

Lewes Board of Public Works
March 29, 2023
City Council Chambers

1. Welcome

President Panetta called the meeting to order at 3:00 pm and led the pledge of allegiance.

2. Roll Call

Board Members

Thomas Panetta, President
Earl Webb, Vice President
D. Preston Lee, P.E.
Richard Nichols, Treasurer
Thomas Owen, Assistant Treasurer

Ex-Officio Members

Austin Calaman, BPW General Manager
Michael Hoffman, Legal Counsel
Tim Ritzert, City Council member
Robin Davis, Assistant General Manager

Others

Kimberley Bellere, BPW
Sharon Sexton, BPW
Joshua Gritton, BPW
Benjamin Hearn, GMB

Michael Wolgemuth, Inframark
Jeffrey Kerrin, Inframark
Charlie O'Donnell, GMB

3. Executive Session

ACTION: *Mr. Owen motioned to move to executive session. Mr. Nichols seconded the motion, which passed unanimously.*

4. Return to open session.

ACTION: *Mr. Owen motioned to return to open session. Mr. Nichols seconded the motion, which passed unanimously.*

Open session returned at 4:04pm.

5. Consent agenda

ACTION: *Mr. Lee motioned to accept the consent agenda. Mr. Owen seconded the motion, which passed unanimously.*

6. Inframark Report

Mr. Wolgemuth presented:

- Headworks- Inframark continues to utilize the dewatering roll off container to capture screening while the Lipactor is offline.

- Oxidation Ditch-Cracks were identified in the concrete tank walls. BPW issued PO for work to be completed spring 2023. Waiting to hear back from vendor for start date.
- Filters- Excessive foaming in the UF Trains occurred starting in January and continued through the end of February. While some foaming is common to a BNR plant, temperature fluctuations during this winter are believed to have contributed to the issue. Adjustments were made to recycle flows and DO setpoints along with utilization of the Foam Pump and applying sodium hypochlorite to the anoxic basin surface prior to entering the UF Trains. De-ragging UF Train 4 started March 20, 2023
- A rental emergency generator is online at Pump Station 4 while plans for a permanent solution are being evaluated. A Pump and valve replacement proposal was accepted for PS3. A proposal was accepted from Harry Caswell to replace wet well piping at PS2.
- Mr. Webb questioned which pumps have the highest priority. Mr. Wolgemuth would base the priority on highest flow category. Mr. Webb would like a list of highest flow stations.
- PS3 Rehab- PO issued to Hills.
- Replace wet-well piping P2- Proposal from Harry Caswell accepted. To start in beginning of April.
- PS8 VFD failed last week. Able to locate Snyder VFD and there was a same day install. Looking to put surge protection in PS8.
- President Panetta questioned the how much of the meggering process of the power cable has been done. Currently inspecting panels and replacing receptacles. Not a lot of meggering done yet.
- Generator annual service was for the WWTF and was completed this week. Contract with Cummins Direct. Belts on generator was replaced through Cummins.
- Maintenance Budget is \$58,000 under budget for the year. Rental at ps4 is \$1700 a month is being paid out of the maintenance budget.
- The Headworks bid Schedule will be presented at the May board meeting.

7. Presidents Report

President Panetta stated that the Board held the third public workshop for the WWTF and is accepting public comment on the WWTF planning until Accepting comments until April 5, 2023.

President Panetta, Mr. Calaman, and Mr. Davis met with SPI pharma and discussed their operations and the impact of rusty water issues.

8. General Managers Report

Mr. Calaman presented:

- Tree trimming. Finished circuit 4. Back in October/November to do Circuit 2. Notices will be sent.
- NPDES Permit renewal in process.

- Working with the University of Delaware to apply for a mitigation grant. 90/10 grant. BPW looking to harden the pump stations in the flood plain. Chase Barnes is the grant writer. Mr. Webb questioned if it would be beneficial for BPW to have a full-time job. Mr. Calaman stated that the city does not have a designated grant writer. Mr. Webb suggested considering sharing a grant writer between the BPW and the city on staff. Mr. Lee questioned if the pump stations will be hardened using the standards that the mitigation committee has recommended. Engineering could possibly be included in the plant. The process is new, learning curve.
- Hydrant flushing notices will be sent out. Flushing will be April 13th and 14th. May experience discolored water.
- Household hazardous waste will be held April 22nd.

