

MILFORD CITY COUNCIL
MINUTES OF MEETING
October 4, 2016

A Meeting of the Public Works Committee was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall on Tuesday, October 4, 2016.

PRESIDING: Public Works Committee Chairman Owen Brooks Jr.

IN ATTENDANCE: Committee Members:
Councilwoman Lisa Ingram Peel

Mayor Bryan Shupe

City Manager Eric Norenberg and City Clerk Terri Hudson

Chairman Brooks called the Committee Meeting to order at 5:34 p.m.

Public Works Director Mark Whitfield was in attendance.

City Manager Norenberg explained there are only a couple of action items though most of the agenda items are informational. In addition, a November meeting will be scheduled due to some additional items that will need to be discussed at that point.

He then deferred to the Public Works Director.

Proposed Revisions/Chapter 193/ Solid Waste Management Code & Solid Waste Collection Schedule

Mr. Whitfield explained that they have reviewed some items in the Solid Waste Code because it is somewhat inflexible in terms of when refuse, bulk items and leaves are to be collected. In terms of leaf collection, the city only has one unit for collecting leaves. During heavy leaf drop times, which are typically the second, third and fourth week of November, the city is barely able to cover half the town with the one unit. He thinks it also creates some frustrations whenever we announce the City will be collecting leaves weekly but only collect every other week.

As a result, he proposes creating a schedule that can be adhered to rather than telling our residents what the ordinance reads and not being able to follow through.

The Public Works Director said his desire is to have weekly leaf collection though we will need to consider additional equipment which is currently our limiting factor. He feels that is one of the most pressing issues the City has faced over the years.

The other issue is makeup days with regard to holidays. Mr. Whitfield said he has been told that the Public Works staff issues a collection schedule the beginning of each year. He found the collection schedule does not always coincide with the ordinance in terms of holidays and makeup days.

The other issue is bulk item collection. Mr. Whitfield explained that they are looking at the possibility of adding a one-man collection truck that will provide some flexibility in terms of improving services within the city. Right now the ordinance states that bulk items are to be collected on Wednesdays. He has been successful in other locations by collecting bulk items and yard waste on Mondays. Because most holidays fall on Monday, there will be no collection on those days.

Presently the ordinance states that recycling material is to be picked up every other week. They are also considering collecting recycling materials on a weekly basis and the same day as refuse collection.

The Public Works Director said that in order to address all issues, it would be more appropriate for the City Manager, along with the Public Works Director, to have the authority to put together a schedule that can be published ahead of time. This will also allow the City Manager/Public Works Director to provide special collections that may be needed as a result of a storm or other issues.

Mr. Whitfield said the City has been publishing an annual schedule the beginning of each year and though it has worked fairly well, he is recommending the ordinance be changed to allow the City Manager to do that.

Mr. Norenberg referenced the current schedule and the Public Works Director report, as well as recommended edits to Chapter 193. They propose striking out proscriptive and restrictive language and replacing it with the expanded authority.

He noted that Section 193-7 states the City Manager is hereby authorized to administer Chapter 193 pertaining to the solid waste collection system. Added to that is the 'city manager shall promulgate and publish such rules and schedules as necessary for the efficient and economical collection of garbage recycling and yard waste with adequate notice of the collection schedule to be provided to all customers and any change thereto.'

Any language that is rigid will be removed; other than that, there are very little changes.

Chairman Brooks feels the biggest problem in collecting recycling, bulk, trash, etc. has been the lack of communication over the years. He recalled our employees had five days off in November 2015. His phone started ringing and Irv Ambrose told him the City said to put his trash out a certain day and all his neighbors did as well. Since then, they have informed him not to put it out and everyone had to put theirs back. Then they told him another day they would pick it up. Then he was told the crews weren't working that day.

