

**CITY OF LEWES
BOARD OF PUBLIC WORKS
Regular Meeting Minutes
July 22, 2020**

The Wednesday, July 22, 2020 regular meeting of the Lewes Board of Public Works was held at 4:00 P.M. via Zoom.

1. WELCOME, CALL MEETING TO ORDER

President Lee called the meeting to order at 4:00 P.M.

2. ROLL CALL

Board Members Present:

D. Preston Lee, P.E.
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
Paul Peris, White Marsh
Charlie O'Donnell, GMB
Chris Derbyshire, GMB
Jackie Doherty, Recording Secretary

3. REVISIONS AND/OR DELETIONS TO THE AGENDA

None

4. CONSENT AGENDA

- a. Receive the White Marsh Environmental Systems, Inc. Report**
- b. Receive the Vice President Report**
- c. Receive Secretary Report, approval of minutes covering the June 24, 2020 meeting**
- d. Receive Treasurer Report**
- e. Receive Assistant Treasurer Report**

Mr. Panetta requested the White Marsh Report be removed from the consent agenda for discussion. Mr. Kennedy requested the June 24, 2020 minutes be removed for review and amendments.

ACTION: *Mr. Panetta made a motion to accept the consent agenda with requested items removed; Mr. Owen seconded the motion, which passed unanimously.*

ACTION: *Mr. Kennedy made a motion to accept the June 24, 2020 meeting minutes as amended. Mr. Panetta seconded the motion, which passed unanimously.*

Mr. Panetta questioned the White Marsh report that refers to hauling liquid sludge when there were three empty drying beds; explain the timing of readings report; update plant analysis for the root cause corrective action; safety improvements have not been completed that were noted during Mr. Panetta's visit to the plant.

Mr. Kennedy asked if the 90,000 gallons of sludge is an unusual amount. Is the updated data collected by Suez being shared with the office at the wastewater treatment plant?

Mr. Peris answered that there are times when the drying beds are not completely dry for use, this is the reason these beds were empty. The amount of 90,000 gallons is not unusual, the higher the effluent, the higher sludge volume. They have been working with Mr. Gordon for ways to keep the liquid sludge hauling to a minimum. Mr. Peris explained the readings only show one point in a 24-hour period, this is the reason for the spike in the graph. Suez will also be providing reports from their software shortly with all updated data collected being sent to the wastewater plant office.

Mr. Peris reported there were problems with McDonald's Safety regarding scheduling and an item needed for installation that was not delivered. Mr. Panetta's request will be completed next week. Additional housekeeping improvements concerning tripping hazards will be corrected by the next report date.

Mr. Gordon stated Mr. O'Donnell and Mr. Derbyshire are reviewing safety issues at the plant to avoid any future spills. Their report will be presented in September.

President Lee stated there have been reports from Savannah Road residents about odor problems from the plant.

Mr. Gordon stated the problem is possibly coming from the drying beds and filters in the solids handling process. Steps are being taken to keep the solids handling process as clean as possible and to apply odor-control chemicals to the area and other areas that may produce odor problems. Another cause may be from the owners of trailers and campers emptying waste into the manhole at American Legion Drive and Savannah Road. The Lewes police have been notified. Mr. Gordon checked the wastewater treatment plant over the weekend and on Monday and found all processes working.

President Lee stated he was told a resident has given pictures to the police showing someone using the manhole to empty waste from their vehicle.

Mr. Kennedy requested a future agenda item to discuss and report if the current rates are producing enough revenue to remain operating in the black. There are concerns due to increased expenses and the capital plan for the next five years. A Cost-of-Service Study is not needed now, but we may ask Dawn Lund for a review to include the impact from COVID-19.

5. Receive the President's Report

President Lee read Jack Leshner's letter of resignation as a member of the Board and treasurer as of July 22, 2020.

President Lee stated the BPW Charter specifies the President shall appoint a replacement to be reviewed by Mayor and City Council for approval. The request is to appoint Earl Webb of Lewes to the Board. If approved, Mr. Webb will serve the unexpired term of Mr. Leshner and qualify for the election in May 2021.

