

**CITY OF LEWES
BOARD OF PUBLIC WORKS
Regular Meeting Minutes
December 9, 2020**

The Wednesday, December 9, 2020 regular meeting of the Lewes Board of Public Works was held at 4:00 P.M. via Zoom.

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
Charlie O'Donnell, GMB
Josh Elliott, GMB
Paul Peris, White Marsh
Jeff Deats, Inframark
Mike Wolgemuth, Inframark
Eric Suazo, RKL
Lauren Stricker, RKL
Stephanie Smith, RKL
Jeremy Witmer, RKL
Glenn Marshall, Lewes Fire Department
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**
- c. Receive Treasurer Report**

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

5. Receive the Wastewater Treatment Plant reports from White Marsh Environmental Systems October—White Marsh; November—Inframark

Mr. Peris stated there was no additional information for the October report, which is the final report from White Marsh.

Mr. Wolgemuth reported he and Lead Operator Paul Gunderson have passed their Level 4 exams for licensed operators; a part-time Level 4 licensed operator employee has been hired to work weekends to relieve Mr. Deats, who has been onsite every day.

Mr. Wolgemuth continued stating all November levels have been within limits; mixed liquor suspended solid number to be lowered from 12,000 to 10,000; membranes needed to be serviced to run on auto; recycle pumps failure to be repaired; corporate office is assisting with computerized maintenance management system.

Discussion included:

- Major source of the I & I problem from a section of the City or is the source from the County connection; County flows are not the only source of the I & I problem; is another I & I study needed; County flow is pumped in from Gills Neck Road and is less prone to I & I, the system is relatively new; all flow records were checked going into Pump Station #4 during the Front Street project and peak flows were only two times the average.
- Last rain event was over 3” and the plant handled it very well; high level for the tank alarm setpoint with an additional 4’ to 5’ freeboard in the tank.
- Changes to the system in last two months regarding effluent flow rate levels.
- New drying beds are complete and performing well; air issues with turbidity meters for Units #3 and #4; changed configuration of tubing has eliminated the problem.

Mr. Kennedy stated the Inframark reports have been very informative with a greater level of detail. A top sheet would be helpful in identifying critical areas of reporting to indicate if we are operating in the zone of excellence. If there is an issue, this could be reported in greater detail. Reporting trends would also be helpful.

Mr. Gordon, Mr. Deats, and Mr. Wolgemuth will work together to develop a top sheet with a summary to be included in the reports.

6. Receive Assistant Treasurer Report—Information on Water Workshop III, Sea Level Rise and Flooding from the Lewes Planning Commission.

Mr. Panetta reported 65 were in attendance for Water Workshop III including Mayor and City Council, Planning Commission, BPW, and members of the community. The current State regulations, Sussex County Conservation District, do not require that sea level rise be included in stormwater management practices. The Planning Commission is working with the State to have this resolved since it is a risk area for planning and stormwater management. There is direct impact on stormwater discharge points to the canal and the bay, and it is important to check that the discharge points do not become inundated.

Mr. Panetta also spoke about the four 10-year events that have occurred in the last 10 years; design of stormwater facilities in the City; new precipitation data; benefits of MS4 planning in the process; coastal region will be combined to qualify under MS4; Planning Commission is developing an Action Plan to include participation with BPW.

Mr. O'Donnell stated a grant was received from FEMA for a study of the flooding on West Cedar Avenue near the inlet at the Children's Beach House and properties on the canal side. The corrugated metal pipe that limited the amount of surge has deteriorated and collapsed. Sea level rise will be considered in the new designs.

7. Receive the President's Report

President Lee stated he had nothing further to report.

8. Receive the General Manager's Report

Mr. Gordon reported there has been a difference from previous years regarding people remaining here due to COVID-19. Water, sewer, and electric revenues have increased. Expenses for sewer under professional services has increased due to the change from White Marsh to Inframark.

Mr. Webb spoke about commercial revenue being down due to COVID-19 and questioned why there is an increase of 177% in supplies and expenses.

Mr. Panetta questioned if the electric changes in the year-end numbers are related to heating and cooling degrees days vs. COVID-19.

Mr. Gordon stated he will check this information to answer Mr. Webb and Mr. Panetta's questions.

NEW BUSINESS

9. Open forum/general discussion of the RKL review and edit of the Employee Handbook. INFORMATION/DISCUSSION/ACTION (D. Gordon, A. Calaman)

Eric Suazo of RKL reviewed the goals and purpose of the assessment requested by the Board and how it is to be used to identify opportunities to strengthen BPW. Information from the human resources and payroll compliance questionnaire was used to conduct a human resources assessment.

Mr. Suazo continued with a general summary of the final report containing their findings and stating their recommendations.

Mayor Becker requested a copy of the Compensation Analysis Report be provided to the City.

Mr. Panetta questioned if the Compensation Analysis Report on salary ranges is on target.

