

Lewes Board of Public Works  
April 26, 2023  
City Council Chambers  
4:00pm  
Regular Board Meeting Minutes

**1. Welcome, Call the meeting to order and pledge allegiance.**

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

Board returned to open session at 4:00pm. President Panetta led the pledge of allegiance.

**2. Roll Call:**

**Board Members**

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

**Ex-Officio Members**

*Austin Calaman, BPW General Manager  
Robin Davis, Assistant General Manager  
Andrew Williams, Mayor  
Michael Hoffman, Legal Counsel*

**Others**

*Michael Wolgemuth, Inframark  
Tim Ritzert, Councilperson  
Charlie O'Donnell, GMB  
Vince Luciani, GMB  
Josh Elliott, GMB  
Benjamin Hearn, GMB  
Kimberly Bellere, BPW  
Michael Posey, BPW  
Sharon Sexton, BPW  
Barbara Curtis*

**3. Consent Agenda**

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

**4. Inframark Report**

Mike Wolgemuth presented:

- 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 but looking at a start date of no later than the week of 5/15/2023. Mr. Webb questioned if there is a temporary outside repair. Mr. Calaman does not recommend an outside repair because the inside condition would be unknown.
- Filters- De-ragging UF Train 4 will be completed during the week of 4-24-2023. UF Train 1 will be immediately taken offline for de-ragging upon restoring of UF Train 4 to service.
- A rental emergency generator is online at Pump Station 4 while plans for a permanent solution are being evaluated. Hills to complete PS3 pump and valve replacement starting 4/24/2023. Harry Caswell to replace wet well piping at PS2 starting 4/24/2023.
- DNREC onsite for compliance inspection and is going well.
- President Panetta requested a schedule for meggering.
- BPW issued a PO to breakwater to fix patch at Connecticut Avenue- trying to complete before season.
- Biosolids are too wet and prefer to send liquid and then the county would treat. Cost will be reduced for the BPW. Reduce cost, reduce time, and not subject to weather. Beds are redundant.
- NPDES permit renewal will be finished up this week.
- The headworks bid is advertised and should be accepted at the May Board meeting.
- Foaming issue. May be an easy fix to run a line but may need DNREC approval. This would allow foam to be pumped directly to solids handling.
- Pump room exhaust fan- Someone took power away from the fan to a blower to mitigate the corrosive atmosphere. Offline since Inframark has been there.
- Several pump stations need to be cleaned because of FOG (Fats oils and Grease) A list is given to Emmett, water supervisor, each month to clean.

## 5. Presidents Report

President Panetta stated that the fifth WWTF workshop was held, and attendance has gone down. Board is Interested in feedback.

President Panetta attended city council, meeting s with Sussex County on WWTF, and met with GMB on water tower sizing options.

Hazardous waste take back day was well attended. Joint effort from BPW and the City of Lewes.

President Panetta attended the city meet and greet. Mayor Williams stated the BPW will have a table next year.

## 6. General Manager's Report

Mr. Calaman presented:

- Met with University of Delaware for grants on mitigation projects.

- Savannah Road had a collapsed sewer lateral. BPW staff repaired.
- Cedar Street had a leaking valve, working with Teal.
- Well one in service and production. Well three is lined and waiting for pump to arrive.

Ms. Bellere presented financials:

March 2023 Revenues & Expenditures:

- Line 5: BPW: Water less filter cleaning
- Line 6: Revenue Other: Sewer- work has slowed down/not labeled.
- Line 10: Wages, Salaries, and Benefits: Sewer- tracking time, Stormwater- tracking time
- Line 12: Repairs and Maintenance: Electric- \$10k demo/reconstruction of garage door, \$20k transformer repairs. Sewer-\$9K Replace coolant heater hoses and belts.
- Line 13: Professional & Contractual Services: All- \$9,500 GMB fees for master facility planning, \$17,500 general representation. Sewer- \$6,500 WWTF Long Range study
- Stormwater- \$4k GMB Beachside study
- Line 24: Impact Fees: All- almost 100% over budget
- Line 27: Change in Market Value: All- \$33,961 gain

