

CAMDEN-WYOMING SEWER & WATER AUTHORITY

P.O. BOX 405, CAMDEN-WYOMING, DELAWARE 19934

*Minutes of the Camden-Wyoming
Sewer and Water Authority
Regular Session - Authority Meeting
Held on August 14, 2007*

Authority Members present: Mr. Mark Dyer
Mr. Gregory Harthausen
Ms. Jennifer Spence
Mr. Lester Stillson
Mr. Paolo Dellasandro

**Also in attendance representing
the CWS&WA:** Mr. Harold Scott, Authority Superintendent
Mr. Soheil Gharebaghi, P.E., Authority Engineer
Ms. Mary Sherlock, Esq., Authority Attorney

Public in Attendance: Mr. Mulrine, Camden Town Manager

The Camden-Wyoming Sewer and Water Authority (CWS&WA) met at the CWS&WA's office on August 14, 2007. The meeting was called to order at 7:30 p.m. by the Chairperson, Mr. Dyer.

Approval of Agenda: (August 14, 2007)

Mr. Dyer noted that, at Mr. Olson's request, his case under the Old Business item of the Agenda, would be postponed until the September Regular Meeting.

Motion: Mr. Harthausen made a motion to approve the amended Agenda, seconded by Ms. Spence. Motion carried unanimously.

Approval of Minutes: (July 10, 2007)

Motion: Mr. Stillson made a motion to approve the minutes of the Authority's July 10, 2007, Regular Meeting, seconded by Mr. Harthausen. Motion carried unanimously.

Approval of Financial Statements:

Motion: Mr. Harthausen made a motion to approve the Authority's Financial Statements as presented for the period ended June 30, 2007, subject to audit, seconded by Mr. Stillson. Motion carried unanimously. Copies of the Financial Statements are available at the CWS&WA Office.

Committee Reports:

There were no committee reports.

Maintenance & Operations Status (Superintendent's Report):

Mr. Scott reported that a 10-inch High Density Polyethylene (HDPE) water main had been directionally drilled under Isaac Branch at Mill Road by George & Lynch in connection with the proposed Wyoming United Methodist Church project. Mr. Scott explained that the installation was an integral part of a water main loop from New Burton Road to Front Street/Rail Road Avenue from which the proposed church would then be served.

Mr. Scott indicated that the Authority's Treasurer, Accountant, and he had met regarding the Authority's investments. Mr. Scott noted that through reinvestment of funds the Authority could potentially double its future interest earnings.

Mr. Scott indicated that the Authority's Engineer had met with the Honorable Mayor of Wyoming regarding the development of the Greens at Wyoming. The project's developer had agreed to financially participate in certain electrical systems' upgrades at the Greens at Wyoming pump station, Mr. Scott explained. Mr. Scott indicated that the Authority would commission Alpine Construction Company to work on the pump station upgrades in the near future.

Regarding Tidbury Crossing, Mr. Scott indicated that approximately 80% of the sanitary sewer system construction in the first phase of the development had been completed. Mr. Scott anticipated that, within the next six months, sewer and water systems would be completed at Tidbury Crossing.

Engineering Report:

Mr. Gharebaghi indicated that a meeting had been held on July 17, 2007, with the representatives of the Sunset Village and Cooper Farm property owners regarding the proposed Sunset Village sanitary sewer system including a proposed sewer pump station. It was noted that revised construction plans for the project had been received by the CWS&WA on August 14, 2007.

Mr. Gharebaghi reported that, in connection with the proposed Sunset Village sanitary sewer pump station project, a meeting had been held on August 13, 2007, with representatives of the State Office of Facilities Management regarding future availability of sewer services to the State Police, Troop 3 site at Upper King Road. Mr. Gharebaghi indicated that the State Facilities Management representatives had indicated that their future plans for the Troop 3 facilities included a request for the annexation of the parcel into the incorporated limits of the Town of Camden. It was noted that the Certificate of Public Convenience and Necessity (CPCN) for the provision of water utility services to the property was held by Tidewater Utilities, Inc.(TUI). Before the CWS&WA could provide water utility services to the property, TUI would need to abandon its CPCN in favor of the CWS&WA and it would be necessary for the Public Service Commission (PSC) to grant the property's CPCN to the CWS&WA, Mr. Gharebaghi added.

