

Lewes Board of Public Works
Regular Board Meeting Minutes
April 27, 2022

The Wednesday, April 27, 2022, regular board meeting was held at 4:00pm at Lewes City Council Chambers.

1. WELCOME, CALL TO MEETING TO ORDER 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- via Zoom

Richard Nichols

Ex-Officio Members

Theodore Becker, Mayor

Austin Calaman, General Manager

Robin Davis, Assistant General Manager

Michael Hoffman, Legal Counsel

Others

Barbara Curtis

Kimberley Bellere, BPW

Richard Plack, Inframark

Michael Wolgemuth, Inframark

Charlie O'Donnell, GMB

Sharon Sexton, BPW

Josh Gritton, BPW

Via Zoom

Robert Kennedy

Kristina Keller, BPW

Sumner Crosby

Suzanne Powell, BPW

Frankie Bradshaw

Tim Ritzert, City Council

Elizabeth Owen

3. REVISIONS AND/OR DELETIONS TO THE AGENDA

None

4. CONSENT AGENDA

a. Receive Vice-President Report

b. Receive Secretary Report – approval of minutes of February 16, 2022, Policy workshop minutes, February 22, 2022, Regular Board meeting minutes, March 9, 2022, Executive Meeting

minutes, March 31, 2022, WWTP Special Meeting minutes, and April 6, 2022, Special Rate/Budget Approval meeting minutes.

c. Receive Treasurer Report- Resiliency Report

d. Receive Asst. Treasurer Report

ACTION: *Mr. Owens motioned to approve the consent agenda. Mr. Nichols seconded the motion, which passed unanimously.*

5. RECEIVE THE INFRAMARK REPORT

Mr. Wolgemuth presented:

- No updates on headworks
- Filters: UF train four was completed and pulled two cassettes on train one. Both have been cleaned and working on third cassette
- ESG member visited and has worked with Suez. Recommendations were made and Inframark implemented the recommendations with Suez authorization. One recommendation was to change the L feedline right before the membranes because it can cause sludging. The feed line was moved further back to the second stage anoxic mixers. Suez anticipates that this will cut down on demand. President Lee questioned when this was done. Mr. Plack stated last week. President Lee questioned if Mr. Plack could tell right away. Mr. Plack stated that there was a slight reduction in usage, but it will take time to see how it affects the cleaning of the membranes. Next time train one is cleaned, then it should be able to see if it made a difference.
- Second recommendation was regarding air entrapment. Inframark in trials to remove one of the balls from the air release valves. This is a redundant system where a solenoid valve opens to release air, but it releases through the air release valve. Air release valve is limiting when discharged when the solenoid valves open. It is undetermined if removing a ball is making a difference. This was done last week. Mr. Panetta questioned if this is in lieu of relocating the drain. Mr. Plack stated that Inframark will be changing the location of the drain. The location of the drain has to do with the false turbidity reading which is a separate issue.
- A sieve test was run at the beginning of April and the test results were promising. The 2mm results were within Suez parameters, less than 5. The 1mm results were still high. Suez recommendations are less than 10mg/L. Inframark was at 44 compared to 62 in May 2021. This could be from the grinder pumps, and it is likely that particles are ground to smaller than 2mm. Prior to putting dewatering container online, it would take a long time to get all those particles. Mr. Panetta questioned what Suez says because the BPW only has 5mm and 2mm screen. The fact that 1mm is there is not surprising. Mr. Wolgemuth stated that he is going off their recommendations and that Mr. Panetta is correct there is nothing in place to address particles that size.
- Mr. Webb referred to cleaning the filters and if it was Inframark doing the cleaning or it was outsourced. Mr. Wolgemuth stated that there are three Inframark personnel and three contractors. There are two racks and working alongside them, two modules at a time can be cleaned. Mr. Webb asked for confirmation of six people cleaning filters at

any given time. Mr. Wolgemuth confirmed that this was true over the last three weeks. Mr. Panetta reference an issue on train four and the lubrication of the O-rings and questioned if the procedures had changed. Mr. Plack stated that a factory specified lubricant has been acquired and the process has been implemented. Mr. Panetta if it now a part of a training program. As employees work and continue to cycle through all of them are part of that process and learning from one another. Mr. Panetta questioned if there is a formal a procedure for cleaning the filters. Mr. Wolgemuth stated that Inframark is using the O&M manual from Suez. Mr. Webb questioned the three people that are outsourced and if the bill is coming to the BPW. Mr. Wolgemuth stated that Inframark is fielding those costs.

- Pump Stations: The automatic transfer switch has been received for pump station eight and should be scheduled sometime in May.
- Inframark replaced discharge and external check valves at pump station four on pumps one and two. This resolved the priming issue for pump one and is online. When working through that process, pump two became significantly clogged. Took several weeks with 2-3 guys working on clog. Had to bring the level down to a confined space entry and there was huge rag ball at the end of the suction line. There was also clogging within the two 90s. President Lee questioned if there was gauze in the rag ball. Mr. Plack stated that he has pictures and a sample. President Lee questioned if it was more than household usage. Mr. Plack stated it was a combination of wipes and other materials and there was clearly medical type waste that contributed to the clogging issue.
- Mr. Panetta stated that there were no violations for the month but there was no mention about the five-day notice in the report. Mr. Plack stated that it is not in the report, but it was mentioned in the last meeting, and he submitted for documentation. No negative repercussions came from this. No response from DNREC.
- For pump station four, Inframark has solicited proposals to put cleanouts into the suction lines. Mr. Calaman has approved the proposal. Contractors are waiting on parts and fittings but is being scheduled to complete that work. This should make it easier to resolve the clogging issue but does not solve the problem. To access those clean outs the wet well will need to be pumped down using the bypass pump. Again, this will not resolve the issue with the excessive number of rags.
- Proposal from Sprig was accepted by Mr. Calaman to replace the internal piping to the wet well at station nine. Inframark is waiting on a proposal to do the same at pump station two. Mr. Calaman stated that this is a bypass too. President Lee questioned where the bypass will be installed. Mr. Plack stated that it will be in the grassy area adjacent to control panel.
- Mr. Wolgemuth reminded the Board that regarding pump station three, Inframark is waiting on a solution for two obsolete pumps that are past useful life. There are no bypass fittings there. This is a critical issue and needs to be addressed.
- Mr. Panetta stated that trending graphs are helpful but has asked that the NPDES limits be added so both data is included
- Mr. Webb questioned the amount of liquid was hauled away and are the drying beds being used? Mr. Webb stated that with better weather, he assumed that the higher amount being hauled would not be the case. Mr. Plack stated that it is all weather

