

Regular Meeting  
April 22, 2026  
4:00 p.m.  
City Council Chambers  
114 E. Third Street

**Minutes**

1. Welcome, Call Meeting to Order, and Pledge of Allegiance

Board President Thomas Panetta called the meeting to order and led the Pledge of Allegiance at 4:00 pm.

2. Roll Call

**Board Members:**

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

**Ex-Officio Members:**

Trina Brown-Hicks City Liaison  
Robin Davis, General Manager  
Sharon Sexton, Assistant General Manager  
Michael Hoffman, Legal Counsel

**Others Present:**

Kimberly Bellere, BPW Finance Director  
Nathan Laucks, Inframark  
Ben Hearn, GMB  
Joshua Gritton, IT Manager  
Mike Posey, IT Support  
Kristina Keller, Office Manager  
Scott Lynch, DEMEC  
Mike Harmer, New Sussex County Engineer

3. Consent Agenda

Motion to approve the Consent Agenda was made by Board Member Richard Nichols and seconded by Board Member Barbara Curtis. The motion carried unanimously.

4. Call to the Public

No members of the public came forward to address the Board.

#### 5. Receive the Inframark Report

Nathan Laucks, representing Inframark in the absence of Jeff Kerin and Matt Davis (attending a biannual Zenon conference in Cleveland), presented the operations report. Key highlights included: pump station 6 valve replacements are scheduled for the following week; Train 4 valve replacements have been ordered with a two-month lead time, requiring one additional membrane swap between trains in the interim; ditch valve replacements are expected by end of May; two solenoid valves for the 5-million-gallon and 2-million-gallon were replaced, improving water usage efficiency; alternative contractors are being sought for the utility water system work due to scheduling difficulties with EnviREP; the main generator breaker was replaced and the rental generator has been returned; pump station 8 required use of a portable pump to restore flow; and a broken discharge pipe at pump station 12 has been repaired and the pump returned to service.

In response to a request from Board Member Bob Heffernan, staff confirmed that a pump replacement cost chart is being developed with updated pricing. Nathan Laucks also noted staff is evaluating which pump stations can accommodate bypass configurations to allow emergency portable pumping, which would support a rolling pump replacement and rebuild strategy. President Tom Panetta requested a bypass feasibility report be included in the next month's report.

Board Member Barbara Curtis raised questions regarding the maintenance budget table, the necessity of renting a crane for annual crane inspections, the Gantt chart entry for pump station 17, and work order 5203 concerning a cyclic air valve air leak on Train 3. Nathan Laucks addressed each item. President Tom Panetta confirmed that all plant heaters have been replaced and that roof and ceiling vent repairs at the chemical building have been completed by the contractor.

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

President Tom Panetta reported attending the APPA Engineering and Operations Conference in Huntsville, Alabama. He noted that a wastewater treatment facility turnover meeting was held in Georgetown with outgoing and incoming county engineers. He reported attending the City Council meeting by teleconference, and noted discussions were held with DRBA (the ferry) and Delmarva Power and Light regarding the needs of electric ferries and a redundant power line into the city. The water tower progress update was deferred to the General Manager's Report.

#### 7. Receive the General Manager's Report

General Manager Robin Davis reported on the following: continued conversations with the state park regarding the sewer force main to pump station 8; a meeting with DRBA regarding ferry upgrades; installation of the saltwater intrusion monitoring well at Mitchell's Corner, with data loggers pending; staff are also working with AC Schultes to assess the feasibility of utilizing an existing well on Schley Avenue as a monitoring well, which may require partial roof removal from the building in the historic district. Potomac Testing performed annual breaker installation at the substation. A utility pole was located on Pilottown Road for deck service for better access. A major water leak on Delmar Avenue and a water leak at Henlopen

Gardens were repaired. Finance staff have been soliciting proposals for a cost-of-service study, being reviewed by the Finance Committee.

On capital projects, the elevated water storage tank is progressing ahead of schedule. The Hoornkill Avenue bid was opened, and an award is anticipated at this meeting. The Fourth Street project is proceeding with supplemental funding; a STAG application through the congressional office was denied, though a congressionally directed spending application remains pending with follow-up inquiries received. The Capes Cove water project has all sewer mains installed, with water main work expected to begin imminently.

Staff longevity recognitions were noted: Joshua Gritton with 11 years of service and Gary Johnston, Lead Electric Lineman, with 5 years of service.

Upcoming events noted: CPR refresher training on May 5; defensive driving online training for all staff; the next BPW meeting is Wednesday, May 27; biannual fire hydrant flushing on April 23–24; and Household Hazardous Waste and Drug Take Back Day on April 25, 10:00 AM–2:00 PM. General Manager Robin Davis also noted there is no BPW board election this year, as incumbents D. Preston Lee and Barbara Curtis have signed on for another three-year term.

