

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

MINUTES

JUNE 21, 2022 (VIRTUAL / ON-SITE)

The Regular Meeting of the Delaware County Regional Water Quality Control Authority was held on Tuesday, June 21, 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, Lehman, Lenton, Rice, Willert, and Mesdames Amadio, Bonnett, Caulk, and Cummings were also present.

PUBLIC ATTENDANCE: Mr. Mike Ewall and Ms. Nicole Brown were present. No other members of the public were present.

PUBLIC

ORDER OF BUSINESS

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

Mr. Kern announced that since the Board agenda was not posted on the DELCORA website 24 hours prior to the meeting, no official action can be taken at this meeting. He stated that reports of committee meetings and other reports as listed on the agenda can be reviewed at this meeting since no Board action is required for those items. He stated that the Board meeting will be continued and reconvened on Thursday, June 23rd, at 2:00 PM, with the option of attending either virtually via Zoom.com or onsite in the Board Room of the Administration Building at 100 East Fifth Street, Chester, Pennsylvania. The access link via Zoom.com will remain the same as today's meeting.

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: No action taken.

APPROVAL
OF MINUTES

REPORTS:

REPORTS

1. COMMITTEES:

COMMITTEES

a. Human Resources and Administration. Ms. Nichols stated that the Committee met on June 13, 2022. She noted one item requiring Board action would be considered later in the agenda on June 23rd.

Human Resources
and Administration

b. Strategic Planning and Goals. Mr. Nagle stated that the Committee met on June 13, 2022. There were no additions to the meeting minutes.

Strategic, Planning
& Goals

c. Operations and Engineering. Mr. Mullen stated that the Committee met on June 14, 2022. He noted items requiring Board action would be considered later in the agenda on June 23rd. There were no additions to the meeting minutes.

Operations and
Engineering

d. Finance. Mr. Knapp stated that the Committee met on June 15, 2022. 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. In response to a question from Mr. Kern, Mr. Cherico stated that a Pension meeting is being scheduled in July with advisors attending to provide Pension Plan updates. This meeting is typically held prior to the Finance Committee meeting.

Pension

f. Legal Liaison. Ms. Billings stated that pending litigation matters will be discussed in Executive Session.

Legal Liaison

2. CHAIRMAN: Mr. Kern reported that there was a cordial meeting held last week with Aqua to discuss capital financing and, tomorrow, there will be a phone call with PennVest general council to discuss any obstacles in seeking a PennVest loan.

CHAIRMAN

3. EXECUTIVE DIRECTOR: Mr. Willert stated that there were no additions to the written report.

EXECUTIVE
DIRECTOR

4. DIRECTOR OF ENGINEERING: In Mr. Hurst's absence, Mr. Willert 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. John Rice of Grim Biehn & Thatcher stated that he will update the Board on a few items in the Executive Session.

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 May 2022.

No action taken.

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. TEW-2008-C – Emergency Change Order – Furnishing Equipment, Labor, & Supervision For Electrical Maintenance, Repairs & Other Construction-Related Projects – Change Order No. 2 – Increase In Contract Amount Due To Support Of Emergency Electrical Work At The Darby Creek Pump Station – Increase In Contract Amount Of \$495,000.00 (Philips Brothers Electrical Contractors)

Contract No.
TEW-2008-C
Electrical Maint. /
Repair
Emergency CO #2

No action taken.

3. CONTRACT CLOSEOUT AND FINAL PAYMENT APPROVAL:
No action taken.

CONTRACT
CLOSEOUT

4. PAYMENT OF BILLS:

PAYMENT OF
BILLS

No action taken.

AUTHORIZATION TO ADVERTISE CONTRACTS:

AUTHORIZATION
TO ADVERTISE
CONTRACTS

• Contract No. TC-2205-C – Sludge Cake Pump No. 3 And Belt Filter Press No. 5 Installation

Contract No.
TC-2205-C

No action taken.

AWARD OF CONTRACTS:

- Contract No. P2022-02 – Sodium Bisulfite (38%)

No action taken.

OLD BUSINESS: Not addressed.

NEW BUSINESS:

1. Authorization for Professional Services: (Capital Funds)

No action taken.

2. Authorization for Professional Services: (Operating Funds)

A. Chavond-Barry Engineering – Proposal Dated May 9, 2022 – For Professional Engineering Services To Provide General Advice During Calendar Year 2022 – Total Amount Not To Exceed \$25,000.00 (Operating Funds)

B. Chavond-Barry Engineering – Proposal Dated May 9, 2022 – For Professional Engineering Services To Provide Scrubber Service (Data Review, Troubleshooting, Operations Support, Prepare Training Materials And Training) – Total Amount Not To Exceed \$35,000.00 (Operating Funds)

C. Trace Environmental Systems, Inc. – Proposal Dated April 7, 2022 – For Professional Engineering Services For CEMS And DAS Maintenance And Support Renewal (July 1, 2022 To June 30, 2023) – Total Amount Not To Exceed \$32,567.00 (Operating Funds)

D. Trinity Consultants – Proposal Dated May 20, 2022 – For Professional Services To Provide Additional Services Regarding The Air Quality Permitting Evaluation For New Back-Up Scrubber, Prepare Plan Approval Application And Prepare Response To PADEP Comments – Total Additional Amount Not To Exceed \$4,600.00 (Operating Funds)

No action taken on all of the above proposals.

