

# BOARD OF PUBLIC WORKS

## *Vision*

The Board of Public Works exists to improve the quality of life of the customers we serve.

## *Mission*

We are dedicated to providing our current and future customers with utility and other value added services in a safe, reliable, and economical manner consistent with sustainable growth, community involvement, and environmental stewardship.

### **Regular Meeting of the Board of Public Works was held in Lewes City Hall, 114 East Third Street, Lewes, Delaware on Wednesday, October 28, 2015 at 7:00 PM.**

#### Board Members Present:

*C. Wendell Alfred*  
*D. Preston Lee, P.E.*  
*Jack Lesher*  
*A. Thomas Owen*  
*Nancy Levenson*

#### Ex-Officio Members Present:

*Theodore Becker, Mayor*  
*Darrin Gordon, General Manager*  
*Glenn C. Mandalas, Legal Counsel*

#### Others Present:

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

At 7:04 PM, President Alfred welcomed everyone, called the meeting to order and led Pledge of Allegiance. A moment of silence was observed for our troops serving our country.

#### **2. Roll Call.**

President Alfred stated that all Board members are present. Also present are Mayor Ted Becker, General Manager Darrin Gordon, and Legal Counsel Glenn Mandalas.

#### **3. Revisions and/or Deletions to the Agenda.**

Revisions #3 on agenda changes, #11 removed from agenda, #10 move to next item after Consent Agenda Item #5.  
No other revisions

#### **4. Consent Agenda**

- a)* Receive the General Manager Monthly Report
- b)* Receive Severn Trent Report for September
- c)* Receive President Report
- d)* Receive Vice-President Report
- e)* Receive Secretary Report, Approve Regular Minutes September 23, 2015
- f)* Receive Treasurer Report
- g)* Receive Asst. Treasurer Report

**Motion to accept Consent Agenda approved as amended.**

#### **Moved to item # 5 10. Open forum/general discussion of the BPW communication with the Sussex County Council in association to the proposed "Village Center". (D. Gordon)**

INFORMATION: Darrin Gordon: Cluster review SCC considering construction. The site is right next to wells. West of the HS. There is a chance could be building on well head, source water area. Members BPW sent letter with concerns on June 21, 2015, to each SCC persons. Other than Joan Deaver date was 2013. Permission to write letter to correct error.

Concerns reply to review. It states BPW is aok with this. Gilbert Holt says ok with our blessing. That is not going to fly. Same as having a water operator saying it was okay.

Alfred: Letter dated by 2009 is hearsay.

Gordon: Want to clear up. Will not allow secretary to speak on behalf. Geologist to look at it .

Owen: Concern is that the Holt letter is being used.

Gordon: Will draft a letter for all to sign.

Speaker: Mark Eisner Consulting Geologist, holds professional license. Formed in 1998. Engaged by BPW to review the record. Partially complete. Preliminary concerns still in development. Water quality and quantity related to proposed project. Source water protection area. Quality concerns made include but not restricted to storm water. Tenant mix concern. Quantity wise rain water soaks through to ground water becomes part of source water. Wells rely on that water. If portion of water is cut off, those wells will reach further for water. We have been asked by the Board to read the plus report and applicant's response. A lot of unsubstantiated recommendations.

Owen: Other uses. CR-1 zoning change. If zoning change given, see what is acceptable under CR-1 then they can use for whatever they want.

Alfred: Reason for Mark to allow public to know. Gone to next step and hired consultant firm. Board is doing what we can go. Important to all of us, every person. Express our concern.

Mark: Representation Mr. Holt. Roberts Rules. Speaking for Board at time there would be documentation in archives.

Board has not seen the letter.

No questions from Board members.

**Moved to item # 6 5. Open forum/general discussion and acceptance of the qualified low bid for the construction of water and stormwater utilities associated with the Anglers, Bayview Road rehabilitation project in coordination with the City of Lewes.**

**INFORMATION:** Darrin Gordon: Bid approved.

Bids Anglers Rd. Bay Breeze Estates. Utility work. Total 16 million. George & Lynch 2 alternates. Installation of new water main. \$50,000 higher. Not recommended which was \$50,000 more. \$299,000 Board portion. Also includes \$70,018.25.

Contingent bid items. Accepted at last Council meeting. Not recommending either one of the alternates. \$22000 construction, inspections, shop drawings.

