

Lewes Board of Public Works
Regular Board Meeting
January 26, 2022

The Wednesday, January 26, 2022, regular board meeting of Lewes Board of Public Works was held at 4:00 virtually via Zoom.

1. WELCOME AND PLEDGE OF ALLEGIANCE

President Lee called the meeting to order at 4:00 pm and led the pledge of allegiance.

2. ROLL CALL:

Board Members:

D. Preston Lee, P.E.
A. Thomas Owen
Thomas Panetta
Earl Webb
Richard Nichols

Ex-Officio Members

Theodore Becker, Mayor
Austin Calaman, General Manager
Michael Hoffman, Legal Counsel

Others

Robin Davis, Assistant General Manager
Richard Plack, Inframark
Mike Wolgemuth, Inframark
Cameron Wolfson, Legal Counsel
Tony DePrima, DSEU
Joe Gennello, DSEU
Charles O'Donnell, GMB
Vince Luciani, GMB
Nick Roth, Cape Gazette
Robert Kennedy
Doug Spelman

Kim Bellere, Finance Director, BPW
Sharon Sexton, Executive Assistant BPW
Kristina Keller, Office Manager BPW
Josh Gritton, IT Manager BPW
Ann Marie Townshend, City Manager
Andrew Williams, City Council
Tim Ritzert, City Council
Rick Quill
Kevin McGuiness
Stan

3. REVISIONS AND/OR DELETIONS TO THE AGENDA

None

4. CONSENT AGENDA

- a. Receive Vice-President Report

- b. Receive Secretary Report- Approve minutes from November 2, 2021, Workshop, November 15, 2021, Workshop, and December 8, 2021, meeting.
- c. Receive Treasurer Report
- d. Receive Asst. Treasurer Report

Mr. Panetta questioned the December 8th meeting minutes.

ACTION: *Mr. Panetta motioned to remove December 8, 2021, minutes and approve the consent agenda. Mr. Owen seconded the motion which passed unanimously.*

Mr. Panetta referred to page two of December 8th minutes and the note that a change in minutes needed. Mr. Panetta questioned if that was about the prior meeting. Ms. Sexton stated that at the prior meeting someone used the term higher voltage with regards to electricians coming in to work and Mr. Plack changed the wording. Mr. Panetta understands, no issue.

Mr. Panetta questioned item 10 of December 8th minutes. A change is needed to reflect that Mr. Panetta recused himself from this discussion and did not vote. Ms. Sexton will make the change.

Mr. Panetta questioned item 12, wastewater treatment plant. Mr. Panetta would like to clarify statement “they are not updating for the next five years” to “they are not updating Atlas 14 for the next five years”.

ACTION: *Mr. Panetta motioned to accept minutes as amended. Mr. Nichols seconded the motion which passed unanimously.*

5. RECEIVE INFRAMARK WWTP REPORT (MIKE WOLGEMUTH, RICHARD PLACK)

Mr. Wolgemuth reported:

- Continued use of the dewatering dumpster. As it gets colder, there are issues. Frequently had high levels and alarms and employees were called out ten times in December. They guys must power wash the dewatering dumpster to get it to filter better. Mr. Wolgemuth requested to pre-procure a compactor prior to completion of design project. President Lee requested that Mr. Calaman discussed procurement with GMB. Mr. Calaman stated that once design is finalized, determining what is a major upgrade or change is a process. DNREC questioned going from a lipactor to compactor as a direct replacement. Mr. Calaman assumes since the BPW went for emergency funding the permitting is on and expedited schedule. Mr. Calaman stated that he had a meeting with GMB earlier today and pushing ahead as fast as possible.
- Pump stations: Continued issues with pump one at pump station four. New discharge and check valves were ordered for pumps one and two. Mr. Plack stated parts were received and should have them installed in upcoming month, February, based on availability of contractor. This is one of the highest priorities to get the pump back online and fully operational. Pump station eight is awaiting arrival at parts. Waiting for Hills to rebuild pump two at station eight. Still waiting for parts for the transfer switch.

President Lee questioned where we stand on the replacement of the elbow at pump station four. Mr. Plack stated that Inframark referred to GHD for further input as they only suggest replacing with a “T”. President Lee questioned if GHD prepared a detailed

drawing. Mr. Calaman stated that the GHD provided drawing was to how to de-clog, not to prevent the clogging. This question was posed to GHD, and further investigation was needed. President Lee questioned if a splash plate was needed or aeration. No permanent answer. President Lee questioned if the BPW can go forward with replacing elbow that way if there was a problem it could be cleaned/cleared. Mr. Plack stated it could potentially give some ability to clear the line, but not give full access to purge the line. Mr. Panetta recalled that the discussion with GHD was to do "both" together as it may require rework of the other. Mr. Calaman questioned if both is changing the 90 at the bottom and also the "T" that would be put in for the cleanout. Mr. Panetta clarified that providing access for cleanout and prevent clogging and the solution may be intertwined. Mr. Plack confirmed. President Lee stated that this work needs to be taken care and did not realize it was contingent upon other work.

