

**AGENDA**  
**REGULAR MEETING OF THE MAYOR AND COUNCIL**  
**March 11, 2025**  
**SEAFORD CITY HALL – 414 HIGH STREET**

**The meeting will be streamed via live feed.**

To view a live meeting visit one of the links below:

- On our website: [www.seafordde.com/meetinglivefeed](http://www.seafordde.com/meetinglivefeed)
- On Facebook: [www.Facebook.com/cityofseaford](http://www.Facebook.com/cityofseaford)
- On YouTube:  
<http://www.youtube.com/c/CityofSeafordDe19973>

To view this meeting agenda and supporting documentation visit our website:  
[www.seafordde.com/government/mayor\\_council/council\\_agendas\\_minutes](http://www.seafordde.com/government/mayor_council/council_agendas_minutes)

Comments and questions may be emailed to:  
[Councilinfo@seafordde.com](mailto:Councilinfo@seafordde.com)

**7:00 P.M.** Mayor MacCoy calls the Regular Meeting to order.  
Invocation  
Pledge of Allegiance to the Flag of the United States of America.  
Changes to the agenda for this meeting.  
Approval of the minutes of the regular meeting on February 25, 2025.  
Approval of the minutes of the special meeting on March 5, 2025.

June Merritt, Director of Finance and Human Resources to introduce Orlena Bland who was recently hired as Billing Representative and Lucas David who was recently hired as Accounting Coordinator.

**ALL ITEMS ON THIS AGENDA MAY OR MAY NOT BE VOTED ON.**

**PUBLIC COMMENT:**

1.

**CORRESPONDENCE:**

1.

**AGENDA**

REGULAR MEETING OF THE MAYOR AND COUNCIL

March 11, 2025

**NEW BUSINESS:**

1. Mayor MacCoy and Rob Herrera with 9<sup>th</sup> Street Development to announce a new tenant at the Nylon Capital Shopping Center.
2. Mr. Jonathan Moore, P.E. Supervising Engineer with the Delaware Department of Transportation, to present information related to upcoming repairs planned for BR 3-151 on Front Street over the Nanticoke River (Seaford Draw Bridge) to occur between October 1<sup>st</sup> and April 30<sup>th</sup>, 2025.
3. Present for approval a Budget Billing Program for city utility customers.
4. Present for approval revisions to the residential irrigation billing policy.
5. Present for approval a revision to the Employee Handbook Section 2-103 that would address employee pay during military leave.
6. Berley Mears Director of Public Works to request to hold the city-wide Clean-up Week on May 12<sup>th</sup> - May 16<sup>th</sup>, 2025.
7. Berley Mears Director of Public Works to update the City Council regarding the recent speed bump performance during the snowstorms and discuss the current moratorium on additional installations.
8. Berley Mears Director of Public Works to recommend increasing the septage disposal fee for porta potty waste at the Wastewater Treatment Facility effective April 1, 2025.
9. Bids - Waste and Recycling.
10. Bids - Transformers
11. Bill Bennett, Director of Electric to present for a first reading, recommended changes to Chapter 6 of the Municipal Code - Electric Rules and Regulations.

**AGENDA**

**REGULAR MEETING OF THE MAYOR AND COUNCIL**

March 11, 2025

**OLD BUSINESS:**

1.

**REMINDER OF MEETINGS & SETTING NEW MEETINGS:**

1.

**CITY OF SEAFORD**  
**Municipal Election – Saturday April 19, 2025**

The City of Seaford Municipal Election will be held on Saturday, April 19, 2025, in the City Council Chambers, City Hall, 414 High Street, between the hours of 7:00 a.m. E.S.T. and 3:00 p.m. E.S.T.

One (1) Council Member will be elected for a (3) year term.

**All candidates must have filed by 4:00 p.m., E.S.T., Friday, February 28, 2025. Registration can be completed at City Hall, 414 High Street, Seaford, DE. Registration hours are Monday through Friday, 7 a.m. until 4:00 p.m. or by appointment if you cannot register during these normal business hours.** Any candidate who withdraws his/her name must do so in writing. Any candidate who withdraws his/her name after 4:00 p.m., E.S.T., February 28, 2025, will still appear on the official ballot for election.

To be eligible to vote, anyone eighteen (18) years of age or older who is a bona fide City of Seaford resident and US Citizen **must have been registered at the State of Delaware Department of Elections by 4:00 p.m., E.S.T. on Friday March 28, 2025.**

Nonresident property owners must be owner of record for a period of six (6) months immediately preceding the date of the Annual Municipal Election (October 19, 2024) and shall have one vote **provided he or she is registered in the “Books of Registered Voters” maintained at the City Hall by 4:00 p.m. E.S.T. on Friday, March 28, 2025. Registration hours are Monday through Friday, 7 a.m. until 4 p.m., or by appointment if you cannot register during these normal business hours.**

All voters will need to show proof of residency which may be a State of Delaware driver’s license, a State of Delaware identification card, a federal or state tax return with address, a City of Seaford utility bill or real estate property tax bill, or other acceptable proof of residency or ownership.

- ❖ **Councilman Orlando Holland has filed for reelection.**
- ❖ **Jose Santos has filed for Councilman**

**AGENDA**

REGULAR MEETING OF THE MAYOR AND COUNCIL

March 11, 2025

**LIAISON REPORTS:**

1. Public Works & WWTF – Councilwoman Stephanie Grassett
2. Police & Fire – Councilman Dan Henderson
3. Administration – Councilman Orlando Holland
4. Electric – Councilman Mike Bradley
5. Code, Parks and Recreation – Councilman Alan Quillen

Mayor MacCoy solicits a motion to adjourn the regular Council meeting.

