

DELAWARE COUNTY REGIONAL
WATER QUALITY CONTROL AUTHORITY
100 EAST FIFTH STREET
CHESTER, PENNSYLVANIA 19013

MINUTES

SEPTEMBER 15, 2020 (VIRTUAL)

The Regular Meeting of the Delaware County Regional Water Quality Control Authority was held on Tuesday, September 15, 2020, at 3:30 P.M. The meeting was held virtually via Zoom.com. REGULAR MEETING

Messrs. Boland, Kern, Knapp, Lucas, Monaghan, Mullen, Pisani, and Mesdames Nichols and Sage, Board Members, constituting a quorum were present. ROLL CALL

Messrs. Cherico, DiSantis, Hurst, Lehman, Lenton, McNichol, Pileggi, Willert, Mesdames Amadio, Bonnett, and Caulk were also present.

Mr. Boland, Chairman, called the meeting to Order.

ORDER OF BUSINESS

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited by all parties present. PLEDGE OF ALLEGIANCE

COMMENTS FROM THE PUBLIC: No members of the public were present. Mrs. Amadio stated that there were no public comments or questions submitted. PUBLIC

APPROVAL OF MINUTES: It was moved by Ms. Sage, seconded by Mr. Lucas, and unanimously carried that the minutes of the Regular Meeting of August 18, 2020, be approved as submitted. APPROVAL OF MINUTES

REPORTS: REPORTS

1. COMMITTEES: COMMITTEES

a. Human Resources and Administration. Mr. Lucas stated that the Committee met on September 10, 2020. He noted items requiring Board action would be considered later in the agenda. There were no additions to the meeting minutes. Human Resources and Administration

b. Strategic Planning and Goals. Ms. Sage stated that the Committee met on September 10, 2020. There were no additions to the meeting minutes. Strategic, Planning & Goals

c. Operations and Engineering. Mr. Mullen stated that the Committee met on September 8, 2020. He noted items requiring Board action would be considered later in the agenda. There were no additions to the meeting minutes. Operations and Engineering

- d. Finance. Mr. Knapp reported that the Committee met on September 9, 2020. He noted items requiring Board action would be considered later in the agenda. There were no additions to the meeting minutes. Finance
- e. Pension. Mr. Boland stated that there was no formal meeting of the Pension Committee and had nothing to report at this time. Pension
2. CHAIRMAN: Mr. Boland stated that there were no items to report at this time. CHAIRMAN
3. EXECUTIVE DIRECTOR: Mr. Willert stated that there were no additions to the written report. EXECUTIVE DIRECTOR
4. DIRECTOR OF ENGINEERING: Mr. Hurst stated that there were no additions to the written report; however, there was one proposal from Raffelis added to the Board agenda and the amount for the Mott MacDonald proposal was revised. DIRECTOR OF ENGINEERING
5. DIRECTOR OF OPERATIONS & MAINTENANCE: Mr. DiSantis stated that there were no additions to the written report. DIRECTOR OF OPERATIONS & MAINTENANCE
6. SOLICITOR: Mr. McNichol had no items to report at this time; however, he will offer brief comments later on Item #9 on the Board agenda. SOLICITOR
- OPERATING FUND PAYMENTS: OPERATING FUND PAYMENTS
1. CHIEF FINANCIAL OFFICER REPORT: Mr. Pileggi stated that there were no additions to the written report. CHIEF FINANCIAL OFFICER
2. PAYMENT OF BILLS: PAYMENT OF BILLS
- Approval of Operating Statement, Statement of Fund Balances and List of Bills for the month of August 2020.
- It was moved by Mr. Knapp, seconded by Mr. Lucas, and unanimously carried that the statement and the list of bills in the amount of \$4,977,564.37 for the month of August 2020 contained in the Chief Financial Officer's report be approved.
- CONSTRUCTION FUND PAYMENTS: CONSTRUCTION FUND PAYMENTS
1. ENGINEERING ADVISOR'S REPORT: Mr. Lehman stated that there were no additions to the written report. ENGINEERING ADVISOR
2. CHANGE ORDERS: Mr. Boland stated that there were no contract change orders at this time. CHANGE ORDERS
3. CONTRACT CLOSEOUT AND FINAL PAYMENT APPROVAL: Mr. Boland stated that there were no contract closeouts at this time. CONTRACT CLOSEOUT

4. PAYMENT OF BILLS:

PAYMENT OF
BILLS

It was moved by Mr. Knapp, seconded by Mr. Lucas, and unanimously carried as follows: (a) that the bills of contractors, engineers and others for construction costs, engineering services and related costs under the Renewal & Replacement Fund in the amount of \$2,264,495.01 are hereby approved; and (b) the requisitions on the Renewal & Replacement Fund under the Trust Indenture with TD Bank, in payment of said bills, are hereby approved pending approval by the Treasurer, and the proper officers be and are hereby authorized and directed to execute same.

