

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

MINUTES

DECEMBER 15, 2020

The Regular Meeting of the Delaware County Regional Water Quality Control Authority was held on Tuesday, December 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, 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, Byrd, and Caulk were also present.

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

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

ORDER OF BUSINESS

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 November 17, 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 December 7, 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 December 7, 2020. There were no additions to the meeting minutes. Strategic, Planning & Goals

- c. Operations and Engineering. Mr. Mullen stated that the Committee met on December 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 stated that the Committee met on December 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; however, he did report that approximately twelve million dollars will be needed to fully fund the Pension Plan prior to integration with Aqua. Pension
2. CHAIRMAN: Mr. Boland stated that he had 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 no additions to the written report. 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 stated that he had no items to report at this time. 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 November 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 \$2,851,088.31 for the month of November 2020 contained in the Chief Financial Officer 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: CONTRACT CLOSEOUT

- Contract No. TC-1707-C – PS-6 Construction, Phase 1 – Contract D – Electrical (Philips Brothers Electrical Contractors, Inc.) Contract No. TC-1707-C PS-6, Phase 1, Contract D-Electrical
- Contract No. PR-1804-C – Marcus Hook Pump Station & Chester Ridley Creek Pump Station Electrical Upgrades (Philips Brothers Electrical Contractors, Inc.) Contract No. PR-1804-C MHPS & CRCPS Electrical Upgrades

Mr. Mullen stated that these contract closeouts 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 approve the above contract closeouts and final payments.

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 \$3,179,505.07 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. P2020-14 – Removal, Transportation And Disposal Of Dry Ash. Mr. Mullen stated that this contract advertisement was discussed at the Operations and Engineering Committee meeting, and it was the consensus of the committee to recommend Board approval. Contract No. P2020-14

It was moved by Mr. Mullen, seconded by Mr. Pisani, and unanimously carried to advertise this contract.

AWARD OF CONTRACTS:

- Contract No. P2020-06 (Re-Bid) – Janitorial Services. Mr. Mullen stated that two bids were received and the lowest qualified bidder was TG Cleaning Services LLC with a bid amount of \$29,995.00 and was in full compliance with DELCORA's requirements.

It was moved by Mr. Mullen, seconded by Mr. Lucas, and unanimously carried to award Contract No. P2020-06 (Re-Bid) to TG Cleaning Services LLC in the amount of \$29,995.00.

- Contract No. P2020-08 – Primary Clarifier Spare Parts Mr. Mullen stated that DELCORA's Engineer requested that review of the bids received and the award of this contract be postponed for one month.

It was moved by Mr. Mullen, seconded by Mr. Lucas, and unanimously carried to postpone the review of the bids received and the award of this contract for one month.

- Contract No. P2020-11 – Trash Removal / Recycle / Disposal & Grit / Screenings Relocation, Removal, Hauling & Disposal At Approved Landfill. Mr. Mullen stated that three bids were received and the lowest bidder was Eastern Environmental Industries LLC with a bid amount of \$13,848.50. However, after staff review, it was determined that the scope of work could not be performed for this dollar amount. The second lowest bidder was J&K Trash Removal, Inc. with a bid amount of \$349,680.00 and was in full compliance with DELCORA's requirements. It was the recommendation of the Solicitor to reject the bid from Eastern Environmental Industries LLC as unresponsive and award the contract to J&K Trash Removal, Inc.

It was moved by Mr. Mullen, seconded by Mr. Monaghan, and unanimously carried to reject the bid from Eastern Environmental Industries LLC as unresponsive and to award Contract No. P2020-11 to J&K Trash Removal, Inc. in the amount of \$349,680.00.

AWARD OF PENNBID ELECTRONIC BIDDING:

- Contract No. P2020-12 – Liquid Chlorine In One Ton Cylinder. Mr. Mullen stated that three bids were received via the PennBid e-Procurement Program and that the lowest qualified bidder was JCI Jones Chemicals, Inc. with a total bid amount of \$142,200.00, and was in full compliance with DELCORA's requirements.

AWARD OF
CONTRACTS

Contract No.
P2020-06 (Re-Bid)
Janitorial Services

Contract No.
P2020-08
Primary Clarifier
Spare Parts

Contract No.
P2020-11
Trash Removal

AWARD OF
PENNBID
ELECTRONIC
BIDDING

Contract No.
P2020-12
Liquid Chlorine

It was moved by Mr. Mullen, seconded by Mr. Monaghan, and unanimously carried to award Contract No. P2020-12 to JCI Jones Chemicals, Inc. in the total amount of \$142,200.00.