Quarter 4 Ending March 31, 2023

- The overview compared to last year is skewed because audit entries have not been completed.
  - Operating revenues are up \$359,114 or 8.9%
  - Operating Expenses are up \$1,208,192 or 37.7%
  - Non-Operating Revenues are up \$1,251,478 or 246%
  - Operating income has decreased \$849,078 or 102%
  - Total income has increased \$402,400 or 1574%
- Large Variance from Budget
  - Line 5- BPW: Not cleaning filters as often.
  - Line 6- Revenue Other: Sewer: Less work done on sewer or specifically labelled.
  - Line 10- Wages and Salaries Benefits: Sewer & Stormwater: Starting to track stormwater tasks.
  - Line 12- Repairs & Maintenance: Electric: \$92K Transformer maintenance (60K higher than last year).
  - Line 13- Professional & Contractual Servies: Water: Isaac's Asphalt repairs/repaving, water model & mapping, Water Main Assessment, 120 Water; Sewer: Inframark rate increase, WWTP long term planning.
  - Line 23- Interest Expense (loan obligations): Interest only payments on DSMHP and Headworks
  - Line 24- Impact Fees: 145% over budget.
  - Line 27- Change in Market Value: Gain of \$111,790

Mr. Gritton presented IT:

- Cyber security: Have seen significant increase in credible threats that were mitigated. 3000 hits within 6 days from one actor. Added an additional layer of security for a total

of 3 layers of security. Credit cards are on the BPW network and are encrypted. Nothing to report to other agencies because actions were stopped.

- Specific security issues should be discussed in an executive session.
- Annual renewals.
- Utilized markings for the water tower study and GISed while available.
- Collaborating with the towns of Millsboro and Seaford.
- Switched phone system to Zoom.

#### **7. Open forum/general discussion on the long-range planning study.**

President Panetta encouraged the public to share any comments concerns and would like to see that the public at the next workshop, May 17, 2023.

#### **8. Open forum/general discussion on the sizing of the new water tower.**

Mr. Lee stated that at the previous meeting it was decided to evaluate the calculations. The calculations were accurate and decided to look at from a different perspective. Original design accounted for all future properties that could potentially be served by the BPW on a top peak day. The production volume needs to be accounted for, that is covering the consumption. More production that can be developed means the tank could be smaller. The current header is corroded and is affecting production. When the header is replaced with pipe size needed production will increase. An additional well would also increase production and decrease the need for a larger tank.

There are a few key accounts. One key account consumes 30% of production. All signs point that the user will continue to use it for the next 2-25 years, but there is no guarantee. This would leave a grossly oversized tank.

Mr. Lee stated that financially, current ratepayers will be paying for the tower, but if the construction is “stepped” future ratepayers would pay their fair share. Mr. Nichols questioned what the price difference was between the 750,000-gallon tank and the million-gallon tank. Mr. O’Donnell estimates that there is a \$700,000 difference. President Panetta stated that going to smaller tank would save money, but there are risks involved. It is probable that only one additional well could be placed at the wellfield and if the aquifer will produce with the additional well. Mr. Webb stated that this is a risk for either option. Mr. Lee stated that an additional well is planned for the future. President Panetta stated that two additional wells would be needed for the smaller tank. The 7<sup>th</sup> well would not be constructed until 2034. There are unknowns regarding replacing the header.

President Panetta stated that the well study will assess the wellhead protection area and assesses the aquifer.

Mr. O’Donnell stated that either option will be ok. Mr. O’Donnell stated that the \$700,000 savings should be weighed against the production costs. A new well will cost \$300,000 to drill. A second well will require additional water treatment. Mr. Hearn stated that the numbers

only include the CPCNs today and Mitchell's Corner. Organic growth accounts for an additional 700 meters.

Mr. Nichols questioned if the one million tank is recommended in abundance of caution. Mr. O'Donnell stated that future development is on the books, under construction or in the planning process. A one-million-gallon tank seems reasonable to GMB.

Mr. Lee does not argue with the calculations and how GMB arrived at the one-million-gallon tank. Mr. Lee suggests adjusting for well production and not paying for everything upfront, allowing future ratepayers to bear some of the cost.

Mr. O'Donnell stated that the current tank is 300,000 gallons. The BPW is undersized now, 600,000 gallons is needed now.

