁰

The following BID ITEMS may be used as a replacement for the above BID ITEMS with the same corresponding item numbers should the City elect to not remove completely the foundations of the listed structure.

ALTERNATE BID ITEMS						
ITEM NO. & DESCRIPTION OF WORK	UNIT	SIZE OR DEPTH	EST QTY	UNIT PRICE	TOTAL PRICE	
3A Demolish, remove and properly dispose of off-site: storage building including loading dock, floor slab, and foundations to 2'-0" below grade.	LS	--	--	--	\$	28,500. ⁰⁰
4A Demolish, remove and properly dispose of off-site: office and treatment plant buildings including floor slabs and foundation to 2'-0" below grade.	LS	--	--	--	\$	34,000. ⁰⁰
5A Demolish, remove and properly dispose of off-site: wet well and aeration tower to base slab elevation only.	LS	--	--	--	\$	49,500. ⁰⁰

SUBCONTRACTOR and SUPPLIER LIST

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

SUBCONTRACTORS				
	CATEGORY	COMPANY NAME	ADDRESS (CITY, STATE)	DBE (Y/N)
1.	ASBESTOS ABET	BYB ENVIRONMENT SERVICE LLC	709 SOPHERS ROW MAGNOLIA, DE 19962	Y
2.	EROSION CONTROL	CLARK'S GEN CONT	17203 LITICA RD GREENWOOD, DE 19950	N
3.	EXCAV BACKFILL	CLARK'S GEN CONT	17203 LITICA RD GREENWOOD, DE 19950	N
4.	PLUMBING	CLARK'S GEN CONT	17203 LITICA RD GREENWOOD, DE 19950	N
5.	SECURITY FENCE	CLARK'S GEN CONT	17203 LITICA RD GREENWOOD, DE 19950	N
6.	TRUCKING	CLARK'S GEN CONT	17203 LITICA RD GREENWOOD, DE 19950	
7.				
8.				

SUPPLIERS				
	CATEGORY	COMPANY NAME	ADDRESS (CITY, STATE)	DBE (Y/N)
1.	FILL DIRT	TIM WEBB	6896 SHANWEEK RD MILFORD, DE 19963	N
2.	509 STONE	PIONEER INC	DOVER, DE 19930	N
3.	FENCING	ANDERSON FENCING	SALISBURY, MD	N
4.				
5.				
6.				
7.				
8.				

BIDDER Please Note:

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

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

BIDDER agrees that this BID shall be good and may not be withdrawn for a period of ninety (90) days after the scheduled closing time for receiving BIDS. Upon receipt of written notice of the acceptance of this BID, BIDDER will execute the formal CONTRACT, attached to said notice, within twenty (20) days and deliver a Surety BOND or BONDS as required by the INFORMATION TO BIDDERS.

The BID security attached in the sum of \$ 19655.00, representing ten percent (10%) of the total Project BID, is to become the property of the OWNER in the event the CONTRACT and BONDS are not executed within the time above set forth, as liquidated damages for the delay and additional time expense to the OWNER caused thereby.

Respectfully submitted:


Signature

04-24-2013
Date

OWNER
Title

12203 Utica Rd
Address

SEE Attached
License Number (If applicable)

Greenwood, DE 19950
Address (cont'd)

Seal - (if bid is by a corporation)

END OF SECTION

LICENSE NO. 1989025199 DORBL

STATE OF DELAWARE

DIVISION OF REVENUE

VALID
01/01/13 - 12/31/13
NOT TRANSFERABLE

POST CONSPICUOUSLY

DLN: 13 50104 62

BUSINESS CODE 331
GROUP CODE

LICENSED ACTIVITY CONTRACTOR-RESIDENT

DATE ISSUED: 01/17/13

VALIDATED

2013

LICENSE FEE: \$ 75.00

MAILING ADDRESS

BUSINESS LICENSE

BUSINESS LOCATION

CLARKS GENERAL CONTRACTORS INC
12203 UTICA RD
GREENWOOD DE 19950-5253



CLARKS GENERAL CONTRACTORS INC
12203 UTICA RD
GREENWOOD DE 19950-5253

IS HEREBY LICENSED TO PRACTICE, CONDUCT OR ENGAGE IN THE OCCUPATION OR BUSINESS ACTIVITY INDICATED ABOVE IN ACCORDANCE WITH THE LICENSE APPLICATION DULY FILED PURSUANT TO TITLE 30, DEL CODE.

PATRICK T. CARTER
DIRECTOR OF REVENUE

IMPORTANT - TEAR AT ABOVE PERFORATION AND DISPLAY IN A PUBLIC LOCATION

Federal E.I. No. or Social Security Number 1 51028 4014 001

Business Code 331
Group Code

Licensed Activity CONTRACTOR-RESIDENT

The State of Delaware Business License printed above must be posted in a public area at the location address listed. If you have any questions regarding this license, please call (302) 577-8778.

REPLACEMENT LICENSES

Keep this portion of your license separate, in case you need a replacement for any lost, stolen or destroyed license. A \$15 fee will be charged for the replacement of a license. Send the \$15 along with a copy of this form or provide your Federal Employer Identification Number, or Social Security Number, suffix, Business Code, Business Name and address to Delaware Division of Revenue, Attn.: Business Master File, PO Box 8750, Wilmington, DE 19899-8750. You will receive your replacement license within three to four weeks.

OTHER IMPORTANT INFORMATION

Most licensees are also required to pay either gross receipts or excise taxes in addition to the license fee. You can file these taxes online or obtain a paper form from our website at www.revenue.delaware.gov. You must submit all business tax returns filed with the Division of Revenue under the same identification number. If you are a sole-proprietor, and have a federal employer identification number, use the employer identification number, not your social security number. Only sole proprietors with no employees are allowed to file under their social security number. Inquiries regarding your coupon booklets to pay withholding, corporate tentative, and Sub Chapter "S" estimated taxes, or to make changes to your name, address, or identification number, should be directed to the Business Master File Unit at (302) 577-8778.

INTERNET SITE

The Division of Revenue web address is: www.revenue.delaware.gov. Visit our web site for tax tips, links to telephone numbers, forms that you can download, links to other State agencies, the Delaware Code, the publication "Delaware Guide for Small Business" and lots more. Internet filing of personal income tax returns via the Division of Revenue's website is available. Internet filing for Withholding, Gross Receipts and Corporate Tentative payments is also available.

SECTION 00370

BID BOND

KNOW ALL MEN BY THESE PRESENTS, that we, the Undersigned,
SEE Attached, as PRINCIPAL,
and _____, as SURETY,
are hereby held and firmly bound unto the City of Milford, as OWNER, the penal sum of
_____, (\$ _____)
for the payment of which, well and truly to be made, we hereby jointly and severally bind ourselves,
successors and assigns.

Signed, this _____ day of _____, 2013.

The condition of the above obligation is such that whereas the PRINCIPAL has submitted to the City of Milford a certain BID, attached hereto and hereby made a part hereof to enter into a CONTRACT, in writing, for the **Washington Street Water Treatment Facility Replacement Project, Contract A: Demolition, Project # 052A154 – A.**

NOW, THEREFORE,

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

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

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

_____, (L.S.)
PRINCIPAL

SURETY

By: _____

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

END OF SECTION



AIA® Document A310™ – 2010

Bid Bond

CONTRACTOR:

(Name, legal status and address)

Clark's General Contractors, Inc.
12203 Utice Road
Greenwood, DE 19950

OWNER:

(Name, legal status and address)

Davis Bowen & Friedel
23 N. Walnut
Milford, DE 19963

BOND AMOUNT: \$ Ten Percent (10%) of amount of bid submitted herewith

SURETY:

(Name, legal status and principal place of business)

Aegis Security Insurance Company
2407 Park Drive, Suite 200
Harrisburg, PA 17110

ADDITIONS AND DELETIONS:

The author of this document has added information needed for its completion. The author may also have revised the text of the original AIA standard form. An *Additions and Deletions Report* that notes added information as well as revisions to the standard form text is available from the author and should be reviewed. A vertical line in the left margin of this document indicates where the author has added necessary information and where the author has added to or deleted from the original AIA text.

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

PROJECT:

(Name, location or address, and Project number, if any)

blank Demo - Washington Street Treatment Plant
Contract No. 052A154-A

The Contractor and Surety are bound to the Owner in the amount set forth above, for the payment of which the Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, as provided herein. The conditions of this Bond are such that if the Owner accepts the bid of the Contractor within the time specified in the bid documents, or within such time period as may be agreed to by the Owner and Contractor, and the Contractor either (1) enters into a contract with the Owner in accordance with the terms of such bid, and gives such bond or bonds as may be specified in the bidding or Contract Documents, with a surety admitted in the jurisdiction of the Project and otherwise acceptable to the Owner, for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof; or (2) pays to the Owner the difference, not to exceed the amount of this Bond, between the amount specified in said bid and such larger amount for which the Owner may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect. The Surety hereby waives any notice of an agreement between the Owner and Contractor to extend the time in which the Owner may accept the bid. Waiver of notice by the Surety shall not apply to any extension exceeding sixty (60) days in the aggregate beyond the time for acceptance of bids specified in the bid documents, and the Owner and Contractor shall obtain the Surety's consent for an extension beyond sixty (60) days.

If this Bond is issued in connection with a subcontractor's bid to a Contractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.

When this Bond has been furnished to comply with a statutory or other legal requirement in the location of the Project, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

Init.

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User Notes:

(1280601682)

24th April, 2013.

Signed and sealed this day of ,

Marydellie Clark
(Witness)

Christine K. Mast
(Witness)

Clark's General Contractors, Inc.

(Contractor as Principal) (Seal)

John F. Clark
(Title)

Aegis Security Insurance Company

(Surety) (Seal)

R. Clay Foltz
(Title) R. Clay Foltz, Attorney-In-Fact

Init.

SECTION 00300

BID FORM

Proposal of Richard E. Pierson Const. Co. Inc (hereafter called "BIDDER"), organized and existing under the laws of the State of New Jersey doing business as Corporation (Insert "a corporation", "a partnership", or "an individual" as applicable) to the City of Milford (hereinafter called "OWNER").

In compliance with the INVITATION TO BIDDERS, BIDDER hereby proposes to perform all WORK for the Washington Street Water Treatment Facility Replacement, Contract A – Demolition, in strict accordance with the CONTRACT DOCUMENTS, within the time set forth herein, and at the prices stated below.

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

BIDDER hereby agrees to commence WORK under this CONTRACT on or before a date to be specified in the NOTICE TO PROCEED and to fully complete the PROJECT within 90 consecutive calendar days thereafter. BIDDER further agrees to pay, as liquidated damages, an amount of \$1,500.00 per calendar day as defined in the GENERAL CONDITIONS.

BIDDER acknowledges receipt of the following ADDENDA:

Addendum 1 - April 17 2013
Addendum 2 - April 22 2013
RFI Response No. 1 - April 23 2013

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

ITEM NO. & DESCRIPTION OF WORK	UNIT	SIZE OR DEPTH	EST QTY	UNIT PRICE	TOTAL PRICE
1. Mobilization/Demobilization (Max. 3% of Total Bid)	LS	--	--	--	\$3,830.00
2. Remove and properly dispose of hazardous materials as outlined in Appendix 6.	LS	--	--	--	\$37,000.00
3. Demolish, remove and properly dispose of off-site: storage building complete, including loading dock, floor slab and foundations.	LS	--	--	--	\$40,000.00
4. Demolish, remove and properly dispose of off-site: office and treatment plant buildings complete, including floor slabs and foundations.	LS	--	--	--	\$40,000.00
5. Demolish, remove and properly dispose of off-site: wet well and aeration tower complete, including bottom slab and foundations.	LS	--	--	--	\$15,000.00
6. Demolish, remove and properly dispose of off-site: site features and concrete slabs.	LS	--	--	--	\$18,000.00
7. Disconnect, demolish, remove and properly dispose of off-site: site utilities.	LS	--	--	--	\$7,500.00

CONTINGENT ITEMS (ONLY TO BE USED AT THE DIRECTION OF ENGINEER)					
ITEM NO. & DESCRIPTION OF WORK	UNIT	SIZE OR DEPTH	EST QTY	UNIT PRICE	TOTAL PRICE
8. Undercut, Furnish, Install, and Compact GABC (#57 Stone)	CY	--	100	\$5,000.00 50.00	\$5,000.00
9. Undercut, Furnish, Install, and Compact Select Fill	CY	--	500	\$15.00	\$7,500.00
10. Test Pitting, Including Temporary Restoration	CY	--	100	\$25.00	\$2,500.00
11. Secure Modified Proctor Tests	EA	--	5	\$150.00	\$750.00
12. Secure Field Density Tests	EA	--	50	\$20.00	\$1,000.00

TOTAL BASE BID AMOUNT (ITEMS 1-12): \$ 177,480.00

The following BID ITEMS may be used as a replacement for the above BID ITEMS with the same corresponding item numbers should the City elect to not remove completely the foundations of the listed structure.

ALTERNATE BID ITEMS						
ITEM NO. & DESCRIPTION OF WORK	UNIT	SIZE OR DEPTH	EST QTY	UNIT PRICE	TOTAL PRICE	
3A Demolish, remove and properly dispose of off-site: storage building including loading dock, floor slab, and foundations to 2'-0" below grade.	LS	--	--	--	\$ 38,000.00	
4A Demolish, remove and properly dispose of off-site: office and treatment plant buildings including floor slabs and foundation to 2'-0" below grade.	LS	--	--	--	\$ 38,000.00	
5A Demolish, remove and properly dispose of off-site: wet well and aeration tower to base slab elevation only.	LS	--	--	--	\$ 13,000.00	

SUBCONTRACTOR and SUPPLIER LIST

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

SUBCONTRACTORS				
	CATEGORY	COMPANY NAME	ADDRESS (CITY, STATE)	DBE (Y/N)
1.	Asbestos Abatement	Astec Environmental	Wilmington DE	N
2.	Erosion and Sediment Control	Ram T or	Thorndale PA	Y
3.	Erosion and Sediment Control	RE Pierson Const Co Inc	Pilesgrove NJ	N
4.	Excavation and Backfill	RE Pierson Const Co Inc	Pilesgrove NJ	N
5.	Plumbing	RE Pierson Const Co Inc	Pilesgrove NJ	N
6.	Security Fencing	Federal Rent a Fence	Berlin NJ	N
7.	Trucking	Diamond Materials	Wilmington DE	N
8.	Trucking	Enviro Solutions	Elkridge MD	N
9.	Waste Trucking	RE Pierson Const Co Inc	Pilesgrove NJ	N
10.	Trucking	Waste Mgmt	Wilmington DE	N
SUPPLIERS				
	CATEGORY	COMPANY NAME	ADDRESS (CITY, STATE)	DBE (Y/N)
1.	Backfill Matls	Diamond Materials	Wilmington DE	N
2.				
3.				
4.				
5.				
6.				
7.				
8.				

BIDDER Please Note:

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

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

BIDDER agrees that this BID shall be good and may not be withdrawn for a period of ninety (90) days after the scheduled closing time for receiving BIDS. Upon receipt of written notice of the acceptance of this BID, BIDDER will execute the formal CONTRACT, attached to said notice, within twenty (20) days and deliver a Surety BOND or BONDS as required by the INFORMATION TO BIDDERS.

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

Respectfully submitted:

Cherri M Coles
Signature

April 24 2013
Date

Cherri M Coles Asst Secretary
Title

426 Swedesboro Road
Address

License Number (If applicable)

Pilesgrove NJ 08098
Address (cont'd)

Seal - (if bid is by a corporation)

END OF SECTION

SECTION 00370

BID BOND

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

Signed, this 24 day of April, 2013.

The condition of the above obligation is such that whereas the PRINCIPAL has submitted to the City of Milford a certain BID, attached hereto and hereby made a part hereof to enter into a CONTRACT, in writing, for the Washington Street Water Treatment Facility Replacement Project, Contract A: Demolition, Project # 052A154 - A.

NOW, THEREFORE,

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

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

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


_____, (L.S.)
PRINCIPAL
Cheryl M. Coles Asst Secretary

Liberty Mutual Insurance Company
SURETY

By: 

Kevin P. Adams, Attorney-in-Fact

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

END OF SECTION

THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.

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

Certificate No. 5700201

American Fire and Casualty Company
The Ohio Casualty Insurance Company

Liberty Mutual Insurance Company
West American Insurance Company

POWER OF ATTORNEY

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

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

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 13th day of December, 2012.



American Fire and Casualty Company
The Ohio Casualty Insurance Company
Liberty Mutual Insurance Company
West American Insurance Company
By: Gregory W. Davenport
Gregory W. Davenport, Assistant Secretary

STATE OF WASHINGTON ss
COUNTY OF KING

On this 13th day of December, 2012, before me personally appeared Gregory W. Davenport, who acknowledged himself to be the Assistant Secretary of American Fire and Casualty Company, Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Seattle, Washington, on the day and year first above written.



By: KD Riley
KD Riley, Notary Public

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

ARTICLE IV – OFFICERS – Section 12. Power of Attorney. Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

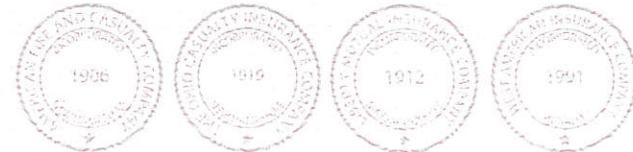
ARTICLE XIII – Execution of Contracts – SECTION 5. Surety Bonds and Undertakings. Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

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

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

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

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 24 day of April, 2013.



By: David M. Carey
David M. Carey, Assistant Secretary

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

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



LIBERTY MUTUAL INSURANCE COMPANY
 FINANCIAL STATEMENT — DECEMBER 31, 2012

Assets		Liabilities	
Cash and Bank Deposits.....	\$ 903,711,694	Unearned Premiums.....	\$4,205,141,671
*Bonds — U.S Government.....	1,166,929,471	Reserve for Claims and Claims Expense.....	17,056,420,207
*Other Bonds.....	11,415,194,219	Funds Held Under Reinsurance Treaties.....	1,315,062,091
*Stocks.....	8,104,853,899	Reserve for Dividends to Policyholders.....	2,455,411
Real Estate.....	255,967,320	Additional Statutory Reserve.....	49,768,998
Agents' Balances or Uncollected Premiums.....	3,482,069,753	Reserve for Commissions, Taxes and	
Accrued Interest and Rents.....	144,016,763	Other Liabilities.....	3,066,051,537
Other Admitted Assets.....	<u>14,732,623,458</u>	Total.....	\$25,694,899,915
Total Admitted Assets.....	<u>\$40,205,366,577</u>	Special Surplus Funds.....	\$604,621,497
		Capital Stock.....	10,000,000
		Paid in Surplus.....	7,899,471,886
		Unassigned Surplus.....	5,996,373,279
		Surplus to Policyholders.....	14,510,466,662
		Total Liabilities and Surplus.....	<u>\$40,205,366,577</u>



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

I, TIM MIKOLAJEWSKI, Assistant Secretary of Liberty Mutual Insurance Company, do hereby certify that the foregoing is a true, and correct statement of the Assets and Liabilities of said Corporation, as of December 31, 2012, to the best of my knowledge and belief.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Corporation at Seattle, Washington, this 25th day of March, 2013.

T Mikolajewski

Assistant Secretary

May 3, 2013

*Michael R. Wigley, AIA, LEED AP
Randy B. Duplechain, P.E.
Charles R. Woodward, Jr., LS
W. Zachary Crouch, P.E.
Michael E. Wheedleton, AIA
Jason P. Loar, P.E.
Gerald G. Friedel, P.E.*

City of Milford
201 S. Walnut Street
Milford, Delaware 19963

Attn: Richard Carmean
City Manager

RE: **Recommendation for Award**
Washington Street Water Treatment Facility Replacement Project
Contract A: Demolition
Contract No. 052A154-A

Dear Mr. Carmean:

Please find enclosed the tabulation and copies of the bids received for the above-referenced project. We have reviewed the submitted bids and find them to be in order.

Furthermore, our office has forwarded the bids to the Office of Engineering, Department of Public Health for review and compliance with the requirements of the funding agency, the Drinking Water State Revolving Fund (DWSRF) program. Supplemental information was required and has been submitted to demonstrate compliance with the Disadvantaged Business Enterprise (DBE) requirements. Copies of the supplemental information have been included with the attached bids.

After reviewing the submitted bids and supplemental information, **our office recommends award of the contract to R.E. Pierson Construction Co., Inc. in the amount of \$177,480.00.**

Should you have any questions or wish to discuss the matter further, please contact our office.

Sincerely,



Erik F. Retzlaff, P.E.
Associate

Enc.