Mr. Webb questioned if it was a typical cycle of two and half months to clear the ragging. Mr. Wolgemuth stated that the issues with the headworks and replacing the power line took priority. Mr. Webb stated he understands the prioritization perspective.

- Received a proposal from Hills to replace the pumps at pump station three. A couple pump stations discharge into pump station three, the third largest pump station. The pumps are beyond their useful life. Parts are not accessible and are obsolete. To replace in kind with new Gorman Rupp pumps, is \$73,000. This is for Hills to do the install. There are no bypass facilities at this station. The wet well is in the road, Pilottown Road, and it is busy. To bypass, a check valve would need to be removed from within the station. This is a higher priority and discussing alternatives to the Gorman Rupp pumps. President Lee questioned if it would change to submersible. Mr. Wolgemuth stated that it is an option but not ideal to be out in the street. Mr. Panetta questioned if the wet well is large enough to put two submersible pumps. Mr. Wolgemuth stated that it will be difficult because power would need to be run and a hoist base would be needed. President Lee suggested a smaller one like on beach side with hatches. President Lee questioned if this station was brick or cast/concrete. Mr. Plack stated that is part brick and part precast. Mr. Panetta questioned if a design should be chosen before finishing Pilottown road and paving in the spring. Mr. Calaman stated that it has been discussed of the possibility of putting in a bypass pump and keeping the wet well where it is. If the wet well was relocated, it will be difficult to find a location and some work to make it happen. Mr. Panetta stated that putting in a bypass line to the wet well to the building to allow for a bypass pump would be the easiest, best solution. President Lee stated that the Board should not design here tonight and leave to engineers. Mr. Wolgemuth will follow up with vendors and get suggestions.
- Mr. Webb questioned if there was any word on the study of what pumps need help. President Lee stated that it is still in progress by received a revised report yesterday and very comprehensive. President Lee is unsure if it goes past the issues of pump station four. Mr. Calaman stated it was mainly pump station four and unsure if three was looked at. Mr. Webb questioned if there was a technology or a vendor they were recommending. Mr. O'Donnell suggested to not to jump into anything without really looking into pump station three. GMB is not convinced that the wet well needs to be

replaced or relocated, and they have just started. This would be a very expensive project with limited locations available. GMB did reach out to Smith & Loveless for pricing for flight pumps for comparison to Hills proposal. Mr. Panetta wants to come up with a solution before repaving season. Mr. Calaman stated that once BPW received the two other quotes it will give a path forward. Sprig is doing some work for BPW, and this is the first time we will be using Sprig. President Lee questioned what is the condition of the wet well? Mr. O'Donnell is unsure and would need to look at this before recommending a coating. Mr. Calaman stated that there are measurements and GHD will opine on this in their report. Mr. Plack stated that the idea of moving the wet well was referring to safety and moving out of the lane of traffic and being able to service/clean it properly.

- Mr. Plack stated that the BOD less than 2.4, effluent is good. Total suspended solids removed near 100%. BOD removal at the plant is 99% for the month. The total nitrogen is 3.6 with effluent limit being 8. The overall function of the facility is good.
- Mr. Panetta questioned the influent flow average is .5 million gallons and effluent is .6 per day. This is almost a 3 million gallon a month difference. Mr. Plack stated that his report shows .7 MGD for influent and .75 MGD for the effluent. Mr. Panetta referred to the November 21st report. Mr. Wolgemuth clarified that he was referring to the sums and will look into calibration as the daily totals were off as well. Mr. Panetta stated that he was aware that they were dealing with two different accuracy instruments.
- Mr. Panetta questioned the increase in the liquid haul and if it was due to the loss of the filter press. Mr. Plack confirmed. Cake hauling went way down and liquid was up. Mr. Calaman stated that the filter press was run heavily before leaving to draw down the digesters to make sure that they were as low as possible. This was due to the pores on the asphalt being so tight going into the colder season.
- Mr. Panetta questioned the effluent nutrient trends. In December it trended upwards and questioned if is this typical or something else going on. Mr. Plack stated that as temperature drops, adjustments needed to be made for the de-nitrification process. Inframark has decreased the air and as the water cools it hangs on to more dissolved oxygen. No dissolved oxygen is needed to complete that process. Mr. Panetta stated that this follows through with what the Suez report says about oxygen levels change. Mr. Wolgemuth stated that with no modulating valves, the DO demand changes in different basins. Add chemical to reduce nitrogen and phosphorus to compensate. It is well within the limits. Mr. Panetta questioned oxygen ditch two running higher than oxygen ditch one, for the last two months. Mr. Plack stated that this is attributed to lack of modulating valves.