Mayor Becker stated this will be an agenda item for their August meeting.

6. Receive the General Manager's Report

Mr. Gordon reported he has been researching the last four years of water and electric consumption and revenues to record the impact of COVID-19. With the exception of June 2020 when electric revenues and consumption were below average, all other months have remained at the same averages. There was a loss of \$6,987 because late fees were not permitted; no penalties charged; no shutoffs; no employees have been sick with COVID and everyone has been able to work safely. There has been an increase in electric and water in July due to the recent heat wave.

Mr. Gordon stated the electric consumption for the closed schools has been the same because everything has been kept running, but the water averages are down. He will provide the Board with a monthly report to monitor the impact from COVID-19.

OLD BUSINESS

7. Open forum/general discussion to accept the Admiral's Chase water system and beginning the 1-year warranty period. INFORMATION/DISCUSSION/ACTION (D. Gordon)

Mr. Gordon reported BPW will be provided water to the 28 lots. The system has been installed, inspected by GMB, with the warranty period of one year to begin. All fees have been paid.

Mr. O'Donnell stated the punch list was completed during the walkthrough and all lien releases were submitted by the subcontractor.

ACTION: *Mr. Panetta made a motion to accept Admiral's Chase into the system; Mr. Kennedy seconded the motion, which passed unanimously.*

8. Open forum/general discussion to accept the 5-year Capital Budget 2020-2021 to 2024-2025. INFORMATION/DISCUSSION/ACTION (D. Gordon)

Mr. Gordon reviewed the items that have changed since the budget was presented in June:

- 10-year plan to remove old iron pipes and pipes containing lead from the system; cost \$10,319,000.
- Water production includes well development and a water tank; cost \$2.85M.
- Sewer collection system lateral lines and sewer mains at Cedar Avenue and Pilottown Road, lift station issues; cost \$2.97M.
- Wastewater treatment plant drying bed expansion cost \$430,000 needs to be increased by \$150,000; root cause redundancy improvements engineering cost of \$20,000; placeholder of \$215,000, which may be a low estimate.
- Stormwater costs include MS4, phragmites control, catch basin renewal, pipe replacement; cost \$1.97M.
- Electric underground utilities renewals, AMI installation in two years; cost \$5,185,000.
- Support costs for computer replacement, electric vehicle, GIS mapping \$425,000.
- Total 5-year budget \$24,965,827.

Mr. Gordon stated the \$2,000,000 cost for the purchase of the Jones Farm property will be paid over-time with a State SRF loan. It also may be possible to obtain a loan for the AMI installation to help to keep our customer rates from increasing.

NEW BUSINESS

9. Open forum/general discussion of the current and long-term efforts for the removal of iron pipes from the BPW system. INFORMATION/DISCUSSION/ACTION (D. Gordon)

President Lee stated he understood the project could be completed in five years.

Mr. Gordon explained the problem is that there are only seven months in the year when work can be done on the DelDOT roads. There are also concerns from residents when too many of the cross streets are closed for work during the same time.

Mr. Gordon and Mr. O'Donnell reviewed the plans to complete work on the DelDOT roads first, including Pilottown Road, to then begin work on the side streets. The side street work may include five or six at a time to Cedar and Bay Avenue and the side streets to the canal. Work on the side streets will not require permits from DelDOT. The plan also includes replacement of lead or galvanized pipe water services.

ACTION: *Mr. Owen made a motion to approve the 5-year capital budget as presented; Mr. Panetta seconded the motion, which passed unanimously.*

10. Open forum/general discussion to allow the Lewes City Art Committee to use the South-facing wall of the BPW "Power Plant" building for a project. INFORMATION/DISCUSSION/ACTION (D. Gordon)

Lewes Public Art Committee Chairman Cliff Diver made a presentation on plans for the art project to have a mural painted on the wall of the BPW power plant building.