Milford052A154A\Bidding\Recommendation for Award

cc: Doug Lodge, Office of Engineering

CITY OF MILFORD

WASHINGTON ST. WTF REPLACEMENT PROJECT
CONTRACT A: DEMOLITION



CERTIFIED BID OPENING RESULTS

Bid Opening: April 24, 2013
Location: City Hall
Milford, Delaware

BIDDER	TOTAL BASE BID AMOUNT (1-12)	ALTERNATE BID ITEMS (Y/N)	SUBCONTRACTOR AND SUPPLIER LIST (Y/N)	BID BOND (Y/N)
Rickaid E. Pearson Construction	177,480	Y	Y	✓
Clark's General Contractors	196,550	Y	Y	✓

CERTIFIED BY: 
TERESA K. HUDSON
CITY CLERK



CITY OF MILFORD

WASHINGTON STREET WATER TREATMENT FACILITY REPLACEMENT
CONTRACT A - DEMOLITION



Contract: 052A154-A
Bid Date: April 24, 2013

BID RESULTS

					Richard E. Pierson Construction Co. Inc.		Clark's General Contractors	
Item No. & Description		Size/ Depth	Unit	Est. Qty	Unit Price	Total Price	Unit Price	Total Price
1	Mobilization/Demobilization (Max. 3% of Total Bid Contract)	---	LS	---	---	\$3,230.00	---	\$3,500.00
2	Remove and properly dispose of hazardous materials as outlined in Appendix 6.	---	LS	---	---	\$37,000.00	---	\$16,400.00
3	Demolish, remove and properly dispose of off-site: storage building complete, including loading dock, floor slab and foundations	---	LS	---	---	\$40,000.00	---	\$30,000.00
4	Demolish, remove and properly dispose of off-site: office and treatment plant buildings complete, including floor slabs and foundations	---	LS	---	---	\$40,000.00	---	\$38,000.00
5	Demolish, remove and properly dispose of off-site: wet well and aeration tower complete, including bottom slab and foundations	---	LS	---	---	\$15,000.00	---	\$49,500.00
6	Demolish, remove and properly dispose of off-site: site features and concrete slabs	---	LS	---	---	\$18,000.00	---	\$19,000.00
7	Disconnect, demolish, remove and properly dispose of off-site : site utilities	---	LS	---	---	\$7,500.00	---	\$20,000.00
Contingent Items (To be Completed at the Direction of the Engineer)								
8	Undercut, furnish, install and compact GABC (#57 Stone)	---	CY	100	\$50.00	\$5,000.00	\$44.50	\$4,450.00
9	Undercut, furnish, install and compact select fill	---	CY	500	\$15.00	\$7,500.00	\$19.00	\$9,500.00
10	Test pitting, including temporary restoration	---	CY	100	\$25.00	\$2,500.00	\$32.00	\$3,200.00
11	Secure modified proctor tests	---	EA	5	\$150.00	\$750.00	\$100.00	\$500.00
12	Secure field density tests	---	EA	50	\$20.00	\$1,000.00	\$50.00	\$2,500.00
TOTAL BID (ITEMS 1 - 12)						\$177,480.00		\$196,550.00

Alternate for Bid Item Items								
3A	Demolish, remove and properly dispose of off-site: storage building including loading dock, floor slab, and foundations to 2'-0" below grade	---	LS	---	---	\$38,000.00	---	\$28,500.00
4A	Demolish, remove and properly dispose of off-site: office and treatment plant buildings including floor slabs and foundation to 2'-0" below grade	---	LS	---	---	\$38,000.00	---	\$34,000.00
5A	Demolish, remove and properly dispose of off-site: wet well and aeration tower to base slab elevation only	---	LS	---	---	\$13,000.00	---	\$49,500.00





**DAVIS
BOWEN &
FRIEDEL, INC.**

ARCHITECTS ENGINEERS SURVEYORS

Michael R. Wigley, AIA, LEED AP
Randy B. DuBois, P.E.
Charles R. Woodward, Jr., LS
W. Zachary Crouch, P.E.
Michael E. Wheelerton, AIA
Jason P. Lear, P.E.
Gerald G. Friedel, P.E.

February 8, 2013

City of Milford
201 S. Walnut Street
P.O. Box 159
Milford, Delaware 19963

BID \$ 762,400
BALANCE OF BOND
ISSUE \$600,000

\$162,400

Attn: Richard D. Carmean
City Manager

RE: **Recommendation for Award**
Pump Station Rehabilitation Project
Washington St. Sewage Pumping Station
Milford, Delaware
DBF # 052A155

NEED CANCEL ANNUAL
FROM SUNK RESERVES

Dear Richard:

Please find enclosed the tabulation and copies of the bids received for the above-referenced project. After reviewing the submitted bids, our office recommends award of the contract to **Bearing Construction, Inc. in the amount of \$762,400.00.**

While reviewing the submitted bids, we identified a multiplication error in the bid submitted by Johnston Construction Company. This discrepancy is seen in the unit price bid and total price listed for Bid Items 11, 12 and 13. Correcting the multiplication error reduces Johnston Construction Company's submitted bid by a total of \$112.00 and has no impact on the ranking of the bidders. The multiplication error has been corrected in the attached bid tabulation.

Should you have any questions or wish to discuss the matter further, please contact our office.

Sincerely,

Erik F. Rezkaff, P.E.
Associate

Milford052A155ARC Award Rec

Enclosure

Washington Street Pump Station Rehabilitation

The approved contract with Bearing Construction is to be paid from the balance of the sewer bond issue first and then sewer reserves. We will have approximately \$600,000 in bond issue funds left to be able to pay towards this contract. The balance of \$162,400 needs to be approved by council and to be paid from sewer reserves.

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

EDAP MEMBERS

May 9, 2013

B. Craig Crouch	Kent-Sussex Industries, Inc.
Bob Connelly	
Brian Warnock	WSFS
Bryan Shupe	Milford LIVE
Dave Hitchens, Vice Chair	Key Properties Group
David Markowitz	
Irv Ambrose	Downtown Milford Incorporated
Jo Schmeiser	Chamber of Commerce for Greater Milford
Michael Ashton	Bayhealth Medical Center
Nolan Williams	
Phillip Ruiz	
Phyllis Kohel	Milford School District
Sher Valenzuela, Chair	First State Manufacturing
Garrett Grier	City of Milford Councilmember
Stephen T. Masten	Economic Development Director

From: Christine R. Crouch
Sent: Tuesday, April 23, 2013 10:42 AM
To: Terri Hudson
Subject: EDAP

EDAP made the following member recommendations at their 04/17 meeting:

**Member Recommendations:*

Jennifer Barto – Hampton Inn

Pete Renzi-IG Burton

Tax Parcel No.: MD-16-173.00-01-06.00-000

Prepared by and Return to:
JSI Milford Realty Company
1805 29th Street, Suite 2054
Boulder, CO 80301

Grant of Permanent Utility Easement

THIS EASEMENT AGREEMENT (this “Agreement”) is made on this ____ day of, April, 2013, by and between JSI MILFORD REALTY COMPANY, a Delaware corporation (hereinafter called “Grantor”), THE CITY OF MILFORD, a municipal corporation and, its successors and assigns (hereinafter called “Grantee”).

For and in consideration of the sum of One Dollar (\$1.00), and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor does hereby grant and convey unto Grantee for the benefit of the Grantee Parcel (as defined below) a non-exclusive permanent utility easement (the “Easement”) over, under, across and along the “Easement Area,” which is located in the City of Milford, Kent County, State of Delaware within Tax Parcel MD-16-173.00-01-06.00-000, more particularly described on Exhibit A.

Grantee is hereby entitled to use the Easement Area for the following purposes (collectively, the “Permitted Uses”): (a) to construct, operate, maintain, inspect, protect, repair, replace, enlarge, upgrade, extend and remove communications and utility facilities and relocate within the Easement Area all necessary and convenient facilities, which include but are not limited to communications equipment and cabling, poles, anchors, guys, supporting structures, conductors, conduits, enclosures, grounding systems, foundations, manholes, transformers, and associated equipment, adding thereto from time to time; (b) to perform grading or filling for such facilities; and (c) to cut, trim, remove and/or otherwise control, with herbicides or by other means, at Grantee’s option, any trees, limbs or branches, brush, shrubs, undergrowth, of whatever size, buildings, structures, or other obstructions that in Grantee’s reasonable judgment endanger or interfere with the safety or use of its facilities, both within and adjoining the Easement Area.

The Easement is given to Grantee subject to the following conditions, which are expressly accepted by Grantee:

- 1) The installation and maintenance activities of Grantee shall be at the sole cost and expense of Grantee.
- 2) Grantee shall at all times defend, indemnify and hold harmless Grantor and its successors and assigns from any liability or damages arising out of any claim for property damages or for personal injuries, resulting from Grantee’s exercise of its

rights hereunder or Grantee's use of the Easement Area, unless arising from the gross negligence or willful misconduct of Grantor or its representatives.

- 3) Grantee's use of the Easement Area is limited to Permitted Uses. Grantee may maintain such permanent fixtures as permitted by the Permitted Uses.
- 4) Grantee may not assign its rights, in whole or in part, to a third party without first having obtained Grantor's approval in writing.
- 5) Grantee will comply with all rules and regulations of governmental authorities which are applicable to Grantee's use of the Easement Area and will at its own expense obtain and maintain any required permits or licenses with respect to its use of the Easement Area.
- 6) Subject to Grantor's obligation under Section 7 below, Grantor reserves the right to use the Easement Area for any purpose that does not interfere with Grantee's rights hereunder.
- 7) Grantor will not build any structures, walls or fences on the Easement Area or any part thereof, change the grade of the Easement Area or any part thereof, or use the Easement Area or any part thereof, in each case in such a way as to interfere with Grantee's immediate and unimpeded access to, or the function of, its improvements installed on the Easement Area, or otherwise interfere with Grantee's lawful exercise of any of the rights herein granted, without first having obtained Grantee's approval in writing, and Grantor will not permit or suffer others to do any of said acts without such approval.
- 8) The Easement shall be permanent and all of the foregoing promises shall run with the land.
- 9) This Agreement may be executed by the parties and acknowledged in one or more counterparts, all of which taken together, shall constitute one and the same instrument.

[Signature page follows]

IN WITNESS WHEREOF, the parties hereto have executed this easement agreement as of the day and year first above written.

GRANTOR:

JSI MILFORD REALTY COMPANY, a
Delaware corporation

By: _____

Name: Michael J. Martin

Title: President

GRANTEE:

THE CITY OF MILFORD, a municipal
corporation

By: _____

Name: _____

Title: _____

Exhibit A

Easement Area

See attached.

*Gerald G. Friedel, P.E.
Michael R. Wigley, AIA, LEED AP
Randy B. Duplechain, P.E.
Charles R. Woodward, Jr., LS
W. Zachary Crouch, P.E.
Michael E. Wheelleton, AIA
Jason P. Loar, P.E.*

LEGAL DESCRIPTION

UTILITY EASEMENT

LANDS OF JSI MILFORD REALTY COMPANY

October 30, 2012

ALL that strip, piece or parcel of land, of varying width, , situate lying and being on the northeasterly side of State Route 14 being more particularly described as follows:

BEGINNING at a point formed by the intersection of the northeasterly right-of-way line of State Route 14, 80 feet wide, with the southeasterly line of lands of, now or formerly, Clough Properties, LLC, as recorded in said Office of the Recorder of Deeds in and for Kent County and the State of Delaware in Deed Book D-680, Page 53; said point lying South 48 degrees 24 minutes 10 seconds West 0.70 feet from a concrete monument found, thence,

- 1) leaving said right-of-way line of State Route 14 and running by and with said Clough lands, North 48 degrees 24 minutes 10 seconds East 457.77 feet to a point, thence,
- 2) leaving said Clough lands and running through the lands of the JSI Milford Realty Company, the following 4 courses and distances, South 39 degrees 24 minutes 39 seconds East 259.30 feet to a point, thence running,
- 3) South 42 degrees 26 minutes 22 seconds East 208.87 feet to a point, thence running,
- 4) South 42 degrees 37 minutes 39 seconds East 460.06 feet to a point, thence running,
- 5) South 45 degrees 40 minutes 21 seconds East 598.25 feet to a point on the northwesterly line of lands of, now or formerly, City of Milford; said lands being Lot 1 as shown on a plot recorded in said Office of the Recorder of Deeds in and for Kent County and the State of Delaware in Plot Book 113, Page 96, thence running,
- 6) by and with said City of Milford lands, South 34 degrees 00 minutes 14 seconds West 40.66 feet to a point on the northeasterly line of lands of, now or formerly, CCY, Inc., as recorded in said Office of the Recorder of Deeds in Deed Book S-42, Pages 137 & 139, thence,
- 7) leaving said City of Milford lands and running by and with said CCY, Inc. lands, North 45 degrees 40 minutes 21 seconds West 606.60 feet to an iron pipe found at a point on the northeasterly line of lands of,

now or formerly, Wilbur O. & Marjorie M. Smith, as recorded in said Office of the Recorder of Deeds in Deed Book O-29, Page 57, thence,

8) leaving said CCY, Inc. lands and running by and with said Smith lands and in part running by and with lands of now or formerly, Charles R. & Marie E. Bradley, as recorded in said Office of the Recorder of Deeds in Deed Book D-215, Page 32, and in part running by and with lands of, now or formerly, Robert N. & Audrey M. Penney, as recorded in said Office of the Recorder of Deeds in Deed Book P-45, Page 160, North 42 degrees 37 minutes 39 seconds West 461.18 feet to a concrete monument found at a point on the northeasterly line of lands of, now or formerly, Robert Grant, as recorded in said Office of the Recorder of Deeds in Deed Book S-54, Page 258, thence,

9) leaving said Penney lands and running by and with said Grant lands, and in part running by and with lands of, now or formerly, MPC Associates, as recorded in said Office of the Recorder of Deeds in Deed Book E-40, Page 140, North 42 degrees 26 minutes 22 seconds West 209.99 feet to an iron rod and cap set at a point on the northeasterly line of lands of, now or formerly, The First United Pentecostal Church, as recorded in said Office of the Recorder of Deeds in Deed Book B-28, Page 383, thence,

10) leaving said MPC Associates lands and running by and with said Church lands, the following 2 courses and distances, North 39 degrees 24 minutes 39 seconds West 208.73 feet to an iron pipe found at a point, thence running,

11) South 48 degrees 24 minutes 38 seconds West 417.74 feet to an iron rod and cap set at a point on the aforementioned right-of-way line of State Route 14, thence running,

12) leaving said Church lands and running by and with said right-of-way line of State Route 14, North 39 degrees 24 minutes 39 seconds West 50.04 feet to the point and place of beginning;
CONTAINING 1.886 acres of land, more or less.



**CITY OF MILFORD
FUND BALANCES REPORT**

Date: MARCH 2013

Cash Balance - General Fund Bank Balance	\$2,537,701
Cash Balance - Electric Fund Bank Balance	\$4,056,513
Cash Balance - Water Fund Bank Balance	\$1,926,639
Cash Balance - Sewer Fund Bank Balance	\$427,422
Cash Balance - Trash Fund Bank Balance	\$415,882

	<u>General Improvement</u>	<u>Municipal Street Aid</u>	<u>Real Estate Transfer Tax</u>	<u>Solid Waste Reserves</u>
Beginning Cash Balance	315,060	978,508	1,856,712	0
Deposits			10,891	
Interest Earned this Month	35	107	231	
Disbursements this Month			(41,667)	
Investments				250,000
Ending Cash Balance	\$315,095	\$978,615	\$1,826,167	\$250,000

	<u>GF Capital Reserves</u>	<u>Water Capital Reserves</u>	<u>Sewer Capital Reserves</u>	<u>Electric Reserves</u>
Beginning Cash Balance	2,440,145	4,423,293	3,542,604	11,020,864
Deposits				
Interest Earned this Month	325	579	464	1,398
Disbursements this Month				
Investments	250,000			
Ending Cash Balance	\$2,690,470	\$4,423,872	\$3,543,068	\$11,022,262

	<u>Water Impact Fee</u>	<u>Sewer Impact Fee</u>	<u>Electric Impact Fee</u>
Beginning Cash Balance	1,044,764	\$731,504	\$277,094
Deposits	2,245	\$1,186	\$1,200
Interest Earned this Month	121	\$88	\$34
Disbursements this Month			
Investments			
Ending Cash Balance	\$1,047,130	\$732,778	\$278,328

INTEREST THROUGH THE NINTH MONTH OF THE FISCAL YEAR:

General Fund	8,075	Water Fund	2,404
GF Capital Reserves	8,129	Water Capital Reserves	13,084
General Improvement Fund	378	Water Impact Fees	750
Municipal Street Aid	1,100	Sewer Fund	632
Real Estate Transfer Tax	4,194	Sewer Capital Reserves	13,318
Electric Fund	5,144	Sewer Impact Fees	544
Electric Reserves	52,814	Trash Fund	4,772
Electric Impact Fees	211		

TOTAL INTEREST EARNED TO DATE \$115,549

REVENUE REPORT

Page Two

75% of Year Expended

Date: March 2013	AMOUNT BUDGETED	MTD	YTD	YTD%
ACCOUNT				
Budgeted Fund Balance	163,735	0	163,733	100.00%
General Fund Capital Reserves	413,506	40,555	149,996	36.27%
Property Transfer Tax-Police	500,000	41,667	375,000	75.00%
Real Estate Tax	3,508,380	3,032	3,582,933	102.12%
Business License	35,000	2,100	31,725	90.64%
Rental License	85,000	1,150	88,800	104.47%
Building Permits	60,000	3,574	91,124	151.87%
Planning & Zoning	25,000	0	7,700	30.80%
Grasscutting Revenue	5,000	417	3,745	74.90%
Police Revenues	431,454	15,235	276,427	64.07%
Misc. Revenues	262,810	42,970	146,477	55.73%
Transfers From	3,215,480	267,956	2,411,610	75.00%
Total General Fund Revenues	\$8,705,365	\$418,656	\$7,329,270	84.19%
Water Revenues	2,330,000	178,107	1,855,721	79.64%
Sewer Revenues	2,042,443	158,899	1,551,373	75.96%
Kent County Sewer	1,500,000	109,086	1,091,528	72.77%
Solid Waste Revenues	1,118,252	92,597	830,832	74.30%
Electric Revenues	23,686,500	1,550,218	18,596,598	78.51%
TOTAL REVENUES	\$39,382,560	\$2,507,563	\$31,255,322	79.36%
YTD Enterprise Expense		59,482		
YTD Enterprise Revenue		61,897		
LTD Carlisle Fire Company Building Permit Fund		83,174		

EXPENDITURE REPORT

Page Three

Date: March 2013

75% of Year Expended

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	YTD%	UNEXPENDED BALANCE
City Manager					
Personnel	477,850	\$48,114	363,331	76.07%	114,319
O&M	158,505	\$17,340	82,268	52.57%	74,237
Capital	0	\$0	0		0
Total City Manager	\$634,155	\$65,454	\$445,599	70.27%	188,556
Planning & Zoning					
Personnel	127,535	\$13,105	87,067	68.27%	40,468
O&M	35,550	\$2,295	20,152	58.89%	15,398
Capital	0	\$0	0		0
Total P, C & I	\$163,085	\$15,400	\$107,219	65.74%	55,866
Code Enforcement & Inspections					
Personnel	141,890	\$15,705	102,448	72.20%	39,442
O&M	55,200	\$2,539	26,400	47.83%	28,800
Capital	0	\$0	0		0
Total P, C & I	\$197,090	\$18,244	\$128,848	65.38%	68,242
Council					
Personnel	31,225	\$2,457	18,846	60.36%	12,379
O&M	39,650	\$3,220	23,478	59.21%	16,172
Council Expense	17,000	\$401	13,271	78.06%	3,729
Contributions	369,735	\$0	369,733	100.00%	2
Codification	3,000	\$0	2,642	88.07%	358
Employee Recognition	9,000	\$0	8,885	98.72%	115
Insurance	17,000	\$4,463	17,881	105.18%	(881)
Capital	18,275	\$0	18,338	100.34%	(63)
Total Council	\$504,885	\$10,541	\$473,074	93.70%	31,811
Finance					
Personnel	330,625	\$36,875	240,572	72.76%	90,053
O&M	51,325	\$2,553	28,870	56.25%	22,455
Capital	16,000	\$0	0	0.00%	16,000
Total Finance	\$397,950	\$39,428	\$269,442	67.71%	128,508
Information Technology					
Personnel	170,165	\$18,439	125,152	73.55%	45,013
O&M	169,550	\$7,161	68,755	40.55%	100,795
Capital	86,376	\$26,699	70,986	82.18%	15,390
Total Information Technology	\$426,091	\$52,299	\$264,893	62.17%	161,198

EXPENDITURE REPORT

Page Four

Date: March 2013

75% of Year Expended

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	YTD%	UNEXPENDED BALANCE
Police Department					
Personnel	3,585,375	\$379,471	2,608,889	72.76%	976,486
O&M	504,280	\$45,072	394,859	78.30%	109,401
Capital	266,954	\$12,848	225,839	84.60%	41,115
Total Police	\$4,356,589	\$437,391	\$3,229,587	74.13%	1,127,002
Streets & Grounds Division					
Personnel	422,865	\$38,302	266,785	63.09%	156,080
O&M	407,265	\$25,729	249,412	61.24%	157,853
Capital	75,000	\$0	0	0.00%	75,000
Debt Service	46,095	\$0	44,182	95.85%	1,913
Total Streets & Grounds	\$951,225	\$64,031	\$560,379	58.91%	390,846
Parks & Recreation					
Personnel	480,345	\$42,135	342,824	71.37%	137,521
O&M	232,940	\$12,060	181,344	77.85%	51,596
Capital	361,010	\$3,327	176,128	48.79%	184,882
Total Parks & Recreation	\$1,074,295	\$57,522	\$700,296	65.19%	373,999
Total General Fund					
Operating Budget	\$8,705,365	\$760,310	\$6,179,337	70.98%	2,526,028