3. Authorizations To Purchase:

- Purchase Of Repair Services To Pump No. 1 At Darby Creek Pump Station From A. C. Schultes Through The PA CO-STARS Contract #343-441 – Total Amount Not To Exceed \$23,688.00 (Capital Funds)

AWARD OF
CONTRACTS

Contract No.
P2022-02 Sodium
Bisulfate 38%

OLD BUSINESS

NEW BUSINESS

Authorization for
Professional
Services

Authorization for
Professional
Services

Chavond-Barry
General Advice for
2022

Chavond-Barry
Scrubber Service

Trace Envrnmntl.
CEMS/DAS Support
8/1/2022 to 6/30/2023

Trinity Consultants
Permitting – New
Back-Up Scrubber

Authorizations To
Purchase

Repair Services
at DCPS

- Purchase Of Two (2) Dry Pit Submersible Pumps For The Viscose Village Pump Station Through The PA CO-STARS Contract #359-913 (Reiner Associates) – Total Amount Not To Exceed \$47,500.00 (Capital Funds)

2 Dry Pit Submersible
Pumps for Viscose
Village PS

No action taken on the above purchases.

4. Resolution No. 2022-03 – Resolution Authorizing The Acquisition Of Easements Through Four (4) Properties Set Forth On Exhibit A Thereto By Condemnation Or Deed In Lieu Of Condemnation In Conjunction With The Wastewater Tunnel Project

Res. No. 2022-03

No action taken.

5. Advisor Appointment:

Advisor
Appointment

- Engineering Advisor Services For The Third Quarter 2022 – Weston Solutions, Inc. – Total Amount Not To Exceed \$2,500.00 Per Quarter (Operating Funds)

No action taken.

6. 2022 Holiday Schedule – Revised To Add “Juneteenth” (June 19th) As A Holiday To Be Observed On Monday, June 20, 2022 – Ratification of Action

2022 Holiday
Schedule - Revised

No action taken.

It was moved by Mr. Knapp, seconded by Mr. Monaghan, and unanimously carried to begin the Executive Session at 3:40 P.M. The Board meeting was continued and will reconvene on Thursday, June 23, 2022 at 2:00 P.M so the Board can take formal action on the remaining items listed on this agenda.

EXECUTIVE SESSION: There was an Executive Session held to discuss pending litigation matters.

EXECUTIVE
SESSION

ATTEST
Secretary

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

MINUTES

JUNE 23, 2022 MINUTES OF CONTINUED BOARD MEETING OF
JUNE 21, 2022 (VIRTUAL / ON-SITE)

The Continued Meeting of the Delaware County Regional Water Quality Control Authority was held on Thursday, June 23, 2022, at 2:00 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, Nagle, and Madames Billings, Nichols, and Sage, Board Members, constituting a quorum were present.

ROLL CALL

Messrs. Cherico, DiSantis, Garner, Hurst, Lehman, Rice, Willert, and Mesdames Amadio, Bonnett, Caulk, and Cummings were also present.

PUBLIC ATTENDANCE: Mr. Mike Ewall was present. No other members of the public were present.

PUBLIC

ORDER OF BUSINESS

Mr. Kern, Chairman, called the meeting to Order and stated that today's meeting is a continuation of the Board meeting held on June 21, 2022.

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 Mr. Nagle, seconded by Mr. Knapp, and unanimously carried that the minutes of the Regular Meeting of May 18, 2022, be approved as submitted.

APPROVAL
OF MINUTES

REPORTS:

REPORTS

1. COMMITTEES:

COMMITTEES

a. Human Resources and Administration. Meeting minutes were summarized at the June 21st Board meeting.

Human Resources
and Administration

b. Strategic Planning and Goals. Meeting minutes were summarized at the June 21st Board meeting.