### **Invitation**

#### **8. Formal Invitation to DEMEC's Annual Joint Council Dinner and Presentation**

Scott Lynch, Vice President of Asset Development for the Delaware Municipal Electric Corporation (DEMEC), invited board members to DEMEC's Annual Joint Council Briefing at its Smyrna, Delaware headquarters on Tuesday, June 2, from 5:00 to 7:00 PM. The event will include legislative and regulatory updates — noting the current legislative session includes 32–33 energy-related bills, up from 22 the prior year — as well as a presentation on federal regulatory and power supply planning, and bus tours of the line worker training yard and Beasley Power Station.

### **Old Business**

#### **9. Open Forum/General Discussion on the Update for the Fourth Street Project and Burton Neighborhood**

General Manager Davis confirmed that GMB is proceeding with the infrastructure design for BPW's portion of the project (water, stormwater, sewer), while the City is responsible for the street design portion. A public hearing on street design for Park Avenue is expected to be scheduled by the City. Board Member Barbara Curtis raised a question from the City's work session regarding the feasibility of undergrounding electrical wires in the Burton neighborhood. President Tom Panetta clarified that a formal study was not conducted; rather, Sergeant & Lundy, a representative for the electric department, walked the area and determined undergrounding to be physically impractical due to the location of transformers, small lot sizes, limited frontages, and the complexity of locating pad-mounted transformers. The Board discussed the importance of keeping the project moving forward, given existing funding commitments.

#### **10. Open Forum General Discussion on the Fiscal Year 2027 Annual Budget**

Finance staff member Kimberly Bellere presented the full Financial Framework for FY2027, which had been requested by the Board at the prior meeting. The framework projects cash-positive results across all four utilities. Key reserve findings: operating reserves for FY2027 are projected to be short by approximately \$38,000, triggering a five-year remediation window under policy; capital reserves for FY2027 are projected to be short by approximately \$630, with FY2026 projected to show a surplus of approximately \$80,600. The Finance Committee will recommend whether to remedy the shortfalls immediately or through a five-year plan.

Following the discussion, the Board reached consensus that the full framework (53 pages) will be presented for budget approval, but quarterly updates will consist of seven summary pages: the four cash flow summary sheets, the net income page, the reserve summary page, and the capital budget page, accompanied by staff notes. Monthly meetings will continue to include only the Treasurer's report and notes in the consent agenda. Board Member Bob Heffernan emphasized the importance of ensuring the full framework is available for budget votes, noting the prior meeting's approval was conditioned on receiving the complete document. Kim Bellere will also prepare a table of contents and highlighted key-line guidance for the framework going forward. No formal motion was required, as the budget had been conditionally approved at the prior meeting.

### **New Business**

#### **11. Open Forum/General Discussion on the One-Year Renewal of the Finance Committee Member Terms**

Board Member Richard Nichols reported that, pursuant to Resolution 21-005, the Finance Committee must be reconfirmed annually. The current volunteer members — Mike Hogan, Carolyn Jones, and Calvin Jabber — have expressed interest in continuing for another one-year term. Trina Brown Hicks continues as the ex officio City liaison.

Motion to reappoint Mike Hogan, Carolyn Jones, and Calvin Jabber to the Finance Committee for a one-year term was made by Board Member Bob Heffernan and seconded by Barbara Curtis. Motion Passed unanimously.

#### **12. Open Forum/General Discussion on the Extension of the Memorandum of Understanding with the City of Lewes**

Legal Counsel Michael Hoffman presented an interim agreement to extend the existing Memorandum of Understanding between the City of Lewes and the Lewes BPW, which is set to expire in July 2026, through December 31, 2026. The extension is intended to allow the joint working group additional time to develop a more substantive replacement agreement. Board Member Barbara Curtis queried the notice provision in the boilerplate language, which Legal Counsel Michael Hoffman acknowledged as a point to address in the subsequent full agreement. It was also noted that the agreement should identify the BPW President as the signatory on behalf of the BPW, which Legal Counsel Michael Hoffman agreed to address. President Tom Panetta emphasized that the extension does not signal an intent to delay, and that the working group will proceed with haste.

Motion to approve the interim MOU extension agreement as presented was made by Board Member Preston Lee and seconded by Board Member Richard Nichols. Motion Passed unanimously.

