

**CITY OF LEWES  
BOARD OF PUBLIC WORKS  
Regular Meeting Minutes  
May 23, 2018**

**The Wednesday, May 23, 2018 regular meeting of the Lewes Board of Public Works was held at 4:00 P.M. in Lewes City Hall, 114 East Third Street, Lewes, Delaware.**

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

President Alfred called the meeting to order at 4:00 P.M. and led the Pledge of Allegiance. A moment of silence was observed for our troops serving our country.

**2. ROLL CALL**

Board Members Present:

C. Wendell Alfred  
D. Preston Lee, P.E.  
Jack Leshner  
A. Thomas Owen  
Robert J. Kennedy, III  
Thomas Panetta

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 Councilman Fred Beaufait  
City Councilman Rob Morgan  
City Councilman Dennis Reardon  
Nina Cannata of the Lewes Planning Commission  
Jackie Doherty, Recording Secretary

**3. PRESENTATION OF CERTIFICATION OF ELECTION RESULTS (D. Gordon)**

Mr. Gordon stated the Certification of Election was received from Election Inspector Joan Reader and read the election results into the record as follows:

<b><u>Candidates on the Ballot</u></b>	<b><u>Votes Received</u></b>
C. Wendell Alfred	168
Robert J. Kennedy, III	238

Jack Leshner	203
John Mavromatis	86
Thomas Panetta	267

**Persons Elected to Office**

Thomas Panetta	267
Robert Kennedy	238
Jack Leshner	203

The Board of Election consisted of Joan Reader, Inspector; Nina Cannata, Judge; Bill Landon, Judge.

**4. SWEARING IN OF NEW DIRECTORS (D. Gordon)**

Mr. Gordon performed the swearing in of Robert Kennedy, Jack Leshner, and Thomas Panetta.

**5. ELECTION OF DIRECTORS OF THE BOARD AND THE APPOINTMENT OF PRINCIPALS TO THE DIVISIONS (D. Preston Lee, P.E Vice President)**

President Alfred passed the gavel to Mr. Lee.

**ACTION:** *Mr. Owen made a motion to propose the following slate of officers: Preston Lee for President; Tom Owen for Vice President; Robert Kennedy for Secretary; Jack Leshner for Treasurer and Thomas Panetta for Assistant Treasurer; Mr. Kennedy seconded the motion, which passed unanimously.*

President Lee stated since the new bylaws do not address appointment of principals to the divisions as in the past, there will be no formal appointments.

President Lee delegated the following responsibilities:

- Tom Owen—Insurance to include reviewing the City’s current insurance program
- Jack Leshner—Assist Mr. Owen in reviewing the City’s current insurance program
- Thomas Panetta—Electric, Disaster Mitigation, Sea-Level Rise
- Robert Kennedy—Strategic Planning

**6. REVISIONS AND/OR DELETIONS TO THE AGENDA**

Mr. Gordon requested discussion of water quality under Business from Last Meeting. Also, there is an item in the General Manager’s Report under Consent Agenda to be discussed separately.

**7. CONSENT AGENDA**

Mr. Gordon presented Bob Barnes of BPW with the Certificate for Excellence in Reliability stating the national average outage time is 1½ hours and BPW average is 27 minutes; national response time average is 1 hour 36 minutes and BPW average response time is just under 30 minutes.

## Consent Agenda

- a) Receive the General Manager Monthly Report
- b) Receive the White Marsh Environmental Systems, Inc. Report
- c) Receive President Report
- d) Receive Vice President Report
- e) Receive Secretary Report approval of Minutes dated April 25, 2018
- f) Receive Treasurer Report
- g) Receive Assistant Treasurer Report

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

## **BUSINESS FROM LAST MEETING**

### **8. Open forum/general discussion of strategic planning INFORMATION/DISCUSSION/ACTION (D. Preston Lee, P.E.)**

President Lee requested consideration for having Hometown Connections manage the strategic planning at a cost of \$25,000 to have it completed more systematically and thoroughly.

Mr. Leshar questioned if the cost is included in the budget stating it will need to be added for 2019. Mr. Gordon stated this was not included in the 2018 budget.