dependent and the process takes multiple weeks for the sludge to be dry. Any rain sets back the drying process and can set back the process to the beginning, just depends on how much rain. When the beds are full, Inframark mitigates this by maneuvering the sludge and shrinking the amount of direct impact of the rain. The uncovered portion of the bed will receive most of the rain. As the weather starts to warm, the microorganism population increases at this time of the year. Mr. Wolgemuth stated that Inframark did haul 102.8 tons of cake. The total wasting for March was 371,000 gallons and Inframark is striving to keep the number down and keeping inventory where it is supposed to be. This increases the load or demand for the beds. Mr. Webb questioned if the BPW was able to procure a belt dryer from the county. Mr. Calaman stated he can call Hans and try to schedule the belt dryer to come back.

- Mr. Calaman stated that at pump station three the T8s are obsolete and received quote for just the rotating assembly but need the valves both internally and externally. Mr. Plack stated that it is prudent to put external isolation valves, so the force main does not back feed into the station. A bypass should be put in for redundancy with those pumps being obsolete. Mr. Calaman stated that the external plays into the potholing which Inframark provided a quote for through Sprig. Mr. Wolgemuth stated that the t8s would get a new rotating assembly, replace the valves, and rebuild the motors would be a low capital solution. Mr. Calaman if the Inframark has received any prices on new pumps. Mr. Wolgemuth stated that there was a quote from Hills \$70,000 new Gorman Rupp. Mr. Calaman stated that the new pumps would still need the valves. Mr. Wolgemuth stated that the Hills quote included replacing the valves internally. This was prior to Inframark understanding the isolation of the force main and back feeding. Mr. Panetta stated that replacing a rotating assembly is great for the short term but does nothing for the wear ring and casing.
- Mr. Panetta mentioned a tracking system for all the open projects at least at a summary level, what is outstanding, schedule for next action or completion. Mr. Wolgemuth stated that projects are on the monthly report and Inframark cannot push through capital improvements. Mr. Panetta stated that a lot of these items do not show up in the monthly report. Mr. Wolgemuth stated that they do. Mr. Panetta gave an example of turbidity and stated that there are several issues that are not in the report. Mr. Plack questioned if Mr. Panetta was referring to the plumbing of the turbidity meter. Mr. Panetta stated that there is also the containment structures around the temporary pumps, heaters in chemical builder, temporary pumps in the manways outside, etc. Mr. Panetta requests the status of items like this for visibility. Mr. Wolgemuth stated that Inframark can put something like that together. Mr. Panetta stated that it can be shared with Mr. Calaman, not necessarily at the meeting in detail but he needs the confidence that these items are not falling by the wayside. Paul was out and put all the pump stations on a spreadsheet, utilizing what Inframark had and updated it. Mr. Panetta stated that Paul had showed the Board a very sophisticated maintenance program. President Lee questioned if that is what the BPW is moving towards. Mr. Wolgemuth stated that it is an assessment tool with a 10-year condition assessment. Mr. Wolgemuth stated that Inframark has a computerized maintenance system that puts out work orders. Mr. Wolgemuth stated that the two are different and Paul went

through every piece of equipment and put lifespan and cost like a 10-year condition assessment.

6. RECEIVE THE PRESIDENTS REPORT

President Lee stated that there is a lot being said about Donovan Smith and a lot of people have worked on this project for a long time. Mr. Hoffman has spent three plus years on this project, sometimes constantly on evenings and weekends. President Lee stated that if there was anyone that could be ascribed to completing the project, it is Mr. Hoffman. Mr. Hoffman sometimes spent time doing what the owner's people should have been doing and was tenacious. President Lee thanked Mr. Hoffman for what he has done for this project. Mr. Hoffman is appreciative and that this was a team effort and there was a lot of years and a lot of work. Mayor Becker agreed to the sentiment and that if it had not been for the homeowner's plea, the project would not have moved forward as it has.

7. RECEIVE THE GENERAL MANAGERS REPORT

Mr. Calaman presented:

- BPW is entering a new fiscal year. Ms. Bellere and staff are working with the auditors going into the 21/22 audit.
- Construction on Pilottown Road continues and section one, up to New Road, is on track to finish by May 15th. The second piece of the project is from New Road up to Lewes Dairy. Staff is optimistic that will be a mid-July finish date.
- Donovan's Road work has been very disruptive and BPW recognizes this. Last night the last piece of the puzzle was finished regarding the 24/7 work. This was over 600 feet of pipe, two manholes and two stub outs for additional manholes. This was a tight operation and there was a lot of frustration. BPW implemented what could be done to alleviate some frustrations. There is still discussion on what the next path is going forward. There will be jack and bore from Atlantic Drive over to the parking lot of Teller Wines and continuation to the bike path and across. The project is on track.
- Mr. Calaman, Mr. Panetta, Mr. Webb, Ms. Bellere, and Mr. Gritton went to Seaford to discuss AMI.
- The first joint meeting with the BPW and city council was held.
- Mr. Calaman worked on existing policies with Mr. Davis and legal counsel.
- Household Hazardous Waste and drug take back is this Saturday from 10am-2pm. President Lee stated he will be unable to attend and that hopefully some other Board members will be able to make it.
- Mayor Becker stated that the city is talking with Mr. Parsons, and he is very interested in annexation. This is the shopping center on the corner. President Lee stated that he noticed there is quite a bit of material in the parking lot. Mr. Calaman stated that he is very accommodating.

8. PRESENTATION BY CHARLIE O'DONNELL, ON THE OVERVIEW OF CITY/BPW STORMWATER MANAGEMENT. INFORMATION/DISCUSSION (CHARLIE O'DONNELL, GMB)

Charlie O'Donnell, GMB, presented:

This presentation was given to the Executive Committee on Resiliency in November, it is a broad brush look at the BPW and city stormwater management system. With storm water management, Mr. O'Donnell is mainly talking about catch basins and storm drain piping. Devices such as ponds are typically the responsibility of some other entity or homeowners' association or property owner.