He informed the Committee that Irv Ambrose called him to find out when they were supposed to put the trash out; Councilmember Brooks made a phone call to Public Works and was unable to reach anyone there until finally he was able to contact Assistant Supervisor Norman Brady. Mr. Brady told Councilmember Brooks to tell Mr. Ambrose to leave the trash out and he would make arrangements to pick it up.

Councilmember Brooks called Mr. Ambrose and told him to have his people put it back out.

Councilmember Brooks said that all of his neighbors watch when he puts his trash out and then they put their trash out. His son lives on North Washington Street and he puts it out the night before to make sure his trash is picked up. He is unsure if the other people who don't use the schedule can remember which days the collection is. They get confused and sometimes it is on Monday and the next pickup is on Wednesday and some of the people on his block can't ever remember. Some people put it out on Wednesday but he feels there has been a communication problem for years and that needs to be corrected.

Mr. Norenberg agrees that has been a problem and the reason Mr. Whitfield is recommending garbage and recycling be collected on the same day with the fewest amount of changes from the schedule. He agrees that with recycling, it is difficult to determine which week it is being picked up because it is every other week. In addition, there is even more confusion when there is a holiday that interrupts the normal schedule. Most cities either collect on a holiday or as Mr. Whitfield suggested, not have collections on Mondays because that is the day the majority of holidays fall.

It was confirmed that changing the yard waste and bulk pickup to Monday will provide a more consistent schedule versus the confusion created by the calendars particularly on holiday weeks. Councilmember Peel confirmed that Mr. Whitfield has had success with this in the past. The Public Works Director feels it makes the entire process much simpler. He stated that having trash and recycling on the same day, each week will be much easier to remember. The same applies to yard waste and bulk items on Mondays except when there is a holiday.

Mr. Whitfield, stated that in addition to a simpler schedule, the City needs to be consistent. His staff has informed him that consistency was lacked in previous years and the reason they are working to revise the code.

Mayor Shupe asked if there is any significant cost savings as to why recycling has only been collected every other week; Mr. Whitfield said he does not see a huge cost savings. The amount of time and equipment required for collecting trash three days a week and recycling and yard waste two days a week, compared to trash and recycling being collected four days a week will not require any additional manpower and the hours will equal one another.

Mr. Whitfield emphasized he is not increasing cost, but is improving Citywide services to our customers.

He then reiterated that his recommendation is to pick up yard waste and bulk items on Mondays; trash and recycling would be moved to Tuesday, Wednesday, Thursday and Friday with one ward assigned to one of those particular days.

Councilmember Brooks agreed it has been confusing over the years and recalled trash collection on Monday and Thursdays, then recycling was added on Wednesdays and it has been difficult to keep up with.

Mayor Shupe agrees this is a simple solution and should increase recycling numbers in addition to making our customers happy with recycling and yard waste being picked up weekly.

Mr. Norenberg explained they are still discussing the bulk item collection because a lot of customers still do not understand that process. Customers still put out bulk items without notification which requires tagging and communication between the code and solid waste departments. However, they feel it can be picked up faster through a schedule such as the Public Works Director is proposing and consistent communication about when and what to do.

The goal is to avoid a situation where the bulk items sit outside for three weeks while the notices are issued.

The City Manager added that the City will continue offering one or two free bulk pickups per year as is currently done. Any additional collection beyond that is charged a \$50 fee. Any weather-related emergency may create a need for special pickups which the City would provide as well.

Mayor Shupe asked the plan and timeline for the ordinance changes; Mr. Norenberg stated that if the City Clerk is able to have this ready for introduction on Monday, Mr. Whitfield will be able to explain the details which can be refined before the first of the year when the new schedule is typically published. Introducing this on Monday also leaves some additional time for refinement prior to the October 24th adoption date.

Councilmember Brooks confirmed that Council will need to approve it before it becomes effective adding that he does not want to speak for six other Councilmembers. Mr. Norenberg agreed noting this is only the recommendation level this evening.

Councilmember Peel likes the idea of a cleaner, simpler schedule and that each ward is picked up on a separate day.