AUTHORIZATION TO ADVERTISE CONTRACTS:

AUTHORIZATION
TO ADVERTISE
CONTRACTS

- Contract No. P2020-06 – Janitorial Services
- Contract No. P2020-07 – Phosphoric Acid 85%
- Contract No. P2020-08 – Primary Clarifier Parts
- Contract No. P2020-09 – Unleaded Gasoline And Diesel Fuel With Tracking System

Contract Numbers
P2020-06
Janitorial Services

P2020-07
Phosphoric Acid
85%

P2020-08
Primary Clarifier
Parts

P2020-09
Unleaded Gasoline
And Diesel Fuel
With Tracking
System

Mr. Boland stated that the above contract advertisements were discussed at the Operations and Engineering Committee meeting, and it was the consensus of the committee to recommend Board approval.

It was moved by Mr. Mullen, seconded by Mr. Lucas, and unanimously carried to advertise all of the above contracts.

- Contract No. TC-2009-C – T-28 Construction And PS-5 Modifications

Contract No.
TC-2009-C
T-28 Construction
And PS-5
Modifications

Mr. Hurst stated that this contract is for the construction of a new clarifier at the WRTP and upgrades to the adjacent pump station. The contract documents are being prepared and should be ready for bid in late winter.

Mr. Boland stated that the above contract advertisement was discussed at the Operations and Engineering Committee meeting, and it was the consensus of the committee to recommend Board approval.

It was moved by Mr. Mullen, seconded by Mr. Monaghan, and unanimously carried to advertise Contract No. TC-2009-C – T-28 Construction and PS-5 Modifications.

AWARD OF CONTRACTS:

AWARD OF
CONTRACTS

• Contract No. TEW-2008-C – Furnishing Equipment, Labor & Supervision For Electrical Maintenance, Repairs & Other Construction Related Projects. Mr. Boland stated that three bids were received and that the lowest qualified bidder was Philips Brothers Electrical Contractors, Inc. with a one-year bid amount of \$198,200.00 and a two-year bid amount of \$398,460.00, and was in full compliance with DELCORA's requirements.

Contract No.
TEW-2008-C
Electrical
Maintenance

It was moved by Mr. Mullen, seconded by Mr. Monaghan, and unanimously carried to award Contract No. TEW-2008-C to Philips Brothers Electrical Contractors, Inc. in the amount of \$398,460.00 for two years.

Mr. Willert asked why this contract is awarded for two years. Mr. Hurst responded that this was a very competitive price out of the three bids received and awarding for two years is preferable. There is a provision in the contract to terminate within one year, if needed.

OLD BUSINESS: Mr. Boland stated that there was no Old Business at this time.

OLD BUSINESS

NEW BUSINESS:

NEW BUSINESS

1. Authorization for Professional Services: (Capital Funds)

Authorization for
Professional
Services

A. Gannett Fleming, Inc. – Proposal Dated August 10, 2020 – For Professional Engineering Services To Provide A Polymer Feed System Location Feasibility Study As Additional Scope Under The Sludge Cake Pump Design (Amendment No. 2) – Total Additional Amount Not To Exceed \$40,200.00 (Capital Funds). Mr. Hurst stated that this proposal is for conceptual design services for a polymer feed, an upgrade to the sludge cake dewatering system in B-3 at WRTP.

Gannett Fleming
Polymer Feed
Sludge Cake Pump
Design
Amendment No. 2

Mr. Boland stated that this item was discussed at the Operations and Engineering Committee meeting, and it was the consensus of the committee to recommend Board approval.

It was moved by Mr. Mullen, seconded by Mr. Pisani, and unanimously carried to accept Gannett Fleming's proposal dated August 10, 2020, for a total additional amount not to exceed \$40,200.00.

