

Town of Milton
115 Federal Street
Milton, DE 19968



www.milton.delaware.gov
Phone: 302-684-4110
Fax: 302-684-8999

***AMENDED AGENDA**
Milton Town Council Meeting
Grace Church Fellowship Hall, 512 Union Street
Monday, February 1, 2021
5:30pm Executive Session; 6:30 pm Regular Meeting

PLEASE NOTE – AS PERMITTED BY GUBERNATORIAL AUTHORITY, IN ORDER TO LIMIT THE RISK OF POTENTIAL COVID-19 EXPOSURE, THERE SHALL BE LIMITED ENTRY TO THE TOWN COUNCIL MEETING.¹ THE PUBLIC IS ENCOURAGED TO PARTICIPATE IN THE COUNCIL MEETING EITHER BY ATTENDING OR CONNECTING ELECTRONICALLY. FURTHER INSTRUCTIONS ARE LISTED AT THE BOTTOM OF THIS AGENDA.

1. Call to Order
2. Roll Call
3. Additions or Corrections to the Agenda
4. Agenda Approval
5. Executive Session:
 - a. Discussion of the content of documents, excluded from the definition of "public record" in § 10002 of this title where such discussion would disclose the contents of such documents
 - b. Strategy sessions, involving legal advice or opinion from an attorney-at-law, with respect to collective bargaining or pending or potential litigation, when an open meeting would have an adverse effect on the bargaining or litigation position of the public body
6. Discussion and possible vote on Executive Session items
7. Moment of Silence
8. Pledge of Allegiance to the Flag
9. Public Participation
10. Requests for removal of items from the Consent Agenda
11. Approval of the Consent Agenda on the following items:
 - a. Written Committee Reports
 - b. Written Department Reports: Town Managers Report, including the Administrative, Project Coordinator, Police, Code Enforcement, and Public Works Department Reports
 - c. Finance Report and Statement of Revenues and Expenditures for December 2020
 - d. Minutes: January 4, 2021 and January 11, 2021
12. Discussion and possible vote on items removed from the Consent Agenda
13. Old Business – Discussion and possible vote on the following items:
 - a. ~~Recommendation from the Streets, Sidewalks, and Parks Committee on the direction of travel, parking, and one-way for the following streets: Hazzard Lane, Manship Street, Sand Street, Church Street, and Poplar Street~~
14. New Business – Discussion and possible vote on the following items:
 - a. Request from St. Johns Church related to an extension for sidewalk repair
 - b. Request from Denise Suthard related to an extension for sidewalk repair

- c. Request from Fernmoor Homes at Heritage Creek on lot number changes on the master plat plan
- d. Recommendation from the Streets, Sidewalks, and Parks Committee on adding crosswalk striping at Lavinia Street/Mulberry Street, and Wharton Street/Chestnut Street/Atlantic Street
- e. Resolution 2021-005 to ratify the results of the January 16, 2021 Water System Improvements Referendum
- f. Request for contract extension related to Shipbuilders Water Treatment Facility

15. Adjournment

Pursuant to 29 Del. C. § 10004(e) (2), Agenda items as listed may not be considered in sequence. This Agenda is 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 Meeting. Pursuant to 29 Del. C. § 10004(e) (4), this Agenda was prepared and posted by the Town Clerk on January 25, 2021 at 4:15pm. * Agenda was amended by the Town Clerk on January 27, 2021 at 9:45 am to remove Old Business item A

-MEETING INSTRUCTIONS-

Milton Town Council is holding this meeting under the authority issued by Governor John C. Carney through Proclamation No. 17-3292. The meeting will be conducted in person and by teleconference technology.

To join the meeting via phone, please dial:

Dial -in Number: (425) 436-6360 Passcode: 500943
Or

Video and Screen Sharing:

Online meeting ID: tqauss

Online meeting link: <https://join.freeconferencecall.com/tquass>

Members of the public joining the meeting on the phone will be provided an opportunity to make comments under the Public Comment section of this agenda only.

If any member of the public would like to submit comments electronically, please feel free to send them to krogers@ci.milton.de.us. All comments shall be submitted by 4:30 P.M. on Monday, February 1, 2021.