Councilmember Brooks said the consensus of the Committee is to proceed to City Council with its introduction.

Report/DNREC Recycling Grant Application

Mr. Norenberg then discussed the grant application geared toward improving recycling in the community. One complaint involves the City not collecting every week which results in the recycling container quickly filling. The customer then begins to throw recyclables into the garbage because that is picked up on a weekly basis.

More frequent recycling collections will make the process much easier for our customers, particularly those with large families or someone that does a lot of on-line purchasing and receives large boxes/packing materials.

Public Works Director Whitfield informed the Public Works Committee members that a DNREC Recycling grant was recently submitted. He stated that his Assistant Christie Murphy and he went to Dover and met with DNREC officials to

determine what type of funding was available for the various projects being considered. They felt that educating the public about what items go into each bin is essential to our overall operation. One of the biggest issues they are faced with is the amount of foreign material that is put into the recycling bins. It involves some language issues though other customers decide to place garbage items in the recycling bin when their garbage container is full. A lot of these issues are the result of a policy that was put in place by DNREC that any load that is compromised with foreign materials is fined \$250 once it is dumped onto their floor. That is in addition to the disposal fees that are assessed.

Mr. Whitfield feels that our solid waste crews do a good job of looking into the container to prevent that from happening so the City has not yet received one of those fines. When anything is observed by our crews, the cart is tagged and the resident notified.

The goal is to be able to identify areas and customers where recycling participation is the lowest and to educate them about contaminated recycling. The addition of educational stickers to lids of each recycling and yard waste cart, as well as literature packets, should assist in diverting more material to recycling facilities instead of the local landfill.

The photo displays of acceptable recycling materials on a sticker will also improve participation and decrease contamination within the non-English speaking population of the City.

If the grant is awarded, it will take approximately four to six weeks for printing after the design phase is completed.

Rehrig Pacific Company (RPC) will do all the necessary work by providing the route/day maps for City collection areas. Residents will be given a one to two week advance notice of the project start date. The city will allow RPC crews to follow our collection vehicles for two consecutive weeks which will allow them to place the educational sticker/RFID (radio frequency identification) tag on each cart. During this time, RPC will also be creating a database of all City recycling and yard waste carts with the RFID tag placement.

Mr. Whitfield noted that presently, we are only seeing about a 50% recycling participation.

His plan is to also add the RFID tags to our waste containers though that will have to be paid by City funds though the same reader and database will be used. The only work required will be to add the serial numbers to the waste cart.

He confirmed this is a 100% DNREC-funded grant in the amount of \$138,182.25 with very little City manpower needed.

The Public Works Director said he wanted to highlight the work done by Christie Murphy who did the yeoman's amount of work in gathering the materials and working with the City Manager to submit this grant. In addition, DNREC was impressed with the interest shown by the City of Milford. There was very little interest from other cities within the state so creating this new partnership with DNREC will go a long way with future grants as well.

Councilmember Peel asked if this was awarded; Mr. Whitfield confirmed it was submitted by the deadline on Friday though we should hear something within the next two months.

Councilmember Brooks noted it is unusual though he is pleased to receive a 100%-funded grant.

He explained that he lives by the high school and a lot of students will walk by and if his trash can is out, they will throw a soda can into the wrong container. He asked if he will receive a letter of complaint as a result. Mr. Whitfield reported that in Delaware, you can put a soda can or plastic bottle in the trash. However, trash cannot be put in the recycling or yard waste container.

Councilmember Peel applauded Mr. Whitfield adding this is very innovative and a fresh perspective of educating our citizens and solving some long term problems the City has experienced many years. She said kudos to the Public Works Director and his Assistant Christie Murphy.

Councilman Brooks said when he saw this, he called Mayor Shupe to complain about where the City was going to get a \$138,000 match because most of the grants that come before council require matching funds. He is very pleased with what has been presented.