- City of Lewes is approximately 4.5 Square miles in size
- Beachside and Cityside drainage systems
- BPW maintains catch basins and piping system and the city maintains the streets and curbs
- The elevations on the cityside range from 10 to 14
- The elevations on the beachside range from 2 to 11. Some of the higher elevations are at Lewes beach and the lower elevations on the canal side. This presents challenges getting the runoff the cedar bay corridor out when it rains hard.
- In 2014, there were 975 catch basins and probably a few more now with some development work, junction boxes, and outfall locations that the BPW maintains. There are 25 outfalls to Lewes-Rehoboth canal and are from varying size stormwater sheds. Stormwater sheds are acreage of areas that discharges through that pipe into the canal. There are approximately seven outfalls to the Canary Creek watershed.
- There is some runoff directed to the Delaware River and Bay Authority and DelDot systems on Freeman Highway.
- When Washington Avenue was worked on, improvements were made to the storm water outfall. It is a big area, 70 acres, and eventually discharges down Washington Avenue. Before this project was done, when there was heavy rainfall, sometimes there would be 2-3 feet of water sitting at the foot of Washington Avenue. This situation was improved by putting in two 36-inch HDPE pipes underneath the bike trail and go out to Freeman Highway where there is a DRBA 24-inch pipe that discharges to the Lewes-Rehoboth canal.
- On the beachside, there is a 40-acre watershed and a 24-inch outfall by the Savannah Road bridge. There was a study done 15 years ago and this has a problem, in that there are a series of pipes that basically run from the opposite end of the Beacon Hotel complex to the discharge pipe. There are sections that are reverse sloped that has some stoppage and conflict. The secondary problem is that there is sediment in the pipes. It could be addressed when improvements are made on Savannah Road in that area. Mayor Becker stated that it almost drains constantly. President Lee stated that it might be groundwater. Mayor Becker stated that when the tide is out, there is always water draining out. Mr. O'Donnell stated that sometimes the high tide is above those elevations. Mr. Panetta pointed out the water line in the picture is above the pipe and when the tide goes down, the water will drain from the pipe. When this study was done, there were several recommendations that the Board did complete and continue to complete because they are maintenance issues. One is keeping the old mosquito ditch clean from the backs of the cul-de-sacs on Cedar Avenue all the way underneath Market

Street until it gets into this piping system. President Lee questioned if some of that flow goes in the other direction. Mr. O'Donnell stated that it all comes this way. The pipe under Market Street was replaced 14-15 years ago because there were backups. President Lee stated that any time there is a flooding storm, all types of "crap" is washed into the mosquito ditch. President Lee stated that it is seldom cleaned out quickly, usually the next routine clean out.

- Mr. Webb stated that on Gils Neck Road, that during high tide, the water actually comes from the canal up the gutters and out on the road. Mr. Webb questioned if this happens in other areas and is there a way to make it a one-way flow. Mr. O'Donnell stated that there is a tide flex valve on the discharge that helps to keep high tides from backing up into the system. It creates additional heads so that when it rains friction is created so that the rainwater can get out. This was done with success on Nebraska Avenue. President Lee stated that the one by the canal is buried in mud and does not know how it can open. Mr. O'Donnell stated that GMB has gotten away from using the swing type and just use the nylon type. The mud is a multi-pronged issue. President Lee stated that rain guards are used in that area and can be looked at for Gils Neck Road. Mr. O'Donnell questioned if this happened during mean high tide or a significant weather event. President Lee stated that a Nor'easter or hurricane would be needed for it to happen. Mr. Panetta stated that it must be an unusual high tide, because Gils Neck is pretty high. Mr. O'Donnell agreed and stated that any discharge is six to eight feet below the elevation of Gils Neck Road. Mr. Webb stated that there is a low spot in front of Dogfish, and this is where the water has been seen to reverse and come back up. Mr. Panetta wonders if there was a blockage because that is very high. Mr. Panetta suggested that it needs to be scoped with a camera.
- The Nebraska/Iowa watershed is a small watershed and is approximately three acres. This is a good example of what can be done on the beach side with sandy permeable soils. Nebraska Avenue was done in 2001 and porous asphalt paving was put down and was inverted so that the stormwater was directed to a large catch basin on Cedar. It was rare that any water made it to the catch basin because of the porous asphalt. This discharge has a tide flex valve. Mr. O'Donnell stated that to his knowledge, there has never been a backup. There was an issue on Iowa and may have been because of the porous mix used did not function properly or someone put in a well and the well drillings into the road that created a clog. Mr. O'Donnell cannot confirm this. To eliminate this problem a pipe was laid from Iowa to Nebraska.
- Mr. Panetta questioned how many outfalls are below mean high tide. Mr. O'Donnell stated that 99% are below mean high tide and only a small percentage have the tide flex valve. Mr. O'Donnell stated that when Bay Avenue was done 2010-2013 was done, it would have cost \$4.1 million to complete catch basin and storm green piping and outfalls to the canal. At the time this seemed to be a lot and with cost surges now it may be over \$5.5 million. Mr. O'Donnell stated that this is not a cost-effective way to do this, and he would much rather use the porous asphalt. The city paid approximately \$400,000 more for the porous asphalt but got the benefit of it being a storm water practice. Mr. O'Donnell stated that tests of infiltration were ran on Bay Avenue and it showed 56 inches per hour. Sussex Conservation only requires 2 inches per hour to use

an infiltration device. It was tested five years later, and it was at 14 inches per hour. Mr. Panetta stated that it is probably only the worst locations relative to the sharp-edged sand that gets into it. If it is not vacuumed, those tight granules get in. Mayor Becker stated that there is no ponding issue. Mr. O'Donnell stated that the city has done a good job of vacuuming the porous asphalt, pulling out the sand. It has been effective for ten years now. President Lee questioned how often this is done. Mayor Becker stated that it is done at least 12 times a year. If there is a big nor'easter, then it gets done more frequently. Mr. Webb stated that he sees the city vacuuming all the time in front of his house and thinks that it is very effective. Mayor Becker stated that it is more likely that Mr. Webb sees a street sweeper. Mr. Webb questioned if there are any thoughts to water coming up from the bottom as opposed to down and puddling. Mr. O'Donnell stated that in order to use porous asphalt, there is supposed to be three feet below the bottom of the porous asphalt section. Mr. Panetta stated that in the long term as sea-level rise increases there will be more surge from storm tides. Mr. O'Donnell stated that this is something that needs to be tracked. Mr. Calaman stated that at the joint meeting between the BPW and the city, the Cedar Avenue project, \$12 million, was discussed and did not include anything related to stormwater. Mr. Calaman stated that himself and Ms. Townshend looked at a planning grant for a study on the stormwater on that side of town, as an incorporation of that project. That application was submitted on Monday.

