

**CITY OF LEWES
BOARD OF PUBLIC WORKS
Regular Meeting Minutes
June 25, 2025**

The Wednesday, June 25, 2025 regular meeting of the Lewes Board of Public Works was held at 4:00 P.M. in Lewes City Hall and via Zoom.

1. WELCOME, CALL MEETING TO ORDER AND PLEDGE OF ALLEGIANCE

President Panetta called the meeting to order at 4:00 P.M. and led the Pledge of Allegiance and a moment of silence.

2. ROLL CALL

Board Members:

Thomas Panetta
Barbara Curtis
D. Preston Lee, P.E.
Bob Heffernan

Ex-Officio Members:

Khalil Saliba, Deputy Mayor
Robin Davis, General Manager
Sharon Sexton, Assistant General Manager
Michael Hoffman, Legal Counsel

Others Present:

Kimberly Bellere, BPW Finance Director
Jeffrey Kerin, Inframark
Ben Hearn, GMB

Absent:

Richard Nichols

President Panetta spoke about the four recent power outages occurring in one day and apologized for the disruption. Two lasted for one hour and two 15 minutes. There will be further investigation, the substation has returned to its normal condition. Problems with the Call Center are being addressed.

3. CONSENT AGENDA

- **Receive Vice President Report**
- **Receive Secretary Report**
Approval of minutes May 28, 2025, Regular Board Meeting and April 28, 2025 Joint Meeting
- **Receive Assistant Treasurer Report**

ACTION: *Ms. Curtis made a motion to approve the consent agenda; Mr. Lee seconded the motion, which passed unanimously.*

President Panetta stated there will be public comments taken at the beginning of meetings regarding concerns, and at the end of the meetings to discuss the agenda items reviewed during the meeting. There will be a three-minute limit that cannot be turned over to another person. There will be no discussion with the Board at that time, and the Board may discuss these comments later.

4. Call to the Public

Kathy Edwards, 150 Kings Highway, was present and expressed dissatisfaction with the communication during a recent power outage. They were frustrated by the difficulty in reaching a representative after hours and noted that calls were repeatedly dropped or disconnected. She encouraged the Board to address and resolve this issue to improve customer support during future outages.

5. Receive the Inframark Report

- **Discharge Monitoring Report**
- **Gnatt Report**
- **InSight Report**
- **Pump Station 196 Flow**
- **Work Orders Completed**

Due to technical difficulties with the microphone system, Mr. Kerin's report was not heard or recorded.

Mr. Kerin answered questions from the Board regarding concerns about gate seals, cost for replacing turbidity meters, and the maintenance fee expenditure for temporary pump not included in maintenance orders.

6. Receive the President's Report

President Panetta reported the issue of the power outages will be an agenda item to continue review of the substation maintenance. BPW does have a high reliability rating, but this was an unacceptable condition.

President Panetta continued stating he attended the Mayor and City Council meeting; he and Mr. Davis attended a meeting with the City and representatives from the Burton subdivision; discussions with GMB regarding an MOU for services. The workshop for wastewater treatment with the County will be at the end of July, and continuing meetings with the County to discuss the agreements. The joint session meeting with the City is scheduled for July 28th in the Rollins Center.

7. Receive the General Manager's Report

Mr. Davis reported the following:

- Attended DEMEC Joint Council meeting with Board members; Lewes Planning Commission meeting virtually.

- Completed the loan closing on June 13th for the \$1M supplemental fund for the elevated storage tank.
- Attended progress meetings for several ongoing development projects; leadership meeting with Mayor Marasco, President Panetta, and City Staff.
- Prepared documents for water CPCN request for the New Road property; walkthrough inspections for the Wellfield Header and Canal Crossing Water Projects, which now need a final walkthrough inspection to be closed.
- Contractors for the Water Tank Project will complete the foundation work and underground piping in July; site work will be shutdown for the Summer with inside fabrication work to continue.
- Fourth Street and Hoornkill Water/Sewer Projects continue with GMB working on the designs and surveys.
- Met with Sargent & Lundy about underground utility on Fourth Street quote.
- All projects are available on the website to review progress reports, and there are monthly progress meetings open to the public.
- Designs and permits completed for the mobile home park on New Road water/sewer project; pre-bid meeting was yesterday to award bid next month and construction starting in August; estimate for completion is March/April 2026.

Congratulations to Sharon Sexton on her promotion to Assistant General Manager.

8. Receive Finance Manager's Report

- **Revenue and Expense Report**
- **Year to Date**
- **Cash Graphs**

Ms. Bellere will be attending the meeting later today. Mr. Heffernan, who was present via Zoom, asked a question regarding the decrease in electricity sales of 5% and an increase in water usage. Due to technical difficulties with Zoom reception, Mr. Heffernan was asked to send his questions to Ms. Bellere for additional discussion and follow-up.

President Panetta noted the electricity may be down because we have had some cooler weather, and the increase in water may be irrigation and additional residents in Lewes.