Mr. Whitfield said DNREC has \$1 million and the City of Milford was the only municipality that showed any interest. As long as DNREC offers grants, the Public Works Director assured the Committee members that he will apply for them.

Update/Shawnee Acres Pump Station Project

The Public Works Director stated that the Shawnee Acres Pump Station was one of the first items he was given. He agrees we need to address the issues in that area, particularly with Bayhealth coming on board and especially during the interim period while the Southeast Pump Station is built. They will be adding a flow into the Shawnee Acres Pump Station, as well as ongoing development in that area.

Mr. Whitfield reported there are four options. The first three is a band-aid approach that will get the City through the first three to five years; however, within five to ten years, the replacement of the Shawnee Pump Station will need to be considered.

He said the real issue is whether to consider a permanent improvement now or band-aid it for the next three to five years and push the ultimate decision out another five to ten years.

According Jason Loar, P.E., a Principal with DBF, Incorporated, maintenance is needed to this pump station. They have considered both long term and short development. The only way to address this long term would be to completely replace the pump station.

He said there are advantages and disadvantages; the biggest disadvantage is the price tag of \$1.4 to \$1.5 million. However, the City has \$4 million allocated for sewer projects of which \$2 million of USDA funds remains after the Fisher Avenue pump station rehabilitation is completed.

As a result, their recommendation is to use the USDA funding package and upgrade the Shawnee Acres Pump Station which will take care of it long term while slowly rolling in the additional collection of pump station improvements as development proceeds south and east of State Route 1.

Mayor Shupe asked if the City uses \$1.5 million of the USDA funds, are there other projects that were earmarked and will have to be eliminated. Mr. Loar stated that any other additional projects have not yet been determined though there has been discussion about the I&I removal and other projects that will need to be prioritized though the Shawnee Acres Pump Station is one of the priority projects.

Councilmember Brooks asked if there are some utility cost-sharing agreements with developers in this area. Mr. Norenberg stated there was some funding agreed to by Bayhealth and Wickersham. Mr. Loar pointed out that was designated for the Southeast Pump Station that is currently being designed and not the Shawnee Pump Station.

It was confirmed that Shawnee Acres is on this pump station.

Mr. Loar concurred that Bayhealth and Wickersham will be on the Southeast Pump Station. When Councilmember Brooks asked what other developments will be on the Shawnee Acres Pump Station, Mr. Loar explained the long range is that the Shawnee Pump Station will theoretically provide service to Shawnee Acres, Orchard Hill, Hearthstone I, Meadows at Shawnee, West Shores, Matlinds Estates (when served), Hearthstone II and fifteen acres of miscellaneous commercial development which equates to 3,110 EDU's. He emphasized that is the ultimate build out for Shawnee Acres.

Mr. Loar further explained the near-term plan is to construct the Southeast Pump Station that will serve Bayhealth, Wickersham and the immediate southeast area. That flow will go to the Shawnee Pump Station for a short-term duration

and until the development causes the necessity for a new force main from the Southeast Pump Station directly to the gravity system that feeds the Kent County Pump Station. In turn, that would relieve some of the stress off Shawnee and provide additional capacity to that development.

A phased approach would be used to upgrade the Southeast Pump Station. There is a proposed pump station for the development east of Route 1. Mr. Loar explained this is a long range plan based on how the southeast portion of the City develops.

Councilmember Brooks asked if the developers in these areas, including Hearthstone, have agreed to help fund these projects. Mr. Loar confirmed the developers have been asked to contribute to the remaining portion of Shawnee that was not funded and equates to about 55%. However, an additional impact fee or sewer user fees will be accessed to those developers that have not yet come forward but will go through Shawnee, in addition to those that will be using the pump station east of Route 1, should that area be developed.

Mayor Shupe asked if Shawnee Acres is the next link in the chain needed to get this to southeast Milford and potentially to the development east of Route 1.

Mr. Loar stated yes reiterating it is a phased approach with the first phase being the upgrade of the Shawnee station; as development moves forward, they will consider the next steps.