¹Restrictions are being implemented to limit the exposure and risk related to "COVID-19" for Town personnel and members of the public who seek to attend the Town Council Meeting. Facial coverings will be required as well as practicing social distancing and the use of hand sanitizer at the door upon entry. These decisions are being made under the authority issued by Governor John C. Carney through Proclamation No. 17-3292. See: <https://governor.delaware.gov/proclamation-173292-03132020/>.

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January 26, 2021

To: Mayor and Town Council
From: Kristy Rogers, Town Manager
Re: January Monthly Report



To follow is a summary of administrative highlights:

- Reviewed FY2020 draft audit report; the audit presentation to Town Council will be March 1st.
- Requested a 6-month extension on the ORPT grant for Rails to Trails Lighting; waiting for letter of approval.
- Attended, virtually, the quarterly DFIT insurance meeting.
- Interviewed with WRDE and ABC47 on the Water System Improvements Referendum.
- Participated in a DLLG zoom call with Senator Coons on coronavirus, small business tax credits, housing, sea level rise, and education.
- Participated in a municipal call with Governor Carney on current status of coronavirus and the vaccine.
- Participated in implementation calls with iCompass.
- Reviewed first quarter financial reports.
- Began coordination of implementing credit card payments through the accounting system.
- Spoke with KCI on close out and issuance of the Year 1 Asset Management Plan; discussed scope on Year 2 report.
- Attended, virtually, the Planning and Zoning meeting January 19th. Thereafter, clarified the location selection process with the Chairman.
- Met with Supervisors on upcoming benefits open enrollment, elections, staff training, website updates, projects, budget, coronavirus, and capital improvements for Community Impact Study.
- Met with/responded to various citizen inquiries.
- Met with Town Engineer on the status of projects.
- Continued organization and oversight of Town projects and administrative matters, and meetings with supervisors and staff members.

Status of Projects:

- Milton Rails to Trails, Phase II (Federal Street to Lavinia Street) – Waiting on lighting quotes based on the Committee recommendation to Town Council.
- Town Comprehensive Plan: Zoning Code is the next section to review and propose revisions. A utility/construction manual has been reviewed by Mr. Wingo and comments sent to Pennoni to proceed.
- Wagamons Water Main Extension – Town is trying to finalize needed easement; waiting for property owner review and signature.

- Shipbuilders Well and Treatment Facility – Progress meeting was held in January. Contractors are requesting contract time-extension; this is an item on the February 1st Town Council agenda.
- Magnolia Street / Municipal Parking Lot drainage (including bulkhead): Design plans are almost complete. It's expected the Town will receive plans February 3rd for review and to begin permit processes.
- Sidewalk Repairs – Sidewalk violation letters were mailed August 21st. Mr. Wingo and Mr. Wilson have been meeting with residents on needed repairs. Follow-up is on-going.
- Community Impact Fee Study – The fee study is in progress; the Town Manager was tasked to develop a Capital Improvements List for the next five years to gauge infrastructure investment. Town Supervisors were tasked to report back department CIP list with estimates at the February Supervisors meeting for review/discussion.
- Atlantic Avenue (from Union Street to Country Road), Chestnut Street (from Front Street to Coulter Street) and a portion of Atlantic Street: water main, valve, corporation and town service line replacement – Referendum passed 341-4. The Town received final plans and specifications to review. I'm waiting for confirmation of loan closing and bid process procedure from the Drinking Water State Revolving Fund program administrator.
- Homeland Security Grant – will be working on alternative solution for lobby.
- ADA Transition Plan and Self-Assessment Report - coordinating efforts with University of Delaware, Center for Transportation, for assistance and development of required plans. Funding was approved in the FY2019 Town budget and carried into FY2020 and FY2021.
- Purchasing Procedure – Ad-Hoc Finance Committee will forward to Mayor and Town Council once ready for adoption.
- Capital purchase policy and procedure - Finance Committee is preparing and will forward to Mayor and Town Council once complete. A draft has been prepared and will be put to “test” during the six-month budget review process.