Strategic, Planning
& Goals

c. Operations and Engineering. Meeting minutes were summarized at the June 21st Board meeting. Operations and Engineering

d. Finance. Meeting minutes were summarized at the June 21st Board meeting. Finance

e. Pension. No meeting minutes noted at the June 21st Board meeting. Pension

f. Legal Liaison. Report summary provided at the June 21st Board meeting. Legal Liaison

2. CHAIRMAN: Report summary provided at the June 21st Board meeting. CHAIRMAN

3. EXECUTIVE DIRECTOR: Report summary provided at the June 21st Board meeting. EXECUTIVE DIRECTOR

4. DIRECTOR OF ENGINEERING: Report summary provided at the June 21st Board meeting. DIRECTOR OF ENGINEERING

5. DIRECTOR OF OPERATIONS & MAINTENANCE: Report summary provided at the June 21st Board meeting. DIRECTOR OF OPERATIONS & MAINTENANCE

6. SOLICITOR: Report summary provided at the June 21st Board meeting. SOLICITOR

OPERATING FUND PAYMENTS:

OPERATING
FUND PAYMENTS

1. MONTHLY FINANCIAL REPORT: Report summary provided at the June 21st Board meeting. 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 May 2022.

It was moved by Mr. Knapp, seconded by Ms. Billings, and unanimously carried that the statement and the list of bills in the amount of \$3,588,645.07 for the month of May 2022 contained in the Chief Financial Officer report be approved.

CONSTRUCTION FUND PAYMENTS:

CONSTRUCTION
FUND PAYMENTS

1. ENGINEERING ADVISOR'S REPORT: Report summary provided at the June 21st Board meeting. ENGINEERING ADVISOR

2. CHANGE ORDERS:

CHANGE ORDERS

- Contract No. TEW-2008-C – Emergency Change Order – Furnishing Equipment, Labor, & Supervision For Electrical Maintenance, Repairs & Other Construction-Related Projects – Change Order No. 2 – Increase In Contract Amount Due To Support Of Emergency Electrical Work At The Darby Creek Pump Station – Increase In Contract Amount Of \$495,000.00 (Philips Brothers Electrical Contractors).

Contract No.
TEW-2008-C
Electrical Maint. /
Repair
Emergency CO #2

Mr. Kern stated that the above emergency 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. Nagle, seconded by Mr. Knapp, and unanimously carried to approve the above Emergency Contract Change Order No. 2.

3. CONTRACT CLOSEOUT AND FINAL PAYMENT APPROVAL:

CONTRACT
CLOSEOUT

Mr. Kern stated that there were no Contract Close-Outs at this time.

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 \$3,226,517.87 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. TC-2205-C – Sludge Cake Pump No. 3 And Belt Filter Press No. 5 Installation.

Contract No.
TC-2205-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. Kern asked if this contract includes the purchase of the equipment and is there a project estimate. Mr. Hurst responded that it does include the purchase of equipment and that the project estimate is \$6 million.

It was moved by Ms. Nichols, seconded by Ms. Billings, and unanimously carried to approve the Authorization to Advertise listed above.

AWARD OF CONTRACTS:

AWARD OF
CONTRACTS

- Contract No. P2022-02 – Sodium Bisulfite (38%)

Contract No.
P2022-02 Sodium
Bisulfate 38%

Mr. Kern stated that George S. Coyne Chemical Company, Inc. was the lone bidder with a bid amount of \$80,833.50; however, Coyne Chemical added terms and conditions to its bid which were not part of the bid package, did not provide the required Power of Attorney with the Bid Bond and did not provide a Certificate to do Business in Pennsylvania.

It was moved by Mr. Nagle, seconded by Ms. Billings, and unanimously carried to award Contract No. P2022-02 to George S. Coyne Chemical Company Inc. in the amount of \$80,833.50 and to waive the delivery requirements and to accept the delivery conditions in their Bid Form conditioned upon the receipt of their Power of Attorney to their Bid Bond and conditioned upon the receipt of their Certificate to do Business in Pennsylvania.

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

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

2. Authorization for Professional Services: (Operating Funds)

Authorization for
Professional
Services

A. Chavond-Barry Engineering – Proposal Dated May 9, 2022 – For Professional Engineering Services To Provide General Advice During Calendar Year 2022 – Total Amount Not To Exceed \$25,000.00 (Operating Funds).

Chavond-Barry
General Advice for
2022

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. Sage, seconded by Ms. Nichols, and unanimously carried to approve the Professional Services proposal listed above.

B. Chavond-Barry Engineering – Proposal Dated May 9, 2022 – For Professional Engineering Services To Provide Scrubber Service (Data Review, Troubleshooting, Operations Support, Prepare Training Materials And Training) – Total Amount Not To Exceed \$35,000.00 (Operating Funds).

Chavond-Barry
Scrubber Service

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. Sage, seconded by Mr. Monaghan, and unanimously carried to approve the Professional Services proposal listed above.

C. Trace Environmental Systems, Inc. – Proposal Dated April 7, 2022 – For Professional Engineering Services For CEMS And DAS Maintenance And Support Renewal (July 1, 2022 To June 30, 2023) – Total Amount Not To Exceed \$32,567.00 (Operating Funds).

Trace Envrnmntl.
CEMS/DAS Support
8/1/2022 to 6/30/2023

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. Nagle, seconded by Mr. Monaghan, and unanimously carried to approve the Professional Services proposal listed above.