Legal Report:

Ms. Sherlock discussed the recently adopted Senate Bill #52 (SB 52) [the Act] and noted that the original purpose of the Act had been to amend Title 26 of the Delaware Code concerning the criteria to be used by the PSC for granting CPCN's to water utilities. Ms. Sherlock indicated that the original version of the Act did not pertain to the CWS&WA since the Authority had been enabled by Title 16 of the Delaware Code. However, Ms. Sherlock continued, in late June of 2007, just before the State law makers' summer recess, an amendment, sponsored by Representative Blakey, had been introduced (House Amendment No. 1 to SB 52) which did in fact involve the CWS&WA. In connection with the House Amendment No. 1 of the Act, Mr. Gharebaghi discussed the unintended consequences of the new law.

Ms. Sherlock and Mr. Gharebaghi would work toward revisions to the law, during the upcoming Legislative session, to clarify the intent of the Act and to reduce instances where existing property owners might be adversely affected, in cases of individual water well failures, for example.

The CPCN process and the role of the PSC in that process were also discussed. Under current law, Mr. Gharebaghi noted, it was permissible for a utility holding a CPCN for a certain territory/property not to have the ability to serve the area. The issue became more complicated when properties with CPCN's held by other than CWS&WA were annexed into the municipal boundaries of the Towns of Camden or Wyoming, Mr. Gharebaghi said.

Old Business:

Mr. Scott indicated that a Budget Workshop Session would be scheduled with the Authority's Accountant and the Board Members would be advised regarding the date and time of the Session.

Mr. Dellasandro and Mr. Stillson indicated that they would not be able to attend the Authority's September Regular Meeting and questioned whether alternate CWS&WA Board Members could be identified by the Towns' Mayors and Councils to temporarily fill vacancies caused by conflicts in schedules, vacations, etc. Ms. Sherlock indicated that a change in the Authority's bylaws would be necessary to permit the appointment of alternate CWS&WA Board Members.

Mr. Dellasandro reported that the Council of the Town of Wyoming had indicated its preliminary support for the notion of 2-year rotating Chairperson/Vice Chairperson positions on the CWS&WA Board. Mr. Dellasandro indicated that if the Town of Camden also supported the idea, the Authority's bylaws could be revised to permit the implementation of the rotating position of CWS&WA Chairperson/Vice Chairperson. In this regard, Mr. Mulrine indicated that he would take the matter to the Town of Camden for consideration by the Town Council.

Old Business (cont.):

Mr. Dellasandro expressed dissatisfaction with the arrangement of the items on the Authority's Regular Meeting Agendas. Mr. Dellasandro indicated that unresolved items ought to be automatically carried-over to the Authority's next meeting agenda under "Old Business." Mr. Dellasandro also indicated that, in his estimation, the minutes of Regular Meetings needed to be made available earlier than Fridays before Regular Meetings on Tuesdays. It was decided that future Regular Meeting Agenda items would be coordinated through Mr. Dyer. It was noted that the agenda needed to be posted at least seven business days prior to the date of the meeting.

New Business:

There were no new business items.

Correspondence:

Four sealed bids for the Authority's 1995 Chevrolet pick up truck were received, publically opened, and read aloud by Mr. Dyer.

Motion: Mr. Dellasandro made a motion to accepted the highest bid received, in the amount of \$1,400, for the sale of the Authority's 1995 Chevrolet pick up truck to L&S Auto Sales, seconded by Mr. Harthausen. Motion carried unanimously.

Mr. Dyer indicated that he had received a 20-page correspondence package regarding Mr. Pike's issues. Mr. Dyer indicated that many of the referenced issues had not pertained to the CWS&WA. Mr. Dyer indicated that he had offered to meet Mr. Pike toward the resolution of the matter.

Visitors' Comments:

There were no visitors' comments.

Adjournment:

Motion: Mr. Harthausen made a motion to adjourn the meeting, seconded by Mr. Dellasandro. Motion carried unanimously.

The meeting adjourned at 8:55 p.m.

The next Regular Meeting will be held on September 11, 2007, at 7:30 p.m.

Respectfully Submitted,
CAMDEN-WYOMING SEWER & WATER AUTHORITY

Jennifer Spence
Secretary