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January 25, 2021

To: Mayor and Town Council
From: Stephanie Coulbourne, Town Clerk *SC*
Re: January Administrative Report

In addition to administrative functions, below are highlights completed by the administrative staff for the month of January:

- Prepared and posted agendas for Town Council, Planning and Zoning, Board of Adjustments, and Traffic Calming Ad-hoc Committee.
- Transcribed Town Council meeting minutes for January 4 and January 11, 2021 as well as the Board of Elections for December 7, 2020 and January 16, 2021.
- Coordinated and attended the 2021 Property Tax Assessment Appeal hearing.
- Posted departmental monthly reports and Town Council minutes on the website.
- Prepared documents and gathered supplies for the 2021 Water System Improvements Referendum.
- New copiers and scanners were installed in Town Hall. Coordinated training for the new machines.
- Printed, folded and mailed first quarterly billing, including the 2021 trash schedule and quarterly newsletter.
- Worked with the Department of Election in Sussex County to prepare for the 2021 Water System Improvements Referendum.
- Prepared Goshen Hall as a polling place for the 2021 Water System Improvements Referendum.
- Issued 30 absentee ballots for the 2021 Water System Improvements Referendum.
- Boxed up 2019/2020 accounts payable invoices and payroll files for scanning and archiving.
- Prepared affidavit and draft ballot for 2021 municipal election.
- Submitted candidate filing forms and election correspondence to the Department of Elections.
- Attended three implementation meetings with iCompass.
- Submitted the third request for reimbursement from the CARES ACT.
- Submitted monthly pension contributions for all employees.
- Processed accounts payable checks on a weekly basis.
- Processed requests from mortgage companies seeking tax and utility balances for settlements and refinances.
- Attended monthly supervisors meeting and held monthly staff meeting.
- Processed payments for tax and utility accounts.
- Continued with the records retention project.
- Continued organization and oversight of Town administrative matters.

- Opened Town Hall on Saturday January 23rd and January 30th to for voter registration.
- Town Hall was closed on January 18th for Martin Luther King Jr. Day.

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1 February 2021

To: Mayor and Town Council

From: Thomas R. Quass

Re: Monthly Report, Project Coordinator

The following activities occurred during the period covering 01/01/2021 - 01/31/2021

- Administratively approved 87 building permits (62 were for sidewalk repairs).
- Completed multiple research requests for members of the various Boards and Commissions.
- Answered various inquiries of Commission and Board members, Town Council, Staff and clients.
- Compiled agendas and assembled informational packages for various Commissions and Boards.
- Attended virtual/electronic, and in person meetings of the Planning and Zoning Commission, Historic Preservation Commission, Town Council, and Staff Meetings as required.
- Attended webinar course for Planning 101 through Institute for Public Administration.
- Met with clients regarding application processes, and reviewed applications as needed.
- To date there have been no complaints filed by tenants under Chapter 164 Rental Properties.

Minutes for Historic Preservation Commission

Call to Order

A meeting of the HPC was held on 8 December 2020 at the Cannery Village Club House.. It began at 5 PM and was presided over by Dennis Hughes.

Attendees

Voting members in attendance included Dennis Hughes, Michael Filicko, PD Camenisch, and Allen Benson on site. Barbara Wagner and David Dutton though virtual attendance.

Approval of Agenda

Agenda was approved by unanimous aye votes.

Approval of Minutes

A motion to approve the minutes of the 19 October 2020 meeting was made by Allen Benson and seconded by Michael Flicko with unanimous aye approval.

Project Coordinator's Report

The Project Manager's Report was moved to approve by PD Camenisch, seconded by Dennis Hughes with a roll call vote of unanimous ayes. Lee Revis-Plank joined the meeting at 5:05 PM following the vote approving the Project Coordinator's Report.

Applicants

Name and Address: Annette Babich – 428 Chestnut Street

Proposal : Build lightweight, thatched roof structure over existing Dog Days of Summer Festival Stage

Approval/Decision: Motion made to approve by Lee Revis-Plank, seconded by PD Camenisch with a roll call vote of unanimous ayes.

Name and Address: Greg Hitz – 305 Union Street

Proposal: Replace 16 existing windows (8 on each side bay window). Remove existing roof on porch and replace with EPDM rubber roofing.

Approval/ Decision: Since no representative for the project was present at the meeting and there were several questions from the board, PD Camenisch made the motion to table the project until the next meeting. This was seconded by Lee Revis-Plank and passed by a roll call vote of unanimous ayes.

Other Business

Contradictions in language in regard to Review Requirements in 220-21 D(8) and 220-21 E(2) presented by Tom Quass. Request to write up clarification.