6. RECEIVE THE PRESIDENT'S REPORT

President Lee stated that the conversion of names on the BPW deeds are in process. Mr. Hoffman stated that following MOU that was agreed to by the BPW and the city. The deeds go way back and was a process. Deeds have been put together and have been sent over to Mr. Mandalas for review. Once in agreement, Mr. Hoffman will circle back for signatures. President Lee stated that this has been a long time coming and requested that Mayor Becker mention to

Mr. Mandalas the BPW interest. Mayor Becker stated that Glen sent them over to himself and Ms. Townshend and need to be reviewed.

7. RECEIVE THE GENERAL MANAGER'S REPORT

Mr. Calaman reported:

- Pilottown Road project continues to move on, services are continuing to be installed. Two larger tie-ins need to happen at New Road and Queen Anne.
- Ms. Bellere and Mr. Calaman are working on the O&M, as well as the capital budget
- Filled Assistant General Manager Position: Robin Davis. Mr. Davis was a previous wastewater operator in Milton and still holds his Master plumber's license. He is well known in the city. Mr. Calaman stated that he is a great fit and looks forward to working with him.
- Continued work on EVs with Tim Ritzert. Discussions of equipment and rate designs with Rhett Passwaters, electric supervisor.
- Tree trimming is coming up with Asplundh. This has not been done in many years. Mr. Passwaters was concerned for the safety and reliability and tree trimming would alleviate this. Asplundh will start in two circuits this year, circuit one and three, and next year complete the other two circuits. Encourages for those with questions to reach out as Mr. Passwaters will be following up with Asplundh. BPW will work with Janet on the city side to make sure the city trees are taken care of. Mr. Calaman confirmed that he has coordinated with Janet from the city and provided a map. Mayor Becker recommends being more specific as the public will not understand circuits one and three. Mr. Calaman stated that once work starts then updates can be provided. Mr. Passwaters will be out there. Mayor Becker stated that the notice was helpful.
- The Savannah Road -16 homes project was waiting on the material coming and is now ready. The force main will run behind those properties. Scheduled to start on Monday, weather dependent. Those property owners have been notified by email and letter and will be continued to be updated.
- Mr. Calaman has been working with Mr. Panetta on the battery project with Sergeant Lundy. The BPW has received responses from the vendors, and it is a lot of information to digest. THE BPW is working with Sergeant Lundy to create a matrix. Mr. Panetta stated that there are four bidders and there are sixteen options. It started with the base bid and then allowed vendors to come back with alternatives. The BPW was unsure what was currently state of the art. There is no current state of the art and a lot of technology in play and flexible. Mr. Panetta stated that it is unlikely that the Board will make an award from this round of bids. This is more about educating the BPW, finding what is out there, and the pros and cons. Supply chain perspective: many vendors have stockpiled batteries. President Lee questioned if they in competition with EV batteries? Mr. Panetta stated that they are the same manufacturer but different batteries.
- Mr. Gritton gave an IT update:
 - Gasboy – Vehicle files have been updated and sent to Gasboy to setup the portal. Coordinating with Fuel System Services to schedule install with minimal interruption to access to the fuel pumps.

