

Lewes Board of Public Works
Joint Meeting with the City of Lewes
October 28, 2024
1:00pm
City Council Chambers

1. Welcome, Call the meeting to order

2. Roll Call

BPW Board Members

Thomas Panetta
Barbara Curtis
D. Preston Lee, P.E.
Richard Nichols
Bob Heffernan

City Council Members

Mayor Andrew Williams
Khalil Saliba
Timothy Ritzert
Amy Marasco
Joseph Elder

BPW Ex-Officio Members

Austin Calaman, General Manager
Robin Davis, Assistant General Manager
Michael Hoffman, Legal Counsel

City Ex-Officio Members

Ellen Lorraine McCabe, City Manager
Janet Reeves, ACM/Parks and Recs
Alexander Burns, Legal Counsel

Others

Melissa Hubert, DNREC Tax Ditch Manager
Sharon Sexton, BPW Special Project Coordinator
Joshua Gritton, BPW IT Manager

3. Presentation from DNREC Program Manager to present information on the Delaware Tax Ditch Program.

Melissa Hubert, Program Manager for DNREC Tax Ditch Program, presented information on the tax ditch program and discussed the tax ditch within the municipal limits of Lewes, Highland Acres. Highland Acres Tax Ditch Watershed includes:

- Reserve at Pilottown (partial)
- Pilottown Park (partial)
- Pilottown Village (partial)
- Mariners Retreat
- Highland Acres (partial)

Those properties located within the boundary of the tax ditch contribute to the maintenance of the tax ditch. This includes maintaining the right-a-ways access and making sure those channels are free of obstruction. The boundary was established in the 1950s. The tax ditch was not modified when the area became residential instead of agricultural, creating new challenges. However, Mariners Retreat was later brought into the watershed.

Mayor Williams questioned the formula for taxing property owners. Ms. Hubert stated that the total tax ditch assessment is divided among the parcels and the assessment is based on land use changes. Assessment can be based on acreage or assigned lot rates within subdivisions.

Ms. Hubert stated the infrastructure has limitations, including areas where "Prong A" of the ditch either no longer exists or has been covered by stormwater systems installed during recent development. She also noted the tax ditch funds are limited, with Highland Acres collecting approximately \$11,600.00 annually, which restricts the scope of maintenance to hand-clearing and minimal dredging.

BPW President Tom Panetta raised concerns about the system's outdated stormwater design, noting that it was originally intended to handle five-year storm events, which are now inadequate given the increasing frequency of extreme weather. Ms. Hubert acknowledged this concern but explained DNREC's ability to modify tax ditch capacities is constrained by legislative and funding limitations.

Mayor Williams questioned whether tax ditches can be or should be abandoned and replaced with modern infrastructure. Ms. Hubert clarified that such a decision would require comprehensive planning and approval from all affected landowners, as tax ditches are private systems with public easements.

There was a broad discussion about integrating tax ditch systems with Sussex Conservation District's stormwater management efforts. Ms. Hubert explained that while collaboration has improved, DNREC's responsibilities remain distinct from those of the conservation district, creating challenges in comprehensive planning.

Ms. Hubert noted her team would commit to finalizing the necessary documents to adjust the Highland Acres Tax Ditch system and engage with the Sussex Conservation District for collaborative planning.

4. Update and continued discussion regarding WIAC funding for 4th Street/Park Ave and Hoornkill Project.

BPW General Manager Austin Calaman reported he has secured binding commitments for water and sewer for the Fourth Street/Park Avenue and Hoornkill Projects. These commitments have been sent back to the State to initiate the closing process which will likely occur in December or January. Mr. Calaman reminded those present that a resolution would need to be passed by both the Board and the City as well as continued discussion regarding a memorandum of understanding to establish the cost share and repayment.

Mr. Calaman noted that these commitments are only for water and sewer and there would need to be discussion related to the development of a stormwater management system, as Hoornkill currently does not have an existing system.

Discussion continued regarding the stormwater management system. Councilman Marasco suggested engaging the grantor to determine whether there are any additional funds for a stormwater management system or if alternative funding sources need to be considered.

5. Continued discussion regarding streetlight inventory.

BPW IT Manager Josh Gritton came forward and presented information on the 2024 streetlight inventory. The inventory process captured the location, type and general condition of the streetlights for the City of Lewes.

There was general discussion regarding the condition, type of bulb and dimming capabilities for the existing fixtures. Mayor Williams noted there are many areas within city that seem excessively lit and inquired whether it might be possible to "prune" some of the existing inventory. BPW Board Member Bob Heffernan noted the City's Environmental Subcommittee will be presenting a draft ordinance to the Lewes Planning Commission and the Mayor and Council to enact lighting standards throughout the city over the next five (5) years, in order to comply with night sky friendly standards.

6. Discuss the ad-hoc steering committee's next steps regarding the municipal complex at the Army Reserve Center, Schley Avenue master plan, and City Hall.

Mayor Williams opened the floor for conversation regarding the next steps for the municipal complex projects. Councilman Saliba noted individuals representing the Army Reserve Center are waiting for a determination from the city on whether the structures will be demolished or retrofitted. He added that if the city chose the demolition route, it would expedite the process of taking possession of the site.

BPW Board Member Richard Nichols noted the representatives from the Army Reserve stated they had performed a site evaluation; however, it has not been provided to the City or the BPW. He noted this evaluation would help both bodies determine a strategy to move forward.

BPW Board Member Barbara Curtis asked City Manager McCabe to confirm she received site evaluation information from Senator Carper's office. City Manager McCabe confirmed she received test results from 2021; however, she is waiting for a response on whether there is anything more current.

7. Schedule next meeting.

The next meeting was tentatively scheduled for January 27, 2025.

Councilmember Ritzert requested that in the future, items proposed for this meeting require support from two members of the standing body before being placed on the agenda.

City Solicitor Alex Burns noted that since this change may require a vote, the best practice would be to include it as a topic on the next agenda and work to establish draft bylaws before the next meeting. The group concurred.

8. Adjournment

ACTION: Mr. Ritzert motioned to adjourn the meeting. Ms. Marasco seconded the motion, which passed unanimously.

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

Meeting adjourned at 3:26pm

Respectfully submitted

Sharon Sexton

Special Projects Coordinator

D. Preston Lee, P.E., Secretary

Date