Mr. Owen stated he will work with Mr. Kennedy to gather all the information needed from Staff and the public to provide to Hometown Connections.

Mr. Kennedy stated he, Mr. Owen and Mr. Panetta will review the original proposal for any needed additions or updates.

## **Water Quality Report**

Mr. Gordon reported because of the recent water problems in Blades and Laurel regarding PFOA levels, the Board directed monitoring of the water quality.

The final lab results:

- 10.9 parts per trillion PFOS
- Non-detect on PFOA
- Minimum contaminant level trigger is 70 parts per trillion
- Water is safe to use and safe for drinking

Mr. Gordon stated monitoring will continue with testing repeated in one year. It was not necessary to test every well because the grab sample from the wellheads all pull from the same unconfined aquifer.

## NEW BUSINESS

### 9. Open forum/general discussion to report on current project review. INFORMATION/DISCUSSION/ACTION (D. Gordon)

Mr. Gordon provided a PowerPoint presentation for project review including:

- 69 KB Breaker at Savannah Road new replacement completion was delayed due to one of the switches being broken; trying to avoid an outage but will give 48-hour notice if needed; price for new breaker was \$360,000
- Schley Avenue middle building needed roof replaced for a cost of \$10,000
- Gills Neck Road project is finished except for one line to be replaced under the road at corner of Schley without anything touched on the pavement
- Front Street project is complete for this year with paving done later this year or early 2019; waterline to be replaced from Savannah Road bridge intersection to Third Street
- January or February 2019 will bring road up about 18" at area from the bridge onto Savannah Road and Front Street to Pilottown Road; 1812 Park parking lot and island will be improved with plantings added; waiting for final approval from DelDOT on date to begin
- A public meeting is scheduled for June 12<sup>th</sup> at 6:00 P.M. in City Hall to review Savannah Place; the final estimate for the engineer's cost is about \$27,000 per household; bids will be out prior to the meeting with work planned for Summer; the State loan has been approved for 30 years at 2%
- Donovan Smith per capita cost has been changed to lower the charges for residents; loans can now be transferred when a home is sold; two more salary surveys are needed to send to the State to possibly help with the cost of the project; waiting for GMB cost estimate to proceed
- Canary and Oceanview tax ditch will be repaired and sodded tomorrow; tax ditch lip will be graded up by several hundred feet to help the flow, 40' of pipe will be added to take water from the ditch; the cleaning will be done as far as Highland Acres

Mayor Becker stated the City is looking into the improvement of sidewalks where the work was done on the canal at Gills Neck Road.

Cheryl Bayer, 2020 Savannah Circle, stated she and other residents of Savannah Place have met with Mr. Gordon to discuss costs. The infrastructure costs have improved but are still higher than we have been paying for the septic systems. This will be a burden for many of the residents who are on a fixed income to now pay the infrastructure loan of \$101 a month for the next 30 years. With the other fees and charges added the total is about \$170 per month. There is also a concern that taxes will increase. Residents are asking the City for additional assistance with these costs that will total approximately \$40,000 for the water and sewer connection. Representative Smyk has stated \$90,000 will be available for the cost of asphalt. Residents continue to pay City and County taxes with no maintenance to the streets.

Mayor Becker stated he is not aware of any tax increase and will check to be sure to have an answer for the residents. This project includes all the streets being redone. Currently residents are responsible for the streets, but once the project is complete, the streets will become part of the City's street schedule.

Audrey Cordrey, 2023 Savannah Circle, stated although Highland Acres came later, their project was done first with money available to help with their costs. Now the costs for Savannah Place have gone up because Highland Acres was done first. Any information that can be provided before the June 12<sup>th</sup> meeting will be forwarded to residents of the development.

**10. Open forum/general discussion to award the bid to Kent Construction for the Tennessee Avenue Paving and Fourth Street Crack Seal and Patching Project.  
INFORMATION/DISCUSSION/ACTION (D. Gordon)**

Mr. Gordon stated a letter was received from GMB after attending the bid opening on May 9, 2018. The lowest responsible total base bid with contingent items was received from Kent Construction Company for \$190,813.04. The City portion total is \$126,433.47 and BPW portion total is \$64,379.57. GMB recommended the award go to Kent Construction with the BPW portion total of \$64,379.57.