Mr. Gritton presented:

- Security report- nothing alarming, seeing about half the traffic. Looking to layer security and demoing a solution, Dark Trace.
- Replaced all batteries and backups at the WWTF. Two-year rotation.
- Zoom Room in the conference room has been set up.
- NISC, account management software wants to change communication with them. This would mean the BPW would pay more money and send an appliance that the BPW will have to manage. No need to do immediately, will be mandatory in 3 years.
- Issue with AC in the building. Currently using a household unit in the server room to mitigate the temperature. The target temperature is 65 degrees. The heat jeopardizes the servers room equipment. Mr. Webb questioned if the city is aware of the situation. Mr. Ritzert questioned if the city assets are in the same location. Mr. Gritton stated that this is a separate location. Mr. Webb recommends reaching out to the landlord, the city. Mr. Ritzert stated that there is a deficiency in the whole HVAC system and is being investigated by the city. Encourages BPW staff to discuss with city staff.
- Windows patch negatively affecting SCADA. Inframark, and Keystone was advised of the situation. Issue was mitigated and no further issues have been reported.
- Replaced AED batteries and pads at all BPW locations.
- Procured a Go Bag. EMP specific. Sat phones and backup of server. Physical asset to walk away with. Updated quarterly, under lock and key, and is encrypted.

Ms. Bellere presented:

February 2023 Revenue and Expenses

- Line 5: Board of Public Works: Water- less filter cleaning.
- Line 6: Revenue Other: Sewer- Work was heavier on water.
- Line 10: Wages and Salaries Benefits: Stormwater- tracking time.
- Line 12: Repairs and maintenance: Electric \$24,000 transformer repairs and maintenance
- Line 13: Professional and Contractual Services: Water- \$18,500 120 Water; \$4,000 legal feed, \$12,700 engineering between water main assessment and water model mapping. Sewer- \$24,000 new Inframark rate increase from February 2022.

- Line 27: Change in Market Value: All- \$153, 845 loss.

Mr. Webb questioned if the finance committee has any thoughts about investments. Ms. Bellere stated that the finance committee is working on budgeting and projection, not investments.

Year-to-date

- Line 5: Board of Public Works: Water- less filter cleaning.
- Line 10: Wages and Salaries Benefits: Stormwater- tracking separate department duties.
- Line 13: Professional and Contractual Services: Water- Henlopen Dr., Cedar Av, Delaware Ave piping, testing, and coupon by Harry Caswell. Repaving and repairs by Isaac's Asphalt. Bills higher than previous year on the water modeling and water assessment, 120 Water payment.
- Line 27: Change in Market: All- \$695,825 loss.

Cash graph shows change in market value, interest income, and fees is a loss of half a million and withdrawn 3 million for projects. Mr. Webb questioned if the city uses the same firm for investing. Mr. Ritzert stated that he is not certain.

**9. Open forum/general discussion on the 23/24 operations and maintenance budget.
INFORMATION/DISCUSSION/ACTION (Kimberly Bellere and Austin Calaman)**

Ms. Bellere stated that the formulas are the same that were presented last month. Updates to the actuals made by added lawn maintenance and a new split of the actual properties, UFS cost study and strategic planning study was added. Accounted for additional money for Clean Delaware because of 8.8% increase. Physically inventory and adjustments line was added. Mr. Calaman stated that staff is discussing switching from hauling solids with Clean Delaware to Sussex County.

ACTION: *Mr. Owen motioned to approve the 23/24 operations and maintenance budget. Mr. Nichols seconded the motion, which passed unanimously.*

**10. Open forum/general discussion on the 23/24 5-year capital budget.
INFORMATION/DISCUSSION/ACTION (Kimberly Bellere and Austin Calaman)**

Mr. Calaman stated that staff added Sussex Dupont loop because the school is doing a project and the BPW could work in conjunction with the school project. On the Monroe water line there is a concrete collar around valve cluster to old iron steel pipe. Upsize that pipe and replace. Both projects are being evaluated for the benefit of coordinating projects.