- Meter tester upgrade - Electric department's meter testing computer's software was at end of life. The computer was upgraded and to a new PC and the current software was installed that was sent from Megger and will work with Mr. Passwaters next week to go over operations. Mr. Passwaters will coordinate with the calibration company to recertify the meter.
 - Firewall crash - Late Sunday night, 1/23/22, the firewall on the main office incurred a hard drive failure and interrupted internet access for the main office. Efforts between the BPW and Barracuda (the firewall manufacturer) allowed for overnighting the replacement unit. In the meantime, a secondary firewall was utilized to recover operations on Monday by 11 am. The replacement unit has arrived and is being configured for normal operations. The permanent unit will be installed during our next scheduled maintained window 1/29/2022. President Lee stated that it was great work getting the BPW back online. Mr. Gritton clarified that it was not an attack but a hardware failure.
- Ms. Bellere reviewed the quarter three financials:
 - Quarter three was from October 1, 2021, to December 31, 2021.
 - Compared to last year revenues are down, expenses are up, and total income has decreased by 76%. Financials are above budget and anticipated a loss but there was revenue. 834% over budgeted. Approximately \$515,000 was a change in market value and a part of the 76% decreased income (out of our control).
 - Large variances compared to budget: Line six is the other category and Lewes brewery is coming on. Line twelve is repairs and maintenance where the 8" main on Pilottown Road was repaired, chemical costs, sludge hauling after hours increased, and replaced a hydraulic motor for the drying bed brush. Line thirteen is professional and contractual services an attorney fees are up, water main assessment, website work, cleaning EQ tank, wrong locate for Big Oyster, wastewater pump assessment, and wastewater treatment plant QA and QC with GMB.
 - Line sixteen: bad debts. \$1,419 was wrote off this quarter.
 - Line twenty-three: Interest Expense. The first Jones Farm payment was made and was not included in the original budget.
 - Line twenty-five: Sold old phones and grant revenue came in for asset management. With change in market value, there was a loss of over \$18,000.
 - Other notes: Line four industrial water. Just counting SPI we are over budget. Board of Public works has been using water to clean the filters at WWTP, wages and salaries have been lower compared to quarter one and two, and administrative costs have been lower as well.
 - Mr. Panetta questioned quarter three and last-year financials, why water revenues are way up from what budgeting was. Ms. Bellere stated that compared to last year, the industrial is right on. Ms. Bellere stated that the financials show a 73% increase, but it is only \$1300. Ms. Bellere referred to "other" and stated that it has been ramping up with Tower Hill and Lewes Waterfront Preserve. Mr. Panetta stated that he excluded "other" and was looking at 12% residential and 38% industrial. Mr. Panetta stated that it is not only quarter three but year to date and questioned if it is bad budgeting. Mr. Calaman stated that developments are coming

online. Irrigation may have also been a factor as the weather was warmer this year. SPI is back on track and the high school is back in session. Ms. Bellere stated that Mr. Gordon would rather be lower with the revenue and over budget. Mr. Webb stated that it has been difficult over the last two years. Mr. Webb suggested that the Board needs to be in loop. Ms. Bellere stated that for O&M she has created a spreadsheet showing charges for the past two years. Mr. Calaman hopes to have the Board to review, and it will be presented in February. Mr. Webb stated that unknowns are unknown and being conservative is best for the unknowns. Mr. Panetta pointed out the electric is dead on, and the water is off. President Lee stated that breaking the irrigation out would be interesting. Ms. Bellere stated that irrigation numbers are on the monthly reports and can start adding them to the quarterlies. Mr. Panetta questioned the percentage of houses with irrigation. Mr. Calaman stated the percentage is going higher and higher. The new homes with sod and automatically get irrigation. There is a lot more with irrigation as opposed to the tie in past the meter.

PRESENTATIONS

8. Presentation by Delaware Sustainable Energy Utility on extension.

INFORMATION/DISCUSSION/ACTION (Anthony DePrima, Austin Calaman)

Tony DePrima presented:

- Presented four years ago and introduced Joe Genello, Franklin Energy a subcontractor that runs home performance with energy star program.
- This is an extension of a program and has been running with Lewes for the last four years.
- It is an enhancement of an existing program that is run throughout Delaware. It is the Home Performance with Energy Star as well as the home check-up counselling program.
- Create greater savings and greater participation. Way to share energy saving with municipality utility and some incentive money flows back to the customers. This money is coming from the green energy system charge.
 - In Lewes since 2018:
 - 88 home assessments
 - 70 Energy Improvement Projects (major measure retrofits)
 - \$142,482 in incentives
 - 3,030,825 lifetime kWh savings
- Mr. Webb questioned what is the incentive to come back into Lewes? Mr. DePrima stated that that will be answered as presentation continues.
- Key Benefits for BPW:
 - Support Lewes BPW energy saving goals
 - Cost effective energy savings for your citizens
 - Positive customer engagement
 - Cross marketing opportunities for complementary BPW programs and services
- Key Benefits for Energize Delaware:
 - Increases delivery of savings to more Delawareans
 - Diversified Funding
 - Cross marketing with other Energize Delaware programs
- Program Description Target Audience: All Homeowners

