

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

MINUTES

FEBRUARY 15, 2022 (VIRTUAL / ON-SITE)

The Regular Meeting of the Delaware County Regional Water Quality Control Authority was held on Tuesday, February 15, 2022, at 3:30 P.M. The meeting was held virtually via Zoom.com and in the Board Room of the Administration Building at 100 East Fifth Street, Chester, Pennsylvania.

REGULAR
MEETING

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

ROLL CALL

Messrs. Cherico, DiSantis, Garner, Hurst, Lehman, Lenton, Willert, and Mesdames Bonnett, Byrd, Caulk, Cummings, and Ryan were also present.

PUBLIC ATTENDANCE: The following were present: Mike Ewall of Energy Justice Network and Samantha Newell. No other members of the public were present.

PUBLIC

Mr. Kern, 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: Mr. Kern stated that comments were received regarding the funding of the National Municipal Stormwater Alliance proposal for a Feasibility Study and that those comments will be distributed to all Board members for their review. Mr. Kern noted that there were no other public comments received.

PUBLIC
COMMENTS

APPROVAL OF MINUTES: It was moved by Ms. Billings, seconded by Mr. Monaghan, and unanimously carried that the minutes of the Regular Meeting of January 18, 2022, be approved as submitted.

APPROVAL
OF MINUTES

REPORTS:

REPORTS

1. COMMITTEES:

COMMITTEES

a. Human Resources and Administration. Ms. Nichols stated that the Committee met on February 7, 2022. There were no additions to the meeting minutes.

Human Resources
and Administration

b. Strategic Planning and Goals. Mr. Nagle stated that the Committee met on February 7, 2022. There were no additions to the meeting minutes.

Strategic, Planning
& Goals

c. Operations and Engineering. Mr. Mullen stated that the Committee met on February 8, 2022. 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 February 9, 2022. There were no additions to the meeting minutes.

Finance

e. Pension. Mr. Kern stated that the Committee met on February 9, 2022 and that the two Pension consultants, CBIZ InR (investment advisor) and CBIZ Savitz (actuary) were present, and provided an overview of the Pension Plan. He reported that the fund earned 13.09% last year and that it is currently less than 80% funded due to the re-evaluation of the Plan. The Plan will be terminated at the time of the asset sale but will be fully funded at that time with a transfer of approximately \$6.6 million. A formal report from the advisors will be received at the end of February.

Pension

2. CHAIRMAN: Mr. Kern stated that he is proud to be a part of the Authority and, on behalf of the Board, wanted to thank all of the frontline employees protecting the public health and the environment including all of the supporting personnel. Every employee is a critical component of how the Authority functions. He also noted that he contacted Mr. Ewall, Executive Director of the Energy Justice Network. Mr. Ewall would like to meet with some of the Board members to express his concerns. A meeting is scheduled for Wednesday for those who would like to participate. He also noted that additional comments were received concerning funding of the National Municipal Stormwater Alliance study. He will distribute those to the Board. He will also consult with the Solicitor before this item is considered again and that this item will be discussed further.

CHAIRMAN

3. EXECUTIVE DIRECTOR: Mr. Willert stated that there were no additions to the written report; however, he noted that former Chief Financial Officer, John Pileggi, retired last month and that after consulting with Chairman Kern, HR Committee Chair Ms. Nichols, and a few other Board members, it was decided to promote Mike Cherico to the position of Chief Financial Officer and that Shep Garner would be promoted to Accounting & Customer Service Manager. Mr. Willert commended Mike Cherico and Shep Garner on the terrific job that they have done and that their efforts are much appreciated. All present congratulated Mr. Cherico and Mr. Garner.

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 and thanked Mr. Kern and the Board for acknowledging the employees.

DIRECTOR OF
OPERATIONS &
MAINTENANCE

6. SOLICITOR: There was no report.

SOLICITOR

OPERATING FUND PAYMENTS:

OPERATING
FUND PAYMENTS

1. MONTHLY FINANCIAL REPORT: Mr. Cherico 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 2022.

It was moved by Mr. Knapp, seconded by Mr. Nagle, and unanimously carried that the statement and the list of bills in the amount of \$4,850,226.02 for the month of January 2022 contained in the Monthly Financial 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. Kern stated that there were no Contract Change Orders at this time.

CHANGE ORDERS

3. CONTRACT CLOSEOUT AND FINAL PAYMENT APPROVAL: Mr. Kern 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. Nagle, 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 \$2,900,549.22 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.

Mr. Kern stated that the monthly itemized list of capital fund expenses is available and can be sent to any Board member.

AUTHORIZATION TO ADVERTISE CONTRACTS:

- Contract No. TC-2201-C – Incinerator – Annual Maintenance And Emergency Repairs 2022. 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.

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

- Contract No. P2022-01 – Lawn Mowing And Maintenance. 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.

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

In response to a question from Ms. Nichols as to what property is included, Mr. DiSantis stated that it covers all lawn areas at facilities within Delaware County at an approximate annual expense of \$25,000 to \$30,000.

AWARD OF CONTRACTS:

- Contract No. P2021-09 (Re-Bid) – Janitorial Services. Mr. Mullen stated that the lone bidder was Healthy Cleaning Management Solutions with a bid amount of \$57,812.00 and was in full compliance with DELCORA's requirements.