Public Works Director Whitfield informed the committee there is also an issue at Slaughter Beach and the potential they would come through the City and tie into this line. Mr. Loar referenced an older plan that Slaughter Beach would become a county sanitary district and come through Milford. There are also thoughts of it coming further north through the Fisher Avenue Pump Station.

He stressed that is only a consideration but should be considered.

Mr. Norenberg pointed out if that happened in the southeast area, it could help defray some of the costs of the new force main that would be needed near Route 1.

Councilmember Brooks said when the hospital is operating and more houses are built in this area, and the developer east of Route 1 begins to build, he hopes that all of the developers are made to pay for the upgrades and that no one developer gets a free ride anymore.

Mayor Shupe asked if Council is able to approve funding with the understanding that these future developers must agree to pay when they develop as was done with the Southeast Milford Pump Station. Councilmember Brooks agrees and recalls that Wickersham and another developer were made to pay toward the project when they developed their property and feels we need to be fair to all the developers.

Mayor Shupe asked if we are too far along in the process to have portions of Hearthstone I and Hearthstone II contribute; Mr. Whitfield said that is a question he would pose to the solicitor. However, if the City has a cost and something needs to be upgraded without a previous agreement, he believes the City should have the authority to impose a fee to help pay for it prior to the development coming on board.

Councilmember Brooks agreed and reiterated it is very important we be fair to all our developers.

Mr. Loar explained they have considered what is being discussed. For example, if Shawnee is upgraded to what is being proposed, it would be approximately 45% utilized based on the current development that already exists. He agrees there are several developments, including Shawnee Acres, Hearthstone I, Matlinds Estates and Hearthstone II and the fifteen acres of commercial that could be charged. Those additional sewer fees would equate to about 55% of the Shawnee Acres pump station capacity. They estimate approximately \$460 per EDU is needed to recoup some of that money for the City.

Mr. Norenberg stated that he will discuss this with Solicitor Rutt before any legislative is brought forward.

Councilmember Peel pointed out that some of these areas are still building and referenced Orchard Hill and Hearthstone.

The consensus of the committee was to figure out the financing for the Shawnee Acres pump station long-term plan versus band-aiding it with smaller projects over the next few years.

The City Manager said they will work with Mr. Rutt to explore the last discussion before they bring the project before Council at the first meeting in November.

Councilmember Peel asked for a better idea of the fees we are imposing in dollars, possibly on an average so she can better understand the cost per EDU.

Mayor Shupe pointed out there is another 6,000 units planned that have not been built and will need to be served by this pump station.

NJPA Purchasing Cooperative & Plans/Specialized Equipment Procurement

The Public Works Director reminded the Committee we have two large pieces of equipment that will be purchased in the near future. One is the automatic refuse collection truck and the second is a sewer jet vacuum truck. Both range from \$275,000 to \$325,000.

The traditional way to purchase these vehicles was to create a set of specifications together and go out and bid. There are now agencies that access competitively awarded nationally leveraged cooperative purchasing contracts from various suppliers, one being the NJPA (National Joint Powers Association). That prevents the City from spending time putting these specs together while also having the opportunity to design and build the truck the way the users want it.

Mr. Whitfield explained this is a legal process because it was a competitive process when the proposals were submitted. As a result, a number of municipalities have been using in.

The previous Pennsylvania municipality Mr. Whitfield worked for used a similar agency. As a result, there was no individual piece of equipment bid for more than fifteen years.

The big advantage is the time and effort saved from staff having to put specifications together though what is more important, the fact that our employees are able to design and build it to their needs without worrying about the low bidder.

As a result, the Public Works Director recommends these two vehicles be purchased through NJPA. Because both are over the \$30,000 threshold, they would come back with the NJPA purchase price for Council approval.

Mr. Norenberg explained that the State of Delaware has already authorized and approved purchasing through NJPA which is similar to purchasing off Delaware state contracts as is done for fuel and other items.