Mr. Gordon requested and recommended the Board approve the Kent Construction bid.

Mayor Becker stated Council approved the City's portion and, subject to approval by BPW, the contract will go forward.

**ACTION:** *Mr. Owen made a motion to approve the Kent Construction bid; Mr. Kennedy seconded the motion, which passed unanimously.*

**11. MEETINGS ATTENDED BY BOARD MEMBERS OR STAFF**

Mr. Kennedy reported he attended the May 22<sup>nd</sup> DEMEC council meeting.

Mr. Leshar reported he also attended the DEMEC council meeting; SCAT meeting on May 2<sup>nd</sup>.

Mr. Owen reported he attended the DEMEC council meeting; SCAT meeting; Lewes Planning Commission May 16<sup>th</sup> meeting.

Mr. Panetta reported he attended the DEMEC council meeting.

President Lee reported he attended the Front Street progress meetings; DEMEC council meeting; Mayor and City Council monthly meeting; SCAT meeting; Household Hazardous Waste Take Back Day; met with Mr. Gordon, Mr. Morgan, Mr. Leshar and Mr. Calaman.

**12. BOARD OR STAFF REQUESTS FOR AGENDA ITEM(S)**

Mr. Gordon requested a meeting be scheduled in early June on FOIA and governance to be presented by Mr. Hoffman.

Mr. Hoffman will email everyone with possible dates.

Mr. Kennedy questioned the status of the watermain work at the beach parking lot.

Mr. Gordon reported all plumbing work is complete with paving work delayed due to weather. It should begin again tomorrow.

Mr. Leshner requested an agenda item for June to discuss voter registration records.

Mr. Hoffman stated the Charter identifies how voter rolls are handled, who is eligible to vote and the voter registration process. Formal action by the Board and General Assembly would be required to modify the Charter.

### **13. CALL TO THE PUBLIC**

Bill Young, Donovan Smith Homeowner Association, stated all are concerned about the wait for the estimate from GMB for their project dates.

Mayor Becker stated he will follow-up on this for a definitive date.

Audrey Cordrey questioned Mr. Gordon's meeting with Paul Townsend mentioned in the May General Manager's Report. Are taxes paid to the City when water service is provided to areas outside the BPW current service? Also, there are concerns about overflow into the tax ditch and maintenance if more projects are planned for Savannah Road and Kings Highway. Coordination is needed, and residents need to be notified if there are plans for another tax ditch or if more water will be added to the existing ditch. The Sussex County Soil Conservation District has stated there is a two-to-three-year wait list to have the ditch cleaned.

Mayor Becker stated no taxes are paid if the property is located outside the City limits. Regarding the tax ditch concerns, the parcel beside Henlopen Gardens that belongs to Beebe is in the City and there are plans to develop the parcel. Stormwater management will be an important consideration in the approval process. The residents will be informed by public meetings held by the Planning Commission and BPW. All information is available on the City's website.

Mr. Gordon stated any project would need its own internal drainage system built to meet the Sussex County Conservation District engineering requirements. BPW has adopted the same requirements.

Mr. Young questioned why the railroad tracks were left when removed at Savannah Road.

Mayor Becker stated he will call DelDOT to check when these tracks will be removed and for the information on when work on the tracks will begin on Donovan Road.

Cheryl Bayer questioned why there are impact fees for the connection when the community is paying for the infrastructure with Savannah Place's cost being \$2610.

Mr. Gordon explained the impact fee pays for capacity at the wastewater treatment plant, lift stations, main on Front Street, capacity at wellhead. The ready-to-serve charge pays for the fixed costs BPW has in operating the system; usage fee is the cost for the commodity.

**14. CALL TO THE PRESS**

Nick Roth of the Cape Gazette was present.

**15. EXECUTIVE SESSION**

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

**16. RETURN TO OPEN SESSION**

**17. OPEN FORUM/GENERAL DISCUSSION AND/OR ACTION ON ANY ITEM FROM  
THE EXECUTIVE SESSION**

**18. ADJOURNMENT**

The meeting adjourned at 5:15 P.M.

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