Tom Quass reported that we should be hearing about Milton's Historic District amendment soon

since it has been 45 days since our submission. Barbara Wagner stated that we need to publicize this using the State's comments. She also stated the need for defining guidelines to the street scape in the historic district. Lee Revis-Plank stated that our street scape guidelines should align with those of the Department of the Interior. Allen Benson added that our street scape needs to maintain the nature of our town.

Adjournment

PD Camenisch moved that the meeting be adjourned, seconded by Lee Revis-Plank, at 5:37 PM with unanimous aye approval.

David W. Dutton

12 Jan 2021

Secretary
Historic Preservation Commission

Approved at the 12 Jan 2021 HPC meeting with a vote of 6-0.

December 15, 2020
Planning and Zoning Meeting Summary

Members present: Dick Trask, Lynn Ekelund, George Cardwell, Andy Gogates, Don Mazzeo, Maurice McGrath

Also Present: Sharon Cruz - Town Engineer, Seth Thompson - Town Solicitor, John Hopkins - Draper Holdings Representative, Zac Crouch - Engineer DBF, Bob Gausman - WBOC Engineer, Chris Wilk - WBOC Engineer

Call To Order: Dick Trask Chairman, Roll Call of Members

Discussion about tower fail causing a collapse, asked by Commissioner Lynn Ekelund. She would like to see a setback to match the area of the area included in site plans. Applicant stated that they would provide technical data to show the area affected if the tower were to fall. A question on security fencing for the area around the tower was brought up. The applicant stated that fencing was only planned around the areas where the guy wires are to be grounded would be fenced. Lynn Ekelund asked if there was a plan for landscaping in these areas. Chris Wilk speaking for the applicant stated that landscaping would interfere with security at these points. Discussion on the use of the tower for the betterment of the community was answered by John Hopkins who stated that backup antennas for local emergency service use could be put in place. Also the possibility in the future of telephone companies putting cell phone units on the tower.

A Motion to send the Request for a conditional use permit to Town Council, was made by George Cardwell 2nd Lynn Ekelund

A motion to Adjourn was made by Lynn Ekelund 2nd by George Cardwell

Accepted and approved at the 19 January 2021 P&Z Meeting.

December 29, 2020
Planning and Zoning Meeting Summary

Members Present: Dick Trask, Lynn Ekelund, Don Mazzeo, George Cardwell, Larry Lieberman, Andy Gogates, Maurice McGrath

Also Present: Sharon Cruz - Town Engineer, Seth Thompson - Town Solicitor, John Hopkins - Draper Holdings, Chris Wilk - WBOC, Robert Guzman - WBOC, Tom Quass - Town Coordinator, John Hower - Pres. Valmont Manufacture.

Call To Order: Dick Trask Roll Call Of Members.

WBOC, Draper Holdings Application for Conditional use for a 525 foot radio communication tower.

Discussion on possible placement, land use, wording of documents, and grounded points for the tower. The applicant was questioned on how many times per week that maintenance and security checks would be made at the tower site. Representatives stated that weekly to biweekly visits for maintenance and security, also security as needed.

John Hower Pres. of Valmont Man. Referenced drawings for specifications on guy wires and the radius of around the tower for their placement.

John Hopkins referred to a letter from their engineer speaking to the collapse zone if the tower were to fall. The tower would fall into an area half the height of the tower. The engineering shows a possible collapse to be within the collapse zone.

Question about the specifications of the tower supplied by the applicant, are not from the company that will be the actual builder. But from another company. George Cardwell asked about this and asked the town solicitor to insure that the applicant received all proper documentation from the manufacturer of the tower and the company to install it.

The Commission asked that for future land use that any possible future housing development. Be at a setback of no less than half the height of the tower.

There was further discussion on correct points of the application for conditional use by the commission. Asking the Town Solicitor to put all points into writing for the record.

