

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

MINUTES

FEBRUARY 16, 2021 (VIRTUAL)

The Regular Meeting of the Delaware County Regional Water Quality Control Authority was held on Tuesday, February 16, 2021, at 3:30 P.M. The meeting was held virtually via Zoom.com. .

REGULAR  
MEETING

Messrs. Kern, Knapp, Lucas, Monaghan, Mullen, Nagle, Pisani, and Madames Nichols and Sage, Board Members, constituting a quorum were present.

ROLL CALL

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

PUBLIC ATTENDANCE: Gentleman resident (name inaudible) from the West Chester area and Ms. Aparna Peri representing the Preserves at Chadds Ford community. No other members of the public were present.

PUBLIC

Mr. Lucas, 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: The West Chester area resident asked for the reason for the increase. Mr. Pileggi responded the increase was a result of the recent USEPA mandates to upgrade DELCORA'S collection and conveyance systems affecting areas east and west of Rt. 476. The cost to comply with these mandates is approximately 500 million dollars and the rates were increased for every single customer to help finance DELCORA's compliance. There were no federal funds received to finance these upgrades. He added that in the 1970's, the federal government provided funds for USEPA mandates in effect at that time. In response to the resident's next question, Mr. Pileggi stated that rates for all customer classifications were increased by 10%. Mr. Pileggi provided his contact information to the resident for any further questions he may have.

PUBLIC  
COMMENTS

Ms. Peri asked about the significant rate increases without any prior notification. Mr. Pileggi responded that a 12% rate increase was

first considered but then the increase was reduced to 10%. He also noted that funds for the Customer Assistance Program were increased to help any customer pay their bill if they qualify for the program. He added that prior notifications of an increase are not typically sent but that the bill itself reflects the new rate. Ms. Peri inquired as to the discrepancy of the rates between neighboring communities. Mr. Pileggi responded that the costs are fixed but if a development has fewer houses, the rate is higher per individual house than if there were more houses in the development to share the fixed cost.

APPROVAL OF MINUTES: It was moved by Ms. Sage, seconded by Mr. Monaghan, and unanimously carried that the minutes of the Regular Meeting of January 19, 2021, be approved as submitted. APPROVAL OF MINUTES

REPORTS: REPORTS

1. COMMITTEES: COMMITTEES

a. Human Resources and Administration. Mr. Monaghan stated that the Committee met on February 8, 2021. 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 February 8, 2021. There were no additions to the meeting minutes. Strategic, Planning & Goals

c. Operations and Engineering. Mr. Mullen stated that the Committee met on February 9, 2021. 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 February 10, 2021. 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. Pileggi stated that the Committee met on February 10, 2021. Mr. Pileggi noted that the two Pension consultants, CBIZ InR (investment advisor) and CBIZ Savitz (actuary) were present, and provided an overview of the Pension Plan. The future status of the Plan upon the acquisition by Aqua PA was also discussed. He noted that another meeting would be held in April 2021 prior to the closing with Aqua PA, anticipated for May 1, 2021. Pension

2. CHAIRMAN: Mr. Lucas 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 were 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 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 January 2021.

It was moved by Mr. Knapp, seconded by Mr. Monaghan, and unanimously carried that the statement and the list of bills in the amount of \$3,798,163.92 for the month of January 2021 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: CHANGE ORDERS

- Contract No. TC-2006-C – WRTP Plant Upgrades 2020 – Contract A – General Construction – Change Order No. 1 Which Includes Two Parts:
  - > Part A – Increase In Contract Amount To Increase Concrete Rehab And Linings Products To Address Sludge Holding Tank Conditions – Increase In Contract Amount Of \$596,659.00 (Allan Myers, L.P.)
  - > Part B – Increase In Contract Amount To Waterproof The Top Of The Concrete Tanks To Further Extend The Life Of The New Tank Linings – Increase In Contract Amount Of \$167,538.00 (Allan Myers, L.P.)

Contract No.  
TC-2006-C  
WRTP Plant  
Upgrades 2020  
CO #1  
Part A – Concrete  
Rehab/Linings &  
Part B –  
Waterproofing

Mr. Mullen stated that the above contract change order 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 approve the above contract change order, Parts A and B.

3. CONTRACT CLOSEOUT AND FINAL PAYMENT APPROVAL: CONTRACT CLOSEOUT  
Mr. Lucas stated that there were no Contract Closeouts at this time.

4. PAYMENT OF BILLS: PAYMENT OF BILLS

It was moved by Mr. Knapp, seconded by Mr. Monaghan, 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 \$2,050,387.12 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. P2021-01 – Sewer Lateral Cleaning & Maintenance Services – Part A (Cleaning) & Part B (Repair). 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.  
P2021-01  
Part A (Cleaning) &  
Part B (Repair)

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

AWARD OF CONTRACTS: Mr. Lucas stated that there were no contract awards at this time. AWARD OF CONTRACTS

OLD BUSINESS: Mr. Lucas 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

Mr. Mullen stated that there were no Authorizations for Professional Services using Capital Funds at this time.