**NOTE:** Agenda shall be subject to change to include or delete additional items (including executive session) which arise at the time of the meeting. (29 Del. C. S1004 (e) (3))

Date Posted: 03/03/2025

Posted by: BAS

# Cleaning and Painting of Bridge 3-151

## Front Street over Nanticoke River

(DeDOT Contract T202407901)

NB# 2  
3/11/25

### Setting the Scene:

Bridge 3-151 is owned and maintained by DeDOT and lies within the City of Seaford, spanning the Nanticoke River. The existing structure consists of a main span bascule girder draw bridge and 4 approach spans comprised of concrete box girders.

The original 202 ft long structure was constructed circa 1926 and over the years has had many additional contracts associated with keeping it operational both in its ability to carry vehicular traffic and to open/ close for the navigable waterway. This structure was last fully painted in 1992 with some small areas of spot painting in 2018. This bridge is considered historic and is eligible for the National Registry of Historic Places.



Location of Bridge 3-151 and 3-256

### Why is the bridge being cleaned and painted?

This bridge is 1 of 8 operational moveable bridges in Delaware and is currently the oldest of the 8. Nearly 100 years old and still able to operate makes this one of Delaware's more impressive structures and a capstone bridge for the City of Seaford. Unlike some bridge designs using "I" beams that you likely see everywhere in your daily commutes, lift bridges are complex and require a higher degree of maintenance. Part of that maintenance program is cleaning and painting all structural steel and concrete on the structure. Much like the paint protecting your car, the paint on a bridge protects it from chlorides in road salts, the tidal water below, dirt, debris, rain, and hazardous chemicals. This bridge sees about 8015 vehicles a day so you can imagine the abuse the paint system has seen in the past 33 years. This bridge currently has multiple areas of corrosion which, if left un-arrested, will lead to section loss in the steel members and a reduced service life of the structure.



Active corrosion on a transverse deck stringer



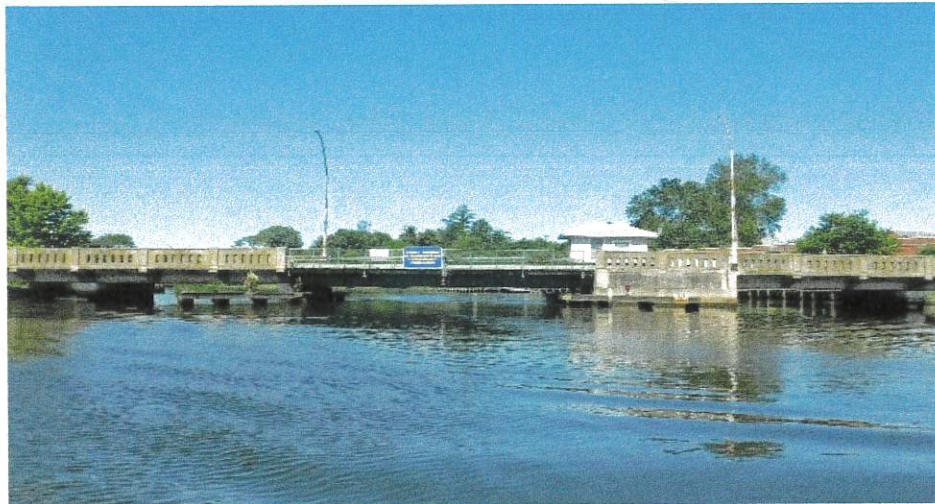
Active corrosion and pack rust on the bottom flange of the bascule girders

See reverse side for additional information



## How do we stop the corrosion?

The process starts with installing a containment system around the structure. This system is designed to catch all of the old paint that we remove as well as prevent any overspray from the new paint from escaping. Once the containment is in place, the crew will utilize a large media blasting unit to shoot a stream of high-pressured, tiny steel balls at the steel which will strip the surface down to completely bare metal, fully removing all the existing coatings. We will then use large vacuums to suck up all of the debris removed and the steel shot. The neat thing about these vacuums is that they will separate the steel shot from the debris and the shot is then cleaned and reused. Once the steel is fully stripped, we begin coating the bridge in an ultra-high performance, 3 coat system which is comprised of a zinc primer, epoxy mid-coat and polyurethane top-coat. The crews will then shift their focus to the concrete. Cleaning will either be by steel shot or pressure washing. Once clean we will coat the concrete in a 2-coat system which will be comprised of epoxy or a silicone-acrylic paint. One thing to note is that painting is very sensitive to ambient conditions. We do have means and methods to create artificial climate control which we will utilize, but mother nature can have an effect on our operation.



## How will this impact my travel along Front Street and when is this taking place?

This project will require a complete road closure at the bridge site to enable the containment to be installed and to have room to place the equipment necessary to complete the work. We have studied the traffic volumes in the area, coordinated with the City of Seaford government, coordinated with the coast guard, and have planned around Seaford events as much as possible. With this concerted effort, we have found that the most viable time of the year to perform this work will be between October 1<sup>st</sup> to April 30<sup>th</sup> and anticipate the project to take 10 weeks, weather permitting. The temporary detour routes will be posted on the DeIDOT project portal and will be clearly marked in the field once installed. Please note that once the containment system is installed, the structure will not be able to be opened for boats.

## Who can I contact with more questions, and how?

Any questions, comments or concerns should be directed to DeIDOT Community Relations at 302-760-2080 or you may contact us by e-mail at [dotpublic@delaware.gov](mailto:dotpublic@delaware.gov). Please include the project name or contract number when contacting us to expedite our response to any inquiry.

NB# 3  
3/11/25

# MEMORANDUM

TO: Charles Anderson, City Manager  
Mayor & Council

FR: Kathy Anger, Customer Service Coordinator

RE: Budget Billing

DT: 2/24/25

---

In past years, the City of Seaford offered Budget Billing but stopped. There were several reasons for eliminating the program.

- The Budgeted amount was calculated as a total of the previous 12 months divided by ten. Making the monthly bill higher than a normal 12-month average.
- Limited number of users. We had less than a dozen people in Budget Billing.
- Tracking was manual.
- Customers did not want to pay the larger amount when their bill was smaller. Customers would start the program and get upset they were paying a larger amount than what their actual bill was and would only pay the actual bill. Then when the high bill months came around, they were upset again because they did not have the accumulated credit to pull from.