B. Mott MacDonald – Proposal Dated August 20, 2020 – For Professional Engineering Services For A Revision To The Pipeline Design Scope Of Work – Replacing The Proposed Pipeline From Darby Creek Pump Station To WRTP With A Deep Rock Tunnel (ESA Pipeline Contract 2; Segments 3 And 4) Relative To The Eastern Service Area Program – Total Revised Amount Not To Exceed \$2,949,445.00 (Capital Funds). Mr. Hurst stated that this proposal is an amendment to the existing design contract for the ESA Pipeline Contract 2. As discussed at the Operations and Engineering Committee meeting, converting to a tunnel-based approach is recommended for several reasons. Approval of this amendment proposal formalizes the change to the tunnel. This proposal is an increase to the original proposal amount to approve proceeding with the design of the tunnel approach. Mr. Kern asked if this was an increase of \$2.9M. Mr. Hurst responded that it this is an amendment and increase to the existing contract to accept the design services proposal for the tunnel design. The amount of \$2,949,445.00 is a correction to the amount of \$3,407,501.00 discussed at the Operations and Engineering Committee meeting.

Mott MacDonald
ESA - Amendment
– Deep Rock
Tunnel Design

To clarify, this correction to the amount also includes a change to the following wording of the above: Total “Revised” Amount Not To Exceed \$2,949,445.00 is corrected to: Total “Additional” Amount Not To Exceed \$2,949,445.00.

Mr. Boland stated that this item was discussed at the Operations and Engineering Committee meeting. Following discussion, it was the consensus of the Board to recommend approval of the above corrections.

It was moved by Mr. Mullen, seconded by Mr. Monaghan, and unanimously carried to accept Mott MacDonald’s proposal dated August 20, 2020, for a total additional amount not to exceed \$2,949,445.00.

C. Raftelis Financial Consultants, Inc. – Proposal Dated September 10, 2020 – For Professional Services To Provide The Requested Model Enhancements As Additional Scope Under The Trucked Waste Disposal Cost Of Service Study – Total Additional Amount Not To Exceed \$8,000.00 (Capital Funds). Mr. Hurst stated that this proposal was added to the agenda to modify the model and integrate that into their final report of the Trucked Waste Disposal Cost of Service Study.

Raftelis
Trucked Waste
Addtnl. Svcs.

Mr. Boland stated that this item was not previously discussed at the Operations and Engineering Committee meeting. Following discussion, it was the consensus of the Board to recommend approval.

It was moved by Mr. Mullen, seconded by Mr. Monaghan, and unanimously carried to accept Raftelis Financial Consultants, Inc.'s proposal dated September 10, 2020, for a total additional amount not to exceed \$8,000.00.

2. Authorization for Professional Services: (Operating Funds)
Mr. Boland stated that there were none at this time.

Authorization for
Professional
Services

3. Authorization To Purchase:

Authorization to
Purchase

- Purchase One (1) 4" Godwin Pump To Replace An Existing 4" Godwin That Is Beyond Repair And Has Reached The End Of Its Service Life – Purchase Is Through A PA COSTARS Contract – Total Amount Not To Exceed \$30,700.00

One 4" Godwin
Pump

Mr. Hurst stated this purchase would replace the existing Godwin pump that has been in operation for twelve years and that the repair cost almost equals the cost of a new pump.

Mr. Boland stated that this item was discussed at the Operations and Engineering Committee meeting, and it was the consensus of the committee to recommend Board approval.

It was moved by Mr. Mullen, seconded by Mr. Monaghan, and unanimously carried to approve the above purchase of one (1) 4" Godwin Pump through the PA CO-STARS Contract for a total amount not to exceed \$30,700.00.

4. Advisor Appointment:

Advisor
Appointment

- Engineering Advisor Services For Fourth Quarter 2020 – Weston Solutions, Inc. – Total Amount Not To Exceed \$2,500.00 Per Quarter

Engineering Advisor

Mr. Boland stated that this item was discussed at the Operations and Engineering Committee meeting, and it was the consensus of the committee to recommend Board approval.

It was moved by Mr. Mullen, seconded by Mr. Monaghan, and unanimously carried to appoint Weston Solutions, Inc. as Engineering Advisor for the fourth quarter of 2020 in the amount of \$2,500.00 per quarter. This appointment is subject to approval every quarter.

5. Closing Of Bank Account With Bryn Mawr Trust: Mr. Boland stated that this item was discussed at the Finance Committee meeting, and it was the consensus of the committee to recommend Board approval.

Bryn Mawr Trust
Close Account

It was moved by Mr. Knapp, seconded by Mr. Lucas, and unanimously carried to approve the closing of bank account with Bryn Mawr Trust.