The city has phase 26 project planned that includes sidewalk and road repairs. The Dupont, Johnson, Painter, and Burton Project all streets would connect on Fourth Street where the city's project will be. There is currently an old 4" and 6" cast iron main on Fourth street. Evaluate if worth moving forward with project or wait until the city begins their project since the road will be paved.

Staff will piggyback sewer projects with water projects.

The belt filter press has been discussed previously. If the county will haul liquid for the BPW, this will reduce costs with Clean Delaware. Could potentially negate the need for a new belt filter press. The long-range planning decisions could impact the budget greatly. Mr. Lee questioned what the truck traffic will be with the liquid hauling. Mr. Calaman stated that it was estimated that there will be seven loads a week. This is about double the current hauling. Mr. Lee questioned if there were ever any complaints about hauling. No complaints.

Mr. Webb questioned if Mr. Lee still had concerns regarding the size of the water tower. Mr. Lee is still concerned about the optimization of the design. Mr. Lee wanted a second opinion on the size. Mr. Webb questioned what would be involved with some sort of study. Mr. Webb feels it is worth checking the figures. Independent party would review what GMB has presented and validate if the designed has been optimized. Not an engineering form, just reviewing calculations with the given inputs.

President Panetta and Mr. Webb are open to having the size optimization reviewed, but need to retain someone who is qualified to validate the size of a water tank. Mr. Lee does not view the review relating specifically to water. The consultant will utilize same criteria to determine if the size of the water tower is being optimized. Mr. Owen stated that it is mathematics.

Mr. Calaman questioned if the consultant is to work with GMB or independently. Mr. Lee stated that the consultant will review with GMB.

ACTION: *Mr. Lee motioned to retain a qualified mathematician to confirm the size of the water tower, not to exceed \$7,000. Mr. Webb seconded the motion.*

Aye	Nay
	Thomas Panetta
D. Preston Lee, P.E.	
Earl Webb	
Richard Nichols	
A. Thomas Owen	

Motion carries.

Mr. O'Donnell stated that the Board approved to move forward with a million-gallon tank last month and GMB has already begun gathering proposals and there is a planning grant that expires at the end of July. Mr. O'Donnell stated that GMB utilized standard procedure when developing the calculations for sizing. Changing the size of the tank will change the scope of the work that is already in motion.

ACTION: *Mr. Owen motioned to override previous motion and apply a timeframe to obtain a consultant and complete a review of the water tower sizing.*

Mr. Hoffman clarified that no action today, changed previous actions taken by the Board regarding the selection of size of the water tank or the direction that GMB is to move towards.

Mr. Owen withdrew motion.

GMB is to continue moving forward as previously decided. Mr. Lee will gather information about cost and schedule for a consultant to review calculations. If this hinders the progress of the project, the Board can return and determine whether the request for review is still needed.

Mr. Calaman stated that the budget will be amended again and take the UFS cost of service study into account when doing so.

Mr. Calaman stated under the electric utility, the full cost of AMI is listed. Last month, the Board approved DEMEC applying for subsidy through the DOE.

There is not a cost allocated to the Army Reserve building and is a place holder for the future. Mr. Lee wants to be included with the city in the planning of the Army reserve building. Mr. Ritzert stated that that the period of transfer from the Army Reserve to the city has been pushed out and will not be within 6 months. Ms. Bellere stated that the BPW paid for half of the GMB bill for the spatial study.

Mr. Hoffman clarified that AMI is conditional on the DOE subsidy approval.

Mr. Webb stated that he would like to see the BPW only pay based on a head count, concerning the Army Reserve building.

ACTION: *Mr. Nichols motioned to approve 23/24 5-year capital budget. Mr. Lee seconded the motion, which passed unanimously.*

**11. Open forum/general discussion on a proposal for the BPW obtaining pollution insurance.
INFORMATION/DISCUSSION/ACTION (Mike Sutherland and Austin Calaman)**

Mike Sutherland, HMS, stated that Inframark's policy is a site pollution only. The HMS proposal includes a non-owned disposal site, transportation pollution, and contractor pollution. Inframark's deductible is \$250,000 and a limit of \$1 million per occurrence. Mr. Owen questioned site pollution condition. Mr. Sutherland stated that Inframark's policy matches HMS for site pollution. However, Inframark's policy Missing for just the WWTF area and would not extend the pump stations.