If the City would like to try Budget Billing again, our current computer system could process and track Budget Accounts. Other utilities that provide Budget Billing do have some requirements to be in the program.

I would recommend:

- Starting Budget Billing in a low consumption months. May billing for April consumption would be ideal.
- It should be on the total of the previous (12) twelve months billings and then divided by (10) ten.
- The account should be at a zero balance at the start of Budget Billing and in adherence with our current Good Standing Ordinance.
- No history of returned payments for the previous 12 months.

- The Customer should be required to have one (1) year of billing history at the current location.
- The customer would be removed from the program if there are any missed or returned payments.

Thank you for your consideration. If you have any questions, please feel free to reach out to me.



## Budget Billing Policy

Effective: TBD

### Purpose:

The purpose of this policy is to establish guidelines for an Electric Budget Program

### Scope:

This policy applies to any residential electrical customers wishing to participate and has a minimum of one year of billing history, who has good credit with the City of Seaford for the previous 12 months, and are in adherence with our Good Standing Ordinance.

### Definition:

For the purposes of this policy, Budget Billing is defined as the pre-determined electric billing amount that starts with May's bill for April's consumption. It will be calculated by averaging the last twelve months of billings and rounding up to the next 5 or 0 for an even amount.

### Policy:

1. A customer is eligible for the program if:
  - a. They have twelve (12) months of billing History.
  - b. Their account is at a zero balance or will be at the start of the program.
  - c. Has a history of Good Credit with the City of Seaford.
  - d. Complies with the Good Standing Policy.
2. The monthly budgeted amount will be calculated on the total billings of the previous (12) twelve months divided by ten. This amount will be rounded to the nearest 5-dollar increment to establish a monthly budget payment for the customer.
3. While in the Budget Billing program you may accrue an account balance or credit.
4. Overpayments will be applied to your account balance but will not reduce your monthly Budget Billing amount.
5. The final month (April) could be higher or lower than the monthly budgeted amount and must be paid in full in order for the account to roll over into the next year's budget program.

6. Refunds for over payments will not be issued, unless the customer has moved from our lines.

A customer will be removed from the program if:

1. The customer requests removal from the program.
2. The customer has a missed or returned payment.

Program Enrollment:

1. Customers can enroll in the program by contacting a Customer Service Representative at Seaford City Hall by calling (302) 629-9173.
2. The Budget Billing Application can be downloaded from the city website [www.seafordde.com](http://www.seafordde.com) and submitted to customer service.

# Budget Billing



Who is eligible?

- Residential electrical customers who have twelve (12) months of history.
- Account is at a zero balance or will be at the start of the program.
- Has a history of Good Credit with the City of Seaford.
- Is in adherence of your Good Standing Policy.

**To Apply for Budget Billing please complete and return to the City of Seaford**

## Budget Billing

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code \_\_\_\_\_

Account ID# \_\_\_\_\_

I, \_\_\_\_\_, Authorize City of Seaford to set my electric account up as a Budget Bill.

I understand:

This authorization is good until such time as I notify the City of Seaford I no longer wish to participate.

The budget program will run from May to April and will be an average of the previous 12 months.

The final month (April) could be higher or lower than the monthly budgeted amount and must be paid in full in order for the account to roll over into the next years budget program.

Refunds for over payments will not be paid out, unless the customer has moved from our lines.

I will be removed from Budget Billing if I have a missed or returned payment. At such time my account will be subject to disconnection and could be turned subject to collections.

## MEMORANDUM

NR#4  
3/11/25  
Clean GPM

TO: Mayor & Council

FR: Charles Anderson, City Manager

Berley Mears, PW Director

June Merritt, Director of Finance & Human Resources

***RE: Residential Water Irrigation***

DT: Revised 2/24/25

---

Recently, the City Council adopted a change to the Municipal Code regarding residential water irrigation systems based on the Director of Public Works' recommendations. The Code change allows the City to install a separate water irrigation meter and bill based on usage. Due to the concerns and questions from the residents, we have discussed how to ease the transition to metered billing for these accounts. Below are policy recommendations that will assist in implementing this change.

- Provide an "Opt-Out Option" for customers that have irrigation systems. The City will not charge the water disconnect fee if a customer chooses this option until June 30, 2025. The City will lock out the water irrigation meter and stop billing, but continue to monitor the meter for usage.
- After June 30, 2025, if a customer wants to disconnect their irrigation service, a disconnect fee will be charged in accordance with the City's Fee & Rate Schedule. The City will lock out the water irrigation meter and stop billing, but continue to monitor the meter for usage.
- Property owners choosing to keep their residential water irrigation systems will be billed for their consumption with NO minimal bill required. This would mean the customer would not receive any charges if water is not used, regardless of the time of year. If a customer uses up to 7,500 gallons they would be billed for one (1) EDU. Any consumption over 7,500 gallons would be billed according to the City of Seaford's Fee and Rate Schedule. These accounts would remain active year round until such time as the property owner chooses to discontinue the service.
- The bill code will be the same for all residential customers with metered water irrigation systems. Water only, no sewer.
- The City will offer assistance to customers in installing new irrigation service meters and pits. The Public Works Department will install the new service meter and pit to the property line at no charge if the property owner agrees to pay the

cost for materials. This program will be offered for one year and will end as of December 31, 2025.

- In addition to the above, the City will offer property owners the option to receive a no interest loan (similar to the current sidewalk loan program) that will cover the cost of the materials and allow for monthly payments over a maximum of a four year pay back of the expenditure with the execution of a loan agreement.

If you have any questions, contact June, Berley or me.

