

Town of Camden and Wyoming  
CWSWA – Joint Workshop  
February, 24, 2011  
Camden-Wyoming Fire Company

At 7:00 p.m. Mayor Maly called the Public Workshop to order and led the attendees in the Pledge of Allegiance.

The following persons were in attendance:

Camden Council Members	Kevin Casquarelli, Councilman Jeffrey Lewin, Councilman Kenneth Fuchs, Vice Mayor Richard Maly, Mayor
Wyoming Council Members	Harold Arnold, Acting Mayor Georgette Williams, Councilperson Terry Witt, Councilperson Jacqueline Stokes, Councilperson
Public	Attachment

### Notice

Notice of this meeting has been made in accordance with the Delaware Open Public Meetings Act by posting on February 3, 2011, copies of the agenda in the following manner:

- a. The electronic sign on Voshell Mill Road; and
- b. The bulletin board in the parking lot of the Municipal Complex; and
- c. The Town Hall lobby on the 3<sup>rd</sup> floor of the Municipal Building; and
- d. Dover Post on February 5, 2011 and February 16, 2011; and
- e. The Official Website.

### Mayoral Announcements

Mayor Maly welcomed everyone to the public workshop. He stated the purpose of the workshop was to seek input from the residents of both Camden and Wyoming and pertaining to Camden Wyoming Sewer & Water Authority (CWSWA).

### Workshop

Senator Bushweller announced the agenda:

- Authority has a formal powerpoint presentation.
- Authority has prepared answers to the questions submitted in advanced. Senator Bushweller and Representative Blakely have agreed to give CWSWA 20 minutes to show the powerpoint presentation.

- Then Senator Bushweller and Representative Blakely will follow up on all questions.

The CWSWA presented the audience with a powerpoint presentation which gave the history and how and why the authority was formed.

At this point, Marc Dyer started answering questions.

Senator Bushweller thanked the authority for the presentation and stated it was very informative and provides a good base for tonight's discussion.

Representative Blakely stated this is not an open forum. He requested respect be shown to speakers whether or not you agree with their answers. He reiterated previously submitted questions will be answered tonight.

### Questions

*Question: Why are my rates so high? (Senator Bushweller stated the authority is the 4<sup>th</sup> highest in the state.)*

(Mark Dyer stated all answered questions are on the powerpoint presentation.)

*Answer: Mr. Dyer stated the authority is a non-profit corporation. We charge the rates that are necessary for us to operate. The big item is our Bond covenants or borrowed money. The stipulation of the bond is our operating expenses are 20% above expense which is a requirement of the bond. The authority is looking into retiring the bond. If this bond is retired a \$100,000 fine will be incurred. This is why rates are so high. In the future once the bond is paid off the rates will go down.*

Camden Councilman Jeff Lewin asked what percentage of your expense are a result of the bond. Mr. Dyer stated \$150,000 is the actual debt payment and in addition we have the bond covenant.

At this point, powerpoint #2 began which gave Q&A. (See Slide Show.) The presentation ended early and the question began again.

*Question: Surpluses – 3 questions.*

*1. If there is surplus for the year how is the money used?*

Mr. Dyer stated the authority doesn't budget for a surplus. He stated the sewer operation is operating in a negative. The budget is created to meet their fiscal needs.

*2. What is the long range plan for surpluses?*

*3. Are there rate increase when there are surpluses and why?*

Senator Bushweller stated it would be helpful with a more detailed explanation to the above questions.

*Question: Is there a flat rate for a disconnected house?*

*Answer:* Yes. Mr. Dyer stated the ability to serve is still there. Mr. Dyer stated even a vacant lot pays a flat rate. You can disconnect but to reconnect you will have to pay the current impact fees.

*Question: Are flat rate fees broken down on bills?*

*Answer:* Mr. Dyer stated no flat fee is on the bill however, there is a amount in each of the boxes.

*Question: Was there a 5% increase in rates for 2011?*

*Answer:* There was NO increase in the water rates but there was a 5% increase on the sewer rates.

Senator Bushweller stated it was rumored that the Board voted 5% increase in Sewer rates for 2011 based on an anticipated increase from Kent County. Mr. Dyer stated that the rumor is correct.

*Question: Loans*

1. *Is there anything in your by-laws for specification to grant loans to employees and in what year was that approved?*
2. *Was there a loan application filed and at what interest rate and how was that determined?*
3. *Were the representatives from the towns made aware of these loans and were they consulted before approval? Did they agree?*
4. *Was a lawyer consulted before granting these loans?*
5. *Who ultimately approved this loan?*

*Answer:* Mr. Dyer stated there is no provision to grant or not grant any monies. Mr. Dyer stated he cannot answer the question regarding the loan application. He also stated the authority doesn't have to consult with either town on operation of the authority. He stated the Authority's legal council is well aware of the employee loan that appears on the financial statements. The Authority's legal council was not sure what Mr. Dyer was referring to regarding the loan.