EXPENDITURE REPORT

Page Five

Date: March 2013

75 % of Year Expended

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	YTD%	UNEXPENDED BALANCE
Water Division					
Personnel	219,350	\$24,041	161,535	73.64%	57,815
O&M	1,185,150	\$86,010	831,780	70.18%	353,370
Capital	80,000	\$0	31,377	39.22%	48,623
Debt Service	845,500	\$0	475,060	56.19%	370,440
Total Water	\$2,330,000	\$110,051	\$1,499,752	64.37%	830,248
Sewer Division					
Personnel	219,350	\$24,039	161,525	73.64%	57,825
O&M	1,092,885	\$91,399	812,639	74.36%	280,246
Capital	35,000	\$0	33,905	0.00%	1,095
Debt Service	705,208	\$0	541,556	76.79%	163,652
Sewer Sub Total	\$2,052,443	\$115,438	\$1,549,625	75.50%	502,818
Kent County Sewer	1,500,000	\$108,953	1,091,529	72.77%	408,471
Total Sewer	\$3,552,443	\$224,391	\$2,641,154	74.35%	911,289
Solid Waste Division					
Personnel	338,610	\$37,364	251,614	74.31%	86,996
O&M	779,842	\$54,742	559,230	71.73%	220,412
Capital	0	\$0	0		0
Total Solid Waste	\$1,118,252	\$92,106	\$810,844	72.51%	307,408
Total Water, Sewer Solid Waste					
	\$7,000,695	\$426,548	\$4,951,750	70.73%	2,048,945
Electric Division					
Personnel	972,700	\$102,013	707,226	72.71%	265,474
O&M	1,801,635	\$139,669	1,158,197	64.29%	643,438
Transfer to General Fund	2,500,000	\$208,333	1,875,000	75.00%	625,000
Capital	266,725	\$0	7,940	2.98%	258,785
Debt Service	645,440	\$238,347	546,816	84.72%	98,624
Electric Sub Total	\$6,186,500	\$688,362	\$4,295,179	69.43%	1,891,321
Power Purchased	17,500,000	\$1,491,558	14,259,827	81.48%	3,240,173
Total Electric	\$23,686,500	\$2,179,920	\$18,555,008	78.34%	5,131,494
TOTAL OPERATING BUDGET					
	\$39,392,580	\$3,366,778	\$29,686,093	75.36%	9,706,467

INTERSERVICE DEPARTMENTS REPORT

Page Six

Date: March 2013

ACCOUNT	AMOUNT BUDGETED	MTD	75% of Year Expended		UNEXPENDED BALANCE
			YTD	YTD%	
Garage					
Personnel	91,800	8,208	55,968	60.97%	35,832
O&M	65,655	4,581	44,108	67.18%	21,547
Capital	0	0	0		0
Total Garage Expense	\$157,455	12,789	\$100,076	63.56%	57,379
Public Works					
Personnel	275,070	26,289	166,100	60.38%	108,970
O&M	240,550	25,098	150,016	62.36%	90,534
Capital	21,300	0	20,880	98.03%	420
Total Public Works Expense	\$536,920	51,387	\$336,996	62.76%	199,924
Meter Department-Water					
Personnel	123,030	13,860	91,642	74.49%	31,388
O&M	100,145	6,481	50,806	50.73%	49,339
Capital	0	0	0		0
Total Water Meter Expense	\$223,175	20,341	\$142,448	63.83%	80,727
Meter Department-Electric					
Personnel	174,500	19,230	129,684	74.32%	44,816
O&M	97,560	8,862	43,713	44.81%	53,847
Capital	0	0	0		0
Total Electric Meter Expense	\$272,060	28,092	\$173,397	63.73%	98,663
Billing & Collections					
Personnel	445,725	64,157	351,784	78.92%	93,941
O&M	283,830	19,992	204,183	71.94%	79,647
Capital	0	0	0		0
Total Billing & Collections	\$729,555	84,149	\$555,967	76.21%	173,588
City Hall Cost Allocation					
Personnel	0	0	0		0
O&M	54,600	5,175	38,122	69.82%	16,478
Capital	0	0	0		0
Total City Hall Cost Allocation	\$54,600	5,175	\$38,122	69.82%	16,478

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

MILFORD CITY COUNCIL
MINUTES OF MEETING
April 8, 2013

The Monthly Meeting of Milford City Council was held in the Joseph Ronnie Rogers Council Chambers of Milford City Hall, 201 South Walnut Street, Milford, Delaware on Monday, April 8, 2013.

PRESIDING: Mayor Joseph Ronnie Rogers

IN ATTENDANCE: Councilpersons Steve Johnson, Garrett Grier III, S. Allen Pikus, Dirk Gleysteen, Owen Brooks, Jr. and Douglas Morrow, Sr.

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

COUNSEL: City Solicitor David Rutt, Esquire

CALL TO ORDER

Mayor Rogers called the Monthly Meeting to order at 7:02 p.m.

INVOCATION AND PLEDGE

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

APPROVAL OF MINUTES

Motion made by Mr. Brooks, seconded by Mr. Gleysteen to approve the minutes of the March 5, 2013 Task Force for the Homeless Subcommittee Meeting and March 11, 2013 and March 25, 2013 Council Meetings as presented. Motion carried.

RECOGNITION

President Marvin Sharp of Carlisle Fire Company was present.

MONTHLY POLICE REPORT

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

CITY MANAGER REPORT

Mr. Carmean presented the following report:

ADMINISTRATION

The boiler room repairs that have been required by DNREC have been mostly completed. The emergency shut-off switch on the outside entrance to the room and the fresh air vent are both now in place. We have requested we be allowed to operate the boiler for a few more weeks until the weather warms up. However, we have not had a response though we have not needed it due to the weather. We have been experiencing the small leak for a number of years but it should be safe for a short period.

We are still getting some prices together for repairs before it is determined whether we need a completely new insert.

I have continued my communications with PNC real estate representatives. I have been told by they would provide an asking price by late April.

I would like to invite the Mayor and Council to a ceremony commissioning the solar farm. Governor Markell plans to attend along with some of his staff. DEMEC President Pat McCullar will also attend as well as other dignitaries including state and municipal officials. The date is April 17th at 10:00 a.m. We must R.S.V.P. to DEMEC by Friday April 12th.

Our customer service and billing consultant, Mark Roberts, has completed his first training visit spending most of his time with billing staff. Our staff was very cooperative and receptive to some of the changes recommended by Mr. Roberts. I am extremely impressed with the improvements he made in such a short time.

Mr. Roberts has now returned for another two weeks.

STREETS AND SOLID WASTE

I am contracting with a paving contractor to repair several sinkholes in the city parking lot on North Washington Street and Northeast Front Street. We are uncertain why these depressions occurred, but they must be repaired.

I received a quote to do a complete overlay and striping of the city parking lot at Northeast Front Street and Bicentennial Park. The lot has not been paved in many years and there are several good reasons to have it done now. Dennis Silicato, who owns the commercial building at that location is giving his property a complete facelift and resurfacing the parking slots in the front of the businesses as a result of Arena's locating there. This work will be done by the same contractor and for that reason it makes for a better price to the city. I received a quote of approximately \$26,000.00 for the project.

The repairs to the parking lot between Walnut and Washington Street and the lot behind Milford Tavern/Georgia House will be paid for funds leftover from Milford Parking Authority. The Park Avenue/Front Street Parking lot paving will be paid from the General Fund Reserve Account.

Airport Road will have a detour in place for a few weeks in May. I have required the developers, at their expense, to construct a left turn lane at the entrance of the Cascades development. I will provide you with a copy of the map showing the extent of the detour and the detour itself.

The final engineering for the Southeast Front Street and infrastructure project should be complete in mid-April. I will make every attempt to get this overdue construction project underway this year.

The engineering work was completed but then we felt some work was needed on Columbia Street. With the road open, some additional work will be done on the infrastructure (stormwater to sewer and water) on the west end

Mr. Pikus confirmed the construction project occurring on Walnut Street in the downtown area is a state project. Mr. Carmean explained that though it is a state street, the city is responsible for any repairs. He advised our public works director has received several e-mails from URS who is the project's engineering firm.

Mr. Carmean told Mr. Dennehy he wanted the project completed by the date of the Bug N Bud festival.

SEWER AND WATER

The advertisement for the acceptance of sealed bids for the South Washington Street water plant demolition will be posted by Friday April 5, 2013. I required each bidder to provide two bids on the project. One bid will cover demolishing only to grade level and the second bid would cover demolishing below grade to remove all foundations. The second bid will only be awarded if our billing office is placed at that site. That is the reason I will need an answer from PNC as soon as possible.

The sewer pump station replacement at South Washington Street will begin in June. I will probably have the grinders at the present station replaced before that date because I do not think we can be assured of the present grinders making it until then. If I put the grinders in place, they will be transferred to the new facility.

I have reported that we had a very successful test well on our property located across the street from the city hall rear parking lot. Randy Duplechain and I met with some of the prospective bidders last week. We will receive the sealed bids shortly for the permanent well to be placed at the site. The water from the well will be pumped to the new treatment plant when it is completed at 5 South Washington Street.

The new Wilkins Road water main is finished. We have pressure tested the lines and are waiting for the results of the bacteria testing.

I would like to explore the possibility of extending our new main that passes under Route 1 about 3,000 feet down Cedar Neck Road. I have spoken to several of our fire department members and they believe it could be of great help to have a few hydrants and a sustainable water supply if a serious fire occurs in any of the developments on that road. We do have money in our reserves for water and will price the work and bring the results back to mayor and council.

Mr. Carmean asked Carlisle Fire Company President Marvin Sharp to attend in order to comment on the extension. Mr. Sharp said that anytime a main can be extended and a few hydrants dropped helps their operation. It also affects the resident's fire insurance.

He explained it will dead-end until it can be looped on Bucks Road. Until that time, it will be added to our regular maintenance program and flushed every three months or less.

Mr. Brooks asked if the city manager has heard that DSWA has increased their rates \$1 a ton; Mr. Carmean advised that Mr. Dennehy recently attended a meeting where the proposed increase was discussed.

Mr. Brooks confirmed that we still receive a rebate each year; Mr. Carmean stated yes.

Mr. Johnson recalled sometime ago there was a discussion about a security camera not properly functioning and asked the status; Chief Hudson confirmed that he that all the security cameras now fall under the responsibility of the police department and they are all working properly.

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

COMMITTEE & WARD REPORTS

Mr. Brooks reported that he attended the previous Delaware League of Local Government meeting. At that time, Director of Planning Connie Holland commented that the City of Milford is doing a great job with their comprehensive plan. Apparently, there are a number of municipalities behind in their updates.

COMMUNICATIONS & CORRESPONDENCE

Included in packet.

UNFINISHED BUSINESS

Downtown Milford, Incorporated Lease

The lease (attached) was reviewed and discussed by council at a previous meeting. City Solicitor Rutt advised the only change is in the term length. It has been extended from one year to five years.

The solicitor confirmed the agreement still contains the provision that if the city decides to condemn the building, a one year notice will be given for DMI to vacate.

Mr. Carmean then advised that he recently hired a professional inspector to inspect the home because of the lease and to ensure there is no health danger. Once DMI is in, the entire maintenance is their responsibility. However, he decided to fix the roof, steps and handrail before the city rents the house to DMI. Fortunately, it is costing very little money. He reported that the boiler is fine according to the inspection.

Mr. Pikus confirmed DMI will be using off-street parking; Mr. Carmean said no one has mentioned it though he believes they assume they will be using some of our parking spaces. At the meeting when the lease was initially discussed, DMI President Irv Ambrose stated they will not need to use the city parking lot; Mr. Rutt agreed. Mr. Pikus agreed adding Mr. Ambrose stated they would only use street parking.

Mr. Johnson verified that at the end of five years if council decides they no longer want to rent the home, there is no other option to continuing renting the house. His concern is the contract will only allow the city to tear the home down at the end of the five years.

Mr. Rutt explained the contract will terminate by term which is the end of the five years. The city will then have the option of extending the contract or terminating the contract. Options were not included because he does not want to obligate them beyond the five years.

Mr. Johnson questioned whether the city has another option at that time; Mr. Rutt explained it is not an official option. The option is the city is the landlord and at four years and six months, the city can inform DMI they wish to renegotiate to extend the contract or enter into a completely new lease. Instead of adding the clause that DMI has the option to renew the agreement or the city would automatically renew, it will terminate by its own terms.

Mr. Rutt recommends that at the end of the four years, council revisit the contract due to the one-year termination clause to tear the building down. At the end of that four-year period, it should be reviewed and a decision made.

Mr. Pikus moved to approve the terms as prepared in the lease presented to DMI, subject to their acceptance and execution, seconded by Mr. Johnson. Motion carried.

NEW BUSINESS

Bid Award/Steel Transmission Poles/138kV Transmission Line Project/Electric Department

Lloyd G. Weatherman of the city's electric consulting firm, Progressive Engineering Consultants, Incorporated, submitted the following letter:

Sealed bids were received, publicly opened and read in the Council Chambers on March 21, 2013 for furnishing steel transmission poles associated with your 138kV Transmission Line Project. As shown by the enclosed tabulation of nine (9) bids received and corrected for mathematical errors, M. D. Henry Company, Inc. submitted the lowest cost proposal in the amount of \$753,954.00.

We have reviewed this proposal and find it to be in compliance with the specifications. We recommend that the City accept this proposal as submitted.

Mr. Carmean recalled that this project was included in the 2008 referendum; however, half of the \$8 million costs will now be paid from electric reserves. The other half will be paid from the funds referenced in the referendum (\$4 million).

Mr. Pikus confirmed this money will be transferred from electric reserves to general funds; Mr. Carmean stated yes, it depends on the status of the borrowed money which will be spent first.

Mr. Pikus moved to award the bid to M.D. Henry Company, Incorporation in the amount of \$753,954, seconded by Mr. Gleysteen. Motion carried by unanimous roll call vote.

Mr. Carmean reported that the city recently obtained the final easement to complete this project. He attributes the delays to the ownership change of Delmarva Power and their unfamiliarity with the city. He said this is a favor to Delmarva Power and they are in turn, making demands on the city. The city refused to sign their most recently proposed agreement.

He said this will seal the deal for getting the 138kV transmission line from the end of Route 113 to the new substation.

Mr. Pikus asked if we have any easements behind the Dash In Gas Station on Route 113/Route 14. Mr. Carmean explained we had a way of getting across this area but we would have had complaints from the Wright family and Jim Hammond. A doctor on Route 113 did give the city permission to place a pole on her property; however, that pole needed guide wiring that required another pole on a separate property.

Introduction of Ordinance 2013-3/Change of Zone/Louis & Shirley Renzi Properties/Cedar Creek Road

City Planner Gary Norris advised the Planning Commission met and voted unanimously to include this land in the comp plan. On Tuesday, the planning commission will make a recommendation to city council on the zoning. The property is completely surrounded by C-3 and is less than five acres. Therefore, it is considered an enclave. He recommends the zone be C-3.

Mr. Norris advised that in the past there have been conditions placed on annexations regarding zonings or future subdivisions. If city council wants to include any of those conditions, that can be recommended at this time or during the public hearing at the next meeting.

Mr. Pikus does not think there will be any conditions on the zoning because it is completely surrounded by C-3.

Mr. Carmean said particular annexation involves only one property that is surrounded by C-3. He agrees there is no need for a lot of stipulations.

The following ordinance was then officially introduced:

*Annexation/Lands belonging to Louis J. & Shirley L. Renzi
Tax Parcel No(s): 3-30-15.00-059.00; 3-30-15.00-059.01
3.00 +/- Acres
Current Zone AR-1/Proposed Zone C-3*

An Ordinance to Amend the Zoning Designation of the parcel of land, under the ownership of Louis J. and Shirley L. Renzi, Tax Parcels 3-30-15.00-059.00 and 3-30-15.00-059.01, situated on the west side of Cedar Creek Road (SR 30), approximately 1,500 feet south of the intersection of Wilkins Road (CR 206) and Cedar Creek Road (SR 30), upon its annexation into the City of Milford by resolution as adopted by the City Council of Milford, Delaware.

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

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

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

WHEREAS, the City Council referred the zoning of the affected territory to the Planning and Zoning Commission for a report and recommendation and after a due hearing on April 16, 2013 as provided by law, the Planning and Zoning Commission made its recommendation to City Council, and

WHEREAS, following a Public Hearing held on April 22, 2013 and consideration of the recommendation of the City Annexation Committee, City Council has determined the proper classification under the zoning ordinance of the City of Milford for the property to be annexed.

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

That the following described land situated in Sussex County, Delaware...

Tax Parcel 3-30-15-59.00

ALL that piece or parcel of land, hereinafter described, situate, lying and being on the westerly side of Cedar Creek Road and being located in Cedar Creek Hundred, Sussex County, Delaware, as shown on a plat entitled "Property to be conveyed to Louis J. & Shirley L. Renzi," completed by Charles D. Murphy Associates, Inc., dated October 2004; said piece or parcel being more particularly described as follows:

COMMENCING at an iron pipe found at a point formed by the intersection of the westerly right-of-way line of Cedar Creek Road, 60 feet wide, with the northerly line of lands of, now or formerly, James H. Vreeland et al, thence running,

1) leaving said right-of-way line of Cedar Creek Road and running by and with said James H. Vreeland lands, South 87 degrees 15 minutes 00 seconds West 288.00 feet to an iron pipe found at the point of BEGINNING; thence running,

2) running by and with said James H. Vreeland lands, the following 3 courses and distances, South 87 degrees 15 minutes 00 seconds West 196.00 feet to a capped rebar set at a point, thence running,

3) north 02 degrees 45 minutes 00 seconds West 270.00 feet to a capped rebar set at a point, thence running,

4) north 87 degrees 15 minutes 00 seconds East 209.00 feet to an iron pipe found at a point on the westerly line of other lands of, Louis J. & Shirley L. Renzi, thence running,

5) leaving said James H. Vreeland lands and running by and with said other Renzi lands, South 00 degrees 00 minutes 23 seconds West 270.31 feet to the point and place of beginning;

CONTAINING 1.26 acres of land, more or less,

and

Tax Parcel 3-30-15-59.01

ALL that piece or parcel of land, hereinafter described, situate, lying and being on the westerly side of Cedar Creek Road and being located in Cedar Creek Hundred, Sussex County, Delaware, being all of Lot 1 as shown on a plat entitled "Minor Subdivision, Mary Louise & Francis A. Webb, IV," completed by AKS Associates, Inc., dated January 2001; said piece or parcel being more particularly described as follows:

BEGINNING at an iron pipe set at a point formed by the intersection of the westerly right-of-way line of Cedar Creek Road, 60 feet wide, with the northerly line of lands of, now or formerly, James H. Vreeland et al, thence running,

1) leaving said right-of-way line of Cedar Creek Road and running by and with said James H. Vreeland lands, South 87 degrees 15 minutes 00 seconds West 288.00 feet to an iron pipe set on the easterly line of residue lands of James H. Vreeland, et al; thence running,

2) running by and with said James H. Vreeland residue lands, North 00 degrees 00 minutes 23 seconds East 270.31 feet to an iron pipe set at a point on said Vreeland lands, thence running,

3) north 87 degrees 15 minutes 00 seconds East 275.00 feet to an iron pipe set at a point on the aforementioned right-of-way line of Cedar Creek Road, thence running,

4) leaving said Vreeland lands and running by and with said right-of-way line of Cedar Creek Road, South 02 degrees 45 minutes 00 seconds East 270.00 feet to the point and place of beginning;

CONTAINING 1.74 acres of land, more or less,

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

Dates:

Introduction: April 8, 2013

Planning Commission Review: April 16, 2013

Adoption (Projected) Date: April 22, 2013

Adoption of the ordinance is scheduled for April 8, 2013.

FY 2012-2013 Budget Adjustment/Silicato & Municipal Parking Lot/Paving (Park Avenue/Front Street)/Street Department

Mr. Pikus moved for approval of the FY 2012-2013 Budget Adjustment by transferring funds from the General Fund Reserves into the Street Department Capital Account 101-1810-431-70-44 to pay the cost of paving and striping of the Municipal Parking Lot (adjacent to Park Avenue and Front Street) excluding any parking spaces and lands owned by Dennis Silicato in front of and around the shopping center, seconded by Mr. Grier. Motion carried.

FY 2012-2013 Budget Adjustment/Municipal Parking Lot/Repairs (SW Front Street)/Street Department

Mr. Pikus moved for approval of the FY 2012-2013 Budget Adjustment by transferring funds from the Milford Parking Authority Account into the Street Department Capital Account 101-1810-431-70-44 to pay the costs of the emergency repairs to the Southwest Front Street Municipal Parking Lot, seconded by Mr. Grier. Motion carried.

FY 2012-2013 Budget Adjustment/Municipal Parking Lot/Repairs (Walnut, Washington, Front Street)/Street Department

Mr. Pikus moved for approval of the FY 2012-2013 Budget Adjustment by transferring funds from the Milford Parking Authority Account into the Street Department Capital Account 101-1810-431-70-44 to pay the cost of the emergency repairs to the Walnut, Washington and Front Street Municipal Parking Lot, seconded by Mr. Grier. Motion carried.

Permanent Utility Easement/JSI Milford Realty Company & City of Milford

The city manager reported that the solar farm requires the city's easement as an access into their facility. He said the city does not need any additional entrances/exits on Route 14 even though they have another way to add an entrance.

Mr. Grier moved to approve the permanent utility easement and authorized Mayor Joseph R. Rogers to sign the agreement, seconded by Mr. Johnson. Motion carried.

Certification of City of Milford 2013 Voter Registration List

Mr. Pikus moved for certification of the 2013 City of Milford Voter Registration list, seconded by Mr. Brooks. Motion carried.