NR# 4  
3/11/25  
RED-LINE

## MEMORANDUM

TO: Mayor & Council

FR: Charles Anderson, City Manager

Berley Mears, PW Director

June Merritt, Director of Finance ~~and~~ Human Resources

***RE: Residential Water Irrigation***

DT: Revised 2/24/25~~11/15/2024~~

Recently, the City Council adopted a change to the Municipal Code regarding residential water irrigation systems based on the Director of Public Works' recommendations. The Code change ~~will~~ allows the City to install a separate water irrigation meter and bill based on usage. Due to the concerns and questions from the residents, we have ~~had~~ discussed ~~editions regarding~~ how to ease the transition to metered billing for these accounts. Below are ~~recommended~~ policy recommendations that will assist in implementing this change.

- Provide an "Opt-Out Option" for customers that have irrigation systems. The City ~~will~~ ould not charge the water disconnect fee ~~if~~ should a customer chooses this option until June 30, 2025. The City ~~will~~ ould lock out the water irrigation meter and stop billing, but continue to we would still monitor the meter for usage.
- After June 30, 2025, if a customer wants to disconnect their irrigation service, ~~they will pay the~~ disconnect fee will be charged in accordance with the City's Fee & Rate Schedule. The City ~~will~~ ould lock out the water irrigation meter and stop billing, but continue to we would still monitor the meter for usage.
- Property owners choosing to keep their ~~Billing for~~ residential water irrigation systems ~~will~~ ould be billed for their consumption with NO minimal bill required. This would mean the customer would not receive any charges if no water is not used, regardless of the time of year. If a customer uses up to 7,500 gallons they would be billed for one (1) EDU. Any consumption over 7,500 gallons would be billed according to the City of Seaford's Fee and Rate Schedule. These accounts would remain active year round until such time as the property owner chooses to discontinue the service ~~Opt-out for the period of March consumption through October consumption. (Billing April to November.) The accounts will need to be classified as "Seasonal".~~
- The bill code ~~will~~ should be the same for all residential customers with metered water irrigation systems. Water only, no sewer.

- The City ~~will~~~~ould~~ offer assistance to customers in installing new irrigation ~~services~~~~meters~~~~service~~ meters and pits. The Public Works Department ~~will~~~~ould~~ install the new service meter and pit to the property line at no charge if the property owner agrees to pay the cost for materials. This program ~~will~~~~ould~~ be offer~~ed~~ for one year and ~~will~~~~ould~~ end ~~ast of the end of~~December 31, 2025.
- In addition to the above, the City ~~will~~~~ould~~ offer property owners the option to receive a no interest loan (similar to the current sidewalk loan program) that ~~will~~~~ould~~ cover the cost of the materials and allow for monthly payments over a maximum of a four year pay back of the expenditure with the execution of a loan agreement.

If you have any questions, contact June, Berley or me.

NR #5  
3/11/25

Sec. 2-103.

Special Leaves

The following special leaves shall be considered by the City Manager:

- (A) Family Medical Leave Act ("FMLA"): This Policy is intended to comply with the National Defense Authorization Act (NDAA) for FY 2008, the Family and Medical Leave Act of 1993 (the "FMLA") as amended, the Department of Labor's regulations implementing FMLA, and shall be construed consistently with NDAA, FMLA and any applicable regulations.

**Eligibility**

Employees are eligible for unpaid family and medical leave ("FMLA leave") under this Policy if they have been employed by the City for at least 12 months and have worked at least 1,250 hours during the 12-month period immediately preceding the commencement of the FMLA leave, which may or may not be consecutive, but only to the extent required by law.

Eligible employees are entitled to FMLA leave for one or more of the following reasons:

- For birth of a son or daughter of the employee, and to care for such newborn child;
- For placement with the employee of a son or daughter for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent with a serious health condition;
- Because of a serious health condition that makes the employee unable to perform the functions of the employee's job;
- Because of any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a covered military member on active duty (or has been notified of an impending call or order to active duty) in the U.S. Armed Forces in support of a contingency operation; and
- To care for a covered service member with a serious injury or illness sustained in the line of duty if the employee is the spouse, son, daughter, parent, or next of kin of the service member.

### **Serious Health Condition**

A "serious health condition" entitling an employee to FMLA leave means an illness, injury, impairment or physical or mental condition that involves inpatient care or continuing treatment by a health care provider as defined in the FMLA. Employees with questions about what illnesses are covered under this FMLA policy are encouraged to consult with the Director of Human Resources.

### **Amount of Leave**

Unless otherwise required by law, the City will grant up to 12 weeks (26 weeks for certain service member family leave) of family and medical leave during any 12 month period to eligible employees. Except in the case of leave to care for a covered servicemember with a serious injury or illness, the City will measure the 12 month period as a rolling 12 month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes FMLA leave, the City will compute the amount of FMLA leave the employee has taken during the prior 12 months and subtract such leave from the 12 weeks of available leave time. The balance remaining is the amount the employee is entitled to take at that time.

An eligible employee's FMLA leave entitlement is limited to a total of 26 workweeks of leave during a single 12-month period to care for a covered servicemember with a serious injury or illness. The "single 12-month period" in which the 26-weeks-of-leave-entitlement occurs is determined measured forward from the date an employee's first FMLA leave to care for the covered servicemember begins.

In the case of leave (i) to care for a family member with a serious health condition, (ii) necessitated by a serious health condition of the employee, or (iii) to care for a covered servicemember with a serious injury or illness, the leave may be taken intermittently or on a reduced leave schedule when medically necessary subject to the limit of 12 workweeks (26 for care of a covered servicemember) and to the certification requirements of this Policy. If intermittent leave or leave on a reduced schedule is requested for qualifying conditions, the City may require the employee to transfer temporarily to an available alternative position, when the alternative position will offer the same pay and benefits.

### **Notice by Employee**

Eligible employees must provide not fewer than 30 days' notice before the date the FMLA leave is to begin where the need for the leave is foreseeable. However, if circumstances require leave to begin in fewer than 30 days, the employee must provide such notice as is practicable. If an employee fails to provide reason for the leave, the leave may be denied. While on leave,

employees are requested to report periodically to the City regarding the status of the medical condition and their intent and expected date to return to work.