- Delivers customized energy assessment report- \$50 cost. Energize Delaware pays \$350 towards this and none of the BPW money is used.
 - Direct install measures (DIMS) up to \$200 in value.
 - Trade ally to do some or all the recommended work. The customer can call one of the ally contractors and they work can qualify for cash rebates.
 - Up to \$7,500 rebates for recommended measures.
- Direct Install Measures & Rebates
 - Faucet aerators
 - Low-flow showerheads
 - Various LEDs
 - Energy efficient power strips
 - HVAC replacement- 50% up to the listed cap
 - Insulation- Up to \$1600
 - Hot water heaters- 50% up to listed cap
 - Air sealing- up to \$110
- Home Energy Checkup and counseling Program Description:
 - Target audience: Low to moderate income (LMI) customers
 - No cost energy checkup (light assessment light)
 - Includes installation of up to \$200 worth of DIMS
 - Recommendations for energy saving actions
 - Energy Reduction
 - If needed, referral to other agencies for required services
- Key to Program success is marketing
 - Co-branded web-assets on EnergizeDelaware.org
 - Articles in town newsletters or e-newsletters
 - Billing inserts to promote out programs
 - Visibility at town public buildings or kiosks
 - Participation in and tabling at community events
 - Cross promotion of complementary city programs
 - In 2018 there was an aggressive marketing plan but never came to fruition. COVID was also a factor. There is more capability now.
- Lewes was the pilot program. Delaware Electric Coop is now participating.
- Mr. DePrima referred to the table on slide ten of the presentation representing cost and benefits.
- Mr. Calaman questioned the BPW paying for the aerators and low-flow faucets 100% but will not receive any credit because it is on the water side. Mr. DePrima confirmed that only electric and gas savings.
- Based on last years numbers, it would cost the BPW around \$16,000.
- Mr. DePrima is looking to renew the proposal for three years. Mr. Calaman stated that BPW budgeted an "X" number of dollars not to exceed \$22,000.
- Mr. Panetta questioned the need, for example LEDs, assumption is the most have already switched. Mr. Genello stated that a typical install is 21 bulbs and about 61% of the time an assessment is done, bulbs are replaced. Mr. Panetta agreed that it was a fairly high number. Mr. Webb stated that in his experience contractors use less expensive light bulbs.

- Mr. Calaman questioned other utilities participating in the program. Mr. DePrima stated that only the BPW and the Delaware Electric Co-op participate and stopped marketing during COVID.
- Mr. Calaman questioned how it is determined who is a BPW customer and who is a Co-op customer. Mr. DePrima stated that each assessment includes a bill analysis of twelve months.
- Mr. Calaman questioned if the programs are available for those who live in area without a participating utility. They are reported at sustainable energy utility savings. Mr. Genello stated that it is open to all Delawareans. There are around 85 trade allies at this time.
- Mr. Calaman questioned if there are benchmarks. Mr. DePrima stated that they have benchmarks for their contractors, but for the utilities they could work with each one to set goals.
- Mr. Webb stated that he rather spend twice as much on the LMI. He believes needs basis is important. Mr. DePrima stated that the marketing would be adjusted towards that demographic. There are other programs to consider.
- President Lee stated that he has not seen any evidence of this program with exception of mailings in the beginning. Mr. DePrima stated that this is a function of the partnership and there was not much of a website and an attempt was made to set up meetings, but it never happened. President Lee stated that most of the literature says city of Lewes, but the BPW is the primary player. Mr. DePrima stated that there was a brochure with the Lewes BPW name on it but it was never put out. Mr. Calaman stated that it is still in the office. There needs to be a structured outreach if decided to move forward. BPW is currently participating with Efficiency Smart. President Lee questioned when the contract ends with Efficiency Smart. Mr. Calaman stated that it is either three or five years and is confident it ends this year. President Lee stated that this will be discussed, and Mr. Calaman stated that this falls into strategic planning and will be discussed at that time.
- Mr. DePrima stated that the program is still running and needs to know if it needs to be stopped. Mr. Calaman stated that it should be paused when it hits the cap.

9. Open forum/general discussion of procuring a bypass pump and dewatering dumpster at the WWTP. INFORMATION/DISCUSSION/ACTION (Austin Calaman)

Mr. Calaman stated that with the conversation today with GMB and Inframark, the plan may be switched. The plan was to have a pump on site and not have a rental. Included in the emergency funding for the headworks, it was discussed having bypass materials in place. Because of the urgency at lift station three, the focus may shift to that station. The lead time may be lengthy. Because of the capital expenditure, Mr. Calaman recommends pausing on the bypass pump. Mr. Panetta questioned the reasoning and buying the pump over the rental fees. Mr. Calaman confirmed, but stated that originally pump stations three, four and eight were apart of that emergency funding. Because it is apart of the package, it is unknown when station three will be addressed. The focus should be on station three now. Mr. Panetta questioned how much it would be to pay back the capital cost versus the monthly rental. The dewatering dumpster is \$1938.76 a month and can purchase one for about \$11,000. The pump is a little different, \$63,000 purchase. The pump rental is \$1465 a month. Mr. Webb stated that the rental for the pump does not seem correct, as it is a 4-year payback. Mr. Nichols stated that the heightened concern for pump station three is driving the decision. Mr. Calaman agreed and stated that lead time is an issue. Potentially could snowball. If approval from DNREC is needed for the emergency funding, timing could be an issue. Mr. Calaman is looking for an approval to order that will cut down the