Mr. Nichols questioned if getting prices for both sized tanks would slow down the process. Mr. O'Donnell stated that pricing both tanks will not slow down the process. There will not be an additional charge for two bids. No strenuous objections to bidding a 750,000-gallon tank and adding alternate of one-million-gallon tank, which may be an incentive to bring down cost.

#### **9. Open forum/general discussion on Shentel Pole attachment agreement.**

Mr. Robin presented a draft agreement for the Shentel Pole attachment. Staff, legal counsel, and Shentel have reviewed the draft agreement. Shentel has a franchise agreement set in place with the city in 2022. Consistent with the AT&T agreement. Fees are more consistent with Fibertech agreement completed in 2015.

Mr. Hoffman stated that the Board previously adopted DEMEC form agreement. Form agreements provide consistency and keep revisions at a minimum. Shentel is agreement with the document presented tonight.

Aesthetics is on the city's end. Utilizing poles, inspections, abandoned wires, etc. falls to the BPW.

President Panetta stated that the BPW is seeing more and more abandoned wires. Section on maintenance is included but needs to be called out more directly.

**ACTION:** *Mr. Owen motioned to accept the Shentel Pole Attachment agreement. Mr. Nichols seconded the motion. Mr. Owen made a friendly amendment to instruct staff to insert language in section 7.4 that includes drop wires. Motion passed unanimously.*

#### **10. Open forum/general discussion on the selection of Board of Electors for the 2023 BPW Election.**

Mr. Calaman stated that there is an election for the Board of Directors for the BPW this year. The Board needs to appoint a Board of Electors. Bill Landon will serve as judge. Elaine Peace and Sue Townsend will serve on the Board of Electors.

**ACTION:** *Mr. Owen motioned to read Resolution 23-003 by title only. Mr. Nichols seconded the motion, which passed unanimously.*

Mr. Hoffman read resolution 23-003 by title only.

**ACTION:** *Mr. Owen motioned to approve Resolution 23-003. Mr. Nichols seconded the motion, which passed unanimously.*

#### **11. Open forum/general discussion on the 23/24 strategic plan.**

President Panetta reviewed Strategic Plan.

- Consider rate increases on revenue streams. The board has authorized staff to undergo rate study.
- Review BPW/City conflict. General Manar and president meet once a month with Mayor and city manager. General coordination.
- Formed a finance committee. Mr. Nichols stated that the Finance Committee is reviewing a holistic view of each utility to stand on their own and use the model to evaluate the relative financial policies. Electric is complete and water utility is underway.
- Increase the technology at WWTF and monitoring. Staff, Board members, and GMB do a walk-through periodically and would like to get back to a regular basis. Mr. O'Donnell stated that a level 5 operator has been hired.
- Continue to prove image. The website is updated consistently and easily accessible. Join the city at the public meet and greet.
- No Wipes in the Pipe campaign. The BPW has reduced pump clogging and ragging at the plant. Beebe joined efforts.
- Consider moving BPW offices. Plan predated the city being awarded the Army Corps Building. In the process of spatial study. Changes will not be made in the short-term, but BPW does have short-term facility issues.
- Consider best practices from the surrounding area. The board and staff visited Seaford. Staff have asked the Board to be more involved with outside organizations.
- AMI. The board approved AMI and is waiting upon approval through Department of Energy.
- Battery Storage is on hold as the market is changing, but still investigating.
- Solar was discussed several years ago about adding to the well field. If adding an additional well, this plan would not work.
- Actively monitoring water and sewer lines for possible infiltration. Upgrading pump stations.
- Engagement: Education program with the public and Beebe. Need to meet with other large key accounts and HOAs. Staff to put together a schedule.
- The Mitigation Committee did reach a consensus for the elevation on critical infrastructure.
- GHD was hired to evaluate the future of the wastewater treatment plant.
- Past December was the first employee party post Covid. More employee engagement moving forward.

Mr. Lee stated that the strategic plan was done in 2018 and the BPW is ready for an updated plan. Mr. Calaman suggests starting the process in the fall/winter.