Mr. Owen stated that it is foolish not to obtain the pollution policy for \$14,330 that covers everything as opposed to self-insuring for \$ 1million. Mr. Owen recommends moving forward with the proposal because there is broader coverage, there is not a \$250,000 deductible, and reducing the reserve. Mr. Owen would request that Inframark's insurance carrier cannot cancel or non-renew their policy without notifying the Board without 30 days' notice. Mr. Sutherland agrees.

Mr. Webb questioned would make the policy null and void. Mr. Owen stated there are stipulations like criminal activity and negligence. Mr. Sutherland has reviewed the policies from all carriers and selected the broadest coverage available. Mr. Webb stated that carrying pollution policy is a great idea. Mr. Webb would like Mr. Hoffman to review the contract and would like the rating of the carrier. Mr. Sutherland stated that the carrier is an AM Best rating. Mr. Owen stated that this is good rating.

MR. Owen recommends accepting the proposal and the Board can decide if extra money should be put aside Webb questioned how much set aside in case of an event not covered. However, the policy is very broad and will give the BPW protection. President Panetta agrees with accepting the proposal. Mr. Hoffman stated that the odds of the carrier changing the proposal is low. Mr. Webb agrees with the policy but is unsure of extra amount to set to set aside for self-insurance. President Panetta stated that the self-insurance aspect can be addressed when the cash reserve policy is reviewed.

ACTION: *Mr. Owen motioned to accept the HMS pollution insurance policy covering the wastewater treatment facility and pumpstations for \$14,330. Mr. Webb seconded the motion, which passed unanimously.*

**12. Open forum/general discussion on awarding the grass cutting (lawn care) contract
INFORMATION/DISCUSSION/ACTION (Robin Davis and Austin Calaman)**

Mr. Davis stated the Double E Lawn Care, currently handling lawn maintenance for BPW assets and does not appear that there a has been a written contract with any company. Mr. Webb questioned how much more contracting going to cost the BPW. Mr. Calaman stated that the good news is that there will be a paper contract. Mr. Davis stated that the BPW is paying \$3600 a month for an 8-month contract. The new contract will be \$7415 a month. Total yearly \$59,320 a year; three contract. BPW has never had complaints. Mr. Calaman stated that the BPW advertised the bid and only received one. The contract clarifies the areas and the expectation. Mr. Webb questioned if there was an escalator. Mr. Davis stated that there is no annual escalator.

ACTION: Mr. Nichols motioned to approve the lawn care proposal from Double E Lawn Care. Mr. Owen seconded the motion, which passed unanimously.

**13. Open forum/general discussion on the location and size of a new water main under the
Lewes/Rehoboth canal. INFORMATION/DISCUSSION/ACTION (GMB and Austin Calaman)**

Mr. Calaman stated that this project is through a planning grant.
GMB presented report on location and sizing of new water main.

- All option would be a 16" internal diameter HDP pipe installation.
- Option 1: Adjacent to the Savannah Road bridge
- Option 2: Schley Avenue location- 2a end connection point would be in Savannah Road, 2b would have end connecting point of Cape Henlopen Drive

- Option 3: Kennedy Property- 3a would connect to Savannah Road via American Legion Road, 3b would connect into existing 12" main on Cape Henlopen Drive
- Option 4: Queen Anne
- All options are all bore drilling to compare apples to apples.
- See attached water main crossing report.

BPW has had preliminary discussions with Mr. Kennedy.

Mr. Webb is concerned on the effect on the draw bridge and currents. Mr. Hearn stated that there will need to do more surveys and soundings once option is selected. Mr. Webb worries about the dredging.

Mr. Lee questioned material expansion. Mr. Luciani stated all options will be done at a depth where the temperature change will not be significant.

Option 1B is the most cost-effective option but connects in the Graves parking lot. There are complications with the connection point. The most costly option is 2b. Other considerations other than cost. Used an MCA.

