

**CITY OF LEWES  
BOARD OF PUBLIC WORKS  
Regular Meeting Minutes  
November 4, 2020**

**The Wednesday, November 4, 2020 regular meeting of the Lewes Board of Public Works was held at 4:00 P.M. via Zoom. The regular meeting scheduled for October 28, 2020 was cancelled due to Zoom technical difficulties.**

**1. WELCOME, CALL MEETING TO ORDER**

President Lee called the meeting to order at 4:00 P.M.

**2. ROLL CALL**

Board Members Present:

D. Preston Lee, P.E.  
A. Thomas Owen  
Robert J. Kennedy, III  
Thomas Panetta  
Earl Webb

Ex-Officio Members Present:

Theodore Becker, Mayor  
Darrin Gordon, General Manager  
Michael Hoffman, Legal Counsel

Others Present:

Austin Calaman, Assistant General Manager  
Kristina Keller, BPW  
City Manager Ann Marie Townshend  
City Councilwoman Bonnie Osler  
Charlie O'Donnell, GMB  
Vince Luciani, GMB  
Jeff Deats, Inframark Project Manager  
Jackie Doherty, Recording Secretary

**3. REVISIONS AND/OR DELETIONS TO THE AGENDA**

None

**4. CONSENT AGENDA**

- a) **Receive Vice President Report**
- b) **Receive Secretary Report, approval of minutes August 26, 2020, September 23, 2020**
- c) **Receive Treasurer Report**
- d) **Receive Assistant Treasurer Report**

**ACTION:** *Mr. Owen made a motion to accept the consent agenda as submitted: Mr. Panetta seconded the motion, which passed unanimously.*

## **5. Receive the White Marsh Environmental Systems, Inc. Reports**

Mr. Gordon stated he received a message from Paul Peris and Bruce Patrick thanking the Board and the City for allowing them to serve and helping in the smooth transition with the new operators. In their report they stated air bubble traps were installed on the turbidity meters, which has helped with the problem of the levels spiking due to air bubbles being introduced into the systems.

Mr. Panetta questioned the comments in the report about units #1, #2, and #4 turbidity levels being elevated and requested a tour of the plant for review.

Mr. Gordon stated he would also tour the plant with President Lee, Mr. Panetta, Mr. Webb, Mr. Deats and his Staff.

Mr. Deats introduced his Regional Manager, Mike Wolgemuth and spoke about the Staff who will be joining him working in the plant.

Mr. Deats reviewed some of the work in the first weeks of transition including: Lift Station #12 being down, the contractor is scheduled to make the repairs on Monday; responded to alarms at the plant regarding issues with air in the system, which may be due to bubbles in the turbidity meter and a problem with an air relief valve, the spare parts are available for replacement on Friday.

Mr. Deats stated the membranes are in great condition; there are concerns regarding the control mechanisms and communication issues; cleanliness was moderate and there was a thorough housecleaning with some additional work needed; several mechanical issues need to be addressed, but do not prevent operations. The recent heavy rains did contribute to the alarms and high EQ tank levels. On the second day, after the rain had subsided, high flows continued, and Sussex County was contacted to subside their Pump #2 for a period of time.

Mr. Panetta questioned if the spikes after rainfall are due to the increased flow from Sussex County.

Mr. Deats stated within 15 minutes after Sussex County reduced the flow there was immediate relief. There was also a change noted in the pumps at Lift Station #4.

Mr. Gordon will discuss the problem with Hans Medlarz of Sussex County.

## **6. Receive the President's Report**

President Lee stated there were no additions to report.

## **7. Receive the General Manager's Report—Year-to-Date Financial Review**

Mr. Gordon included the impact of COVID-19 in the review:

- Electric revenue down 2.3%; revenues are off .45%; water increase is 18%; sewer revenue increased by 2.5%; irrigation water has increased; purchase power increased 2.5%.

- Repair and maintenance expenses have increased 6% for the wastewater treatment plant due to White Marsh completing extra work before leaving.
- Total operating income is very close to budget with an increase from 2019; non-operating revenues are higher than predicted and on target with 2019.

Mr. Gordon stated there has been no negative impact from COVID-19.

Mr. Panetta questioned why the electric revenue and purchase power budget was increased from 2019. Also, the \$100,000 increase in contractual services.

Mr. Gordon answered that this is based on a 5-year average, which may include the decrease in revenue and kilowatts sold in 2019. The increase in contractual services is due to wastewater treatment plant, engineering, and legal expenses.

## **OLD BUSINESS**

### **8. Open forum/general discussion of Resolution 20-003 authorizing the General Manager to transfer funds for the purchase of the Jones Farm property on or before November 30, 2020. INFORMATION/DISCUSSION/ACTION (D. Gordon)**

Mr. Gordon stated the \$2M loan funds approved by the State will not be received until February 2021, but this contract needs to be concluded on November 30, 2020. This is the reason for the transfer request.

