

Lewes Board of Public works  
December 7, 2023  
Regular Board Meeting Minutes  
City Council Chambers

**1. Welcome, Call the meeting to order.**

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

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

**2. Roll Call:**

**Board Members**

Thomas Panetta  
Earl Webb  
D. Preston Lee, P.E.  
Richard Nichols  
Barabara Curtis

**Ex-Officio Members**

Austin Calaman, BPW General Manager  
Robin Davis, Assistant General Manager  
Andrew Williams, Mayor  
Michael Hoffman, Legal Counsel

**Others**

Kimberly Bellere, BPW Finance Director  
Sharon Sexton, BPW Executive Assistant  
Michael Wolgemuth, Inframark  
Jeffrey Kerrin, Inframark  
Bill Shull, Cape Gazette  
Benjamin Hearn, GMB  
Vince Luciani, GMB

**3. Consent Agenda**

**ACTION:** *Mr. Nichols motioned to approve the consent agenda without the treasurer's report. Mr. Lee seconded the motion, which passed unanimously.*

Ms. Bellere presented the financial report. Water production for October was 36,688,000 gallons and November had water production of 29,665,000 gallons. The change in market value for the year to date should read \$278,000.

**4. Receive Inframark Report:**

Mr. Wolgemuth presented:

- Digester Building electrical issue during the first week of November. Nickel determined that a cable was the issue and provided a proposal. BPW staff approved. Repair did not occur before Thanksgiving holiday due to lead time issues, as proposed. A portable generator was brought in. Continuous delays and poor communication from vendor. Projected to start on Monday and complete on Wednesday. The Board is concerned with the Christmas holiday only two weeks away. The generator is expensive. The Board recommends working over the weekend or extended hours. Inframark will push to do that.
- VFD issue with pump station (PS) 8 and should be under warranty. Mr. Kerrin has sent the VFD back for warranty review. PS 17 issue with controls failing intermittently. Can pump down by hand and is staffed overnight. Recommending replacing the control panel.
- Personnel- New maintenance technician has started at the end of November. Continue to struggle to find a master electrician with an industrial background. Alternative plan was to have Nickel provide electrician 2 days a week. But Nickel has not impressed. Inframark recommendation is to move forward with an amendment to allow Journeyman with industrial experience.
- Inframark to offer a credit for the time the master electrician is not onsite, labor and benefits, minus the fees paying to Nickle for the pump station. Approximately a credit of \$21,000.
- Compactor is anticipated to be worked on in January. Supply chain delay for other components. Headworks completion is scheduled for June.
- Ragging has reduced since the hospital campaign. Mr. Webb recommends a similar process with assisted living facilities.
- Ms. Curtis questioned if Inframark received an official report from DNREC on the inspection. Inframark has not but will reach out to ask for one.
- Phosphorus levels trend upward. Mr. Wolgemuth stated that Inframark only removes phosphorus with chemicals.
- Hatch on Connecticut needs to be repaired or replaced. PO has been issued.
- 1100 days with no loss time.

## **5. Receive President's Report**

President Panetta reported:

- Mr. Calaman and himself met with Orstead Wind.
- Attended city council meeting and workshop. Discussed the supplemental funding and will approve next Monday meeting.
- BPW Policy workshop was held.
- Attended SCAT dinner.
- Discussed update on battery storage industry with DeLorean.

## **6. Receive General Manager's Report**

Mr. Calaman presented the general manager's report.

Ms. Curtis questioned the State reviewing energy requirements will affect the BPW's renewable energy portfolio. Mr. Calaman stated that DEMEC is agile in its power supply portfolio and the BPW meets or exceeds renewable portfolio standards with the state.