### 13. Open Forum/General Discussion on Accepting the Hoornkill Avenue Water and Sewer Project Bid

General Manager Robin Davis provided background on the Hoornkill Avenue project, which will install new water, sewer, and street infrastructure serving 11 previously out-of-city properties that have since been annexed, removing those properties from existing private wells and septic systems in wetland areas. The project includes principal forgiveness funding from state agencies. Ben of GMB reported that bids were opened on April 2, with three bids received from Teal Construction, George and Lynch, and Adel Construction. The lowest responsive bidder was Teal Construction at a total bid of \$2,097,897. The City's share (road reconstruction) is \$442,964.54, leaving the BPW's portion at \$1,654,932.46. The project scope includes water main replacement and extension, a new pump station designed to meet resiliency committee sea-level-rise elevation requirements (bottom of electrical panels at or above elevation 11.64), and service connections for the 11 properties. The City approved the award at its April 13 meeting, and funding agencies have concurred with the award to Teal. General Manager Davis noted a community meeting is planned for May, with construction targeted to begin in early July 2026 and an anticipated completion of April 2027.

Motion to accept the bid and award the Hoornkill Avenue Water and Sewer project to Teal Construction in the BPW amount of \$1,654,932.46 was made by Board Member Lee and seconded by Board Member Heffernan. Motion Passed unanimously.

### 14. Open Forum/General Discussion on Reinstating the Mitigation Committee and Establishing a New Scope

President Tom Panetta introduced the item, noting that the original Mitigation Committee's recommendations — particularly the 11.64-foot elevation standard — were based on historical data and may need to be revisited in light of updated sea-level rise and subsidence data presented at a recent University of Delaware Sea Grant program. Board Member Bob Heffernan supported the effort, noting that new information warrants a review and that a key question for the new committee would be whether the 11.64-foot standard remains appropriate. Discussion also included the desire to address back-bay flooding and hurricane surge impacts, which the original committee's scope did not cover.

Legal Counsel Michael Hoffman advised that a formal resolution defining the committee's structure, charge, and time frame be brought to the May meeting for Board action, rather than acting immediately. The Board agreed. It was discussed and generally preferred that the committee be constituted as an AD Hoc committee rather than a standing committee, given its specific and bounded purpose. The Board also discussed including external subject-matter experts, such as a representative from the University of Delaware, as well as a City liaison. Action Item Assigned: Legal Counsel Michael Hoffman to draft a resolution for Board consideration at the May meeting.

### 15. Open Forum/General Discussion on the Sussex County Agreement for Pump Station 4 Improvements

General Manager Davis presented a supplemental agreement with Sussex County related to upgrades to pump station 4 and associated transmission line improvements. The agreement follows the January 2026 wastewater treatment agreement between the BPW and Sussex County Council, which identified a series of capital projects — including SCADA upgrades to pump stations 3, 6, and 7; major upgrades to pump station 4; and full replacement of pump

station 8 — as part of a future wastewater transmission arrangement to Sussex County's Wolf Neck Regional Facility. Following post-agreement meetings between the BPW, GMB, and the County, both parties agreed it was mutually beneficial to accelerate the pump station 4 and transmission line work. The supplemental agreement clarifies payment responsibilities and timing. Sussex County Council approved the agreement unanimously at its April 13 meeting, and Legal Counsel has reviewed and approved the form. Mike Harmar, the new Sussex County Engineer, was present and expressed his commitment to the project and collaborative working relationship with the BPW and GMB.

Motion to approve the Sussex County supplemental agreement for Pump Station 4 and transmission line improvements as presented motion was made by Board Member Bob Heffernan and seconded by Board Member Richard Nichols. Motion Passed unanimously.

16. Board or Staff Requests for Agenda Item(s)

Nathan Laucks (Inframark) noted that Inframark's CEO, Steve Meininger, and the regional Vice President, David Gaipo, will be visiting the wastewater plant on Tuesday at 1:00 pm, and invited interested board members to meet with them. Board Member Barbara Curtis requested that an IT update be placed on a future agenda, acknowledging it may be appropriate for an executive session due to cybersecurity considerations. Board Member Bob Heffernan requested that the pump station bypass feasibility and replacement cost chart be placed on the next agenda.

17. Call to the Public

No members of the public came forward.

18. Call to the Press

President Panetta noted that Bill Shull was not present and would review the meeting recording.

19. Executive Session

No executive session was held.

20. Return to Open Session

Not applicable.


21. Discussion and Action on Items from Executive Session, if applicable.

Not applicable.

22. Adjournment

Motion to adjourn was made by Preston Lee and seconded by Richard Nichols. The motion carried unanimously. The meeting was adjourned at 5:30 pm.

Respectfully Submitted,  
Kristina Keller  
Recording Secretary

  
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D. Preston Lee, P.E., Secretary

5/27/26  
Date