

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

MINUTES

MAY 18, 2022 (VIRTUAL / ON-SITE)

The Regular Meeting of the Delaware County Regional Water Quality Control Authority was held on Wednesday, May 18, 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, Rice, Willert, and Mesdames Amadio, Bonnett, Byrd, and Caulk were also present.

PUBLIC ATTENDANCE: Mr. Mike Ewall was present. 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 there were no comments received from the public. PUBLIC COMMENTS

APPROVAL OF MINUTES: It was moved by Ms. Nichols, seconded by Mr. Nagle, and unanimously carried that the minutes of the Regular Meeting of April 19, 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 May 9, 2022. There were no additions to the meeting minutes; however, she asked if there was a decision made as to whom the new Community Engagement and Outreach Coordinator would report. Mr. Willert responded that this new position would report to him if there was no objection from the Board. Human Resources and Administration

b. Strategic Planning and Goals. Mr. Nagle stated that the Committee met on May 9, 2022. There were no additions to the meeting minutes. Strategic, Planning & Goals

- c. Operations and Engineering. Mr. Mullen stated that the Committee met on May 10, 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 May 11, 2022. He noted one item requiring Board action would be considered later in the agenda. There were no additions to the meeting minutes. Finance
- e. Pension. Mr. Monaghan stated that there was no formal meeting of the Pension Committee and had nothing to report at this time. Pension
- f. Legal Liaison. Ms. Billings stated that she is expecting an update from the Rudolph Clarke law firm to share at a future meeting. Legal Liaison
2. CHAIRMAN: Mr. Kern reported the following: there was an Executive Session held on May 10th to discuss the status of the Act 537 Plan approval and related capital financing; and there was an Executive Session held on May 11th to consult with legal counsel Mike Clarke, after which Mr. Kern and Mr. Clarke met with Bill Martin, County Solicitor, for a follow up to the meeting with County Council regarding the financing of future capital projects. Mr. Kern also stated that he will be reaching out to Aqua PA to have similar discussions. Continuing his report, Mr. Kern stated that a meeting will be held at the beginning of June with our financial advisors to discuss our capital financing needs. On a personal note, he mentioned that he will be working with Edward Coleman, Executive Director of the Community Action Agency of Delaware County, to explore the development of a county-wide program to provide low interest bank loans for homeowners to repair their houses. Certain repairs could help with any I&I issues. Mr. Kern will also be reaching out to PennVest on this program in the near future. CHAIRMAN
3. EXECUTIVE DIRECTOR: Mr. Willert stated that there were no additions to the written report; however, he reminded the Board that the Community Day for Chester Residents will be held this Saturday, May 21st, from 12:00 PM to 2:00 PM at the plant. There will be free refreshments and some free small gifts available. He also stated that there would be a short Executive Session after the meeting. EXECUTIVE DIRECTOR
4. DIRECTOR OF ENGINEERING: Mr. Hurst stated that there were no additions to the written report; however, he did mention that there were several new items added to today's agenda: tunnel easements and an authorization to purchase a carbon-based odor control system. 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. John Rice of Grim Biehn & Thatcher stated discussion continues with the City of Chester on the 537 Amendment and he hopes to have a response from them by next week. 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 April 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 \$5,434,304.42 for the month of April 2022 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. Kern 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-2001-C – Annual Incinerator Maintenance Contract (Industrial Furnace Company) Contract No. TC-2001-C Annual Incinerator Maintenance

Mr. Kern stated that the above contract closeout 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. Nichols, and unanimously carried to approve the above contract closeout and final payment.

4. PAYMENT OF BILLS: PAYMENT OF BILLS

It was moved by Mr. Knapp, seconded by Mr. Mullen, 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 \$2,245,343.37 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. ST-2202-C – Wastewater Tunnel Program – Contract 1 – Tunnel And Shafts

Contract No.
ST-2202-C

Mr. Kern 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. Mr. Hurst explained that, per our standard procedure, this authorization just establishes the contract number for when this project eventually goes out for bid.

It was moved by Mr. Mullen, seconded by Mr. Nagle, and unanimously carried to approve the Authorization to Advertise listed above.

- Contract No. SEW-2203-CO –Furnishing Equipment, Labor & Supervision for Sewer Maintenance, Repairs & Other Construction-Related Projects

Contract No.
SEW-2203-CO

- Contract No. SEW-2204-CO – Annual Paving Restoration Services

Contract No.
SEW-2204-CO

Mr. Kern 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. Monaghan, and unanimously carried to approve the Authorizations to Advertise listed above.

AWARD OF CONTRACTS: Mr. Kern stated that there were no Contract Awards at this time.