- Mr. O'Donnell stated that Bayview Avenue was done, and he likes how it preforms. The dunes there are well vegetated, so the sand does not come off the dunes and get into the voids. As an engineer, Mr. O'Donnell is more conservative and if looked at closely, there is a small slop away from the houses to the dune. Mr. Panetta questioned if there are plans to do another porosity test now that five years has passed. Mr. O'Donnell stated that it should be done, and he will follow up with that.
- The overfalls outfall watershed is biggest and discharges out of the 48-inch discharge. This watershed is 110 acres and includes portions of the Beebe campus, H.P. Park, Burton Avenue, etc. President Lee questioned the state of the pipe considering at the connection, it was fabricated corrugated with several sheets that were folded together. It was in poor shape at the connection, what is the condition farther up? Mr. O'Donnell stated that BPW had submitted a grant three years ago. There was a special allocation of funding through DNREC, but BPW did not get the money. President Lee questioned if the 48-inch goes all the way up to the pond. Mr. O'Donnell stated that it does not, it goes to Pilottown or Front Street, then it gets smaller. Mr. Panetta stated that this discharge is where the Overfalls is and questioned if the amount of silting puts the discharge at risk. Mr. O'Donnell stated that he does not remember silt being an issue but will keep an eye on that.
- There are approximately 40 streets on the beach side in addition to Bay Avenue, Bayview Avenue, Massachusetts Avenue, Market Street, Midland Avenue, and alleys. Approximately 9,300 feet of the 21,000 total footage, 44% of those city-maintained roads are porous now (not Cedar). New Hampshire Avenue was the first one ever done, in 1992. The soils between the beach and Cedar Avenue are an infiltrating type of sandy

soil. As you move from Cedar Avenue towards the canal, those get more marshy and less permeable. These streets need be tested before designing a porous asphalt street.

- Surge tide flooding can happen without a rainstorm and rain flooding can occur without surge tide. Vulnerable locations within the city: West end of Cedar Avenue, New Road at Canary Creek Crossing, Savannah Road-bridge to Cape Henlopen Drive, and Pilottown Road. Presentation on Cedar Creek vulnerability will be next week. DelDot is working on the bridge and should take care of the vulnerability there. Coordination is needed with DelDot for Savannah Road vulnerability.
- There are several other watersheds.
- There were questions regarding the avenues for funding. Mr. Calaman stated that planning grants were available and those usually turn into a project.

9. OPEN FORUM/GENERAL DISCUSSION ON WATER METER/PIT FEE RESOLUTION. INFORMATION/DISCUSSION/ACTION (ROBIN DAVIS)

Mr. Davis stated that staff is looking for some guidance from the Board on how to move forward when or if there are changes potential to these fees. The fees that are calculated at actual cost plus 20% covered expenses. Cost have skyrocketed and the frequency of the price changes but receiving quotes now that are good for 15 maybe 30 days at the most. It's like a revolving door price change. Currently working on policies with water meters and the fees associated with it and it is noted as the fees will be established by the board and will be put in the policies under an exhibit. Also, the Finance Committee has been tasked with reviewing maybe some of these fees. It has been referenced those fees are to be established by the Board by resolution. Staff would like to simplify the process. Right now, there doesn't seem to be a clear path and staff would like to have a discussion trying to get some guidance on what the Board feels is the best way to move forward. Should fees be kept in the policy or does the board need to keep coming up with resolutions, which can be somewhat cumbersome. Mr. Owen questioned if the fees are fixed, and the problem is that the economics are not. Mr. Calaman stated that that the BPW has never experienced a fluctuation like this. President Lee questioned if the fees need to be in a resolution. Mr. Calaman stated that it is his understanding from working on policies that there will be an exhibit that showcased existing fees. It will be easier once this policy is established, to modify the exhibit as needed by resolution or board vote. Mr. Hoffman questioned how the Board wants to present this. The Board needs to approve the fees and can be done through resolution or motion. It is up to staff to take that action and memorialize it somewhere.

Mr. Owen questioned if cost plus... is too simple. Mr. Hoffman stated that the question is how it is presented. The water meters and water pits may be different framework from something else. Mr. Nichols stated that it was discussed and referenced in any other supplementary process. At this site, it can be changed as the prices change. Mr. Nichols questioned whether this was not formalized and that is the issue. Mr. Panetta agrees with Mr. Nichols and Mr. Owen. Mr. Panetta stated that he thought it was agreed that there was a document that captured everything. There are two different groups, such as electric rates, water rates etc. that need to be reviewed by the Board and items like material should be cost plus. President Lee agreed that it is not a rate and should be cost plus. Mr. Panetta stated that it should be one document and

direct staff to use cost plus. President referenced sized pipe and that it is whatever the market is because it is a piece of equipment and not a rate. President Lee agrees to get it out of a resolution and into the policy of how it is calculated. Mr. Webb questioned how other public utilities near Lewes do this. Mr. Calaman stated that Ms. Keller went through other municipalities of what and how they are charging. Mr. Calaman stated that in policy discussions, there was quite a bit that was pushed to the Finance Committee, including the review of fees.

Mr. Hoffman stated that the goal is to have the policy document available to Board in the May meeting for action. The first step is taking existing policies and consolidating them into that document. If there are specific policies that are to be sent for review to Finance Committee or otherwise. If there is an action needed for this item, then it should be brought as a single ask to the Board. If the Board approves cost plus it can be added to the document and can be publicized to the public.

Mr. Calaman stated that staff is looking for a vote on meters and pits at cost plus 20%, which is how it has been done historically. President Lee questioned if these are the only items like this or should others be discussed. Mr. Calaman stated that this is the most pressing. Other items like trench inspecting can be addressed. Mr. Webb questioned if the cost is in today and if when ordered that's the cost. Mr. Calaman stated that the fee that exists today was established at cost plus 20%. To change that, the question is there a Board vote to memorialize that it is actually cost plus 20%, because there is nothing to say how it was established.

