

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

MINUTES

JULY 19, 2022 (ON-SITE / VIRTUAL OPTION)

The Regular Meeting of the Delaware County Regional Water Quality Control Authority was held on Tuesday, July 19, 2022, at 3:30 P.M. The meeting was held in the Board Room of the Administration Building at 100 East Fifth Street, Chester, Pennsylvania and virtually via Zoom.com. 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, Caulk, and Cummings were also present.

PUBLIC ATTENDANCE: Mr. Michael Clarke and Ms. Samantha Newell of Rudolph Clarke, LLC were 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. Billings, seconded by Ms. Sage, and unanimously carried that the minutes of the Regular Meeting of June 21 and the Continued Meeting of June 23, 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 July 11, 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 July 11, 2022. There were no additions to the meeting minutes. Strategic, Planning & Goals

- c. Operations and Engineering. Mr. Mullen stated that the Committee met on July 12, 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 July 13, 2022. There were no additions to the meeting minutes. Finance
- e. Pension. Mr. Monaghan stated that the Committee met on July 13, 2022. He noted that the two Pension consultants, CBIZ InR (investment advisor) and CBIZ Savitz (actuary) were present, and provided an overview of the Pension Plan. It was agreed to continue to make monthly deposits. Pension
- f. Legal Liaison. Ms. Billings provided an update on the Aqua acquisition of DELCORA. She stated that the PUC decided not to take any action on the case as they were waiting for the Commonwealth Court decision. PUC wanted the case returned to the Administrative Law Judge. There was a stay of any action pending the lawsuit between the County and the PUC on that decision to send it back. Then, there is also a pending case between the County and DELCORA that has not yet been resolved. The PUC has decided that they do want the case to go forward even though both cases are still pending. Sometime soon, the PUC will make a decision to approve or not approve the sale. Ms. Billings also mentioned the pending case between the County and DELCORA regarding the ordinance to dissolve DELCORA. Judge Dozor decided in favor of Aqua. The County appealed to the Commonwealth Court which ruled that the County ordinance was valid. Judge Dozor was requested to enter an order consistent with the Commonwealth's decision. A court date was set for September 7th to hear additional information on that case. She noted that there was no need for an Executive Session today since no action is required at this time. Legal Liaison
2. CHAIRMAN: Mr. Kern reported that he learned that Aqua will not support the PennVest loan application; therefore, funding for 2023 capital projects will be obtained from commercial paper. 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. Rice stated that a draft of Responsible Contractor Regulations was circulated to Staff. This will revise the bidding process and will be presented to the Board in a resolution. He is also working on updating the Human Resources Manual along with Lindsey Amadio.

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 June 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 \$5,011,957.86 for the month of June 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:

CHANGE ORDERS

• Contract No. SU-2102-C – Church Street Sewer Renovation In Upland Borough – Change Order No. 1 – Credit For Unused Quantities – Decrease In Contract Amount Of \$9,153.00 (A. J. Jurich)

Contract No.
SU-2102-C
Church St. Sewer
Renov. - Upland
CO #1

Mr. Kern 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. Moss, and unanimously carried to approve the above contract change order.

3. CONTRACT CLOSEOUT AND FINAL PAYMENT APPROVAL:

CONTRACT
CLOSEOUT

• Contract No. SU-2102-C – Church Street Sewer Renovation In Upland Borough (A. J. Jurich)

Contract No.
SU-2102-C
Church St. Sewer
Renov. - Upland

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 Mr. Knapp, 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. 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 \$3,585,680.55 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. P2022-03 – Dry Ash
- Contract No. P2022-04 – Replacement Belts For A Belt Filter Press/Gravity Belt Thickeners
- Contract No. P2022-05 – Dewatered Solids Transportation, Stabilization And Beneficial Use/Disposal Services
- Contract No. P2022-06 – Uniform Rental Service
- Contract No. TEW-2206-C – Furnishing Equipment, Labor & Supervision For Electrical Maintenance Repairs & Other Related Projects

Contract No.
P2022-03

Contract No.
P2022-04

Contract No.
P2022-05

Contract No.
P2022-06

Contract No.
TEW-2206-C

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 Ms. Billings, and unanimously carried to approve all of the Authorization to Advertise Contracts listed above.