The recommendation will be presented to this Committee which is the reason he recommends another Public Works Committee meeting in November.

Councilmember Brooks asked where the money will come from; Councilwoman Peel recalled it being discussed during the process and the City Manager confirmed it was part of a three-year capital budget plan.

Mayor Shupe asked what account the trucks are paid from; Mr. Norenberg confirmed it would be from the enterprise funds/utility fees. He further explained that the fees paid for solid waste are only used for related expenses in that department and over time, those rates should cover the cost of the operations. The same would apply to sewer fees which help pay for any equipment needed to maintain those facilities.

Mayor Shupe asked if those funds are separate or do they all go into the general fund; the City Manager verified each has a separate enterprise fund. The City's goal is to have healthy reserves in each of those accounts as we budget for future capital equipment purchases.

Councilmember Brooks said building the truck the way we want stops us from buying it from the lowest bidder. Mr. Norenberg reiterated it has already been bid through the NJPA.

It was again confirmed that the City's charter allows this.

Update/Smart Meter Project

Mr. Whitfield reported they have met with the suppliers that will be installing the smart meters and related hardware and software. They are expecting to have a quote for water and electric around the end of the year.

His staff has spent a significant amount of time, along with the water and sewer department employees, to resolve a number of issues in regard to their placement though he is confident we will receive a good and accurate quote based on the information that has been provided.

Mr. Norenberg recalled several weeks ago, AMP staff met with various city departments throughout the day to review specifications in detail. He hopes to present that information to this Committee in November and move forward with the Council authorization in December. However, the Public Works staff is continuing to work on details on various modules and similar items. Once that is finalized, the Committee will be informed of the next steps.

The City Manager also reminded the Committee about the need for public education by our staff through our website, the news media as well as through various civic organizations to prevent misinformation and misunderstandings about the project.

Because we are a DEMEC member, the ongoing costs to the operations, as well as the monitoring and support that AMP will be providing for the City, will be a monthly fee that will flow through DEMEC similar to our power costs. As a result, an agreement is being negotiated that will have to be approved by City Council.

In addition to Milford, there are two other municipalities on the peninsula with completed the Smart Metering projects. In addition, DEMEC member Seaford is approximately one month behind Milford.

Update/Airport Road Improvement Project

Mr. Whitfield reported that the first short-term improvement was completed on Monday when Airport Road was finally painted.

Long term, DBF is in the process of surveying Airport Road to begin the design. The intent is to have the design and permitting process completed in December, the project going out for bid in January and the award completed in February. Construction is proposed to begin the first of March with a completion goal by the end of June/mid July though Mr. Whitfield explained that is an extremely tight time frame.

Councilmember Brooks asked if Tenth Street, adjacent to the Wawa Market, can be striped. He said this has been needed for many years and because the lines are so faint, it confuses drivers exiting from Route 113 who are attempting to enter Wawa off Tenth Street and often end up in the opposite lanes.

The Public Works Director informed him that NW Tenth Street by Wawa was also painted on Monday and agrees it was somewhat of a 'no man's land' because the lane markers were so difficult to see.

Schedule/November Public Works Committee Meeting

The next meeting was scheduled on Monday, November 6, 2016 at 5:30 p.m.

Mayor Shupe thanked Public Works Director Whitfield adding that he is very impressed with the amount of work that has been done and projects that are now moving ahead.

He feels the trash ordinance amendments are extremely positive and our residents will be very pleased considering the schedule is much simpler with so little future impact due to holidays.

The Mayor is very happy with the Public Work Director's recommendation and experience and is very appreciative of the knowledge he brings to the City and our Public Works Department.

There being no further business, Councilmember Peel moved to adjourn the Committee meeting, seconded by Chairman Brooks. Motion carried.

The Committee Meeting adjourned at 6:50 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Terri K. Hudson".

Terri K. Hudson, MMC
City Clerk/Recorder