expenses. The concern is timing with station three. President Lee stated the United Rental pump is still at four and questioned the Godwin pump. Mr. Calaman stated that the Godwin was returned. Mr. Panetta stated being conservative is okay, but it does not seem like a lot of money and the payback period would be in favor of this. Mr. Calaman stated if it is like a vehicle, a PO will be cut and the BPW would not pay until item comes in. This would cut \$5000 from the Inframark R&M. Mr. Webb questioned if Inframark gets anything from the companies. Mr. Calaman stated he will work directly with the company. Mr. Calaman stated the quote from Godwin comes with all the fittings and is more well known. There is a quote from Freeman as well. The BPW has Godwin equipment already and Mr. Calaman recommends the Godwin pump.

ACTION: *Mr. Panetta motions to approve the purchase of the Godwin pump and dewatering dumpster. Mr. Webb seconds the motion, which passed unanimously.*

Mr. Owen confirmed his vote of Aye in last motion, due to technology glitch.

**10. Open forum/general discussion of the Emergency Funding Resolutions, EFR for the Howard Seymour Water Reclamation Facility Emergency Headworks and Pump Station Project.
INFORMATION/DISCUSSION/ACTION (Austin Calaman and Michael Hoffman)**

Mr. Calaman stated that the Emergency Funding resolution was approved by WIAC and comes before the Board for resolution approval and then to the city council to approve. President Lee questioned the mention of bonds. Mr. Hoffman stated that the charter provision talks a bond issuing and revision by bond council. Mr. Hoffman's office reviews it, Mr. Mandalas' office reviews it, and the bank's "bond council" reviews it. Mr. Calaman stated that it is a 20-year 2% loan. Mr. Hoffman confirmed that the Board is just approving taking out the loan.

ACTION: *Mr. Owen motioned to read the resolution by title only. Mr. Webb seconded.*

Mr. Hoffman read resolution by title only.

ACTION: *Mr. Panetta motioned to approve the resolution as read. Mr. Webb seconded, which passed unanimously.*

**11. Open forum/general discussion on the letter/request submitted by Rick Quill.
INFORMATION/DISCUSSION/ACTION (Austin Calaman).**

Rick Quill spoke: He is from a blue-collar community, that valued family, friends, and neighbors. Mr. Quill stated that what happened has happened and he cannot change the past. He believes that people on the panel, people in the community, and state offices are aware of what he and business partners went through. He hopes that no property owner ever has to go through that. Mr. Quill's intention is to focus on the Comp Plan and that it says repeatedly that incentivizing the business owners on the beach side of town, specifically on the Savannah Corridor. The properties being discussed are 203 and 209 and East Savannah Road, that fits within those parameters. Looking to develop. Windfall from the property taxes will be perpetual, the fees that will be garnered from the development of the properties, and transfer taxes will be hundreds of thousands of dollars. Development takes time and costs money but feels the issues he went through were unjust and he is not looking for a handout.

President Lee stated that he came from same community.

Mr. Nichols questioned what Mr. Quill is looking for. Mr. Quill stated that he is looking for assistance and is not expecting 100% waiver. The fees he has spent was not directed toward any other property in this town. The source water protection ordinance was targeted against Mr. Quill two years ago. This was enacted in 2007-2008 and in those years, it was never implemented to one property owner until now. This tied up development and at was at a stalemate.

Mr. Owen questioned what the is the charge of BPW versus the city. Mr. Owen stated that the BPW would just have the impact fees to put in the service. Mr. Calaman confirmed that is what Mr. Quill is looking to reduce. Mr. Owen stated that if the BPW reduces the impact fees for one, then they may have to reduce the impact fees for others. In the past, the BPW has not done this. Mr. Calaman stated that Mr. Quill may not be looking for an answer tonight but asking the Board for consideration. Mr. Quill confirmed.

Robert Kennedy, ratepayer questioned if Mr. Quill would want impact fees paid over time or 100% upfront. Mr. Quill stated he is unaware of all the options; it is just an ask. Mr. Quill has also put in request on the city side because they have weaponized DelDot against him on Alaska Avenue. The rezoning went from general commercial to residential and was approved by the planning commission for five lots. Immediately after DelDot would not give any entrances. Mr. Quill's response to setting a precedent was that it was unfair for the city to do to him that was not done to anyone else. This caused delays in time and money, hundreds of thousands. It was wasted money that should have never happened.