If an employee anticipates that leave will be needed based on planned medical treatment, the employee must make a reasonable effort to schedule the medical treatment, subject to approval of the employee's health-care provider, in a manner that does not unduly disrupt the City's operations.

If an instructional employee does not give required notice of foreseeable FMLA leave to be taken intermittently or on a reduced leave schedule, the City may require the employee to take leave of a particular duration, or to transfer temporarily to an alternative position. Alternatively, the City may require the employee to delay the taking of leave until appropriate notice is provided.

#### **Temporary Transfer**

In the situation of a request for intermittent leave or leave on a reduced schedule, the City may temporarily transfer the employee to an alternate job with equivalent pay and benefits if the employee is qualified for the position and it better accommodates recurring periods of leave than the employee's regular job.

#### **Notice by the City**

Upon receipt of notice from the employee of a need for an FMLA leave, the City will notify the employee of his or her obligations, including any certification requirement.

#### **Certification**

A request for medical leave must be supported by a written certification issued by the employee's health-care provider. Likewise, a request for family care leave must be supported by a written certification issued by the health-care provider of the family member.

The City first may ask for certification of the serious health condition. The City will use the U.S. Department of Labor Form WH-380, the *Certification of Health Care Provider*, to obtain this certification. The employee should respond to this request within 15 days or provide reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. The City will request medical certification in writing as part of the employer's response to an employee's request for leave.

The City reserves the right, in requiring certification from a health care provider, to provide a statement of the essential functions of the employee's position for the health care provider to review. A sufficient medical certification must specify what functions of the employee's position the employee is unable to perform so

that the City can then determine whether the employee is unable to perform one or more essential functions of the position.

The City reserves the right to ask for a second opinion from a physician or facility of their choice. If the City requests a second opinion, the cost of the second opinion will be paid for by the City. In order to resolve a discrepancy between the first and second opinions, a third opinion will be required which will be mutually agreed upon by the employee and the City. The cost of a third opinion will be paid by the City and will be the final determination of the employee's condition.

The City reserves its right to require subsequent recertifications on a reasonable basis.

With respect to family leaves involving care for a covered family member or servicemember, the certification must include a statement that the employee is needed to care for the family member and an estimate as to the amount of time the employee is needed to care for the family member.

For requests for intermittent or reduced leave schedules, the certification shall also include the expected duration and schedule of the intermittent or reduced leave schedule.

#### **Substitution of Paid Leave Time**

FMLA leave is without pay except as set forth in the following paragraph.

When permitted by the Act, an employee is required to substitute available paid leave or disability leave, including Medical Leave, to which he or she is entitled for all or any portion of the FMLA leave, provided also that the eligibility requirements for each form of such paid days off or leave are satisfied. In such a situation, whatever paid leave is taken will count against the allowable FMLA leave.

#### **Group Health Coverage**

Coverage under the applicable group health plan in effect on the day before the FMLA leave begins will be continued for the duration of allowed leave at the same level and under the same conditions that coverage would have been provided if the employee had not taken FMLA leave. If an employee is normally required to pay a portion of the group health benefit premiums, such an employee on FMLA leave is required to continue paying his or her portion of group health benefit premiums based upon a payment arrangement specified by the City. If an employee does not return to work after the employee's leave expires, for reasons other than the continuation, recurrence, or onset of a serious health condition of the employee or the employee's family, or any other circumstance beyond the

control of the employee, the City will be entitled to seek reimbursement from the employee for any premiums it paid for maintaining coverage during the leave.

#### **Return from Leave**

When an employee returns from FMLA leave, the City will restore the employee to the position of employment held when the FMLA leave commenced, or to an equivalent position that includes equivalent employment benefits, pay, seniority, and other terms and conditions of employment. However, the City reserves the right to withhold restoration of employment when allowed by law. This may occur when, for example, an employee would not have otherwise been employed at the time reinstatement is requested.

An employee's failure to notify the City of availability for work, an employee's failure to return to work when called by the City or an employee's continued absence from work after leave expires may be deemed a voluntary termination of employment with the City.

#### **Leave Requests**

FMLA leave requests should be directed to the Director of Human Resources.

The City will comply with applicable state law to the extent that such law provides greater family or medical leave rights than those of the Act. If a particular leave qualifies for FMLA leave and leave under state law, the leave used counts against the employee's entitlement under both laws.

(B) **Military Leave:** Employees who are members of the National Guard or Armed Forces will be granted a maximum of 96 hours of military leave each calendar year for training purposes, upon receipt of proper documentation from the appropriate military authority. For the purpose of this policy, one day of military leave is equivalent to 8 hours. During this leave, employees will continue to receive their regular benefits.

Reservists in the United States Armed Forces will be granted military leave to participate in annual reserve training, provided they notify the City in advance of the training period. If the employee's military pay is less than their regular salary as a City employee, they will be compensated for the difference for up to 96 hours during the period of military leave.

To maintain the employee's normal salary during this period, the employee will need to notify the Human Resources department of their hourly military wage in writing before they take leave, and provide a copy of the employee's military pay voucher as proof of payment within fourteen (14) days following the end of the leave.

Formatted: Indent: Left: 0.9", Space After: 0 pt, No bullets or numbering

Formatted: Indent: Left: 0.9", No bullets or numbering

If the employee's military duty exceeds 96 hours, the employee may elect to use paid time off or may be granted an unpaid leave of absence. If the employee chooses unpaid leave and the leave time extends for at least one complete pay cycle, it is the employee's responsibility to contact the Human Resources department to make arrangements to continue the employee contribution of the premium payments on your health insurance to maintain health benefits while you are on leave. An employee's period of military leave will be counted as covered service with the State of Delaware Municipal Police and Firefighters plan for eligibility, vesting and benefit accrual purposes. Returning service members are treated as if they have been continuously employed.

Employees required to report for weekend drills should attempt to switch shifts or be given an opportunity to work additional hours on their scheduled days off to maintain their regular pay.

The City will comply with all applicable laws regarding the reemployment of military veterans.