Motion to Approve the Amended report. Motion to send to Council for Conditional use By George Cardwell 2nd by Lynn Ekelund - Vote: Unanimous

Motion to Adjourn: Lynn Ekelund 2nd George Cardwell

Accepted and approved at the 19 January 2021 P&Z meeting



Milton Police Department Monthly Report January 2021

Submitted by Chief Derrick L. Harvey

MILTON POLICE DEPARTMENT



PRIDE

INTEGRITY

Chief. Derrick L. Harvey

101 Federal Street • Milton • Delaware • 19968

Phone: (302) 684-8547 • Fax: (302) 684-8046

MILTON TOWN COUNCIL MEETING

Monday, February 01, 2021

POLICE REPORT FOR THE MONTH OF DECEMBER 2020

TOTAL COMPLAINTS	63
TOTAL CHARGES FOR THE MONTH(criminal + traffic)	118
ADULT ARRESTS	3
JUVENILE ARRESTS	0

COMPLAINTS

ACCIDENTS	3
DUI	0
DOMESTICS	2
ASSIST OTHERS AGENCIES	13
OTHERS, CPC, ESCORTS	43
TOTAL COMPLAINTS FOR MONTH	63

PATROL DATA, DOOR CHECKS, MAN HOURS

VEHICLE PATROL HOURS	440
INVESTIGATION / MISC HOURS(AOA,PAPERWORK,ETC)	103.5
FOOT PATROL HOURS	34
TOTAL MAN HOURS	577.5
PROPERTY AND DOOR CHECKS	175
TOTAL MILEAGE FOR MONTH	2,781

MISDEMEANER	6
Local Fugitives	2
FELONY	2
TOTAL	10

TRAFFIC CHARGES

VARIOUS TRAFFIC VIOLATIONS	55
TOTAL	55

WARNINGS	53
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PERSONNEL AS OF THIS REPORT

Fully Staffed

1	CHIEF
0	CAPTAIN
1	LIEUTENANT
0	SERGEANTS
1	DETECTIVE
1	CORPORALS
1	PATROLMAN FIRST CLASS
3	PATROLMAN
0	RECRUIT/CADET
1	ADM. ASST. TO POLICE DEPT.

Derrick L. Harvey

Derrick L. Harvey
Chief of Police

Date Submitted: 01/25/2020

MILTON POLICE DEPARTMENT



Chief Derrick L. Harvey

101 Federal Street • Milton • Delaware • 19968

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Monthly Highlights

January 2021

Criminal Investigative Division is now staffed with full time Detective.

Detective made arrest in Attempted Homicide case within hours of occurrence.

Milton Pd received more personal protective gear for COVID Response.

Staff have been conducting special duty assignments for truck and traffic issues.

Officers have been working OHS speeding and distracted driver special duties.

Chief and Lt had webinar for new emergency response system training.

MPD has started updating town business emergency contact info.

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January 26, 2021

To: Mayor and Town Council

From: Robert Wilson, Code Enforcement Officer

Re: Code Department Monthly Report

Attached you will find a report containing the majority of the duties performed by the code enforcement officer for the month of January, 2021. I am able to elaborate on any, and all, of the duties that are present in this report, if necessary.

Please feel free to contact me if there are any questions and/or comments.

C.E. MONTHLY REPORT – JANUARY 2021

Permits Issued:

418 Federal St.	Sidewalk Repair
420 Federal St.	Sidewalk Repair
116 Magnolia St.	Sidewalk Repair
115 Chestnut St.	Roof Repair
311 Mill Pond Ave.	Fence
108 Federal St.	Roof Repair
106 Sassafras Ln.	41 Roof-Mount Solar Panels
611 Federal St.	Remove & Replace Sign
425 Federal St.	Sidewalk Repair
108 Federal St.	Tenant Fit-Out
407 Conwell St.	Replace Sewer Lateral
406 Spruce St.	Replace Fascia
506 Union St.	Commercial Sign Install
311 Union St.	Poured Concrete Pad
404 Chestnut St.	Install Heat Pump
404 Union St.	Sidewalk Repair
519 Federal St.	Sidewalk Repair
106 Poplar St.	Repair Porch Roof
208 Lantern Ln.	Patio & Walkway
107 Mulberry St.	Boat Ramp & Bulkhead
415 Cedar St.	Remove & Replace Shingles
301 Coulter St.	Replace Garage Face Siding
317 Mill Pond Ave.	Fence
307 Summerwalk Blvd.	Finish Basement
220 Lantern Ln.	Fence

- **Issued 63 Permits for Sidewalk Tripping Hazard Repair in Cannery Village**
- **Issued 41 Certificates of Occupancy**
- **Issued 6 Court Summons for Sidewalk Violations**

Violations:

Junk	1
Work w/o Bus. License	5
Work w/o Permit	1

C.E. MONTHLY REPORT – JANUARY 2021

Temporary Sign	3
Building Construction	1
Off Street Parking	1

Certified Letters Mailed:

Sidewalk Violation Fines	1
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Business Licenses Issued:

General Services	55
Professional Services	49
Residential Contractor	20
Commercial Contractor	16
Kiosk	9
Merchant Retailer	3
Residential Rental	196
Non-Profit	2
Garage	1
Eating Est.	6
Commercial Rental	1

1/06/21 – Spoke with a resident regarding town code pertaining to hours of construction.