ACTION: *Mr. Owen motioned to charge cost plus 20% for the water meters and pits effective immediately. Mr. Webb seconded the motion, which passed unanimously.*

10. OPEN FORUM/GENERAL DISCUSSION ON THE POSSIBILITY OF CREATING A PAYMENT PLAN FOR THE SAVANNAH ROAD 16-HOME WATER/SEWER CUSTOMER/ INFORMATION/DISCUSSION/ACTION (AUSTIN CALAMAN)

Mr. Calaman stated that project of installing the force main on the backside of the properties and providing services to the front of the property is now complete. There is a lead time delay for E1 pumps. A question was brought up by one of the homeowners: would the Board be amicable to looking into a forbearance agreement. This has been done in the past, but it was tied to direct financing through the state. The BPW sought out a loan and utilized the loan to pay for everything and there was a forbearance agreement on the property. Then there was a second policy to transfer to the homeowner and was tied to the property.

Mr. Hoffman stated that per the Charter whenever there is a utility project the Board will assess their pro rata share. That cost is due in full the moment the BPW assesses them. If it is not paid in 30 days, then the Board is allowed to put a lien on the property. Per the charter, the Board has the ability to execute on that lien. Recognizing that receiving a \$30,000 is hard to do, there is a policy that if a homeowner wants to petition the Board to enter into a payment plan, the Board can authorize that. In projects where the BPW knows that there are large bills that are going to be assessed, the Board has done a singular approval of a forbearance agreement. What

happens is that once the bill comes in, if it is not paid in 30 days, the BPW records a lien, but a forbearance agreement is recorded. The forbearance agreement says it is understood that the lien is there, but the Board is not going to take any action as long as monthly payments of "x" over "y" term. The question is the Board amenable to a forbearance agreement option for homeowners who don't want to pay in full. If the answer is yes, what is the term and interest rate. In the case of the other examples, the charges were low interest because there was a corresponding state program.

Mr. Calaman stated that with attorney fees for the easements, the work to put the mains in, the j-account through DelDot, engineering, and impact fees comes to \$15,430.98 each. Homeowners have an E1 pump to get and their plumbing cost to hook up individual homes. There are a couple commercial properties, and some are going to be hooking up and paying it all at once when the E1 becomes available.

President Lee questioned if Mr. Calaman had a rate in mind. Mr. Calaman stated that today's market is a little bit different but the BPW's most recent loan was 2.25% and would be for 10 or 20 years. President Lee stated that the other alternative is that they go to a bank and get their own loan. President Lee is concerned by becoming a banker for a lot of projects. Mr. Panetta stated that they could go to a bank but there are closing costs associated with a loan or a line of credit. Mr. Calaman stated that this has been done with impact fees and it was state monies through a loan. This is at BPW costs and waiting for individual homes to hook up. There are several people that are interested and signed contracts with plumbers to get hooked up, but one homeowner who asked regarding this possibility. Mr. Panetta agreed with President Lee and his concern that this would become a precedent and become the norm. Interest rates are going up.

Mr. Hoffman question if in this situation every home is connecting. Mr. Calaman stated that not every home is connecting. Mr. Hoffman stated that the forbearance agreement is a special utility project, for example Highland Acres, the BPW had extended the infrastructure and had a policy benefit for every home connecting because they must connect. This is a different situation than the Savannah 16 home project. The infrastructure is being extended and it is the property owners' decision whether they want to connect. Mr. Hoffman stated that given the Board's hesitation, let himself work with staff to give a recommendation at the May meeting. Mr. Panetta stated that there is an incentive to get everyone off septic and anything that can be done to assist without putting BPW at risk is preferred. Mr. Calaman stated that this was a unique project that was started three-four years ago with a proposal for a gravity line at the front of the property because of the duck bank and 16-inch water main. It was reversed engineered and are where we are today. There were a few homes that were sold that had issues, such as cesspool failure and there were not public utilities available and so close to the well field. Therefore the project became a priority. President Lee questioned how many people would be hooking up initially. Mr. Calaman stated that initially 4-5 properties will be hooking up. President Lee questioned if this were something that would weigh on the decision. Mr. Calaman stated that it may or may not be a factor, but it would help in certain circumstances. Mr. Calaman recommended that himself and Mr. Hoffman work through it and come back to the

Board. Mr. Owen asked for clarification that the infrastructure is there, and the property owners will pay fifteen thousand when they hooked up. Mr. Calaman confirmed that they would pay before they hook up. Mr. Owen stated that if they do not hook up then they will not pay the fifteen thousand dollars. Mr. Nichols questioned if there were a forbearance agreement and lien, is there a possibility of owner selling before the purchase has been completed. Mr. Hoffman stated that it is and the document has an acceleration clause that if sold, everything is due at the moment of sale unless the Board approves a new forbearance agreement. President Lee stated that there are several commercial properties there and questioned how many of those will hook up. Mr. Calaman stated that there are five or six labelled as commercial, two properties are owned by one owner. Around 50% of those will be hooking up initially. Those commercial entities have not asked for this agreement. Mr. Owen stated that the commercial properties may want it once it is available. Mr. Calaman stated that the Board already has a policy regarding a payment plan on impact fees. Mr. Hoffman stated that the Board has these policies for these situations and if the standard is met for deferral, then there is that option. With the forbearance agreement, it must be approved by the Board and is drafted to apply to special utility projects. The first step is the Board acknowledging that this extension for these homes would be the special utility project and then affording the benefit. In the past those have been projects that must have to connect. If it is discretionary, that is the difference. President Lee questioned where does DNREC come into this, because sewer and water is available. Mr. Hoffman stated this gets into a different policy. Mr. Nichols stated that there are policies covering monetary payments and if these homes are asking to make some kind of deal, then it should give comfort that the BPW will get its money. Let the owners decide to connect or seek other funding. President Lee stated that it could be made as a one-time offer and encourage others to connect. The offer could be made for the next six months to a year, and if not the owners are on their own when the decision to connect is made. Mr. Webb stated that offering the owners some advantage to get off sewer is beneficial. Mr. Webb agrees the costs would have to be inline with what the BPW has to pay. Mr. Webb stated that it sounds like that there is the ability to structure something that all would be agreeable to without giving away the "farm" and not making other customers pay for these customers. President Lee questioned if there were any known failures recently. Mr. Calaman stated that several years ago there were concerns with some properties that were going up for sale. President Lee questioned how big the lots are. Mr. Calaman stated the lots are not big and the septic are in the back. Mr. Panetta stated that the BPW would inventory the cost and likes the idea of making a one-time offer. Mr. O'Donnell stated that Highland Acres took water service to the right up into the house and definitely required the hook up. With Savannah Place the water service was taken to the right way line. The owners were given 30-45 days to connect sewer. Mr. Panetta stated that both were annexed into the city. Mr. Hoffman stated that this is the distinction between and discretionary and mandatory. Mr. Hoffman stated that he and Mr. Calaman will discuss and come back to the Board.