- Contract No. P2020-13 – Liquid Caustic Soda. Mr. Mullen stated that two bids were received via the PennBid e-Procurement Program and that the lowest qualified bidder was PVS Minibulk, Inc. with a total bid amount of \$27,625.00, and was in full compliance with DELCORA's requirements.

Contract No.
P2020-13
Liquid Caustic Soda

It was moved by Mr. Mullen, seconded by Mr. Monaghan, and unanimously carried to award Contract No. P2020-13 to PVS Minibulk, Inc. in the total amount of \$27,625.00.

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. Greeley & Hansen – Proposal Dated December 7, 2020 – For Professional Services To Revise The Combined Sewer Overflow Long Term Control Plan Update (CSO-LTCPU) And The Nine Minimum Controls (NMC) Update Reports To Address Comments From The USEPA – Total Amount Not To Exceed \$150,000.00 (Capital Funds). Mr. Mullen 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.

Greeley & Hansen
Revise CSO-
LTCPU & NMC
Update Reports

It was moved by Mr. Mullen, seconded by Mr. Monaghan, and unanimously carried to approve Greeley & Hansen's proposal dated December 7, 2020, for a total amount not to exceed \$150,000.00.

2. Authorization for Professional Services: (Operating Funds)

Authorization for
Professional
Services

A. AQUALAW PLC Of Richmond Virginia – Proposal Dated November 30, 2020 – For Continued Assistance With EPA And PADEP – Total Additional Amount Not To Exceed \$50,000.00 (Operating Funds) (AQUALAW Is Not Affiliated With AQUA PA). Mr. Mullen 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.

AQUALAW PLC
Continued
Assistance with
EPA & PADEP

It was moved by Mr. Mullen, seconded by Mr. Lucas, and unanimously carried to approve AQUALAW PLC's proposal dated November 30, 2020, for a total amount not to exceed \$50,000.00.

B. Weston Solutions, Inc. – Proposal Dated December 1, 2020 – For Professional Engineering Services To Prepare DELCORA’s Annual Chapter 94 Municipal Wasteload Management Reports For 2020 – Total Amount Not To Exceed \$34,000.00 (Operating Funds). Mr. Mullen 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.

Weston
Prepare Annual
Ch. 94 Report

It was moved by Mr. Mullen, seconded by Mr. Monaghan, and unanimously carried to approve Weston Solutions, Inc.’s proposal dated December 1, 2020, for a total amount not to exceed \$34,000.00.

C. Material Matters, Inc. – Proposal Dated December 7, 2020 – For Professional Services For Assistance With The Solid Waste Permit Renewal Application – Total Amount Not To Exceed \$26,700.00 (Operating Funds). Mr. Mullen 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.

Material Matters
Prepare Solid
Waste Permit
Renewal
Application

It was moved by Mr. Mullen, seconded by Mr. Monaghan, and unanimously carried to approve Material Matters, Inc.’s proposal dated December 7, 2020, for a total amount not to exceed \$26,700.00.

D. Goehring Rutter & Boehm – Proposal Dated December 9, 2020 – To Provide Legal Services In Connection With The Sale Of DELCORA’s Accounts Receivables In Conjunction With The Sale Of Its Physical Assets To Aqua PA – Hourly Rates: \$275.00/hour For Partners; \$175.00/hour For Associates (Operating Funds) (added after Finance meeting). Mr. Knapp stated that this item was not previously discussed at the Finance Committee meeting. Mr. Pileggi explained that this law firm will assist with the transfer of the accounts receivables upon the closing with Aqua.

Goehring Rutter &
Boehm
Legal Services RE:
Aqua Sale

In response to a question from Ms. Nichols about the asset proceeds, Mr. Pileggi replied that the proceeds go to the Rate Stabilization Trust Fund.

Following discussion it was the consensus of the Board to approve this proposal.

It was moved by Mr. Knapp, seconded by Mr. Lucas, and unanimously carried to approve Goehring Rutter & Boehm’s proposal dated December 9, 2020, for an hourly rate of \$275.00 for Partners and \$175.00 for Associates.