1/07/21 – Investigated complaint about trash in yard at 703 S. Spinnaker Lane.

1/11/21 – Spoke with resident regarding leaning/fallen trees on neighboring property.

1/11/21 – Spoke with resident regarding details of obtaining a permit to install fencing.

1/12/21 – Investigated a resident's complaint regarding trees leaning on fence.

1/13/21 – Spoke property owner regarding trees that are leaning on fence.

1/14/21 – Spoke with contractor about obtaining a permit for Wagamons Pond ramp.

1/14/21 – Spoke with property owner about obtaining a demolition permit.

1/19/21 – Spoke with resident regarding permitting and paver patios.

1/20/21 – Performed final inspection for tenant fit-out at 106 Union Street.

C.E. MONTHLY REPORT – JANUARY 2021

1/20/21 – Investigated and responded to a resident’s complaint pertaining to trash and litter.

1/25/21 – Spoke to lady interested in purchasing a lot in town about new construction fees.

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To: Mayor and Council
From: Greg Wingo, P.W.S.
Re: January Monthly Report
Date: January 26, 2021

Greg Wingo

For the month of January, I have supervised the daily, weekly and monthly tasks for Public Works: Water, Streets and Parks Departments. There have been several phone calls and questions from Council, residents, contractors, outside agencies, town engineer and town staff. I have reviewed and signed off on 84 new permits, and reviewed and closed out 2. I attended meetings on Heritage Creek Punch-List issues for Phase 3A and 3B (Dave, Sharon, Rob from Jerry's Paving), sidewalk status updates, meetings with residents and contractors on sidewalk repairs, meetings with residents on street lights, DFIT Safety committee zoom meeting, Shipbuilders Treatment Plant project progress meeting and weekly PW staff meetings. Safety tool box talks weekly with PW Staff on keeping work area clean, updates on Covid Information and best practice to keeping yourself safe by wearing mask, washing and using the hand sanitizer all the day. I continued working on the light plan for Rails to Trails Phase #2 with Delmarva Power. Below you will see a summary of highlights and updates on projects.

Water Department

- Water Leaks: 404 Union St (pit leaking, plumber repaired), 414 Pine St (outside hose bib busted, plumber repaired), 110 Union St (leak on water main, PW Staff repaired).
- Wagamon's Water Main Ext. Project: Waiting on the status of the easement agreement.

- **Shipbuilders Treatment Facility:** Some pipe work outside of the building, all conduit and piping in the floor area of the building and foundation has been completed for the building.
- **Atlantic Ave/Chestnut St Water Main Upgrade:** Waiting on comments to be addressed on the plans from the Engineer, then I will do a final review and we will go out to bid.
- **Atlantic Street Water Main Upgrade:** Waiting on comments to be addressed on the plans from the Engineer, then I will do a final review and we will go out to bid.

Streets Department

- **Curb Line Clean up:** PW Staff have been cleaning up the curb line sweeping debris, leaves and dirt out of the gutter pan.
- **Chestnut Crossing:** The Town's Solicitor has sent the Owner/Developer a letter, waiting on response.
- **Merriweather Sub-Division:** The owner continues on working on this project. They are still working on resolving the issues with the storm management to satisfy the SCD.
- **Sidewalks Town Wide:** Currently, from the letters sent out in August 2020, we have 4 sidewalks that have been completed. Letters have been mailed out and violations issued.
- **Front Street Road, Curbing, Drainage and ADA Ramps Project:** I have discussed with Ms. Rogers on an agreement with the property owners for an easement to install the storm drain pipe.
- **Town owned Sidewalks:** PW Staff is working to repair brick sidewalks.
- **Electric Speed Limit Signs:** Currently, the signs are on Lavinia St, Broad St. and in the 400 Block of Chestnut St.
- **Hanging Christmas Lights and Decorations:** PW Staff has taken down all the lights and wreaths on the streets. Snowflakes are scheduled to come down first week in February.