2. Authorization for Professional Services (Operating Funds)

A. AQUALAW PLC Of Richmond Virginia – Proposal Dated January 22, 2021 – For Professional Services For Continued Assistance With The LTCP Update, The Consent Decree, And Permitting – Total Additional Amount Not To Exceed \$50,000.00 (Operating Funds) (AQUALAW Is Not Affiliated With AQUA PA) AQUALAW Continued Assistance

B. Cozen O'Connor – Proposal Dated February 8, 2021 – For Legal Services To Represent DELCORA With Respect To The Defeasance Of Its Outstanding Revenue Bonds In Connection With The Sale Of DELCORA's Wastewater Collection And Treatment System – The Engagement Will Be Handled By Suzanne Mayes And Scott Mehok At Hourly Rates Of \$680.00 And \$470.00, Respectively (Operating Funds)

Cozen O'Connor  
Legal Services  
Bonds Defeasance

Mr. Mullen stated that proposal "A" was discussed at the Operations and Engineering Committee meeting and proposal "B" was discussed at the Finance Committee meeting, and it was the consensus of the committees to recommend Board approval of the above proposals.

It was moved by Mr. Mullen, seconded by Mr. Monaghan, and carried to approve the Professional Services proposals "A" and "B" listed above.

C. Cavallo Environmental Services, LLC – Proposal Dated February 8, 2021 – For Professional Services To Prepare The 2020 Pollutant Minimization Plan (PMP) Annual Report – Total Amount Not To Exceed \$15,000.00 (Operating Funds) (added after O&E mtg).

Cavallo  
Environmental  
Prepare 2020 PMP  
Report

Mr. Mullen stated that the above proposal "C" was added to the agenda and not previously discussed at the Operations and Engineering Committee meeting. Mr. Hurst stated that Greg Cavallo is a PCB expert and that DELCORA is obligated to track PCBs going in to and out of the plant, and that this year a Trackdown Study is required.

It was the consensus of the Board to recommend approval.

It was moved by Mr. Mullen, seconded by Mr. Monaghan, and carried to approve the Professional Services proposal "C" listed above.

Ms. Nichols requested to be notified of any items added to the Board agenda after the committee meetings are held.

3. Resolution No. 2021-03 – Resolution Authorizing The Acquisition Of Fee Simple Title To The Properties Identified As Delaware County Folio Numbers 38-06-00908-00 And 38-06-00501-00 By Condemnation Or Deed In Lieu Of Condemnation And The Payment Of Just Compensation 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. 2021-03

It was moved by Mr. Mullen, seconded by Mr. Nagle, and unanimously carried to adopt Resolution 2021-03.

4. PFM Asset Management LLC (“PFMAM”) Will Serve As Investment Advisor To The Delaware County Regional Water Quality Control Authority (DELCORA), Delaware County, Pennsylvania (The “Issuer”) In Connection With **Structuring The Escrow** (The “Escrow”) Related To The Cash Defeasance Of The Issuer’s Sewer Revenue Refunding Bonds, 2007 Series; Sewer Revenue Bonds, 2015 Series; Sewer Revenue Bonds, 2016 Series; And Sewer Revenue Bonds, Series Of 2017 (Collectively, The “Bonds”).

PFM Asset  
Management and  
BondResource  
Partners  
Advisors  
Bonds Defeasance

Approval Of PFM Occurred In The January 2021 Meeting Along With Other DELCORA Advisors.

Fees For The Use Of Investments Associated With The Escrow Range From \$5,000 To An Amount Not Exceeding \$60,000. Determination Of Which Investment To Use Is Dependent On The Market Conditions At The Time Of Setting Up The Escrow.

Additionally, BONDRESOURCE Partners, LP (“BRP”), A Wholly-Owned Subsidiary Of PFMAM, Will Assist The Issuer In Verifying The Mathematical Correctness Of Certain Computations Relating To The Proposed Defeasance Of The Bonds. The Fee For The Verification Agent Is \$5,000.00.

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.

It was moved by Mr. Knapp, seconded by Mr. Monaghan, and unanimously carried to approve the above appointment of PFM Asset Management LLC and BondResource Partners, LP as Advisors for the scope of work and amounts as noted above.

EXECUTIVE SESSION. There was no Executive Session.

EXECUTIVE  
SESSION

ADJOURNMENT: It was moved by Mr. Knapp, seconded by Mr. Monaghan, and unanimously carried to adjourn the meeting at 3:55 P.M.

ADJOURNMENT

ATTEST  
Secretary