It was moved by Mr. Mullen, seconded by Mr. Nagle, and unanimously carried to award Contract No. P2021-09 (Re-Bid) to Healthy Cleaning Management Solutions in the amount of \$57,812.00.

- Contract No. P2021-12 – Residential Delinquent Notice Posting Service. Mr. Mullen stated that the lone bidder was Wahid Rahim, LLC dba Auto Boyz Delivery with a bid amount of \$374,400.00 (\$12.00 per notice) and was in full compliance with DELCORA's requirements.

It was moved by Mr. Mullen, seconded by Ms. Nichols, and unanimously carried to award Contract No. P2021-12 to Wahid Rahim, LLC dba Auto Boyz Delivery, in the amount of \$374,400.00 (\$12.00 per notice).

In response to a question from Ms. Nichols, Mr. Garner stated that the average annual delinquent posting expense is about \$100,000 to

AUTHORIZATION
TO ADVERTISE
CONTRACTS

Contract No.
TC-2201-C
Annual Incinerator

Contract No.
P2022-01
Lawn Mowing/Maint.

AWARD OF
CONTRACTS

Contract No.
P2021-09 (Re-Bid)
Janitorial Services

Contract No.
P2021-12
Residential
Delinquent Posting
Service

\$200,000 at \$12 per notice and that there are about \$2 million in delinquencies. In response to a question from Ms. Billings about assistance programs, Mr. Garner described the two DELCORA-funded customer assistance programs and our customers are also advised of the County assistance programs available. Mr. Cherico also noted that DELCORA has not received any funds from the federal government's American Recovery Plan.

OLD BUSINESS: Mr. Kern 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. Catania Engineering – Proposal Dated January 18, 2022 – For Professional Engineering Services To Provide Construction Services For The Upland Borough Church Street Sewer Upgrade Project – Total Amount Not To Exceed \$34,085.00 (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. Catania Church St. Sewer Upgrade-Upland Construction Svcs.

It was moved by Mr. Mullen, seconded by Mr. Nagle, and unanimously carried to accept Catania Engineering's Proposal dated January 18, 2022, for a total amount not to exceed \$34,085.00.

2. Authorization for Professional Services (Operating Funds)

A. Catania Engineering – Proposal Dated January 12, 2022 – For Professional Engineering Services For The Review Of Planning Modules For 2022 – Total Amount Not To Exceed \$15,000.00 (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. Catania Review Planning Modules For 2022

It was moved by Mr. Mullen, seconded by Mr. Moss, and unanimously carried to accept Catania Engineering's Proposal dated January 12, 2022, for a total amount not to exceed \$15,000.00.

B. Power Engineers – Proposal Dated February 4, 2022 – For Professional Engineering Services To Provide Continued Technical Support For GIS, Cityworks, And Granite XP – Total Amount Not To Exceed \$25,000.00 (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. Power Engrs. Continued GIS, Cityworks & Granite XP Tech Support

It was moved by Mr. Mullen, seconded by Mr. Nagle, and unanimously carried to accept Power Engineers' Proposal dated February 4, 2022, for a total amount not to exceed \$25,000.00.

C. Cavallo Environmental Services, LLC – Proposal Dated February 4, 2022 – For Professional Services To Prepare The 2021 Pollutant Minimization Plan (PMP) Annual Report – Total Amount Not To Exceed \$15,000.00 (Operating Funds). Mr. Mullen stated that this proposal was added to the agenda and not previously discussed at the Operations and Engineering Committee meeting. Mr. Hurst stated that he mentioned this at the committee meeting but did not have the proposal at that time. This report is required by the Delaware River Basin Commission to track PCBs.

Cavallo
Environmental
Prepare 2021 PMP
Annual Report

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 Cavallo Environmental Services' Proposal dated February 4, 2022, for a total amount not to exceed \$15,000.00.

D. Rudolph Clarke, LLC – Proposal Dated January 11, 2022 And Supplemental Proposal Dated February 8, 2022 – To Render Legal Services As Solicitor For DELCORA For The Scope Of Work And Rates As Outlined In The Proposals – For An Hourly Billing Rate of \$280.00 For Attorneys And \$105.00 For Paralegals For The Remainder Of 2022 (Operating Funds). Mr. Kern stated that this proposal was added to the agenda and was not previously discussed at Committee level.

Rudolph Clarke
Authority Solicitor For
The Remainder Of
2022

Following discussion, it was the consensus of the Board to table consideration of this item at this time.

It was moved by Mr. Nagle, seconded by Ms. Nichols, and carried, with Ms. Billings opposing, to table the proposal from Rudolph Clarke.

3. Resolution No. 2022-01 – Resolution Authorizing The Acquisition Of Easements Through Eleven (11) 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. 2022-01

In response to a question from Ms. Nichols, Mr. Hurst explained that this resolution is required to obtain rights for subterranean (below surface) easements (a 50 ft. wide by 50 ft. tall window) either through deed or condemnation. He also stated that the properties listed in the

resolution are located intermittently along Rt. 291 from Harwick Street to Boeing to across the Heinz Wildlife area then to the Darby Creek Pump Station. These are private properties. No residents will be displaced.

It was moved by Mr. Mullen, seconded by Mr. Nagle, and unanimously carried to adopt Resolution 2022-01.

EXECUTIVE SESSION. There was an Executive Session held prior to the Board meeting. EXECUTIVE SESSION

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

ATTEST
Secretary