Parks Department

- **Memorial Park:** PW Staff has taken down all off the Christmas lights and decorations in the Park.
- **Playground Equipment:** PW Staff has been monitoring the caution tape on the playground equipment daily and re-taping as needed.

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RESOLUTION 2021-005

TO RATIFY THE RESULTS OF THE JANUARY 16, 2021 WATER SYSTEM IMPROVEMENTS REFERENDUM

WHEREAS, the Town of Milton, Delaware, owns, operates and maintains a public water system; and

WHEREAS, the Town proposed to its citizens and property owners the need to construct water system improvements, specifically being water main replacement under Atlantic Avenue, a portion of Chestnut Street (from Front Street to Coulter Street), and a portion of Atlantic Street; and

WHEREAS, the Town applied to the State of Delaware and has received a commitment from the Drinking Water State Revolving Fund ("DWSRF") to finance the total cost of the project with 100% principal forgiveness at project construction completion with the Town's only obligation to pay interest during construction; and

WHEREAS, Section 33 of the Town Charter outlines specific procedures that were followed in order to conduct a referendum and incur indebtedness;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Town Council of the Town of Milton ratify the following actions that were completed in accordance with Section 33 of the Town Charter:

- a) In compliance with Section 33(a)(1), Resolution 2020-020, entitled "To Propose Borrowing of up to \$1,670,000 to Finance Public Water System Improvements and to Order the Referendum to be Scheduled", was adopted on December 7, 2020; and
- b) In compliance with Section 33(a)(1), Resolution 2020-021, entitled "To Schedule a Public Hearing on Resolution 2020-020 [To Propose Borrowing of up to \$1,670,000 to Finance Public Water System Improvements and to Order the Referendum to be Scheduled]", was adopted November 2, 2020; and
- c) In compliance with Section 33(a)(2), the Town: posted the public hearing notice on the Town's website, bulletin board, Milton Library, Milton Post Office, and Milton Mercantile, and at Town Hall on November 20, 2020; on November 23, 2020, mailed the public hearing notice to all property owners and residents; and advertised the public hearing notice in the Cape Gazette on November 20, 2020; and

- d) In compliance with Section 33(a)(3), on December 7, 2020, said public hearing took place, and thereafter Mayor and Town Council adopted Resolution 2020-020, entitled "To Propose Borrowing of up to \$1,670,000 to Finance Public Water System Improvements and to Order the Referendum to be Scheduled"; and
- e) In compliance with Section 33(a)(4), a notice of the time and place of the Referendum was published in the Cape Gazette on December 29, 2020, January 1, 2021, January 5, 2021, and January 8, 2021; mailed to all property owners and citizens on December 23, 2020; and posted December 22, 2020 on the Town's website, bulletin board, Milton Library, Milton Post Office, and Milton Mercantile, and at Town Hall; and
- f) In compliance with Section 33(a)(6), the Board of Special Election was appointed on November 2, 2020; the referendum ballot was prepared by the State of Delaware, Department of Elections on December 28, 2020; and the referendum was conducted using voting machines.

BE IT FURTHER RESOLVED that said Water System Improvements Referendum took place on Saturday, January 16, 2021, at Goshen Hall, from 8 a.m. to 6 p.m., with the Board of Special Elections then counting the absentee votes and certifying the voting totals between the machine votes and absentee votes, said certificate showing a total of 345 votes, with 341 votes in support and 4 against; receipt of said certificate is hereby acknowledged and the results are hereby ratified.

BE IT FURTHER RESOLVED that Mayor Theodore Kanakos is hereby authorized to sign the December 9, 2020, Delaware Drinking Water Revolving Fund Binding Commitment Offer for the Water Main Replacement project, and any other related documentation.

I, THE UNDERSIGNED, Secretary of the Town Council of the Town of Milton do hereby certify that the above resolution was passed at the meeting of the Town Council, duly called and convened, held on the 1st day of February, 2021, at which a quorum was present and voting throughout and that same is still in full force and effect.

TOWN OF MILTON

BY: _____
SECRETARY OF TOWN COUNCIL

DATE: _____