## **12. Open forum/general discussion on design standards from the mitigation committee**

Mr. Lee stated that the Mitigation Committee has taken the committee as far as it can go and up to the Board to implement the recommendations. Elevations of critical assets have been identified and in the locations of the flood zone. A timeline to implement the elevation requirements and been recommended. Cooperation with the city will be needed to address the elevations of floor drains, toilets, etc. Mayor Williams questioned if the updated building code will address items such as outdoor spigots. Mr. Davis stated that FEMA makes the recommendation but ultimately it is left up to the municipalities. Mr. Williams suggests that a Board member join the city's environmental committee. Mr. Lee questioned if meters should be considered for critical elevations. Mr. Davis stated that the concern is safety and maintenance of meters. Ms. Townshend stated that items like hose bibs, according to the plumbing code, are under the BPW jurisdiction. The plumbing code would need to be amended; the building inspectors do not look at plumbing.

Mr. Gritton stated that the IT Department is collecting locations and elevations for the assets and entering into the GIS System.

Mr. O'Donnell questioned what the mechanics of is getting the mitigation committee recommendations implemented. Mr. O'Donnell is concerned that there are many developments and projects being submitted. Mr. Calaman stated that the recommendations would be implemented through the BPW standard specifications.

## **13. Open forum/general discussion on project list update.**

Mr. Calaman reviewed updated project list:

- Pilottown Road: working towards closing out.
- Planning grants: water tower, watermain assessment, canal crossing
- Waterfront Preserve is dependent on transformer supply chain.
- Coordination with DelDot on Canary Creek bridge
- Henlopen Bluff: Preliminary discussions
- Gibbs property- Preliminary discussions
- Capes Cove: Large subsidy or entirely subsidized. Seek CPCN. The city has granted waiver for annexation.
- Wellfield- Being monitored.
- Ami: Waiting for subsidy from the DOE.
- Cost of service study initiated.
- Insurance: Continue to look into other metrics
- ARPA funds: clarification to expand to water and sewer instead of a particular project. President Panetta questioned if there was a timeframe to receive funds. Mayor Williams stated that a MOU is being worked on. Counsel for BPW and city are finalizing agreement.
- Inventory: Mindful of supply chain.

- Vehicles: Making sure depreciation is set properly and looking at large purchase price vehicles at financing options.
- Tree trimming: one circuit left to trim in November/December
- Cross-Connection Control Plan
- 120 Water: Lead and Copper Rule
- Staffing: Employees nearing retirement. Potential new hires.
- Policies- need to review and introduce.
- City hall rent- MOU stated that rent should be annualized.
- WWTF Long Range Planning
- Pump station three is being updated.

#### **14. Call to the Public.**

Ms. Curtis, 17 Shipcarpenter Square, questioned if once the new water tower is operational, will the old one be taken out of service. Mr. Calaman stated that the current water tower will not be taken out of service and will help with pressure control across the system.

Ms. Curtis questioned if Shentel will be competitors of comcast, providing same service. Mayor Williams stated that the city can have multiple franchise agreements. Shentel will be another choice.

Ms. Curtis stated that the environmental committee is interested in source water protection. President Panetta stated that the canal protects the wellfield from saltwater intrusion, but the back bay brings saltwater from other side.

Ms. Curtis stated that the plumbing code is just for new builds and not retro fitting. Could assets like hose bibs be added to flood plain ordinance? Mr. Davis stated that new requirements could be incorporated into renovations.

#### **15. Call to the press**

None.

#### **16. Executive Session**

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

#### **17. Return to open session.**

#### **18. Discussion and action on items from executive session, if applicable.**

**ACTION:** *Mr. Owen motioned to approve executive minutes from March 22, 2017. Mr. Lee seconded. Mr. Nichols, Mr. Webb, and President Panetta abstained. Motion carries.*



**ACTION:** *Mr. Owen motioned to approve executive minutes from March 23, 2018, June 27, 2018, July 25, 2018, and August 29, 2018. Mr. Lee seconded. President Panetta voted yay. Mr. Nichols, Mr. Webb, abstained. Motion carries.*

## **19. Adjournment**

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

President Panetta adjourned the meeting at 7:31pm

Respectfully Submitted

Sharon Sexton

Executive Assistant