City Hall Exterior Doors/Potential Replacement

City Hall Alarm System Issues

Mr. Carmean advised that there have been ongoing problems with securing the doors at city hall. Even though the contacts at the doors and the motion detectors are all working, the system is tied into an old server which is obsolete according to IT Manager Wes Banasan.

Mr. Banasan has suggested we use a browser set up which can be operated from a laptop at a cost of approximately \$2,600.

He is asking for approval of up to \$2,800.

Mr. Carmean is still uncertain of what needs to be done to correct the doors. The employees (city manager, city clerk and receptionist) all feel they need to be replaced. However, he has contracted Mike Kersey to do the work and he has assured Mr. Carmean that his adjustments to the contacts will take care of any future problems.

He said the rear door will need to be replaced because of the leak that was found (the landing is tilted toward the

building). That will be included in the upcoming city hall's budget request.

Mr. Pikus noted that Mr. Kersey was back in city hall working on another door this evening.

Mr. Carmean said he will get the exact figures to council at the next council meeting.

Mr. Morrow recalled discussing security cameras at city hall and the billing office on numerous occasions. He asked if that will be considered at budget time as well.

The city manager agreed that the lack of security at city hall is a problem. He thinks that cameras might help noting they have gone down considerably in price since the remodeling was completed at city hall.

Mr. Brooks said the original plans called for security cameras to be added.

Chief Hudson recommends a panic alarm be considered on each floor as well.

Mr. Carmean said that cameras are also required when the billing office is relocated.

Mr. Pikus agrees with Mr. Morrow that security is needed very badly. At anytime, a disgruntled person can walk in and the staff here is totally unprotected. The city manager will look into it and get back with council before the new budget is approved.

City of Milford Planning Commission Proposed Change/Term Length, Limits & Compensation

Councilman Gleysteen then discussed a proposed change to the City of Milford Code, Chapter 57, Section 5, Salaries and Compensation of the Planning Commissioners. Currently, they are not being compensated even though they put in a great deal of time. Their chairman is extremely busy and dedicates a lot of time to ensure the decisions comply with the rules and regulations of the code.

He asked that a compensation package be offered similar to what council now enjoys.

Mr. Pikus concurs noting this was discussed a long time ago and agrees they do a lot of work. He is willing to come up with a package to compensate them.

Mr. Morrow agrees and suggests this be put into the finance committee for a recommendation. With the new budget in its preliminary stages, he feels this is a good time for this to be considered.

Mr. Gleysteen moved that consideration of compensation of the planning commissioners be put into the finance committee, seconded by Mr. Morrow. Motion carried.

Mr. Gleysteen then noted that this year's election was canceled. He started thinking about how to get more participation in our local government. Starting off with the planning commission, he thinks that compensation would attract more candidates.

Likewise, he feels it would be beneficial if we had more participation and more interest in local elections. There were no contested elections this year which made him ask what the reasons were behind this. He could only think of three reasons. One is that everyone loves council and thinks they are doing a great job. Another reason is apathy which he believes is part of it. The third reason is the council members and mayor who have been in office for a very long time. He thinks most people believe it would be a futile exercise to contest a candidate who has been here ten, twenty and thirty years.

Mr. Gleysteen thinks what is good for the president is good for council and the term limit of eight years is reasonable.

If we had limits of eight years or so, he feels we would get a lot more participation from the general public and a lot more interest. We would be flushed with new ideas that would benefit the city.

City Solicitor Rutt then pointed out the agenda states "City of Milford Planning Commission Proposed Change of Term and Length". Because it does not state council, he advised this matter cannot be discussed.

Mr. Johnson stated this is just a discussion. Mr. Rutt explained it cannot be discussed if it is not on the published agenda because it is a FOIA violation. Mr. Gleysteen said it must have been his mistake because it was not properly stated on the agenda.

Mr. Rutt emphasized it cannot be discussed if it is not on the public agenda. The purpose of the agenda is to let the public know what council will address at this meeting.

Mr. Johnson said we can discuss term limits for the planning commission and confirmed Mr. Gleysteen recommends term limits on council. Mr. Johnson stated he would like to see term limits on both.

It was reiterated that city council term limits cannot be discussed and this discussion is a FOIA violation.

Mr. Gleysteen said that the planning commission currently serves at the mayor's request. Mr. Grier asked if Mr. Gleysteen feels we will have more interest if they are compensated and pointed out that currently, it is very difficult to get people to serve on the planning commission. Mr. Gleysteen feels that will help.

Mr. Pikus agreed with Mr. Morrow and Mr. Grier. He said if we compensate our planning commissioners, it should create more interest. Mr. Grier added it will at least cover the costs of their expenses and the time they spend here.

Mr. Pikus feels it will create more interest noting that city council and the mayor does not get paid much; Mr. Brooks pointed out that he is not here for the money. Mr. Grier agreed.

Mr. Pikus agreed that the planning commission compensation will be discussed during the budget hearings.

The council issue will be added to the next agenda.

MONTHLY FINANCE REPORT

Chairman Pikus reported that through the eighth month of Fiscal Year 2012-2013 with 67% of the fiscal year having passed, 73.0% of revenues have been received and 66.9% of the operating budget expended.

Mr. Pikus said our income is coming in as expected and our taxes are well collected. To date (as of February), we have collected \$3,424,519 and have over \$100,000 more to collect. However, that is the result of some companies who pay at the end of the year.

He advised we will be using some of our reserves, especially during the last couple months in the budget year. Regardless, the city is very, very healthy and we will know more at the end of June.

Mr. Pikus moved to accept the February 2013 Finance Report, seconded by Mr. Gleysteen. Motion carried.

ADJOURN

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

The Council Meeting adjourned at 8:30 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

Attachment: Downtown Milford Lease

MILFORD CITY COUNCIL
MINUTES OF MEETING
April 9, 2013

A Meeting of the Finance Committee of Milford City Council was held in the Joseph Ronnie Rogers Council Chambers of Milford City Hall, 201 South Walnut Street, Milford, Delaware on Tuesday, April 9, 2013.

PRESIDING: Chairman S. Allen Pikus

IN ATTENDANCE: Committee Members: Councilmen Douglas Morrow, Sr. and Garrett Grier III

Council Member Owen Brooks, Jr.

Council Member Steve Johnson (arrived late)

Recorder/City Clerk Terri Hudson

The meeting was called to order at 5:30 p.m. by Chairman Pikus.

EXECUTIVE SESSION - Pursuant to 29 Del. C. §10004(b)(9) Personnel matters in which the names, competency and abilities of individual employees or students are discussed (City Manager Richard D. Carmean).

Mr. Grier moved to go into Executive Session reference a discussion on a personnel matter, seconded by Mr. Grier. Motion carried.

Mayor Rogers recessed the Council Meeting at 5:32 p.m. for the purpose of an Executive Session as is permitted by Delaware's Freedom of Information Act.

Return to Open Session

City Council returned to Open Session at 5:51 p.m.

Mr. Morrow moved to approve the matter discussed during the executive session and present it to city council on April 22nd in executive session, after which it will be voted upon and approved. Motion seconded by Mr. Grier. Motion carried.

ADJOURN

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

The Council Meeting adjourned at 5:53 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk

MILFORD CITY COUNCIL
MINUTES OF MEETING
April 22, 2013

The Milford City Council held a Public Hearing on Monday, April 22, 2013 in the Joseph Ronnie Rogers Council Chambers at Milford City Hall, 201 South Walnut Street, Milford, Delaware.

PRESIDING: Mayor Joseph Ronnie Rogers

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

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

COUNSEL: City Solicitor David Rutt, Esquire

Mayor Rogers called the Public Hearing to order at 7:01 p.m.

A hearing was scheduled for the purpose of taking public comment and to make a determination on the following matter:

*Annexation/Lands belonging to Louis J. & Shirley L. Renzi
Tax Parcel No. 3-30-15.00-059.00; 3-30-15.00-059.01*

Adoption of Ordinance 2013-3/Change of Zone/Louis & Shirley Renzi Properties/Cedar Creek Road

Adoption of Resolution 2013-11/Annexation of Louis & Shirley Renzi Properties

City Planner Norris said he was present to report on the Planning Commission's recommendation for the Renzi property as it relates to the zoning. Their recommendation was to zone the property highway commercial, C-3, by a vote of 6-0.

Mayor Rogers asked if council had any questions.

City Manager Carmean then asked Mr. Norris if the annexation and zoning is consistent with the City of Milford Comprehensive Plan. Mr. Norris stated yes and explained the area to the rear and across the street is zoned C-3 and confirmed it is consistent with the comp plan.

When asked if anyone from the public wished to comment, no one responded.

Mr. Gleysteen moved to adopt Resolution 2013-11, seconded by Mr. Starling:

*Annexation/Lands belonging to Louis J. & Shirley L. Renzi
Tax Parcel No. 3-30-15.00-059.00
3-30-15.00-059.01
3.00 +/- Acres
Current Zone AR-1/Proposed Zone C-3*

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

Tax Parcel 3-30-15-059.00

ALL that piece or parcel of land, hereinafter described, situate, lying and being on the westerly side of Cedar Creek Road and being located in Cedar Creek Hundred, Sussex County, Delaware, as shown on a plat entitled "Property to be conveyed to Louis J. & Shirley L. Renzi," completed by Charles D. Murphy Associates, Inc., dated October 2004; said piece or parcel being more particularly described as follows:

COMMENCING at an iron pipe found at a point formed by the intersection of the westerly right-of-way line of Cedar Creek Road, 60 feet wide, with the northerly line of lands of, now or formerly, James H. Vreeland et al, thence running,

1) leaving said right-of-way line of Cedar Creek Road and running by and with said James H. Vreeland lands, South 87 degrees 15 minutes 00 seconds West 288.00 feet to an iron pipe found at the point of BEGINNING; thence running,

2) running by and with said James H. Vreeland lands, the following 3 courses and distances, South 87 degrees 15 minutes 00 seconds West 196.00 feet to a capped rebar set at a point, thence running,

3) North 02 degrees 45 minutes 00 seconds West 270.00 feet to a capped rebar set at a point, thence running,

4) North 87 degrees 15 minutes 00 seconds East 209.00 feet to an iron pipe found at a point on the westerly line of other lands of, Louis J. & Shirley L. Renzi, thence running,

5) leaving said James H. Vreeland lands and running by and with said other Renzi lands, South 00 degrees 00 minutes 23 seconds West 270.31 feet to the point and place of beginning;

CONTAINING 1.26 acres of land, more or less.

and

Tax Parcel 3-30-15-059.01

ALL that piece or parcel of land, hereinafter described, situate, lying and being on the westerly side of Cedar Creek Road and being located in Cedar Creek Hundred, Sussex County, Delaware, being all of Lot 1 as shown on a plat entitled "Minor Subdivision, Mary Louise & Francis A. Webb, IV," completed by AKS Associates, Inc., dated January 2001; said piece or parcel being more particularly described as follows:

BEGINNING at an iron pipe set at a point formed by the intersection of the westerly right-of-way line of Cedar Creek Road, 60 feet wide, with the northerly line of lands of, now or formerly, James H. Vreeland et al, thence running,

1) leaving said right-of-way line of Cedar Creek Road and running by and with said James H. Vreeland lands, South 87 degrees 15 minutes 00 seconds West 288.00 feet to an iron pipe set on the easterly line of residue lands of James H. Vreeland, et al; thence running,

2) running by and with said James H. Vreeland residue lands, North 00 degrees 00 minutes 23 seconds East 270.31 feet to an iron pipe set at a point on said Vreeland lands, thence running,

3) North 87 degrees 15 minutes 00 seconds East 275.00 feet to an iron pipe set at a point on the aforementioned right-of-way line of Cedar Creek Road, thence running,

4) leaving said Vreeland lands and running by and with said right-of-way line of Cedar Creek Road, South 02 degrees 45 minutes 00 seconds East 270.00 feet to the point and place of beginning;

CONTAINING 1.74 acres of land, more or less,

and having considered the recommendation of the Annexation Committee appointed to investigate said annexation on whether or not to proceed with said annexation, having considered the zoning recommendation of the Planning Commission subject to compliance with Chapter 230 of the City of Milford Code, having held a Public Hearing on April 22, 2013, having received acknowledgment of the accepted Plan of Services by the State of Delaware as required of Title 22, Section 101, Delaware Code, the City of Milford, hereby determines as follows:

Now, Therefore, Be It Resolved,

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

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

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

The annexation area is contiguous to Ward 1 and City Council intends that these parcels become part of and be included within the Ward 1 area upon annexation.

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

Now I, Joseph Ronnie Rogers, Mayor of the City of Milford, do hereby certify that the foregoing is a true and correct copy of a Resolution passed by the affirmative vote of two-thirds (2/3) of all the elected members of the City Council of the City of Milford at a meeting held on April 22, 2013 at which a quorum was present and voting throughout and that the same is still in full force and effect.

Motion carried.

Ms. Wilson moved to adopt Ordinance 2013-3, seconded by Mr. Morrow:

*Annexation/Lands belonging to Louis J. & Shirley L. Renzi
Tax Parcel No(s): 3-30-15.00-059.00; 3-30-15.00-059.01
3.00 +/- Acres
Current Zone AR-1/Proposed Zone C-3*

An Ordinance to Amend the Zoning Designation of the parcel of land, under the ownership of Louis J. and Shirley L. Renzi, Tax Parcels 3-30-15.00-059.00 and 3-30-15.00-059.01, situated on the west side of Cedar Creek Road (SR 30), approximately 1,500 feet south of the intersection of Wilkins Road (CR 206) and Cedar Creek Road (SR 30), upon its annexation into the City of Milford by resolution as adopted by the City Council of Milford, Delaware.

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

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

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

WHEREAS, the City Council referred the zoning of the affected territory to the Planning and Zoning Commission for a report and recommendation and after a due hearing on April 16, 2013 as provided by law, the Planning and Zoning Commission made its recommendation to City Council, and

WHEREAS, following a Public Hearing held on April 22, 2013 and consideration of the recommendation of the City Annexation Committee, City Council has determined the proper classification under the zoning ordinance of the City of Milford for the property to be annexed.

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

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

Tax Parcel 3-30-15-59.00

ALL that piece or parcel of land, hereinafter described, situate, lying and being on the westerly side of Cedar Creek Road and being located in Cedar Creek Hundred, Sussex County, Delaware, as shown on a plat entitled "Property to be conveyed to Louis J. & Shirley L. Renzi," completed by Charles D. Murphy Associates, Inc., dated October 2004

CONTAINING 1.26 acres of land, more or less,

and

Tax Parcel 3-30-15-59.01

ALL that piece or parcel of land, hereinafter described, situate, lying and being on the westerly side of Cedar Creek Road and being located in Cedar Creek Hundred, Sussex County, Delaware, being all of Lot 1 as shown on a plat entitled "Minor Subdivision, Mary Louise & Francis A. Webb, IV," completed by AKS Associates, Inc., dated January 2001

CONTAINING 1.74 acres of land, more or less,

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

Dates:

Adoption Date: April 22, 2013

Effective Date: May 2, 2013

Motion carried.

The Public Hearing adjourned at 7:08 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

MILFORD CITY COUNCIL
MINUTES OF MEETING
April 22, 2013

A Meeting of Milford City Council was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall on Monday, April 22, 2013.

PRESIDING: Mayor Joseph Ronnie Rogers

IN ATTENDANCE: Councilpersons Steve Johnson, Garrett Grier III, S. Allen Pikus, Dirk Gleysteen, Owen Brooks, Jr., Douglas Morrow, Sr., James Starling, Sr. and Katrina Wilson
City Manager Richard Carmean, Police Chief Keith Hudson and City Clerk/
Recorder Terri Hudson

COUNSEL: City Solicitor David Rutt, Esquire

CALL TO ORDER

Mayor Rogers called the Council Meeting to order at 7:08 p.m.

INVOCATION AND PLEDGE

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

Councilman Johnson arrived at this time.

EXECUTIVE SESSION

Pursuant to 29 Del. C. §10004(b)(9) Personnel matters in which the names, competency and abilities of individual employees or students are discussed.

Mr. Grier moved to go into Executive Session reference personnel matters, seconded by Mr. Johnson. Motion carried.

Mayor Rogers recessed the Council Meeting at 7:15 p.m. for the purpose of an Executive Session as is permitted by Delaware's Freedom of Information Act.

Open Session

Council returned to open session at 7:28 p.m.

Executive Session Matter

Mr. Pikus made a motion to approve what was discussed in Executive Session, seconded by Mr. Morrow. Motion carried.

RECOGNITION

Proclamation 2013-4/National Missing Children's Day

Motion made by Mr. Pikus, seconded by Mr. Morrow to adopt the following proclamation:

WHEREAS, according to the U.S. Department of Justice, an estimated 800,000 children are reported missing each year; and

WHEREAS, on average, approximately 2,000 children are reported missing to law-enforcement agencies daily; and

APPROXIMATELY, 58,200 of these children are victims of non-family abductions and more than 200,000 are the victims of family abductions; and

WHEREAS, the National Center for Missing & Exploited Children (NCMEC) exists as a resource to help prevent child abduction and sexual exploitation, help find missing children, and assist victims of child abduction and sexual exploitation, their families, and the professionals who serve them, and

WHEREAS, this special day is a time to remember those children who are missing and give hope to their families.

WHEREAS, that the City of Milford urges the participation of local government, law enforcement, and communities in the protection of children and educating children about child abduction and sexual exploitation, and how to respond and seek help from law enforcement, social services and NCMEC.

NOW THEREFORE BE IT RESOLVED that, in partnership with NCMEC and its supporters, the City of Milford, Delaware proclaims May 25 as National Missing Children's Day.

AND THEREFORE, BE IT FURTHER RESOLVED by the City of Milford, that May 25, 2013 is set aside as National Missing Children's Day as part of Milford, Delaware's continuing efforts to prevent the abduction and sexual exploitation of children.

IN WITNESS WHEREOF, I have hereunto set my hand and cause the Seal of the City of Milford to be affixed on this 22nd day of April 2013.

s/Mayor Joseph "Ronnie" Rogers

Motion carried.

Proclamation 2013-5/Police Week & Peace Officers' Memorial Day

Mr. Morrow moved to adopt the following proclamation, seconded by Mr. Starling:

WHEREAS, the Congress and President of the United States have designated May 15, 2013 as Peace Officers' Memorial Day and the week in which it falls as National Police week; and

WHEREAS, the members of the law enforcement agency of Milford, Delaware play an essential role in safeguarding the rights and freedoms in Milford, Delaware; and

WHEREAS, it is important that all citizens know and understand the duties, responsibilities, hazards, and sacrifices of their law enforcement agency, and that members of our law enforcement agency recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and

WHEREAS, the men and women of the Milford Police Department unceasingly provide a vital public service.

NOW, THEREFORE, I, Joseph Ronnie Rogers, by virtue of the authority vested in me as Mayor of the City of Milford, Delaware, call upon all citizens of Milford, Delaware, and upon all patriotic, civic and educational organizations to observe the week beginning May 12, 2013 as Police Week during which time all of our people may join in commemorating law enforcement officers, past and present, who, by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their communities and, in so doing, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens in the City of Milford.

I further call upon all citizens of Milford, Delaware, to observe May 15, 2013 as Peace Officers' Memorial Day in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Milford to be affixed this twenty-second day of April in the Year of our Lord Two Thousand and Thirteen.

s/Mayor Joseph "Ronnie" Rogers

Motion carried.

COMMUNICATIONS

Mayor Rogers announced the May meeting of SCAT will be hosted by the City of Milford on May 1st at the Rookery North. Those council members wishing to attend need to RSVP with the receptionist.

UNFINISHED BUSINESS

City Hall-Alarm System

Mr. Carmean reported the alarm system has been failing at city hall. We are replacing it with an alarm that can be accessed through a computer versus the server system. A copy of both the server and laptop proposals are included in the packet. Though it is \$300 more, our IT Department recommends the computer access system be purchased.

Mr. Pikus moved to approve \$2,691.00 be paid from general fund reserves for the alarm and installation charges, seconded by Mr. Brooks. Motion carried.

City Hall-Door Replacement

The city manager advised that we are currently only replacing the side door at city hall due to the recommendation of our contractor. He noted that door is coming apart though we continue to have problems with the remaining doors. It was confirmed that all the doors on city hall are the original doors.

Mr. Carmean will get a final price so that funds can be transferred from the reserve accounts to cover the associated costs.

Key Properties LLC/Hearthstone Easement Fee/Approval of Funding

Solicitor Rutt recalled council discussing this matter in executive session and afterwards approving the easement agreement with Hearthstone. The funding to cover the costs of the agreement was not approved at the time.

Mr. Pikus moved for approval to pay Key Properties \$25,500 as previously agreed, to be funded from sewer reserves, seconded by Mr. Morrow. Motion carried.

NEW BUSINESS

Solar Panel Site/Independence Commons

Mr. Carmean advised that approximately \$300,000 worth of solar panels is being donated to the City of Milford by Juwi Solar which is the same company that built the solar farm. After reviewing several city-owned properties, he decided on a location in Independence Commons (west of Delaware Veterans Boulevard and south of Patriots Way). An aerial of the site was included in the packet.

The panels will use approximately ½ acre of the land directly across from the Boys and Girls Club.

He reported that the city will be metering the energy (½ megawatt) and putting it back into the grid. We will receive the appropriate credit which will be used to offset our electric costs. He noted that this will help our ratepayers because the city does not pay for the electricity it uses.

This is a 30-35 year project that requires very little, if any, maintenance.

When asked if there is any cost to the city, Mr. Carmean said only the cost of him meeting with their representatives to prepare and plan for the project over the past several months.