**7. Open forum/general discussion on an annual donation to the Lewes Fire Department.**

Fire Department Donation last year was \$50,000. The city was aiming for a \$75,000 donation but has not been approved yet. Ms. Curtis questioned the reasoning for the donation because the BPW is a not-for-profit organization and anything that is donated is essentially paid for by the BPW ratepayers. Mr. Lee stated that this has been done for the past decades and provides a service to Lewes. President Panetta stated that the BPW depends on first responders for the safety of crews and assets. Mr. Lee stated this is the only donation that the BPW gives with the exception during COVID to the hospital. Ms. Curtis questioned if ratepayers know that they are paying for the donation and would like to see the ratepayers donate directly to the Fire Department. Mr. Webb is not in favor of a \$50,000 donation to the Fire Department because of what the BPW serves them. Mr. Webb stated that the BPW is not flush with money and below the reserve policy. Essentially borrowing money to pay the Fire Department. Mr. Nichols is torn and suggests decreasing the donation to \$25,000. Mr. Webb supports decreasing the amount.

**ACTION:** *Mr. Nichols motioned to donate \$25,000 to the Lewes Fire Department. Mr. Webb seconded the motion.*

<b>YAY</b>	<b>Nay</b>
Mr. Nichols	President Panetta
Mr. Webb	Ms. Curtis
Mr. Lee	

Motioned passed.

Ms. Curtis does not think the Board should donate any money to the Lewes Fire Department.

**8. Open forum/general discussion on the acceptance resolution for the Tower Hill offsite improvements and onsite phases 1C-5.**

Resolution of acceptance process of offsite and onsite phases of 1C-5 is presented. Checklist items completed. Confirmed amount related to reimbursement. GMB recommendation included. GMB and staff recommend accepting the utilities as outlined in resolution.

**ACTION:** *Mr. Nichols motioned to read Resolution 23-013 by title only. Ms. Curtis seconded the motion, which passed unanimously.*

**ACTION:** *Mr. Nichols motioned to approve Resolution 23-013. Ms. Curtis seconded the motion, which passed unanimously.*

**9. Open forum/general discussion on the DelDOT/BPW agreement #T201907301 for the relocation of temporary utilities on New Road.**

Mr. Calaman stated that this agreement encompasses the relocation of the temporary utilities of the Towerhill improvements. Outlines electric, water and sewer. Timeframe may be for the entirety of 2024. Long lead time related to wire size. BPW procured 3 reels of wire ahead of time to alleviate the lead time issue. Contractor must come to buy from us.

**ACTION:** *Mr. Lee motioned to approve the DelDot/BPW agreement #T201907301 for the relocation of temporary utilities on New Road. Mr. Nichols seconded the motion, which passed unanimously.*

Ms. Curtis questioned if DelDot would pay BPW for the wire now. Mr. Calaman stated that DelDot will pay upon receipt of the wire. BPW will do the final termination of transformers and there will be an outage associated with the termination. BPW will coordinate with the affected homes.

**10. Open forum/general discussion on the quotes/proposals for the sludge line and foam pump projects at the WWTP.**

Mr. Calaman stated that the County would like a more permanent solution for sludge handling for more accessibility. Factored in six loads a week with the County. Staff recommendation is approved both proposals as separate projects.

**ACTION:** *Mr. Nichols motioned to approve the Harry Caswell proposal for the foam pump connection. Ms. Curtis seconded the motion, which passed unanimously.*

**ACTION:** *Mr. Nichols motioned to approve the Harry Caswell proposal for the sludge pump connection. Ms. Curtis seconded the motion, which passed unanimously.*

**11. Open forum/general discussion on the proposal for a new/updated strategic plan.**

Mr. Calaman stated that 5 years ago Spotts, Stevens, and McCoy were contracted to aid in the 5-year strategic planning. The community was involved in the strategic initiative. The Board has requested a proposal to update the 5-year plan. The lead facilitator will be a different person. President Panetta stated that Spotts, Stevens, and McCoy relieved a lot of the burden off staff. The strategic plan should have been renewed last year. Mr. Lee agrees. Ms. Nischol questioned if a retainer is required. Ms. Kim needs to know payment arrangements so a budget adjustment can be made. Mr. Calaman stated that he believes the contract was a draw schedule.

**ACTION:** *Mr. Lee motioned to approve the Spotts, Stevens, and McCoy proposal. Ms. Nichols seconded the motion, which passed unanimously.*

**12. Open forum/general discussion on the awarding of the bid for the Well Field Common Header Replacement Project.**

Mr. Calaman stated that the State gave the okay to separate the POs for the water tower and common header projects. BPW bid out the job separately.