**11. OPEN FORUM/GENERAL DISCUSSION OF THE 2022/2023 BPW STRATEGIC GOALS.
INFORMATION/DISCUSSION/ACTION (EARL WEBB AND TOM PANETTA)**

Mr. Panetta stated that he used last years update for the strategic plan and Mr. Calaman performed most of the legwork. Mr. Panetta reviewed key items:

- Great progress was made on the dispute with the city. Mr. Calaman meets regular with staff from the city. The first joint meeting with the city was held and in general it's a much more cooperative relationship. This is an item that needs to be monitored.
- Leveraging other utilities expertise. BPW went to Seaford and discussed AMI and other things besides AMI. This effort needs to continue to visit other neighboring utilities. Mr. Webb stated that Seaford has hospital and they have gone through some similar challenges. Seaford discussed their relationship with the county sewer system and the BPW obtained useful information.
- BPW has been working with the county and Hans Medlarz. With COVID influence reducing, the hope is to get more done this year.
- President Lee stated that the BPW has improved quite a bit by getting online, i.e., Facebook but questioned if a company should be hired to help with public relations. Mr. Panetta stated that staff has done a phenomenal job of upgrading the website and is much more usable. President Lee stated that when good things happen it does not always get out to the public. Staff is busy and just questioning if it can be enhanced. Mr. Panetta stated that this is just a starting point.
- Infiltration and inflow. This is in process and a lot of videotaping has been done. As projects are coming up, the BPW is doing major relining of both the piping and the manways. Mr. Panetta stated that he has been following the rainfall trend and the infiltration rate going down. Better correlation on rainwater vs tidal. Mr. Calaman stated that the SCADA system related to pump run times in correlation to rain events. BPW should question how others are using SCADA as it relates to sewer. There is a lot of technology that would create granularity in the data. A more robust system at the plants would be needed. May be able to see possible clogging. Mr. Panetta questioned if other places had any type of monitoring with the correlation of inflow. Mr. O'Donnell there are typically meters associated either each pump station and a SCADA system that relays that information to a central location. Mr. Calaman stated that there are not meters on all pump stations, but the newer ones do. Mr. Panetta stated that the BPW is using pump run time. Mr. O'Donnell stated that an analysis was run for the Gils Neck Road project for the county sewer connection. At pump station four the peak factor was 1.8. The biggest culprit was the beach side in 1998 but it was cheaper to treat the infiltrated groundwater at the wastewater plant. Mr. Panetta questioned if relining costs gone down since then. Mr. O'Donnell stated that everything has gone up because of inflation but it is relatively affordable.
- Engagement. Staff, GMB, and the Board routinely go down to the wastewater plant. From an oversight perspective this has improved but still have issues.
- Major outreach: No Wipes in the Pipes. The BPW is not alone in this issue. President Lee stated that when he was in Christiana there was a sign above the toilet. Ms. Sexton stated that the BPW had signs made and handed them out to all businesses on Second Street. President Lee stated that he would like to see Beebe have it. Mr. Panetta that when in Seaford, the hospital was discussed, and it is believe that it is a major source of clogging.

- Setting up routine meetings with large customers and HOAs. No real progress the past year because of COVID
- New state RPS requirements. There is another stakeholder meeting with Senator Hansen. DEMEC is taking the lead for public utilities. Mr. Panetta stated that he attends Senator Hansen's meetings and has a long uphill battle. Looks like finalizing the documents is months off. From the discussions to date, it does not look like it is going to be a major impact on DEMEC customers.
- Climate Change. The agreement to put together a Mitigation Committee will address this. The committee is set up with nine members and four of those are representatives of the public. Mr. Hoffman clarified that it is a seven-member committee.
- Abandoned telecommunication lines. Mr. Panetta stated that this is getting progressively worse and would like to see some outreach to telephone and cable companies. Quite a few lines are dropping and are just being left there. Questioned if something can be changed in the pole attachment agreement to hold providers accountable. Mr. Calaman stated that it is being worked on.
- Finances. BPW hired dedicated finance person and established a finance committee. There is much better visibility. The 10-year plan has a backup for the first time in Mr. Panetta's time.
- Inframark. The BPW has requested that Inframark provide an open items list with tracking. The general conditions have improved at the wastewater treatment plant but is not where it needs to be. BPW continues to rely on Sergeant Lundy, GMB and Suez as an asset. GHD has been hired to review wastewater treatment facilities for the long-term.
- Post COVID celebration for staff was discussed, but never got to post COVID and needs to be put back on the list.

Mr. Panetta stated that from this, the Board needs to digest down to action items. Mr. Webb spoke on ways to measure Mr. Calaman against the different objectives. There are three different levers: customer satisfaction, associate satisfaction, and project completion and financial accuracy. Recommends doing a customer survey as soon as possible in this current fiscal year and a survey at the end of the year. The associates are the ones talking to the customers and this would make sure they have the training, and skill sets they need. This would be done by pre and post surveys as well. Project completion and financial accuracy will measure getting things done and timely. This will have to be assessed independently because of all the changes that will happen. Customer and associate surveys will help to measure the success of the organization. President Lee questioned if Mr. Webb was thinking about doing this in-house or using somebody like RKL. Mr. Webb stated that he would look to do the surveys externally. President Lee stated that RKL has sent out questionnaires before for the BPW. Mr. Panetta will work with Mr. Webb on this.