Mr. Gleysteen confirmed the panels are identical to those at the solar farm on the Milford-Harrington Highway.

Mr. Carmean then advised that fencing is required so that will be a cost to the city.

He verified that both the Boys and Girls Club and Veterans Home were both made aware of the project.

Mr. Grier moved to approve the use of the site as shown on the aerial for the solar panels, seconded by Ms. Wilson. Motion carried.

Bid Award/Washington Street WTF Production Well/DBF Project 052A154-B

Sealed bids on the Washington Street Production Well Project were received and opened on April 5, 2013.

The following two bids were received:

A.C. Schultes of Delaware	\$139,487.00
Unitech Drilling Company	\$155,131.00

Erik Retzlaff of Davis, Bowen and Friedel is overseeing the project and has submitted the following recommendation:

Dear Mr. Carmean:

Please find enclosed the tabulation of the bids received on April 5, 2013 for the above-referenced project. Copies of the bids received are on file with the City Clerk. After reviewing the submitted bids and experience records, our office finds all documentation to be in order and recommends award of the contract to A.C. Schultes of Delaware, Inc. in the amount of \$139,487.00.

Mr. Pikus asked the depth of the well; Mr. Retzlaff advised 340 feet.

Mr. Retzlaff reported that the life of the well is fifty years if it is installed correctly. He said that once this work is completed, the top of the two access tubes will be locked and a plate welded over the top of the casing. The pump will not be installed until the treatment plant is built.

Mr. Carmean confirmed there is sufficient money set aside for the entire Washington Street project of which the well portion was included.

Mr. Grier moved to award the Washington Street WTF Production Well/DBF Project 052A154-B to AC Schultes of Delaware in the amount of \$139,487, seconded by Mr. Gleysteen. Motion carried.

FY2012-2013 Budget Adjustment/Public Works to Billing

Mr. Carmean reported that he is requesting \$15,000 be transferred from Public Works Salaries and Benefits to Billing Contract Services. This covers the additional costs of having Mark Roberts continue overseeing and implementing changes in our billing operations.

According to his observations, staff is using the software 40 to 50% more than before.

The city manager advised that Mr. Roberts was just here for another two weeks and will return again in May for two more weeks.

Mr. Pikus moved to approve the \$15,000 transfer from Public Works Salaries and Benefits to Billing Contract Services, seconded by Mr. Grier. Motion carried.

ADJOURN

With no further business, motion made by Mr. Pikus and seconded by Mr. Grier to adjourn the council meeting.

The Council Meeting adjourned at 7:47 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

MILFORD CITY COUNCIL
MINUTES OF MEETING
April 22, 2013

The City Council of the City of Milford met in Workshop Session on Monday, April 22, 2013 in the Joseph Ronnie Rogers Council Chambers of Milford City Hall, 201 South Walnut Street, Milford, Delaware.

PRESIDING: Mayor Joseph Ronnie Rogers

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

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

COUNSEL: City Solicitor David Rutt, Esquire

The Workshop Session convened at 7:47 p.m.

*Planning Commission-Term Limits
City Council-Term Length & Term Limit*

Councilman Gleysteen reported that Milford has a very large volunteer pool. To encourage more participation in city government, he proposes council institute limits on the length of service a person can serve on the planning commission. He feels this will provide more interest in city government and bring different ideas to the table.

As a result, he proposes three (3) three-year terms. However, they do have to be served consecutively.

Mr. Brooks asked Mr. Gleysteen the average years of service of the current planning commissioners. He noted that the commissioners have not served for long period of times and recalled the difficulty the city had to get people to serve on that commission.

The city manager agreed and recalled previous Planning Commission Chairman Randy Marvel who served more than twenty years. He agreed that over the past ten years, there has been some difficulty in filling those vacancies.

Mr. Morrow recalled several seats that were vacant for several months.

It was noted that any change in the term limits of the planning commission will require an ordinance change.

Mr. Carmean advised that Mr. Gleysteen's other suggestion will require a charter change. In speaking with the mayor, they felt the best approach was to appoint a charter committee of four members of council as was done several years ago. If not, the matter can be placed on the agenda, discussed and a decision made.

Solicitor Rutt reported that the city charter states that the mayor and council members will each serve a term of two years. There is no limit on the number of terms.

Mr. Gleysteen feels that if we institute a nine-year maximum term for the planning commission and the turnover is greater than that, everything will remain as it is today. But if we get to the point where people are staying longer than that, a progressive change in the planning commission membership would be needed.

Ms. Wilson recalled a couple of years ago, there was a change in the way the planning commission was appointed. The city clerk noted that we instituted three year terms which require formal appointments at the end of each term. Three of the nine members are appointed every three years which means someone is appointed or reappointed each year.

Mr. Carmean explained that number of terms is currently unlimited and Mr. Gleysteen is proposing a three-year term limit.

Mr. Brooks stated there were many times we had vacancies and recalled several meetings when there were just enough members to make a quorum. He said that Mr. Gleysteen is proposing that a person who is qualified and wants to do the job should be removed at the end of the three terms, even though there may not be anyone to replace them. In addition, there is a steep learning curve that takes some time for a new commissioner. He pointed out that sometime is needed before a person becomes accustomed to the city ordinances, polices and procedures. All of that is required to make the proper decisions on the matters before the planning commission. He said we risk all of that if there is no one to replace them or they are replaced with someone who has no real interest.

Mr. Carmean agreed there have been a number of times it has been very difficult to fill those seats.

Mr. Johnson asked if there are any cities or towns in the State of Delaware that have term limits for council. Mr. Brooks advised that the City of Dover increased the length of the terms of city council from two to four years. This was the first time in fourteen years they have not had an election. Many residents felt it was very difficult to commit to four years and blamed the uncontested races on that issue.

Mr. Gleysteen said his impression from the article he read was the four-year term limit probably squashed a lot of interest in running for those positions. He feels this is an important topic and stated that he has the deepest respect for everyone serving because there is a lot of dedication and love for the city.

Mr. Gleysteen then read the following written comments he had made to prevent forgetting anything:

“There has been a lot of change in Milford over the past ten, twenty and even thirty years. Whereas, thirty years ago we had an economy heavy in agriculture. Milford has developed a significantly diversified economy. As we continue to pursue sustainable growth, I believe it important to institute term limits. We will continue to need outside investments and wish to attract people to move here. Perception is important and it is through people and businesses we want to attract people who wish to participate in city government. The doors should be open to those interested.

Many see the door only partially opened when seeing council and mayor currently serving with up to thirty years service. We do not want the perception of the good old boys network which may discourage potential interest.

I respectfully request council consider and pass term limits of eight years for council and mayor.”

Mr. Gleysteen said that everyone feels we have a strong council and a strong mayor and are very happy with the way things are going in Milford. We have a thriving downtown, a thriving local economy and we want to keep things going in that direction. He said that he still thinks we need an influx of new ideas which are best supported by a lot of active participation in city government.

He believes the best time to make a change is when things are going well. He feels we are going in the right direction and looking toward the future.

Mr. Brooks recalled that back in the 1990's, council was considering a change in council terms from two to three years. A meeting to discuss the issue was held at Carlisle Fire Company at which time a large crowd attended. The offer was made to the residents. After a very lengthy decision, council decided to keep the terms to two years. The residents felt that council is elected to a two-year term and if the person does a good job, they have the opportunity to be reelected after two years. On the other hand, if a person is elected who does not do a good job, the residents do not want them in that seat for three years or a year longer.

Mr. Brooks referenced Mr. Gleysteen's comment about the good old boys. He also recalled his statement two weeks ago that people feel it is hard to beat someone who has been in office for a long time.

Mr. Brooks said that when Mayor Rogers ran for mayor and Mr. Brooks ran for city council in 1982, they were up against two long-serving veterans. Mr. Brooks knocked on every door in the third ward and Mayor Rogers went to almost every house in the city. They both ended up beating the incumbents.

Mr. Brooks does not feel that a person should be able to walk in and fill a vacant seat simply because the previous councilman can no longer serve. He said if someone wants his seat, they have the opportunity to run against him every two years.

He pointed out that no one ran against Mr. Gleysteen and asked if he was happy about it; Mr. Gleysteen stated he had mixed feelings.

Mr. Morrow reiterated that the current system allows an interested citizen the opportunity to run for council every year. In addition, every year our citizens have the chance to vote for four people. He does not believe we can provide our citizens any better opportunity. He also recalled the hearing when the change in term was considered. The general consensus was that if a bad apple was elected to council, the residents were stuck for a longer period of time.

He believes that if we want more interest in people running, the last thing you should do is make the terms longer. Making them four years cuts the opportunity in half for people to run.

Mr. Gleysteen responded by stating, he agrees with Mr. Morrow about the two year terms but wants a term limit of eight years total. He said right now if council is here for a long period, and many of the council have served for over four years, he feels you may as well have term length of four years and save the city money in election costs. He feels eight years is important because if someone has an agenda when they come to city council, eight years should be plenty of time to accomplish it.

Mr. Brooks noted that Mr. Gleysteen previously stated that things are good right now. By requiring a mandatory change does not guarantee a good or qualified replacement.

Mr. Gleysteen said one does not have to look far for other towns with the same structure as Milford which has resulted in long-term sitting mayors and council that seem to be stuck in the past. He said we do not want that here.

Mr. Brooks and Mr. Morrow both stated they do not believe Milford is stuck in the past; Mr. Gleysteen stated that no, we are not.

Mr. Brooks said he has been on council for thirty-one years and has only missed six meetings and has never been late for one meeting; Mr. Gleysteen said that has nothing to do with term limits.

Mr. Morrow pointed out that the term limits are actually two years. The people in Milford have the right to vote you in or vote you out. He feels if we set false ideas about term limits, it can be a problem. He referred to the election in Dover and feels that this would do the citizens more harm than good.

Mr. Gleysteen feels what happened in Dover was the length of the terms.

Mr. Brooks recalled Mr. Gleysteen saying to Mr. Brooks in the parking lot a year ago when Mayor Rogers was reelected that Ronnie Rogers has been here for thirty years and just got reelected mayor and that we need term limits. In turn, Mr. Brooks said he told Mr. Gleysteen he also got elected in 1982.

Mr. Gleysteen said he does not recall that.

Mr. Brooks emphasized that his seat is up next April and anyone interested is able to run against him. But that person will have to beat him in an election and not because Mr. Brooks leaves the seat vacant for anyone to fill. He said even if Mr. Gleysteen gets this change in term lengths, it will not affect him because he will have eight more years. Mr. Gleysteen agreed.

Mr. Gleysteen said he looks at this as the first eight years you are making a name for the city and after that, you are making a name for yourself. Mr. Brooks, Mr. Morrow, Mr. Starling and Ms. Wilson all disagreed.

Mr. Starling asked why Mr. Gleysteen wants to change something that works. Any citizen in this town has an opportunity

to run every year. It is unfortunate that some people are not interested in running. Right now, there are four people up for reelection. He feels that because the system works, it should be left alone.

He also disagrees with Mr. Gleysteen that just because someone has served a longer period of time, does not make incapable of new ideas or change. He also feels that Milford has progressed over the last several years and we are up with the times.

Ms. Wilson added that she agrees with what has been said the majority of those that have spoken. Just because she has been here a long time does not make her incapable. A few years ago, she put feelers out in the community to see if anyone was interested in running in her seat. No one had a serious or genuine interest in running. Some people said to let them know when she wanted to step back; when she approached them, they were uninterested. She did not quit at that point, but did consider that perhaps someone else may want that opportunity.

Ms. Wilson agrees with Mr. Brooks that the residents put them in these seats. It is their right to say who represents them. She feels that is the way it should be. She also feels that the individuals that have stayed the longest have the least hidden agendas. She recalled a few new council members who came with obvious agendas that were loud and clear. It is difficult to get things accomplished working with people under those conditions.

Ms. Wilson also feels it takes a couple years to make big decisions. Through her experience, she became knowledgeable of what was going on. She does not feel you can make sound decisions by new people coming on board all the time. It takes a while to learn as much as possible before you are really confident when deciding your vote. Though you depend on the leadership of your city manager, there can be questions.

She stressed that our residents have a say of whom they want to represent them and they have that opportunity every year right now. She also does not see the advantage of term limits.

Mr. Gleysteen agrees it takes a couple of years to be comfortable on council. He has been here two years and feels more at home today. He also agrees that there are council members that have agendas that can be disruptive to the city. In two years, they can be voted out. However, in eight years, what can those same people bring new to the table? He asked if it is important to have more participation in government or not. He said if you want to bring more participation to city council and term limits are not the way to do it after eight years, then what is the best way; there are only a dozen people here to decide.

Mr. Brooks said the answer is the democratic way which is through an election. It allows a person interested to run against the incumbent each year.

Mr. Gleysteen said it does not appear to be working because the last election was canceled because of the lack of contest. He said it is bad because it did not force him or someone else to knock on doors and see what people are thinking.

Mr. Brooks said that if Mr. Gleysteen wants to know what people think, then he recommends ward meetings. He and Mr. Morrow have had ward meetings off and on for years; Ms. Wilson said they have had them as well.

Mr. Brooks also said that any council member has the ability to get out and talk to their constituents. Go to Walmart, the grocery store or the ballpark and approach people. He said that is a sure way of finding out what people think.

Mr. Pikus said the discussion is good but controversial. Voting cannot occur this evening and the city manager recommended a charter committee be established.

Mr. Starling disagrees with that. He said he is against it and we are only creating another committee that will meet for the next two or three months. He feels that if someone has a problem with their council member, then within a year, they have the opportunity to run or they can get someone to run against them.

Mr. Brooks said he is confused because Mr. Gleysteen says we have a good city government and it is working. But he wants it changed.

City Solicitor Rutt then explained that the planning commission is established by statute and states you can have five to nine members. It indicates how the commissioners are staggered in term appointment/reappointments. Initially, the appointments are for one, two and three years. On the fourth year, everyone is on a three-year rotation.

The city ordinance states we have nine members and establishes three years terms with the initial terms staggered. Because that is an ordinance, council has the right to adjust the ordinance but only for the planning commission.

City council terms fall under the charter. To do a charter amendment, there are two options. One is a resolution that comes out of council which must be passed by three-quarters majority (super majority) or six votes. It then goes through an election process of the electorate. That amendment must then be acted upon by the General Assembly.

The other way is for 10% of the eligible voters of the city to sign a petition to establish a charter commission. Once a charter commission is established, a general election is required where the voters would elect seven people to a charter commission. The charter commission then comes up with recommendations on the charter. That would then go to a general election.

He added that to get it from council or from the charter commission, a resolution is still required. If adopted, that goes to the General Assembly for legislative action.

Mr. Rutt emphasized that three-quarters of the members of council, or six council members must vote in favor of starting the process to amend the charter.

Mr. Brooks recalled we had many meetings for more than a year when the last charter amendment was proposed. It was a very long time before it was finally presented to the legislators.

Mr. Gleysteen confirmed that six votes are needed to proceed with the change; Mr. Rutt stated yes. Mr. Gleysteen said it is obvious there are not six votes and suggests the matter be dropped for now.

Mr. Pikus said that would be the appropriate thing to do at this time.

Mayor Rogers agreed that hearing the comments from council it does not believe there are six votes in favor of the change.

With no further business, the Workshop Session concluded at 8:17 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

MILFORD CITY COUNCIL
MINUTES OF MEETING
May 6, 2013

The Annual Organization Meeting of Milford City Council was held Monday, May 6, 2013 in the Joseph Ronnie Rogers Council Chambers of Milford City Hall at 201 South Walnut Street, Milford, Delaware.

PRESIDING: Honorable Mayor Joseph Ronnie Rogers

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

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

COUNSEL: City Solicitor David Rutt

CALL TO ORDER

Mayor Rogers called the Monthly Meeting to order at 7:03 p.m.

PLEDGE AND INVOCATION

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

ELECTION REPORT

City Manager Richard Carmean read the following results of the 2013 City of Milford Election:

“Due to uncontested races for the First, Second, Third & Fourth Ward Council seats, the Annual City of Milford Election scheduled for April 27, 2013 was officially canceled. State law permits an unchallenged candidate to assume office without a formal election (15 Del. C. 1953, §7502).

Given, Second Ward Councilman Dirk G. Gleysteen, Third Ward Councilman Douglas E. Morrow and Fourth Ward Councilman James O. Starling, Sr. will retain their respective seats and Bryan W. Shupe will fill the recently vacated First Ward Council seat, all to serve two year terms beginning this date, the 6th day of May 2013.”

OATH OF OFFICE - ADMINISTERED BY THE HONORABLE WILLIAM J. WALLS JR. - JUSTICE, FAMILY COURT OF THE STATE OF DELAWARE

The Honorable William J. Walls, Jr. administered the Oath of Office to the following reelected members of City Council:

Councilman Dirk G. Gleysteen	Second Ward
Councilman Douglas E. Morrow, Sr.	Third Ward
Councilman James O. Starling, Sr.	Fourth Ward

OATH OF OFFICE - ADMINISTERED BY THE HONORABLE WILLIAM SWAIN LEE - RETIRED JUSTICE, SUPERIOR COURT OF THE STATE OF DELAWARE

Retired Superior Court Justice William Swain Lee administered the Oath of Office to the following newly elected member of City Council:

Councilman Bryan W. Shupe	First Ward
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All terms are for a two-year period.

Oaths of Office were then signed and Certificates of Office, certified by the City of Milford Board of Election, were

presented to Councilmen Shupe, Gleysteen, Morrow and Starling.

VICE MAYOR NOMINATION & ELECTION

Mayor Rogers then opened the floor to nominations for Vice Mayor.

Mr. Pikus moved for the nomination of Councilman Douglas Morrow as Vice Mayor, seconded by Mr. Brooks.

No other nominations were made; Mr. Pikus then moved the nominations be closed.

Mayor Rogers declared Douglas Morrow as Vice Mayor of the City of Milford for 2013/2014.

CITY SOLICITOR APPOINTMENT

On motion of Mr. Starling, seconded by Mr. Grier, Esquire David Rutt was reappointed Solicitor for the City of Milford. Motion carried by unanimous roll call vote.

WORKFORCE DEVELOPMENT COMMISSION REAPPOINTMENTS

Motion made by Mr. Pikus and seconded by Mr. Brooks to reappoint the following persons as Workforce Development Commissioners:

Mayor Joseph Ronnie Rogers	City of Milford
Sylvia Henderson	Milford School District
Katrina Wilson	Milford City Council
Dave Markowitz	Workforce Development Commission
Grant Curtis	Milford Lions Club
Phillip Ruiz	Milford Ministerial Association
Irv Ambrose	Downtown Milford, Incorporated

Motion carried by unanimous roll call vote.

ADJOURN

Mr. Pikus moved to adjourn the Organization Meeting, seconded by Mr. Grier. Motion carried.

The Organization Meeting adjourned at 7:24 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

**CITY OF MILFORD
PLANNING COMMISSION**

Minutes of Meeting

January 15, 2013

The regular monthly meeting of the Milford Planning Commission was held in the Joseph Ronnie Rogers Council Chambers, 201 South Walnut Street, Milford, DE 19963 on Tuesday evening, January 15, 2013.

PRESIDING: Chairman James Burk
IN ATTENDANCE: Marvin Sharp, Archie Campbell, Deborah O'Neill, Jason James, Ed Holloway, William Lane
ALSO: City Planner Gary Norris, Department Administrative Assistant Christine Crouch

Chairman Burk called the meeting to order at 7:00 pm noting the absence of Mr. Fry and Ms. Mims.

APPROVAL OF MINUTES

The minutes for the December 2012 regular monthly Planning Commission meeting were approved as submitted with a motion by Mr. Lane and seconded by Mr. Sharp.

CHAIRMAN MONTHLY REPORT

Chairman Burk has been attending the council meetings since the last planning commission meeting, but other than that, there is nothing to report.

NEW BUSINESS

**AWB Engineers on behalf of Perdue Real Estate Holdings Inc; Project No 12-192
Final Site Plan – Phase I & II Processing Addition
255 N Rehoboth Blvd
Tax Map MD-16-174.19-01-10.00
12.20 +/- Acres; I-2 Zoning
Adoption of Resolution PC12-026**

Mr. John Shahan with AWB Engineers and his colleague Mr. Matt Drew were present. In addition, Mr. Dean Walston with Perdue was in the audience.

Mr. Shahan explained this project is for a 12,000 square foot addition on the rear of the existing Perdue plant on N Rehoboth Blvd and will be used for a processing area. Approvals from the Conservation District and Fire Marshal have been obtained and are still working with DeIDOT for their approval.

Mr. Dean Walston explained since 2000 there have been challenges in poultry industry due to high grain prices however Perdue was able to purchase another company in PA that grows organic chickens. The process for processing organic chickens is different from grain fed chickens and this addition to the building will enable this plant to expand its processing capabilities to accommodate the organic line. He anticipates adding another 200 positions to this plant, bringing it to about 92% capacity.

Mr. Campbell confirmed the organic chickens will be grown in PA. Mr. Walston also explained 70 positions of the possible 200 have already been filled, putting the plant at 82% capacity.

When asked what specifically will be done in this addition, Mr. Walston explained the packaging is different for the organic line, such as trayless packaging. The organic line has only the plastic bag wrap. This addition will ensure the processing is done efficiently and in one location of the plant.

Mr. Walston explained the reason the DeIDOT approval has not been attained yet is because Perdue did not anticipate such significant changes to N Rehoboth Blvd. DeIDOT has requested very unique and expensive changes to the roadway to accommodate the additional trucks that will be generated. Perdue recently purchased two adjoining properties and anticipated making changes to the entrances in approximately 24 months, due to the financial burden. The time frame of this approval is of concern because this addition is a time sensitive situation.