6. Approval Of Agreement For Calculation Agent Services With PFM Financial Advisors LLC For The Irrevocable Trust For A Quarterly Fee Of \$11,500.00: Mr. Boland stated that this item was discussed at the Finance Committee meeting, and it was the consensus of the committee to recommend Board approval.

PFM
Calculation Agent
Agreement

It was moved by Mr. Knapp, seconded by Mr. Monaghan, and unanimously carried to approve the Agreement For Calculation Agent Services with PFM Financial Advisors LLC for the Irrevocable Trust for a Quarterly Fee of \$11,500.00.

7. Resolution No. 2020-12 – Authorizing The Execution Of The PennDOT Master Casting Agreement For A Period Of Nine Years (10/1/2020 – 9/30/2029): Mr. Hurst stated that this is a standard agreement renewal with PennDOT involving street work projects, such as raising manholes. This agreement will be superseded by the agreement that Aqua PA has with PennDOT upon closing.

Res. No.
2020-12

Mr. Boland stated that this item was discussed at the Operations and Engineering Committee meeting, and it was the consensus of the committee to recommend Board approval.

It was moved by Mr. Mullen, seconded by Mr. Knapp, and unanimously carried to adopt Resolution 2020-12.

8. Resolution No. 2020-13 – Retirement of Edward Kozlowski: Mr. Boland read the resolution aloud and congratulated Mr. Kozlowski on his retirement.

Res. No.
2020-13

Mr. DiSantis noted that Ed was a tremendously respected individual and was a devoted family man, spending many years taking care of his ill wife. Ed didn't miss much time from work and he will be missed.

Ms. Amadio stated that she will find out if Mr. Kozlowski would be available for the presentation of the retirement plaque at the October meeting.

Mr. Boland stated that this item was discussed at the Human Resources and Administration Committee meeting, and it was the consensus of the committee to recommend Board approval.

It was moved by Mr. Lucas, seconded by Ms. Sage, and unanimously carried to adopt Resolution 2020-13.

9. Resolution No. 2020-14 – Ratifying Execution Of Information Sharing Memorandum Of Understanding And All Prior Acts And All Other Agreements Related To Asset Sale To Aqua Pennsylvania Wastewater, Inc. And Rate Stabilization Fund Trust Agreement. Mr. McNichol noted that back in December 2019, DELCORA entered into an agreement and passed a resolution to create the Rate Stabilization Fund Trust Agreement to protect DELCORA rate payers from increases in excess of 3%. As part of that resolution, the Board gave some discretion to the Executive Director to execute any documents or enter into any agreements which would help effectuate the Rate Stabilization Fund Trust Agreement. This resolution ratifies the Information Sharing Memorandum of Understanding between Aqua and DELCORA. It sets forth the procedures that are used in terms of sharing information and it caps the increases going forward at 3% until the proceeds from the sale are exhausted. It also reaffirms and ratifies all previous actions of the Board which relate to the Asset Purchase Agreement.

Res. No.
2020-14

Ms. Nichols wanted to know the anticipated life span of the trust. Mr. McNichol responded that the fund is expected to last nine to eleven years. This was confirmed by Mr. Pileggi.

Ms. Nichols asked who she should contact if she wants to learn more about the merger and asset sale. Mr. Willert responded that he will set up a date and time with Ms. Nichols to come in to review the presentation that was provided to the Board in 2019.

Mr. Boland stated that this item was discussed at the Finance Committee meeting, and it was the consensus of the committee to recommend Board approval.

It was moved by Mr. Knapp, seconded by Ms. Sage, and carried with Mr. Kern and Ms. Nichols abstaining, to adopt Resolution No. 2020-14.

10. Resolution No. 2020-15 – Authorizing The Minimum Municipal Obligation Budget For 2021 – Pension Fund. Mr. Boland stated that this item was discussed at the Human Resources and Administration Committee meeting, and it was the consensus of the committee to recommend Board approval.

Res. No.
2020-15

Ms. Nichols asked if DELCORA, as a Municipal Authority, receives state aid for its MMO. Mr. Pileggi responded that DELCORA has not applied for state aid nor has it received any state aid even though the Act allows for it. All funds are supplied internally.

It was moved by Mr. Knapp, seconded by Mr. Lucas, and unanimously carried to adopt Resolution 2020-15.

EXECUTIVE SESSION. There was no Executive Session.

EXECUTIVE
SESSION

ADJOURNMENT: It was moved by Mr. Lucas, seconded by Mr. Knapp, and unanimously carried to adjourn the meeting at 4:00 P.M.

ADJOURNMENT

ATTEST
Secretary