Gordon: \$299,451.35 Board portion.

Alfred: Motion to accept. Total is \$322,000

Lee moved to accept. All in favor. Motion carried.

Less than in Feb by combining.

**Moved to item # 7 6. Open forum/general discussion and acceptance of the qualified low bid for the construction of water, sewer utilities and road construction to City standards in the Highland Acres community. ( D. Gordon, Charlie O'Donnell, GMB)**

**INFORMATION:** Darrin Gordon: Annex into city. Gone out to bid provide a city utilities, water sewer, replacing roads. It is below the ceiling \$4,000 short.

Charlie: bids opened at 2PM 10/13. Only rec'd one bid. Two based bids with prevailing wage and w/o prevailing without State help. Base: \$1.856,000. Without prevailing wage \$1,490,000. Developed an assessment sheet. What each resident would pay on annual basis? State 2% over 30 years. Different 3.5% over 30 years. Came in lower with state funding. Use state funding. Construction base services. Assessment on final cost. \$1900/year per resident. Less than Summer 2014. Spring 2014 applied to Office of Drinking Water and DNREC. Bids are lower than what we put in.

Harry Caswell, George & Lynch. Both are respected contractors and completed projects on time.

Mayor: Natural gas services no cost.

Pilottown Village will have services too.

Gas main in towards the end of the year.

Owen: Estimated time frame. 8 months until it is done. Mid-November and early December start. A lot of things depending on school. End of Sussex Dr. A lot easier to coordinate.

Owen: Motion to accept bid.

Alfred: second by Jack Leshner. All in favor. Motion carried

**Moved to item # 8 7. Open forum/general discussion of the leasing of the Schley Avenue "new" power plant building for the electric utility benefit. (D. Gordon, Bill Schofield, C.E.S.)**

**INFORMATION:** Darrin Gordon: property Schley Ave. been there since 1901 generating plant for community of Lewes.

Generator and water production and wells around it Built new generators. Grew away from that. That production plant goes out of usage. Last industrial site in Lewes. Location to substation. Communicated with a group ALEVO battery. Proposed to lease the building and put in batteries. We will make revenues. Help to save some money especially for customers. Bill Scofield of CES and Jeff from Alevo. VP of corporate development.

Speakers:

Bill Schofield CES and Jeff Gates Alevo. Customer Energy Solutions.

Power point presentation.

Partnered with battery company = Alevo

Jeff Gates: power point presentation. Brings technology to the table.

Explained company. 1 yr public launch. 1980's lots of lithium batteries. Electrolytes flammable. Inorganic electrolytes. Bought old Phillip Morris plant in NC. Swiss company. Two in Germany for research. Product and development. Schofield: batteries inside the structure. Block house from 1950's. New portion would house batteries. Conduit already there running under street to substation. Showed conceptual view. Power converting system. Shrubs would be planted around. Project Activity. Cost is based on peak consumption. Realize savings to the City of Lewes and split the savings. Frequency Regulation with Storage. Gates: back to talk about the technology. Gridbank enclosure Components. 50' Container. 22 racks. Stand alone racks. 20 trays. 4 container inside. Organics Electrolyte vs. Alevo Inorganic Electrolyte. Schofield: Benefits to Lewes BPW.

#### QUESTIONS:

Asked about noise level.

Gates: Noise. Converters main source of noise. Has the decibel specs. At 10'-15' a hum.

Alfred: Bring to public. Mr Gordon and Board members. Tweaking of lease. Opportunities of residents to maybe see rate reduction.

From audience: Coastal community. If the property get flooded what would be consequence.

Schofield: one of the advantage existing structure in Lewes decades provides protection. Inverters rated to be outdoors. Worse case would be the converters outside the building.

Robert: 231 Second St. This battery softening the peaks. Larger than Lewes.

Schofield: Clarify. Shading peak would be Lewes in particular. Lewes is once big consumer. All homes and business one big customers. See less consumption coming from Lewes and charge your less.

Gordon: Lease agreement. Helps the grid keep a nice smooth grid.

Robert: If you see a lot of growth. Another substation?

Schofield: Limited to how much consumption Lewes has. Typical night city is not using much more.

Would you grow this or another substation? We could put more batteries if we want to. Plenty of property there that we could negotiate.

Gates: Using small portion of the substation. BPW is their job to make it bigger. We are just a customer.