3. Engineering Advisor Appointment:

Engineering
Advisor

- Weston Solutions, Inc. – Proposal Dated November 30, 2020 Engineering Advisor Services For The First Quarter 202 – Total Amount Not To Exceed \$2,500.00 Per Quarter

Mr. Mullen 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 appoint Weston Solutions, Inc. as Engineering Advisor for the first quarter of 2021 in the amount of \$2,500.00 per quarter. This appointment is subject to approval every quarter.

4. Approval Of The Health Insurance Caps For 2021:

Health Insurance
Caps for 2021

- Monthly Caps On Authority Contribution For Medical And Dental Premiums For 2021:
 - Single \$ 857.82
 - Parent/Child \$1,529.81
 - Parent/Children \$1,529.81
 - Husband/Wife \$1,973.73
 - Family \$2,610.67

Mr. Lucas 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 Mr. Knapp, and unanimously carried to approve the Monthly Health Insurance Caps on the Authority Contribution for Medical and Dental Premiums for the year 2021, as listed above.

5. Approval Of The 2021 Committee and Board Meetings Schedule and Authority To Advertise. Mr. Lucas 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.

DELCORA
Committee and
Board Meetings
Schedule for 2021

It was moved by Mr. Lucas, seconded by Ms. Sage, and unanimously carried to approve the 2021 Committee and Board Meetings schedule and authorize advertisement of same.

6. Approval of the 2021 Holiday Schedule. Mr. Lucas 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.

2021 Holiday
Schedule

It was moved by Mr. Lucas, seconded by Mr. Boland, and unanimously carried to approve the 2021 Holiday Schedule.

7. Appointments Of Advisors For 2021:

Appointment of
Advisors for 2021

- Auditor (Leitzell & Economidis, PC). Mr. Knapp stated that Leitzell & Economidis, PC submitted a proposal dated October 29, 2020 to provide professional services to DELCORA to audit the financial statements of the Authority as of and for the year ended December 31, 2020, for a fee not to exceed \$36,000.00.

Auditor

This proposal was discussed at the November Finance Committee meeting and the interim appointment was approved at the November 17th Board meeting.

It was moved by Mr. Knapp, seconded by Mr. Monaghan, and unanimously carried that the proposal of Leitzell & Economidis, PC dated October 29, 2020, be formally accepted and that this firm be engaged to audit the financial statements of the Authority as of and for the year ended December 31, 2020, for a fee not to exceed \$36,000.00.

- Pension Advisors (CBIZ INR Advisory Services, LLC Continues As Investment Advisor And CBIZ Savitz Retirement Plan Services Continues To Provide Actuarial Services). [CBIZ InR fee as Fiduciary Investment Manager for the Defined Benefit Pension Plan is .30% of assets] & [CBIZ Savitz fee: \$25,000 for recurring services billable quarterly plus \$450 for pension benefit calculations]

Pension Advisors

These proposals were discussed at the Human Resources and Administration Committee meeting and it was the consensus of the committee to recommend Board acceptance of the proposals.

It was moved by Mr. Knapp, seconded by Mr. Monaghan, and unanimously carried that CBIZ InR Advisory Services, LLC will continue as Investment Advisor for calendar year 2021.

It was moved by Mr. Knapp, seconded by Mr. Monaghan, and unanimously carried that CBIZ Savitz Retirement Plan Services will continue to provide actuarial and retirement consulting services in 2021.

- Financial Advisor (Public Financial Management, Inc.). [fee: \$35,000-\$45,000 for each bond issue] Mr. Knapp stated that Public Financial Management, Inc. submitted a proposal dated November 23, 2020 to provide Financial Advisory Services relative to bond issues and cash management, as listed in their scope of services for the calendar year 2021.

Financial Advisor

This proposal was discussed at the Human Resources and Administration Committee meeting and it was the consensus of the committee to recommend Board acceptance of the proposal.

It was moved by Mr. Knapp, seconded by Mr. Monaghan, and unanimously carried that the proposal of Public Financial Management, Inc. be accepted, and that the firm be appointed to the position of Financial Advisor for the year 2021.