12. OPEN FORUM/GENERAL DISCUSSION OF THE FINANCIAL COMMITTEE SELECTION. INFORMATION/DISCUSSION/ACTION (EARL WEBB, RICHARD NICHOLS, AND AUSTIN CALAMAN)

Mr. Nichols stated that the Financial Committee is made up of three to five citizen volunteers, general manager, financial manager, treasurer, and assistant treasurer. The citizen volunteers are the city council ex-officio to be named, two citizens named, and two to be determined. Mr. Nichols reviewed how the committee was evolved. The BPW Board voted to create the Finance Committee to meet and review macro BPW financial issues and to make recommendations to the Board. FOIA will apply to the committee. The Finance Committee will comply quarterly to comply with the BPW's charge. Each of the seven to nine members gets one vote and a quorum of four of seven members and a quorum of five for eight to nine members is needed to formulate recommendations.

Mr. Panetta questioned if the ex-officio count as a citizen volunteer. Mr. Hoffman stated that the resolution does not call out a council ex-officio, like mitigation committee. Mr. Hoffman recommends that before seeking the members that the Board entertains a motion to revise the resolution to allow for a council ex-officio member. Mr. Panetta asked for clarification that it would become council ex-officio and three to four citizen volunteers. Mr. Hoffman confirmed. Mr. Webb stated that the logic of having someone from the city council gives the ability of communication and insight to possible similar situations. Mr. Webb mentioned Jack Leshner and Mike Hogan being a part of the finance committee. The committee will add creativity and stability by contributing more thoughts and recommendations. Ultimately the recommendations are approved by the Board. Mr. Panetta questioned citizenship and if it is required. Mr. Hoffman stated that the Board did not set a residency requirement.

Mr. Hoffman read proposed motion:

A motion to amend resolution 21-005, concerning the creation of a finance committee by adding a member of the mayor and city council of the city of Lewes as an ex-officio member such that the committee shall be authorized as to include the board treasurer, board assistant treasurer, board financial manager, board general manager, and a member of the mayor and city council ex-officio in addition of two to four members of the general public.

ACTION: *Mr. Owen motioned to amend resolution 21-005 as read. Mr. Nichols seconded the motion, which passed unanimously.*

ACTION: *Mr. Webb motioned accept members as listed.*

Mr. Panetta questioned if it can be done because city council must choose their ex-officio. Mr. Hoffman stated that resolution states that it is a member of city council. Mr. Panetta is concerned that Ms. Jones is listed. Mr. Hoffman stated that the BPW does not get involved with that decision

ACTION: *Mr. Webb motioned to welcome Michael Hogan and Jack Leshner to the Finance Committee. Mr. Nichols seconded the motion, which passed unanimously.*

**13. UPDATE ON AMI AND RECENT VISIT TO SEAFORD FACILITY.
INFORMATION/DISCUSSION/ACTION (AUSTIN CALAMAN, THOMAS PANETTA, AND EARL WEBB)**

Mr. Calaman stated that Mr. Gritton, Ms. Bellere, Mr. Davis, Mr. Panetta, and Mr. Webb visited Seaford in early April. Went through the entire process of how Seaford concluded that they needed to move forward with AMI. The good and the bad was discussed. The conversation went in all directions and but ultimately, they needed to decide to replace meters or AMI. Seaford was one of the first through DEMEC to go with AMI. Seaford gave insight on how to poise to the public and engage with public. Seaford used doorhanger notification when they would perform a service. Seaford loves AMI on the electric side, and it has created efficiencies. AMI has removed responsibility from lineman and put it on administrative staff. What was done before with a work order, is now done with a click of a button, such as final readings and disconnects. There are admin staff on call 24/7. The water side was a different story. Seaford charges a flat rate, residential water service is not metered. The commercial and industrial is metered and there are only about 1,000 to 1,200 water customers. Mr. Panetta stated that Seaford is just a little larger than Lewes. Mr. Calaman stated that 10-15% of the water meters would not read. These would have to be addressed pulling the pit and taking a manual reading. Seaford is in the process of trying to change out the hertz. The non-read rate compared to Lewes is 300-400 misreads. Seaford's IT depart was nonexistent before this project. Mr. Calaman stated that there were good and bad aspects to AMI, but the BPW can use Seaford as a tool to learn from.

Mr. Owen questioned how useful AMI is on the water side is. Mr. Calaman stated that the public works guy would not sugar coat it and it was burden to re-read it. The point is to get a better understanding of the system and to provide more data to customers. Mr. Owen questioned if the customers want it. Mr. Panetta stated it is not about customers but increasing BPW efficiency. Mr. Panetta stated that Seaford did not prototype when they rolled out AMI. Seaford pointed out that the angle where the transmitter was placed in the pit, location, and water in the pits were factors and lessons were learned. All the data is relayed through the electric meter and location mattered. Mr. Panetta stated that his biggest takeaway was that there needed to be a prototype and try different spots to understand how reliable it is. Mr. Calaman stated that Lewes differs from Seaford in that Lewes serves areas that do not serve electric, like Tower Hill. Seaford's growth is not at the same level as Lewes. BPW staff questioned if the developer puts in the infrastructure, but Seaford has not got into the development aspect. Mr. Panetta added that in the areas that there was trouble with readings, Seaford has added repeaters on poles so it was not reliant on the closest electric meter.

President Lee questioned when Seaford implemented AMI. Mr. Calaman stated it was 2018. Mr. Webb stated that one of the big advantages is disconnects and Seaford has roughly 60 disconnects a month. Mr. Webb questioned how that compares to Lewes. Mr. Calaman stated that the BPW does single digits a month. Seaford currently has two cashiers and two backups in the office. Seaford stated that a drive through is the best investment. President Lee questioned how many customers pay in person. Mr. Calaman stated that it is a high amount. Mr. Panetta stated that Seaford is not seeing EV penetration like Lewes. AMI gives much more granularity at looking at local distribution, i.e., poles, transformers. Mr. Webb stated that Seaford said that does not utilize the transformer reads and in the quote Lewes received, it is

not included in the numbers. Mr. Panetta referred to the recent APPA conference and this is becoming the standard in AMI packages. Mr. Panetta stated that it seems that a main goal is to be able to understand what the infrastructure is being stretched to and to make the infrastructure improvements more cost effective.

President Lee questioned if it would make sense to not put the water in in the beginning. Mr. Calaman stated that the BPW would be running two different systems. Mr. Panetta stated that there is the exact same mobilization and labor versus cost. Seaford made the decision that the cost of implementing AMI is less per meter. President Lee questioned how big the cost of implementation is. Mr. Webb stated that Seaford commented that it was a heavy lift.

