

Utility Commission
May 26, 2009

The regular scheduled meeting of the Delmar Utility Commission was called to order by Council Member Pase. In attendance were Commission Members Dickerson, Commissioner Hodgins, Council Member Thompson, Town Manager Bynum-King and Clerk of Council Fisher. Absent: Commission Member Dewald. Guests: Lou Alberti.

Approval of Minutes

Commission Member Dickerson questioned the amount of EDU's that was allotted for the State Street Laundromat. In one section, the minutes read 15 EDU's and in another section, it reads 16 EDU's. Town Manager Bynum-King stated that the correct amount of EDU's is actually 15. He also noted that on page two, in reference to the slip-lining process, that the dollar amount of the process was not included. He would like the cost of \$28,800.00 be included within the minutes. Commission Member Thompson made a motion to accept the amended April minutes. Commissioner Hodgins seconded the motion which passed with 4 ayes and 1 absent.

Unfinished Business

Council Member Pase asked for an update on Tidewater Utilities. Town Manager Bynum-King responded that nothing has changed since last reported. Commission Member Dickerson asked when the slip-lining process should start. Town Manager Bynum-King responded that the process should start by the end of this month.

New Business

Lou Alberti- Spruce Street

Town Manager Bynum-King reported that Mr. Alberti was here this evening on two issues:

Mr. Alberti stated that he was asking for water service to one of his parcels on Spruce Street, just outside the Town boundaries in Wilcher Park. He provided to the Commission copies of an agreement between the Town and the original owner, Mr. Bill Gordy. Mr. Alberti reported that he purchased this property in 1992. One water meter had been installed but it was too close to the sewage drainage area and had to be removed. The Town will now not replace it, stating that it is not in Town limits and the Town will not service his property. He did dig the pit, the Town installed the meter and then he filled in the pit. He stated that the meter does have a number on it and there should be a record that states that he has paid for that meter.

Town Manager Bynum-King reported that the meter was installed but the question now is the payment of the impact fees and the fact that they were not paid at the time the original meter installation. In previous discussion Mr. Alberti stated that he paid for the meter and impact fees when the meter was installed, however there is no record supporting his claim; however impact fees are historically not collected until the actual connection for service has occurred. She did state that the document provided by Mr. Alberti does indicate that the Town will provide service to his parcels, which is consistent with what have occurred over the years with the other houses in Wilcher Park being connect to our system.

Commission Member Dickerson inquired as to why the meters had been sitting idle since 1992. Mr. Alberti responded that he did not have the funds available then to build on the properties. He said that one property has already been built on and this house is about 90% completed.

He stated that when Public Works Operator Windsor removed the meter it was due to it being in the middle of the drive-way. When asked for it to be reinstalled, he was told that the meter was probably damaged. Town Manager Bynum-King did state that she was advised by Jerome Reid, Public Works Director that the meter pit was damaged when Mr. Alberti had site work/excavation completed at his property.

Commission Member Dickerson and Mr. Alberti had some discussion on the size of the parcel. Mr. Alberti said that the property does have 3 sewer beds and the home is on a 23, 000 sq. ft. lot. The County will not allow a well and there is already a water main on the property. Commission Member Dickerson said that the document that Mr. Alberti provided is very old and he felt that the Town should not have to honor the agreement since it is so old. Town Manager Bynum-King said that as long as the impact fee of \$4,000.00 is paid then the connection could be made, which would be consistent with the other properties in that area paying the out of town rate for the user's rate.

Commission Member Dickerson made a motion to allow Mr. Lou Alberti to hook-up to water as soon as the impact fee of \$4,000.00 has been paid. Council Member Thompson seconded the motion which passed with 4 ayes and 1 absent.

Mr. Alberti stated that the second reason he is here is in reference to the Hastings property. He said that the property is located on the corner of State Street and Maryland Avenue. The Delaware Council did give him permission to subdivide the parcel into 3 lots. A house already exists on one of the lots. He is asking for 2 additional EDU's for the parcel. These lots will be assessed impact fees since they have not been paying availability fees. The water will come off of N. Maryland Ave. The existing home is on the State Street side. One new house will face Maryland Avenue and the other house will face State Street. The water and sewer will be for single family homes.

Commission Member Dickerson made a motion to approve 2 EDU's for the additional lots for single family homes. The developer will be responsible for paying what ever the current rate is at the time of connection for impact fees. Commissioner Hodgins seconded the motion which passed with 4 ayes and 1 absent.

Town Manager's Report

Town Manager Bynum-King reported that Public Works does have three employees that have successfully completed the Base Level Operators Course at DelTech. Commission Member Dickerson said that maybe for the next newsletter, the employees' names and the course that they passed should be mentioned. She also reported that the Storex Nozzles are being installed on the fire hydrants with assistance by the Cadets from the Fire Department.

Commission's Report

Commission Member Dickerson thanked Municipal Clerk Layton for providing information about the Town's Bank Accounts. He asked about the desk for the Wastewater Treatment Plant that was budgeted for in the 2008-2009 fiscal year. He asked if it had ever been purchased. Town Manager Bynum-King responded that it had not. Town Manager Bynum-King said that one is really needed there and they have until the end of June to purchase one, since the available funding will not roll over into the new fiscal year.

Adjournment

Commissioner Hodgins made a motion for adjournment which was seconded by Commission Member Dickerson. The motion passed with 4 ayes and 1 absent.

Cindy Fisher
Clerk of Council