Mr. Hoffman stated closing is scheduled for on or before November 30, 2020. The Board has previously approved the bill of sale and are now actively working through due diligence. The purpose of the resolution is to document BPW funds for the purchase and that the reserve funds will be replenished when State loan funds are received. A BPW meeting will be scheduled for the week of November 16<sup>th</sup> to confirm completion of due diligence to move forward.

Mayor Becker stated the amounts for the closing costs are needed.

Mr. Hoffman said these amounts will be available after the attorneys meet on Friday.

**ACTION:** *Mr. Panetta made a motion to have Resolution 20-003 read into the record by title only for consideration and adoption by the Board; Mr. Owen seconded the motion, which passed unanimously.*

Mr. Hoffman read Resolution 20-003 by title only into the record.

**ACTION:** *Mr. Owen made a motion to accept Resolution 20-003 as presented; Mr. Panetta seconded the motion, which passed unanimously.*

### **9. Open forum/general discussion of easements for utility development along Savannah Road. INFORMATION/DISCUSSION/ACTION (D. Gordon)**

Mr. Gordon reported improvements are planned for Savannah Road near Donovan Smith Road to serve the area which may include Dutchman's Harvest in the future.

Mr. Gordon continued stating plans include four easements at the corner to include Dr. Calhoun's office, the Ritter property, Henlopen Acres, and one on the Dutchman's Harvest side. Plans also include a pumping station and manhole cover at Dr. Calhoun's property in order to provide sewer service to the area.

Mr. O'Donnell stated the gravity pipes for the assisted living facility and Dutchman's Harvest on the Kings Highway side will require a manhole and easement at the corner near Henlopen Gardens and Savannah Road. The manhole at Dr. Calhoun's property will serve the 14 residents west on Savannah Road. There were meetings and discussion with all property owners, and they agreed to sign easement agreements when the Board is ready.

Mr. Hoffman recommended a motion be taken since these are technical agreements that will require obligations by the Board. The Ritter agreement was amended because there was an existing agreement that will be vacated and replaced with the new.

Mr. Panetta requested having a plat plan in the future showing how all the parcels are connected.

**ACTION:** *Mr. Owen made a motion to approve the easements; Mr. Webb seconded the motion, which passed unanimously.*

**10. Open forum/general discussion of the impact of the Capital Project Plan and Cedar Avenue water/sewer project on BPW financial health. INFORMATION/DISCUSSION/ACTION (D. Gordon)**

Mr. Gordon provided a preliminary capital improvement project forecast for 10 years. The goal is to schedule an in-person workshop with the Board to review the 5-year budget and have the meeting available for public viewing via Zoom. Some of the projects for discussion and review during the workshop include removal of iron pipes on Cedar and connecting streets to Bay Avenue to be completed in two sections, Coleman Avenue, Pilottown Road to begin November 9<sup>th</sup>.

Mr. Gordon also provided a worksheet listing of all planned projects; costs; loans for the projects based on a 20-year loan at 2% interest; impact on the reserve fund for the first five years for review and discussion at the workshop meeting.

President Lee stated the cross streets from Cedar to Bay will also need to be included in the budget.

Mr. Webb stated he, Mr. Gordon, and Mr. Kennedy had a discussion concerning the decision process and understanding the objectives to be safety, capacity, environmental, customer savings, costs, and requirements.

Mr. Kennedy stated the purpose is to help prioritize scheduling the projects based upon factors that will address critical needs.

Mr. Panetta stated the Planning Commission will hold a Water Workshop on December 1<sup>st</sup> at 6:00 P.M. to discuss sea-level rise, flooding, DNREC speaking on the MS4 planning process for 2021-2022.

Mr. Panetta requested there be discussion at the BPW workshop concerning the substation transformers and the Sargent Lundy report.

Mayor Becker stated the RASCL Summit will be held virtually on December 9<sup>th</sup> at 10:00 A.M.

**NEW BUSINESS**

**11. Open forum/general discussion of the date for the November/December Regular Board Meeting. INFORMATION/DISCUSSION/ACTION (D. Gordon)**

The next regular meeting is scheduled for Wednesday, December 9, 2020 at 4:00 P.M. via Zoom.

**12. CALL TO THE PUBLIC**

None

**13. CALL TO THE PRESS**

None

**14. ADJOURN TO EXECUTIVE SESSION**

**ACTION:** *Mr. Kennedy made a motion to adjourn to executive session; Mr. Webb seconded the motion, which passed unanimously.*

**15. RETURN TO OPEN SESSION.**

**16. DISCUSSION AND ACTION ON ITEMS FROM EXECUTIVE SESSION, IF APPLICABLE.**

**17. ADJOURNMENT**

The meeting adjourned at 5:15 P.M.

Respectfully submitted,  
Jackie Doherty, Recording Secretary  
Lewes Board of Public Works