Gordon: Capacity market itself has strange rules. NG decreases Ability to help control that capacity becomes more economical.

Audience: Are you working together on other projects?

Schofield: yes in MD and OH but cannot say confidential.

Bob White: Renewables guy! How stable frequency market is?

Schofield: Regulation market. Going to be around. Industry tremendous change. Technical requirements will always be there. Regulatory risk. Regional markets are here to stay. Rules changing. We are confident enough believe it will be good. 10-year lease. Viable market. Things happen like coal plants shut down.

Gates: Increasing amount of wind and solar. Not as steady as gas-powered. Load changes all the time. Other side is the production also changing.

Mayor: Cover out in the field. But in residential area. Affect to Pacemakers, etc.

Gates: very low distortion. Nothing coming off transformers or substation.

Will not mess up cell phone communication. Vital links to us.

Rob Morgan: This question to D. Gordon.

No direct connection to wind service. Will help smooth out power quality computer plugged in at home. Will improve.

Schofield: Nature of inverter very high quality power. Will improve.

Dave: create a new entity operators of power plant? Create hold harmless for BPW and City of Lewes for liability.

Schofield: Negotiating separate contracts.

Alfred: Atty reviewing those documents with General Manager.

Dave: Operator by telecommunicating or with people.

Schofield: No. Will be operated by remote connection.

Gordon: Relationship with CES via email. My visit once a quarter.

Schofield: Think we will be a good neighbor. Paint the building.

Gordon: Pass a Resolution to authorize lease agreement. Giving Board chair Mr. Alfred authorization to take any actions between BPW.

Mandalas: Authorize three separate documents. Some things he wants to be sure. Read resolutions into record. Effective upon adoption.

Alfred: Motion to accept. Leshner second by Mr. Lee all in favor.

#### **Moved to item #9 8. Open forum/general discussion of securing the professional services of Connx™ Smart Technologies to engineer a wireless network for the automatic reading of electric and water meters. (D. Gordon)**

**Darrin Gordon** Gordon: brought last month questions not able to answer. What is the payback or value of this? Fiber optics. With that one of the players Connex end of the fiber disperse appropriately. We had letters. Meter reader \$300/day for employment. Spends 16 days reading every meter. Cost per month \$4800 Cost per year. Automated 3 readers. 3 towers. Cover every single customer. 3 days of meter reading \$900/month, \$10,000/year and savings \$47,000. Asking to approve Connex \$200,000 implementation of meter reading. Other items we would be saving. Transportation and insurance. Full time employees take meter reader for 3 or 1 day and give him full time in wastewater. Won't reduce # of people we have. Return on

Investment. Go forward with project development.

Owen: Make motion and report. Mr. Alfred second. All in favor Motion carried.

**Moved to item #10 9. Open forum/general discussion of the BPW Pole Attachment agreement currently in place with Comcast and possible agreement with Fibertech/Lighttower. (D. Gordon)**

Gordon: Opened up with Fibro Tech. 3 large customers. Fiber line is lit. Hospital, University & ?. Pole attachment Comcast agreement since 1965. \$3.50 per year paid. Information in packet. Example of what FCC evaluation of pole attachment, Seaford, Dover. Rough evaluation formula \$15.50 approve to offer that to Fibro Tech. Going to look at and evaluate pole attachment with FibroTech.

Alfred: clean up.

Owen: last meeting made motion that it was tabled. Authorize \$15.50 annual fee attaching to pole. Arrived by taking space vs. other spaces on the pole. # of the total cost of maintenance and coming up with a #. Makes sense. Accept \$15.50 Jack seconded. Motion carried.

**Removed from Agenda 11. Open forum/general discussion on the Lewes BPW investment policy. (D. Gordon, J. Leshner)**

**12. Open forum/general discussion of the Savannah Road project progress. (D. Gordon)**

**INFORMATION:** Darrin Gordon: Savannah Rd. in general done with valve changes and elimination of old line. You can see milling DelDot using George Lynch. Then pave. Still in place. Confident that it will be completed.

Project – contractor working on tie in at Newport, Lewes Dairy. 12” water main to replace under the canal. Having struggles 2 weeks away from finishing. Better water quality and pressure. They are over their time. Look at first half of project Jan-May weren’t able to work these 54 days. Engineers looked at complaints and said 19 days were legitimate. Table and wait to complete project. My recommendation need to go ahead and clean up. Approve the 19 days.

