

ABA300

Minutes  
12/16/82

Blue Cross  
Increase

Step IV  
Sewer Grant

The Regular Meeting of the Board of Public Works was held in the Council Room of the City Hall, Lewes, Delaware on Thursday evening, January 20, 1983 at 8:00 p.m.

Members Present: Messrs. John W. Hudson, III, William R. Beauchamp, Thomas A. McClain, Howard H. Seymour and Mrs. Grace A. Lehman.

Others Present: Mrs. Ronald Donovan, General Manager  
Mr. Douglas D. Marshall, Board's Attorney  
Mr. Joe Bourdon, Kidde Consultants, Inc.  
Mr. Archie Brittingham, 6-12 Dairy Markets  
Mr. David Small, Delaware Coast Press Reporter  
Mr. & Mrs. William S. Reynolds, Market St., Lewes

President Hudson Presiding:

1. Motion was made to approve the minutes of the Regular Meeting, December 16, 1982 as submitted.

Motion - Mr. Seymour

Seconded - Mrs. Lehman

Yea

Nay

Mrs. Lehman

x

Mr. Seymour

x

Mr. McClain

x

Mr. Beauchamp (abstained, not present 12/16/82)

2. Motion was made to accept the \$8,064 increase over a year's time from Blue Cross in order to continue Blue Cross coverage for the Board's employees.

Motion - Mr. Seymour

Seconded - Mr. Beauchamp

Yea

Nay

Mr. Seymour

x

Mr. Beauchamp

x

Mr. McClain

x

Mrs. Lehman

x

3. Mr. Joe Bourdon, Kidde Consultants, Inc. presented the Board with copies of a Grant Application for Step II and Step III assistance related to the Wastewater Treatment Works to be submitted to the State by February 7, 1983. Signatures should be placed at all places indicated on all copies. Five copies are to be submitted to the State Department of Natural Resources (5th copy for Ms. June McArtor).

Resolutions to be adopted were reviewed by Mr. Marshall at this time. They are adopted later during this meeting.

Archie  
Brittingham  
Permit

4. Mr. Donovan brought to the Board's attention a complaint received on January 2, 1983 regarding the 6-12 Dairy Market Laundromat dumping procedure. Mr. Jim Adkins reported a terrific odor in his house while the truck was dumping around 7:30 p.m.

Mr. Donovan and Mr. Seymour visited the dumping site and the valve on the truck was about half the way opened. Efforts to contact Mr. Brittingham were unsuccessful.

Discussion with Mr. Brittingham tonight indicated that a violation of the nature, too early and too fast, would not happen again, but if it should, the Board would have no alternative but to void the permit.

Motion was made to give Mr. Brittingham another thirty days or until the date of the next Regular Meeting, February 17, 1983, to continue dumping into the Board's sewer the wastewater from the 6-12 Dairy Laundromat. If another violation or complaint is made within that time, the permit will be discontinued.

Motion - Mr. Seymour                      Seconded - Mr. Beauchamp

	<u>Yea</u>	<u>Nay</u>
Mr. Seymour	x	
Mr. Beauchamp	x	
Mr. McClain	x	
Mrs. Lehman	x	

Gen Mgr.  
Report

5. Mr. Donovan reviewed the General Manager's report for the month, a copy of which is enclosed with these minutes.

Action taken:

Office, item No. 3: Motion was made to close the account in the Sussex Trust Company in the amount of \$3217. since that account is no longer needed.

Motion - Mr. Beauchamp                      Seconded - Mrs. Lehman

	<u>Yea</u>	<u>Nay</u>
Mr. Beauchamp	x	
Mrs. Lehman	x	
Mr. McClain	x	
Mr. Seymour	x	

Resolutions  
for Sewer  
Grant

- 3a. As part of the sewer grant application presented earlier, several resolutions needed to be adopted by the Board. Mr. Marshall reviewed these proposed resolutions. His suggestions were incorporated into same.