Old Business

9. Open forum/general discussion of the resolution to extend the BPW service area for the water utility to include Parcel 335-8.00-5.04 (New Road). INFORMATION/DISCUSSION/ACTION (Robin Davis)

Mr. Davis stated there was approval by the Board last month to move forward with providing service. The homeowner has sent a petition to begin the CPCN process. Approval is needed from the Public Service Commission and a resolution is required. The request will be on the Mayor and City Council agenda in July for their approval to provide service.

Mr. Hoffman stated the resolution includes the requirement for a signed development agreement before construction.

ACTION: *Mr. Lee made a motion to have Resolution #25-005 read into the record by title only for consideration and adoption by the Board; Ms. Curtis seconded the motion, which passed unanimously.*

Mr. Hoffman read Resolution #25-005 into the record by title only.

Ms. Curtis stated there was prior discussion that with approval of the CPCN, neighboring residents would be notified.

Mr. Davis said the neighbors were notified, and two have responded they are not interested in annexation.

Mr. Hoffman stated the development agreement would include upsizing the sewer so if the neighbors decided to have service in the future, it will be there for connection. The cost is being paid by the applicant. The water line will be a single line for service.

ACTION: *Ms. Curtis made a motion to approve Resolution #25-005 with the condition that Mayor and City Council will grant consent for service; Mr. Lee seconded the motion, which passed unanimously.*

10. Open forum/general discussion on possible upgrade options for pump station five (5) as part of the Pump Station Resiliency Study. INFORMATION/DISCUSSION/ACTION (Robin Davis and GMB)

Mr. Hearn provided a detailed review and PowerPoint Presentation for Options #1, 2, 3, and 4 of conceptual designs for Pump Station #5 located at California and Cedar Avenues. This included the need for electrical equipment to be above the 12.64 level for protection during flooding events.

Mr. Hearn also presented information on the cost estimates with Options #1, 3, and 4 about the same.

After discussion, the Board members decided to consider Options #1 and #4 for Pump Station #5.

Mr. Hearn reviewed the Resiliency Report stating all pump stations in the current critical floodplain have been visited with photos showing the critical elevation superimposed for the electrical equipment locations. Met with Inframark to discuss operational improvements/needs for the stations included in the report. The draft report is being prepared to be presented in August. Met with DEMA about Pump Station #3 to discuss the requirements to request more funding.

11. Open forum/general discussion on the WWTP long-range plan update. INFORMATION/DISCUSSION/ACTION (Thomas Panetta)

President Panetta reported there are a few items to finalize with the County to complete a draft. The draft will then be presented to the public at a workshop meeting to be scheduled for late July.

**12. Open forum/general discussion on the resolution for amending the Lewes BPW drug free and alcohol-free policy. INFORMATION/DISCUSSION/ACTION
(Kris Keller and Sharon Sexton)**

ACTION: *Ms. Curtis made a motion to have Resolution #25-006 read into the record by title only for consideration and adoption by the Board; Mr. Lee seconded the motion, which passed unanimously.*

Mr. Hoffman read Resolution #25-006 into the record by title only.

Ms. Sexton stated no public comments were received. There were two word changes requested from Ms. Curtis to Lines 160 and 250.

ACTION: *Ms. Curtis made a motion to approve Resolution #25-006 as amended; Mr. Lee seconded the motion, which passed unanimously.*

**13. Open forum/general discussion on the resolution for amending the BPW Compilation of Policies regarding Finance Capitalization Threshold Policy.
INFORMATION/DISCUSSION/ACTION (Richard Nichols and Kimberly Bellere)**

Mr. Hoffman stated no public comments were received and is now ready for the Board's consideration.

ACTION: *Ms. Curtis made a motion to have Resolution #25-007 read into the record by title only for consideration and adoption by the Board; Mr. Lee seconded the motion, which passed unanimously.*

Mr. Hoffman read Resolution #25-007 into the record by title only.

ACTION: *Mr. Lee made a motion to approve Resolution #25-007 as presented; Ms. Curtis seconded the motion, which passed unanimously.*

**14. Open forum/general discussion on the resolution for amending the BPW Compilation of Policies regarding the Five-Year Capital Budget Policy.
INFORMATION/DISCUSSION/ACTION (Richard Nichols and Kimberly Bellere)**

Mr. Hoffman stated no public comments were received and is now ready for the Board's consideration.

ACTION: *Ms. Curtis made a motion to have Resolution #25-008 read into the record by title only for consideration and adoption by the Board; Mr. Lee seconded the motion, which passed unanimously.*

Mr. Hoffman read Resolution #25-008 into the record by title only.

ACTION: *Ms. Curtis made a motion to approve Resolution #25-008 as presented; Mr. Lee seconded the motion, which passed unanimously.*

**15. Open forum/general discussion on the review of BPW Bylaws.
INFORMATION/DISCUSSION/ACTION (Michael Hoffman)**

Mr. Hoffman stated this is a standing agenda item. The Board has 90 days after the annual meeting to review the bylaws for changes.