President Lee stated that the Board will take the request under consideration.

12. Open forum/general discussion on awarding the bid for the Savannah Road Sewer extension project. INFORMATION/DISCUSSION/ACTION (Vince Luciani, Austin Calaman).

Mr. Calaman stated that this in regards to Dutchmen's Harvest and the Lodge of Historic Lewes. This is the sewer project down Savannah Road and the Donovan's Road and then eventually bringing in Donovan Smith Mobile Home Park. A two-part project. Both may occur in similar time frames.

Mr. Luciani stated that the BPW received bids on January 18, 2021, for the Savannah Road water and sewer project. Four companies submitted bids: Mumford & Miller, Adele Construction, Teal Construction, and Richard Pearson Construction Company. The high base bid was from Teal at \$1,851,000. The low base bid was from Mumford & Miller at \$1,254,517. There were two bid alternates, only one of which GMB is recommending. GMB estimated approximately \$1.3 million before the bids. GMB reviewed the bids and there was a minor mathematical error on Mumford & Miller bid that did not affect the bid significantly. Mumford & Miller has a current relationship with BPW and the city. Mumford & Miller is currently doing a project for DelDot, in the same vicinity as the Savannah Road water and sewer extension project. GMB recommends to the award bid to Mumford & Miller in the amount of \$1,287,768, which includes the base bid and alternate number one. Bid alternate number one was the milling and paving of the southbound lane of Donovan's Road and was requested from DelDot. Whether the alternative is exercised will depend on the Donovan Smith project. President Lee questioned the schedule. Mr. Luciani stated that contractors are still saying 10-12 weeks for materials. That would put the start date around May 1st, if signed contracts out in next couple weeks. The project has a 4 -month completion time, 120 calendar days. This is a project that is allowed to work through the summer. This project is needed for Dutchmen's Harvest to connect to sewer and a commitment of fall of

2022 was given. On schedule to meet that commitment. President Lee stated that he is surprised that the travel count allowed that. Mr. Calaman stated this would also bring services to the strip mall and two houses to the right if facing Donovan's Road. Mr. Luciani stated that most of the disruptive work will be done on Donovan's and would not start until the bike path. Mayor Becker questioned if the Savannah Road project would be exclusively a jack and bore project. Mr. Luciani stated that from the parking lot to Atlantic Drive will be all jack and bore, and there is a sixty-six-foot right away will also be jack and bore. The parking lot and 900 feet of sanitary sewer work will be open cuts. Mayor Becker questioned once on Atlantic, will it be open cut. Mr. Luciani confirmed that it will be open cut. There is a stub coming out of the manhole at Dutchman's Harvest and the plan is to be open cut.

ACTION: *Mr. Owen motioned to award the bid to Mumford & Miller. Mr. Nichols seconded the motion, which passed unanimously.*

13. Open forum/general discussion of the Finance Committee and selection of members.

INFORMATION/DISCUSSION/ACTION (Mike Hoffman, Austin Calaman)

Mr. Webb stated that it was requested for recommendations for people to be on the committee. What was realized was that there was no real process to bring committee members in. There were questions of whether it was to be discussed with the Board first or talk to the people first. With the advice of counsel, look for potential members and have conversations with those people to ensure they are interested. Rehoboth recently nominated people for a committee, and they were rejected in public. Mr. Hoffman stated that that the Co-chairs would send a list of names and give to Mr. Calaman. Mr. Calaman would then circulate the list to the Board. It will work like consent agenda approach. If there is an objection it can be removed prior to the public meeting. Mayor Becker stated it is similar to the city process.

No action at this time. Board members are to submit their lists and can it be opined on at next meeting.

14. Open forum/general discussion of Mitigation Committee Resolution.

INFORMATION/DISCUSSION/ACTION (Mike Hoffman, Austin Calaman)

Mr. Hoffman stated that at the last November/December meeting, he was task for updating the mitigation committee resolution. The draft is missing a revision but should otherwise be amended with changes discussed. The change that was missed is the revision on line 39, that should reflect that the Board member assigned to the mitigation committee would be selected by the Board. It should read "The mitigation committee shall be comprised of seven members, three of whom shall include the general manager, a member of the board selected by the board...", as opposed to board title. Line 47 should be amended to correspond to this change. "The member selected by the Board shall..." and line 62, "The mitigation committee may invite non-members to meetings as deemed necessary by the chair."

The changes that were made included a standing committee member being a liaison with the city on, line 40. Another change made was the appointment being made on June 1st and is reflected on line 43. There was discussion that the membership be staggered. The three standard members are who they are and will be a staggered term. The remaining four will be staggered. Mr. Hoffman stated that he staggered it three and one, but it could be don two and two. Mr. Panetta agreed that it was what was discussed at the last meeting.