Lauren Stricker reviewed the tools that are used to determine the percentile range for compensation rates.

Jeremy Witmer also spoke about the target percentiles based on qualifications, years of experience, and education.

President Lee stated the Board would like to have the recommendations implemented before the next fiscal year begins.

OLD BUSINESS

10. Open forum/general discussion of the annual donation to the Lewes Fire Department. INFORMATION/DISCUSSION/ACTION (D. Gordon)

Mr. Gordon stated BPW's donation last year was \$35,000 with an additional \$15,000 donated due to COVID-19.

President Lee spoke about the importance of the Fire Department to the City and the incident that occurred earlier this year being addressed and resolved.

Glenn Marshall of the Lewes Fire Department stated because the Department is a private incorporation, the outcome of the incident cannot be made public. The incident was unfortunate, and the Department continues to provide the same service to everyone. This was the comment by one individual, and not the Department, who is working to rebuild the trust of the community.

ACTION: *Mr. Panetta made a motion to increase the donation to \$50,000 in recognition of the importance of the Fire Department to the community and for their work protecting BPW employees in an emergency; there was no second to the motion. The motion failed.*

ACTION: *Mr. Owen made a motion to increase the donation to \$40,000; there was no second to the motion. The motion failed.*

ACTION: *Mr. Webb made a motion to keep the donation at \$35,000; Mr. Owen seconded the motion.*

Mr. Kennedy stated he and his wife personally support the Fire Department and ambulance service, but he cannot support the motion. We are fortunate to have an active, professional, dedicated Department serving the community but feels the Department should be supported by general tax revenues and not utility ratepayer funds. The Lewes Charter authorizes support of the Department with 12% of taxes raised from property transfers for the year, and this is appropriate major funding for the Department. Because the City chooses not to support the Department at a higher level, Mr. Kennedy said he could not support the motion.

President Lee stated he agrees with Mr. Panetta regarding the service provided by the Department and would approve an increase from \$35,000 to \$40,000.

Mr. Webb withdrew his motion; Mr. Owen withdrew his second.

ACTION: *Mr. Panetta made a motion to approve a donation of \$40,000 to the Fire Department. Mr. Owen seconded the motion. President Lee, Mr. Owen, Mr. Panetta, and Mr. Webb voted yes to the motion; Mr. Kennedy voted no to the motion. With four (4) yes votes and one (1) no vote, the motion passed.*

Mr. Owen requested \$35,000 be given to the Fire Department and \$5,000 be given to the EMS Department.

Mr. Marshall stated he will be sure the money is given as requested.

11. Open forum/general discussion of an easement request by DelDOT along the BPW Wellfield property and Savannah Road abutment. INFORMATION/DISCUSSION/ACTION (D. Gordon, M. Hoffman)

Mr. Gordon stated the installation of a sidewalk as requested by DelDOT would have no impact on the BPW Wellfield property, and he would recommend approval.

Mr. Hoffman stated DelDOT has requested a permanent easement from the property owner. The permanent easement needs to be dedicated to the State for the sidewalk and a temporary construction easement is needed for room to install the sidewalk. The property is owned by the City for the use and benefit of BPW and approval is needed from the City and BPW. The City has approved the request as presented with no compensation due.

Mr. Hoffman continued stating DelDOT has requested the dedication be approved without compensation. Senator Lopez has provided funding for the sidewalk as a public improvement.

Mayor Becker confirmed the City has approved the request as presented with no compensation due.

Mr. Hoffman stated the document needs to be amended to reflect proper ownership.

City Manager Ann Marie Townshend stated she will be signing the document.

ACTION: *Mr. Kennedy made a motion to approve the permanent easement and temporary construction easement as requested by DelDOT; Mr. Owen seconded the motion, which passed unanimously.*

12. Open forum/general discussion of the proposed 10-Year Capital Improvement Workshop date. INFORMATION/DISCUSSION/ACTION (D. Preston Lee, M. Hoffman)

The workshop is scheduled for Wednesday, January 13, 2021 at 4:00 P.M. via Zoom.

**13. Open forum/general discussion and information on the Jones Farm purchase.
INFORMATION/DISCUSSION/ACTION (D. Preston Lee, M. Hoffman)**

President Lee stated this is one of the most important accomplishments for BPW since he has been involved. This will protect a major groundwater recharge area adjacent to our wellsite. The elevated tank will be placed on the property which will eliminate finding another suitable site. Other properties costing the same \$2M would not have provided the same benefits. Thank you to the City and County for all their work.

Mayor Becker also thanked Sussex County Councilman I.G. Burton and Mr. Hoffman and his Firm for all their work in helping with the purchase.

14. CALL TO THE PUBLIC

None

15. CALL TO THE PRESS

None

16. ADJOURN TO EXECUTIVE SESSION

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

17. Return to Open Session

18. Discussion and action on items from Executive Session, if applicable.

19. ADJOURNMENT

The meeting adjourned at 5:20 P.M.

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