Senator Bushweller asked Mr. Dyer did you make loans to employees and Mr. Dyer stated "no comment."

*Question: Salaries - FOIA*

1. *Are you going to give all the employees salaries tonight?*

Mr. Dyer stated all salaries are considered personnel information and is protected and will not be released.

2. *Is there any compensation for consultants?*

All compensation for consultants is private.

3. *Are other people other then employees of the Authority covered by health insurance?*

Mr. Dyer stated the CWSWA pays for health insurance for the employee only. A rumor has it that a consultant is covered by the Authority health insurance. Mr. Dyer said this is a rumor.

Senator Bushweller stated in 2008 the Authority is covered under the Freedom of Information Act. In fact, the Attorney General office directed the authority to release information that was previously denied to a rate payer.

Mr. Dyer stated I understand but the authority employees are not paid by public funds but are paid by user fees. Senator Bushweiller asked Mr. Dyer to review this again.

*Question: Why does the Authority ignore Roberts Rules?*

*Answer: Mr. Dyer stated we follow Roberts Rules to a T.*

*Question: Does the authority dismiss questions regarding brown water?*

*Answer: Mr. Dyer stated there are situations where brown water could arise. To elevate the brown water they will flush hydrants in an attempt to move stagnant water or any water problems.*

*Question: What are the boundaries of the Authority?*

*Answer: Boundaries are governed by Certificate of public of convenience necessity (CPCN) as far as water operations. As far as sewer operates there is no such thing. CWSWA cannot obtain a CPCN unless each Town Council does a resolution outside of the Towns of Camden and Wyoming. Separate resolutions from both Towns are required.*

*Question: Does the authority hold CPCN not in the Town Boundaries?*

*Answers: Yes the Authority hold the CPCN for Winterbury Woods. This has 166 units.*

*Question: If the authority runs a water or sewer line to a development are the residences along the way required to hook into these services.*

*Answer: Mr. Dyer stated no-however there are some conflicting state laws. One which requires if a water main does run by your property and you have a well that you have to hook into it but if the authority does have the CPCN to serve the property the authority would not be able to serve you. However, the state does issue well permits even if a water main goes by the property.*

*Question: In regards to Winterbury Woods, does the authority have the CPCN for the people who live along that road. Would they be required to hook into the authorities utilities?*

*Answer: Mr. Dyer said,"I would say no."*

*Question: Does the Authority have any infrastructural projects planned?*

*Answer: Mr. Dyer stated the authority will not burden our current customers for future growth. Existing customers will not be negatively impacted.*

*Question: What percentage of revenues and what percent of consumption/usages comes from the following types of customers. Do you bill customers differently?*

*Answer: The authority has two (2) rates. The rates are residential which is billed on a quarterly basis and non-residential which is billed on a monthly basis. Rates are equal just billed differently. Currently, there are 2,332 residential and 251 non-residential hook-ups.*

*Question:* The FY 2011 budget was presented and passed in September 2011. It is rumored that the details of the budget were not presented to the public at all and the Board members received copies approximately one day prior to voting. How does the board justify this action?

*Answer:* The procedure was not followed to a T this year. The authority failed to hold a workshop. They have addressed the problem and the policy will be in effect for future years.

*Question:* Could the audit be posted on the website?

*Answer:* The audit could definitely be posted on the website. This is the first request.

*Question:* How fast do you return customers complaints?

*Answer:* Mr. Dyer stated it depends on the question. If a person wants to be on the agenda this action requires receipt of written request 7 days prior to meeting; also on the agenda is a call to public section for someone to speak.

*Question:* How will aging and crumbling infrastructure impact residents?

*Answer:* Mr. Dyer stated there is no way to financially address all systems. Some impact fees money will go towards replacement of fire hydrants. They will also be updating the customer water meters. He also stated they have one non-paying customer – Camden Wyoming Fire Department.

*Question:* Can the Charter and Bylaws be posted online also?

*Answer:* Yes.

Senator Bushweller asked Mr. Dyer to be more specific on water quality. i.e. - odor, smells and rust. He asked where would rust come from. If rust impacts several people then that means it is not in their homes or pipes.

Senator Bushweller found presentation to be very informative however feels there are four (4) unresolved questions.

- Why are rates so high?
- What is the situation of lending monies to employees or former employees?
- What is the actual loss on FOIA on Salaries?
- Water Quality?

Mr. Dyer stated the Camden-Wyoming Sewer & Water Authority will be having an open house on Saturday, March 26, 2011 at 8:00am – Noon at the Authority office.

Mayor Maly on behalf of Town of Camden and Wyoming and CWSWA Authority thanked everyone for coming to the Workshop.

At 9:00 pm the Public Workshop ended.

*Lisa B. Driggins*  
Account Specialist