Mr. Webb stated he has been back and forth with AMI. The cost is \$1.7 million dollars with an annual cost of \$83,351. Mr. Webb stated that he believes this is a good idea, particularly if the BPW had time-of-day rates. Mr. Webb stated that he does not think it needs to be done this year and does not see a big payback. There is no benefit to the customer. Mr. Panetta has the opposite opinion and that nearly 60% of public utilities from the APPA conference have or are installing AMI. Mr. Panetta stated that the BPW will never get to the time-of-day rates if the system is not in place. Mr. Webb questioned if anyone in the state has time-of-day rates. Mr. Panetta stated that he is unsure, but Mr. Lynch would know. Mr. Calaman stated that he does not believe so. Mr. Panetta stated that as the BPW's rate structure is cross-subsidizing customers, from the time-of-day issue and the solar issue. The BPW does not have visibility of how much solar is coming into the system. Mr. Webb questioned if there was anything in the packet that would give the BPW that ability. Mr. Panetta stated that AMI reads both ways, the ins, and the outs. President Lee stated that Lewes has a high percentage of EVs and will probably continue to have that and that the BPW should be moving towards the time-of-day. Mr. Panetta stated that at the APPA conference, several utilities were offering discounted rates for EVs charging out of peak. Mr. Webb questioned what percentage of customers do that. Mr. Panetta could not answer, but Austin Public Power saw that it was a real benefit to them.

Mr. Webb stated that he asked the vendors who sell AMI three things: What is the benefit to the customers through surveys, what is the financial benefit that the BPW would get, and customer usability. The vendors came back with nothing. Mr. Webb stated that this is not something the BPW must have at this time. President Lee questioned if Mr. Webb thinks this is a short-term or long-term goal. Mr. Webb stated that with all that is on the BPW's plate this year, that AMI is a step too far. Mr. Owen agrees and that the demographics of Lewes are different than average APPA customer and is unsure that Lewes's customers are going to be reading their meters and checking into the time-of-day. Mr. Webb stated that in the package this is not even an option, it would be more. Mr. Owen stated that the customer does not get much out of it. Mr. Panetta disagrees and that this is about being able to spend capital money more efficiently and set up a rate structure that is more congruous. Mr. Webb asked for clarification. Mr. Panetta questioned how much money is spent on meters per year. Mr. Calaman stated that it depends on how much development is going on. Mr. Panetta was referring to replacement. Mr. Calaman stated that it is not too bad, but the issue is that the meters are all the same vintage. President Lee stated that the BPW has a healthy supply. Mr. Calaman stated that the previous

electric supervisor acquired meters that Milford could no longer use because of AMI. Mr. Calaman stated that this project falls not the supply chain realm. Net meters were ordered for solar projects and arrived eight months later. Mr. Calaman had asked Mr. Lynch what the next step would be. If the BPW was to move forward, the Board would need to determine the scale to which AMI would be implemented and this would determine the financing.

Mr. Panetta does not disagree that there is lot on the BPW's plate or that AMI is an urgency, but the Board has been talking about it for the two years. Mr. Panetta's fear is that it will be pushed so far off that it will become more imperative. Mr. Panetta suggested reassessing in the fall.

Mr. Nichols questioned other's thoughts that visited Seaford. Ms. Bellere stated that for Seaford it was a timing issue and had they to upgrade IT and customer service. Ms. Bellere agreed with Mr. Webb and that this can be pushed a year or two. Mr. Panetta stated that BPW upgraded to NISC, AMI is compatible. Mr. Calaman stated that the BPW went with the new billing system, knowing that this would be coming. Mr. Gritton agreed that implementing NISC was a step in the right direction and thinks that implementing AMI can wait. Mr. Nichols questioned if there a security concern going with AMI. Mr. Gritton stated that the BPW is ready with little change and can be right where we need to be with Ami regarding cyber security. President Lee is fine pushing to next year to be considered.

It was agreed to push off further discussions until this time next year.

14. CALL TO THE PUBLIC

Barbara Curtis, Ship Carpenter Square, questioned the clogs and if there is there is any provision for fining people responsible. Mr. Calaman stated the issue is identifying those users. The hospital, for example, has a gravity feed and does not go through a grinder before it gets to pump station four. Harbor Health goes through a grinder pump but also ends up at pump station four. BPW has asked Inframark for identifiable pictures to be able to track what is being flushed down toilets. Mr. Hoffman stated that the Board has the authority to impose fines but there is not a set fine structure.

Ms. Curtis stated that never sees any reporting on the BPW other than an announcement of when the meetings are going on. Ms. Curtis questioned if the press could be invited to the meetings. President Lee stated that the press usually attends virtually. There was not anyone on tonight. Mr. Webb stated that there is also the ability to view this recorded session online as well.

Ms. Curtis questioned if there was any contact made with Phoenixville about their wastewater treatment plant. Mr. Panetta stated that he has put in a call. The city manager did call back last week, but Mr. Panetta was away. The plant is not in operation yet. The construction was delayed because of supply chain and COVID. Mr. Owen stated that the article was very interesting. Mr. Curtis questioned if anything would be published on the progress on deciding on the three options. President Lee stated. Ms. Curtis questioned if the Mitigation Committee

would be involved in this process. Mr. Panetta stated if it is decided on hardening the plant, then probably and that it is really more of an engineering and financial decision. Ms. Curtis stated that there is a lot of concern about Sussex County. President Lee stated that is why the Board decided to bring this to the attention of the public.

Ms. Curtis volunteered for the Mitigation Committee. President Lee questioned if Ms. Curtis had background in the area or just interest. Ms. Curtis stated that it is both and has a background in environmental science and works part time for Super Fun Cleanups. Years ago, Ms. Curtis was involved in industrial wastewater treatment.

15. CALL TO THE PRESS

None

16. EXECUTIVE SESSION

ACTION: *Mr. Owens motioned to move to executive session. Mr. Nichols seconded the motion, which was unanimous.*

17. RETURN TO OPEN SESSION

ACTION: *Mr. Owens motioned to return to open session. Mr. Nichols seconded the motion, which was unanimous.*

18. DISCUSSION AND ACTION ITEMS FROM EXECUTIVE SESSION, IF APPLICABLE

None

19. ADJOURNMENT

President Lee adjourned the meeting.

Respectfully Submitted
Sharon Sexton
Executive Assistant