Mr. Diver stated the project will include an open competition; the mural will remain for 18 months; will be seen from the bike trail; 48' x 20'; members of the Committee will evaluate and judge each entry on appropriateness; deadline for proposals is August 14th; three finalists will be chosen; budget is \$5,000; artist will sign a contract to be reviewed by BPW and include insurance requirements.

Mr. Hoffman stated he will review the contract and insurance requirements for any changes needed to be acceptable to BPW.

ACTION: *Mr. Owen made a motion to approve the art project as presented with the condition that Mr. Hoffman will review the artist's contract for approval by BPW; Mr. Kennedy seconded the motion, which passed unanimously.*

**11. Open forum/general discussion on the establishment of the BPW stormwater charges.
INFORMATION/DISCUSSION/ACTION (D. Gordon)**

President Lee stated Mayor Becker requested a review of the stormwater charges at the last meeting. Everyone has received the information to review regarding the beginning of the charges in 2007.

Mr. Panetta stated the low fees and flat charges are reasonable to manage stormwater for the entire City and to keep streets passable to maintain the health, safety, and welfare of the community. Customizing these charges for individual properties would not be cost-effective. The concern is if the fee structure in the capital budget for stormwater management will be able to cover MS4, sea-level rise, improvements to the infrastructure.

Mr. Kennedy stated he agrees the current rates do not cover the present operating expenses. The fee structure is easy to administer and understand, but rates will need to be raised if there are future costs due to MS4. This should be reviewed in the next Cost-of-Service Study.

Mr. Owen stated he agrees the rates are too low. There were stormwater drainage problems caused by the last heavy rains.

Mayor Becker stated his question was about the number of water meters for each building. Some smaller buildings have more than one meter and larger buildings may have only one with a stormwater charge for each meter. This applies to residential and commercial structures in the City. When issuing a business license, the City charges a flat fee up to 2,500 sq. ft. with additional costs for a structure larger than 2,500 sq. ft. The stormwater fees could also be based on sizes of structures.

President Lee stated stormwater fees are not based on the size of the structure or property but are determined per customer.

Mayor Becker also questioned, and mentioned this was not included in today's agenda, why the parks are being charged when parks are helping as part of the stormwater management system. Included in the stormwater system are the beaches, Little League Field, Zwaanendael and Stango Parks.

Mr. Panetta spoke about the UBS study containing information regarding the potential for credits and how these would be calculated to be equitable. Only Canalfront Park has best management practices for stormwater management. Areas designated as open space (Zoning District and not individual property) could be assessed for specific criteria.

Mr. Hoffman stated this pertains to properties zoned Open Space and need to be identified.

President Lee stated this will be an agenda item for the August meeting after additional information is available.

12. Open Forum/general discussion of the acceptance of the recommended bid for the WWTP Drying Bed Project. INFORMATION/DISCUSSION/ACTION (D. Gordon)

Mr. O'Donnell reported six bids were received on July 15th from Delaware, Pennsylvania, and New Jersey. Bids ranged in price from \$503,100 to \$847,000. The lowest bid was received from Kuhn Construction in Hockessin, an excellent contractor who has done work for the City in the past.

Mr. O'Donnell and Mr. Gordon recommend the Kuhn bid of \$503,100 be accepted for the agreement process to begin. Work should start in August.

Mr. Gordon stated this project will increase the drying bed capacity by 40% to 200,000 gallons per day and may help control the odor problems being reported.

ACTION: *Mr. Panetta made a motion to accept the low bid from Kuhn Construction for the WWTP Drying Bed Project; Mr. Kennedy seconded the motion, which passed unanimously.*

13. CALL TO THE PUBLIC

None

14. CALL TO THE PRESS

Nick Roth of the Cape Gazette was present.

15. ADJOURN TO EXECUTIVE SESSION

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

16. RETURN TO OPEN SESSION

17. DISCUSSION AND ACTION ON ITEMS FROM EXECUTIVE SESSION, IF APPLICABLE

18. ADJOURNMENT

The meeting adjourned at 5:30 P.M.

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