Mr. Norris confirmed the planning staff is in favor of this project as it will bring jobs to Milford and Perdue has been and will continue to be a good company to work with. He anticipates they will abide by the rules and regulations.

Mr. Burk questioned the Fire Marshal approval that was submitted, noting the square footage on the approval is for 800 +/- square feet, not 12,000 square feet as has been discussed this evening. Mr. Shahan felt this was an oversight and would provide a revised approval.

Mr. Sharp echoed what Mr. Norris had stated adding 200 jobs is a big deal these days.

Mr. James made a motion to approve resolution PC12-026 contingent upon DeIDOT approval being received and a revised Fire Marshal approval being received. Motion carried unanimously following a poll of the commission.

Davis, Bowen & Friedel on behalf of Hammond Partners; Project No 12-187
Final Site Plan – CVS Pharmacy
601 N DuPont Blvd
Tax Map MD-16-183.09-01-01.00; -02.00; -03.00
2.69 +/- Acres; C-3 Zoning
Adoption of Resolution PC13-001

Mr. Jamie Sechler with Davis, Bowen & Friedel was present and in the audience was Mr. Corry Martin, the developer of the project.

Mr. Sechler explained the project is for a final site plan approval of CVS to be located on the former Hammond Cadillac site on the corner of Milford Harrington Hwy and Rt 113. Approval that have been included in the submission are Fire Marshal site plan approval, DeIDOT letter of no objection, Conservation District approval and the Director of Public Works.

Mr. Norris expressed concern with the location of the pylon sign proposed and asked for confirmation that the sign is not located in the right of way. Mr. Sechler confirmed it will not be located in easements or right of ways and will conform to City codes.

Mr. Campbell asked if CVS was required to make the same roadway improvements as the former project that was to be located on this site, Royal Farms. Mr. Sechler stated yes. The same improvements were still required for this project.

A motion by Mr. Holloway to approve resolution PC13-001 was seconded by Mr. Lane. Motion carried unanimously following a poll of the commission.

CITY PLANNER MONTHLY REPORT

Mr. Norris stated he has been working on drafting the 2013 Comprehensive Plan. Minor changes from the 2008 plan and corrections have been made in order to accomplish this. He has submitted a draft of those changes, including maps, to the Office of State Planning for their comments.

One of their concerns involved a change in the future land use designation of property on the east side of Rt 1. Currently it is shown as residential development in our current comp plan. The owners have asked for it to be changed to 1/3 residential, 1/3 commercial and 1/3 open space, specifically wetlands.

The reason this is important is that in order for property to be annexed into the City, the zoning designation must match what the comprehensive plan states it will be used for as per the Future Land Use Map in the comp plan.

The property owners are seeking a change in order to annex the property and develop it not as strictly residential, but also commercial. The Office of State Planning is not in favor of commercial growth east of Rt 1 and has suggested the City instead designate it as open space on the future land use map.

The alternative is to do what was done by another property owner east of Rt 1, McColley, in which the future land use designated it as residential, it was annexed as residential and an agreement was signed by the City, the property owner and the OSP stating the property will not be developed until an overpass is built in that area.

At this time, per Mr. Norris, the planning staff recommends the property be designated as open space on the Future Land Use Map. Mr. Norris will meet with the property owners to discuss the situation.

In addition, Mr. Norris explained what has happened in the past five years is property owners are annexing their property into the city in accordance with the comprehensive plan, meaning they are in the future growth boundary and have sought a zoning classification that complies with the Comp Plan, but because the property is on the peripheral of the City, when the time comes to receive approvals to develop the property, the property owners are met with hesitation. Hickory Glen comes to mind most recently. It is important for the commission to understand the Future Land Use Map is how properties begin their development in the City.

A draft of the 2013 Comprehensive Plan will be reviewed at the February planning commission meeting, including maps.

With no further business, the meeting adjourned at 7:40 pm.

Respectfully submitted,

A handwritten signature in black ink that reads "Christine Crouch". The signature is written in a cursive, flowing style.

Christine R. Crouch
Department Administrative Assistant/Recording Secretary

**CITY OF MILFORD
PLANNING COMMISSION**

Minutes of Meeting

February 19, 2013

The regular monthly meeting of the Milford Planning Commission was held in the Joseph Ronnie Rogers Council Chambers, 201 South Walnut Street, Milford, DE 19963 on Tuesday evening, February 19, 2013.

PRESIDING: Chairman James Burk
IN ATTENDANCE: Archie Campbell, Kerri Fry, Deborah O'Neill, Ed Holloway
ALSO: City Solicitor David Rutt, City Planner Gary Norris, Department Administrative Assistant Christine Crouch

Chairman Burk called the meeting to order at 7:00 pm noting the absence of Mr. Sharp, Ms. Mims, Mr. James and Mr. Lane.

APPROVAL OF MINUTES

The minutes for the January 2013 regular monthly Planning Commission meeting were approved as submitted with a motion by Mr. Campbell and seconded by Mr. Holloway.

NEW BUSINESS

2013 Comprehensive Plan

Mr. Norris presented a power point explaining the proposed changes from the 2008 plan to the 2013 plan. Those revisions are before the commissioners this evening, as they were included in their packets. These changes have been reviewed by the Office of State Planning and we have received their comments back. Based on the preliminary review comments, additional changes were made, which is what this 2013 Comp Plan draft includes.

Essentially, Mr. Norris explained, there are three changes to the Future Land Use maps. The first of which is on Figure 14D, Town Center Neighborhood. Mr. David Kenton, who represents Mr. Dewey Lynch and Mr. John Lynch, requested the Lynch property be designated as 1/3 open space, 1/3 residential and 1/3 commercial. This would require a change from the entire property being designated as open space, should it be annexed. The property is within our growth boundary, meaning we would accept an annexation petition, but currently it is designated as open space. The intent of the Lynch's is to develop it as residential and commercial.

The Office of State Planning has seen this requested change and they are very much opposed to this change stating its proximity is far from the town's center and it is east of Rt 1, which they feel is not ready to be developed due to the transportation issues along Rt 1 being identified and resolved. In this area in particular, an overpass is planned, but not until around 2020.

The second change being presented to the commission tonight involves Figure 14C, Southwest Neighborhood. Mr. Norris met with representatives of Bayhealth regarding their future plans for the hospital and its expansion in the coming years. The hospital anticipates purchasing additional properties around the current facility and has requested those parcels be designated as institutional instead of residential.

Finally, the third change to be reviewed this evening arrived via email today and is the property east of Rt 1 owned by MBT Holdings, which is represented by Mr. Elmer Fannin. This property is commonly referred to as the Mills property, as that is who owned it when annexed in 2007. Because this property is in the SE Neighborhood, it became part of the City's SE Master Plan, which was extensively researched and developed and adopted on July 25, 2011. At that time, it became part of the City's Comprehensive Plan. A change to the Comp Plan mapping alone is not permitted. Instead, the SE Master Plan must be amended. Mr. Fannin has requested the future land use for this property be changed from Low Density Residential to Business Park.

Before the Planning Commission tonight are those three changes to the Comprehensive Plan. The Commission will make a recommendation on each of them and the Plan will then go before Council to make a final determination.

Again, the three changes are as follows:

1. Future Land Use Map, Figure 14D
 - a. Lynch Property-from Open Space to 1/3 Open Space, 1/3 Residential, 1/3 Commercial
2. Future Land Use Map, Figure 14C
 - a. Multiple residential properties surrounding Bayhealth-from Residential to Industrial
3. SE Master Plan
 - a. MBT Holdings Property-from Low Density Residential to Business Park

Mr. Campbell asked what Mr. Fannin will be doing with the Mills property since he hasn't finished Hearthstone Manor and Hearthstone II yet. Mr. Norris felt he would be creating a business park on the property.

Mr. Burk asked how often Comprehensive Plans are required, per the State. Mr. Norris replied every five years.

When asked what the cost is to the City if these changes are approved tonight, Mr. Norris felt a couple of hundred dollars for mapping changes would be required.

Mrs. O'Neill noted when looking at the Middle School area, it appears there has been a change in their future land use as well, to proposed institutional. Mr. Norris reviewed the map and explained there has been no change in this area, the color on the map is very close to the color used for proposed institutional. He will request the color be changed.

Mr. Burk opened the meeting to public comment.

Mr. David Kenton, on behalf of the Lynch brothers, who were present, introduced himself. He stated he and the property owners feel the City should over ride what the State Planning Office is saying. The State people spoke up about five or ten years ago and said they didn't want any development east of Rt 1. It turns out after that, Lighthouse Christian Church was completely zoned commercial and Mr. Fannin got 500 acres.

Milford is expanding to the east and now it seems like the Lynch brothers weren't around when the Comprehensive Plan was changed five years ago and the Agricultural Department went out there and made the Lynch property Agriculture Conservation while the Lynch brothers were already working for five years on a plan they have called Bowen Mills. When Mr. Dickerson and Mr. Chaney were alive everybody in the whole town knew that this property would eventually be developed. And for some reason, no one called the Lynch's, no one said anything to them, they just slapped them in the Comp Plan as Agricultural Conservation. They feel like that was a mistake and asked Mr. Randy Lynch to come up and give some history of the property.

Again, he feels that the State Planning Office is still thinking five years back and Milford is not going to expand. It is going to expand along Rt 1, it's already been developed, and now the information he heard from DeIDOT is that the overpass is not planned for 2020, but for digging in 2016. Mr. Norris may be right and he may be wrong, as there is always a lot of false information that comes out of DeIDOT, but when Mr. Kenton spoke with them, they said they are getting ready to essentially condemn and take 25 acres of the Lynch property. From a commercial real estate point of view its worth \$200,000 per acre and it's just going to be taken. What they get in exchange is an overpass which will help Milford's transportation.

They feel like, Mr. Kenton continued, if the State is going to take 25 acres of property and then turn around and say they won't let them use the rest of the property, is essentially a confiscation. He is hopeful the City will help the property owners over ride what the State Planning Office has recommended so they can go ahead and develop it.

Mr. Norris addressed Mr. Kenton and stated the Lynch property was designated as Open Space, not Agricultural Preservation, as Mr. Kenton referred to. Mr. Kenton stated he has paperwork from the Milford Planning Commission stating it was changed to "AC" which is Agricultural Conservation. Mr. Norris explained not only does the City not have that zoning classification, but because the property is not in the City limits, we have no jurisdiction in what the current zoning classification is. It must be zoning in the county.

Mr. Randy Lynch came to the podium and explained his father bought the property in 1985. He has spent a ton of money surveying it and having plans drawn up. The whole intention of the plan along has been to develop it and then his father passed away, as did Mr. Dickerson, then he (Mr. Lynch) got tied up in the courts with a partition with the partner owner of the property, spent the last five years in court, and it's just getting a little ridiculous. He asked why he has to fight everybody all the time. The City hauled off and put it in the plan without ever telling him. The City never notified him of anything. He came to the City after the partition was complete to find out if it could be zoned in the City, and that's when he found out the property is in the City's Comprehensive Plan as Open Space and that they couldn't do anything till 2013. That's about all he has to say about it.

Mrs. O'Neill asked how many acres the property has. Mr. Kenton replied 64 acres. Mrs. O'Neill asked how the remaining 39 acres would be used. Mrs. Crystal Lynch, Mr. Randy Lynch's wife, came to the podium and stated there is a total of 96 acres to the parcel, not 64.

Mr. Campbell confirmed our Comp Plan has it classified as Open Space and the owners want to have it annexed and developed as commercial property. Mr. Norris explained in order for that to

happen, the property's future land use designation in our Comp Plan would have to be changed, should the City want the property to be developed commercially. The property owners want the property designated as highway commercial and moderate density residential. The process would be to amend the comp plan and then it can be annexed. The zoning they want the property to have when annexed has to be consistent with the Comp Plan and right now it is not, which is why the commission is reviewing this change.

Mr. Burk asked Mr. Norris to explain the process the City goes through when amending the Comp Plan. Mr. Norris, referring to the Comp Plan of 2008, explained there were extensive public hearings. The comp plan is in effect, but a new one or an amendment has to be done every five years. Sometime between 2010 or 2011 Mr. Kenton contacted Mr. Norris about the Lynch property being annexed into the City. It was designated as Open Space and therefore what he told Mr. Kenton was that in order for it to be annexed, the comp plan would have to be amended. When the amendment came about, which is now, Mr. Norris recognized Mr. Lynch's request and made the change to the maps. Mr. Norris then spoke to the Office of State Planning and their comments include their being concerned about expansion east of Rt 1 where in the 2008 plan it was designated as Open Space.

Mr. Burk just wanted to clarify that there are public hearings. He doesn't want the mind set to be that anything was done behind closed doors. Mr. Burk recalled the 2008 public meetings and even meetings where the Comp Plan has been discussed by this body, leading up to tonight. Mr. Norris confirmed.

Mrs. Crystal Lynch stated in response to what was just said, she understands there were public meetings and the Lynch property owners missed them, but at that point in time they were in the middle of a four to five year battle over trying to do anything with a partner. Mr. Burk understood, but he just wanted to clarify there have been several public meetings.

Mr. Campbell asked Mr. Norris if it would behoove us or advantageous to change the designation to commercial since that would bring more revenue into the town. Mr. Norris replied if you play the scenario out and the property is annexed and it's developed, then yes, theoretically it would benefit the town.

Mr. Campbell asked if there is enough room on the parcel, after DelDOT takes their share, to develop the property. Mr. Norris replied he doesn't know. His assumption is there should be some land available for commercial and the residual left for residential.

When asked by Mr. Campbell what the owners plan to develop on the property, Mr. Kenton stated Mrs. Lynch is correct there is 96 acres, but 32 acres is completely marsh and wetland. That leaves 64 acres. Then DelDOT will take by eminent domain 25 acres, leaving 39 acres for development.

Mr. Kenton stated originally the property owners had requested to the City the future land use designation be half C3 and the other half as R3, but are now, as of this meeting, requesting the entire parcel be shown as highway commercial, since they are aware the C3 allows what is in R3 zone.

To answer the question, the plan is to do a shopping mall of some sort. They usually take about 25 acres, which would leave 14 acres that could be used for some sort of housing project in the back. Because this market is very uncertain at the time, it's hard to say that would be the final plan. Mr. Kenton has had more requests for commercial sales than residential and as the City knows there is a tremendous back log of homes in the area that have not been sold. Referring to the intent of the development, Mr. Kenton added it could be a mall, it could be a truck stop, or a lot of other commercial uses. Again, asking for C3 zoning on approximately 39 acres of land.

Mr. Norris confirmed he had sent Mr. Kenton a proposed land use change map for this property and Mr. Kenton approved it, but he is now asking for commercial designation moved further east in order to give him 25 acres? Mr. Kenton explained that when he and Mr. Norris agreed to that map change, DelDOT had not informed him yet of the overpass plans. After looking at the overpass plans and meeting with DelDOT, this change has been prompted.

Instead of having 64 acres left, Mr. Kenton says instead they will only have 39 acres left, after DelDOT does the loop. Everyone knows that the overpass is needed and it will help traffic in that area. So there's 39 acres now and what he's sorta saying now is, and he'll have to do is put in a new request, the line has to be changed because of where DelDOT is putting the overpass. Mr. Kenton understands giving up 25 acres of the property to improve the traffic, but the owners want to be able to develop the 39 acres commercially and the rest of the land is used for duck hunting.

Mr. Burk asked if it would be beneficial to table this change. Mr. Norris replied sure, the commission has the right. Mr. Burk went on to explain Mr. Kenton has now changed what was presented tonight and Mr. Fannin's request just arrived today. Mr. Norris stated he had conversations with Mr. Fannin last week regarding his request. He asked if Mr. Fannin would like to speak.

Mr. Elmer Fannin with Key Properties Group was present as the owner of MBT Holdings. He explained that in developing the parcel that is east of Rt 1 for medical purposes (Innovation Park), it has not moved along as fast as he would have liked, but DelDOT is getting the roadway situation squared away and the economy seems to be turning around and he is starting to open up communications on the Innovation Park development. The property in question, owned by MBT Holdings, adjoins the Innovation Park parcel. Mr. Fannin has received requests from businesses wishing to locate off of Rt 1. Looking at the SE Master Plan that was adopted by the City, DelDOT has provided for secondary road improvements because of Innovation Park due to that being for a job creations area. He feels since Innovation Park will be a parcel that has jobs creation, the MBT Holdings (Mills Property) parcel would also be suited for a jobs creation parcel as well. He feels this would be a good location for a business park since the one in town is pretty much filled up.

Mrs. O'Neill asked for Mr. Norris to show the area being discussed on the overhead projection. Mr. Norris put the location on the overhead explaining it currently designated for low density residential. In addition, because this parcel is located in the SE Neighborhood, in order to modify the future land use designation, it requires first a modification to the SE Master Plan that was adopted by the City in 2011.

Mr. Rutt explained how the Comprehensive Plan moves forward. Once the Planning Commission makes a recommendation, City Council will make a decision and the Plan then goes back to the Office of State Planning. If they have any objections to what is proposed in the Plan and/or maps, then they try to work out a negotiation or agreement with the City on those objections. If an agreement is reached, it becomes part of the record and ultimately part of the Comp Plan.

If an agreement is not reached, the Plan then goes to the Cabinet Committee for State Planning, which is a Governor's Committee. They have the right to hold a public hearing to hear any objections or get further input. Their recommendation then goes to the Governor or the State Planning Coordinator where a certification of the Plan occurs. The certification of the Plan becomes the final plan that is adopted by the City.

Mr. David Kenton addressed the Planning Commission asking what if a property owner lives out of state, say in California, and the City held the public hearings as required and the notices were published in local papers, but because the property owner doesn't receive those papers, he wouldn't know about those hearings. Essentially, can the City legitimately change the future land use designation of your property without ever contacting the property owner? Mr. Kenton doesn't think that is legal, but he doesn't know.

Mr. Rutt replied by explaining if the zoning on a parcel is change, the property owner knows about it because they have to file the application with the City seeking that approval. In this case, where it is a property outside of City limits and is being looked at for future land use designation change, it is impossible to give notice to every land owner because it is a Comprehensive Land Use Plan. That is a lot of properties. That is simply a requirement of land ownership, in that you keep track of your land and what's going on. If there is public notice that's published in general circulation and online, then it is the obligation of the property owner to stay informed.

Mr. Kenton recommended the City notify all property owners of the fact the Comprehensive Plan will set the agenda for what happens on your property for the next five years. Please be aware and watch the papers.

Here are property owners, referring to the Lynch's, that essentially their land was put in Open Space and they had already been trying to develop it and a lot of people knew that. Typically the land use planning people just said 'We'll just put an overlay over it and essentially make it so difficult in the future you can never do anything with it.' That is a questionable activity.

Again, in the future, he recommends the City put a notice in all the tax bills that the City will be considering the Comprehensive Plan and this could affect what people can do with their land for the next five years by force of law.

Mr. Burk suggested Mr. Kenton address that recommendation with the City Manager or Council. This body doesn't get involved in that type of notice. Public notices are mailed and posted for the Planning Commission meetings and anything that the commission holds a public hearing for, but that wide spread of a notice would need to be addressed by the City Manager or Council.

Mr. Burk asked if there were any additional public comments. Hearing none, he closed the public comment session.

Mr. Campbell feels if the Lynch property is going to be annexed into the City, that's more revenue for the City, and therefore he is in favor of that. A shopping center, which is what Mr. Kenton has said may be built, would bring even more money into the town. Add in another 14 acres of who knows what. His feeling is that the commission should approve the future land use designation of the Lynch property to be highway commercial.

Mr. Campbell made a motion to accept the following changes to the 2013 Comprehensive Plan:

1. Future Land Use Map, Figure 14D
 - a. Lynch Property-from Open Space to 39 acres on the southwest side of the parcel to Highway Commercial leaving and 14 acres to the northeast side to Medium Density Residential (25 acres along Rt 1 will be transferred to DelDOT)
2. Future Land Use Map, Figure 14C
 - a. Multiple residential properties surrounding Bayhealth-from Residential to Industrial
3. SE Master Plan
 - a. MBT Holdings Property-from Low Density Residential to Business Park

Mr. Holloway seconded the motion. Motion carried with the following votes:

Campbell	Yes for the Lynch property because it will be a benefit for the town by bringing in more revenue. Yes for the Hospital property because it will help them expand. Yes for the MBT property because it will bring more businesses to the City.
Fry	Yes for reasons Mr. Campbell stated.
O'neil	Yes for reasons Mr. Campbell stated.
Holloway	Yes because it all of the changes are an opportunity to bring more jobs to the City.
Burk	Yes for reasons stated.

CITY PLANNER MONTHLY REPORT

Mr. Norris no report.

With no further business, the meeting adjourned at 7:51 pm.

Respectfully submitted,



Christine R. Crouch
 Department Administrative Assistant/Recording Secretary

**CITY OF MILFORD
PLANNING COMMISSION**

Minutes of Meeting

March 19, 2013

The regular monthly meeting of the Milford Planning Commission was held in the Joseph Ronnie Rogers Council Chambers, 201 South Walnut Street, Milford, DE 19963 on Tuesday evening, March 19, 2013.

PRESIDING: Chairman James Burk
IN ATTENDANCE: Marvin Sharp, Archie Campbell, Kerri Fry, Deborah O'Neill, Ed Holloway, William Lane
ALSO: Department Administrative Assistant Christine Crouch

Chairman Burk called the meeting to order at 7:00 pm noting the absence of Ms. Mims and Mr. James.