Mr. Nichols questioned the duration of the project. Mr. Luciani stated for the shorter pipe (around 600 ft) will be two to three months and is recommended to be done in the winter.

Mr. Webb questioned if option 4 is leased land. Mr. Hearn stated that on the tax map it is listed as City of Lewes.

Mr. Hearn reviewed the MCA (multi criteria analysis).

GMB recommends Option 1b Savannah Crossing: connecting north of the drawbridge at the Wheelhouse. The second recommendation would be option 3a: Kennedy to American Legion Road.

President Panetta stated that there is a million dollars difference between the two recommended options, but option 3a is not in the heart of town like option 1b. There would be a 50' by 200' footprint needed for equipment. Concern for the inconvenience to the businesses and residents within town options.

GMB recommends moving forward with this project sooner rather than later because of the lack of redundancy.

Mr. Owen feels that the community impact should be more heavily considered.

Mr. Ritzert questioned the benefits of Cape Henlopen Drive and American Legion Road hydraulically. Mr. Hearn stated that options 3a and 3b are the best hydraulically, but because of the length, they are more costly.

The consensus is that it is between two options: 1b and 3a. The Board would like more information on option 3.

ACTION: *Mr. Nichols motioned to authorize engineer to investigate Kennedy to American Legion Road option. Mr. Webb seconded the motion, which passed unanimously.*

14. Open forum/general discussion on a date for the BPW bi-annual household hazardous waste and drug take back day. INFORMATION/DISCUSSION/ACTION (Austin Calaman)

Household annual waste will be held on April 22, 2023 from 10am to 2pm.

15. Open forum/general discussion on a proposal from UFS for a cost-of-service study. INFORMATION/DISCUSSION/ACTION (Austin Calaman and Kimberly Bellere)

Mr. Calaman stated that the last cost of service study was in 2016/2017. Staff made adjustments last year. UFS will look at impact fees as well. The cost of service will be completed first and then the impact fees. Mr. Hoffman stated that the impact fees are heavily vetted by staff. The cost-of-service study should take about 12 weeks, not including looking at impact fees. Mr. Hoffman clarified that staff has reviewed and continued to review impact fees and the Board is under collecting.

Mr. Hoffman recommends discussing next steps. Mr. Calaman stated that for each developer's agreement, the impact fees are paid at the time of hook up. Impact fees can change before installation of services.

The cost-of-service study is \$78,600 and an estimate of additional \$15,000 impact fees.

Action: *Mr. Owen motioned approve cost of service study proposal and approve the impact fee study conditioned up to \$16,000 Over \$16,000 will need to be revisited by the Board. Mr. seconded the motion, which passed unanimously.*

16. Call to the public.

Barbara Curtis, Shipcarpenter Square, questioned if the pollution insurance duplicates what the BPW is getting from Inframark and if so, can BPW get a discount. Ms. Curtis questioned if PFAS is an exclusion. Mr. Owen stated that the Inframark's policy covers them and the BPW is included under Inframark. This will not be adequate. President Panetta stated that he is sure that PFAS would be included under pollution. Mr. Calaman will investigate policy.

Ms. Curtis requested a tour of the Sussex County treatment plant located at the site of the proposed constructed wetlands. Mr. Calaman will coordinate with Sussex County.

17. Call to the press.

Aaron Mushrush, Cape Gazette questioned when will the public be involved with the canal crossing installation. President Panetta stated the project will be discussed at future board meetings and the public is welcome to attend the meetings.

Mr. Mushrush questioned if there was concern with the Lewes Yacht Club putting out some water into the canal. Mr. Lee stated that the Lewes Yacht Club is dewatering for new foundations for expansion. Mr. Calaman stated that the permitting is done through DNREC. No concern about drinking water.

18. Executive session

ACTION: *Mr. Owen motioned to move to executive session. Mr. Nichols seconded the motion, which passed unanimously.*

President Panetta moved to executive session at 7:23pm.

19. Return to open session.

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

None

21. Adjournment.

ACTION: *Mr. Owen motioned to adjourn the meeting. Mr. Nichols seconded the motion, which passed unanimously.*

President Panetta adjourned the meeting at 8:15pm.

Respectfully Submitted
Sharon Sexton
BPW Executive Assistant