D. Trinity Consultants – Proposal Dated May 20, 2022 – For Professional Services To Provide Additional Services Regarding The Air Quality Permitting Evaluation For New Back-Up Scrubber, Prepare Plan Approval Application And Prepare Response To PADEP Comments – Total Additional Amount Not To Exceed \$4,600.00 (Operating Funds).

Trinity Consultants
Permitting – New
Back-Up Scrubber

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. Nichols, seconded by Mr. Monaghan, and unanimously carried to approve the Professional Services proposal listed above.

3. Authorizations To Purchase:

Authorizations To
Purchase

• Purchase Of Repair Services To Pump No. 1 At Darby Creek Pump Station From A. C. Schultes Through The PA CO-STARs Contract #343-441 – Total Amount Not To Exceed \$23,688.00 (Capital Funds).

Repair Services
at DCPS

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. Nagle, and unanimously carried to approve the purchase listed above.

- Purchase Of Two (2) Dry Pit Submersible Pumps For The Viscose Village Pump Station Through The PA CO-STARS Contract #359-913 (Reiner Associates) – Total Amount Not To Exceed \$47,500.00 (Capital Funds).

2 Dry Pit Submersible
Pumps for Viscose
Village PS

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. Monaghan, seconded by Ms. Billings, and unanimously carried to approve the purchase listed above.

4. Resolution No. 2022-03 – Resolution Authorizing The Acquisition Of Easements Through Four (4) Properties Set Forth On Exhibit A Thereto By Condemnation Or Deed In Lieu Of Condemnation In Conjunction With The Wastewater Tunnel Project:

Res. No. 2022-03

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. Knapp, and unanimously carried to adopt Resolution 2022-03.

In response to a request from Ms. Nichols, Mr. Hurst explained that this is a formality that we go through when we are engaging with the property owner to acquire subterranean (underground) easements. These easements are not under anyone's homes and the resident does not need to be displaced in any way. As stated on the Exhibit list, one of the easements is located in the City of Chester, two are located in Ridley Township and one is located in Prospect Park Borough. The one in the City of Chester is located under a street owned by Covanta.

Mr. Hurst reiterated that the tunnel program is not going to relocate anyone nor do residents need to move from their house nor do residents need to leave their house nor do residents need to sell their property. These are subterranean easements only.

5. Advisor Appointment:

Advisor
Appointment

- Engineering Advisor Services For The Third Quarter 2022 – Weston Solutions, Inc. – Total Amount Not To Exceed \$2,500.00 Per Quarter (Operating Funds).

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. Knapp, seconded by Ms. Sage, and unanimously carried that Weston Solutions, Inc. be appointed as Engineering Advisor for the third quarter of 2022 for an amount of \$2,500.00 per quarter.

6. 2022 Holiday Schedule – Revised To Add “Juneteenth” (June 19th) As A Holiday To Be Observed On Monday, June 20, 2022 – Ratification of Action:

2022 Holiday
Schedule - Revised

Mr. Kern stated that this item was discussed and approved at the Human Resources & Administration Committee meeting.

It was moved by Mr. Nagle, seconded by Ms. Billings, and unanimously carried to ratify the action of the Human Resources & Administration Committee to approve the addition of June 19th (“Juneteenth”) to the 2022 Holiday Schedule.

Mr. Knapp asked if this added holiday would be ongoing. Mr. Willert stated that this new holiday will be included in future Holiday Schedules that are approved by the Board each year. Mr. Willert also stated that the union will be informed of this additional holiday.

Prior to adjournment, Mr. Kern stated that there are many critical activities that need to occur over the next six months. He requested a meeting with staff to create a chart outlining all of the activities that need to happen and the specific order in which they need to happen over the next six months. Any other Board member is welcome to participate. He also mentioned a recent meeting with PennVest’s general counsel and a follow-up phone call with PennVest’s area representative wherein options for various loan funding scenarios were discussed; however, ideally Aqua and the County would need to be in agreement. All parties have expressed a desire to do what is best for the rate payers. Mr. Willert stated that a plan can be drafted and sent to all Board members for review.

In response to a question from Ms. Billings about interest rates, Mr. Kern stated that the current PennVest loan interest rate is 1.8% for

the first five years, then 2.1% for years six to twenty; however, funding through commercial paper is about 3% to 3.5% in interest. PennVest funding offers a significant savings in the millions of dollars when we consider the award amount of the tunnel project in the near future.

EXECUTIVE SESSION: There was no Executive Session held on June 23rd. EXECUTIVE SESSION

ADJOURNMENT: It was moved by Ms. Billings, seconded by Mr. Knapp, and unanimously carried to adjourn the meeting at 2:22 P.M. ADJOURNMENT

ATTEST
Secretary