- (B) ~~Military Leave: A military leave of absence, without pay, will be granted upon receipt of proper and timely documentation from appropriate military authority. Reservists in the United States Armed Forces will be allowed military leave to participate in annual reserve training upon notification in advance of the training period. All time off for military leave will be without pay unless the employee elects to use paid time off. The City will comply with all applicable laws regarding reemployment of military veterans.~~
- (C) Maternity/Paternity Leave: Employment policies or practices involving the commencement and duration of leave, the availability of extensions, the accrual of benefits and payment apply to a disability due to pregnancy, childbirth or related medical conditions in the same manner such policies and practices apply to other disabilities. The FMLA policy shall also apply to the extent that there is a serious health condition due to pregnancy, childbirth, or related medical conditions. In addition, the FMLA policy applies to leave to care for a newborn child, and placement with the employee of a son or daughter for adoption or foster care.
- (D) Bereavement Leave –Payment for absence due to death-in-family: An employee who is excused from work because of death in his immediate family shall be paid his regular rate for his scheduled working hours excused for up to 24 hours, starting on the day of the death and ending on the day after the funeral. The day of death begins upon the death of the family member and the first day is counted if an employee has not reported for his scheduled working hours. Should the death occur while an employee is working, then the next calendar day is the first day. The pay rate is based on regular hourly base pay with no overtime permitted.

A member of the employee's immediate family shall be limited for the above purpose to parents (father or mother, step-parents, or foster parents), husband or wife, brother or sister (half-brother or half-sister), son or daughter (step-son, step-daughter, or legally adopted children), mother-in-law, father-in-law, (great) grandparent or (great) grandchild.

This policy does not include excusing an employee with pay to attend the funeral of the employee's spouse's grandparent.

An employee who is excused from work to attend the funeral of his son-in-law, daughter-in-law, brother-in-law or sister-in-law shall be paid his regular rate of pay for his scheduled working hours on the day of the funeral. Brother-in-Law and sister-in-law are defined as the spouse of the employee's brother or sister and the brother or sister of the employee's spouse. Shift workers will not be expected to work their particular shift on the day of the funeral.

Other relatives living regularly in the home of an employee as an established member of his household, and whose principal support is received from the employee, may also be considered on an individual basis after discussing the case with your supervisor.

Payment for absences due to death-in-family will not be made in addition to sick leave payments or holidays, which may occur simultaneously.  
(Adopted by Mayor & Council 10/8/91).

- (E) Administrative Training Leave: Employees may be granted Administrative leave of absence with pay to attend job related training courses, sessions, conferences, or seminars. Requests for leave must be submitted through Department Superintendents, Directors, and to the City Manager for approval. If such a leave is approved, the employee will be informed as to whether the City will reimburse the employee for reasonable traveling expenses. An employee seeking reimbursement for such expenses must submit expense forms and receipts to the City Manager.
- (F) Jury Duty: Employees called for jury duty will be given leave of absence with pay for the duration of their service on the jury.

#### Sec. 2-104. Re-employment

Candidates for employment whom have previously been employed will be evaluated based on qualifications, experience, and ability for position vacancies. Consideration may be given to entering a qualified candidate in a step and/or grade above entry level.

## MEMORANDUM

NP#8  
3/11/25

TO: Charles Anderson, CM

FR: Berley Mears, DPW

RE: *Septage receiving disposal fee increase for porta potty waste*

DT: February 28, 2025

We currently receive septage from haulers for treatment at our Wastewater Treatment Facility at a flat rate of \$0.075 a gallon. We are currently receiving porta potty waste as septage for this same rate. I would like to make a recommendation to charge more for porta potty waste based on a few factors.

Septage can vary widely in strength and there is always an unknown as to what is really being dumped into the headworks of our facility. Septage can be 16 times stronger than domestic strength sewage which can place a large demand on the biological capacity of our facility. Porta potty waste can be around 81 times stronger than domestic strength sewage, so you can see how much stronger it is compared to the typical septage we receive. With the added strength comes added costs to treat. Added electric and chemical costs are associated to the higher strength waste.

I am recommending that we increase the septage rate from \$0.075 to \$0.09 a gallon for porta potty waste effective April 1, 2025. I do not anticipate a large increase in revenue with this change.

Please present this information to Mayor and Council at their March 11, 2025 meeting for their consideration.

Please contact me should you have any questions.

# MEMORANDUM

UB #9  
3/11/25

TO: Charles Anderson, City Manager

FR: Katie Hickey, Supt. of Parks and Recreation

RE: **2025 Waste and Recycling Services**

DT: March 5, 2025

The City received two bids in response to our bid advertisement for the above referenced services on March 5, 2025. Please see the tabulation of the bids received below:

|                   | Republic        |                  | Casella         |                  |
|-------------------|-----------------|------------------|-----------------|------------------|
|                   | 2025-2026       | 2025-2026        | 2025-2026       | 2025-2026        |
|                   | Monthly         | Annual           | Monthly         | Annual           |
| Location          | Price           | Price            | Price           | Price            |
| City Hall         | 234.00          | 2,808.00         | 191.00          | 2,292.00         |
| WWTF              | 288.00          | 3,456.00         | 330.00          | 3,960.00         |
| Pool (SCSC)       | 90.90           | 499.95           | 114.00          | 627.00           |
| Utility Building  | 319.50          | 3,834.00         | 299.00          | 3,588.00         |
| Rec Office        | 310.50          | 3,726.00         | 279.00          | 3,348.00         |
| Parks Building    | 516.00          | 2,580.00         | 296.00          | 1,480.00         |
|                   | 258.30          | 1,808.10         | 296.00          | 2,072.00         |
| Police Dept.      | 234.00          | 2,808.00         | 191.00          | 2,292.00         |
| Parks             |                 |                  |                 |                  |
| - Jay's Nest Pk   | 90.90           | 1,090.80         | 114.00          | 1,368.00         |
| Fire House        | 391.50          | 4,698.00         | 371.00          | 4,452.00         |
|                   |                 |                  |                 |                  |
|                   | <b>2,733.60</b> | <b>27,308.85</b> | <b>2,184.00</b> | <b>25,479.00</b> |
|                   |                 |                  |                 |                  |
| <b>DIFFERENCE</b> | <b>549.60</b>   | <b>1,829.85</b>  |                 |                  |

It is my recommendation that the bid be awarded to the low bidder, Casella, for a one-year contract with a one-time renewal option for one additional year.