No changes were requested.

16. Open forum/general discussion on change order to increase the approved bid amount for the Pilottown Village Stormwater Project. INFORMATION/DISCUSSION/ACTION (Robin Davis and GMB)

Mr. Davis reported the Board was presented with a quote in January for the relining and catch basin repair along Oceanview Boulevard in the amount of \$132,366, which was approved. A letter from GMB states there was a miscalculation in the total amount of footage for the relining resulting in an increase of \$35,766. This was a line item on a capital improvement plan and will require an amendment to the approved amount.

President Panetta stated he and Mr. Davis met with GMB to express displeasure with being taken by surprise that this was not seen earlier.

Mr. Hearn noted that all work planned for the project has been completed. A pipe was inadvertently left off the bid form and subtracted by mistake. GMB has taken steps to try and prevent these types of errors from happening again.

Ms. Bellere questioned if the approved increase can be the approval to change the budget, or will the budget need to be formally presented to the Board. The budget amendment will be reported and reviewed at the July meeting.

ACTION: *Ms. Curtis made a motion to approve the change order for \$35,766 and to make the corresponding change to the budget; Mr. Lee seconded the motion, which passed unanimously.*

New Business

17. Open forum/general discussion on the final acceptance of Mariner's Retreat. INFORMATION/DISCUSSION/ACTION (Robin Davis and Michael Hoffman)

Mr. Davis stated this agenda item will be removed due to outstanding issues.

18. Open forum/general discussion of an easement agreement with Gibbs Property and Schell Brothers LLC. INFORMATION/DISCUSSION/ACTION (Robin Davis)

Mr. Davis reported there are two projects, additional building on the Gibbs property and the adjacent parcel White's Pond Preserve, which are under the City's review process and will require the installation of utility services. The transformer and water and sewer lines will be placed in private areas along the access road to White's Pond Preserve, and not in a right-of-way. The Gibbs transformer will be located on the Gibbs property adjacent to the road. The sewer line will run to a manhole at the entrance to the Gibbs property in a private area. There is adequate space in the easement for service work.

Mr. Hoffman stated the agreements were reviewed by Staff, owners of the Gibbs property and White's Pond Preserve with all parties in agreement.

ACTION: *Ms. Curtis made a motion to approve the easement agreement for the Gibbs property's sewer and electric utilities and the Gibbs/Schell Brothers utility easement; Mr. Lee seconded the motion, which passed unanimously.*

**19. Open forum/general discussion of the Sargent & Lundy proposal for the distribution design proposal of West Fourth Street. INFORMATION/DISCUSSION/ACTION
(Thomas Panetta and Robin Davis)**

President Panetta stated he and Mr. Davis met with Sargent & Lundy two weeks ago to walk Fourth Street for a review to install underground utilities proactively. Sargent and Lundy reported the project would be very complex with a cost of \$40M. There is no room to install transformers, which would be intrusive to houses that are so close together. The Board agreed a better choice would be to invest in the beachside, which is more vulnerable.

Mr. Davis noted the cost for Sargent & Lundy to submit designs is about \$180,000.

20. BOARD OR STAFF REQUESTS FOR AGENDA ITEMS

Deputy Mayor Saliba stated the City is in the process of establishing an Environment and Resiliency Committee to focus on the Resiliency Fund and various projects. The plan is to include a business owner, residents, an engineer, and a Staff member or member of the BPW Board for the committee.

21. CALL TO THE PUBLIC

Kathy Edwards spoke again stating the best choice would be the floating option for Pump Station #5. Regarding the \$35,766 mistake by GMB, it is their responsibility and should not have been passed back to the Board.

Mark Crowdy, Wolfe Point, was present stating the floating option for Pump Station #5 could be made aesthetically pleasing; stainless steel piping is needed, and the cost should not make a huge difference; this was a very interesting and well put together report. He questioned if there is a report available to the public on the historical findings for the Wolfe Neck wastewater system.

Hans Medlarz was present stating he agrees the floating dock is the best option for Pump Station #5.

22. CALL TO THE PRESS

None

23. Executive Session

24. Return to Open Session

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

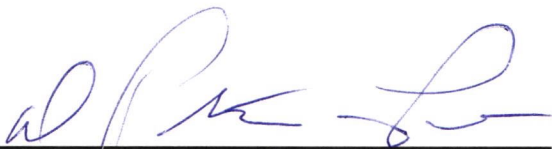
26. CALL TO THE PUBLIC

27. ADJOURNMENT

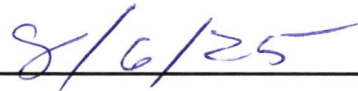
ACTION: *Ms. Curtis made a motion to adjourn to Executive Session; Mr. Lee seconded the motion, which passed unanimously.*

The meeting was adjourned at 5:40 P.M.

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



D. Preston Lee, P.E.



Date