Mr. Hearn, GMB, stated the bid for the well field common header replacement project on December 1, 2023. Received four bids from Mumford and Miller Construction, Chesapeake Turf, Hopkins Construction, and Teal Construction. The lowest responsible bidder was Teal Construction at \$1,545,400. GMB requested documentation as part of the DBE DHSS requirements. Teal did provide documentation. GMB recommends accepting the bid from Teal Construction.

President Panetta questioned schedule D and the deduction. GMB provided schedule D for the Board to remove as an option.

The engineer's estimate was \$1.6 million. The project schedule was not set. The lead time to get the pipe is estimated 12-18 months and a pre-construction meeting is anticipated to be held in January.

**ACTION:** *Mr. Nichols motioned to accept GMB's recommendation to accept Teal Construction's bid. Ms. Curtis seconded the motion, which passed unanimously.*

### **13. Open forum/general discussion on the water tower logo(s) and design(s) with viewpoints.**

Mr. Calaman stated that the Cape School District does not see an issue with the estimate for their logo at a cost of \$20,000. Mr. Lee would like to get the agreement in writing. The Board agrees. The Cape logo will be facing the sport fields.

### **14. Open forum/general discussion on an extension proposal for Auditing Services from Z + A.**

Ms. Bellere stated that the proposal was updated to include the last sentence to cancel at any time without cause. Legal counsel and auditors have no concerns. Staff recommendation to approve the 5-year contract with the ability to cancel at any time.

**ACTION:** *Mr. Nichols motioned to approve the Z&A 5-year contract Z&A 2024-2028 Ms. Curtis seconded the motion, which passed unanimously.*

### **15. Open forum/general discussion on the cross-connection control plan.**

Mr. Davis provided a final version of the cross-connection plan that incorporated all the Board and legal counsel's comments. Mr. Nichols questioned what Non-residential service connections means in section 9. Mr. Davis stated it that is commercial and industrial classification.

Ms. Curtis suggested that in section 7 of the resolution, change residential service connections to residential service connections that utilize a backflow prevention device in regard to the once-a-year inspection. Mr. Hoffman stated that the subsequent assemblies refer to the first part of the sentence.

**ACTION:** *Mr. Curtis motioned to read resolution 23-014 by title only. Mr. Nichols seconded the motion, which passed unanimously.*

**ACTION:** *Mr. Nichols motioned to approve resolution 23-014. Mrs. Curtis seconded the motion, which passed unanimously.*

### **16. Open forum/general discussion on the WWTP long range plan.**

President Panetta stated that the BPW is still in discussions with the county, nothing more fruitful and will schedule another workshop in new year.

Ms. Curtis provided an update on the Contingency Committee's progress. The Contingency Committee has looked at technologies to harden the existing plant and build a new plant. Identified two potential technologies: Aerobic Granular Aqua Nereda and Sequencing Batch Reactor. The committee has received a preliminary design and is discussing operations with a working plant. The final report will be presented to the Board at the end of January. Mr. Lee is concerned that the technology is not an established system.

**17. Call to the public.**

None

**18. Call to the press.**

None

**19. Executive Session**

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

Moved to executive session at 5:34pm.

**20. Return to open session.**

**21. Discussion and action on items from Executive Session, if applicable.**

**ACTION:** *Mr. Nichols motioned to approve July 26, 2023, August 8, 2023, September 27, 2023 & October 25, 2023, executive minutes. Mr. Lee seconded the motion which passed unanimously.*

**ACTION:** *Mr. Nichols motioned by Mr. Nichols to approve September 28, 2023, executive minutes. Ms. Curtis seconded the motion. Motion passed 4-0 (Webb abstained).*

**22. Adjournment.**

**ACTION:** Mr. Nichols motioned to adjourn. Mr. Lee seconded the motion which passed unanimously.

President Panetta adjourned the meeting at 6:56pm.

Respectfully Submitted  
Sharon Sexton  
Executive Assistant