Charlie: Need to establish for those months. Review the rest of the project. Weather related claims through March. We did not recommend any extensions for January. Did not mobilize until Feb. 4<sup>th</sup>. Added water meter pits added. Another addition to scope of work.

Owen: New period from March.

Lee: Motion to approve 19 days. Second Mr. Leshner. All in favor. Motion carried.

Mayor: Asked question.

Gordon: 15” pipe running to School Ln. Been fractured for years. Concerned when built on top. 10’ deep. Went ahead with milling. Camered it. Okay. As soon as pavement down. Drop manholes about a day. Pipe good for another 50 years.

**13. Open forum/general discussion of Hurricane Joaquin. (D. Gordon)**

**INFORMATION:** Darrin Gordon: Couple of outages. Pole lit on fire. Broke the pole. About 30 mins. 2 people out the next day.

Alfred: came in early one morning and replaced pole. We work together. No separation.

**14. Meetings attended by Board Members or Staff.**

Jack Leshner: Attended along with Owen. Seminar. Designated for Lewes Planning. Nothing relevant to us.

D. Preston Lee: Highland Acres meeting.

President Alfred; On Hurricane duty.

**10. Board or Staff requests for agenda item(s).**

Investment Policy #11 placed on agenda next meeting.

**11. Call to the Public.**

Dave Ennis: Congratulation BPW hiring geologist whole potential damage to wells. The President SCC used the environmental impact as why he voted against. Secure technical expertise.

Rob Morgan: Letter prepared going to Planning & Zoning first. P&Z will be considering first.

Alfred: Very good question.

Application may be coming up within 2 months.

Rob: Your plan for Highland Acres may not have \$1900 year assessment if they can’t pay.

Gordon: That is what he discussed.

Open Forum:

George Chambers, 11 Kentucky Ave., Lewes (Hard copy handed out and typed into record)

“The purpose of my visit tonight is two-fold:

**First** is to request time to pay my bill which as of last Friday, Oct. 23, 2015, was \$275.92 in arrears.

**Second** is to bring to the Board's attention the lack of civility and customer care that has no place in a government institution that serves the public who pay their salaries.

**As to Number 1:** The BPW's computer failed to send me a bill for services for several months according to Susanne in the Billing Department.

For the record, **11 Kentucky Ave, the service address**, has faithfully paid the utility bills over 800 times and at an average of \$100/month. That's \$80,000. This property has been owned by my family since 1946 and my family has lived in Lewes DE continuously for 365 years and we have the grave sites to prove it. I have ancestors who served in Lewes City government and were founding members of the Lewes Rotary Club.

My point in telling you this is unlike many others, I didn't just come here from Dc, Baltimore or PA and try to tell you how we did it back home.

Since I didn't create this problem, I did expect some consideration from BPW to catch up the bill. **In that regard, my request is that payment of \$275.92 be tendered on or before November 25<sup>th</sup>.**

**As to Number 2:** I have always been more than satisfied with my experiences with BPW employees. After receiving the care from Susanne, I came in to the office to work out a plan to pay off the amount due. This was beyond Susanne's pay grade and she called for the supervisor.

**I was shocked at how I was treated.** The supervisor implied, in an arrogant and condescending manner, that I was a moron for not calling BPW when I didn't receive a bill.

I was told that if I didn't pay by October 20<sup>th</sup> that my electricity would be turned off.

Remember this is not a situation that I created; I didn't get a bill! But apparently that face held no weight with the supervisor.

The issue became, you owe us, now pay up or else. No courtesy! No respect!! No civility!

**Would she have treated a female this way?** Would Jane chambers or Peggy Rollins put up with this treatment?

Is this employee a reflection of what the public gives her or poor parenting? I understand that this employee is a star performer but should she have direct contact with the public?

Members of the Board, I regret standing before you tonight having to say "the emperor has no clothes."

I know as a business owner that you have to work at getting customer feedback because it's just easier for a customer that's dissatisfied to use another service provider. Government customers don't have that option.

The public today fears the government and with good reason. Who would question the IRS?

I'm 20 seconds over and out of time. This is not the complete story but if you are interested in solving the problem, it's enough to get you started.

## **12. Call to the Press.**

No questions or comments.

## **13. Adjournment.**

Mr. Alfred made motion to adjourn at 8:44 PM