Motion was made to adopt a resolution certifying as to the Board's capabilities and its agreeing to fund local share plus adopting and managing a user charge system. Copy of this resolution attached hereto and made a part hereof.

Motion - Mr. Beauchamp      Seconded - Mr. McClain

	<u>Yea</u>	<u>Nay</u>
Mr. Beauchamp	x	
Mr. McClain	x	
Mrs. Lehman	x	
Mr. Seymour		x

Motion was made to adopt a resolution designating Mr. Ronald Donovan their official City of Lewes, Board of Public Works representative and signatory on all grant documents for Step II & Step III. Copy of this resolution attached hereto and made a part hereof.

Motion - Mr. Seymour      Seconded - Mr. Beauchamp

	<u>Yea</u>	<u>Nay</u>
Mr. Seymour	x	
Mr. Beauchamp	x	
Mr. McClain	x	
Mrs. Lehman	x	

Executive  
Session

Motion was made to go into Executive Session to discuss litigation.  
Time: 9:05 p.m.

Motion - Mrs. Lehman      Seconded - Mr. McClain

	<u>Yea</u>	<u>Nay</u>
Mrs. Lehman	x	
Mrs. McClain	x	
Mr. Seymour	x	
Mr. Beauchamp	x	

There being no further business, meeting was adjourned after Executive Session at 10:40 p.m.

Ruth Butler

### RESOLUTION

WHEREAS, the Environmental Protection Agency of the United States and the Department of Natural Resources and Environmental Control of the State of Delaware have been charged with the responsibility of maintaining within their respective jurisdictions a reasonable quality of water consistent with public health and public recreation purposes, and with the propagation and protection of fish and wildlife, including birds, mammals and all other terrestrial and aquatic life; and

WHEREAS, the above organizations have issued certain water quality standards and standards of treatment for waste water discharge into streams, and other bodies of water; and

WHEREAS, the Board of Public Works of the City of Lewes is responsible for the collection, treatment and discharge of waste water within and to some extent without the jurisdiction of the City of Lewes; and

WHEREAS, it is this Board's intent to serve the citizens within its jurisdiction by providing a safe and economical waste water collection, treatment and discharge system which is compatible with the environment and which meets or exceeds the standards of treatment and discharge applicable to the treatment system and the body of water into which it discharges; and

WHEREAS, the Board of Public Works desires to upgrade and expand its present waste water treatment facility to carry out the above intent; and

WHEREAS, the Federal and State Government have grant funds available to aid in the study, planning and construction necessary to accomplish the expansion and upgrading of waste water treatment facilities;

WHEREAS, by Resolution dated July 19, 1979, duly adopted by the Board of Public Works of the City of Lewes, the General Manager of the Board of Public Works was authorized to do whatever was necessary to make and carry through said application and grant including the signing of a Federal Grant Application for the STEP I Facilities Plan and any other documents to be signed by the applicant and grantee in the event that such application should be acted upon favorably; and

WHEREAS, the Board of Public Works of the City of Lewes was without a General Manager for a period of time, but presently has one;

WHEREAS, by Resolution dated February 18, 1982, the Board of Public Works of the City of Lewes authorized its President to act on behalf of and in the place of the General Manager in matters concerning the Federal Grant Application for the STEP I Facilities Plan EPA Project C-100261-01a until such time that the position of General Manager was filled and the Board rescinded said Resolution of February 18, 1982, and reinstated the Resolution of July 19, 1979;

WHEREAS, the Board of Public Works of the City of Lewes is now involved in the STEP II plus STEP III Application to proceed with the design and construction phase of the facility;

NOW THEREFORE BE IT RESOLVED that the General Manager of the Board of Public Works of the City of Lewes is authorized to do whatever is necessary to make and carry through said application and grant including the signing of a Federal Grant Application for the STEP II plus STEP III and any other documents to be signed by the applicant and grantee in the event that such application should be acted upon favorably, and that the Board of Public Works of the City of Lewes does hereby ratify and confirm any actions of its General Manager heretofore taken on behalf of the Board in the furtherance of the application or pursuance of STEP II plus STEP III Federal assistance grant to upgrade and expand the Lewes Waste Water Treatment Plant, and the Resolution of February 18, 1982, authorizing the



President of the Board of Public Works to act in his place is hereby rescinded and the Resolution of July 19, 1979, is hereby reinstated.