This purchase will be adopted beginning at the start of the FY26 Parks Sanitation Budget.

Should you have any questions, please contact me.

Thank you.

# MEMORANDUM

NB# 10  
3/11/25

**TO:** Charles Anderson, CM

**FR:** Bill Bennett, Director of Electric

**RE:** Transformers

**DT:** March 05, 2025

The City received seven bids for the above-referenced project. Please see the table below:

| Bidder                       | Total Base Bid      |
|------------------------------|---------------------|
| SW ELECTRIC                  | \$618,666.00        |
| <b>UNITED UTILITY SUPPLY</b> | <b>\$220,276.00</b> |
| GRAYBAR ELECTRIC             | \$791,313.69        |
| BOLT ELECTRIC                | \$190,461.00        |
| CAVALRY ENERGY LLC           | \$338,500.00        |
| COOPER POWER SYSTEMS         | \$306,587.00        |
| GE/PROLEC                    | \$265,306.00        |

It is my recommendation that the bid be awarded to the second lowest bidder, United Utility Supply, in the amount of \$220,276.00.

Please present this information to Council at their meeting on March 11, 2025, for their consideration.

Should you have any questions, please contact me.

Thank you.

NB# 11  
3/11/25  
Clean Copy

ORDINANCE #2025-02

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF SEAFORD, an ordinance to amend Chapter 6, of the Municipal Code of Seaford, Delaware relating to "Electricity", in the manner following, to wit:

Chapter 6, of the Municipal Code of Seaford, Delaware is hereby amended by amending Sec. 9 a), b), Sec. 10 a), and Sec. 11 c), d), to read as shown on the following pages.

|            |                                   |
|------------|-----------------------------------|
| 03/11/2025 | Date of First Reading             |
| 00/00/2025 | Date of Second Reading & Adoption |
| 00/00/2025 | Date of Advertisement             |
| 00/00/2025 | Date the Ordinance is Effective   |

CITY OF SEAFORD

By: \_\_\_\_\_  
Mayor

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

Attest: \_\_\_\_\_  
City Manager



**9. Meter Installation, Power Factor, and Demand Determination**

**a) Meters**

The City shall furnish, install, maintain, and own one (1) set of metering equipment for measurement of the amount of energy (KWH) and demand (KW) supplied under each contract. The metering equipment installed will be adequate to properly measure the electricity consumed for billing and/or load research as judged by the City. All bills will be calculated from the reading of these meters. The meters for multi-family, platted single family houses, and commercial property will be paid for by the property owner or developer.

**b) Meter Sockets (amended 2/10/04)**

All meter sockets shall be purchased by the facility owner, contractor or designee. Installation and inspections are the responsibility of the facility owner, contractor or designee. All meter sockets shall conform to current Underwriter Laboratories (UL) and ANSI specifications. Meter sockets shall be classified as follows:

- 1) Residential
  - a. 100 ampere overhead
  - b. 200 ampere overhead or underground
  - c. Class 320 ampere single phase with a disconnect.
- 2) Commercial or 3 Phase Residential
  - a. 20 ampere instrument rated
  - b. 200 ampere 3 phase self-contained
  - c. 20 ampere and higher, pre-wired with test switch
  - d. 400 ampere will use a class 320 meter socket with a disconnect.

**10. Service Connections and Point of Delivery**

**a) General**

Services as used in this section refer to overhead and underground conductors and associated materials between the last aerial structure (typically a pole) or underground terminal (typically a pad mount transformer or other form of switchgear) of the City's electric distribution system and the point of connection with the Applicant's facility (typically a building eave or outside wall). Distribution line extensions designed to service developments and/or multiple dwelling areas (present or future) will be of aerial construction whenever possible and be located within agreed upon dedicated or private right-of-way. From the utility point of connection forward all electrical infrastructure installed shall be underground and shall be designed and constructed consistent with good engineering practices. The City will be the final judge in determining the type and location of the service entrance.

For any service 400 amps or less, the City will provide a self-contained meter. Any service greater than 400 amps will require a transformer rated meter.

**11. Distribution Line Extension and Interconnections**

**c) Responsibilities of the City**

**1) Electric Meter**

The developer will purchase the meters and dedicate them to the City, the city will own and maintain the electric meter.

**2) Line Extensions (amended 06/27/07)**

Aerial distribution line extensions (circuit), including but not limited to conductors, poles, switchgear, cutouts, fuses, connectors, lightning arresters, etc. will be installed by the City but will be paid for by the Applicant. Once installation has been completed and accepted, the entire installation will be dedicated back to the City (see "Transfer of Materials and Complete Installation" in Appendix B, Exhibit No. 8). After acceptance, aerial distribution line extensions will be owned and maintained by the City. Some of the costs to be borne by the Applicant include the cost of materials, equipment, supplies, engineering design, installation labor, and special metering. The City of Seaford reserves the right to charge either the line extension costs or a cost recovery fee pending review of the project.

**3) Transformer**

The Developer will purchase the transformers from the City and dedicate them to the City, the City will then own and maintain the transformer.

**4) Street Lighting**

The City will approve designs and materials for street lighting. After the Developer has borne the cost of layout, purchase, and installation of street lighting as outlined in Section 11(b-4), the Developer will deed the street lighting to the City (see "Transfer of Materials and complete Installation" in Appendix B, Exhibit No. 8). The City will be responsible for the future maintenance and future relamping of the street lighting and will provide electricity.