- Solicitor (McNichol, Byrne & Matlawski, P.C.). [fee: \$280/hr; paralegal \$105/hr] Mr. Knapp stated that Paul McNichol of McNichol, Byrne & Matlawski, P.C. submitted a proposal dated December 8, 2020 to render legal services to DELCORA for calendar year 2021. Solicitor

This proposal was discussed at the Human Resources and Administration Committee meeting and it was the consensus of the committee to recommend Board acceptance of the proposal.

It was moved by Mr. Lucas, seconded by Mr. Monaghan, and unanimously carried that the firm of McNichol, Byrne & Matlawski, P.C., be appointed to the position of Solicitor for the year 2021.

8. Rate Resolutions – Adoption Of Rate Resolutions For Establishing Sewer Service For The Year 2021. 2021 Rate Resolutions

- Rate Resolution 2020-16 - For Chester City Users
- Rate Resolution 2020-17 - For Upland Borough Users
- Rate Resolution 2020-18 - For Parkside Borough Users
- Rate Resolution 2020-19 - For Chester Township Users
- Rate Resolution 2020-20 - For Trainer Borough Users
- Rate Resolution 2020-21 - For Marcus Hook Borough Users
- Rate Resolution 2020-22 - For Western Wholesale Users
- Rate Resolution 2020-23 - For EDU Wholesale Users
- Rate Resolution 2020-24 - For Retail Industrial Users
- Rate Resolution 2020-25 - For Wholesale Industrial Users
- Rate Resolution 2020-26 - For Eastern Wholesale Users
- Rate Resolution 2020-27 - For Pocopson-Riverside-Chadds Ford Use
- Rate Resolution 2020-28 - For Pocopson-Preserve-Chadds Ford Use
- Rate Resolution 2020-29 - For Rose Valley Borough Users
- Rate Resolution 2020-30 - For Edgmont Township Users
- Rate Resolution 2020-31 - For Chester Ridley Creek Users
- Rate Resolution 2020-32 - Springhill Farms WWTF Users

A copy of the above rate resolutions was provided to all Board members for their review at the Finance Committee meeting.

Mr. Knapp stated that the 2021 rate resolutions were 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 Mr. Monaghan, and unanimously carried to adopt the rate resolutions above, en masse, for establishing sewer service rates for the year 2021.

9. Resolution No. 2020-33 – Resolution Authorizing Disposition Of Records Of Misc. Files From Accounting As Set Forth In The Municipal Records Manual Approved December 16, 2008 And As Amended July 23, 2009. Mr. Knapp stated that this item was discussed at the Finance Committee meeting and it was the consensus of the committee to recommend Board approval. Res. No. 2020-33

It was moved by Mr. Knapp, seconded by Mr. Monaghan, and unanimously carried to adopt Resolution No. 2020-33.

10. Resolution No. 2020-34 – Resolution Authorizing The Acquisition Of Easements Through The Properties Set Forth On Exhibit A Thereto By Condemnation Or Deed In Lieu Of Condemnation In Conjunction With The Wastewater Tunnel Project. Mr. Mullen 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. Res. No. 2020-34

It was moved by Mr. Mullen, seconded by Mr. Monaghan, and unanimously carried to adopt Resolution No. 2020-34.

11. Authorization to Purchase Five (5) New Vehicles Through The PA-COSTARS Contract For A Total Amount Not To Exceed \$169,000.00 (Capital Funds) (added after O&E mtg). Mr. DiSantis stated that this item was added to the agenda and authorization would have been done earlier in the year but the purchases had to be delayed due to the COVID virus pandemic. Purchase – Five Vehicles

In response to a question from Ms. Nichols, Mr. DiSantis replied that retired vehicles are placed on the government bid site for sale.

It was moved by Mr. Boland, seconded by Mr. Monaghan, and unanimously carried to approve the Authorization to Purchase Five (5) New Vehicles through the PA-COSTARS Contract for a total amount not to exceed \$169,000.00.

Prior to adjournment, Mr. Willert thanked the Staff and all employees for a great year and commended them for their terrific work during the COVID virus pandemic crisis which placed extraordinary demands on them. He also thanked the Board for their support during the year under difficult circumstances. He wished everyone a Merry Christmas and a Happy New Year.

On behalf of the Board, Mr. Boland thanked the Executive Director and the entire team for all of their hard work during a very challenging year. He wished everyone a safe and enjoyable holiday.

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 4:05 P.M.

ADJOURNMENT

ATTEST
Secretary