APPROVAL OF MINUTES

The minutes for the February 2013 regular monthly Planning Commission meeting were approved as submitted with a motion by Mr. Lane and seconded by Mr. Sharp.

CHAIRMAN MONTHLY REPORT

Chairman Burk reported the City Council Annexation Committee met to review a submission by Mr. & Mr. Renzi. The committee voted to move forward with the annexation so it will soon be presented to the Planning Commission for recommendation on zoning.

He also encouraged the commissioners to attend City Council meetings.

NEW BUSINESS

**John Tracey on behalf of CCM-Koelig, LLC; Project No 08-013
Preliminary Major Subdivision Ext 5; Wickersham
State Route 1
Tax Map 3-30-16.00-005.00; 44.50 +/- Acres; R-3 Zoning
Adoption of Resolution PC13-002**

Mr. John Tracey, Esq. was present on behalf of the property owners. He explained it seems like an annual pilgrimage he takes to Milford each spring to request an extension for Wickersham's preliminary major subdivision, however this year he is pleased to report he is 99% positive this will be the last extension request.

For those who are unfamiliar with this project, the annexation of this property took place in 2006 and in 2008 it received its preliminary major subdivision approval from the city. The reason for the extension requests have been due to DelDOT needing to install the overpass and the City needing to get water and sewer to the area.

There have been multiple discussions regarding the water and sewer. It was determined that when DelDOT started the overpass, the City would install the sewer at the same time however the water installation was an issue to do needing a tower in the area to serve the SE area. There

are other developments in this SE area that are in need of water, and sewer for that matter, as well, but none were willing to work with the City to provide a location for the tower. Ultimately Mr. Tracey's client was willing to work with the City and has provided a location on their property for the City's water tower.

At present, DelDOT has begun the overpass work and the City has finalized their sewer layout for the area and are ready to begin installation. The water plans are in their final stages of approval. Wickersham has already begun requesting the outside agency approvals so they will be ready to come back to the city for final major subdivision approval.

While Mr. Tracey does not see the need for a one year extension, since that is the typical time granted, he would prefer to be safe than sorry and respectfully requests a one year extension on the approval.

Mr. Campbell asked if the new water tower and lines will affect existing subdivisions. Mr. Tracey explained it would not. It will serve new development in the SE area and will tie into the City's existing water lines.

Mr. Burk called for public comments.

Mr. Erik Retzlaff with Davis, Bowen & Friedel stated his firm has been trying to get the water tower location established for years and get it built. Wickersham has been instrumental and very helpful with this project and it is appreciated.

With no further public comments, Mr. Burk closed the public comment session.

A motion by Mr. Lane to approve resolution PC13-002 for a one year extension of the Wickersham preliminary major subdivision was seconded by Mr. Sharp. Motion carried unanimously following a poll of the commissioners.

With no further business, the meeting adjourned at 7:07 pm.

Respectfully submitted,



Christine R. Crouch
Department Administrative Assistant/Recording Secretary

**CITY OF MILFORD
PLANNING COMMISSION**

Minutes of Meeting

April 16, 2013

The regular monthly meeting of the Milford Planning Commission was held in the Joseph Ronnie Rogers Council Chambers, 201 South Walnut Street, Milford, DE 19963 on Tuesday evening, April 16, 2013.

PRESIDING: Vice Chairman Archie Campbell
IN ATTENDANCE: Kerri Fry, Deborah O'Neill, Ed Holloway, William Lane, Rae Mims
ALSO: Department Administrative Assistant Christine Crouch

Vice Chairman Campbell called the meeting to order at 7:00pm noting the absence of Mr. James and Mr. Sharp.

APPROVAL OF MINUTES

The minutes for the March 2013 regular monthly Planning Commission meeting were approved as submitted with a motion by Mr. Lane and seconded by Mr. Fry.

NEW BUSINESS

**Davis, Bowen & Friedel on behalf of Louis J. & Shirley L. Renzi; Project No 13-194
Annexation**

Cedar Creek Road

Tax Map 3-30-15.00-059; -059.01; 3.00 +/- Acres

Current Zoning AR1, Proposed Zoning C-3

Adoption of Resolution PC13-003

Mr. Rutt stated for the record he has represented the Renzi's in the past and if anyone has any objections to him being here he will step out. His former representation of them will not affect his objectivity, but he needs to make that statement. Mr. Campbell stated Mrs. Renzi was on his committee while he worked at the Shawnee Country Club as well. In addition, if the Renzi's would like either Mr. Campbell or Mr. Rutt to recuse themselves, that is not a problem. No one stated objections.

Mr. Tim Metzner with Davis, Bowen & Friedel was present to represent the application. There are two parcels on the southeast side of Milford that are zoned AR-1 in the county. The Renzi's are requesting annexation with a zoning classification of C-3 which is consistent with most recent Milford Comprehensive Plan.

Mr. Campbell asked the commissioners if there were any questions and none were presented.

Mr. Campbell called for public comments. Hearing none, closed the public comment session.

A motion by Mr. Lane to approve resolution PC13-003 to recommend the zoning for the two parcels as C-3 was seconded by Mr. Holloway. Motion carried unanimously following a poll of the commissioners.

With no further business, the meeting adjourned at 7:05 pm.

Respectfully submitted,

A handwritten signature in black ink that reads "Christine Crouch". The signature is written in a cursive, flowing style.

Christine R. Crouch
Department Administrative Assistant/Recording Secretary

MILFORD CITY COUNCIL
MINUTES OF MEETING
January 16, 2013

A meeting of the Economic Development Advisory Panel was held in the Joseph Ronnie Rogers Council Chambers of Milford City Hall, 201 South Walnut Street, Milford, Delaware on Wednesday, January 16, 2013.

PRESIDING: Sher Valenzuela
IN ATTENDANCE: Craig Crouch, Brian Warnock, Bryan Shupe, Dave Hitchens, Irv Ambrose, Nolan Williams
ALSO: Councilmember Garrett Grier, Economic Development Director Stephen Masten and Recording Secretary Christine Crouch

Call to Order

Sher Valenzuela called the meeting to order at 5:42 pm followed by the pledge of allegiance.

Approval of Previous Minutes

A motion to approve the previous minutes by Mr. Hitchens was seconded by Mr. Crouch. Motion carried unanimously.

Unfinished Business

Guest Speaker-Mr. Bill Strickland-Kent County Sports Complex:

Mr. Bill Strickland and Ms. Shelly Cecchett of the Greater Dover Committee presented a powerpoint presentation on the proposed Kent County Regional Sports Complex. A copy of the powerpoint will be added to the minutes.

New Business

Economic Development Director's Update:

Mr. Masten reported since the last EDAP meeting in November, Mr. Scott Angelucci is looking to open a school in the old Fire Hall owned by Mobious Investments at 11 N Church Street. A stand alone operation is seeking about a half an acre along Rt 113 but there is no availability. There is a doctor that is interested in building an 8,000 sq ft building in Independence Commons as well. The Administrator for the VA Home is looking to expand by increasing the kitchen facility and a proposed daycare area.

EDAP sub committees met recently and what was discussed will be presented during the Action Team Reports. The meetings have not been scheduled on a regular basis as of yet, but that does need to be addressed. Is there really a need to meet on a regular basis or should they meet on an as-needed basis. Mr. Williams asked how the subcommittees must meet. Mrs. Crouch explained the agenda for each meeting needs to be posted a week in advance and minutes must be kept. There was concern about having the meetings in two days because some panel members are on more than one subcommittee, which would require several hours of meetings, which is not always possible. Mr. Hitchens suggested a date be picked for each committee and that is when the meeting is held. In addition, it would be very helpful if the dates could be picked for the next six months so that people can plan around the date.

Unfortunately, the Bread and Butter Bakery has closed, but the owner has someone who wants to take it over and re-open as a bakery also. As most are aware, due to a fire Warren Furniture has closed and the owner is determining if he will rebuild. If he does, it may not be as a furniture store though. It may be store fronts to be rented out. Pelican Bar has closed and Miss Q's is also closing.

In other business, Mr. Masten reported he has been involved in the Clean Delaware application before the Sussex County Planning & Zoning Commission. This is a project that is seeking approval to dump waste on

land on the east side of route 1 outside of city limits but is in very close proximity to the Mispillion River, which is tidal water and runs through Milford.

He visited a prospect in Lancaster PA who may come to Milford to speak with an existing medical facility.

In late 2012 the Delaware Economic Development Office was seeking a 300,000 sq ft facility with parking for 300 cars for a business that was seeking to relocate, however Milford does not have a site that could accommodate that need and we were unable to assist DEDO.

Mr. Masten has been asked to prioritize infrastructure projects for the City and no particular order, he has identified the proposed police station, the dredging of the Mispillion River, the Airport Road improvements, and a water line extension to serve not just Baltimore Air Coil, but development in that area.

A business finder's fee (BFF) is being looked at, which will give tax credits to businesses who want to re-develop or develop in Milford.

Proposed 200 ac Waste Site (Rt 36-Outside City Limits)

Mr. Hitchens requested this item on the agenda be addressed under the infrastructure action team report. There were no objections.

Action Team Reports:

Mr. Hitchens provided a copy of the panel subcommittee members which were established at the last meeting. He asked those subcommittee members, or action team members, to refer to last month's minutes included in the packet for tonight, find the list of issues as presented by Mr. Masten and determine what items can be addressed by which action team. He then went down the list of action teams and the panel collectively came up with the following items to be addressed by each action team.

Real Estate:

Mr. Ambrose stated he feels very strongly that a building/real estate inventory needs to be created and maintained so that when Mr. Masten receives requests for availability he is able to quickly identify vacant retail space that includes an address, square footage and zoning. That was essentially what was discussed at the subcommittee meeting as well as Mr. Masten's accomplishments since starting with the City.

Mr. Masten added one of the ideas that came out of the subcommittee meeting was linking the Kent and Sussex Realtors Association's website to the Economic Development webpage in an effort to capture all real estate in Kent and Sussex Counties.

Mr. Shupe announced his business, MilfordLIVE.com, is in the process of developing a real estate page just for the Milford area. It will be unveiled hopefully in February. It will be a search engine that allows people to search rental properties or properties for sale in Milford, either commercial or residential.

Workforce Development:

Mr. Masten reported at the subcommittee meeting it was determined workforce development is needed in Milford. Training funding from DEDO and Del Tech was discussed as well as what programs are being offered in Milford for workforce development, such as Jobs for Juniors, DEMAP, Business Accelerator, Junior Achievement, ESL with business and the school district, a mentoring program at the high school, a nightingale program at the middle school, a LEAD program at the high school, and a business program at the high school as well.

Mrs. Valenzuela added the Workforce Investment Board under the Department of Labor is also available to provide customized training.

Infrastructure:

Mr. Hitchens reported on the Clean Delaware application that came before the Sussex County planning and zoning board in October 2012. The vote has been delayed until February 11, 2013. Mr. Hitchens explained the site location and its proximity to the Mispillion River, which is adjacent to the property and at the low end of the property. It stands to reason run off from this site will impact the river. The Mispillion is tidal, which means whatever runs off into it may impact properties along the River within City limits, which includes downtown Milford.

The proposal is seeking approval to allow sanitary sewage from the City of Bridgeville, Lewes, Milton and Selbyville, Dogfish Head Brewery wash water, all of the liquids from the poultry plants in all of Sussex County, liquids from the processing of Rapa Scrapple, and all liquid grease trap residue from restaurants in Sussex County to be dumped on this site.

Should this project be approved and Milford is hit with another storm similar to Sandy, where the weather channel was predicting tidal surges of enormous magnitude, all of what has been dumped on this site could be in the streets of Milford.

Representative Harvey Kenton has spoken out against this application. At the hearings thus far, there have been roughly 100 people in attendance, yet there has been no response from the City of Milford, Downtown Milford Inc or the Chamber of Commerce. None of those have taken a position on this issue.

Councilman Grier asked what DNREC's comments have been thus far. Mr. Hitchens replied they have stated the application meets the regulations for the permitted applicant.

In addition, there were people in attendance at the Sussex County hearings that live near current sites such as this proposed site who stated the land where this dumping is currently being done elsewhere has yet to grow a crop on it. The farm adjacent to this proposed site grows for Hanover Farms. The property owner was told by Hanover if the proposal is approved, Hanover will no longer use the neighboring farm to grow their produce. The risk of contamination is too great.

Mr. Hitchens is urging the City, DMI and the Chamber to take a position on this proposal.

In addition to the Clean Delaware proposal, Mr. Hitchens reported the subcommittee discussed a comprehensive plan of service for the five growth areas in the city, business incentives, and quality of service for utilities. Public information was also discussed. The subcommittee would like to find ways to educate the customers with flyers, inserts in bills, etc to improve the customer relations part of the electric rates.

There is a fiber optic ring around the city that is not being used and is robust. For some reason, it just never went to a business plan. That is an opportunity for the City to lease, and have no other expense involved, and generate revenue.

The community cemetery is in need of having the wall and fencing around it replaced as it is deteriorating rapidly and it is an eyesore. While this doesn't necessarily fall under infrastructure, it is important to pay respect to those who built this town and are laid to rest there. There needs to be some initiative to replace the wall and fencing.

New Business/Expansion:

Mr. Ambrose reported on February 19th there is Chamber business forum at the Senior Center. One of the major things that is important to this committee is establishing legislative relationships and getting the

legislators who represent this area together to listen to us and what we need from them. We want to make sure when the bond bill is put together we have someone at the table for us.

Mr. Ambrose announced the Graves building downtown has been sold to a Milford resident who is going to open a retail business in there. Nancy's Café is going to open a cooking school soon in the old Chronicle building as well.

Another item discussed was the need for an attractive, up to date, interactive website. Jo Schmeiser came up with the idea of having an intern from a technical school create that website.

A new business packet was talked about where people interested in starting a business would have a step by step guide on who to contact in the City and what information they need to know if they would like to open a business in Milford.

Marketing/Promotion:

Mr. Williams asked for minutes from the subcommittee meetings. Mr. Williams stated he really didn't have anything to add because they have not met.

Adjourn

The next meeting will be held February 20th at 5:30 pm. With no further business the meeting adjourned at 7:14 pm.

Respectfully submitted,



Christine R. Crouch
Recording Secretary

MILFORD CITY COUNCIL
MINUTES OF MEETING
February 20, 2013

A meeting of the Economic Development Advisory Panel was held in the Joseph Ronnie Rogers Council Chambers of Milford City Hall, 201 South Walnut Street, Milford, Delaware on Wednesday, February 20, 2013.

PRESIDING: Dave Hitchens
IN ATTENDANCE: B. Craig Crouch, Brian Warnock, Bryan Shupe, David Markowitz, Irv Ambrose, Jo Schmeiser, Nolan Williams, Phillip Ruiz, Phyllis Kohel
ALSO: City Manager Richard Carmean, Councilmember Garrett Grier and Recording Secretary Christine Crouch

Call to Order

Mr. Hitchens called the meeting to order at 5:30 pm followed by the pledge of allegiance.

Approval of Previous Minutes

A motion to approve the previous minutes by Mr. Warnock was seconded by Mr. Crouch. Motion carried unanimously.

New Business

Economic Development Director's Update:

City Manager Richard Carmean was present this evening on behalf of the Economic Development Director, Mr. Masten, who is in Washington at a trade show for large box stores, franchises, etc. Mr. Carmean reported the following:

Hibbetts Sports is a national franchise that will be opening in the old Advanced Auto location by Food Lion. Milford Diner will be re-opening under new management.

Josephine Keir LTD will be opening in the old Graves building downtown.

Bread & Butter Bakery will re-open by the same owner.

Trans American Insurance is looking to locate at the Milford Square Shopping Center.

Arena's will be opening in the old Pelican bar & grill, thanks to Councilman Grier. According to the property owner, the whole strip center will be receiving a face lift by Brendon T. Warfel Construction and a 1200 square foot deck is proposed off the back overlooking the river.

Dunkin Donuts will be demolishing the current Donut Connection and building new with a drive through.

Perdue will be expanding their building to accommodate their organic chicken line and anticipate that adding another 260 jobs.

The Veteran's Home is looking into expanding.

Magic Monday's continue with the last one being held on March 18th.

US Congressman Carney has new Sussex County Coordinator which many of the EDAP members may meet in their travels.

Warren's Furniture owner is willing to speak with the City and DMI regarding options for the building.

There are several options including giving the building away to be remodeled, demolishing the building or remodeling and dividing into several stores. One business in town has already expressed interest in it.

The Kent & Sussex Profile has been published again and Milford is again covered well.

Mr. Scott Angelucci is looking into opening an art school called River Art Center for Modern Crafts in the former fire house.

The annual chili cook off is scheduled for March 6th.

The Chamber hosted the business forum on February 19th.

The Greater Dover Foundation has grants available and research is being done regarding funding five possible projects.

The City is negotiating with PNC Bank for their downtown building that is to be closing. The City would relocate the Billing Office there, as the S. Washington St location that was formerly the planned location has had soil issues.

Mr. Carmean has met several times with Dr. Kohel regarding the middle school and what will become of it.

Mr. Ambrose added a new antique store will be opening in Penny Square.

There have been four inquires, two of which are serious, for the former Milford Gifts location downtown. A culinary school and catering business is working to locate downtown as well.

Action Team Reports:

Real Estate:

One item that has been discussed several times, according to Mr. Hitchens, is an inventory of vacant properties in Milford. When asked by Mr. Hitchens the status of that project, Mr. Carmean replied he understands the need for the inventory but is unsure where Mr. Masten stands on that project.

Workforce Development:

Mr. Hitchens reported Mrs. Valenzuela received a letter stating the Junior Achievement Board has passed a motion to create a southern campus to be located in Milford. They will be looking for a location with between 5,000 and 10,000 square feet. Mr. Ambrose reflected back believing this was already a done deal and it was to be located in Mrs. Valenzuela's building. Mr. Hitchens explained after JA evaluated their debt, they slowed the progress down but are now back to find a location. Mrs. Valenzuela's location is too large for their needs and would cost too much to building out. Mr. Ambrose suggested they contact the owners of Penny Square or the former SuperFresh building owners.

Infrastructure:

Mr. Hitchens has met with the site superintendent at George & Lynch regarding the overpass at Rt 1 and Rt 30 and he anticipates the project will be complete sooner than the anticipated 2014 date. In addition, Mr. Hitchens is working with DelDOT to resolve the ponding of water on Wilkins Road.

Mr. Carmean added he has met with then engineers this morning and they are at 80% completion on the infrastructure installation. They are still looking at the end of March as a completion date. As earlier reported, this infrastructure will be connected to the new water tower in the southeast area and anticipates being under Rt 1 very shortly to get water to the east side of Rt 1. A few years ago when a referendum was passed for the project, the rates were slightly raised, so there is some extra money so he is looking into either debt payment for the project or future water projects. So there is some money built up. Mr. Carmean is thinking about recommending to council that we continue on down towards Bucks Road, which is further east, to get down in that area where there are two large developments (Knollac Acres and Hidden Meadows). Mr. Carmean met with the fire company and they expressed concerns with having two developments where there are no ponds to pump from. They were in favor of having hydrants in those two areas.

Mr. Carmean, speaking of infrastructure, asked the committee to determine what could be done to modify the perception of the City's electric rates. He doesn't think it's as bad as people say. Sometimes he would like to walk away from the issue and let the people who think they know better than the people the City hires and those who have worked in the Electric Dept for many years, do what they think is best, sell this

company, but he has to live in this town so it scares him to let them do that. The last offer the City had, from the Co-Op, Mr. Carmean took three individuals who were not necessarily his pals, but who he felt had sense enough to understand the offer, and had them look at the offer. One of them was very much in favor of selling the electric department. But one of the people, and one of them is sitting here tonight but Mr. Carmean would not name names, said there is no way the City could accept the deal.

Mr. Carmean provided the panel members with a recent comparison chart on residential rates. The City is number four and \$9.00 higher than the next two, Lewes and New Castle, and Middletown is the highest in the state, which also happens to be fastest growing economic town in the state.

If people look at Milford and the residents in town that have sewer, water and trash and in some cases we are enough cheaper we more than make up for the \$9.00 we are higher in electric. The Co-Op is about \$20 cheaper than Milford, but a lot of people on Co-Op are paying \$100 a quarter for trash collection and they get one can. People in Milford are paying \$23.50 and get three cans, if they want them. The whole picture has to be looked at. Last year Milford lowered some of the larger users electric rates by 14-18%. It's not enough, and he would like to do more. Mr. Carmean will have Mr. Masten provide the panel with what Milford's comparisons are.

Mr. Carmean understands it's a topic of discussion, even at the Business Forum, but feels this group needs to take a look at this and see how bad Milford is, again looking at the community as more than just one utility. Take into consideration why people want to bring their businesses to a town, they don't want to deal with septic particularly if they are manufacturing, and they don't want to deal with wells either.

Mr. Crouch stated he attended the Business Forum and while he thinks there was concern voiced over the electric rates, he also heard from several people saying it would be nice to be educated on how that bill works. It can be complicated when it goes into the demand charge because there are some things there that if someone doesn't sit down and explain it and how the business can impact it, then it is frustrating.

Mr. Carmean felt a lot of the people sitting here tonight would say it is a perception that Milford's residential rates are totally out of control. Mr. Crouch replied that's been a perception for 20 years. Mr. Carmean agreed, but it is a perception. Right here in black and white it's obvious we aren't doing too bad. While there was a time Milford was the highest, so we deserved that criticism, but we aren't anymore.