**d) Escrow for Developments**

**1) General Policy**

The City has developed an escrow policy so that the Developer will bear the initial cost risk of certain items as outlined in the following section. Escrowed funds are designed to assure that certain amounts of electricity will be purchased in the future through the new electric services. If the amount of electricity purchased is not sufficient to warrant the investment required by the City, then an offsetting portion of the escrowed funds will be retained by the City. The calculation of the escrow is outlined in Section 11(d-3), "Reimbursement of Escrowed Funds."

2) Items to be Escrowed

100% of all cost to extend the City electrical distribution system are eligible for escrow. The City will provide the Developer with a statement showing the items and amounts to be escrowed. The City will collect from the Developer the required funds and will place the funds into an escrow account controlled by the City. All other designs, items, and installations of the distribution line extension will be paid for by the Applicant and will become the property of the City as described in Section 11(b- 6).

NB#11  
3/11/23

RED-LINE

ORDINANCE #2025-02

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF SEAFORD, an ordinance to amend Chapter 6, of the Municipal Code of Seaford, Delaware relating to "Electricity", in the manner following, to wit:

Chapter 6, of the Municipal Code of Seaford, Delaware is hereby amended by amending Sec. 9 a), b), Sec. 10 a), and Sec. 11 c), d), to read as shown on the following pages.

|            |                                   |
|------------|-----------------------------------|
| 03/11/2025 | Date of First Reading             |
| 00/00/2025 | Date of Second Reading & Adoption |
| 00/00/2025 | Date of Advertisement             |
| 00/00/2025 | Date the Ordinance is Effective   |

CITY OF SEAFORD

By: \_\_\_\_\_  
Mayor

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

Attest: \_\_\_\_\_  
City Manager

9. **Meter Installation. Power Factor. and Demand Determination**

a) Meters

The City shall furnish, install, maintain, and own one (1) set of metering equipment for measurement of the amount of energy (KWH) and demand (KW) supplied under each contract. The metering equipment installed will be adequate to properly measure the electricity consumed for billing and/or load research as judged by the City. All bills will be calculated from the reading of these meters. The meters for multi-family, platted single family houses, and commercial property will be paid for by the property owner or developer.

b) Meter Sockets (amended 2/10/04)

All meter sockets shall be purchased by the facility owner, contractor or designee. Installation and inspections are the responsibility of the facility owner, contractor or designee. All meter sockets shall conform to current Underwriter Laboratories (UL) and ANSI specifications. Meter sockets shall be classified as follows:

1) Residential

- a. 100 ampere overhead
- b. 200 ampere overhead or underground
- c. Class 320 ampere single phase with a disconnect.e bolt-in, "K" base

2) Commercial or 3 Phase Residential

- a. 20 ampere instrument rated
- b. 200 ampere 3 phase self-contained
- c. 20 ampere and higher, pre-wired with test switch
- d. 400 ampere will use a class 320 meter socket with a disconnect.and higher bolt-in, "K" base A list of approved meter sockets is contained in Exhibit 12.

10. **Service Connections and Point of Delivery**

a) General

Services as used in this section refer to overhead and underground conductors and associated materials between the last aerial structure (typically a pole) or underground terminal (typically a pad mount transformer or other form of switchgear) of the City's electric distribution system and the point of connection with the Applicant's facility (typically a building eave or outside wall). Distribution line extensions designed to service developments and/or multiple dwelling areas (present or future) will be of aerial construction whenever possible and be located within agreed upon dedicated or private right-of-way. From the utility point of connection forward all electrical infrastructure installed shall be underground and shall be designed and constructed consistent with good engineering practices. The City will be the final judge in determining the type and location of the service entrance.

For any service 4200 amps or less, the City will provide a self-contained meter. Any service greater than 4200 amps will require a transformer rated meter.

## 11. Distribution Line Extension and Interconnections

### c) Responsibilities of the City

#### 1) Electric Meter

The developer will purchase the meters and dedicate them to the City, will own and the city will own and maintain the electric meter.

#### 2) Line Extensions (amended 06/27/07)

Aerial distribution line extensions (circuit), including but not limited to conductors, poles, switchgear, cutouts, fuses, connectors, lightning arresters, etc. will be installed by the City but will be paid for by the Applicant. Once installation has been completed and accepted, the entire installation will be dedicated back to the City (see "Transfer of Materials and Complete Installation" in Appendix B, Exhibit No. 8). After acceptance, aerial distribution line extensions will be owned and maintained by the City. Some of the costs to be borne by the Applicant include the cost of materials, equipment, supplies, engineering design, installation labor, and special metering. The City of Seaford reserves the right to charge either the line extension costs or a cost recovery fee pending review of the project.

#### 3) Transformer

The DeveloperDeveloper will purchase the transformers from the City and dedicate them to the City, City will purchase, own, and the City will then own and maintain the transformer.

#### 4) Street Lighting

The City will approve designs and materials for street lighting. After the Developer has borne the cost of layout, purchase, and installation of street lighting as outlined in Section 11(b-4), the Developer will deed the street lighting to the City (see "Transfer of Materials and complete Installation" in Appendix B, Exhibit No. 8). The City will be responsible for the future maintenance and future relamping of the street lighting and will provide electricity.

### d) Escrow for Developments

#### 1) General Policy

The City has developed an escrow policy so that the Developer will bear the initial cost risk of certain items as outlined in the following section. Escrowed funds are designed to assure that certain amounts of electricity will be purchased in the future through the new electric services. If the amount of electricity purchased is not sufficient to warrant the investment required by the City, then an offsetting portion of the escrowed funds will be retained by the City.

The calculation of the escrow is outlined in Section 11(d-3), "Reimbursement of Escrowed Funds."

2) Items to be Escrowed

100% of all cost to extend the City's electrical distribution system areAt the City's option, the cost of transformers and meters are items eligible for escrow. The City will provide the Developer with a statement showing the items and amounts to be escrowed. The City will collect from the Developer the required funds and will place the funds into an escrow account controlled by the City. All other designs, items, and installations of the distribution line extension will be paid for by the Applicant and will become the property of the City as described in Section 11(b- 6).