BOARD OF PUBLIC WORKS  
OF THE CITY OF LEWES

By: J. W. Hudson  
President

CORPORATE SEAL:

Att: William R. Beauchamp  
Secretary

Dated:

I, William R. Beauchamp, Secretary of the Board of Public Works, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Board of Public Works at a meeting held on January 20, 1983, at which a quorum was present and voting throughout, and that the same is still in full force and effect.

William R. Beauchamp  
Secretary

RESOLUTION

BOARD OF PUBLIC WORKS  
LEWES, DELAWARE

WHEREAS, the 1901 Acts of the General Assembly of the State of Delaware authorized the Commissioners of Lewes to appoint a Board of Public Works and provided for the election of their successors,

AND

WHEREAS, the Board of Public Works is charged to establish, control and regulate an electric light plant, water works and a sewer system for said City of Lewes,

AND

WHEREAS, the Board of Public Works has caused a Wastewater Management Facilities Plan be prepared to determine the needs of said sewer system to meet the requirements of the Clean Water Act (Public Law 92-500, As Amended),

AND

WHEREAS, said plan has been approved by the U.S. Environmental Protection Agency on November 24, 1982,

AND

WHEREAS, the Board of Public Works at its meeting on December 16, 1982 authorized the submission of a Step IV, which is more specifically defined as a combined Step II - Design and Step III - Construction, grant application, in order to proceed with the Lewes Wastewater Treatment Plant and other improvements elaborated in aforesaid Facilities Plan,

AND

WHEREAS, the requirements of Part 35 Title 40 Code of Federal Regulations Subpart I (40 CFR 35.2100) established certain limitations on award of such grant;

NOW THEREFORE BE IT RESOLVED THAT THE BOARD OF PUBLIC WORKS OF THE CITY OF LEWES, DELAWARE DOES:

1. Hereby certify it possesses the legal, institutional, managerial and financial capacities to the extent and limitations as set forth in aforesaid charge, and as qualified by paragraph 2 below,
2. Agree to fund the local share of project costs at the present funding level based on 75% participation by the Federal Government and 10% participation by the State as set forth in the STEP IV Application.
3. Agree to adopt and manage, when the project is completed, a user charge system that will produce, and accurately account for, adequate revenues required for the operation, maintenance and replacement of the system and being consistent with the previously adopted Regulation of Sewer Use previously adopted on April 20, 1978.

Upon motion made by Mr. William R. Beauchamp, seconded by Mr. Thomas A. McClain, and passed,

This resolution was introduced by formal motion and adopted at the Board of Public Works Regular Meeting of January 20, 1983 and is a matter of record in the minutes of that meeting.

The record of Voting of this resolution was as follows:

Yeas

Mr. William R. Beauchamp  
Mrs. Grace A. Lehman  
Mr. Thomas A. McClain

Nays

Mr. Howard H. Seymour

BOARD OF PUBLIC WORKS OF THE CITY OF  
LEWES

By: J. W. Hudson  
President

Att: W. H. Seymour  
Secretary



I, W. H. [unclear], Secretary of the Board  
Of Public Works, do hereby certify that the foregoing is a true  
and correct copy of a Resolution adopted by the Board of Public  
Works at a meeting held on January 20, 1983, at which a quorum  
was present and voting throughout, and that the same is still  
in full force and effect.

W. H. [unclear]  
Secretary

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