AWARD OF CONTRACTS:

AWARD OF
CONTRACTS

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

Contract No.
SEW-2203-CO
Annual Sewer
Maintenance

Mr. Kern stated that two bids were received and that the lowest qualified bidder was A. J. Jurich, Inc. with a one-year bid amount of \$1,022,630.00 and a total two-year bid amount of \$2,045,260.00, and was in full compliance with DELCORA's requirements.

It was moved by Ms. Billings, seconded by Mr. Mullen, and unanimously carried to award Contract No. SEW-2203-CO to A. J. Jurich, Inc. for a two-year contract in the amount of \$2,045,260.00.

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. Remington & Vernick Engineers – Proposal Dated July 6, 2022 – For Professional Engineering Services To Evaluate Several Access Hatches And Report On Any Corrective Actions – Total Amount Not To Exceed \$45,800.00 (Capital Funds). Remington & Vernick Evaluate Access Hatches

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. Monaghan, and unanimously carried to approve the Professional Services proposal listed above.

2. Authorization for Professional Services: (Operating Funds) Authorization for Professional Services

A. Suburban Consulting Engineers, Inc. – Proposal Dated June 23, 2022 – For Professional Engineering Consulting Services To Provide Assistance With DELCORA's Community Outreach Program – Total Amount Not To Exceed \$5,000.00 (Operating Funds). Suburban Consulting Community Outreach Consulting Services

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. Monaghan, and unanimously carried to approve the Professional Services proposal listed above.

In response to a request from Ms. Nichols to provide an overview of this proposal, Mr. Hurst stated that Nicole Brown has been heavily involved in the community outreach program. She was formerly with

AECOM but is now with Suburban Consulting Engineers. She has been an integral part of DELCORA's community engagement team and this proposal is for her continued participation until such time as DELCORA hires its own Community Engagement and Outreach Coordinator. Mr. DiSantis added that Ms. Brown has been a valued resource due to her personal relationships in the community.

3. Approval of the following Easement Agreements for the Wastewater Tunnel Project in accordance with the DELCORA Board of Directors Resolution 2022-01:

Tunnel Easements
(International Non-Ferrous Metal & Delco Nine LP)

<u>Parcel No.</u>	<u>Owner</u>	<u>Type Of Easement</u>	<u>Cost</u>
49-11-00157-00	International Non-Ferrous Metal, Inc., 2918 West 2 nd Street, Chester	Subterranean	\$3000.00
33-00-00230-00	Delco Nine, LP 1000 Darby Rd., Prospect Park c/o Friedman Realty Group, Inc.	Subterranean	\$1500.00

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 Ms. Nichols, and unanimously carried to approve the two subterranean easements listed above.

4. Approval Of The Following Easement Agreement For The Wastewater Tunnel Project In Accordance With The DELCORA Board Of Directors Resolution 2022-03:

Tunnel Easement
(Preserve at Darby Creek LP)

<u>Parcel No.</u>	<u>Owner</u>	<u>Type Of Easement</u>	<u>Cost</u>
33-00-00850-10	Preserve at Darby Creek, LP 0 Lazaretto Rd., Prospect Park c/o Friedman Realty Group, Inc.	Subterranean	\$1500.00

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 subterranean easement listed above.

EXECUTIVE SESSION: There was no Executive Session.

EXECUTIVE
SESSION

ADJOURNMENT: It was moved by Ms. Nichols, seconded by Mr. Monaghan, and unanimously carried to adjourn the meeting at 3:53 P.M.

ADJOURNMENT

ATTEST
Secretary