

Utility Commission
February 5, 2024
DELMAR TOWN HALL & VIA TELECONFERENCE

The regular scheduled meeting of the Delmar Utility Commission was called to order by Commissioner Shaffer. This meeting is available to the public, in person with limited seating and via teleconference. The phone number and access code has been provided to all the members as well as the public. In attendance was Council Member Lanier, Commission Members Moore and Dewald. Key personnel: Town Mgr. Jeff Fleetwood, and Clerk of Council Vondell Spencer. Guests: Mayor Bauer, Denise Garner, and Joel Lichtenberg.

Commissioner Shaffer took a roll call for attendance to establish a quorum. A quorum was established with four members present.

Approval of Minutes

A motion was made, seconded (Dewald/Moore) and carried to approve the December 11, 2023 meeting minutes. Commissioner Shaffer took a roll call vote and the motion was passed with 3 Ayes 1 Abstain (Lanier).

Unfinished Business –

Town Mgr. Fleetwood said that Commissioner Shaffer asked about a formalized policy for utility companies that come to the Town of Delmar to do work such as gas leaks and destroy the streets. He further said the Town of Delmar has a policy and the policy is found in our “Street Breaking Permit”. Town Mgr. Fleetwood explained the procedure utility companies have to follow, permit fee, fees for repair to the asphalt and concrete. A discussion occurred.

New Business/Town Manager Report

Town Mgr. Fleetwood reported: 1.) On Stage Rd. a week ago on the MD side 50 feet south of the entrance by Doughboys there was a significant sinkhole which encompassed the easterly side of the entire lane on Stage Rd. Public Works arrived on site at 5:00 p.m., excavated and it was determined a concrete culvert that traversed west to east was installed incorrectly and was the cause of the sinkhole. 2.) Town Mgr. Fleetwood requested a budget reallocation request for the WWTP for \$22,500 to be moved from Contingency to line item for Property Maintenance for tree removal.

Commissioner Shaffer asked for a motion to approve \$22,500 from Contingency to line item for Property Maintenance/tree removal for the WWTP. A motion was made/seconded (Moore/Shaffer) and carried by a roll call vote of 4 Ayes.

3.) The budget season has begun. The DE Mayor signed the documents that were needed to go to the auditing firm for the Utility Commission. The MD Mayors' signature will be requested tomorrow. 4.) In regards to the FY'25 budget, all department heads as of this past Friday have submitted their capital requests to the Chief Finance Officer. He said over the course of this week he and department heads will meet one on one to discuss their needs. Town Mgr. Fleetwood noted this year the Commission will see a significant decrease in capital requests. 5.) The building at the Pine St. lift station has settled. Hillis-Carnes Engineering and DBF have explored and based off of the engineering report and Hillis-Carnes report the Town of Delmar will do some shoring up/sealing of that building which is forthcoming. 6.) Town Mgr. Fleetwood shared the flows for the WWTP on December 31st was averaging 730,000 gallons per day. On January 1st the WWTP will report the flows at 600,000 gallons per day. The change is significant because the Town of Delmar had a very wet year in 2021 and that year's data will drop off. The Town of Delmar was issued a fine from MDE (Maryland Department of Environment) for infractions from 2018, 2019, and 2020 in the amount of \$75,000. The town has countered with a counter offer of \$7,500. The violations were for quality. MDE shared they will entertain a reduction in the fine should The Town of Delmar enter into a APFO (Adequate Public Facilities Ordinance) which is where the Town of Delmar will put in writing what future plans are for issuing water/sewer hook-ups. Three developers want to build a total of 363 homes that were approved years ago in the Town of Delmar; they have been extended a phase-in. Town Mgr. Fleetwood explained to the Commission how many new home builds were allotted to the builders by the Town of Delmar to not allow the grand total in one lump sum but account for the lump sum in the long range with the phase-in. He further explained if the town puts in writing what the WWTP flows are, future flow plans, and codify the plans it will put the Town of Delmar in a better position with MDE. Town Mgr. Fleetwood said the bigger picture with development are the schools, EMS, Fire Department, and infrastructure.

Commission Comments –

Commission Member Moore commented we have been doing a great job supporting our water and sewer. In his opinion, the support we give the Town of Delmar employees and the town with water and sewer is going to help in the long run.

Public Comments –

- 1.) Denise Garner commented her concern is the buildout with the number of homes. She asked if there was a plan for replenishment of the aquifer, and if feasibility studies were factored in. She said water resource problems can be big issues from personal experience.
- 2.) Joel Litchenberg asked if there was a sinkhole on Rt.54? Town Mgr. Fleetwood answered that he is well aware and it is a State of MD road, the town will be doing repairs soon. A discussion occurred.

Adjournment –

A motion was made, seconded (Dewald/Lanier) and carried to adjourn. By roll call, the motion passed with 4 Ayes.

Submitted by:

Vondell Spencer
Clerk of Council