Mr. Crouch suggested a copy of the comparison be included in the electric bill to show everyone. Mr. Carmean stated the formatting of the electric bills will be changed in the future to hopefully make it easier to understand. The mailing of the bills will also be outsourced and he is currently working to expand the customer service throughout the City. The Billing Dept is the first place a resident goes when they move here and it's the first impression they get of our community. It's got to be top notch and run right. People have to be treated right. The Billing Dept get talked to like dogs sometimes, but it can't be taken out on the next customer. Again, Mr. Carmean is working on making changes there.

Back to the electric rate issue, Mr. Carmean suggested it wouldn't hurt if once in awhile someone would say 'well, yeah, they need to work on the larger users, but they're doing pretty good residentially.' Mr. Crouch replied the City needs to get out there and educate. Using the Co-Op as an example, while Mr. Crouch is not a customer of theirs, he gets literature from them all the time discussing everything from how to reduce his rates, what the Co-Op is doing, i.e. upcoming meetings, to their solar farm. They are engaging their customers. There is a bill going to everyone's house every month, it's a great opportunity to spread the propaganda.

Mr. Carmean thought he may be able to get a figure on how many outages the Co-Op has versus how many the City has, as well. It's nice to have the lights on when the wind is blowing 80 mph. Mr. Carmean agrees that more could be done. Quite frankly, he needs to get an updated look at small general service, medium and large as well as industrial to see where the City stands. He heard the first eight years as City Manager 'why aren't you as low as Delmarva Power?' Take a look now. As a matter of fact, by about 2014 DMEC feels we will be in an even better comparison standing.

Mr. Crouch asked the status of the electric meters going wireless, which would create a broadband internet. Mr. Carmean is still trying to get that to happen and sees it as a real cost savings for the Police Dept alone. Mr. Crouch explained the subject came up at the Business Forum and how having that would position Milford especially in Sussex County to be more competitive. Mr. Carmean held a meeting recently, where his Meter Dept employees are not real thrilled with the idea of "smart" metering; however Mr. Carmean feels they can be assimilated in other parts of the City if Milford goes that way. A lot of money can really be saved by going to that system, as staff does not have to be sent out to diagnose electric issues, or disconnect and re-connect meters and read meters. Again, Mr. Carmean is very excited about the potential and would like to get the City wirelessly metered and everything that entails.

Mr. Crouch asked what the investment in the system is. Mr. Carmean replied Newark, which has a much larger customer base, spent about \$12M, but they anticipate it being paid back within 15 years. They have saved \$600,000 per year since the installation. Based on our customer base, he feels Milford could get it done with about \$4M.

New Business Start Ups & Expansion:

Mr. Hitchens stated Mr. Masten has been facilitating Bayhealth meeting with other hospital supporters for Bayhealth initiatives. He can't really say much more at this point as it is not public knowledge.

Marketing & Promotion:

Mr. Ambrose explained a Milford business owner, who also has a storefront in the beach area, began asking customers at her beach store for their zip codes when they checked out. She found a lot of 19963 zip codes and started asking if those customers had been to the downtown Milford location. To her surprise, many did not know where downtown was. Mr. Ambrose isn't sure what more can be done to advertise the downtown district, but suggested if the Welcome Basket concept ever comes to fruition to include coupons for downtown stores so people get to the area. He encouraged whomever is working on the Welcome Basket to make it a priority.

Mr. Williams explained the Welcome Basket initiative has had several realtors express interest, but then back out. Since Mr. Masten has come aboard, the project simply hasn't become a priority.

Mrs. Schmeiser explained the Business Forum that had taken place included attendance of over 50 people and garnered a list of the top ten concerns, out of 37 concerns addressed. The top 10 are as follows:

1. Better public transportation, including busses and taxis.
2. More entertainment attractions.
3. Electric rates. Education by City to businesses.
4. Online calendar to eliminate duplicate events.
5. Create a short and long term business plan for the City.
6. Create more and better jobs.
7. More downtown activities and retail shopping opportunities on Sundays.
8. Increase awareness of downtown businesses.
9. Develop a business referral system.
10. Bring higher education to Milford.

Mr. Williams asked the status of the Hampton Inn lighting or signage along Rt 1. Mr. Carmean has met with DeIDOT and DEDO regarding the City assuming the road. DeIDOT is fine with the City taking the road, however that includes the Tub Mill Pond and Rt 1 intersection, which is a huge expense. Discussions will continue.

Adjourn

The next meeting will be held March 20th at 5:30 pm. With no further business the meeting adjourned at 6:37 pm.

Respectfully submitted,



Christine R. Crouch
Recording Secretary

Selected Area Utilities

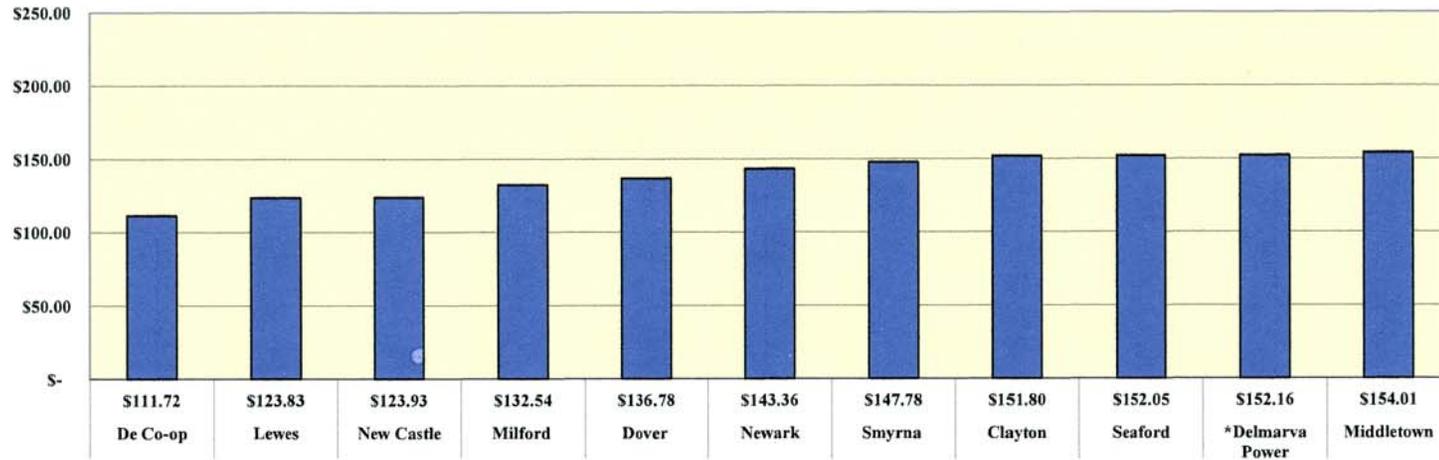
Winter (Oct. - May)

RESIDENTIAL RATE COMPARISON @ 1,000 kWh

		DE COOP	DPL
		<u>% Difference</u>	<u>% Difference</u>
<u>De Co-op</u>	\$	111.72	0.0%
<u>Lewes</u>	\$	123.83	10.8%
<u>New Castle</u>	\$	123.93	10.9%
<u>Milford</u>	\$	132.54	18.6%
<u>Dover</u>	\$	136.78	22.4%
<u>Newark</u>	\$	143.36	28.3%
<u>Smyrna</u>	\$	147.78	32.3%
<u>Clayton</u>	\$	151.80	35.9%
<u>Seaford</u>	\$	152.05	36.1%
<u>*Delmarva Power</u>	\$	152.16	36.2%
<u>Middletown</u>	\$	154.01	37.9%

* Approximate. DP&L's transmission capacity charge is based on each individual's Peak Load Contribution (PLC) to the overall transmission load. Each customer has a unique PLC that changes every January

Residential Cost @ 1,000 kWh's As of January 1, 2013



MILFORD CITY COUNCIL
MINUTES OF MEETING
March 20, 2013

A meeting of the Economic Development Advisory Panel was held in the Joseph Ronnie Rogers Council Chambers of Milford City Hall, 201 South Walnut Street, Milford, Delaware on Wednesday, March 20, 2013.

PRESIDING: Dave Hitchens

IN ATTENDANCE: B. Craig Crouch, Brian Warnock, Bryan Shupe, David Markowitz, Irv Ambrose, Jo Schmeiser, Michael Ashton, Phyllis Kohel

ALSO: Councilmember Garrett Grier and Recording Secretary Christine Crouch

Call to Order

Mr. Hitchens called the meeting to order at 5:32 pm followed by the pledge of allegiance.

Approval of Previous Minutes

A motion to approve the previous minutes by Mr. Crouch was seconded by Mr. Markowitz. Motion carried unanimously.

New Business

Member Recommendations/Term Expiration

Mr. Hitchens explained Mr. Williams sent him an email resigning from the panel due to numerous business conflicts. Further, according to the records, there are no term limits for the members on this panel. He asked how the panel felt about adding term limits and forwarding that recommendation to council. Mr. Markowitz felt the term limits really don't matter since members can resign when they are ready instead of council having to review membership terms and approve them. Dr. Kohel agreed. Councilman Grier would like to keep things as they are as well. No additional comments were offered from the panel regarding term limits and Mr. Hitchens confirmed no recommendation to city council regarding terms will be offered. Mr. Crouch confirmed Mr. Williams' replacement is approved via council. Mr. Hitchens suggested his replacement be someone in the real estate field, since that is lacking. He will ask Mr. Williams if he had a replacement in mind. Mr. Crouch felt a replacement for Mr. Williams in the marketing field would be beneficial to the panel as well.

Economic Development Director's Update:

Mr. Masten reported the following new information since the last meeting:

Warren furniture currently has four to five people interested in purchasing the property.

Milford Diner plans to open in early April and has received 200+ applications.

A new business will be going in on the second floor of what was formerly Lacrosse Homes on N Walnut St.

Milford Shopping Center has had core samples taken at the pad site the Chick Fil A has expressed interest in.

Milford Square shopping center has several letters of intent and a new barber shop recently opened there.

Cypress Hall shopping center has several letter of intent submitted to be located in the newly constructed shells near Redner's.

In addition, Mr. Masten recently attended an Industrial & Commercial Centers Conference. He is looking at how to bring different people to Milford. The answer to that is to attract different businesses that are currently not in this nearby vicinity but are national chains.

The Greater Dover Committee is working on projects that are job creators and he is working with Harrington, Dover, etc. on several job creating projects that can be packaged together and sent to the State legislators to let them know the importance of smaller projects. This will enable the legislators to access funds for the package. The project identified for Milford is a water line for Baltimore Air Coil.

In conclusion, Mr. Masten is working with a destination type business that may be coming soon which will bring about 25 new jobs.

Action Team Reports:

Real Estate:

Mr. Masten is compiling an inventory of vacant spaces in Milford and he believes space is very limited. When asked by Mr. Crouch what kind of revenue Milford sees when a business occupies a leased space, Mr. Masten replied Hibbett Sports, for example, will spend about \$1M to open its doors including renovations and inventory and intends to do about \$35k of business per month. Mr. Crouch explained he means what revenue does Milford collect. Other than building permit fees, nothing.

Workforce Development:

Mr. Hitchens reported Junior Achievement opening a Milford location continues to be a goal. April 30th there will be a site visit in Wilmington.

Infrastructure:

Recently a meeting took place between Mr. Crouch, Mr. Masten, Mr. Hitchens, City Manager Carmean and the customer service representative working with the City, Mr. Mark Robertson. While the discussion related to electric, what came out of the meeting was the possibility of the City hiring an image consultant to tout the City's benefits and offerings. City Manager Carmean suggested that recommendation come from the panel to city council, if the panel believes it to be beneficial to Economic Development.

The consultant would be on a contractual basis or part time, as full time or salaried is not necessary. They would create a plan that EDAP or the City could implement. Mr. Masten envisioned a person or group that could speak at various events or meeting in Milford, i.e. Rotary, and could hold seminars or classes to explain how to lower electric rates. When Mr. Masten discussed this concept with City Manager Carmean recently he was in favor of the idea.

Mr. Crouch continued by explaining the concept is to not only increase awareness in the community and surrounding areas of the services Milford offers, but also combat the perception that utilities are high. This would be proactive marketing versus a reactive discussion. Mr.

Hitchens agreed by adding the outcome of meeting with City Manager Carmean was to begin focusing discussions on performance instead of price, which is really what the discussion needs to be about. Milford should be advertising its exceptional performance. If people in Milford are only talking about price, that is all that's every going to be discussed, until someone begins to talk about the performance instead. Mr. Hitchens is very much in favor of hiring a consultant to market Milford.

Mr. Masten recalled part of the meeting where one initiative is to change the layout of the utility bills so that it better identifies which portion of the total is for water, sewer, electric and trash so that customers don't feel that all they are paying for is electric.

Mr. Ambrose made a motion to recommend to city council they hire a marketing consultant as per the discussion just held, seconded by Mr. Crouch. Motion carried unanimously.

Councilman Grier asked if Mr. Robertson had any ideas on who he would recommend. Mr. Crouch replied he does know some people that could help. Councilman Grier will follow up with Mr. Robertson. Mr. Hitchens added he has someone in mind as well, and Mr. Ambrose suggested the company that did the Milford branding.

Mr. Ashton asked if a Request For Proposal will be done. Mr. Masten replied it will go through the RFP process. Mr. Ashton explained the "best of the best" may be out of New York, but will their message resonate with this community. It could be beneficial to see what a local company has to offer. Councilman Grier explained there is a dollar threshold that has to be met in order for an RFP to be required and understood Mr. Ashton's point.

In other Infrastructure updates, Mr. Hitchens has spoken with Mr. Bruce Allen, a community representative from DelDOT and would like to invite him to an upcoming EDAP meeting to discuss secondary road improvements. Mr. Masten will contact Mr. Allen to secure a date and council will be notified of that meeting date as well.

Mr. Ambrose recalled council approving the expenditure for signage on Rt 1 and asked the status of that project. Mr. Masten explained Mr. Allen is a part of that project as well and he will schedule a meeting with DelDOT to get that moving forward. Mr. Ambrose felt the new signage would be a start in bringing travelers into town, which is a frequent topic of discussion with EDAP.

Mr. Crouch reported the Kent County Sports Complex has a signed deal and construction can begin when the overpass in the area begins. The overpass is funded and it is to begin immediately after the Rt 30 overpass is complete.

Mrs. Schmeiser recently connected with Hampton Inn and they are doing well. They are booked for all of the race weekends and festivals.

When asked by Mr. Crouch if everything is still in line for the water tower and services in the SE area, Mr. Masten replied yes.

Mr. Hitchens asked if there is a water leak somewhere near Abbott's Grill, as he has seen standing water in the roadway often. Councilman Grier explained it is due to the natural hydraulics from the river and there are committed funds from two legislatures to fix the property across the street from Abbott's to re-route that water.

New Business Start Ups & Expansion:

Mr. Masten included this in his report.

Marketing & Promotion:

Mr. Masten had previously reported to the panel that a welcome package goes out to residents; however he has learned those are only given to in town residents. He is looking into placing brochure racks at City Hall and Public Works that different groups can place their brochures in and people can take what interests them. Other places racks could be placed would be the Chamber of Commerce and DMI offices. Mr. Hitchens suggested the consultant discussed earlier be part of this concept as well.

Adjourn

The next meeting will be held April 17th at 5:30 pm. With no further business the meeting adjourned at 6:18 pm.

Respectfully submitted,



Christine R. Crouch
Recording Secretary

CITY OF MILFORD
WORKFORCE DEVELOPMENT COMMISSION

Minutes of Meeting
October 10, 2012

The regular meeting of the Milford Workforce Development Commission was held in the Joseph Ronnie Rogers Council Chambers, 201 South Walnut Street, Milford, DE 19963 on Wednesday evening, October 10, 2012.

PRESIDING: William Pilecki
IN ATTENDANCE: Mayor Joseph Rogers, Dave Markowitz, Sylvia Henderson, Grant Curtis,
Dottie Vuono, Phillip Ruiz
ALSO: Recording Secretary/Administrative Assistant Christine Crouch

Mr. Pilecki called the meeting to order at 5:35 pm followed by the Pledge of Allegiance and Invocation given by Mr. Curtis.

Old Business

Subcommittee Reports

Student Selection - Status of Summer Session Students-There were three students placed, two of which were successful. One is still employed were placed, but the employer feels there may be issues. Overall the summer session went very well. It was noted the hours that were expected for the students, 40 hours per week per student, during the summer session were not met leaving more than expected money in the students account. If the hours are not going to be 40 hours per week, the committee needs to know so the funding can be released for another student possibly to be placed. Mr. Ruiz was concerned with the fact the students are promised 40 hours per week, but are given less. That is a financial hardship on the student and is not what was promised. Mr. Markowitz explained the one student that is having difficulties with the hours requested less hours due to a second job. When asked if the program can supplement any hours that are not worked yet promised, Mr. Pilecki felt that is not the program's responsibility.

Student/Employer Support - Status of Summer Session Employers-The employers over the summer session are very pleased with the students.

Community Financial Support - Monies Collected During Summer Session-There was \$10,850 received. A student during the fall session is expected to work 20 hours per week. A two year program requires \$1850 for 400 hours during the summer session and 400 hours during the fall session. This amount also takes into consideration the fees required to be paid to Delaware Community Foundation.

New Business

Fall Session Funding Available - Community Financial Support Subcommittee-There is \$7360 available for the fall session students.

Fall Session Employers Available - Student/Employer Support Subcommittee-Three positions with two employers are available with another two pending. It was determined Juniors or Seniors may be permitted to join the program.

Fall Session Student Selection and Acceptance - Student Selection Subcommittee-Included in the packet are three applications for possible student selection.

Review and Modification of Student Selection Process, Employer Interviews and Commission Approval-The Commission approved allowing the Student Selection Subcommittee to determine which students are acceptable to be placed based on their interview process.

Commissioners Questions

Mrs. Henderson asked if the School District is permitted to be an Employer in the program. The commission felt if they could be so long as they enter into the same contract as all other Employers.

Mr. Pilecki would like to modify the Commission's letterhead to include the commissioner's names. The commission was fine with that.

Mr. Pilecki reported in the spring Mr. Bryan Shupe with Milford LIVE will be doing an article on the program.

It was asked if a fundraiser could be done, like a meet and greet. Mr. Pilecki directed Rev Vuono to put the particulars together for presentation at the next meeting.

Mr. Pilecki reported the commission may not need to meet monthly. He will determine when the next meeting will be based on the goings-on of the commission.

Adjourn

With no further business the meeting adjourned at 6:21 pm.

Respectfully submitted,



Christine R. Crouch
Recording Secretary

CITY OF MILFORD
WORKFORCE DEVELOPMENT COMMISSION

Minutes of Meeting
January 9, 2013

The regular meeting of the Milford Workforce Development Commission was held in the Joseph Ronnie Rogers Council Chambers, 201 South Walnut Street, Milford, DE 19963 on Wednesday evening, January 9, 2013.

PRESIDING: William Pilecki
IN ATTENDANCE: Mayor Joseph Rogers, Sylvia Henderson, David Markowitz, Dottie Vuono, Grant Curtis
ALSO: Recording Secretary/Administrative Assistant Christine Crouch

Mayor Rogers called the meeting to order at 5:34 pm followed by the Pledge of Allegiance and Invocation given by Mr. Curtis.

Old Business

Subcommittee Reports

Student Selection – Six students are currently placed and there are two interviews scheduled for tomorrow.

Student/Employer Support – My Bambino may be interested in a student and Dentsply Caulk may be interested in an additional student.

Community Financial Support – Mr. Pilecki and Mr. Curtis are working on putting a report together that will show revenue received from the employers and students and the earnings each student has accrued. He hopes to have it available at the next meeting. Mr. Pilecki asked if the commission would approve of the three students that began the program working through the summer in the program in order to accrue as much funding as possible. The board agreed.

New Business

Spring Session Student Selection and Acceptance - Student Selection Subcommittee-There are two possible students being interviewed tomorrow.

Spring Session Employers Available - Student/Employer Support Subcommittee-There are no additional employers lined up at this point therefore informing the local businesses of this program was discussed. An email blast to the Chamber businesses as well as articles in the two local papers were thoughts. Ms. Henderson will contact Milford LIVE to determine if an article can be done.

Spring Session Funding Available - Community Financial Support Subcommittee-Mr. Curtis will contact Royal Farms, Wawa and Perdue to request financial support.

Fundraising Efforts – Deacon Vuono felt the program needs a presence at the Bug N Bud festival, the Hospital Fair and the Riverwalk fest. There are table fees required, signage and literature needed and people to man the table. When asked if the Leo's would be able to assist,

Mr. Curtis replied he will look into it. Ms. Henderson will put a pamphlet together as well. When determining who will man the tables, Ms. Henderson felt possibly either the students in the program themselves or high school students in Honor Society or NJHS that need community service hours. In addition she thought it would be a good idea to have a cupcake decorating contest at the high school. Mr. Markowitz motioned for the approval of Deacon Vuono to secure tables at the Bug N Bud festival and the Health Expo at the high school coming up, seconded by Mr. Curtis. Motion carried unanimously.

Mr. Pilecki asked commissioners to give him names of people that would work well on this commission.

Adjourn

The next meeting will be held April 10, 2013 at 5:30 pm however Mr. Pilecki will be absent. With no further business the meeting adjourned at 6:09 pm.

Respectfully submitted,



Christine R. Crouch
Recording Secretary