AWARD OF
CONTRACTS

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. Greeley & Hansen – Proposal Dated May 3, 2022 – 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 Additional Amount Not To Exceed \$50,000.00 (Capital Funds)

Greeley & Hansen Revise CSO-LTCPU and NMC Update Reports

Mr. Kern 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. Nagle, and unanimously carried to approve the Professional Services proposal listed above.

2. Authorization for Professional Services: (Operating Funds)

Authorization for Professional Services

A. GHD, Inc. – Proposal Dated November 11, 2021 – For Professional Engineering Services To Provide Incinerator Operator Training At The WRTP – Total Additional Amount Not To Exceed \$2,735.35 (Operating Funds)

GHD Incinerator Operator Training

Mr. Kern 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. Mr. Kern also noted that GHD is a nationally recognized expert in this field.

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

3. Resolution No. 2022-02 – Resolution Authorizing Disposition Of Records Of Misc. Maintenance Manuals For Demolished Equipment From Engineering Library As Set Forth In The Municipal Records Manual Approved 12/16/2008 And As Amended On 7/23/2009

Res. No. 2022-02

Mr. Kern 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 Ms. Billings, seconded by Mr. Moss, and unanimously carried to adopt Resolution 2022-02.

4. Approval of 2021 Audit of DELCORA Financial Statements

2021 Audit
Approval

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

It was moved by Mr. Knapp, seconded by Ms. Billings, and unanimously carried to approve the 2021 Audit.

5. Approval of the following Easement Agreements for the Wastewater Tunnel Project in accordance with the DELCORA Board of Directors Resolution 2020-34:

Tunnel Easements
(C. Frank &
Leedom Fire Co.)

<u>Parcel No.</u>	<u>Owner</u>	<u>Type of Easement</u>	<u>Cost</u>
20000113002	Charles and Geraldine Frank	Subterranean	\$3600.00
38060042502	Leedom Fire Company	Subterranean	\$1600.00

Mr. Kern stated that this item was added to the agenda and not previously discussed at the Operations and Engineering Committee meeting.

It was the consensus of the Board to recommend approval.

It was moved by Mr. Nagle, seconded by Mr. Monaghan, and unanimously carried to approve the above two tunnel easements.

6. Approval of the following Agreement of Sale for the Wastewater Tunnel Project in accordance with the DELCORA Board of Directors Resolution 2021-03:

Tunnel
Agreement of Sale
Land Parcel
Joseph Oleyn

<u>Parcel No.</u>	<u>Owner</u>	<u>Type</u>	<u>Cost</u>
38060050100	Joseph Oleyn	Agreement of Sale	\$2500.00

Mr. Kern stated that this item was added to the agenda and not previously discussed at the Operations and Engineering Committee meeting.

It was the consensus of the Board to recommend approval.

It was moved by Ms. Billings, seconded by Mr. Mullen, and unanimously carried to approve the above Agreement of Sale.

7. Approval of the following Easement Agreements for the Wastewater Tunnel Project:

Tunnel Easements
(2 - County of
Delaware)

<u>Parcel No.</u>	<u>Owner</u>	<u>Type of Easement</u>
38060042503	County of Delaware	Subterranean
20000076300	County of Delaware	Subterranean

Mr. Kern stated that this item was added to the agenda and not previously discussed at the Operations and Engineering Committee meeting.

It was the consensus of the Board to recommend approval.

It was moved by Mr. Mullen, seconded by Mr. Monaghan, and unanimously carried to approve the above two tunnel easements.

Ms. Nichols requested that the locations be included on the agenda when these are listed. Mr. Hurst provided the locations of the easements listed above, several of which are in Ridley Township. Ms. Nichols wanted to assure the public that the tunnel project does not only impact Chester residents. Mr. Hurst also stated that the project will not displace any residents, contrary to the false rumor recently circulated. These are only subterranean easements.

8. Authorization To Purchase:

- Activated Carbon-Based Odor Adsorber System At DELCORA's Western Regional Treatment Plant Through A Sole Source Vendor (ECS Environmental Solutions, LLC – Quote Dated May 11, 2022) For A Total Amount Not To Exceed \$87,800.00 (Operating Funds)

Authorization to Purchase

Activated Carbon-Based Odor Adsorber System

Mr. Kern stated that this item was added to the agenda and not previously discussed at the Operations and Engineering Committee meeting. Mr. Hurst explained the system and stated that there are only two vendors offering this system. ECS had the only one available immediately. Regarding sole-sourcing, Mr. Rice, Solicitor, recommended maintaining documentation but was not concerned given the circumstances.

It was the consensus of the Board to recommend approval.

It was moved by Ms. Nichols, seconded by Mr. Nagle, and unanimously carried to approve the above purchase.

EXECUTIVE SESSION: There was an Executive Session held after the meeting.

EXECUTIVE SESSION

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

ADJOURNMENT

ATTEST
Secretary