Mr. Hoffman stated that at the last meeting, the committee's responsibilities were discussed, including periodic review of resiliency of all Lewes BPW utility systems. This was the only charge to the committee, but the Board can add to that or limit it to that. Mr. Hoffman questioned if it is the intention to nominate members of the committee at the next meeting. President Lee confirmed it is the intention of the Board to select members at the next meeting. Mr. Hoffman suggested that on lines 43 and 44 should read except that three members selected for the initial board shall serve until and one member selected for the initial board shall serve... That way it is dependent upon when the recommendation happens. Mr. Hoffman questioned if the Board is okay with three and one or would prefer two and two stagger. President Lee does not have a preference. Mr. Panetta questioned if the two and two would make more sense, for continuity. Mr. Webb agreed. Mr. Hoffman stated that two members will serve with a shortened first term, which is fine. Mayor Becker stated that there are no term limits, so a person can serve a full second term.

ACTION: *Mr. Panetta motioned to read the resolution by title only. Mr. Nichols seconded the motion, which passed unanimously.*

Mr. Hoffman read the resolution by title only.

ACTION: *Mr. Nichols approved the resolution as read. Mr. Owen seconded the motion, which passed unanimously.*

Mr. Webb pointed out that the finance committee members are by title. President Lee confirmed and that it was appropriate for the Finance Committee. The treasurer was the logical choice to head up the committee, but with the Mitigation committee it was not as obvious.

**15. Open forum/general discussion regarding an update of BPW policies and compilation.
INFORMATION/DISCUSSION/ACTION (Earl Webb, Michael Hoffman).**

President Lee stated that a lot of work has gone into the policy compilation. Mr. Webb stated that there may be some items that are easy and some that may be more challenging. Mr. Webb stated that he is looking to schedule a workshop. Board members to review and give feedback the workshop. May delegate more challenging items to be worked on by one or two people and brought back to the Board. President Lee questioned if the document will be reviewed at the next session or divided up now. Mr. Webb stated that it would be reviewed at the workshop, with the Board bringing suggestions to the meeting.

Mr. Hoffman stated that everything that is seen is a current policy. The changes based on prior discussions are shown as a strikethrough and underlined. Mr. Nichols questioned if the items marked in yellow need additional feedback. Mr. Hoffman confirmed.

Mr. Nichols requested to schedule workshop next month. President unsure what his schedule will be but will be able to join virtual. Mr. Panetta thinks the workshop would be easier to do in person.

Mr. Calaman reminded the Board that there will be two workshops including one with Dawn Lund on financial projection. The financial projection workshop could be done virtually. Mr. Hoffman stated when the State of Emergency lifts, one board member must be at anchor location.

Scheduled the Financial Projection Workshop on February 10, 2022, at 10 am via Zoom.

Scheduled the Policy Workshop on February 16, 2022, at 10 am in person.

16. Open forum/general discussion on an update to the Donovan Smith MHP water/sewer project. INFORMATION/DISCUSSION/ACTION (Michael Hoffman).

Mr. Hoffman stated that the MOU was approved at last meeting. There is one final revision that the owner has requested to the indemnification clause which will be discussed in executive session and take action following executive session. Once this is clarified, all parties have signaled that they are ready to sign.

17. Open forum/general discussion on an update to Lewes BPW financial projection and setting a date for a public workshop. INFORMATION/DISCUSSION/ACTION (Austin Calaman).

Set was set previously. Mr. Calaman stated that he has working with Dawn Lund in regards to changes in the capital budget, what is being asked for ARPA funds. Ms. Lund will be looking at all four utilities. It will be a continuation of the presentation in July. There is inflation across the board.

18. CALL TO THE PUBLIC

None

19. CALL TO THE PRESS

None

20. EXECUTIVE SESSION

ACTION: *Mr. Owen motioned to move to executive session. Mr. Nichols seconded the motion, which passed unanimously.*

Adjourned to executive session at 6:51 pm.

21. RETURN TO OPEN SESSION

Returned to open session at 8:12pm.

ACTION: *Mr. Panetta motioned to approve the Donovan Smith agreement with the changes to the liability as outlined. Mr. Owen seconded, which passed unanimously.*

22. ADJOURNMENT

ACTION: *Mr. Panetta motioned to adjourn the meeting. Mr. Owen seconded the motion, which passed unanimously.*

President Lee adjourned the meeting at 8:13pm

Respectfully Submitted
Sharon Sexton
Executive Assistant